



# Ceylon Government Gazette

Published by Authority.

No. 6,348 — FRIDAY, DECEMBER 31, 1909.

PART I.—General: Minutes, Proclamations, Appointments, and General Government Notifications.

PART II.—Legal and Judicial.

PART III.—Provincial Administration.

PART IV.—Land Settlement.

PART V.—Mercantile, Marine, Municipal, Local, &c.

*Separate paging is given to each Part in order that it may be filed separately.*

## Part II.—Legal and Judicial.

	PAGE		PAGE
Passed Ordinances .. ..	943	Notices in Testamentary Actions .. ..	990
Draft Ordinances .. ..	941	Notices in Insolvency Cases .. ..	991
Notices from Supreme Court Registry .. ..	—	Notices of Fiscals' Sales .. ..	992
Notices from Council of Legal Education .. ..	—	Notices from District and Minor Courts .. ..	—
Notifications of Criminal Sessions of Supreme Court .. ..	—	Lists of Articled Clerks .. ..	—
Lists of Jurors and Assessors .. ..	—		

### DRAFT ORDINANCES.

#### MINUTE.

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

**An Ordinance amending the Law providing for the Establishment and Regulation of a Police Force in this Island.**

Preamble.

WHEREAS it is expedient to amend "The Police Ordinance, 1865," and the Ordinance No. 7 of 1880, amending "The Police Ordinance, 1865," in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Police (Amendment) Ordinance, 1909," and shall be read and construed as one with "The Police Ordinance, 1865" (hereinafter referred to as "the principal Ordinance"), and with the Ordinance No. 7 of 1880, intituled "An Ordinance to amend 'The Police Ordinance, 1865.'" respectively.

- Substitution of new definition of "police officer." 2 In section 6 of the principal Ordinance for the definition of the expression "police officer" the following definition shall be substituted :
- The expression "police officer" means a member of the regular police force, and includes all persons enlisted under this Ordinance.
- Substitution of a new section. 3 For section 25 of the principal Ordinance the following section shall be substituted :
- Appointment of subordinate officers. (1) The Inspector-General of Police shall appoint such and so many subordinate officers as the Governor may direct, and may, subject to the rules to be made and approved by the Governor in Executive Council as hereinafter provided, dismiss and discharge such officers.
- The Inspector-General of Police may also make and carry into effect regulations for the due punishment by himself or by the Superintendents or Assistant Superintendents of Police of subordinate officers who may be found remiss or negligent in the discharge of their duties or guilty of misconduct.
- For the purposes of this sub-section the expression "subordinate officer" means any person enlisted under this Ordinance below the grade of an Inspector.
- Amendment of section. 4 In line 6 of section 30 of the principal Ordinance for the words "five pounds" the words "two hundred and fifty rupees" shall be substituted.
- Amendment of section. 5 In line 9 of section 32 of the principal Ordinance for the word "Inspectors" the words "Assistant Superintendents of Police" shall be substituted.
- Amendment of section. 6 In lines 4 and 5 of section 55 of the principal Ordinance for the words "police officer in charge of a station house" the words "officer in charge of a station" shall be substituted.
- Amendment of section. 7 In lines 1 and 2 of section 57 of the principal Ordinance for the words "such above-mentioned police officer" the words "any officer in charge of a station" shall be substituted.
- Amendment of section. 8 In line 1 of section 69 of the principal Ordinance for the word "Inspector" the word "Sub-Inspector" shall be substituted.
- Amendment of section. 9 In line 2 of section 74 of the principal Ordinance for the word "Inspector" the word "Sub-Inspector" shall be substituted.
- Substitution of section. 10 For section 2 of the Ordinance No. 7 of 1880, intituled "An Ordinance to amend 'The Police Ordinance, 1865,'" the following section shall be substituted :
- Fixed rates at which such recovery shall be made. 2. The cost of the police payable under the 10th, 11th, 17th, and 26th sections of "The Police Ordinance, 1865," and recoverable under the 27th section of the said Ordinance, shall be at the rates hereinafter mentioned, that is to say :

		Per Annum.	
		Rs.	c.
Inspector	.. ..	2,280	0
Sub-Inspector	.. ..	1,080	0
European police sergeant	.. ..	1,116	0
European police sergeant employed after June 30, 1910	.. ..	2,160	0
European police constable	.. ..	864	0
First class native police sergeant	.. ..	660	0
Second class native police sergeant	.. ..	431	19
Native police constable	.. ..	290	40

Proof of charges. and the certificate of the Inspector-General of Police shall be conclusive evidence of the correctness of all charges made under this Ordinance.

By His Excellency's command,

HUGH CLIFFORD,  
Colonial Secretary,  
Colonial Secretary's Office,  
Colombo, October 20, 1909.

*Statement of Objects and Reasons.*

THE object of the Draft Ordinance is to introduce into the Police Ordinance certain amendments which are called for by the present organization of the Force.

2. The principal matters affected by the Ordinance are (a) the definition of the term "police officer," (b) the power of the Inspector-General to make rules for the punishment of subordinate officers either by himself or by Superintendents or Assistant Superintendents, and (c) the scale of expenses payable by the inhabitants when a Police Force is quartered in their districts.

Colombo, October 11, 1909.

ALFRED G. LASCELLES,  
Attorney-General.

**PASSED ORDINANCES.**

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

**No. 19 of 1909.**

**An Ordinance to amend "The Ceylon Savings Bank Ordinance, 1859."**

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to amend in certain particulars "The Ceylon Savings Bank Ordinance, 1859" (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 Ceylon Savings Bank (Amendment) Ordinance, 1909," and this Ordinance, the principal Ordinance, and the Ordinances amending the same shall be read and construed together, and may be cited collectively as "The Ceylon Savings Bank Ordinances, 1859 to 1909."

Addition of a new section.

2 After section 18 of the principal Ordinance the following section shall be added and shall be numbered 18 A:

Moneys in name of married woman.

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

Passed in Council the Twenty-fourth day of November, One thousand Nine hundred and Nine.

A. G. CLAYTON,  
Clerk to the Council.

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

HUGH CLIFFORD,  
Colonial Secretary.

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

No. 20 of 1909.

An Ordinance for making provision for the Supplementary Contingent Charges for the Year 1908.

HENRY McCALLUM.

Preamble.

WHEREAS by Ordinance No. 20 of 1907 it was enacted that a sum not exceeding Thirty million Six hundred and Sixty-eight thousand Two hundred and Twenty-five rupees should be charged upon the revenue and other funds of this Island for the contingent service of the year One thousand Nine hundred and Eight, and it has become necessary to make further provision for the service of the said year: It is enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Rs. 4,230,376-87 to be charged upon the revenue of the Island for the Supplementary Contingent Charges for the year 1908.

1 That a sum not exceeding Four million Two hundred and Thirty thousand Three hundred and Seventy-six rupees and Eighty-seven cents shall be and the same is hereby charged upon the revenue of this Island and other funds of the colony for the services hereinafter mentioned; and the said expenditure shall be in conformity with the details of the estimates specified in the Schedule hereunto annexed, whereof the following is an abstract:

	Rs.	c.
1. Public Debt.....	23,542	27
3. Pensions.....	67,248	76
4. Ecclesiastical.....	99	80
5. Exchange.....	2,111	67
8. Secretariat.....	10,599	43
9. Controller of Revenue.....	244	54
10. Treasury.....	779	21
12. Provincial Administration.....	49,919	94
15. Government Stores.....	365	45
16. Immigration.....	4,590	44
18. Customs.....	825	80
20. Forest Department.....	1,252	32
21. Railway Department.....	132,568	86
24. Legal Departments:—		
Supreme Court.....	11,558	11
Solicitor-General.....	81	17
District Courts.....	1,002	33
Fiscals.....	15,288	83
29. Royal Botanic Gardens.....	6,534	43
30. Colombo Museum.....	3,977	42
32. Veterinary Department.....	2,952	63
35. Inspector of Mines.....	78	63
37. Miscellaneous Services.....	139,676	96
40. Public Works Annually Recurrent.....	69,514	9
41. Irrigation Annually Recurrent.....	11,353	55
42. Railway Works Annually Recurrent.....	46,656	62
43. Public Works Extraordinary.....	225,087	80
44. Irrigation Extraordinary.....	27,812	86
45. Railway Works Extraordinary.....	303,979	59
46. Expenditure chargeable to Loan:—		
Harbour Works.....	329,617	1
Stations Extension.....	31,800	74
Northern Railway Construction.....	26,998	74
Mannar Railway Survey.....	50,385	98
Ratnapura Railway.....	185,728	87
Irrigation Works.....	166,453	21
47. Surplus Balances:—		
Railway Sea Coast Protection Scheme.....	116,148	59
Warehouses, Colombo Customs.....	162,448	94
Depreciation and loss in adjustment of Government Stores.....	1,091	28
Total ..	4,230,376	87

## SCHEDULE

	Personal Emoluments.		Other Charges.		Total.
	Rs.	c.	Rs.	c.	
No. 1.—PUBLIC DEBT. Treasurer .. .. .	—	—	23,542	27	23,542 27
No. 3.—PENSIONS. Treasurer .. .. .	—	—	67,248	76	67,248 76
No. 4.—ECCLESIASTICAL .. .. .	99	80	—	—	99 80
No. 5.—EXCHANGE .. .. .	—	—	2,111	67	2,111 67
No. 8.—SECRETARIAT. Government Printer .. .. .	—	—	10,599	43	10,599 43
No. 9.—CONTROLLER OF REVENUE .. .. .	244	54	—	—	244 54
No. 10.—TREASURY. Treasurer .. .. .	—	—	779	21	779 21
No. 12.—PROVINCIAL ADMINISTRATION .. .. .	—	—	49,919	94	49,919 94
No. 15.—GOVERNMENT STORES. Controller of Government Stores .. .. .	—	—	365	45	365 45
No. 16.—IMMIGRATION .. .. .	151	0	4,439	44	4,590 44
No. 18.—CUSTOMS. Principal Collector .. .. .	—	—	825	80	825 80
No. 20.—FOREST DEPARTMENT. Conservator of Forests .. .. .	1,252	32	—	—	1,252 32
No. 21.—RAILWAY DEPARTMENT. General Manager .. .. .	—	—	132,568	86	132,568 86
No. 24.—LEGAL DEPARTMENTS. Supreme Court .. .. .	—	—	11,558	11	11,558 11
Solicitor-General .. .. .	81	7	—	—	81 17
District Courts .. .. .	1,002	33	—	—	1,002 33
Fiscals .. .. .	—	—	15,288	83	15,288 83
No. 29.—ROYAL BOTANIC GARDENS .. .. .	—	—	6,534	43	6,534 43
No. 30.—COLOMBO MUSEUM. Director .. .. .	—	—	3,977	42	3,977 42
No. 32.—VETERINARY DEPARTMENT Veterinary Surgeon .. .. .	—	—	2,952	63	2,952 63
No. 35.—INSPECTOR OF MINES .. .. .	—	—	78	63	78 63
No. 37.—MISCELLANEOUS SERVICES Treasurer .. .. .	—	—	139,676	96	139,676 96
	2,831	16	239,888	18	232,579 66

Carried forward .. 475,299 0

B 2

## No. 40.—PUBLIC WORKS ANNUALLY RECURRENT.

		Rs.	c.	Rs.	c.
<b>Maintenance of Roads.</b>					
<i>Western Province : Colombo District.</i>					
	Brought forward ..	—		475,299	0
1	Kotte road toll bar to junction of Galle road near Wellawatta ..	66	76		
2	Grandpass to 34th mile, Kandy road ..	354	24		
3	Grandpass to Avisawella ..	460	44		
4	Kelaniya to Biyagama ..	45	0		
5	Urugodawatta road ..	110	8		
6	Veyangoda-Ruanwella road to Western Province boundary ..	60	75		
7	Wellawatta to 7th mile, Galle road ..	64	45		
8	Wak-oya bridge to Labugama ..	124	74		
9	Mipe-Padukka-Millawa road ..	60	38		
<i>Kalutara District.</i>					
10	Horana to Alutgama ..	986	16		
11	Approach roads to railway stations, Lunawa to Alutgama ..	10	53		
12	Seventh mile, Galle road, to Bentota ..	1,878	78		
13	Moratuwa to junction of Kesbewa road ..	179	68		
14	Nagoda-Neboda road ..	22	43		
15	Panadure to Nambapana ..	500	95		
16	Road leading to District Hospital, Neboda ..	164	92		
17	Bope-Nambapana road ..	94	42		
18	Matugama to Pimbura ..	731	58		
<i>Negombo District.</i>					
19	Grandpass to Toppu ..	701	42		
20	Giriulla to Pasyala ..	104	73		
21	Ja ela to Kotadeniyawa ..	89	87		
22	Minuwangoda to Henaratgoda ..	427	79		
23	Mahahunupitiya to Mugurugampola ..	155	47		
24	Negombo to Giriulla ..	584	30		
25	Veyangoda to Negombo ..	153	76		
<i>Central Province : Katugastota District.</i>					
26	Iriyagama to Aladeniya ..	3	61		
27	Katugastota to Galagedara ..	91	38		
<i>Branch Roads.</i>					
28	Duckwari bazaar to Kota-ganga ..	19	90½		
29	Hulu ganga bridge to end of Bambara-ela ..	51	7½		
<i>Matale District.</i>					
30	Balakaduwa to junction of Trincomalee-Anuradhapura road ..	43	18		
31	Matale to Udapihilla and Kalalpitiya to Ukuwela railway station ..	14	48		
<i>Pussellawa District.</i>					
32	Gampola to Pussellawa ..	256	43		
33	Pussellawa to Ramboda ..	4	52		
34	Tawalantenna to Watagoda ..	237	15		
<i>Branch Roads.</i>					
35	Pupuressa road ..	99	78½		
<i>Nuwara Eliya District.</i>					
36	Ramboda to Wilson's bungalow ..	645	17		
37	Brookside-High Forest road ..	175	60		
<i>To General Manager, Ceylon Government Railway.</i>					
38	Uda-Pussellawa road, from Kandapola to Ragalla ..	640	80		
<i>Dimbula District.</i>					
39	Craigie Lea to Lindula ..	621	12		
40	Dimbula road, Nawalapitiya to Craigie Lea ..	1,337	70		
41	Dolosbage road, 1st section ..	603	79		
42	Dimbula-Dikoya Junction road (Dimbula junction to Hatton) ..	44	93		
43	Lindula to Nuwara Eliya (Lindula to Nanu-oya) ..	249	30		
44	Tispans road ..	215	89		
<i>Branch Roads.</i>					
45	Dolosbage road, 2nd section ..	228	11½		
46	Lindula to end of Agra road ..	722	49		
47	Railway Gorge road ..	12	0		
48	Walaha road ..	1	0		
49	Glenlyon-Preston road ..	93	50		
	Carried forward ..	14,546	55	475,299	0

No. 40.—PUBLIC WORKS ANNUALLY RECURRENT—*contd.*

		Rs.	c.	Rs.	c.
<b>Maintenance of Roads—<i>contd.</i></b>					
	Brought forward ..	14,546	55	475,299	0
<i>Northern Province : Jaffna District.</i>					
1	Jaffna to Karativu ..	87	66		
2	Jaffna to Kankesanturai ..	52	46		
3	Jaffna to Point Pedro ..	156	12		
4	Jaffna to Kaitadi ..	41	68		
5	Manipay to Kaitadi ..	19	55		
6	Punnalai road ..	54	71		
7	Punnaiturai to Kayts ..	32	71		
8	Point Pedro to Punnalai ..	96	74		
9	Jaffna-Palalai road ..	43	33		
<i>Pallai District.</i>					
10	Chavakachcheri to Karaveddi ..	62	33		
11	Kaitadi to Mankulam ..	787	35		
12	Point Pedro to Kodikamam ..	70	15		
13	Approach roads to railway stations ..	10	16		
<i>Vavuniya District.</i>					
14	Central road to Mullaittivu (new trace) ..	617	18		
15	Mankulam to Galkandamadu ..	784	57		
16	Mullaittivu to Central road (old trace) ..	89	35		
17	Vavuniya to Parayanalankulam ..	321	91		
18	Approach roads to public buildings ..	36	27		
<i>Southern Province : Galle District.</i>					
19	Bentota to Goiyapana ..	297	0		
20	Dodanduwa to Baddegama ..	47	97		
21	Galle to Udugama ..	5	36		
22	Galle to Akuressa ..	402	40		
23	Kahawe to Batapola ..	14	79		
24	Roads within the Municipality of Galle ..	430	78		
<i>Matara District.</i>					
25	Akuressa to Wiharahena ..	682	90		
26	Dikwella to Beliatta ..	106	7		
27	Goiyapana to Tangalle ..	845	75		
28	Matara to Hakmana ..	136	37		
29	Matara-Akuressa road ..	138	64		
<i>Branch Roads.</i>					
30	Deniyaya to Hayes (Government moiety) ..	108	34		
<i>Hambantota District.</i>					
31	Tangalla to Hambantota ..	799	50		
<i>Eastern Province : Batticaloa District.</i>					
32	Kalkudah road ..	20	4		
33	Madura-oya to Eravur ..	196	41		
34	Road from the resthouse to the bar, Batticaloa ..	23	20		
35	Kalkudah-Vallaichenai road ..	12	0		
<i>Kalmunai District.</i>					
36	Akkaraipattu-Sagamam road ..	158	46		
37	Arasadi to Malcompuddi ..	65	58		
38	Coast road, south ..	1,386	56		
39	Karativu to Samanturai and Irakkam ..	150	2		
40	Kalmunai-Chadayantalawa road ..	128	96		
41	Pottuvil-Muppane road ..	15	6		
<i>Trincomalee District.</i>					
42	Coast road, Trincomalee District ..	1,605	50		
43	Gravets road, Trincomalee ..	47	96		
44	Trincomalee to Kituluttu ..	1,394	65		
45	Trincomalee towards Anuradhapura ..	557	80		
<i>North-Western Province : Kurunegala District.</i>					
46	Padeniya to Siyambalagama ..	644	91		
	Carried forward ..	28,333	76	475,299	0

No. 40.—PUBLIC WORKS ANNUALLY RECURRENT— <i>contd.</i>		Rs.	c.	Rs.	c.
Brought forward ..		28,333	76	475,299	0
<b>Maintenance of Roads—<i>contd.</i></b>					
<i>Puttalam District.</i>					
1	Nikaweratiya to Puttalam .. .. .	838	69		
2	Puttalam to Madurugama .. .. .	166	86		
<i>Chilaw District.</i>					
3	Chilaw-Wariyapola road .. .. .	1,081	41		
4	Madampo to Dummalasuriya .. .. .	110	39		
5	Toppu to Dankotuwa .. .. .	105	47		
<i>North-Central Province : Anuradhapura District.</i>					
6	Anuradhapura to Siyambalagama .. .. .	1,846	61		
7	Approach roads to public buildings .. .. .	5	75		
8	Kala-oya to Galagodahena .. .. .	1,416	3		
9	Mirisgoni-oya to Galkandamadu (Galkulam to Rambewa) .. .. .	932	20		
10	Talawa to Kekirawa (Talawa to 10th mile) .. .. .	220	65		
11	Road to railway station, Anuradhapura .. .. .	236	65		
12	Approach road to passenger station, Anuradhapura .. .. .	6	3		
<i>Mihintale District.</i>					
13	Galkulam through Mihintale to Rambewa .. .. .	194	72		
14	Horowapotana towards Vavuniya .. .. .	62	54		
15	Kala-oya to Galagodahena .. .. .	354	31		
<i>Maradankadawala District.</i>					
16	Habarana-Topawewa road .. .. .	163	85		
17	Mirisgoni-oya to Kituluttu .. .. .	890	72		
18	Mirisgoni-oya to Galkandamadu (Mirisgoni-oya to Galkulam) .. .. .	1,148	43		
19	Kekirawa to Galawela .. .. .	70	34		
20	Maradankadawala to Habarana .. .. .	141	76		
21	Kekirawa to Talawa (0 to 10 miles) .. .. .	68	10		
22	Sigiriya road .. .. .	31	94		
23	Kekirawa-Ganamalpola road .. .. .	24	77		
<i>Province of Uva : Badulla District.</i>					
24	Badulla to Taldena .. .. .	507	6		
25	Badulla to Haputale .. .. .	2,105	26		
26	Dikwella to Madulla .. .. .	484	81		
27	Dikwella to Hakgala .. .. .	428	28		
28	Kumbalwela to Passara .. .. .	440	61		
29	Lower Badulla road .. .. .	91	66		
30	Naula-Spring Valley road .. .. .	490	28		
31	Approach roads to public buildings .. .. .	72	15		
32	Bandarawela to Leangahawela .. .. .	147	16		
33	Roehampton to Diyatalawa .. .. .	150	71		
34	Haputale and Nanu-oya bridle road to Pattipola .. .. .	224	77		
35	Ohiya to junction of Horton Plains road .. .. .	104	87		
<i>Passara District.</i>					
36	Badulla to boundary of the Eastern Province .. .. .	4,890	78		
37	Bibile to Medagama and Muppane .. .. .	619	42		
38	Bibile to Alutnuwara .. .. .	301	64		
39	Kumbalwella-Passara road .. .. .	789	16		
40	Passara to Dunedin factory .. .. .	1,774	47		
41	Passara-Muppane road to 13½ mile .. .. .	36	24		
<i>Koslanda District.</i>					
42	Haldummulla-Horton Plains road .. .. .	25	74		
43	Wellawaya to Monaragala and towards Pottuvil .. .. .	289	30		
<i>Branch Roads.</i>					
44	Koslanda bazaar to Poonagala factory (Government moiety) .. .. .	10	37		
Carried forward ..		52,436	72	475,299	0



No. 40.—PUBLIC WORKS ANNUALLY RECURRENT—*contd.*

		Rs.	c.	Rs.	c.
<b>Maintenance of Roads—<i>contd.</i></b>					
	Brought forward ..	52,436	72	475,299	0
<i>Province of Sabaragamuwa : Ratnapura District.</i>					
1	Morawaka-Rakwana bridle road ..	95	70		
2	Madampe towards Hambantota ..	543	48		
3	Pelmadulla to Gilgarron ..	1,496	32		
4	Ratnapura to Halpe ..	1,682	54		
5	Riverside road, Ratnapura ..	59	50		
<i>Branch Roads.</i>					
6	Ratnapura-Malwella ferry road ..	93	54		
<i>Avisawella District.</i>					
7	Avisawella-Ratnapura road ..	942	25		
8	Nambapana road ..	162	71		
9	Avisawella towards Ginigathena ..	827	95		
<i>Kegalla District.</i>					
10	Dolosbage to Rambukkana ..	645	81		
11	Kandy road, 34th milepost to Kadugannawa ..	1,193	80		
12	Kegalla to Bulathkohupitiya ..	652	10		
13	Kinadeniya road ..	3	70		
	Total Maintenance of Roads ..	60,836	12		
<b>Maintenance of Inland Navigation.</b>					
<i>Western Province : Colombo District.</i>					
14	Colombo to Bolgoda ..	101	33		
<i>Negombo District.</i>					
15	Old Hendala canal ..	41	61		
16	Negombo to Kammal ..	103	40		
17	Colombo to Pamunugama ..	130	24		
<i>Kalutara District.</i>					
18	Bolgoda to Galapata ..	38	7		
<i>Eastern Province.</i>					
19	Dredging Batticaloa lake ..	268	83		
<i>North-Western Province.</i>					
20	Toppu to Puttalam ..	1,276	16		
	Total Maintenance of Inland Navigation ..	1,959	64		
<b>Maintenance of Buildings.</b>					
21	Maintenance of camp buildings, Diyatalawa ..	92	69		
22	Repairs to incinerator, Diyatalawa camp ..	90	0		
	Total Maintenance of Buildings ..	182	69		
<b>Special Repairs to Buildings.</b>					
<i>Central Province.</i>					
23	Calicut tile roofing, Guardian's quarters, Queen's Cottage, Nuwara Eliya ..	42	60		
<i>Province of Uva.</i>					
24	Cost of re-erecting certain buildings, Volunteer camp, Diyatalawa ..	1,236	0		
	Total Special Repairs to Buildings ..	1,278	60		
	Carried forward ..	—	—	475,299	0

No. 40.—PUBLIC WORKS ANNUALLY RECURRENT— <i>contd.</i>		Rs.	c.	Rs.	c.
<b>Miscellaneous.</b>					
Brought forward ..		—		475,299	0
<i>Administration.</i>					
1	For surveys, taking borings, and other preliminary operations connected with proposed works .. .. .	3,763	44		
2	Working the factory, including fuel .. .. .	1,475	5		
3	General service and local transport .. .. .	18	55		
Total Miscellaneous .. .. .		5,257			
Total Public Works Annually Recurrent ..		—		69,514	9
No. 41.—IRRIGATION ANNUALLY RECURRENT.					
<b>Special.</b>					
<i>Central Province.</i>					
4	Repairs to Ma-ela channel .. .. .	610	41		
<i>Southern Province.</i>					
5	Compensation for a house built on a bank of the main channel from Mamadola tank .. .. .	145	0		
<i>Eastern Province.</i>					
6	Erecting of a mosquito-proof room in Chadayantalawa bungalow ..	150	41		
<i>Province of Uva.</i>					
7	For special repairs, Sudupanawela-ela .. .. .	92	10		
8	Repairs to Irrigation Sub-Inspector's bungalow, Bibile .. .. .	18	0		
<i>Special.</i>					
9	Cost of removing head office of Irrigation Department from Colombo to Trincomalee .. .. .	10,074	6		
10	Quarters for Irrigation Superintendent, Tissa, Southern Province ..	68	1		
<i>General.</i>					
11	Walawe works .. .. .	195	56		
Total Irrigation Annually Recurrent .. .. .		—		11,353	55
No. 42.—RAILWAY WORKS ANNUALLY RECURRENT.					
<b>Special Repairs to Buildings.</b>					
12	Re-lining tunnel No. 29 .. .. .	275	7		
13	Repairs to hillside bungalows, Nanu-oya .. .. .	217	3		
14	Renewal of bogie axles .. .. .	30,510	10		
Total Special Repairs to Buildings .. .. .		31,002			
<b>Miscellaneous.</b>					
15	Repairs to slips at 100 miles 36 chains, &c. .. .. .	6,831	52		
16	Protection of Coast Line .. .. .	7,675	20		
17	Furnishing running bungalows .. .. .	1,147	70		
Total Miscellaneous .. .. .		15,654			
Total Railway Works Annually Recurrent ..		—		46,656	62
Carried forward ..		—		602,823	26

## No. 43.—PUBLIC WORKS EXTRAORDINARY.

		Rs.	c.	Rs.	c.
		—		602,823	26
<b>New Works and Buildings.</b>					
<i>Western Province.</i>					
1	Public Works offices .. .. .	17,049	27		
2	Cattle quarantine shed, Dematagoda .. .. .	157	89		
3	Observatory, Colombo .. .. .	212	68		
4	Skinner Memorial Ward .. .. .	151	4		
5	New telegraph office, Colombo .. .. .	16,986	92		
<i>Eastern Province.</i>					
6	Works at Nilaveli .. .. .	189	8		
Total New Works and Buildings .. .. .		34,746	88		
<b>Additions and Improvements to Buildings.</b>					
<i>Western Province.</i>					
7	Store at the jetty for passengers' baggage .. .. .	70	25		
8	Certain alterations and additions to Lunatic Asylum .. .. .	121	48		
9	Extension of Central Timber Depôt, Slave Island .. .. .	2,212	83		
10	Cementing floor of salt store, Kochchikade .. .. .	1,906	37		
11	Window and electric fan, General Treasury .. .. .	199	7		
12	Temporary wards for Muhammadan women at Infectious Diseases Hospital, Kanatta .. .. .	5,185	57		
<i>Central Province.</i>					
13	Alterations to electric light installation, King's Pavilion, Kandy .. .. .	22	42		
<i>Southern Province.</i>					
14	Road defaulters' shed, Galle jail .. .. .	505	53		
<i>Eastern Province.</i>					
15	For completing alterations and additions to Land Registrar's Office, Kacheheri, Batticaloa .. .. .	37	6		
<i>North-Western Province.</i>					
16	Additions to Post Office, Kurunegala .. .. .	0	12		
17	Improvements to latrine, District Judge's quarters, Kurunegala .. .. .	200	52		
<i>Province of Uva.</i>					
18	Reconstruction of Medical Officer's quarters and dispensary at Medagama hospital .. .. .	2,028	99		
Total Additions and Improvements to Buildings .. .. .		12,490	21		
<b>New Roads</b>					
<i>Province of Uva.</i>					
19	Haputale-Dambatenna road .. .. .	1,247	94		
Total New Roads .. .. .		1,247	94		
<b>Additions and Improvements to Roads.</b>					
<i>Western Province.</i>					
20	Paving Customs road .. .. .	33,275	42		
21	Improvement of drains of new road at the back of Warehouses G, H, and Q .. .. .	1,276	96		
22	Road from Matugama to Pimbura .. .. .	11,876	42		
<i>Central Province.</i>					
23	Rahatungoda-Rikiligasgoda road .. .. .	17,669	56		
<i>Northern Province.</i>					
24	Mankulam-Mullaittivu road (new trace) .. .. .	1,442	59		
25	Extending jetty wall and widening Mannar causeway .. .. .	499	83		
<i>Province of Sabaragamuwa.</i>					
26	Improvement of Karawanella-Glenalla road .. .. .	861	82		
Total Additions and Improvements to Roads .. .. .		66,904	60		
Carried forward .. .. .		—		602,823	26

No. 43.—PUBLIC WORKS EXTRAORDINARY— <i>contd.</i>		Rs.	c.	Rs.	c.
Brought forward ..		—		602,823	26
<b>New Bridges.</b>					
<i>Northern Province.</i>					
1	Uppar bridge, North road ..	636	2		
<i>North-Western Province.</i>					
2	Bridge on the 21st mile, Kurunegala-Giriulla road ..	2,073	29		
<i>Southern Province.</i>					
3	Constructing a bridge at Ambalantota ..	89	99		
Total New Bridges ..		2,799	30		
<b>Repair of Bridges.</b>					
<i>Central Province.</i>					
4	Permanent bridge, Kandy road, 28th mile ..	4,876	85		
Total Repair of Bridges ..		4,876	85		
<b>Lands and Buildings to be Acquired.</b>					
<i>Western Province.</i>					
5	Land for widening station road, Kalutara South ..	12,038	95		
6	Acquisition of land and building for office of Principal Civil Medical Officer, Western Province ..	54,600	0		
<i>Northern Province.</i>					
7	Lot No. T 226 for a burial ground at Tellipallai West ..	100	0		
<i>North-Western Province.</i>					
8	Land for Wilakatupota-Ganawatta road ..	1,315	25		
Total Lands and Buildings to be Acquired ..		68,054	20		
<b>Miscellaneous.</b>					
<i>Western Province.</i>					
9	Sixty feet steel chimney for incinerator, General Hospital, Colombo ..	386	92		
10	Repair of flood damages, Negombo District ..	5,658	78		
11	Fencing of machinery in litho room, Surveyor-General's Office ..	148	44		
<i>Central Province.</i>					
12	Grant for completion of drainage scheme, Local Board, Matale ..	5,250	0		
<i>Southern Province.</i>					
13	For protection work against sea encroachment and repairs to the Custom House, Dodanduwa ..	4,380	70		
14	Repair of sea wall, Tangalla ..	5,384	45		
<i>Eastern Province.</i>					
15	For surveys and borings for water supply, Batticaloa ..	175	7		
16	For improvements of approaches to bridges and culverts, Batticaloa ..	440	65		
<i>North-Central Province.</i>					
<i>To Government Agent.</i>					
17	Furniture for Anuradhapura Hotel ..	5,826	34		
18	Compensation for rice contractor ..	1,668	14		
<i>Province of Uva.</i>					
19	Water supply to Badulla hospital ..	1,439	29		
20	Survey of road from Taldena to Alutnuwara ..	2,399	0		
<i>To Government Agent.</i>					
21	Wells and small village works ..	431	19		
<i>Province of Sabaragamuwa.</i>					
<i>To Government Agent.</i>					
22	Wells and small village works ..	239	70		
<i>General.</i>					
23	Repair of storm damages ..	139	15		
Total Miscellaneous ..		33,967	82		
Total Public Works Extraordinary ..		—		225,087	80
Carried forward ..		—		827,911	61

No. 44.—IRRIGATION EXTRAORDINARY.		Rs.	c.	Rs.	c.
Brought forward ..		—		827,911	6
<b>Construction.</b>					
<i>Northern Province.</i>					
1	Construction of channels below Giant's tank ..	10,016	86		
2	Irrigation works at Karachechi ..	14,702	77		
<i>Southern Province.</i>					
3	For regulators, Walawe-ganga scheme..	24	87		
<i>Eastern Province.</i>					
4	Construction of supply channel, Allai tank ..	2,936	3		
5	Pattipolai-arū scheme: works at Amparai, Kondavaddan, and Vellattipatti ..	132	33		
Total Construction ..		27,812	86		
Total Irrigation Extraordinary ..		—		27,812	86
No. 45.—RAILWAY WORKS EXTRAORDINARY: CAPITAL EXPENDITURE.					
<b>New Works and Buildings.</b>					
6	Quarters for staff at Nawalapitiya and Hatton ..	21,594	66		
Total New Works and Buildings ..		21,594	66		
<b>Additions and Improvements to Buildings.</b>					
7	Improvements to station buildings, Ragama ..	894	15		
8	Improvements to station buildings, Nanu-oya ..	237	55		
Total Additions and Improvements to Buildings ..		1,129	70		
<b>New Bridges.</b>					
9	New railway bridge at Kalutara South ..	617	24		
10	Overline bridge at Rambukkana station ..	80	28		
Total New Bridges ..		697	52		
<b>Miscellaneous.</b>					
11	Fitting stock with vacuum brake ..	17	9		
12	Interlocking of points and signals, Nawalapitiya ..	304	97		
13	Plant for maintenance of goods shed approach roads ..	1,068	8		
14	Improvements to permanent way between Kadugannawa and Nawalapitiya ..	3,584	43		
15	Improvements to permanent way between Kadugannawa, Nawalapitiya, and Bandarawela ..	6,026	65		
16	Protective works between Kadugannawa and Ukuwela stations ..	3,012	81		
17	Land for Uda Pussellawa railway ..	1,377	79		
18	Alterations to office of Assistant Auditor for Railways and new Traffic Office ..	1,796	40		
Total Miscellaneous ..		17,188	22		
<b>Re-votes on New Works.</b>					
19	Interlocking roadside stations ..	2,979	98		
20	Interlocking signals, Nanu-oya ..	392	23		
21	Interlocking signals, Nawalapitiya ..	880	35		
22	New quarters, Nanu-oya ..	832	96		
23	Water supply, Bandarawela and Nanu-oya ..	584	44		
24	Negombo railway ..	164,101	65		
25	Twelve high capacity wagons ..	80,411	98		
26	Main Line stock to complete stock of goods wagons (30) ..	53	21		
27	Compensation for land lots (C, D, E, and F) 903, in preliminary plan No. 5,772, acquired for the deviation of the railway line ..	515	0		
28	Repairs to washaways between Henaratgoda and Mirigama ..	11,874	2		
29	Passara railway survey ..	743	67		
		263,369	49		
Total Railway Works Extraordinary ..		—		303,979	59
Carried forward ..		—		1,159,703	51

No. 46.—EXPENDITURE CHARGEABLE TO LOAN.				Rs.	c.	Rs.	c.
Brought forward ..				—		1,159,703	51
1	Harbour Works	..	..	1,329,617	1		
2	Stations Extension	..	..	1,031,800	74		
3	Northern Railway Construction	..	..	26,998	74		
4	Mannar Railway Survey	..	..	50,385	98		
5	Ratnapura Railway	..	..	185,728	87		
6	Irrigation Works	..	..	166,453	21		
Total Expenditure Chargeable to Loan ..				—		2,790,984	55
No. 47.—SURPLUS BALANCES.							
7	Railway Sea Coast Protection Scheme	..	..	116,148	59		
8	Warehouses, Colombo Customs	..	..	162,448	94		
9	Depreciation and loss in adjustment of Government Stores	..	..	1,091	28		
Total Surplus Balances ..				—		279,688	81
Grand Total ..				—		4,230,376	87

Passed in Council the Twenty-fourth day of November, One thousand Nine hundred and Nine.

A. G. CLAYTON,  
Clerk to the Council.

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

HUGH CLIFFORD,  
Colonial Secretary.

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

### No. 21 of 1909.

#### An Ordinance for the Prevention of Smoking by Juveniles.

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to make provision for the prevention of smoking by youthful persons: 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 Prevention of Juvenile Smoking Ordinance, 1909," and shall come into operation at such time as the Governor in Executive Council shall, by Proclamation in the *Government Gazette*, appoint.

Interpretation.

2 In this Ordinance, unless the context otherwise requires—  
"Police officer" means a member of an established police force as well as a headman appointed by a Government Agent to perform police duties.

"Tobacco" means tobacco cut or uncut, and includes any preparation or mixture of tobacco with other substances for the purpose of smoking or chewing.

Penalty on selling tobacco to youthful persons.

3 If any person sells to a person apparently under the age of sixteen years, except on the written order of the parent, guardian, or employer of such last-named person, any cigars, cigarettes, tobacco, or cigarette papers, he shall be liable on summary conviction, in the case of a first offence, to a fine not exceeding twenty rupees, and, in the case of a second offence, to a fine not exceeding fifty rupees, and, in the case of a third and every subsequent conviction, to a fine not exceeding one hundred rupees.

Forfeiture of tobacco.

4 It shall be the duty of a police officer to seize any cigars, cigarettes, tobacco, or cigarette papers in the possession of any person apparently under the age of sixteen whom he finds smoking or chewing tobacco in any street or public place; and any cigars, cigarettes, tobacco, or cigarette papers so seized shall be disposed of in such manner as the Inspector-General of Police, if seized by a member of an established police force; or the Government Agent of the Province, if seized by a headman, may direct.

Passed in Council the First day of December, One thousand Nine hundred and Nine.

A. G. CLAYTON,  
Clerk to the Council.

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

HUGH CLIFFORD,  
Colonial Secretary.

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

No. 23 of 1909.

An Ordinance to amend "The Ceylon Post Office Ordinance, 1908."

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to amend "The Ceylon Post Office Ordinance, 1908," in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Ceylon Post Office Amendment Ordinance, 1909," and shall be read and construed as one with "The Ceylon Post Office Ordinance, 1908," hereinafter called "the principal Ordinance."

Amendment of section 6 (1).

2 In line 1 of sub-section (1) of section 6 of the principal Ordinance for the word "whenever" the word "wherever" shall be substituted.

Amendment of section 12 (1) (a).

3 In lines 1 and 2 of sub-section (1) (a) of section 12 of the principal Ordinance for the words "For the establishment of mail communication and the transmission of mails" the words "For the transmission by post of postal articles" shall be substituted.

Addition of new sub-section 22 (d).

4 After sub-section (c) of section 22 of the principal Ordinance the following sub-section shall be added and shall be numbered (d):

(d) Any circular or advertisement regarding drugs or medicines purporting to be remedies for diseases of the sexual organs or sexual stimulants.

Addition of new section 53 (3) (f).

5 After sub-section (3) (e) of section 53 of the principal Ordinance the following sub-section shall be added and shall be numbered (3) (f):

(f) Authorize the Postmaster-General to enter into an arrangement with any Government Savings Bank authority in the United Kingdom or any British Possession or foreign country for the transfer of sums standing to the credit of depositors from such a Government Savings Bank to the Post Office Savings Bank or from the Post Office Savings Bank to such a Government Savings Bank, and prescribe conditions for such transfers.

Amendment of section 78.

6 (1) In lines 3 and 4 of section 78 of the principal Ordinance for the words "the mails or any postal article in course of transmission by post" the words "any postal article in course of transmission by post or any officer of the post office or vehicle carrying mail bags or postal articles" shall be substituted.

(2) In line 10 of section 78 of the principal Ordinance for the words "the mails" the words "any mail bag" shall be substituted.

Amendment of section 83 (1) (a).

7 In line 1 of sub-section (1) (a) of section 83 for the word "alter" the word "utter" shall be substituted.

Amendment of section 91.

8 In line 3 of section 91 of the principal Ordinance for the word "mails" the words "mail bags or postal articles" shall be substituted.

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

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-second day of December, One thousand Nine hundred and Nine.

HUGH CLIFFORD,  
Colonial Secretary.

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

No. 24 of 1909.

An Ordinance to amend "The Licensing Ordinance, 1891."

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to amend "The Licensing Ordinance, 1891," in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Licensing (Amendment) Ordinance, 1909," and shall be read and construed as one with "The Licensing Ordinance, 1891," hereinafter called "the principal Ordinance."

Amendment of section 19.

2 For section 19 of the principal Ordinance the following section shall be substituted:

Penalty on internal communication between licensed and unlicensed premises.

19. Every person who makes or uses, or allows to be made or used, any internal communication between any licensed premises or tavern and any unlicensed premises or places shall be liable to a fine not exceeding one hundred rupees for every day during which such communication remains open.

Addition of new sub-sections 39 (3), (4), and (5).

3 After sub-section (2) of section 39 of the principal Ordinance the following sub-sections shall be added and shall be numbered (3), (4), and (5):

Sale of liquor to bona fide travellers at hotels during closing hours.

(3) Nothing in this Ordinance contained shall preclude the keeper of an hotel for which a license has been granted under this Ordinance or any person in his employ from selling any intoxicating liquor at such hotel during the hours during which the sale of such liquor is prohibited by sub-section (2) of this section to bona fide travellers arriving during such hours by motor car from places not less than thirty miles distant, or by railway, stage coach, or steamboat.

Proceedings against the keeper of an hotel.

(4) If in the course of any proceedings which may be taken against any keeper of an hotel (in this sub-section referred to as the accused) for infringing the provisions of this section, such person fails to prove that the person to whom the



intoxicating liquor was sold (in this sub-section referred to as the purchaser) is a *bona fide* traveller, who has arrived as aforesaid by motor car, railway, stage coach, or steamboat, but the Police Magistrate is satisfied that the accused truly believed that the purchaser was a *bona fide* traveller as aforesaid, and further, that the accused took all reasonable precautions to ascertain whether or not the purchaser was such a traveller, the Police Magistrate shall acquit the accused; and if he thinks that the purchaser falsely represented himself to be a *bona fide* traveller as aforesaid, the Police Magistrate may direct proceedings to be instituted against such purchaser under section 40 of this Ordinance.

Permit to sell temporarily during closing hours.

(5) Nothing in this Ordinance contained shall be held to prevent the Government Agent from issuing to the keeper of an hotel, for which a license has been granted under this Ordinance, a written permit authorizing the sale of any intoxicating liquor temporarily at such hotel during the hours during which the sale of such liquor is prohibited by sub-section (2) of this section on the occasion of large gatherings of people for purposes of reasonable recreation, and under conditions to be mentioned in such permit. The Government Agent shall levy at his discretion a stamp duty not exceeding one hundred rupees for every night such permit is in force.

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

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-second day of December, One thousand Nine hundred and Nine.

HUGH CLIFFORD,  
Colonial Secretary.

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

No. 25 of 1909.

An Ordinance to make better provision with respect to Contagious and Infectious Diseases of Cattle and other Animals.

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to make better provision with respect to contagious and infectious diseases of cattle and other animals: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title and commencement.

1 This Ordinance may be cited as "The Contagious Diseases (Animals) Ordinance, 1909," and shall come into operation on such date as the Governor shall, by Proclamation in the *Government Gazette*, appoint.

Repeal.

2 "The Cattle Disease Ordinance, 1891," is hereby repealed.

Definitions.  
"Disease."

3 In this Ordinance, unless the context otherwise requires—  
"Disease" means—

- (a) In the case of cattle, murrain or rinderpest, foot-and-mouth disease, piroplasmosis, hæmorrhagic septicæmia, pleuro-pneumoniâ, anthrax, tuberculosis, surra or any form of trypanosomiasis, and includes the diseases known by the Sinhalese and Tamil names specified in the schedule hereto.
- (b) In the case of other animals, foot-and-mouth disease, anthrax, glanders, farcy, epizootic lymphangitis, osteoporosis, surra or any form of trypanosomiasis, piroplasmosis, swine fever.

	Provided that the Governor in Executive Council may, by Proclamation in the <i>Government Gazette</i> , extend the definition of disease so that the same shall comprise any other disease of cattle or of animals, in addition to the diseases mentioned in this section.
"Cattle."	"Cattle" means bulls, cows, bullocks, buffaloes, heifers, steers, and calves.
"Animal."	"Animal" means horses, mules, asses, sheep, swine, goats, and any other animals to which this Ordinance shall be made to apply by the Governor in Executive Council by Proclamation in the <i>Government Gazette</i> .
"Government Agent."	"Government Agent" includes the Assistant Government Agent of a district.
"Diseased."	"Diseased" means affected with "disease."
"Suspected."	"Suspected" means suspected on reasonable grounds of being diseased, and, when applied to cattle or animals, includes any cattle or animals which have been in contact with diseased cattle or animals, or have been in circumstances in which they were likely to become infected with disease.
"Carcase."	"Carcase" means the carcase of any cattle or animal, and includes part of a carcase and the meat, bones, hide, skin, hoofs, horns, offal, or other part of any cattle or animals separately or otherwise, or any portion thereof.
"Fodder."	"Fodder" means grass or other substance commonly used for food for cattle or animals.
"Litter."	"Litter" means straw or other substance commonly used for bedding or otherwise for or about cattle or animals.
"Owner."	"Owner" includes a part owner or hirer of any cattle or animal and any person who takes care of any cattle or animals on condition of receiving part of the produce thereof.
Notice of disease.	4 Every person having in his possession or under his charge any diseased cattle or animals shall keep such cattle or animals separate from other cattle or animals, and shall with all practical speed give notice of the fact of the cattle or animals being diseased to the nearest headman or police officer or stock inspector, who shall forthwith give information thereof to the chief headman of the district and to the Government Agent.
Declaration of Government Agent of existence of disease.	5 (1) Where it appears to the Government Agent that disease whether of cattle or animals exists or has within ten days existed in a cattle shed, field, chena, garden, tank, or other place, he shall forthwith make and sign a declaration thereof, and shall proclaim by beat of tom-tom or in such other manner as he may deem fit any area within which such cattle shed, field, chena, garden, tank, or other place is situated to be an infected area.
Publication of declaration.	(2) Every such declaration shall specify the limits of such area and the date from which such declaration shall take effect, and a copy thereof shall be published in the <i>Government Gazette</i> .
Report of proceedings to be reported to Governor.	(3) The Government Agent shall forthwith forward to the Governor a copy of his declaration, and report all proceedings taken thereon.
Powers of Governor with regard to Government Agent's declaration.	(4) The Governor in Executive Council may from time to time, if he thinks fit, on any evidence satisfactory to him, by order published in the <i>Government Gazette</i> , revoke such declaration or curtail or extend the limits of an infected area as proclaimed by the Government Agent.
Power of Government Agent to declare infected area free from disease.	(5) Where a Government Agent has proclaimed an area, he may, if he thinks fit, at any time thereafter, declare such area to be free from disease and no longer an infected area, and such declaration shall be proclaimed and published in the same manner as provided in sub-sections (1) and (2).

Power of Governor in Executive Council to declare portion of infected area free of disease.

Establishment of protective zones.

(6) It shall be lawful for the Governor in Executive Council, if he thinks fit, at any time to declare, by order published in the *Government Gazette*, any particular portion or portions of any area declared by the Government Agent to be infected to be free from disease.

6 (1) For the purpose of checking the spread of rinderpest among cattle or animals, the Government Agent may, by means of a notice to be published as hereinafter provided, establish a belt or zone of country (hereinafter referred to as a "protective zone") adjoining any infected area of such width and extent as may appear expedient.

(2) Every such notice shall specify the limits of the protective zone and the date from which the same is established. The Government Agent shall forthwith forward a copy of every such notice to the Colonial Secretary, and a copy thereof shall be published in the *Government Gazette*.

(3) The Government Agent shall also cause every notice under the foregoing sub-section to be published within the protective zone by beat of tom-tom or in such other manner as he shall think fit.

(4) The Governor in Executive Council may at any time, by order published in the *Government Gazette*, rescind the establishment of a protective zone or curtail or extend the limits thereof.

Power to close roads to all cattle traffic.

7 (1) It shall be lawful for the Government Agent to proclaim, by affixing notices of such proclamation on some conspicuous place at each end of any road or portion thereof, as well as by beat of tom-tom, or in such other manner as he may deem fit, that such road or portion thereof in an infected area or protective zone shall be closed to all cattle or animal traffic for the period specified in such notice; and upon such notice being issued no person shall take any cattle or animals along such road or portion thereof, whether for purposes of transport or otherwise, during such period as aforesaid. Provided that no road or portion thereof shall be closed for a longer period than ten days without the sanction of the Governor.

(2) The Governor in Executive Council may, by order published in the *Government Gazette*, cancel any notice issued by the Government Agent under this section.

Power to declare ports, &c., infected with disease.

8 (1) The Governor in Executive Council may, by Proclamation in the *Government Gazette*, declare any port or place without or within the Island to be infected with disease, and such place shall, until such Proclamation is in like manner revoked, be deemed a port or place in which disease is known to prevail.

(2) Whenever a vessel arrives at any port or place in the Island from any other port or place in or without the Island which has been declared to be infected or having on board cattle or animals suffering from disease, or on board of which disease may have appeared in the course of the voyage, the principal officer of customs of such port or place of arrival may, if he shall see fit to do so, cause the said vessel to be placed in quarantine in so far as not to allow any of the cattle or animals to be landed for such time as he shall determine. So long as such vessel is in quarantine the owner or person in charge of any cattle or animals on board thereof shall provide a sufficient supply of water and food for such cattle or animals, and on failure thereof it shall be lawful for any person authorized by the principal officer of customs to provide such water and food; and the amount of expenses incurred in that behalf when certified under the hand of the principal officer of customs to the nearest Police Magistrate shall be recoverable from the owner of such cattle or animals as if it were a fine imposed by such Magistrate.

Power of principal officer of customs to allow cattle to be landed.

(3) The principal officer of customs may, if he shall see fit to do so, allow the cattle or animals or any portion of them to be landed and detained in quarantine at such place and for such time as he shall deem necessary, and such cattle or animals may thereupon be landed and detained at such place and for such time as aforesaid.

(4) Whenever any vessel has arrived having on board cattle or animals infected with disease or on board of which disease exists, the Governor in Executive Council may order all or any of such cattle or animals to be destroyed and the carcases disposed of in the manner prescribed in such order: the owner of the cattle or animals destroyed shall not be entitled to any compensation by reason thereof, but the Governor may, if he thinks fit, order such compensation to be paid as he may think reasonable.

(5) No person shall import or cause to be imported into the Island any cattle or animals from any port or place proclaimed under sub-section (1) to be a port or place in which disease is known to prevail.

Regulations and orders.

9 The Governor in Executive Council may from time to time make, and when made revoke or vary, such regulations and general or special orders as he may think fit for the following purposes or any of them :

- (1) For prescribing and regulating the destruction, burial, disposal, or treatment of carcases, fodder, litter, utensils, dung, or other things being in an infected area, or removed thereout, or which have been in contact with any diseased cattle or animals, or reasonably suspected of being a vehicle for spreading disease.
- (2) For prescribing and regulating the disinfecting, or if necessary the destruction, of the clothes of persons coming in contact with or employed about diseased or suspected cattle or animals, and the use of precautions against the spreading of disease by such persons.
- (3) For prohibiting the exposure of diseased or suspected cattle or animals in markets, sale yards, or other public or private places.
- (4) For prohibiting or regulating the sending or carrying of diseased or suspected cattle or animals, or of dung or other thing likely to spread disease, or the causing the same to be sent or carried on railways, canals, rivers, or in vessels, or otherwise.
- (5) For prohibiting or regulating the carrying, leading, or driving of diseased or suspected cattle or animals or causing them to be carried, led, or driven on the highways or thoroughfares or elsewhere.
- (6) For prohibiting or regulating the placing or keeping of diseased or suspected cattle or animals on chenas or unenclosed lands, or in fields or other places insufficiently fenced, or on or near the sides of highways.
- (7) For prescribing and regulating the seizure, detention, disposal, and destruction without compensation of cattle or animals exposed, carried, kept, or otherwise dealt with in contravention of regulations made under this Ordinance, or of any order made by the Governor in Executive Council, and for prescribing and regulating the liability of the owner or consignor or consignee of the cattle or animals to the expenses connected with the seizure, detention, isolation, disinfection, destruction, and disposal thereof.
- (8) For prescribing and regulating the issuing and production of permits required under this Ordinance, and the notices to be given to or by any person in case of any particular disease or in case of the illness of any animal or cattle.

- (9) For prohibiting or regulating the holding of markets and fairs for the sale of cattle or animals.
- (10) For prescribing and regulating the cleansing and disinfecting of places used for the holding of markets and fairs for the sale of cattle or animals, and yards, sheds, stables, and other places used for cattle or animals.
- (11) For prohibiting or regulating the movement of cattle or animals and persons into, in, or out of an infected area or protective zone.
- (12) For requiring cattle or animals to be moved out of a protective zone into other land occupied by the owner or provided by Government for the purpose.
- (13) For requiring cattle or animals within a protective zone to be kept within fenced enclosures or tied or otherwise secured; and for preventing such cattle or animals from straying or running loose.
- (14) For prescribing and regulating the isolation or separation of cattle and animals being in an infected area, or diseased or suspected cattle and animals.
- (15) For prohibiting or regulating the removal of carcasses, fodder, litter, utensils, pens, hurdles, dung, or other things into, in, or out of an infected area.
- (16) For prescribing and regulating the cleansing and disinfecting of infected areas or parts thereof, or of houses, buildings, rooms, or other places occupied by any diseased cattle or animals, or of carts to which diseased or suspected cattle have been attached.
- (17) For declaring any cowshed, pasture, or other place, with or without any land or buildings thereto adjoining, to be an infected place, and for regulating the entry or approach of animals on or to such place and the movement of animals therefrom.
- (18) For prohibiting or regulating the digging up of buried carcasses.
- (19) For prohibiting or regulating the landing of men or cattle or animals from vessels either absolutely or conditionally.
- (20) For establishing and maintaining quarantine and inoculation stations for cattle and animals for regulating the management of the same, and to compel the preventive inoculation of cattle or animals, or inoculation for the purpose of diagnosing the nature of any disease.
- (21) For destroying, with or without compensation or with partial compensation as may be expedient, diseased or suspected cattle or animals.
- (22) For prescribing the mode of ascertainment of the value of an animal destroyed or liable to be destroyed under these regulations.
- (23) For regulating applications for, and the mode of payment of, compensation to be made out of money provided by the Legislative Council.
- (24) For making *post-mortem* examinations of the bodies of animals which have died of disease or have been destroyed under the authority of this Ordinance.
- (25) For prescribing modes of cleansing and disinfecting.
- (26) For protecting cattle or animals from unnecessary suffering during inland transit.
- (27) For securing a proper supply of water and food to cattle or animals during any detention thereof.
- (28) For the appointment of officers to carry out the provisions of this Ordinance, or of any regulations or orders made thereunder, and for regulating their duties and conduct, and for investing them with all powers necessary for the due execution of their duties.

- (29) For prescribing the publication of any regulations or orders made under this Ordinance, and for prescribing and regulating the form and mode of service or delivery of notices and other documents.
- (30) Generally for the better execution of this Ordinance or for the purpose of in any manner preventing the introduction or spread of disease.
- Offences under this Ordinance.** 10 If any person without lawful authority or excuse does or omits to do anything which, under the provisions of this Ordinance or of any regulations or orders made thereunder, he ought not to do or omit, or if he obstructs or impedes or assists in obstructing or impeding any officer appointed under this Ordinance, or any headman or police officer in the execution of this Ordinance or of any regulation or order made thereunder, he shall be guilty of an offence against this Ordinance.
- Punishment.** 11 (1) If any person is guilty of an offence against this Ordinance or any rule made thereunder, he shall be liable on conviction before a Magistrate to imprisonment of either description for a term not exceeding six months, or to a fine not exceeding one hundred rupees.
- (2) Nothing in this section contained shall affect the liability of any person to any punishment or penalty to which he is liable under any enactment other than this Ordinance, but so that a person shall not be punished twice for the same offence.
- Vexatious conduct of officers.** 12 Every person acting under the authority of this Ordinance who shall, under pretence of performing any act under the authority of this Ordinance, use any unnecessary violence, or give any uncalled for and vexatious annoyance, shall be guilty of an offence, and be liable on conviction thereof to a fine not exceeding fifty rupees.
- Duties of inspectors and police officers.** 13 (1) When a person is seen or found committing, or is reasonably suspected of being engaged in committing, an offence against this Ordinance, any officer appointed under this Ordinance, or any medical officer or stock inspector or any headman or police officer, may, without warrant, stop and detain him, and if his name and address are not given by him may, without warrant, apprehend him.
- (2) If any person obstructs or impedes any officer appointed under this Ordinance, or any medical officer or stock inspector or any headman or police officer, in the execution of his duties under this Ordinance or under any regulation or order made thereunder, or assists in any such obstructing or impeding, he may be apprehended by such officer, headman, or police officer without warrant.
- (3) A person apprehended under this section shall be taken forthwith before a Police Magistrate.
- (4) Nothing in this section shall take away or abridge any power or authority that a police officer would have had if this section had not been enacted.
- Village tribunal may try cases of first offences.** 14 In the case of a first offence against this Ordinance, it shall be lawful for any village tribunal, within the limits of whose jurisdiction such offence is committed, to try the offender if a native, and to impose such penalty as a village tribunal has power to inflict.
- Enforcement of duties under the Ordinance.** 15 If any person neglects or omits—
- (a) To perform any act which, under this Ordinance or under any regulations made thereunder, it is his duty to perform with regard to the isolation, separation, destruction, or burial of cattle or animals, or with regard to the disinfection or cleansing of any place or building or otherwise; or
- (b) To comply forthwith with any order lawfully given in the exercise of his powers under this Ordinance or under any regulation made thereunder by the Government Agent or by any officer appointed to carry out this Ordinance;

the Government Agent or any such officer may cause such act or order to be carried out at the cost and charge of the person by whom the same ought to have been executed.

(2) In any such case the costs and expenses incurred in and about the carrying out of the act or order shall be certified by the Government Agent under his hand to the nearest Police Magistrate, and shall be recoverable in the same way as if it were a fine imposed by the Police Magistrate. All sums recovered by a Police Magistrate under this section shall be paid by him to the Government Agent in order to defray the expenses incurred.

Officers to be public servants.

16 Officers exercising any of the powers conferred on them by the provisions of this Ordinance shall be deemed public servants within the meaning of the Ceylon Penal Code.

Execution of regulations may be delegated to local authority.

17 The Governor in Executive Council may, by notification in the *Government Gazette*, delegate the enforcement and execution of any provisions of this Ordinance or of any regulation or order made under this Ordinance to the Chairman of any Municipal Council or Local Board, and may authorize such chairman to exercise and perform within Municipal or Local Board limits all or any of the powers and duties vested and imposed on the Government Agent under this Ordinance, subject to such restrictions as the Governor in Executive Council may from time to time think fit to impose.

Regulations and orders to be published.

18 All regulations and all general or special orders made under this Ordinance shall be published in the *Government Gazette*.

#### SCHEDULE.

(Section 3 (a)).

#### Sinhalese and Tamil Names of Diseases.

	Sinhalese.	Tamil.
Rinderpest ..	Wasangata-roga	Mattukotari or Mattupedi
Foot-and-mouth disease ..	Kuralada or Kataleda	Kalnoi or Vainoi

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

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-second day of December, One thousand Nine hundred and Nine.

HUGH CLIFFORD,  
Colonial Secretary.

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

### No. 26 of 1909.

#### An Ordinance to amend the Law relating to Land Surveyors, Auctioneers, and Brokers.

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to amend the law relating to land surveyors, auctioneers, and brokers: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance shall be read and construed as one with Ordinance No. 15 of 1889, hereinafter referred to as "the principal Ordinance," and the principal Ordinance, and this Ordinance may be cited together as "The Land Surveyors', Auctioneers', and Brokers' Ordinances, 1889 and 1909."

Substitution of new sections 1 to 12 inclusive.

2 For sections 1 to 12 inclusive of the principal Ordinance as amended by Ordinance No. 10 of 1908 the following sections shall be substituted :

Interpretation.

1. (1) For the purposes of this Ordinance no person shall be deemed—

- (a) To practise as a land surveyor or leveller who does not receive a fee or other remuneration for his work ; or
- (b) To carry on trade or business as an auctioneer who does not sell at any public auction property, movable or immovable, of the aggregate value of fifty rupees and upwards ; or
- (c) To carry on trade or business as a broker who does not at any time buy or sell for another, property movable or immovable, of the aggregate value of fifty rupees and upwards.

(2) For the purposes of Part I. of this Ordinance—

“Certified surveyor” means a person who, before the first of February, One thousand Eight hundred and Ninety, was registered as a surveyor by the Surveyor-General or by the Chief Surveyor of the Province in which he resided.

“Permanently licensed surveyor” means a person who holds a license as a surveyor or as a surveyor and leveller issued before the first day of October, One thousand Nine hundred and Nine.

“Permanently licensed leveller” means a person who holds a license as leveller issued before the said date.

#### PART I.

##### *Surveyors and Levellers.*

Who can practise as surveyor or leveller.

2. (1) After the commencement of this Ordinance no person shall practise or attempt or profess to practise as a surveyor in any part of this Colony unless—

- (a) He is a certified surveyor as defined by the preceding section and his registration is still in force ; or
- (b) He is a permanently licensed surveyor as defined by the said section and his license is still in force ; or
- (c) He is the holder of an annual license to practise as a land surveyor or as a surveyor and leveller granted by the Surveyor-General in manner hereinafter appearing.

(2) After the date mentioned in sub-section (1) of this section no person shall practise or attempt or profess to practise as a leveller in any part of this Colony unless—

- (a) He is a permanently licensed leveller ; or
- (b) He is a permanently licensed surveyor who holds a license as surveyor and leveller ; or
- (c) He is the holder of an annual license from the Surveyor-General authorizing him to practise as a leveller.

Admissibility of surveys as evidence in civil proceedings.

3. No survey or plan and no copy or tracing of any survey or plan, purporting to have been made or prepared by any land surveyor after the commencement of this Ordinance, shall be receivable in evidence in any civil court in Ceylon unless made or prepared by a permanently licensed surveyor or by a surveyor holding an annual license.

Annual licenses.

4. The Surveyor-General may from time to time grant annual licenses to practise as a land surveyor or as a leveller or as a surveyor and leveller to persons of good character who have passed the prescribed examination in surveying or in levelling or in surveying and levelling.



Form and particulars of annual license.

5. Such annual licenses may be in the form contained in schedule B. They shall remain in force until the thirty-first day of December next following the date when the license is granted; and, subject to the provisions of section 8, shall be renewable annually. A fee of two rupees and fifty cents payable in stamps shall be charged on the issue and renewal of each annual license.

Exemption from examination.

6. (1) Persons possessing the qualifications mentioned in schedule A hereto shall be entitled, on production of evidence of good character and on payment of the prescribed fee, to annual licenses without passing an examination.

(2) The Governor in Executive Council may from time to time by Proclamation add to the qualifications mentioned in schedule A any further qualifications which in his opinion afford sufficient proof of fitness to practise as a land surveyor or as a leveller or as a surveyor and leveller.

Governor may pass rules.

7. (1) The Governor in Executive Council may from time to time make, and when made may revoke or vary, regulations for the holding and conduct of examinations of candidates for annual licenses and for carrying out the purposes of this Ordinance.

(2) The regulations made under the preceding sub-section may provide, amongst other things, for—

- (a) Appointing examiners and fixing and giving due notice of the time and place at which examinations shall be held.
- (b) Prescribing the subjects in which candidates will be examined.
- (c) Prescribing the fees payable on examination.
- (d) Specifying the evidence of character which will be required of candidates.
- (e) Publishing the names of certified surveyors, permanently licensed surveyors, levellers, and surveyors and levellers, and the names of persons to whom annual licenses to practise as land surveyors or as levellers or as surveyors and levellers have been granted.
- (f) Publishing the names of surveyors whose registration or license, or both, has or have been cancelled or suspended or not renewed.

Power of Surveyor-General to refuse renewal of license.

8. (1) The Surveyor-General may refuse to renew an annual license if after due inquiry he is satisfied—

- (a) That the applicant has been guilty of gross misconduct in the discharge of his duties as a land surveyor, leveller, or surveyor and leveller; or
- (b) That he has shown such incompetence or carelessness in the discharge of his duties as a land surveyor, leveller, or surveyor and leveller, that he ought not in the interests of the public to be entrusted therewith.

(2) The Surveyor-General shall not refuse to renew a license until he has informed the applicant in writing of the grounds of his objection to the renewal of the license, and has afforded him reasonable opportunity of adducing any evidence, oral or documentary, on which he may rely.

The Surveyor-General shall record any evidence which may be adduced, and also his decision and his reasons therefor, and the applicant shall be entitled to a copy of such record.

(3) Any applicant aggrieved by the refusal of the Surveyor-General to renew his license may appeal to the Governor in Executive Council within thirty days from the date when the Surveyor-General's decision is communicated to him, and the decision of the Governor in Executive Council upon any such appeal shall be final and conclusive.

(4) When the Surveyor-General has good reason to believe that the holder of an annual license has been guilty of such misconduct or has shown such incompetence or carelessness as are mentioned in sub-section (1) (a) and (1) (b), the Surveyor-General may by notice in writing suspend the license of such person for a period not exceeding three months pending inquiry under this section.

Cancellation or suspension of licenses or registrations of certified surveyors or permanently licensed surveyors.

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

(2) (a) Every such order of cancellation or suspension, unless the same be set aside on appeal, shall be communicated by the District Court to the Surveyor-General, who shall give effect thereto; and, where any registration or license has been cancelled or suspended, the person to whom the registration or license relates shall forthwith return his certificate of registration or license to the Surveyor-General. Every such suspension or cancellation shall be published in the manner provided by the regulations made under sub-section (2) of section 7.

(b) Any certified surveyor or permanently licensed surveyor, whose registration or license has been cancelled or suspended as aforesaid, failing without reasonable excuse, proof whereof shall lie on him, to return his certificate of registration or his license within ten days from demand made by the Surveyor-General, shall be guilty of an offence, and shall be liable to a fine of one hundred rupees, and an additional fine of ten rupees per day in case of a continuing offence. Such offence shall be triable summarily by a Police Court, anything in the Criminal Procedure Code or any other law to the contrary notwithstanding.

(c) Where any such registration or license has been suspended, the Surveyor-General shall return the certificate or license to the surveyor after the period of suspension has expired.

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

Penalty for practising as surveyor or leveller without qualification.

10. (1) If any person not being—
- (a) A certified surveyor whose registration is still in force; or
  - (b) A permanently licensed surveyor whose license is still in force; or
  - (c) The holder of an annual license as a land surveyor or as a surveyor and leveller—

practises or attempts or professes to practise as a surveyor he shall be guilty of an offence, and shall be liable on a first conviction to a fine not exceeding one hundred rupees, and on every subsequent conviction to a fine not exceeding five hundred rupees.

- (2) If any person not being either—

- (a) A permanently licensed leveller or surveyor and leveller whose license is still in force; or
- (b) The holder of an annual license as a leveller or as a surveyor and leveller—

practises or attempts or professes to practise as a leveller he shall be guilty of an offence, and shall be liable to the penalties prescribed by sub-section (1).

Surveys under Land Registration Ordinances.

11. Every permanently licensed surveyor and every holder of an annual license to practise as a land surveyor or as a surveyor and leveller shall be deemed to have been specially licensed by the Surveyor-General for the purposes of "The Land Registration Ordinances, 1877 and 1889."

Government surveyors and Surveyor-General.

12. Nothing hereinbefore contained shall apply to any land surveyor for the time being in the service of the Ceylon Survey Department, or shall prejudicially affect the operation of any existing or future enactments relating to plans or surveys purporting to be signed by the Surveyor-General or any officer on his behalf.

Substitution of a new section.

3 For section 15 of the principal Ordinance the following section shall be substituted :

15. (a) A fee of forty rupees shall be payable ordinarily for every such license, and in case the same person obtains a license as auctioneer and also a license as broker, the fee payable for both such licenses shall ordinarily be sixty rupees. Provided that, on the recommendation of the Municipal Council of any town, the Governor in Executive Council may, if he thinks fit, prescribe for such town a scale of fees exceeding the amount hereinbefore specified, but not exceeding the following limits :

	Rs.	c.
Auctioneer and broker .. .. .	125	0
Auctioneer .. .. .	100	0
Broker .. .. .	80	0

(b) Such fee shall form part of the Municipal Fund of the town for which the license is granted.

Substitution of new schedule A.

4 For schedule A to the principal Ordinance the schedule appended to this Ordinance as schedule A shall be substituted :

#### SCHEDULE A.

Members of the Institution of Civil Engineers, England, or holders of such qualifications as are accepted by the Institute of Civil Engineers in lieu of examination for associate membership.

Members of the Institution of Civil Engineers, Ireland.

Associate Members of the Institution of Civil Engineers, England.

Holders of Diplomas in Civil Engineering issued by any of the English, Irish, Scotch, or Indian Universities.

Holders of Diplomas issued by the Royal Indian Engineering College, Cooper's Hill.

Persons who have served, under Articles of Indenture, and for a period of not less than three years, a Member or Associate Member of the Institution of Civil Engineers, England, or a Member of the Institution of Civil Engineers, Ireland, or Civil Engineer or Land Surveyor in private practice in Great Britain or Ireland, and who hold certificates of proficiency in surveying.

Holders of certificates of proficiency in surveying from the Executive Officer or a Divisional Officer of the Royal Engineers employed on the Ordnance Survey of the United Kingdom, or from the Director or other principal officer of the Revenue Survey of India.

All persons who have served in the Survey Department of the Straits Settlements and who hold certificates of proficiency in surveying issued by the Surveyor-General of that Colony, and who are thereby duly qualified to practise as licensed surveyors.

Holders of certificates of competency in land surveying issued by the Surveyor-General to any officer who has served in the Survey Department as (1) Superintendent of Surveys, (2) Assistant Superintendent of Surveys, (3) Grade Surveyor, or (4) Supernumerary Surveyor who has served for more than ten years.

Holders of the Diploma of the Ceylon Technical College bearing the signature of the person appointed by the Governor to conduct the final examination in surveying and levelling.

Substitution of  
new schedule B.

5 For schedule B to the principal Ordinance the schedule appended to this Ordinance as schedule B shall be substituted :

#### SCHEDULE B.

Form of Annual License to practise as a Land Surveyor or as a Leveller or as a Surveyor and Leveller.

I, \_\_\_\_\_, Surveyor-General of the Island of Ceylon, do hereby authorize and license \_\_\_\_\_, of \_\_\_\_\_, to practise as a Surveyor (or as a Leveller or as a Surveyor and Leveller) in the Island of Ceylon.

This license expires on the thirty-first December, 19—.

\_\_\_\_\_  
Surveyor-General.

The \_\_\_\_\_ day of \_\_\_\_\_, 19—.

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

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-second day of December, One thousand Nine hundred and Nine.

HUGH CLIFFORD,  
Colonial Secretary.

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

#### No. 27 of 1909.

An Ordinance to amend "The Notaries' Ordinance, 1907."

HENRY MCCALLUM.

Preamble:

WHEREAS it is expedient to amend "The Notaries' Ordinance, 1907" (hereinafter referred to as "the principal Ordinance"), in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.  
Construction.

1 This Ordinance may be cited as "The Notaries' (Amendment) Ordinance, 1909," and shall be read and construed as one with the principal Ordinance.

Addition of  
proviso to  
section 29.

2 At the end of section 29 of the principal Ordinance there shall be added the following proviso:

Provided further that when the Registrar-General has reasonable grounds for believing that any notary has committed a breach of any of the rules and regulations in this section contained, the Registrar-General may, if he thinks fit, instead of instituting criminal proceedings against such

notary, accept from him such sum of money as he may consider proper in composition of the offence. When the Registrar-General has accepted any sum of money from any notary in composition of any alleged offence—

- (a) Criminal proceedings shall not be taken, or if already taken, shall not be continued in respect of such offence; and
- (b) Such composition shall not have the effect of discharging any surety or sureties from any liability incurred under any bond executed under section 12.

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

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-second day of December, One thousand Nine hundred and Nine.

HUGH CLIFFORD,  
Colonial Secretary.

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

**No. 28 of 1909.**

**An Ordinance to amend "The Petroleum Ordinance, 1887."**

HENRY McCALLUM.

Preamble.

WHEREAS it is expedient to amend "The Petroleum Ordinance, 1887" (hereinafter referred to as "the principal Ordinance"), in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short-title.

1 This Ordinance may be cited as "The Petroleum (Amendment) Ordinance, 1909," and shall be read and construed as one with the principal Ordinance.

Amendment of section 3.

2 In lines 6 and 7 of the definition of the words "Flashing point" in section 3 of the principal Ordinance for the words "as provided by this Ordinance" the words "by the Board of Trade, London," shall be substituted.

Repeal of sections 28, 29, 30, and 31 of the principal Ordinance.

3 Sections 28, 29, 30, and 31 of the principal Ordinance are hereby repealed.

Substitution of a new schedule.

4 For the schedule in the principal Ordinance relating to the apparatus for testing petroleum there shall be substituted the following schedule:

SCHEDULE.

I.—Nature of the Test Apparatus.

The apparatus consists of an Abel's close test apparatus, with or without a stirrer, stamped and verified by the Board of Trade, London, within a period of five years immediately preceding the date on which the apparatus is used.

II.—Directions for drawing the Sample and preparing it for Testing.

*Drawing the Sample.*—In all cases the testing officer or some person duly authorized by him shall personally superintend the drawing of the sample from an original unopened tin or other vessel.

An opening sufficiently large to admit of the oil being rapidly poured or syphoned from the tin or other vessel shall be made.

Two bottles, each of the capacity of about forty fluid ounces, are to be filled with the oil. One of these, the contents of which is intended to be preserved for reference in case of need, is to be carefully corked, the cork being well driven home, cut off level with the neck, and melted sealing-wax worked into it. The other bottle may be either stoppered or corked.

2. *Preparing the Sample for Testing.*—About ten fluid ounces of the oil, sufficient for three tests, are transferred from the bottle into which the sample has been drawn to a pint flask or bottle, which is to be immersed in water artificially cooled, until a thermometer, introduced into the oil, indicates a temperature not exceeding fifty degrees Fahrenheit.

### III.—Directions for preparing and using the Test Apparatus.

1. *Preparing the Water-bath.*—The water-bath is filled by pouring water into the funnel until it begins to flow out at the overflow-pipe. The temperature of the water at the commencement of each test, as indicated by the long bulb thermometer, is to be one hundred and thirty degrees Fahrenheit, and this is attained in the first instance by mixing hot and cold water, either in the bath or in a vessel from which the bath is filled, until the thermometer which is provided for testing the temperature of the water gives the proper indication; or the water is heated by means of the spirit-lamp (which is attached to the stand of the apparatus) until the required temperature is indicated.

2. *Preparing the Test-lamp.*—The test-lamp is fitted with a piece of cylindrical wick of such thickness that it fills the wick-holder, but may readily be moved to and fro for the purpose of adjusting the size of the flame. In the body of the lamp, upon the wick, which is coiled within it, is placed a small tuft of cotton wool, moistened with petroleum, any oil not absorbed by the wool being removed. When the lamp has been lighted, the wick is adjusted by means of a pair of forceps until the flame is of the size of the bead fixed on the cover of the oil-cup; should a particular test occupy so long a time that the flame begins to get smaller, through the supply of oil in the lamp becoming exhausted, three or four drops of petroleum are allowed to fall upon the tuft of wool in the lamp from the dropping bottle or *pipette* provided for that purpose. This can be safely done without interrupting the test.

3. *Filling the Oil-cup.*—The oil-cup having been previously cooled, by placing it bottom downwards in water at a temperature not exceeding fifty degrees Fahrenheit, is to be rapidly wiped dry, placed on level surface in a good light, and the oil to be tested is poured in, very slowly, without splashing, until its surface is level with the point of the gauge which is fixed in the cup. The round bulb thermometer is inserted into the lid of the cup, care being taken that the projecting rim of the collar touches the edge of the socket; the test-lamp, prepared as already described, is placed in position, and the cover is then put on to the cup and pressed down so that its edge rests on the rim of the cup.

4. If the oil tester is "for gas," paragraphs 2 and 3 do not apply.

5. *Application of the Test.*—The water-bath, with its thermometer in position, is placed in some locality where it is not exposed to currents of air, and where the light is sufficiently subdued to admit of the size of the entire test-flame being compared with that of the bead on the cover. The cup is carefully lifted without shaking it, placed in the bath, and the test-lamp or gas jet is lighted. The thermometer in the oil-cup is now watched, and when the temperature has reached fifty-six degrees Fahrenheit, slowly draw the slide open, while a pendulum twenty-four inches in length performs three oscillations and close the slide during the fourth oscillation. The test-flame is to be applied once for every rise of one degree Fahrenheit as above.

The temperature at which the vapour of the oil gives a blue flash on applying the test-flame is noted as the flashing point of the sample. If no flash takes place when a temperature of seventy-seven degrees Fahrenheit is reached, the test shall be discontinued and the sample passed.

No flash which takes place within eight degrees of the temperature at which the testing is commenced shall be accepted as the true flashing point of the sample tested. In the event of a flash occurring at or below sixty-four degrees when the test is applied in the manner above described, the next testing shall be commenced ten degrees lower than the temperature at which the flash

had been previously obtained (that is to say, at fifty-four degrees or thereunder), and this procedure shall be continued until the results of three consecutive tests do not show a greater difference than two degrees.

If the petroleum is oil ordinarily used for lubricating purposes, and is declared to have its flashing point at or above one hundred and fifty degrees, or is oil to which a notification of the Governor in Executive Council exempting it from the operation of the Ordinance will be applicable in the event of the flashing point being found to be at or above one hundred and twenty degrees, the test shall be made by a Gray's flash point apparatus, provided with stirrer, for heavy mineral oils.

If a flash occurs at any temperature between seventy-six degrees and one hundred and fifty degrees Fahrenheit, the temperature at which it occurs, subject to correction for atmospheric pressure, is the flashing point of the sample.

In repeating a test a fresh sample of oil must always be used, the tested sample being thrown away, and the cup must be wiped dry from any adhering oil, and cooled, as already described, before receiving the fresh sample.

6. *Correction for Atmospheric Pressure.*—As the flashing point of an oil is influenced by changes in atmospheric pressure to an average extent of sixteen degrees Fahrenheit for every inch of the barometer, a correction of the observed flashing point may become necessary. The height of the barometer must therefore be determined at the time of making the test for the flashing point. The true height of the barometer for the purpose of the test shall be considered to be the height of the column of mercury measured at thirty-two degrees Fahrenheit, which is supported by the air pressure at the time of the experiment; that is, the actual height of the barometer at the time of observation duly corrected for any error of the instrument and for its temperature if necessary. For the purpose of applying the correction to the flashing point of the oil obtained by the test, a table is appended to this schedule, giving the flashing points of oils ranging from sixty-five degrees to eighty degrees Fahrenheit under pressure ranging from twenty-seven to thirty-one inches of mercury.

The table is used in the following manner :—  
*Example.*—An oil has given a flashing point of seventy-one degrees, the barometer being at 28.6; take the nearest number to seventy-one degrees in the vertical column headed 28.6. This number is 70.8. Substitute for this the number in the same horizontal line in the column headed 30 (the normal height of the barometer). The substituted number, that is, the true flashing point of the oil, is seventy-three degrees.

Table for Correction of Flashing Points indicated by the Test for Variations in Barometric Pressure on either side of Thirty Inches.

		<i>Barometer in Inches.</i>																				
		27	27.2	27.4	27.6	27.8	28	28.2	28.4	28.6	28.8	29	29.2	29.4	29.6	29.8	30	30.2	30.4	30.6	30.8	31
60.2	60.5	60.8	61.2	61.5	61.8	62.1	62.4	62.8	63.1	63.4	63.8	64.1	64.4	64.7	65.0	65.3	65.6	66.0	66.3	66.6	66.9	67.2
61.2	61.5	61.8	62.2	62.5	62.8	63.1	63.4	63.8	64.1	64.4	64.8	65.1	65.4	65.7	66.0	66.3	66.6	67.0	67.3	67.6	67.9	68.2
62.2	62.5	62.8	63.2	63.5	63.8	64.1	64.4	64.8	65.1	65.4	65.8	66.1	66.4	66.7	67.0	67.3	67.6	68.0	68.3	68.6	68.9	69.2
63.2	63.5	63.8	64.2	64.5	64.8	65.1	65.4	65.8	66.1	66.4	66.8	67.1	67.4	67.7	68.0	68.3	68.6	69.0	69.3	69.6	69.9	70.2
64.2	64.5	64.8	65.2	65.5	65.8	66.1	66.4	66.8	67.1	67.4	67.8	68.1	68.4	68.7	69.0	69.3	69.6	70.0	70.3	70.6	70.9	71.2
65.2	65.5	65.8	66.2	66.5	66.8	67.1	67.4	67.8	68.1	68.4	68.8	69.1	69.4	69.7	70.0	70.3	70.6	71.0	71.3	71.6	71.9	72.2
66.2	66.5	66.8	67.2	67.5	67.8	68.1	68.4	68.8	69.1	69.4	69.8	70.1	70.4	70.7	71.0	71.3	71.6	72.0	72.3	72.6	72.9	73.2
67.2	67.5	67.8	68.2	68.5	68.8	69.1	69.4	69.8	70.1	70.4	70.8	71.1	71.4	71.7	72.0	72.3	72.6	73.0	73.3	73.6	73.9	74.2
68.2	68.5	68.8	69.2	69.5	69.8	70.1	70.4	70.8	71.1	71.4	71.8	72.1	72.4	72.7	73.0	73.3	73.6	74.0	74.3	74.6	74.9	75.2
69.2	69.5	69.8	70.2	70.5	70.8	71.1	71.4	71.8	72.1	72.4	72.8	73.1	73.4	73.7	74.0	74.3	74.6	75.0	75.3	75.6	75.9	76.2
70.2	70.5	70.8	71.2	71.5	71.8	72.1	72.4	72.8	73.1	73.4	73.8	74.1	74.4	74.7	75.0	75.3	75.6	76.0	76.3	76.6	76.9	77.2
71.2	71.5	71.8	72.2	72.5	72.8	73.1	73.4	73.8	74.1	74.4	74.8	75.1	75.4	75.7	76.0	76.3	76.6	77.0	77.3	77.6	77.9	78.2
72.2	72.5	72.8	73.2	73.5	73.8	74.1	74.4	74.8	75.1	75.4	75.8	76.1	76.4	76.7	77.0	77.3	77.6	78.0	78.3	78.6	78.9	79.2
73.2	73.5	73.8	74.2	74.5	74.8	75.1	75.4	75.8	76.1	76.4	76.8	77.1	77.4	77.7	78.0	78.3	78.6	79.0	79.3	79.6	79.9	80.2
74.2	74.5	74.8	75.2	75.5	75.8	76.1	76.4	76.8	77.1	77.4	77.8	78.1	78.4	78.7	79.0	79.3	79.6	80.0	80.3	80.6	80.9	81.2
75.2	75.5	75.8	76.2	76.5	76.8	77.1	77.4	77.8	78.1	78.4	78.8	79.1	79.4	79.7	80.0	80.3	80.6	81.0	81.3	81.6	81.9	82.2

Flashing Point in Degrees Fahrenheit.

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

A. G. CLAYTON,  
 Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-second day of December, One thousand Nine hundred and Nine.

HUGH CLIFFORD,  
 Colonial Secretary.



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

No. 29 of 1909.

An Ordinance to amend in certain particulars "The Customs  
Ordinances, 1869 to 1909."

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to amend in certain particulars Ordinance No. 17 of 1869, intituled "An Ordinance for the General Regulation of Customs in the Island of Ceylon" (hereinafter referred to as "the principal Ordinance"), and the Ordinances amending the same: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1. This Ordinance may be cited as "The Customs Duties (Amendment) Ordinance, 1909," and this Ordinance, the Ordinance No. 17 of 1869, and the Ordinances amending the same shall be read and construed together, and may be cited collectively as "The Customs Ordinances, 1869 to 1909."

Correction of misprint in section 15.

2. In line 8 of section 15 of the principal Ordinance (which prescribes how customs duties are to be paid and calculated) the word "that" shall be omitted.

Addition of a new section.

3. The following section shall be added immediately after section 16 of the principal Ordinance and shall be numbered 16 A:

Power of Governor to exempt consular officers of foreign states from payment of customs duties.

16 A. (1) The Governor may from time to time, by order in the *Government Gazette*, exempt the consular officers of the foreign states named in such order from payment of customs duty on goods consigned to, or imported by or for the use of, such consular officers.

(2) The Governor may, in his discretion, by such order—

(a) Prescribe the conditions, if any, subject to which the exemption is allowed.

(b) Extend such exemption to goods consigned to, or imported by or for the use of the families and suites of consular officers.

(c) Limit the exemption to consular officers of any specified grade or class, or to articles of any specified description.

(3) The Governor may at his discretion, by order in the *Government Gazette*, withdraw or modify any exemption granted under this section, or vary the conditions subject to which the exemption is allowed.

(4) Ordinance No. 17 of 1892, intituled, "An Ordinance to exempt from Customs Duty official supplies consigned to certain Consular Officers of Foreign Countries," is hereby repealed.

Substitution of a new section.

4. For section 17 of the principal Ordinance (which relates to port dues) the following section shall be substituted:

Port dues.

17. (1. Port dues shall be leviable and payable for entry inwards, and for clearance outwards, on all ships arriving at or departing from any port of this Island, and upon cargo imported to or exported from Colombo, according to the table of port dues set forth in figures in schedule D hereto. Provided that—

(a) When a vessel has paid port dues inwards or outwards she shall not be liable for additional port dues for goods carried coastwise during the same voyage.

(b) A vessel leaving port for a period not exceeding twelve hours for the purpose of trying her machinery shall, for the purposes of this section, be deemed to be in port, and shall be liable on re-entry to pay only the full pilotage dues chargeable in respect of such

vessel as if for a first entry into port. The period during which such vessel has been out of port shall, for the purpose of reckoning buoy rent, be considered as part of her stay in port.

- (c) Where a native vessel is compelled by stress of weather to re-enter port within twelve hours of her departure therefrom, no further port dues shall be charged, if the Master Attendant certifies that the vessel could not have proceeded on her voyage without unnecessary risk.

(2) The Legislative Council may from time to time, by means of resolution duly passed at any public session of the Council and sanctioned by the Governor, increase, reduce, abolish, or otherwise alter the port dues leviable and payable under schedule D hereto on ships arriving at or departing from any port of this Island, and upon cargo imported to or exported from Colombo, or may impose port dues upon such ships in cases where port dues, at the time when such resolution is passed, are not chargeable under the said schedule; or may add to, rescind, or vary any of the conditions, exceptions, or provisions of the said schedule with regard to the charge or payment of port dues. Such resolution shall not take effect until it shall have been submitted to and sanctioned by the Secretary of State, and shall have been notified in the *Government Gazette*.

Addition of a new section.

5 After section 17 of the principal Ordinance (which relates to port dues) the following section shall be added and shall be numbered 17 A :

Power of Collector to summarily enforce payment of dues, rates, buoy rent, charges, and penalties.

17 A. If the master, owner, or agent of any vessel in respect of which any dues, rates, buoy rent, charges, or penalties have heretofore become payable, or have been incurred, or shall hereafter become payable or be incurred, whether under this Ordinance, or under any regulations or orders made in pursuance thereof, or under any other enactment or regulations, refuses or neglects to pay them or any part of them on demand, the Collector of Customs of the port may of his own authority distrain or arrest such vessel and the tackle, apparel, and furniture belonging thereto or any part thereof, and detain the same until the amount so due is paid to him. And, in case any part of the said dues, rates, buoy rent, charges, or penalties, or of the costs of the distress or arrestment, or of the keeping of the same remains unpaid for the space of five days next after any such distress or arrestment has been so made, the Collector of Customs may cause the vessel or other thing so distrained or arrested to be sold, and the amount due to the Crown shall be deemed to be a first charge on the proceeds of such sale. The balance, if any, of the proceeds of the sale, after satisfying the amount due to the Crown, together with all costs, shall be rendered by the Collector of Customs to the master, owner, or agent of such vessel on demand.

Correction of misprint in section 44.

6 In line 11 of section 44 of the principal Ordinance (which relates to the entry of re-imported goods) immediately after the word "exported" the words "in which case" shall be inserted.

Addition of new section 60 A.

7 After section 60 of the principal Ordinance the following section shall be inserted and shall be numbered 60 A :

Power of lessee of Customs premises in certain cases to cause warehousing entry to be passed for goods.

60 A. If at any time a portion of the Customs premises has been or shall be leased for the purpose of landing, shipping, and warehousing goods to any company constituted for these purposes, it shall be lawful for such company, if the owners of any goods landed within such premises shall fail to make entry thereof and remove the same within ten clear days, to cause a warehousing entry to be passed for such goods under the general description of merchandise without the particulars required by the preceding section

and to remove the same to their warehouse, and the reasonable expenses of such entry, removal, and warehousing shall be reimbursed to such company by the owner or consignee of the goods so entered as aforesaid, and shall be recoverable by the said company. Provided that no goods entered by such company as aforesaid shall be liable to seizure by reason of any inaccuracy in the passing of any such entry, if it shall appear to the Principal Collector of Customs that such inaccuracy was not intentional or occasioned by wilful or culpable negligence.

Provided further, that in the case of any goods removed under this section no warehouse warrant shall issue, and that, if after the expiry of three months, such goods shall not have been cleared, they shall be sold in accordance with the provisions of section 84 of this Ordinance.

Substitution of  
new schedule D.

8 For the schedule which by "The Customs Duties Amendment Ordinance, 1908," was substituted as schedule D to the principal Ordinance the following schedule shall be substituted:

SCHEDULE D.

PORT DUES.

I.—DUES LEVIABLE AT THE PORT OF COLOMBO.

*Dues payable by Ships entering the Port.*

				Rs. c.	
Up to	50 tons nett	..	..	3	0
Over	50 and up to	100 tons nett		6	0
"	100 "	150 "		9	0
"	150 "	200 "		12	0
"	200 "	300 "		24	0
"	300 "	400 "		32	0
"	400 "	500 "		40	0
"	500 "	700 "		55	0
"	700 "	900 "		70	0
"	900 "	1,100 "		85	0
"	1,100 "	1,300 "		100	0
"	1,300 "	1,500 "		115	0
"	1,500 "	1,750 "		130	0
"	1,750 "	2,000 "		145	0
"	2,000 "	2,250 "		160	0
"	2,250 "	2,500 "		175	0
"	2,500 "	3,000 "		190	0
"	3,000 "	3,500 "		205	0
"	3,500 "	4,000 "		230	0
"	4,000 "	4,500 "		255	0
"	4,500 "	5,000 "		280	0
"	5,000 "	5,500 "		310	0
"	5,500 "	6,000 "		350	0
"	6,000 "	6,500 "		400	0
"	6,500 "	7,000 "		450	0
"	7,000 "	7,500 "		500	0
"	7,500 "	8,000 "		550	0
"	8,000 "	8,500 "		600	0

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

Provided that—

(1) A consolidated special rate of Rs. 150 only to cover pilotage, entering dues, use of tugs, and bill of health granted by day shall be chargeable to vessels calling only for any one or more of the following purposes:

- (a) For coal;
- (b) For water;
- (c) For provisions;
- (d) For orders;
- (e) For mails;
- (f) For discharging sick persons, their attendants and families;
- (g) To discharge or take crews;
- (h) For going into dock; and
- (i) For repairs.

(2) Vessels employed in the daily steamer service between Colombo and Tuticorin shall be given a rebate of 10 per cent. on the harbour dues payable by them for the second and every subsequent entrance by the same vessel within a week.

Payment of these dues or of the consolidated special rate shall clear a vessel inwards and outwards, provided that her stay in the port does not exceed 96 hours. If her stay in port exceeds 96 hours and does not exceed 288 hours, one-half of the scale shall be added. If it exceeds 288 hours, the same rate shall be paid outwards as was paid inwards, and in addition a buoy rent shall be payable on demand by the Collector or if not sooner demanded on clearance outwards of Rs. 15 for every day or part of a day of her stay in port after the expiration of such 288 hours.

Provided that buoy rent shall not be payable—

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

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

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

*Dues payable by Ships discharging or loading Cargo.*

12½c. per ton upon all cargo discharged or loaded by vessels up to 200 tons register.

25c. per ton upon all cargo discharged or loaded by vessels above 200 tons register.

Cargo brought to the port for transhipment to be free of dues under this heading, if not landed, or if landed and not entered for duty.

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

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

Vessels over 300 tons to be allowed to land or ship 10 tons free.  
Petroleum liquid fuel and coal to pay 25c. a ton inwards only.

*Dues payable on Imports.*

For Five Days.

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

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

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

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

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

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

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

*Exemptions.*

Coal and liquid fuel.

*Dues payable on Exports.*

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

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

*Exemptions.*

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

## II.—DUES LEVIABLE AT ALL PORTS EXCEPT COLOMBO.

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

*Port Dues leviable at per Ton Burthen.*

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

*Composition for Port Dues.*

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

*Exemptions.*

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

Passed in Council the First day of December, One thousand Nine hundred and Nine.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-second day of December, One thousand Nine hundred and Nine.

HUGH CLIFFORD,  
Colonial Secretary.

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

**No. 30 of 1909.****An Ordinance to amend "The Small Towns Sanitary Ordinance, 1892."**

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to amend "The Small Towns Sanitary Ordinance, 1892" (hereinafter referred to as "the principal Ordinance") in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Small Towns Sanitary (Amendment) Ordinance, 1909," and this Ordinance, the principal Ordinance, and the Ordinances amending the same shall be read and construed together and may be cited collectively as "The Small Towns Sanitary Ordinances, 1892 to 1909."

Enactment of new sub-sections 9 E (2), (3), (4), and (5).

2 For sub-section (2) of the section which by Ordinance No. 11 of 1900 was enacted as section 9 E of the principal Ordinance the following sub-sections shall be substituted:

Power of  
Sanitary Boards  
to make  
regulations.

(2) It shall be lawful for the Sanitary Board, subject to the approval of the Governor in Executive Council, from time to time to make, and when made to add to, amend, alter or repeal, regulations for any of the following purposes:

- (a) For regulating the time and place of the meetings of the Board and the order to be observed thereat.
- (b) For making, repairing, cleaning, watering, and lighting the streets, roads, canals, and bridges of the town or village.
- (c) For so regulating the sale of bread that the same shall be sold of the full weight and quantity at which it purports to be sold and of wholesome quality.
- (d) For the establishment and regulation of its own markets and levy of rents and fees therein, and for the supervision and control of private markets, bakeries, eating houses, tea and coffee boutiques, butchers' stalls, fish stalls, cattle galas, dairies, laundries, washing places, common lodging houses, and latrines.
- (e) For the establishment and regulation of slaughter-houses, whether its own or of private persons.
- (f) For the regulation of dangerous or offensive trades.
- (g) For the seizure and forfeiture of unwholesome flesh, fish, or other provisions introduced into the town or village or exposed for sale therein.
- (h) For regulating the time and manner of fishing; and for securing the preservation of fish within the limits of the town or village.
- (i) For taking care of waste or public lands.
- (j) For the putting up and preservation of boundaries and fences of lands, whether public or private, and for prescribing the height and description of fences, and for checking the growth of overhanging branches and foliage.
- (k) For the setting apart and regulation of bathing places.
- (l) For the housing and penning of cattle, sheep, goats, and pigs.
- (m) For the destruction of dogs.
- (n) For fixing and levying charges for the occupation of pounds for stray cattle, and the cost of the keep of the animals impounded.
- (o) For regulating the dimensions and securing the proper ventilation, draining, scavenging, and sanitary condition of huts and houses to be constructed.
- (p) For levying fees for and regulating the grazing of cattle on waste and other lands not being private property.
- (q) For preventing waste, misuse, undue consumption, or contamination of water supplied by the Sanitary Board, and for the preservation and maintenance of waterworks.
- (r) For the prevention of malaria and for the destruction of mosquitoes and disease-bearing insects.
- (s) For regulating the dimensions and use of kraals in lakes and rivers for soaking coir husks, and for charging fees for the use of the same.
- (t) For every other purpose which may be necessary or expedient for the due conservancy of the town, the preservation of the public health therein, and the promotion of the comfort and convenience of the people thereof.

(3) All offences against regulations made under this section may, in cases where the accused is a native within the meaning of "The Village Communities' Ordinance, 1889," be tried by the Village Tribunal, if any, having local jurisdiction; but the punishment which may be awarded by a Village Tribunal shall not exceed in any case a fine of twenty rupees, with rigorous imprisonment, in default of payment, for a term not exceeding fourteen days. All

moneys recovered in respect of fines imposed for breaches of such regulations shall be paid into the fund vested in the Sanitary Board.

(4) No Police Court which is otherwise competent shall be deprived of jurisdiction to try breaches of regulations under this Ordinance by reason of the circumstance that such offences are triable by a Village Tribunal.

(5) The Government Agent may exercise with regard to any offence against the said regulations which is triable by a Village Tribunal the powers conferred on him by the third proviso to section 28 of "The Village Communities' Ordinance, 1889."

Addition of new sections 29 to 36.

Other powers of the Sanitary Board.

3 After section 28 of the principal Ordinance the following sections shall be added and shall be numbered from 29 to 36:

29. It shall be lawful for the Sanitary Board, in addition to any other powers vested in it, to do any of the things following.

- (1) To water the streets.
- (2) To remove encroachments and obstructions in or upon any street.
- (3) To paint up the names of streets and the numbers of houses or tenements on any private property.
- (4) To shut up and secure deserted houses.
- (5) To provide and maintain common latrines.
- (6) To construct wells and provide public bathing places.
- (7) To erect lamps and light the town or village or any part thereof.
- (8) To make and repair main and other drains or sewers.
- (9) To establish pounds for stray cattle.
- (10) To erect buildings for the purposes of this Ordinance and to let the same.

Control of the Sanitary Board over new buildings.

30. It shall not be lawful for any person to erect any building or block of buildings or to add to any existing building or block of buildings without fourteen days' previous notice to the Sanitary Board, and the Sanitary Board may require the person giving such notice to furnish a plan of the building if deemed necessary, and may give written directions, not inconsistent with this Ordinance and with any regulations made thereunder, either prohibiting the erection or addition to such building if deemed likely to cause public inconvenience, or to injure the health of the inhabitants of the neighbourhood, or in respect of all or any of the matters following, namely:

- (1) Space to be left about the building or block of buildings to secure free circulation of air and to facilitate scavenging;
- (2) Dimensions of doors and windows, level of the floor, height of the roof, general ventilation, and drainage;
- (3) Number and nature of latrines;
- (4) Foundation and stability of structure; and
- (5) The line of frontage and, where the building abuts on or is within thirty feet of a public street, the front elevation.

Provided that the Sanitary Board shall make full compensation to the owner for any damage he may sustain in consequence of the unconditional prohibition of the erection of, or the addition to, any building or block of buildings.

Further powers of the Sanitary Board.

31. The Sanitary Board shall have and may exercise within the limits of the town or village the powers which by section 70 of "The Local Boards' Ordinance, 1898," are conferred upon the Chairman of a Local Board with regard to houses or buildings which project beyond the regular line of a street or beyond the front of the house or building on either side thereof.



Sanitary Board empowered to enforce annual tax in labour or money.

32. (1) No person residing within the limits of a town or village under the operation of this Ordinance shall be liable to perform labour upon the roads or other means of communication by land or by water or to pay any sum of money in commutation of such labour under the provisions of "The Road Ordinance, 1861." But the Sanitary Board acting under the authority of this Ordinance, may impose and enforce an annual tax payable in six days' labour, or in money, not exceeding two rupees and fifty cents in commutation of such labour, upon all persons residing within the limits of the town or village over which it has power, who if this section had not been enacted would have been liable under "The Road Ordinance, 1861," to the performance of labour for the maintenance of roads or other public means of communication by land or water.

Power to make by-laws.

(2) For this purpose the Sanitary Board shall have power to make, and when made, to alter, repeal, or amend, regulations—

- (a) For determining within the limits prescribed by subsection (1) of this section the amount to be paid in commutation of labour and for enforcing the recovery of the same.
- (b) For calling out and compelling the performance of such labour.
- (c) For enforcing in case of default the performance of increased or double labour, not exceeding in the aggregate twelve days' labour or the payment of increased or double commutation and costs, not exceeding, exclusive of costs, five rupees from any person in one year.

(3) Until such regulations are made by any Sanitary Board under this section, the provisions of "The Road Ordinance, 1861," and of the Ordinance No. 31 of 1884 shall, so far as the same may be made applicable, be acted upon and deemed of force as if the same were inserted herein.

(4) No regulation or alteration, amendment, or repeal of, or substitution for, any regulation shall have effect until the same is confirmed by the Governor in Executive Council. Such by-laws, when so confirmed and published in the *Government Gazette* in the English, Sinhalese, and Tamil languages respectively, shall be as valid and effectual as if they had been herein enacted.

Powers of Provincial and District Committees vested in Sanitary Board.

33. All powers, duties, and responsibilities vested or expressed to be vested in Provincial and District Committees respectively or in the Chairman or Secretary thereof under or by virtue of "The Road Ordinance, 1861," or the Ordinance No. 31 of 1884, shall be vested in the Sanitary Board within and so far as relates to any town or village brought under the operation of this Ordinance, and the inhabitants thereof, except so far as such powers, duties, and responsibilities are inconsistent with any of the provisions of this Ordinance, and all powers vested or expressed to be vested in division officers under or by virtue of "The Road Ordinance, 1861," or the Ordinance No. 31 of 1884, shall be vested in such officers as may be appointed by the Sanitary Board in this behalf.

Powers and duties of Sanitary Board with regard to general cemeteries.

34 (1) So much of Ordinance No. 11 of 1900, intituled "An Ordinance to amend 'The Small Towns Sanitary Ordinance, 1892,'" as is now unrepealed is hereby repealed.

(2) Where any general cemetery has been or shall be established for the burial or cremation of the dead of any small town or village which is subject to the provisions of this Ordinance, the Sanitary Board shall be the "proper authority" of such cemetery within the meaning and for the purposes of "The Cemeteries and Burials Ordinance, 1899."

(3) Notwithstanding anything in the said last-named Ordinance contained—

- (a) All fines recovered under the said Ordinance or under any by-law or regulation made thereunder in respect of any offence committed with regard to any such cemetery as is mentioned in the last preceding sub-section; and
- (b) All fees and moneys payable under sections 22, 23, 24, and 25 of the said Ordinance with respect to any such cemetery;

shall be payable to the Sanitary Board of such town or village.

(4) For the purpose of providing general cemeteries for the burial and cremation of the dead of towns or villages subject to the provisions of this Ordinance, the Governor may, in any case where suitable Crown land is not available, direct the payment from general revenue to the Sanitary Board of a portion not exceeding one-half of the cost of acquiring the land necessary for such purpose.

Provision with regard to vernacular education in towns and villages.

35. (1) The Governor in Executive Council, whenever he is satisfied that provision for the vernacular education of the children of any town or village subject to this Ordinance can be made more efficiently by means of "The Rural Schools Ordinance, 1907," than by means of "The Town Schools Ordinance, 1906," may, by order in the *Government Gazette*, direct that such town or village shall be a school division for the purposes of "The Rural Schools Ordinance, 1907," and that the said last-named Ordinance shall be in force in such town or village.

(2) When any such order has been made with reference to any town or village—

- (a) The powers and duties assigned by "The Rural Schools Ordinance, 1907," to Village School Committees shall be exercised and carried out by the Sanitary Board of the town or village.
- (b) The Sanitary Board shall annually place at the disposal of the District School Committee of the school district within which the town or village is situated, for the establishment and maintenance of sufficient accommodation in vernacular schools for the education of children resident in such town or village, so much of the labour and money as can be made available for the said purpose under section 32 of this Ordinance.

(3) In sub-section (3) of section 2 of "The Rural Schools Ordinance, 1907," the words "or of any town or village subject to 'The Small Towns Sanitary Ordinance, 1892,'" are hereby repealed.

Village rules not in force in towns under this Ordinance.

36. Rules made under "The Village Communities' Ordinance, 1889," shall not be in force in any town or village which is subject to this Ordinance.

Passed in Council the Eighth day of December, One thousand Nine hundred and Nine.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-second day of December, One thousand Nine hundred and Nine.

HUGH CLIFFORD,  
Colonial Secretary.

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

No. 31 of 1909.

An Ordinance for Regulating the Procedure on Appeals from the Supreme Court of Ceylon to His Majesty in Council.

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to make better provision for regulating the Procedure on Appeals from the Supreme Court of Ceylon to His Majesty in Council: 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 Appeals (Privy Council) Ordinance, 1909," and shall come into operation on such date as the Governor in Executive Council shall, by Proclamation in the *Government Gazette*, appoint.

Interpretation.

2 In this Ordinance and in the Rules in Schedule I. hereto, unless the context otherwise requires—

"Appeal" means Appeal to His Majesty in Council.

"His Majesty" includes His Majesty's heirs and successors.

"Judgment" includes decree, order, sentence, or decision.

"Court" means the Supreme Court of Ceylon consisting of either not less than three Judges, or of not less than two Judges, or of a single Judge, according as the matter in question is one which by virtue of the Ordinance or Ordinances constituting and regulating the Supreme Court or of any Rules made thereunder properly appertains to a Court of not less than three Judges, or to a Court of not less than two Judges, or of a single Judge.

"Record" means the aggregate of papers relating to an Appeal (including the pleadings, proceedings, evidence, and judgments) proper to be laid before His Majesty in Council on the hearing of the Appeal.

"Registrar" means the Registrar or other proper officer having the custody of the records in the Court appealed from.

Repeals.

3 The Ordinances specified in Schedule II. hereto are hereby repealed to the extent mentioned in that Schedule.

Rules for regulating Appeals from Supreme Court to Privy Council.

4 From and after the commencement of this Ordinance the right of parties to civil suits or actions in the Supreme Court to appeal to His Majesty in Council against the judgments and orders of such Court shall be subject to and regulated by—

(a) The limitations and conditions prescribed by the Rules set out in Schedule I. hereto, or by such other Rules as may from time to time be made by His Majesty in Council; and

(b) Such general Rules and Orders of Court as the Judges of the Supreme Court may from time to time make in exercise of any power conferred upon them by any enactment for the time being in force.

Power of Supreme Court to regulate procedure under Ordinance.

5 (1) The Judges of the Supreme Court or any three of them, of whom the Chief Justice or Acting Chief Justice shall be one, may from time to time make such general rules and orders of Court as to them shall seem meet for regulating the form and manner of proceeding, where not specially provided for by the Rules in Schedule I. hereto or by any Rules made by His Majesty in Council, to be observed in any proceedings before the Supreme Court under this Ordinance or under such Rules as aforesaid.

(2) In particular and without prejudice to the generality of the power conferred by the foregoing sub-section such Rules may—

- (a) Declare in any case where express provision in that behalf is not made by the Ordinances constituting and regulating the Supreme Court, whether the several matters and proceedings referred to in the Rules in Schedule I. hereto properly appertain to a Court of not less than three Judges, or to a Court of not less than two Judges, or to a single Judge;
- (b) Require the Appellant to deposit the amount required to defray the cost of translating, transcribing, indexing, and transmitting to His Majesty in Council a correct copy of the Record of the action and prescribe the time, which shall not exceed three months from the date of the hearing of the application for leave to appeal, within which such deposit shall be made;
- (c) Prescribe the fees to be paid to the Registrar of the Supreme Court for examining and certifying copies of the Record for transmission to the Registrar of the Privy Council.

Pending Appeals; where case has not been brought before Court in review.

6 (1) Where, at the commencement of this Ordinance, application has been made to the Supreme Court under section 780 of "The Civil Procedure Code, 1889," to have a judgment brought before the Court by way of review, but such judgment has not been brought up before the Court in review, or has been brought up in review and the judgment of the Court in review has not been pronounced, then the party desiring to appeal shall, unless the Court shall have refused to grant the certificate referred to in section 781 of the said Civil Procedure Code, apply within thirty days from the commencement of this Ordinance for leave to appeal in accordance with Rule 2 of the Rules in Schedule I. hereto, and all further proceedings with regard to the Appeal shall be regulated by the said Rules.

(2) Where in any such case as aforesaid the party desiring to appeal has given security in pursuance of section 780 of the said Civil Procedure Code for the payment of the costs of the hearing in review, the Court, upon the application of the person by whom such security was given, shall order such security to be discharged or the amount thereof to be paid to him.

Pending Appeals; where case has been heard in review, but order allowing Appeal has not been made.

7 (1) Where, at the commencement of this Ordinance, judgment of the Court in review has been pronounced, but the periods limited by section 783 of the Civil Procedure Code for applying for leave to appeal and for giving the security and making the deposit required by that section have not expired, the party desiring to appeal may proceed in manner prescribed by the said section, and the Court, if it is satisfied that the Appellant has complied with the requirements of such section within the periods thereby prescribed, shall grant final leave to appeal, and such Appeal shall be subject in all respect to the Rules in Schedule I.

(2) Where, at the said date, the periods mentioned in sub-section (1) have expired and the Appellant has failed to comply with any of such requirements within the prescribed period, the Appeal shall be deemed to stand dismissed for non-prosecution without an express order of the Court.

Procedure with regard to Appeals which have been allowed under section 784 of the Civil Procedure Code.

8 The provisions of the Rules in Schedule I. hereto relating to Appellants who have obtained final leave to appeal shall be applicable to Appellants whose Appeals the Court, at the commencement of this Ordinance, shall have allowed in manner provided by section 784 of the said Civil Procedure Code.

## SCHEDULE I.

*Rules.*

1. Subject to the provisions of these rules, an Appeal shall lie—
- (a) As of right, from any final judgment of the Court, where the matter in dispute on the Appeal amounts to or is of the value of five thousand rupees or upwards, or where the Appeal involves directly or indirectly some claim or question to or respecting property or some civil right amounting to or of the value of five thousand rupees or upwards; and
- (b) At the discretion of the Court, from any other judgment of the Court, whether final or interlocutory, if, in the opinion of the Court, the question involved in the Appeal is one which, by reason of its great general or public importance or otherwise, ought to be submitted to His Majesty in Council for decision.
2. Application to the Court for leave to appeal shall be made by petition within thirty days from the date of the judgment to be appealed from, and the applicant shall give the opposite party notice of his intended application.
3. Leave to appeal under rule 1 shall only be granted by the Court in the first instance—
- (a) Upon condition of the Appellant, within a period to be fixed by the Court but not exceeding three months from the date of the hearing of the application for leave to appeal, entering into good and sufficient security, to the satisfaction of the Court, in a sum not exceeding three thousand rupees for the due prosecution of the Appeal, and the payment of all such costs as may become payable to the respondent in the event of the Appellants not obtaining an order granting him final leave to appeal, or of the Appeal being dismissed for non-prosecution, or of His Majesty in Council ordering the Appellant to pay the Respondent's costs of the Appeal (as the case may be).
- (b) Upon such other conditions (if any) as to the time or times within which the Appellant shall take the necessary steps for the purpose of procuring the preparation of the Record and the dispatch thereof to England as the Court, having regard to all the circumstances of the case, may think it reasonable to impose.
4. At any time before giving final leave to appeal the Court may, upon cause shown, revoke the acceptance of any such security and make further direction thereon.
5. If at any time after final leave to appeal is allowed, but before the transmission of the copy of the Record to His Majesty in Council, such security appears inadequate, the Court may order the Appellant to furnish within a specified time other and sufficient security.
6. If the Appellant fails to comply with such order, the proceedings shall be stayed, and the Appeal shall not proceed without an order in that behalf of His Majesty in Council, and in the meantime execution of the decree appealed against shall not be stayed.
7. Where the judgment appealed from requires the Appellant to pay money or perform a duty, the Court shall have power, when granting leave to appeal, to direct that the said judgment shall be carried into execution if the person in whose favour it was given shall, before the execution thereof, enter into good and sufficient security, to the satisfaction of the Court, for the due performance of such order as His Majesty in Council shall think fit to make thereon.
8. Provided, nevertheless, that if the Appellant shall establish to the satisfaction of the Court that real and substantial justice requires that, pending such Appeal, execution should be stayed, the Court may order the execution of such judgment to be stayed if the Appellant shall give sufficient security for the due performance of such order as His Majesty in Council shall think fit to make thereon.

Amount in respect of which an Appeal lies as of right.

Appeals at the discretion of the Court.

Application for leave to appeal.

Security to be given by Appellant.

Other conditions.

Revocation of acceptance of security.

Power to order further security.

Failure to comply with order.

Judgment to be executed on security being given for restitution.

Court may stay execution on Appellant giving security.

Security when not required in case of immovable property.

9. In any case where the subject of litigation shall consist of immovable property, and the judgment appealed from shall not change, affect, or relate to the actual occupation thereof, no security shall be demanded, either from the Respondent or Appellant, for the performance of the judgment to be pronounced or made upon such Appeal; but if such judgment shall change, affect, or relate to the occupation of any such property, then such security shall not be of greater amount than may be necessary to secure the restitution free from all damage or loss of such property or of the intermediate profit which, pending any such Appeal, may probably accrue from the intermediate occupation thereof.

Security in case of movable property.

10. In any case where the subject of litigation shall consist of money or other chattels, or of any personal debt or demand, the security to be demanded, either from the Respondent or Appellant, for the performance of the judgment to be pronounced or made upon such Appeal shall be either a bond to be entered into in the amount or value of such subject of litigation by one or more sufficient surety or sureties, or such security shall be given by way of mortgage or voluntary condemnation of or upon some immovable property situate and lying within this Island, and being of the full value of such subject of litigation over and above the amount of all mortgages and charges of whatever nature upon or affecting the same.

Preparation of Record subject to supervision of Court.

11. The preparation of the Record shall be subject to the supervision of the Court, and the parties may submit any disputed question arising in connection therewith to the decision of the Court, and the Court shall give such directions thereon as the justice of the case may require.

Exclusion of documents from Record.

12. The Registrar, as well as the parties and their legal Agents, shall endeavour to exclude from the Record all documents (more particularly such as are merely formal) that are not relevant to the subject-matter of the Appeal, and generally to reduce the bulk of the Record as far as practicable, taking special care to avoid the duplication of documents and the unnecessary repetition of headings and other merely formal parts of documents; but the documents omitted to be copied or printed shall be enumerated in a list to be placed after the index or at the end of the Record.

Objection to inclusion of any document.

13. Where in the course of the preparation of a Record one party objects to the inclusion of a document on the ground that it is unnecessary or irrelevant and the other party nevertheless insists upon its being included, the Record as finally printed (whether in Ceylon or in England) shall, with a view to the subsequent adjustment of the costs of and incidental to such document, indicate in the index of papers, or otherwise, the fact that, and the party by whom, the inclusion of the document was objected to.

Printing of Record.

14. The Record shall be printed in accordance with the Rules set forth in the Appendix hereto. It may be so printed either in Ceylon or in England.

Procedure when Record is printed in Ceylon.

15. Where the Record is printed in Ceylon, the Registrar shall, at the expense of the Appellant, transmit to the Registrar of the Privy Council forty copies of such Record, one of which copies he shall certify to be correct by signing his name on or initialling every eighth page thereof, and by affixing thereto the Seal of the Court.

Procedure when Record is to be printed in England.

16. Where the Record is to be printed in England, the Registrar shall, at the expense of the Appellant, transmit to the Registrar of the Privy Council one certified copy of such Record, together with an index of all the papers and exhibits in the case. No other certified copies of the Record shall be transmitted to the Agents in England by or on behalf of the parties to the Appeal.

Procedure where part of Record is printed in Ceylon and part is to be printed in England.

17. Where part of the Record is printed in Ceylon and part is to be printed in England, Rules 15 and 16 shall, as far as practicable, apply to such parts as are printed in Ceylon and such as are to be printed in England respectively.

Reasons for judgment of Court to be dispatched.

18. The reasons given by the Judge, or any of the Judges, for or against any judgment pronounced in the course of the proceedings out of which the Appeal arises shall by such Judge or Judges be communicated in writing to the Registrar, and shall by him be transmitted to the Registrar of the Privy Council at the same time when the Record is transmitted.

- Consolidation of Appeals. 19. Where there are two or more applications for leave to appeal arising out of the same matter, and the Court is of opinion that it would be for the convenience of the Lords of the Judicial Committee and all parties concerned that the Appeals should be consolidated, the Court may direct the Appeals to be consolidated, and grant leave to appeal by a single Order.
- Withdrawal of Appeal before final leave to appeal is allowed. 20. An Appellant who has obtained an order granting him conditional leave to appeal may at any time prior to the making of an order granting him final leave to appeal withdraw his Appeal on such terms as to costs and otherwise as the Court may direct.
- Delay of Appellant in getting final leave to appeal. 21. Where an Appellant, having obtained an order granting him conditional leave to appeal, and having complied with the conditions imposed on him by such Order, fails thereafter to apply with due diligence to the Court for an order granting him final leave to appeal, the Court may, on an application in that behalf made by the Respondent, rescind the order granting conditional leave to appeal, notwithstanding the Appellant's compliance with the conditions imposed by such Order, and may give such directions as to the costs of the Appeal and the security entered into by the Appellant as the Court shall think fit, or make such further or other order in the premises as, in the opinion of the Court, the justice of the case requires.
- Application for final leave to appeal. 22. On an application for final leave to appeal, the Court may inquire whether notice or sufficient notice of the application has been given by the Appellant to all parties concerned, and, if not satisfied as to the notices given, may defer the granting of the final leave to appeal, or may give such other directions in the matter as, in the opinion of the Court, the justice of the case requires.
- Prosecution of Appeal after final leave to appeal has been granted. 23. An Appellant who has obtained final leave to appeal shall prosecute his Appeal in accordance with the Rules for the time being regulating the general practice and procedure in Appeals to His Majesty in Council.
- Withdrawal of Appeal after final leave to appeal has been granted. 24. Where an Appellant, having obtained final leave to appeal, desires, prior to the dispatch of the Record to England, to withdraw his Appeal, the Court may, upon an application in that behalf made by the Appellant, grant him a certificate to the effect that the Appeal has been withdrawn, and the Appeal shall thereupon be deemed, as from the date of such certificate, to stand dismissed without express Order of His Majesty in Council, and the costs of the Appeal and the security entered into by the Appellant shall be dealt with in such manner as the Court may think fit to direct.
- Delay of Appellant in getting Record dispatched to England. 25. Where an Appellant, having obtained final leave to appeal, fails to show due diligence in taking all necessary steps for the purpose of procuring the dispatch of the Record to England, the Respondent may, after giving the Appellant due notice of his intended application, apply to the Court for a certificate that the Appeal has not been effectually prosecuted by the Appellant, and if the Court sees fit to grant such a certificate, the Appeal shall be deemed, as from the date of such certificate, to stand dismissed for non-prosecution without express Order of His Majesty in Council, and the costs of the Appeal and the security entered into by the Appellant shall be dealt with in such manner as the Court may think fit to direct.
- Death or change of status of a party to the Appeal before the dispatch of the Record to England. 26. Where at any time between the order granting final leave to appeal and the dispatch of the Record to England the Record becomes defective by reason of the death, or change of status, of a party to the Appeal, the Court may, notwithstanding the order granting final leave to appeal, on an application in that behalf made by any person interested, grant a certificate showing who, in the opinion of the Court, is the proper person to be substituted or entered on the Record in place of, or in addition to, the party who has died, or undergone a change of status, and the name of such person shall thereupon be deemed to be so substituted or entered on the Record as aforesaid without express Order of His Majesty in Council.
- Death or change of status of a party to the Appeal after 27. Where the Record subsequently to its dispatch to England becomes defective by reason of the death, or change of status, of a party to the Appeal, the Court shall, upon an application in that behalf made by any person interested, cause a certificate to be

- dispatch of the Record to England. transmitted to the Registrar of the Privy Council showing who, in the opinion of the Court, is the proper person to be substituted, or entered on the Record in place of, or in addition to, the party who has died, or undergone a change of status.
- Printing of Case. 28. The Case of each party to the Appeal may be printed either in Ceylon or in England, and shall, in either event, be printed in accordance with the Rules set forth in the Appendix hereto, every tenth line thereof being numbered in the margin, and shall be signed by at least one of the counsel who attends at the hearing of the Appeal, or by the party himself if he conducts his Appeal in person.
- Further provisions. 29. The Case shall consist of paragraphs numbered consecutively, and shall state, as concisely as possible, the circumstances out of which the Appeal arises, the contentions to be urged by the party lodging the same, and the reasons of appeal. References by page and line to the relevant portions of the Record as printed shall, as far as practicable, be printed in the margin, and care shall be taken to avoid, as far as possible, the reprinting in the Case of long extracts from the Record. The taxing officer, in taxing the costs of the Appeal, shall, either of his own motion or at the instance of the opposite party, inquire into any unnecessary prolixity in the Case, and shall disallow the costs occasioned thereby.
- Taxation of costs. 30. Where the Judicial Committee directs a party to bear the costs of an Appeal incurred in Ceylon, such costs shall be taxed by the proper officer of the Court in accordance with the Rules for the time being regulating taxation in the Court.
- Execution of judgment of His Majesty in Council. 31. Any Order which His Majesty in Council may think fit to make on an Appeal from a judgment of the Court may be enforced and executed in manner hereinafter appearing :—  
Whoever desires to enforce or to obtain execution of any Order of His Majesty in Council shall apply by petition, accompanied by a certified copy of the decree or order made in appeal and sought to be enforced or executed, to the Court.  
Such Court shall, when the court which made the first decree appealed from is the Supreme Court, enforce and execute such order in the manner and according to the rules applicable to the enforcement and execution of its original decrees ; but when the court which made the first decree appealed from is a court other than the Supreme Court, shall transmit the Order of His Majesty to the court which made such decree, or to such other court as His Majesty by his said Order may direct, and shall (upon the application of either party) give such directions as may be required for the enforcement or execution of the same ; and the court to which the said Order is so transmitted shall enforce and execute it accordingly, in the manner and according to the rules applicable to the enforcement and execution of its original decrees.
- Right to admit Appeal without reference to these Rules. 32. Nothing in these Rules contained shall be deemed to interfere with the right of His Majesty upon the humble Petition of any person aggrieved by any judgment of the Court, to admit his Appeal therefrom upon such conditions as His Majesty in Council shall think fit to impose.

Appendix.

1. Records and Cases in Appeals to His Majesty in Council shall be printed in the form known as demy quarto (*i.e.*, 54 ems in length and 42 in width).
2. The size of the paper used shall be such that the sheet when folded and trimmed will be 11 inches in height and 8½ inches in width.
3. The type to be used in the text shall be Pica type, but Long Primer shall be used in printing accounts, tabular matter, and notes.
4. The number of lines in each page of Pica type shall be 47 or thereabouts, and every tenth line shall be numbered in the margin.



SCHEDULE II.  
Ordinances Repealed.

No. and Year.	Short Title.	Extent of Repeal.
1 of 1889 ..	"The Courts Ordinance, 1889"	Section 42 and sub-section (1) of section 53 as respectively amended by Ordinance No. 24 of 1901
2 of 1889 ..	"The Civil Procedure Code, 1889"	Chapter LXIII. (sections 779 to 789) as amended by Ordinance No. 23 of 1901. and chapter LXIV.

Passed in Council the Eighth day of December, One thousand Nine hundred and Nine.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-second day of December, One thousand Nine hundred and Nine.

HUGH CLIFFORD,  
Colonial Secretary.

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

**No. 32 of 1909.**

An Ordinance to amend "The Cacao Thefts Prevention Ordinance, 1904."

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to amend "The Cacao Thefts Prevention Ordinance, 1904," hereinafter referred to as "the principal Ordinance" in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Cacao Thefts Prevention (Amendment) Ordinance, 1909," and shall be read and construed as one with the principal Ordinance; and this Ordinance and the principal Ordinance may be cited together as "The Cacao Thefts Prevention Ordinances, 1904 and 1909."

Addition of new section 19 A.

2 After section 19 of the principal Ordinance the following section shall be added and shall be numbered 19 A:

Jurisdiction of Police Courts.

Every offence under this Ordinance shall be triable by a Police Court, and such court shall have power to inflict the full penalty prescribed for such offence by the said Ordinance, any provision of "The Criminal Procedure Code, 1898," or of any other enactment to the contrary notwithstanding.

Passed in Council the Eighth day of December, One thousand Nine hundred and Nine.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-second day of December, One thousand Nine hundred and Nine.

HUGH CLIFFORD,  
Colonial Secretary.

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

No. 33 of 1909.

An Ordinance further to amend "The Nuwara Eliya Board of  
Improvement Ordinance, 1896."

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient further to amend "The Nuwara Eliya Board of Improvement Ordinance, 1896" (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 Nuwara Eliya Board of Improvement (Amendment) Ordinance, 1909," and this Ordinance and the principal Ordinance and the Ordinances amending the same may be cited collectively as "The Nuwara Eliya Board of Improvement Ordinances, 1896 to 1909."

Addition to  
section 30 (19).

2 The following words shall be added in continuation of sub-section (19) of section 30 of the principal Ordinance (as amended by Ordinance No. 14 of 1898), namely: "For the removal and disposal of night soil and house refuse; and for charging and recovering fees from owners or occupiers for such removal and disposal when carried out by the Board of Improvement or by any contractor on their behalf."

Passed in Council the Fifteenth day of December, One thousand Nine hundred and Nine.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-second day of December, One thousand Nine hundred and Nine.

HUGH CLIFFORD,  
Colonial Secretary.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of Don  
Jurisdiction. Sardiell Kumarasinghe, deceased,  
No. 3,897. of Bentota.

THIS matter coming on for disposal before W. E. Thorpe, Esq., District Judge, Galle, on November 5, 1909, in the presence of Mr. D. G. Goonawardene, on the part of the petitioner Dona Emaliya Weerasekera Haminey; and the affidavit of the petitioner having been read: It is ordered and declared that the said Dona Emaliya Weerasekera Haminey is widow of the deceased, and that she is as such entitled to have letters of administration issued to her accordingly, unless (1) Don Agairis Weerasekera, (2) Eldon Kumarasinghe, (3) David Kumarasinghe, (4) Edmund Kumarasinghe, all of Panadure, the 2nd, 3rd, and 4th respondents by their guardian *ad litem* the 1st respondent shall, on or before December 10, 1909, show sufficient cause to the satisfaction of this court to the contrary.

W. E. THORPE,  
District Judge.  
November 5, 1909.

Extended to January 19, 1910.

W. E. THORPE,  
District Judge.  
December 1, 1909.

In the District Court of Batticaloa.

Order Nisi.

In the Matter of the Last Will and  
Testament of the late Uduman-  
pillai Anuthupody of Karunc-  
tivu.

Isumalevve Miskinbawa of Akkarapattu. Petitioner.

Vs.

1, Anuthupody Meerasaibu; 2, Anuthupody Avaumah; 3, Vavalevve Paatumah for herself and as guardian *ad litem* over the minors A. Adamlevve, A. Sinnelevve, A. Uduman, A. Savurialevve, and A. Kadesacutty, all of Akkarapattu ..... Respondents.

THIS matter coming on for disposal before W. R. B. Sanders, Esq., District Judge, Batticaloa, on November 2, 1909, in the presence of Mr. A. B. Canagasabay, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated August 24, 1909, and that of V. V. Packeerpody Ahamadulevve, (2) Venasiadappen Paregany Sinnetamby, (3) Muhadeenpitchai Sinnecutty, (4) Udumanpillai Ahamadumunelle, (5) Namdapillai Mugadeenbawa Paregany,

and (6) P. H. C. Ahamadulevvepody, the subscribing witness to the said will dated August 10, 1909, having been read :

It is ordered that the will of the said deceased dated July 8, 1909, and now deposited in court, be and the same is hereby proved.

It is further declared that the said petitioner is the son-in-law of the said deceased, and that he is entitled to have letters of administration with the will annexed, issued to him accordingly, unless the respondents above-named or any other person or persons interested shall, on or before December 2,

1909, show sufficient cause to the satisfaction of this court to the contrary.

November 2, 1909. W. R. B. SANDERS,  
District Judge.

The above *Order Nisi* is extended to December 21, 1909.

W. R. B. SANDERS,  
District Judge.

Extended to January 6, 1910,

W. R. B. SANDERS,  
District Judge.

### NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,361. In the matter of the insolvency of Meepagalage Johannes Perera of No. 246, Alutmawata, Colombo.

**N**OTICE is hereby given that the above-named insolvent has been awarded a certificate as of the third class.

By order of court,  
D. M. JANSZ,  
Secretary.

Colombo, December 20, 1909.

In the District Court of Colombo.

No. 2,370. In the matter of the insolvency of Seena Ahamado Ossen Saibo of No. 66, Second Cross street, Pettah, Colombo.

**N**OTICE is hereby given that the above-named insolvent has been allowed a certificate as of the third class.

By order of court,  
D. M. JANSZ,  
Secretary.

Colombo, December 20, 1909.

In the District Court of Colombo.

No. 2,379. In the matter of the insolvency of Lindamullage George de Silva of Moratuwella in Moratuwa.

**N**OTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 27, 1910, for the consideration of the conditions of sale of the land called Pokunewatta at Horetuduwa.

By order of court,  
D. M. JANSZ,  
Secretary.

Colombo, December 20, 1909.

In the District Court of Colombo.

No. 2,381. In the matter of the insolvency of D. S. Samerawickrema of Mattumagala in the Adikari pattu of Alutkuru korale.

**N**OTICE is hereby given that the above-named insolvent has been allowed a certificate as of the third class, but its issue has been suspended for a period of 18 months.

By order of court,  
D. M. JANSZ,  
Secretary.

Colombo, December 20, 1909.

In the District Court of Colombo.

No. 2,395. In the matter of the insolvency of Telge Richard Stephen Pieris of Katukurunda in Moratuwa.

**W**HEREAS the above-named Telge Richard Stephen Pieris has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by M. A. Charles Fernando, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Telge Richard Stephen Pieris insolvent accordingly; and that two public sittings of the court, to wit, on January 27, 1910, and on February 17, 1910, 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,  
D. M. JANSZ,  
Secretary.

Colombo, December 21, 1909.

In the District Court of Colombo.

No. 2,396. In the matter of the insolvency of Veena Sinnatamby of Kotahena, Colombo, in his individual capacity and as partner of the firm of Veena Seena.

WHEREAS the above-named Veena Sinnatamby has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by M. K. Sinnadurai, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Veena Sinnatamby insolvent accordingly; and that two public sittings of the court, to wit, on January 27, 1910, and on February 17, 1910, 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,

D. M. JANSZ,  
Secretary.

Colombo, December 21, 1909.

In the District Court of Colombo.

No. 2,397. In the matter of the insolvency of V. Palar of Kotahena, Colombo, in his personal capacity and as partner of the firm of Veena Seena.

WHEREAS the above-named V. Palar has filed a declaration of insolvency, and a petition for the sequestration as insolvent of his own estate, under the Ordinance No. 7 of 1853, and it appears that he has been in actual custody within the walls of a prison for debt for more than 21 days: Notice is hereby given that the said court has adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on January 27 and on February 17, 1910, will take place for the 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,

D. M. JANSZ,  
Secretary.

Colombo, December 21, 1909.

## NOTICES OF FISCALS' SALES.

### Western Province.

In the District Court of Negombo.

Philippu Fernando Anandan Pulle of  
Udangawa ..... Plaintiff.

No. 6,991. Vs.

- (1) Cecilia Fernando, widow of the late Philippu Fernando Christogo Pulle,  
(2) Alensu Fernando Philippu Pulle,  
(3) Anthony Fernando Philippu Pulle, (4) Maria Fernando, (5) Anth-thasia Fernando, all of Udangawa .... Defendants.

NOTICE is hereby given that on January 28, 1910, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property, mortgaged by bond No. 16,830 dated September 7, 1905, and declared liable to be sold by the decree entered in the above case, viz. :—

(1) Undivided half of the land called Kadurugahawatta, situate at Udangawa in the Dunagaha pattu of Alutkuru korale, with all the buildings and plantations thereon; is bounded on the north by Kadurugahawatta *alias* Galowita, on the east by the lands of the heirs of Maria Fernando Nikulan Pulle and of Christogo Fernando Nikulan Pulle, Police Headman, and on the south and west by land of Christogo Fernando Nikulan Pulle, Police Headman; containing in extent within these boundaries about 2 acres and 2 roods.

(2) Undivided half of the land called Kadurugahawatta *alias* Galowita, situate at ditto; is bounded on the north by lands formerly of Christogu Rudrigo Philippu Pulle and Anthony Fernando Philippu Pulle, and now of the debtors herein and others, on the east by lands formerly of Philippu Fernando Anthony Pulle and Nikulan Fernando Christogo Pulle and now

of Christogo Fernando Nikulan Pulle, Police Headman, on the south by land formerly of Anthony Fernando Philippu Pulle, and on the west by land of Christogo Fernando Nikulan Pulle, Police Headman, and Juan Naide *alias* Tammittage Juse Perera; containing in extent within these boundaries about 2 acres and 2 roods cut up into two by a dewata road inclusive of all the trees and appurtenances thereof.

(3) The western half share of the land called Ambagahawatta, situate at ditto; is bounded on the east by land appearing in plan No. 57,023 or by Kadurugahawatta and Kadurugahalanda *alias* Galowita, on the south by land of Don Gabriel Silva *alias* Saviel Fernando Anandan and the heirs of Suse de Silva Mardanayagam Pulle, on the south-west by land appearing in plan No. 5,478, and on the north-west by Government land and by land purchased by Tammittage Juanis Perera; containing in extent within these boundaries about 1 acre 1 rood and 34 perches and cut up into two by a dewata road inclusive of all the trees and the appurtenances thereof.

(4) Orabadugahawatta *alias* Kahatagahawatta *alias* Attikkagahawatta, situate at ditto; is bounded on the north by land of Christogo Peries and others, on the east by land formerly of Simon Silva Patti Vidane and now of Alensu Fernando Philippu Pulle, on the south by the land of Anthony Peria Tamby and others, or now by dewata road separating the said land, and on the west by lands of Amaris Perera, Philippu Fernando, and others, or by lands now of Biyanwilage Manuel Perera and others; containing in extent within these boundaries about 2 acres inclusive of the appurtenant trees and the cadjan thatched house thereon.

(5) Bogahawatta, situate at ditto; is bounded on the north by land of Anthony Fernando Christogo Pulle, on the east by land of Philippu Fernando Anthony Pulle, on the south by the land of Saviel Silva Mathes Pulle, and on the west by land of

Bastian Silva; containing in extent within these boundaries about 1 rood inclusive of the trees and the appurtenances thereof.

(6) Undivided half of the land called Kattuthengamaraththadithottam that is Telabugahawatta, situate at Obberiya (Pichchankare) in ditto; is bounded on the north by land formerly of Madurawalagamage Don Pelis Appuhamy and now of Philippu Fernando Anthony Pulle and others, on the east by land formerly of Pedro Fernando and others and now of the heirs of the said Pelis Appuhamy in his name, on the south by the land of Suse Fernando Ramanathan Pulle and others, and on the west by land or field formerly of Sardiell Vidane and now of the heirs of Suse de Silva Mardanayagam Pulle in his name; containing in extent within these boundaries about 1 acre and 2 roods inclusive of all the trees and the appurtenances thereof.

The 6th land at the risk of the original purchaser Philippu Fernando Anthony Pulle of Udangawa.

Amount to be levied Rs. 2,305.85 with interest on Rs. 2,106.50 at 9 per cent. per annum from January 14, 1908, till payment.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, December 22, 1909.

In the District Court of Negombo.

Kurukulasuriya Bammannage Maria  
Regina Fernando of Negombo.....Plaintiff.  
No. 7,444. Vs.

(1) Kurukulasuriya Lusa Fernando and  
husband (2) Kurukulasuriya Manuel  
Fernando, both of Negombo.....Defendants.

NOTICE is hereby given that on January 29, 1910, commencing at 11 o'clock in the forenoon, 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 two boutiques bearing assessment Nos. 83A and 83B, situate at Main street, within the gravets of Negombo; and bounded on the north and west by the wall of the house of Kurukulasuriya Bammannage Maria Regina Fernando, on the east by the boutique bearing No. 84 belonging to Joseph and others, and on the south by the high road; containing in extent 6 perches more or less.

2. The life interest of the said defendants in and to the boutique bearing assessment No. 311, situate at ditto; and bounded on the north by the high road, on the east by the wall of the boutique belonging to the heirs of Ugo Peries and the land of Jagarias Fernando, on the south by the road belonging to the church, and on the west by the boutique bearing No. 312 belonging to the plaintiff and defendants; containing in extent 6 perches more or less.

3. The life interest of the said defendants in and to the one-third share of the boutique bearing assessment No. 312, situate at ditto; and bounded on the north by the high road, on the east by the boutique bearing No. 311 belonging to the defendants, on the south by the road belonging to the church, and on the west by the wall of the boutique belonging to Sebastian Peries; containing in extent 6 perches more or less.

Amount to be levied, Rs. 251.42.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, December 22, 1909.

In the District Court of Negombo.

Kurukulasuriya Bammannage Maria  
Regina Fernando of Negombo.....Plaintiff.  
No. 7,444.

(4) Francis Bolis Fernando and wife (5)  
Rosaline Fernando, both of Negombo... Defendants.

NOTICE is hereby given that on January 29, 1910, commencing at 10 o'clock in the forenoon, 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 two boutiques bearing assessment Nos. 83A and 83B, situate at Main street, within the gravets of Negombo; and bounded on the north and west by the wall of the house of Kurukulasuriya Bammannage Maria Regina Fernando, on the east by the boutique bearing No. 84 belonging to Joseph and others, and on the south by the high road; containing in extent 6 perches more or less.

2. The life interest of the said defendants in and to the boutique bearing assessment No. 311, situate at ditto; and bounded on the north by the high road, on the east by the wall of the boutique belonging to the heirs of Ugo Peries and the land of Jagarias Fernando, on the south by the road belonging to the church, and on the west by the boutique bearing No. 312 belonging to the plaintiff and defendants; containing in extent 6 perches more or less.

3. The life interest of the said defendants in and to the one-third share of the boutique bearing assessment No. 312, situate at ditto; and bounded on the north by the high road, on the east by the boutique bearing No. 311 belonging to the defendants, on the south by the road belonging to the church, and on the west by the wall of the boutique belonging to Sebastian Peries; containing in extent 6 perches more or less.

Amount to be levied, Rs. 251.42.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, December 22, 1909.

In the Court of Requests of Negombo.

Muna Muna Sina Thana Satappa Chetty  
of Negombo.....Plaintiff.  
No. 17,351. Vs.

Halihakonge Dona Euginahamy of  
Madampella, administratrix of the  
intestate estate of the late Maipata-  
mudalige Don Martino Paris Appu-  
hamy, deceased..... Defendant.

NOTICE is hereby given that on January 24, 1910, commencing at 10 o'clock in the forenoon, 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 9/24 shares of the field called Millagahakumbura, situate at Akaragama in the Dunagahapattu of Alutkuru korale; and bounded on the north by the land formerly of Martino Fernando and now of the estate of Mr. Leo de Croos, on the east by the ridge of the field of Don Marthinu Appuhamy and to the defendant, on the south by the land of Andia and others, and on the west by the field of Savaria and of the heirs of Arumapuraya; containing in extent about 5 paras of paddy sowing.

2. The 1/2 share of the field called Dunumadalahakumbura, alias Millagahakumbura, situate at ditto; and bounded on the north by land of the estate of Mr. Leo de Croos, on the east by the cart road, on the south by lands of Allisa Andia and others, and on

the west by the ridge of the field of the defendant and others; containing in extent about 5 paras of paddy sowing.

3. The land called Ambagahadalupotta *alias* Dummala-agaraowita, situate at ditto; and bounded on the north by the land of Rapia and cart road, on the east by the field of Sobana and others, on the south by the garden of Hendrick Silva Appuhamy and others, and on the west by the field of Sobana and others; containing in extent about 1 acre and 2 roods.

4. The 8/12 shares of the land called Ipanna-godella, situate at ditto; and bounded on the north by the high road, on the east by the land of Pedro Fernando, on the south by the lands of Jayatuwa and others, and on the west by the land of Anthony Appuhamy and others; containing in extent about 1 acre and 2 roods.

Amount to be levied, Rs. 285.25, with interest on Rs. 200 at 30 per cent. per annum from October 27 to November 3, 1909, and thereafter at 9 per cent. per annum till payment in full.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, December 22, 1909.

In the District Court of Kalutara.

Ismail Lebbe Marikar Abdul Lasis  
Marikar of Alutgama and two others... Plaintiffs.

No. 3,893. Vs.

James van Royen, Division Officer of  
Welapura, Kalutara... Defendant.

NOTICE is hereby given that on Friday, January 28, 1910, commencing at 9 o'clock in the morning, will be sold by public auction at the respective premises the following property mortgaged by the defendant with the plaintiffs and decreed to be sold by the judgment entered in the above case for the recovery of Rs. 4,881.76, with interest on Rs. 3,000 at 12 per cent. per annum from October 12, 1908, to October 30, 1908, and thereafter at 9 per cent. per annum on the aggregate, to wit:—

1. The soil and trees of the land called Hemidiriya-wekele of the extent of 7 acres 1 rood and 10 perches, situated at Kudaheenatiyangala; and bounded on the north by land appearing in plan No. 55,594, on the north-east by land purchased by Don Abanchy Weeraratne, Vidane Arachchi, on the south-east by land said to belong to the Crown, south-west by lands appearing in plans Nos. 55,599 and 114,560, on the north-west by land appearing in plan No. 55,588.

2. Undivided  $\frac{1}{2}$  of the soil and of the trees of the portion of Bogahawatta, situated at Welapura Kalutara, excluding the houses standing thereon and  $\frac{1}{2}$  being the planter's share of the 2nd, 3rd, and 4th plantations which portion is in extent 1 rood and 8 76/100 perches; and is bounded on the north by land belonging to Wesleyan Chapel and Weediye-watta belonging to Ossen Lebbe Ahamado Lebbe, on the east by high road, on the south by Kammalewatta in the name of Tempanigey people, and on the west by rail road.

3.  $\frac{1}{2}$  and undivided  $\frac{1}{2}$  of  $\frac{2}{3}$  of the soil and of the buildings thereon of the portion No. 6 of the extent of 5 72/100 perches and of the portion No. 7 of the extent of 7 39/100 perches of Ambagahawatta and Wandurugewatta, situated at Welapura Kalutara; which two portions Nos. 6 and 7 are bounded on the north by portion No. 5 of this land, on the east by high road, on the south by road to the Customs and the portion No. 8 of this land, and on the west also by a portion of this land.

4.  $\frac{1}{2}$  and undivided  $\frac{1}{2}$  of  $\frac{2}{3}$  of the soil and of the trees of Ambagahawatta of the extent of about

2 acres with all the buildings standing thereon, situated at Welapura Kalutara; and bounded on the north by land belonging to the estate of the late Hettiyakandegey Joseph Fernando, on the east and south by cross cart roads, and on the west by Godawalawatta.

5. Undivided  $\frac{1}{2}$  of the soil and of the trees and of the houses standing thereon of the portion of Setuwawatta, situated at Welapura Kalutara, which portion is in extent 8 59/100 perches; and bounded on the north by land and house belonging to Don Davith Appu, on the east by road to distillery, on the south by land and house belonging to Segu Mohamado Lebbe, and on the west by high road.

B. P. J. GOMES,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Kalutara, December 21, 1909.

### Northern Province.

In the District Court of Jaffna.

Annammah, widow of Vaitilinka Mudaliar Sivasithamparam of Imayanankurichy in Uduppiddy... Plaintiff.

No. 6,597. Vs.

Kanapathippillai Sinnattamby of Polikandy... Defendant.

NOTICE is hereby given that on Saturday, January 29, 1910, at 10 o'clock in the forenoon will be sold by public auction at the spot, the following property hypothecated to the plaintiff, and decreed to be sold by decree entered in the above action for the recovery of Rs. 1,068.72, with interest on Rs. 985, at the rate of 12 per cent. per annum from April 30, 1909, until payment in full and costs of suit being Rs. 129.55 and charges, viz:—

(1) An undivided  $\frac{1}{2}$  share of a piece of land situated at Polikandykkurichy called Manankanai; containing or reputed to contain in extent 10  $\frac{1}{2}$  lachams of varagu culture, ditto Manankanai; containing or reputed to contain in extent 2  $\frac{1}{2}$  lachams of varagu culture with palmyras old and young; bounded or reputed to be bounded on the east by the property of Sinniah and others, north by the property of Sinnattamby and others and by lane, west by the property of Seeny and others, and on the south by the property of Sinnachy and others.

2. A divided  $\frac{1}{2}$  share on the west in extent 4 lachams of varagu culture and 5  $\frac{1}{2}$  kullies with its appurtenances of a piece of land situated at Polikandykkurichy called Manankanai; containing or reputed to contain in extent 8  $\frac{3}{4}$  lachams of varagu culture. The said  $\frac{1}{2}$  share on the west is bounded or reputed to be bounded on the east by the property of Kathiravelar and others, north by the property of Neekilappillai and others, west by lane, and on the south by the property of Sinnattamby and others.

3. An undivided  $\frac{1}{2}$  share out of a divided 11/24 share on the south, in extent 12 lachams of varagu culture and 6  $\frac{1}{2}$  kullies with its appurtenances of a piece of land, situated at Valveddythurai called Ponnachythoddam; containing or reputed to contain in extent 27 lachams of varagu culture; the said 11/24 share on the south in extent 12 lachams of varagu culture and 6  $\frac{1}{2}$  kullies is bounded or reputed to be bounded on the east by the property of Chellam, north by the property of Sinnachy and others, west and south by lane.

4. A divided 1  $\frac{1}{2}$  lachams of varagu culture, together with  $\frac{1}{2}$  share of the well on the north-west, and the right of way and water-course of a piece of land

situated at Samarapakutevankurichy called Kona-valai in extent thoddam 7, ditto in extent 24½ lachams of varaku culture; ditto Matkitkaladdy in extent 44 lachams of varagu culture; the said 1½ lachams of varagu culture is bounded or reputed to be bounded on the east by the property of Parupathi and others, north by the property of Sinnappillai, west by the property of Sinnappillai and others, and on the south by the property of Sethavan.

Sale to commence at 2 P.M.

5. An undivided ½ share of a piece of land situated at Polikandikkurichy called Sampuliavattai, containing or reputed to contain in extent 68½ lachams of varagu culture, with its appurtenances including well; bounded or reputed to be bounded on the east by lane, north and south by road, and on the west by the property of Kathirippillai.

6. A divided 3½ lachams of varagu culture, on the west with its appurtenances including ½ share of the well on the eastern boundary, and the right of way and water-course of a piece of land situated at Polikandikkurichy, called Puthuvalaivaikkal, containing or reputed to contain in extent thoddam 10, ditto containing or reputed to contain in extent 32½ lachams of varagu culture, exclusive, however, of 15½ lachams of varagu culture on the west; the said 3½ lachams of varagu culture is bounded or reputed to be bounded on the east by the property of Parupathy and others, north by road, west by the property of Arumukam, and on the south by the property of Sinnappillai.

7. An undivided ½ share with its appurtenances including ½ share of the well on the west, and the right of way and water-course of a divided 20 lachams of varagu culture of a piece of land situated at Polikandykkurichy called Konarsempadu in extent house 1, ditto thoddam 1, ditto containing or reputed to contain in extent 43½ lachams of varaku culture, ditto thoddam 1, ditto house ½, ditto containing or reputed to contain in extent 39 lachams of varagu culture, ditto Saikaikonar Sempadu, containing or reputed to contain in extent 18 lachams of varaku culture; the said 20 lachams of varagu culture is bounded or reputed to be bounded on the east by the property of Katpy, north by road, west by the property of Sinnattamby and others, and on the south by the property of Parupathy and others.

8. An undivided ½ share with ¼ share of the well out of a divided 4½ lachams of varagu culture of a piece of land situated at Polikandikkurichy called Konarsempadu in extent house 1, ditto in extent thoddam 1, ditto containing or reputed to contain in extent 43½ lachams of varagu culture, ditto in extent thoddam 1, ditto in extent house ½, ditto containing or reputed to contain in extent 39 lachams of varagu culture, ditto Saikaikonar Sempadu, containing or reputed to contain in extent 18 lachams of varagu culture; the said 4½ lachams of varagu culture is bounded or reputed to be bounded on the east by the property of Sinnattamby and others, north by road, west by the property of Siuniattamby and others, and on the south by the property of Parupathy and others.

V. THAMBIPILLAI,  
Deputy Fiscal.

Fiscal's Office,  
Jaffna, December 22, 1909.

In the District Court of Jaffna.

Annamma, daughter of Pandaram Saravanamuttu of Vadukkoddai West . . . . . Plaintiff.

No. 6,702. Vs.

Sivasithamparampillai Arumukagnaniar of Vadukkoddai West . . . . . Defendant.

NOTICE is hereby given that on Friday, January 28, 1910, at 10 o'clock in the forenoon will be

sold by public auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of Rs. 1,500 and charges, viz.:-

1. In a piece of land situated at Vadukkoddai West called Arumanadaippu, containing or reputed to contain in extent 5 lachams of varagu culture with its appurtenances; bounded or reputed to be bounded on the east by the property of Sivasithamparampillai, Arumukagnaniar, and Taivanaippillai, wife of Thampayah, north by the property of Arumukam Suntharampillai, west by the property of Thiruchittampalam Arumukagnaniar and shareholders, and on the south by the property of Thiruchittampalam Arumukagnaniar.

2. In a piece of land situated at Vadukkoddai West called Kirayavalai, containing or reputed to contain in extent 3½ lachams of varagu culture with its appurtenances; bounded or reputed to be bounded on the east by the property of Thiruchittampalam Arumukagnaniar and others, north by the property of Taivanaippillai, wife of Thampayah, west by the property of Sivasithamparampillai Arumukagnaniar and Thiruchittampalam Arumukagnaniar, and on the south by the property of Thiruchittampalam Arumukagnaniar.

3. In a piece of land situated at Vadukkoddai West called Mavilippiddy, containing or reputed to contain in extent 4 lachams of paddy culture; bounded or reputed to be bounded on the east and north by property belonging to the temple of Kandasamy at Thevindaippirai, west by the property of Sabapathippillai Thuraiayah, and on the south by the property of Nakamuttupillai, wife of Visuvanathar.

V. THAMBIPILLAI,  
Deputy Fiscal.

Fiscal's Office,  
Jaffna, December 21, 1909.

#### Southern Province.

In the Additional Court of Requests of Galle.

Cassim Lebbe Markar Sehan Markar of  
Fort, Galle . . . . . Plaintiff.

No. 5,382. Vs.

Gurukandegge Jandris de Silva of Dala-  
wella . . . . . Defendant.

NOTICE is hereby given that on Wednesday, February 2, 1910, commencing at 3 o'clock in the afternoon will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz.:-

The garden called Ehuwila-addarawatta and the tiled and chunam plastered house of about 15 cubits wherein the defendant resides, standing thereon, situate at Talpe at the residence of the defendant.

Six pieces of table, two easy chairs, four couches, two jakwood almirahs, and other movables seized.

Writ amount Rs. 200 with interest thereon at 9 per cent. per annum from November 1, 1908, till payment in full and costs of suit and poundage.

C. T. LEEMBRUGGEN,  
for Fiscal.

Fiscal's Office,  
Galle, December 29, 1909.

In the District Court of Galle.

Obinamuni Arnolis de Silva of Mātale . . . Plaintiff.

No. 9,517. Vs.

Arnelia de Silva Amerasingha of Wellaboda, administratrix of the estate of Charles de Silva Wijekulatilaka Edirisingha of Ratgama . . . Defendant.

**N**OTICE is hereby given that on Saturday, February 5, 1910, commencing at 2 o'clock in the afternoon, will be sold by public auction at the spot in the following mortgaged property, viz.:—

All the remaining extent of soil, all that are therein 16 acres in extent of lot No. 1 of the extent of 19 acres of Dambalawewatta *alias* Dedduwayatikarabodadennawelle Kurunduwatta, exclusive of about 3 acres extent, 1 acre in breadth from the western boundary along the northern boundary, situate at Magala *alias* Karandeniya.

Writ amount, Rs. 897·65.

C. T. LEMBRUGGEN,  
for Fiscal.

Fiscal's Office,  
Galle, December 22, 1909.