

Ceylon Government Gazette

Published by Authority.

No. 6,616 — FRIDAY, MARCH 20, 1914.

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.

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UNOFFICIAL ANNOUNCEMENTS.

MEMORANDUM OF ASSOCIATION OF THE NARANGODA RUBBER COMPANY, LIMITED.

1. The name of the Company is "THE NARANGODA RUBBER COMPANY, LIMITED."
2. The registered office of the Company is to be established in Colombo.
3. The objects for which the Company is to be established are:—
 - (1) To purchase or otherwise acquire the Narangoda Estate, situated in the Pelmadulla district.
 - (2) To purchase, take on lease, or in exchange, hire, or otherwise acquire any lands, concessions, estates, plantations, and properties in the Island of Ceylon, the Federated Malay States, India, or elsewhere, and any right of way, water rights, and other rights, privileges, easements, and concessions, and any factories, machinery, implements, tools, live and dead stock, stores, effects, and other property, real or personal, immovable or movable, of any kind.
 - (3) To hold, use, clear, open, plant, cultivate, work, manage, improve, carry on, and develop the undertaking lands, and real and personal, immovable and movable estate, or property and assets of any kind of the Company, or any part thereof.
 - (4) To plant, grow, and produce rubber, tea, coconuts, coffee, cinchona, cacao, cardamoms, rhea, ramie, and other natural products or produce of any kind in the Island of Ceylon, the Federated Malay States, India, or elsewhere.
 - (5) To treat, cure, prepare, manipulate, submit to any process of manufacture, and render marketable (whether on account of the Company or others) rubber, tea, coconuts, coffee, or any other such products or produce as aforesaid, or any articles or things whatsoever; to buy, sell, export, import, trade, and deal in rubber, tea, coconut produce, coconuts, coffee, and other products, wares, merchandise, articles, and things of any kind whatsoever, either in a prepared, manufactured, or raw state, and either by wholesale or retail.
 - (6) To carry on in the Island of Ceylon, the Federated Malay States, India, or elsewhere, all or any of the following businesses, that is to say: planters of rubber, tea, coconuts, coffee, or any other such products or produce as aforesaid in all its branches; carriers of passengers and goods by land or by water; forwarding agents, merchants, exporters, importers, traders, engineers, tug owners, and wharfingers; proprietors of docks, wharves, jetties, piers, warehouses, and boats; and any other business which can or may conveniently be carried on in connection with any of them.

- (7) To acquire, or establish and carry on any other business, manufacturing, shipping, or otherwise, which can be conveniently carried on in connection with any of the Company's general business, to apply for, purchase, or otherwise acquire, any patents, *brevets d'invention*, concessions, and the like conferring an exclusive, or non-exclusive, or limited right to use, or any information as to any invention which may seem capable of being used for any of the purposes of the Company, or the acquisition of which may seem calculated directly or indirectly to benefit the Company; and to use, exercise, develop, grant licenses in respect of, or otherwise turn to account the property, rights, and information so acquired.
- (8) To purchase rubber, tea leaf, coconuts, coffee, and (or) other raw products, or produce, for manufacture, manipulation, and (or) sale.
- (9) To work mines or quarries, and to find, win, get, work, crush, smelt; manufacture, or otherwise deal with ores, metals, minerals, oils, precious and other stones, deposits or products, and generally to carry on the business of mining in all its branches.
- (10) To purchase, take in exchange, hire, or otherwise acquire and hold boats, barges, tugs, launches, and vessels of any description whatsoever; to purchase, take in exchange, hire, or otherwise acquire and hold vans, omnibuses, carriages, carts, and other vehicles of any description whatsoever; and to purchase, take in exchange, hire, or otherwise acquire and hold all live and dead stock, chattels, and effects required for the maintenance and working of the business of carriers by land or by water; of proprietors of docks, wharves, jetties, piers, warehouses, and boats; of tug owners and wharfingers; or of any other business which can or may conveniently be carried on in connection with the above respectively.
- (11) To build, make, construct, equip, maintain, improve, alter, and work rubber and tea factories, coconut and coffee-curing mills, manufactories, buildings, erections, roads, water-courses, docks, wharves, jetties, and other works, and conveniences which may be necessary or convenient for the purposes of the Company, or may seem calculated directly or indirectly to advance the Company's interests; and to contribute to, subsidize, or otherwise assist or take part in the construction, improvement, maintenance, working, management, carrying out, or control thereof.
- (12) To cultivate, manage, and superintend estates and properties in the Island of Ceylon, the Federated Malay States, India, and elsewhere, and generally to undertake the business of estate agents in the Island of Ceylon, the Federated Malay States, India, and elsewhere; to act as agents for the investment, loan, payment, transmission and collection of money, and for the purchase, sale, improvement, development, and management of property, including concerns and undertakings; and to transact any other agency business of any kind.
- (13) To engage, employ, maintain, and dismiss managers, superintendents, assistants, clerks, coolies, and other servants and labourers; and to remunerate any such at such rate as shall be thought fit, and to grant pensions or gratuities to any such or the widow or children of any such.
- (14) To enter into any arrangements with any authorities, Government, municipal, local, or otherwise, that may seem conducive to the Company's objects or any of them, and to obtain from any such authority any rights, privileges, rebates, and concessions which the Company may think it desirable to obtain, and to carry out, exercise, and comply with such arrangements, rights, privileges, and concessions.
- (15) To enter into partnership or into any arrangement for sharing profits, union of interest, reciprocal concession, amalgamation, or co-operation with any person, corporation, or company carrying on or about to carry on or engage in any business, or transaction which this Company is authorized to carry on or engage in, or any business or transaction capable of being conducted so as directly or indirectly to benefit this Company; to take or otherwise acquire and hold shares or stock in or securities of, and to subsidize, or otherwise assist any such Company, and to sell, hold, re-issue with or without guarantee, or otherwise deal with such shares or securities; and to form, constitute, or promote any other company or companies for the purpose of acquiring all or any of the property, rights, and liabilities of this Company, or for any other purpose which may seem directly or indirectly calculated to benefit this Company.
- (16) To procure the Company to be registered or established or authorized to do business in the Island of Ceylon, the Federated Malay States, India, or elsewhere.
- (17) To lend money on any terms and in any manner and on any security, and in particular on the security of plantations, factories, growing crops, produce, bills of exchange, promissory notes, bonds, bills of lading, warrants, stocks, shares, debentures, or book debts, or without any security at all, and generally to transact financial business of any kind.
- (18) To borrow or raise money for the purposes of the Company, or receive money on deposit at interest or otherwise, and for the purpose of raising or securing money, for the performance or discharge of any obligation or liability of the Company, or for any other purpose to create, execute, grant, or issue any mortgages, mortgage debentures, debentures, debenture stock, bonds, or obligations of the Company either at par, premium, or discount, and either redeemable, irredeemable, or perpetual, secured upon all or any part of the undertaking, revenue, rights, and property of the Company, present and future, including uncalled capital or the unpaid calls of the Company.
- (19) Generally to purchase, take on lease or in exchange, hire or otherwise acquire any real or personal property, and any rights, privileges, licenses, or easements which the Company may think necessary or convenient with reference to any of these objects, and capable of being profitably dealt with in connection with any of the Company's property or rights for the time being.
- (20) To cause or permit any debentures, debenture stock, bonds, mortgages, charges, incumbrances, liens, or securities of or belonging to or made or issued by the Company or affecting its property or rights or any of the terms thereof to be renewed, extended, varied, redeemed, exchanged, transferred, or satisfied, as shall be thought fit; also to pay off and re-borrow the moneys secured thereby, or any part or parts thereof.
- (21) To sell the undertaking of the Company or any part thereof for such consideration as the Company may think fit, and in particular for shares, debentures, or securities of any other company having objects altogether or in part similar to those of this Company.
- (22) To invest and deal with the moneys of the Company not immediately required upon such securities and in such manner as may from time to time be determined.
- (23) To make, accept, endorse, and execute promissory notes, bills of exchange, bills of lading, and other negotiable and transferable instruments.
- (24) To remunerate any parties for services rendered or to be rendered in placing or assisting to place any shares in the Company's capital, or any debentures, debenture stock, or other securities of the Company, or in or about the formation or promotion of the Company or the conduct of its business.

- (25) To do all or any of the above things in any part of the world, as principals, agents, contractors, or otherwise, or alone, or in conjunction with others, or by or through agents, sub-contractors, trustees, or otherwise, and generally to carry on any business or effectuate any object of the Company.
- (26) To sell, let, lease, underlease, exchange, surrender, transfer, deliver, charge, mortgage, dispose of, turn to account, or otherwise deal with all or any part of the property and rights of the Company, whether in consideration of rents, moneys, or securities for money, shares, debentures, or securities in any other Company or for any other consideration.
- (27) To pay for any lands and real or personal, immovable or movable, estate, property, or assets of any kind acquired or to be acquired by the Company, or for any services rendered or to be rendered to the Company, and generally to pay or discharge any consideration to be paid or given by the Company, in money or in shares (whether fully paid up or partly paid up) or in debentures, debenture stock, or obligations of the Company, or partly in one way and partly in another or otherwise howsoever, with power to issue any shares either as fully paid up or partly paid up for such purpose.
- (28) To accept as consideration for the sale or disposal of any lands and real or personal, immovable or movable, estate, property, or assets of the Company, or in discharge of any other consideration to be received by the Company, money or shares (whether fully paid up or partly paid up) of any company, or debentures or debenture stock or obligations of any company or person, or partly one and partly any other.
- (29) To distribute among the Shareholders in specie any property of the Company, whether by way of dividend or upon a return of capital, but so that no distribution amounting to a reduction of capital be made, except with the sanction for the time being required by law. Also to distribute by way of dividend among the Shareholders all profits (if any) made by the carrying on of the business of the Company prior to the date of incorporation of the Company.
- (30) To do all such other things as may be necessary, incidental, conducive, or convenient to the attainment of the above objects or any of them.

It being hereby declared that in the foregoing clause (unless a contrary intention appears) the word "person" includes any number of persons and a corporation, and that the "other objects" specified in any one paragraph are not to be limited or restricted by reference to or inference from any other paragraph.

4. The liability of the Shareholders is limited.

5. The nominal capital of the Company is Three hundred thousand Rupees (Rs. 300,000), divided into Thirty thousand (30,000) shares of Rupees Ten (Rs. 10) each, with power to increase or reduce the capital. The shares forming the capital (original, increased, or reduced) of the Company may be subdivided, consolidated, or divided into such classes, with any preferential, deferred, qualified, special, or other rights, privileges, or conditions attached thereto, and be held upon such terms, as may be prescribed by the Articles of Association and Regulations of the Company for the time being or otherwise.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a Company in pursuance of this Memorandum of Association, and we respectively agree to take the number of shares in the capital of the Company set opposite our respective names:—

Names and Addresses of Subscribers.	Number of Shares taken by each Subscriber.
PATTEN S. BRIDGE, Ratnapura ..	One
C. M. GORDON, Colombo ..	One
TOM VILLIERS, Colombo ..	One
JAMES J. PARK, Colombo ..	One
EDGAR TURNER, Colombo ..	One
LESLIE W. F. DE SARAM, Colombo ..	One
W. H. MILES, Colombo ..	One
Total number of Shares taken ..	Seven

Witness the signatures of the above-named PATTEN S. BRIDGE, C. M. GORDON, TOM VILLIERS, JAMES J. PARK, EDGAR TURNER, LESLIE W. F. DE SARAM, and W. H. MILES, at Colombo, this 12th day of March, 1914:

EUSTACE F. DE SARAM,
Proctor, Supreme Court, Colombo.

ARTICLES OF ASSOCIATION OF THE NARANGODA RUBBER COMPANY, LIMITED.

It is agreed as follows:—

1. *Table C not to apply; Company to be governed by these Articles.*—The regulations contained in the Table C in the schedule annexed to "The Joint Stock Companies' Ordinance, 1861," shall not apply to this Company, which shall be governed by the regulations contained in these Articles, but subject to repeal, addition, or alteration by special resolution.
2. *Power to alter the regulations.*—The Company may, by special resolution, alter and make provisions instead of, or in addition to, any of the regulations of the Company, whether contained and comprised in these Articles or not.
3. None of the funds of the Company shall be employed in the purchase of or be lent on shares of the Company.

INTERPRETATION.

4. *Interpretation clause.*—In the interpretation of these presents the following words and expressions shall have the following meanings, unless such meanings be inconsistent with, or repugnant to, the subject or context:—
Company.—The word "Company" means "The Narangoda Rubber Company, Limited," incorporated or established by or under the Memorandum of Association to which these Articles are attached.

The Ordinance.—The "Ordinance" means and includes "The Joint Stock Companies' Ordinances, 1861 to 1909," and every other Ordinance from time to time in force concerning Joint Stock Companies which may apply to the Company.

Special resolution.—"Special resolution" has the meaning assigned thereto by the Ordinance.

Extraordinary resolution.—"Extraordinary resolution" means a resolution passed by three-fourths in number and value of such Shareholders of the Company for the time being entitled to vote as may be present at any meeting of the Company, of which notice specifying an intention to propose such resolution as an extraordinary resolution has been duly given.

These presents.—"These presents" means and includes the Memorandum of Association and the Articles of Association of the Company from time to time in force.

Capital.—"Capital" means the capital for the time being raised or authorized to be raised for the purposes of the Company.

Shares.—"Shares" means the shares from time to time into which the capital of the Company may be divided.

Shareholder.—"Shareholder" means a Shareholder of the Company.

Presence or present.—With regard to a Shareholder "presence or present" at a meeting means presence or present personally or by proxy or by attorney duly authorized.

Directors.—"Directors" means the Directors for the time being of the Company or (as the case may be) the Directors assembled at a Board.

Board.—"Board" means a meeting of the Directors or (as the context may require) the Directors assembled at a Board Meeting, acting through at least a quorum of their body in the exercise of authority duly given to them.

Persons.—"Persons" means partnerships, associations, corporations, companies, unincorporated or incorporated by Ordinance and registration, as well as individuals.

Office.—"Office" means the registered office for the time being of the Company.

Seal.—"Seal" means the common seal for the time being of the Company.

Month.—"Month" means a calendar month.

Writing.—"Writing" means printed matter or print as well as writing.

Singular and plural number.—Words importing the singular number only include the plural, and *vice versa*.

Masculine and feminine gender.—Words importing the masculine gender only include the feminine, and *vice versa*.

BUSINESS.

5. *Commencement of business.*—The Company may proceed to carry out the objects for which it is established, and to employ and apply its capital as soon after the registration of the Company as the Directors in their discretion shall think fit; and notwithstanding that the whole of the shares shall not have been subscribed, applied for, or allotted, they shall do so as soon as, in the judgment of the Directors, a sufficient number of shares shall have been subscribed or applied for.

6. *Business to be carried on by Directors.*—The business of the Company shall be carried on by or under the management or direction of the Directors, and subject only to the control of General Meetings, in accordance with these presents.

CAPITAL.

7. *Nominal capital.*—The nominal capital of the Company is Three hundred thousand Rupees (Rs. 300,000), divided into Thirty thousand (30,000) shares of Ten Rupees (Rs. 10) each.

SHARES.

8. *Allotment and issue.*—The shares, except where otherwise provided, shall be allotted at the discretion of and by the Directors, who may from time to time issue any unissued shares, and may add to such shares such an amount of premium as they may consider proper; provided that such unissued shares shall be first offered by the Directors to the registered Shareholders for the time being of the Company as nearly as possible in proportion to the shares already held by them, and such shares as shall not be accepted by the Shareholder or Shareholders to whom the shares shall have been offered within the time specified in that behalf by the Directors, may be disposed of by the Directors in such manner as they think most beneficial to the Company; provided also that the Directors may, at their discretion, allot any unissued shares in payment for any estates or lands or other property purchased or acquired by the Company without first offering such shares to the registered Shareholders for the time being of the Company, and may make arrangements on an issue of shares for a difference between the holders of such shares in the amount of calls to be paid and the time of payment of such calls.

9. *Payment of amount of shares by instalments.*—If by the conditions of allotment of any share the whole or part of the amount thereof shall be payable by instalments, every such instalment shall, when due, be paid to the Company by the holder of the share.

10. *Acceptance.*—Every person taking any share in the Company shall testify his acceptance thereof by writing under his hand in such form as the Company from time to time directs.

11. *Payment.*—Payment for shares shall be made in such manner as the Directors shall from time to time determine and direct.

12. *Shares held by a firm.*—Shares may be registered in the name of a firm, and any partner of the firm or agent duly authorized to sign the name of the firm shall be entitled to vote and to give proxies, but not more than one partner may vote at a time.

13. *Shares held by two or more persons not in partnership.*—Shares may be registered in the names of two or more persons not in partnership.

14. *One of joint-holders other than a firm may give receipts; only one of joint-holders resident in Ceylon entitled to vote.*—Any one of the joint-holders of a share, other than a firm, may give effectual receipts for any dividends payable in respect of such share, but only one of such joint Shareholders shall be entitled to the right of voting and of giving proxies and exercising the other rights and powers conferred on a sole Shareholder, and if the joint-holders cannot arrange amongst themselves as to who shall vote or give proxies and exercise such other rights and powers conferred on a sole Shareholder, the Shareholder whose name stands first on the register of shares shall vote or give proxies and exercise those rights and powers; provided, however, that in the event of such first registered Shareholder being absent from the Island, the first registered Shareholder then resident in Ceylon shall vote or give proxies and exercise all such rights and powers as aforesaid.

15. *Survivor of joint-holders, other than a firm, only recognized.*—In case of the death of any one or more of the joint-holders, other than a firm, of any shares, the survivor or survivors shall be the only person or persons recognized by the Company as having any title to, or interest in, such shares.

16. *Liability of joint-holders.*—The joint-holders of a share shall be severally as well as jointly liable for the payment of all instalments and calls due in respect of such share.

17. *Trusts or any interest in share other than that of registered holder or of any person under clause 38 not recognized.*—The Company shall not be bound to recognize (even though having notice of) any contingent, future, partial, or equitable interest in the nature of a trust or otherwise in any share, or any other right in respect of any share, except any absolute right thereto in the person from time to time registered as the holder thereof, and except also the right of any person under clause 38 to become a Shareholder in respect of any share.

INCREASE OF CAPITAL.

18. *Increase of capital by creation of new shares.*—The Company in General Meeting may by special resolution from time to time increase the capital by creation of new shares of such amount per share and in the aggregate, and with such special, preferential, deferred, qualified, or other rights, privileges, or conditions attached thereto, as such resolution shall direct.

19. *Issue of new shares.*—The new shares shall be issued upon such terms and conditions, and with such preferential, deferred, qualified, special, or other rights, privileges, or conditions attached thereto, as the General Meeting resolving on the creation thereof or any other General Meeting of the Company shall direct; and if no direction be given, as the Directors shall determine; and in particular such shares may be issued with a preferential or qualified right to the dividends and in the distribution of assets of the Company, and with a special or without any right of voting. The Directors shall have power to add to such new shares such an amount of premium as they may consider proper.

20. *How carried into effect.*—Subject to any direction to the contrary that may be given by the meeting that sanctions the increase of capital, all new shares shall be offered to the Shareholders in proportion to the existing shares held by them. Such offer shall be made by notice specifying the number of shares to which the Shareholder is entitled, and limiting a time within which the offer, if not accepted, will be deemed to be declined, and after the expiration of such time, or on the receipt of an intimation from the Shareholder to whom such notice is given that he declines to accept the shares offered, the same shall be disposed of in such manner as the Directors may determine. Provided that the Directors may, at their discretion, allot such new shares or any portion of them in payment for any estates or lands or other property purchased or acquired by the Company, without first offering such shares to the registered Shareholders for the time being of the Company.

21. *Same as original capital.*—Except so far as otherwise provided by the conditions of issue or by these presents, any capital raised by the creation of new shares shall be considered part of the original capital, and shall be subject to the provisions herein contained with reference to the payments of calls and instalments, transfer, transmission, forfeiture, lien, surrender, and otherwise.

REDUCTION OF CAPITAL AND SUBDIVISION OR CONSOLIDATION OF SHARES.

22. *Reduction of capital and subdivision or consolidation of shares.*—The Company in General Meeting may by special resolution reduce the capital in such manner as such special resolution shall direct, and may by special resolution subdivide or consolidate the shares of the Company or any of them.

SHARE CERTIFICATES.

23. *Certificates how issued.*—Every Shareholder shall be entitled to one certificate for all the shares registered in his name, or to several certificates, each for one or more of such shares. Every certificate shall specify the number of the shares in respect of which it is issued.

24. *Certificates to be under seal of Company.*—The certificates of shares shall be issued under the seal of the Company.

25. *Renewal of certificate.*—If any certificate be worn out or defaced, then, upon production thereof to the Directors, they may order the same to be cancelled and may issue a new certificate in lieu thereof; and if any certificate be lost or destroyed, then, upon proof thereof to the satisfaction of the Directors, and on such indemnity as the Directors may deem adequate being given, a new certificate in lieu thereof shall be given to the person entitled to such lost or destroyed certificate. A sum of fifty cents shall be payable for such new certificate.

26. *Certificate to be delivered to the first named of joint-holders not a firm.*—The certificate of shares registered in the names of two or more persons, not a firm, shall be delivered to the person first named on the register.

TRANSFER OF SHARES.

27. *Exercise of rights.*—No person shall exercise any rights of a Member until his name shall have been entered in the Register of Shareholders, and he shall have paid all calls and other moneys for the time being payable on every share in the Company held by him.

28. *Transfer of shares.*—Subject to the restriction of these Articles, any Shareholder may transfer all or any of his shares by instrument in writing.

29. *No transfer to minor or person of unsound mind.*—No transfer of shares shall be made to a minor or person of unsound mind.

30. *Register of transfers.*—The Company shall keep a book or books, to be called "The Register of Transfers," in which shall be entered the particulars of every transfer or transmission of any share.

31. *Instrument of transfer.*—The instrument of transfer of any share shall be signed both by the transferor and transferee, and the transferor shall be deemed to remain the holder of such share until the name of the transferee is entered in the register in respect thereof.

32. *Board may decline to register transfers.*—The Board may, at their own absolute and uncontrolled discretion, decline to register any transfer of shares by a Shareholder who is indebted to the Company, or upon whose shares the Company have a lien or otherwise, or in the case of shares not fully paid up, to any person not approved of by them.

33. *Not bound to state reason.*—In no case shall a Shareholder or proposed transferee be entitled to require the Directors to state the reason of their refusal to register, but their declinature shall be absolute.

34. *Registration of transfer.*—Every instrument of transfer must be left at the office of the Company to be registered, accompanied by such evidence as the Directors may reasonably require to prove the title of the transferor, and a fee of Rs. 2.50, or such other sum as the Directors shall from time to time determine, must be paid; and thereupon the Directors, subject to the powers vested in them by Articles 32, 33, and 35, shall register the transferee as Shareholder, and retain the instrument of transfer.

35. *Directors may authorize registration of transferees.*—The Directors may, by such means as they shall deem expedient, authorize the registration of transferees as Shareholders without the necessity of any meeting of the Directors for that purpose.

36. *Directors not bound to inquire as to validity of transfer.*—In no case shall the Directors be bound to inquire into the validity, legal effect, or genuineness of any instrument of transfer produced by a person claiming a transfer of any share in accordance with these Articles; and whether they abstain from so inquiring, or do so inquire and are misled, the transferor shall have no claim whatsoever upon the Company in respect of the share, except for the dividends previously declared in respect thereof, but, if at all, upon the transferee only.

37. *Transfer Books when to be closed.*—The Transfer Books may be closed during the fourteen days immediately preceding each Ordinary General Meeting, including the First General Meeting; also when a dividend is declared for the three days next ensuing the meeting; also at such other times as the Directors may decide, not exceeding in the whole twenty-one days in any one year.

TRANSMISSION OF SHARES.

38. *Title to shares of deceased holder.*—The executors, or administrators, or the heirs of a deceased Shareholder shall be the only persons recognized by the Company as having any title to shares of such Shareholder.

39. *Registration of persons entitled to shares otherwise than by transfer.*—Any curator of any minor Shareholder, any committee of a lunatic Shareholder, or any person becoming entitled to shares in consequence of the death, bankruptcy, or liquidation of any Shareholder, or the marriage of any female Shareholder, or in any other way than by transfer, shall, upon producing such evidence that he sustains the character in respect of which he proposes to act under this clause, or of his title, as the Company think sufficient, be forthwith entitled, subject to the provisions herein contained, to be registered as a Shareholder in respect of such shares on payment of a fee of Rs. 2.50; or may, subject to the regulations as to transfers hereinbefore contained, transfer the same to some other person.

40. *Failing such registration, shares may be sold by the Company.*—If any person who shall become entitled to be registered in respect of any share under clause 39 shall not, from any cause whatever, within twelve calendar months after the event on the happening of which his title shall accrue, be registered in respect of such share, or if in the case of the death of any Shareholder no person shall, within twelve calendar months after such death, be registered as a Shareholder in respect of the shares of such deceased Shareholder, the Company may sell such shares, either by public auction or private contract, and give a receipt for the purchase money, and the purchaser shall be entitled to be registered in respect of such share, and shall not be bound to inquire whether the events have happened which entitled the Company to sell the same; the nett proceeds of such sale, after deducting all expenses and all moneys in respect of which the Company is entitled to a lien on the shares so sold, shall be paid to the person entitled thereto.

SURRENDER AND FORFEITURE OF SHARES.

41. *The Directors may accept surrender of shares.*—The Directors may accept, in the name and for the benefit of the Company, and upon such terms and conditions as may be agreed upon, a surrender of the shares of Shareholders who may be desirous of retiring from the Company.

42. (a) *If call or instalment be not paid, notice to be given to Shareholder.*—If any Shareholder fails to pay any call or instalment on or before the day appointed for the payment of the same, the Directors may at any time thereafter, during such time as the call or instalment remains unpaid, serve a notice on such Shareholder or his executors or administrators, or the trustee or assignee in his bankruptcy, requiring him to pay the same, together with any interest that may have accrued, and all expenses that may have been incurred by the Company by reason of such non-payment.

(b) *Terms of notice.*—The notice shall name a day (not being less than one month from the date of the notice) on, and a place or places at which such call or instalment and such interest and expenses as aforesaid are to be paid. The notice shall also state that, in the event of non-payment at or before the time and at the place appointed, the shares in respect of which the call was made or instalment is payable will be liable to be forfeited.

(c) *In default of payment, shares to be forfeited.*—If the requisition of such notice as aforesaid be not complied with, every or any share or shares in respect of which such notice has been given may at any time thereafter, before payment of calls or instalments, with interest, and expenses due in respect thereof, be declared forfeited by a resolution of the Board to that effect.

(d) *Shareholder still liable to pay money owing at time of forfeiture.*—Any Shareholder whose shares have been so declared forfeited shall, notwithstanding, be liable to pay, and shall forthwith pay, to the Company all calls, instalments, interest, and expenses owing upon or in respect of such shares at the time of the forfeiture, together with interest thereon from the time of forfeiture until payment at 9 per cent. per annum, and the Directors may enforce the payment thereof if they think fit.

43. *Surrendered or forfeited shares to be the property of the Company, and may be sold, &c.*—Every share surrendered or so declared forfeited shall be deemed to be the property of the Company, and may be sold, re-allotted, or otherwise disposed of upon such terms and in such manner as the Board shall think fit.

44. *Effect of surrender or forfeiture.*—The surrender or forfeiture of a share shall involve the extinction of all interest in, and also of all claims and demands against, the Company in respect of the share and the proceeds thereof, and all other rights incident to the share, except only such of those rights (if any) as by these presents are expressly saved.

45. (a) *Certificate of surrender or forfeiture.*—A certificate in writing under the hands of two of the Directors and of the Agent and Secretary or Agents and Secretaries that a share has been duly surrendered or forfeited, stating the time when it was surrendered or forfeited, shall be conclusive evidence of the facts therein stated as against all persons who would have been entitled to the share but for such surrender or forfeiture, such certificate and the receipt of the Company for the price of such share shall constitute a good title to such share, and a certificate of proprietorship shall be delivered to any person who may purchase the same from the Company, such purchaser thereupon shall be deemed the holder of such share, discharged from all calls due prior to such purchase; and he shall not be bound to see to the application of the purchase money, nor shall his title to such share be affected by any irregularity in the proceedings in reference to such forfeiture or sale.

(b) *Forfeiture may be remitted.*—The Directors may in their discretion remit or annul the forfeiture of any share within six months from the date thereof upon the payment of all moneys due to the Company from the late holder or holders of such share or shares, and all expenses incurred in relation to such forfeiture, together with such further sum of money by way of redemption money for the deficit, as they shall think fit, not being less than 9 per cent. per annum on the amount of the sums wherein default in payment had been made, but no share *bona fide* sold, re-allotted, or otherwise disposed of under Article 43 hereof, shall be redeemable after sale or disposal.

46. *Company's lien on shares.*—The Company shall have a first charge or paramount lien upon all the shares of any holder or joint-holders for all moneys for the time being due to the Company by such holder, or by all or any of such joint-holders respectively, either in respect of such shares or of other shares held by such holder or joint-holders or otherwise, and whether due from any such holder individually or jointly with others, including all calls, resolutions for which shall have been passed by the Directors, although the times appointed for the payment thereof shall not have arrived; and where any share is held by more persons than one, the Company shall be entitled to the said charge or lien in respect of any money due to the Company from any of such persons. The Directors may decline to register any transfer of shares subject to such charge or lien.

47. *Lien how made available.*—Such charge or lien may be made available by a sale of all or any of the shares subject to it, provided that no such sale shall be made except under a resolution of the Directors, and until notice in writing shall have been given to the indebted Shareholder or his executors or administrators, or the assignee or trustee in his bankruptcy, requiring him or them to pay the amount for the time being due to the Company, and default shall have been made for twenty-eight days from such notice in paying the sum thereby required to be paid. Should the Shareholder over whose share the lien exists be in England or elsewhere abroad, sixty days' notice shall be allowed him.

48. *Proceeds how applied.*—The nett proceeds of any such sale as aforesaid under the provisions of Articles 43 and 47 hereof shall be applied in or towards the satisfaction of such debts, liabilities, or engagements, and the residue (if any) paid to such Shareholder or his representatives.

49. *Certificate of sale.*—A certificate in writing under the hands of two of the Directors and of the Agent and Secretary or Agents and Secretaries that the power of sale given by clause 47 has arisen, and is exercisable by the Company under these presents, shall be conclusive evidence of the facts therein stated.

50. *Transfer on sale how executed.*—Upon any such sale two of the Directors may execute a transfer of such share to the purchaser thereof, and such transfer, with the certificate last aforesaid, shall confer on the purchaser a complete title to such shares.

PREFERENCE SHARES.

51. *Preference and deferred shares.*—Any shares from time to time to be issued or created may from time to time be issued with any such right of preference, whether in respect of dividend, or of payment of capital, or both, or any such other special privilege or advantage over any shares previously issued, or then about to be issued (other than shares issued with a preference), or with such deferred rights as compared with any shares previously issued or then about to be issued, or subject to any such conditions or provisions, and with any such right or without any right of voting, and generally on such terms as the Company may from time to time by special resolution determine.

52. *Modification of rights and consent thereto.*—If at any time by the issue of preference shares or otherwise the capital is divided into shares of different classes—

- (1) The holders of any class of shares by an extraordinary resolution passed at a meeting of such holders may consent, on behalf of all the holders of shares of the class, to the issue or creation of any shares ranking equally therewith, or having any priority thereto, or to the abandonment of any preference or priority or of any accrued dividend, or the reduction for any time or permanently of the dividends payable thereon, or to any scheme for the reduction of the Company's capital affecting the class of shares;
- (2) All or any of the rights, privileges, and conditions attached to each class may be commuted, abrogated, abandoned, added to or otherwise modified by a special resolution of the Company in General Meeting, provided the holders of any class of shares, affected by any such commutation, abrogation, abandonment, addition or other modification of such rights, privileges, and conditions, consent thereto, on behalf of all the holders of shares of the class, by an extraordinary resolution passed at a meeting of such holders.

Any extraordinary resolution passed under the provisions of this Article shall be binding upon all the holders of shares of the class, provided that this Article shall not be read as implying the necessity for such consent as aforesaid in any case in which but for this Article the object of the resolutions could have been effected without it.

53. *Meeting affecting a particular class of shares.*—Any meeting for the purpose of the last preceding clause shall be convened and conducted in all respects as nearly as possible in the same way as an Extraordinary General Meeting of the Company, provided that no Shareholder, not being a Director, shall be entitled to notice thereof or to attend thereat, unless he be a holder of shares of the class intended to be affected by the resolution, and that no vote shall be given except in respect of a share of that class, and that at any such meeting a poll may be demanded in writing by any Shareholder personally present and entitled to vote at the meeting.

CALLS.

54. (a) *Directors may make calls.*—The Directors may from time to time make such calls as they think fit upon the registered holders of shares, in respect of moneys unpaid thereon, and not by the conditions of allotment made payable at fixed times; and each Shareholder shall pay the amount of every call so made on him to the persons and at the times and places appointed by the Directors, provided that two months' notice at least shall be given to the Shareholders of the time and place appointed for payment of each call.

(b) *Calls, time when made.*—A call shall be deemed to have been made at the time when the resolution authorizing the call was passed at a Board Meeting of the Directors or by resolution in writing in terms of Article 120.

(c) *Extension of time for payment of call.*—The Directors shall have power in their absolute discretion to give time to any one or more Shareholder or Shareholders, exclusive of the others, for payment of any call or part thereof on such terms as the Directors may determine. But no Shareholder shall be entitled to any such extension, except as a matter of grace or favour.

55. *Interest on unpaid call.*—If the sum payable in respect of any call or instalment is not paid on or before the day appointed for the payment thereof, the holder for the time being of the share in respect of which the call shall have been made, or the instalments shall have been due, shall pay interest for the same at the rate of nine per centum per annum from the day appointed for the payment thereof to the time of the actual payment, but the Directors may, when they think fit, remit altogether or in part any sum becoming payable for interest under this clause.

56. *Payments in anticipation of calls.*—The Directors may, at their discretion, receive from any Shareholder willing to advance the same, and upon such terms as they think fit, all or any part of the amount of his shares beyond the sum actually called up.

BORROWING POWERS.

57. *Power to borrow.*—The Directors shall have power to procure from time to time, in the usual course of business, such temporary advances on the produce in hand or in the future to be obtained, from the Company's estates, as they may find necessary or expedient, for the purpose of defraying the expenses of working the Company's estates, or of erecting, maintaining, improving, or extending buildings, machinery, or plantations, or otherwise. Also from time to time at their discretion to borrow or raise from the Directors, or other persons, any sum or sums of money for the purposes of the Company, but so that the amount at any one time owing in respect of moneys so borrowed or raised shall not, without the sanction of a General Meeting, exceed the sum of One hundred thousand Rupees (Rs. 100,000). With the sanction of a General Meeting the Directors shall be entitled to borrow such further sum or sums, and at such rate of interest, as such meeting shall determine. The Directors may, for the purpose of securing the repayment of any such sum or sums of money so borrowed or raised, create and issue any mortgages, debentures, mortgage debentures, debenture stock, bonds, or obligations of the Company charged upon all or any part of the undertaking, revenue, property, and rights or assets of the Company (both present and future), including uncalled capital or unpaid calls, or give, accept, or endorse on behalf of the Company any promissory notes or bills of exchange. Provided also that before the Directors execute any mortgage, issue any debentures, or create any debenture stock they shall obtain the sanction thereto of the Company in General Meeting, whether Ordinary or Extraordinary. Any such securities may be issued either at par or at a premium or discount, and may from time to time be cancelled or discharged, varied, or exchanged, as the Directors may think fit, and may contain any special privileges as to redemption, surrender, drawings, allotment of shares, or otherwise. Every debenture or other instrument issued by the Company for securing the payment of money may be so framed that the moneys thereby secured shall be assignable free from any equities between the Company and the person to whom the same may be issued. A declaration under the Company's seal contained in, or endorsed upon, any of the documents mentioned in this Article and subscribed by two or more of the Directors, or by one Director and the Agent and Secretary or Agents and Secretaries, to the effect that the Directors have power to borrow the amount which such document may represent, shall be conclusive evidence thereof in all questions between the Company and its creditors, and no such document containing such declaration shall, as regards the creditor, be void on the ground of its being granted in excess of the aforesaid borrowing power, unless it shall be proved that such creditor was aware that it was so granted.

MEETINGS.

58. *First General Meeting.*—The First General Meeting of the Company shall be held at such time, not being more than twelve months after the registration of the Company, and at such place as the Directors may determine.

59. *Subsequent General Meetings.*—Subsequent General Meetings shall be held once in every year at such time and place as may be prescribed by the Company in General Meeting, and if no time or place is prescribed, at such time and place as may be determined by the Directors.

60. *Ordinary and Extraordinary General Meetings.*—The General Meetings mentioned in the two last preceding clauses shall be called Ordinary General Meetings; all other meetings of the Company shall be called Extraordinary General Meetings.

61. *Extraordinary General Meetings.*—The Directors may, whenever they think fit, call an Extraordinary General Meeting, and the Directors shall do so upon a requisition made in writing by not less than one-seventh of the number of Shareholders holding not less than one-seventh of the issued capital and entitled to vote.

62. *Requisition of Shareholders to state object of meeting; on receipt of requisition Directors to call meeting, and in default Shareholders may do so.*—Any requisition so made shall express the object of the meeting proposed to be called, shall be addressed to the Directors, and shall be sent to the registered office of the Company. Upon the receipt of such requisition the Directors shall forthwith proceed to convene an Extraordinary General Meeting, to be held at such time and place as they shall determine. If they do not proceed to convene the same within seven days from the delivery of the requisition, the requisitionists may themselves convene an Extraordinary General Meeting, to be held at such place and at such time as the Shareholders convening the meeting may themselves fix.

63. *Notice of resolution.*—Any Shareholder may, on giving not less than ten days' previous notice of any resolution, submit the same to a meeting. Such notice shall be given by leaving a copy of the resolution at the registered office of the Company.

64. *Seven days' notice of meeting to be given.*—Seven days' notice at least of every General Meeting, Ordinary or Extraordinary, and by whomsoever convened, specifying the place, date, hour of meeting, and the objects and business of the meeting, shall be given either by advertisement in the *Ceylon Government Gazette*, or by notice sent by post, or otherwise served as hereinafter provided, but an accidental omission to give such notice to any Shareholder shall not invalidate the proceedings at any General Meeting.

65. *Business requiring and not requiring notification.*—Every Ordinary General Meeting shall be competent, without special notice having been given of the purposes for which it is convened, or of the business to be transacted thereat, to receive and discuss any report and any accounts presented thereto by the Directors, and to pass resolutions in approval or disapproval thereof, and to declare dividends, and to elect Directors and Auditors retiring in rotation, and to fix the remuneration of the Auditors, and shall also be competent to enter upon, discuss, and transact any business whatever, of which special mention shall have been made in the notice or notices upon which the meeting was convened.

66. *Notice of other business to be given.*—With the exceptions mentioned in the foregoing Articles as to the business which may be transacted at Ordinary General Meetings without notice, no General Meeting, Ordinary or Extraordinary, shall be competent to enter upon, discuss, or transact any business which has not been specially mentioned in the notice or notices upon which it was convened.

67. *Quorum to be present.*—No business shall be transacted at any General Meeting, except the declaration of a dividend recommended by a report of the Directors or the election of a Chairman, unless there shall be present in person at the commencement of the business three or more persons being Shareholders entitled to vote or persons holding proxies or powers of attorney from Shareholders.

68. *If a quorum not present, meeting to be dissolved or adjourned; adjourned meeting to transact business.*—If at the expiration of half an hour from the time appointed for the meeting the required number of persons shall not be present at the meeting, the meeting, if convened by or upon the requisition of Shareholders, shall be dissolved, but in any other case it shall stand adjourned to the same day in the next week at the same time and place; and if at such adjourned meeting a quorum is not present, those Shareholders who are present shall be a quorum, and may transact the business for which the meeting was called.

69. *Chairman of Directors or a Director to be Chairman of General Meeting; in case of their absence or refusal a Shareholder may act.*—The Chairman (if any) of the Directors shall be entitled to take the chair at every General Meeting, whether Ordinary or Extraordinary; but if there be no Chairman, or if at any meeting he shall not be present within 15 minutes after the time appointed for holding such meeting, or if he shall refuse to take the chair, the Shareholders shall choose another Director as Chairman; and if no Directors be present, or if all the Directors present decline to take the chair, then the Shareholders present shall choose one of their number to be Chairman.

70. *Business confined to election of Chairman while chair vacant.*—No business shall be discussed at any General Meeting except the election of a Chairman whilst the chair is vacant.

71. *Chairman with consent may adjourn meeting.*—The Chairman, with the consent of the meeting, may adjourn any meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place, unless due notice shall be given.

72. *Minutes of General Meetings.*—Minutes of the proceedings of every General Meeting, whether Ordinary or Extraordinary, shall be entered in a book to be kept for that purpose, and shall when so entered be signed as soon as practicable by the Chairman of the same meeting, or by the Chairman of the succeeding meeting, and the same when so entered and signed shall be evidence of all such proceedings and of the proper election of the Chairman.

VOTING AT MEETINGS.

73. *Votes.*—At any meeting every resolution shall be decided by the votes of the Shareholders present. In case there shall be an equality of votes, the Chairman at such meeting shall be entitled to give a casting vote in addition to the votes to which he may be entitled as a Shareholder and proxy and attorney; and unless a poll be immediately demanded in writing by some Shareholder present at the meeting and entitled to vote, a declaration by the Chairman that a resolution has been carried, and an entry to that effect in the Minute Book of the Company, shall be sufficient evidence of the fact without proof of the number of votes recorded in favour of or against such resolution.

74. *Poll.*—If a poll be duly demanded, the same shall be taken in such manner and at such time and place as the Chairman shall direct, and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded. The demand of a poll shall not prevent the continuance of a meeting for the transaction of any business other than the question on which a poll has been demanded.

75. *Poll how taken.*—If at any meeting a poll be demanded, by notice in writing signed by some Shareholder present at the meeting and entitled to vote, which notice shall be delivered during the meeting to the Chairman, the meeting shall, if necessary, be adjourned, and the poll shall be taken at such time and in such a manner as the Chairman shall direct, and in such case every Shareholder shall have the number of votes to which he may be entitled as hereinafter provided, and in case at any such poll there shall be an equality of votes, the Chairman of the meeting at which such poll shall have been demanded shall be entitled to a casting vote in addition to any votes to which he may be entitled as a Shareholder and proxy and attorney, and the result of such poll shall be deemed to be the resolution of the Company in such meeting.

76. *No poll on election of Chairman or on question of adjournment.*—No poll shall be demanded on the election of a Chairman of the meeting or on any question of adjournment.

77. *Number of votes to which Shareholder entitled.*—On a show of hands every Shareholder present in person shall have one vote only. In case of a poll every Shareholder present in person or by proxy or attorney shall have one vote for every one share held by him up to ten shares; he shall have an additional vote for every ten shares held by him beyond the first ten shares up to one hundred shares; an additional vote for every twenty-five shares beyond the first one hundred shares. When voting on a resolution involving the winding up of the Company, every Shareholder shall have one vote for every share held by him; but no such resolution shall be deemed to be carried unless passed by three-fourths in number and value of such Shareholders of the Company for the time being entitled to vote as may be present in person or by proxy or by attorney at any meeting, of which notice specifying the intention to propose such resolution has been duly given.

78. *Curator of minor, &c., when not entitled to vote.*—The parent or curator of a minor Shareholder, the Committee or other legal guardian of any lunatic Shareholder, the husband of any female Shareholder not entitled to her shares as separate estate, and the executor or administrator of any deceased Shareholder, or any one of such persons as aforesaid, if more than one, shall not be entitled to vote in the place of such minor, lunatic, female, or deceased person, unless such person shall have been registered as a Shareholder.

79. *Voting in person or by proxy or attorney.*—Votes may be given either personally or by proxy or by attorney duly authorized.

80. *Non-Shareholder not to be appointed proxy; but attorney though not Shareholder may vote.*—No person shall be appointed a proxy who is not a Shareholder of the Company; but the attorney of a Shareholder, even though not himself a Shareholder of the Company, may represent and vote for his principal at any meeting of the Company.

81. *Shareholder in arrear or not registered at least three months previous to the meeting not to vote.*—No Shareholder shall be entitled to vote or speak at any General Meeting unless all calls due from him on his shares, or any of them, shall have been paid; and no Shareholder other than the trustee or assignee of a bankrupt or representative of a deceased Shareholder, or person acquiring by marriage, shall be entitled to vote or speak at any meeting held after the expiration of three months from the registration of the Company, in respect of or as the holder of any share which he has acquired by transfer, unless he has been at least three months previously to the time of holding the meeting at which he proposes to vote or speak duly registered as the holder of the share in respect of which he claims to vote or speak.

82. *Proxy to be printed or in writing.*—The instrument appointing a proxy shall be printed or written, and shall be signed by the appointor, or if such appointor be a corporation, it shall be under the common seal of such corporation.

83. *When proxy to be deposited.*—The instrument appointing a proxy shall be deposited at the registered office of the Company not less than twenty-four hours before the time appointed for holding the meeting at which the person named in such instrument proposes to vote.

84. *Form of proxy.*—Any instrument appointing a proxy may be in the following form:—

The Narangoda Rubber Company, Limited.

I, _____, of _____, appoint _____, of _____ (a Shareholder in the Company), as my proxy, to represent me and to vote for me and on my behalf at the Ordinary (or Extraordinary, as the case may be) General Meeting of the Company to be held on the _____ day of _____, One thousand Nine hundred and _____, and at any adjournment thereof, and at every poll which may be taken in consequence thereof.

As witness my hand this _____ day of _____, One thousand Nine hundred and _____.

85. *Objection to validity of vote to be made at the meeting or poll.*—No objection shall be made to the validity of any vote (whether given personally or by proxy or by attorney) except at the meeting or poll at which such vote shall be tendered, and every vote (whether given personally or by proxy or by attorney) to which no objection shall be made at such meeting or poll shall be deemed valid for all purposes of such meeting or poll whatsoever.

86. *No Shareholder to be prevented from voting by being personally interested in result.*—No Shareholder shall be prevented from voting by reason of his being personally interested in the result of the voting.

DIRECTORS.

87. *Number of Directors.*—The number of Directors shall never be less than three nor more than five; but this clause shall be construed as being directory only, and the continuing Directors may act notwithstanding any number of vacancies.

88. *Their qualification and remuneration.*—The qualification of a Director shall be his holding shares in the Company, whether fully paid up or partly paid up, of the total nominal value of at least One thousand Five hundred Rupees (Rs. 1,500), and upon which, in the case of partly paid up shares, all calls for the time being shall have been paid, and this qualification shall apply as well to the first Directors as to all future Directors. As a remuneration for their services the Directors shall be entitled to appropriate a sum not exceeding One thousand Five hundred Rupees (Rs. 1,500) annually, to be divided between them in such manner as they may determine, but the Company in General Meeting may at any time alter the amount of such remuneration for the future, and such remuneration shall not be considered as including any remuneration for special or extra services hereinafter referred to, nor any extra remuneration to the Managing Directors of the Company.

89. *Appointment of first Directors and duration of their office.*—The first Directors shall be Frederick William Bridge, Esq., of Tempo estate, Neboda, Patten Smith Bridge, Esq., of Kiribatgalla Group, Ratnapura, and Cosmo Moray Gordon, Esq., of Colombo, who shall hold office till the First Ordinary General Meeting of the Company, when they shall all retire, but shall be eligible for re-election.

90. *Directors may appoint Managing Director or Directors; his or their remuneration.*—One or more of the Directors may be appointed by the Directors to act as Secretary, Managing Director or Managing Directors, and (or) Visiting Agent or Visiting Agents of the Company, or Superintendent or Superintendents of any of the Company's estates for such time and on such terms as the Directors may determine or fix by agreement with the person or persons appointed to the office, and they may from time to time revoke such appointment and appoint another or other Secretary, Managing Director or Managing Directors, and (or) Visiting Agent or Agents, Superintendent or Superintendents, and the Directors may impose and confer on the Managing Director or Managing Directors all or any duties and powers that might be imposed or conferred on any Manager of the Company. If any Director shall be called upon to perform any extra services, the Directors may arrange with such Director for such special remuneration for such services, either by way of salary, commission, or the payment of a lump sum of money, as they shall think fit.

91. *Appointment of successors to Directors.*—The General Meeting at which Directors retire or ought to retire by rotation shall appoint successors to them, and in default thereof such successors may be appointed at a subsequent General Meeting.

92. *Board may fill up vacancies.*—The Board shall have power at any time and from time to time before the First Ordinary General Meeting to supply any vacancies in their number arising from death, resignation, or otherwise.

93. *Duration of office of Director appointed to vacancy.*—Any casual vacancy occurring in the number of Directors subsequent to the First Ordinary General Meeting may be filled up by the Directors, but any person so chosen shall retain his office so long only as the vacating Director would have retained the same if no vacancy had occurred.

94. *To retire annually.*—At the Second Ordinary General Meeting and at the Ordinary General Meeting in every subsequent year one of the Directors for the time being shall retire from office as provided in clause 95.

95. *Retiring Directors how determined.*—The Directors to retire from office at the Second and Third General Meetings shall, unless the Directors otherwise arrange among themselves, be determined by ballot; in every subsequent year the Directors to retire shall be those who have been longest in office.

96. *Retiring Directors eligible for re-election.*—Retiring Directors shall be eligible for re-election.

97. *Decision of question as to retirement.*—In case any question shall arise as to which of the Directors who have been the same time in office shall retire, the same shall be decided by the Directors by ballot.

98. *Number of Directors how increased or reduced.*—The Directors, subject to the approval of a General Meeting, may from time to time, at any time subsequent to the Second Ordinary General Meeting, increase or reduce the number of Directors, and may also, subject to the like approval, determine in what rotation such increased or reduced number is to go out of office.

99. *If election not made, retiring Directors to continue until next meeting.*—If at any meeting at which an election of a Director ought to take place the place of a retiring Director is not filled up, the retiring Director may continue in office until the First Ordinary General Meeting in the next year, and so on from meeting to meeting until his place is filled up, unless it shall be determined at such meeting to reduce the number of Directors.

100. *Resignation of Directors.*—A Director may at any time give notice in writing of his intention to resign by delivering such notice to the Secretary, or by leaving the same at the office, or by tendering his written resignation at a meeting of the Directors, and on the acceptance of his resignation by the Directors, but not before, his office shall become vacant.

101. *When office of Director to be vacated.*—The office of the Director shall be vacated—

- (a) If he accepts or holds any office or place of profit other than Managing Director, Visiting Agent, Superintendent, or Secretary under the Company.
- (b) If he becomes bankrupt or insolvent, or suspends payment, or files a petition for the liquidation of his affairs, or compounds with his creditors.
- (c) If by reason of mental or bodily infirmity he becomes incapable of acting.
- (d) If he ceases to hold the required number of shares to qualify him for the office.
- (e) If he is concerned or participates in the profits of any contract with, or work done for, the Company.

Exceptions.—But the above rule shall be subject to the following exceptions:—That no Director shall vacate his office by reason of his being a member of any corporation, company, or firm which has entered into any contract with, or done any work for, the Company of which he is a Director, or by his being agent, or secretary, or proctor, or by his being a member of a firm who are agents, or secretaries, or proctors of the Company; nevertheless, he shall not vote in respect of any contract work or business in which he may be personally interested.

102. *How Directors removed and successors appointed.*—The Company may, by a special resolution, remove any Director before the expiration of his period of office, and may, by an ordinary resolution, appoint another person in his stead, the Director so appointed shall hold office only during such time as the Director in whose place he is appointed would have held the same if he had not been removed.

103. *Indemnity to Directors and others for their own acts and for the acts of others.*—Every Director or officer, and his heirs, executors, and administrators shall be indemnified by the Company from all losses and expenses incurred by him respectively in or about the discharge of his respective duties, except such as happen from his respective wilful acts or defaults; and no Director or officer, nor the heirs, executors, or administrators of any Director or officer, shall be liable for any other Director or officer, or for joining in any receipt or other acts of conformity, or for any loss or expense happening to the Company by the insufficiency or deficiency of title to any property acquired for or on behalf of the Company, or for the insufficiency or deficiency of any security in or upon which any of the moneys of the Company shall be invested, or for any loss or damage arising from the bankruptcy, insolvency, or tortious act of any person with whom any moneys, securities, or effects shall be deposited, or for any other loss, damage, or misfortune whatsoever which shall happen in the execution of the duties of his office or in relation thereto, unless the same happen through his own wilful act or default.

104. *No contribution to be required from Directors beyond amount, if any, unpaid on their shares.*—No contribution shall be required from any present or past Director or Manager exceeding the amount, if any, unpaid on the shares in respect of which he is liable as a present or past Shareholder.

POWERS OF DIRECTORS.

105. The Directors shall have power to purchase or otherwise acquire the said Narangoda estate.

106. *To manage business of Company and pay preliminary expenses, &c.*—The business of the Company shall be managed by the Directors either by themselves or through a Managing Director, or with the assistance of an agent or agents, and secretary or secretaries of the Company, to be appointed by the Directors for such a period and on such terms as they shall determine, and the Directors may pay out of the funds of the Company all costs and expenses, as well preliminary as otherwise, paid or incurred in and about the formation and registration of the Company, and in connection with the placing of the shares of the Company, and in and about the valuation, purchase, lease, or acquisition of the said Narangoda estate and of any other lands, estates, or property, and the opening, clearing, planting, and cultivation thereof, and in or about the working and business of the Company.

107. *To acquire property, to appoint officers and pay expenses, &c.*—The Directors shall have power to purchase, take on lease, or in exchange, or otherwise acquire for the Company any estate or estates, land or lands, property, rights, options or privileges which the Company is authorized to acquire at such price and for such consideration and upon such title and generally on such terms and conditions as they may think fit; and to make and they may make such regulations for the management of the business and property of the Company as they may from time to time think proper, and for that purpose may appoint such managers, agents, secretaries, treasurers, accountants, and other officers, visiting agents, inspectors, superintendents, clerks, artisans, labourers, and other servants for such period or periods, and with such remuneration, and at such salaries, and upon such terms and conditions, as they may consider advisable, and may pay the expenses occasioned thereby out of the funds of the Company, and may from time to time remove or suspend all or any of the managers, agents, secretaries, treasurers, accountants, and other officers, visiting agents, inspectors, superintendents, clerks, artisans, labourers, and other servants, for such reasons as they may think proper and advisable, and without assigning any cause.

108. *To appoint proctors and attorneys.*—The Directors shall have power to appoint a proctor or proctors, solicitor or solicitors, attorney or attorneys, to assist in carrying on or protecting the business of the Company, on such terms as they may consider proper, and from time to time to revoke such appointment.

109. *To open banking accounts and operate thereon, &c.*—The Directors shall have power to open on behalf of the Company any account or accounts with such bank or banks as they may select or appoint, and also by such signatures as they may appoint to draw, accept, make, endorse, sign, and execute cheques, bills of exchange and promissory notes, bills of lading, receipts, contracts and agreements, bonds, mortgages, proxies to any proctor or proctors, and other documents on behalf of and to further the interests of the Company.

110. *To sell and dispose of Company's property, &c.*—It shall be lawful for the Directors, if authorized so to do by the Shareholders in General Meeting, to arrange terms for the amalgamation of the Company with any other company or companies, or individual or individuals, or for the sale or disposal of the business, estates, and effects of the Company, or any part or parts, share or shares thereof, respectively, to any company or companies, or person or persons, upon such terms and in such manner as the Directors shall think fit; and the Directors shall have power to do all such things as may be necessary for carrying such amalgamation, sale, or other disposition into effect so far as a resolution or special resolution of the Company is not by law necessary for such purpose; and in case any terms so arranged by the Directors include or make necessary the dissolution of the Company, the Company shall be dissolved to that end.

111. *General powers.*—The Directors shall carry on the business of the Company in such manner as they may think most expedient; and in addition to the powers and authorities by any Ordinance or by these presents expressly conferred on them, they may exercise all such powers, give all such consents, make all such arrangements, appoint all such agents, managers, secretaries, treasurers, accountants, and other officers, clerks, assistants, artisans, and workers, and generally do all such acts and things as are, or shall be, by any Ordinance and by these presents directed and authorized to be exercised, given, made or done by the Company, and are not by any Ordinance or by these presents required to be exercised or done by the Company in General Meeting, subject, nevertheless, to the provisions of any such Ordinance and of these presents and to such regulations and provisions (if any) as may from time to time be prescribed by the Company in General Meeting, but no regulation made by the Company in General Meeting shall invalidate any prior act of the Board, which would have been valid if such regulation had not been made. The generality of the powers conferred by any clause in these presents on the Directors shall not be taken to be limited by any clause conferring any special or expressed power.

112. *Special powers.*—In furtherance, and not in limitation of, and without prejudice to, the general powers conferred or implied in the last preceding clause, and of the other powers conferred by these presents, it is hereby expressly declared that the Directors shall have the powers following, that is to say:—

- (1) To institute, conduct, defend, compound, or abandon any action, suit, prosecution, or legal proceedings by and against the Company, or its officers, or otherwise concerning the affairs of the Company, and also to compound and allow time for payment or satisfaction of any debts due, and of any claims and demands by and against the Company.
- (2) To refer any claims or demands by or against the Company to arbitration, and observe and perform the awards.
- (3) To make and give receipts, releases, and other discharges for money payable to the Company and for claims and demands of the Company.
- (4) To act on behalf of the Company in all matters relating to bankrupts and insolvents with power to accept the office of trustee, assignee, liquidator, inspector, or any similar office.
- (5) To invest any of the moneys of the Company which the Directors may consider not immediately required for the purposes thereof, upon such securities and in such manner as they may think fit, and so that they shall not be restricted to such securities as are permissible to trustees without special powers, and from time to time to vary or release such investments.
- (6) From time to time to provide for the management of the affairs of the Company abroad in such manner as they think fit, and to establish any local boards or agencies for managing any of the affairs of the Company abroad, and to appoint any persons to be members of such local board, or any managers or agents, and to fix their remuneration.
- (7) From time to time and at any time to delegate to any one or more of the Directors of the Company for the time being, or any other person or company for the time being, residing or carrying on business in Ceylon or elsewhere, all or any of the powers hereby made exercisable by the Directors, except those relating to shares and any others as to which special provisions inconsistent with such delegation are herein contained; and they shall have power to fix the remuneration of and at any time to remove such Director or other person or company, and to annul or vary any such delegation. They shall not, however, be entitled to delegate any powers of borrowing or charging the property of the Company to any agent of the Company or other person, except by instrument in writing, which shall specifically state the extent to which such powers may be used by the person or persons to whom they are so delegated, and compliance therewith shall be a condition precedent to the exercise of these powers.

PROCEEDINGS OF DIRECTORS.

113. *Meeting of Directors.*—The Directors may meet for the despatch of business, adjourn, and otherwise regulate their meetings as they may think fit, and determine the quorum necessary for the transaction of business. Until otherwise determined, two Directors shall be a quorum.

114. *A Director may summon meetings of Directors.*—A Director may at any time summon a meeting of Directors.

115. *Who is to preside at meetings of Board.*—The Board may elect a Chairman of their meetings and determine the period for which he is to hold office, and all meetings of the Directors shall be presided over by the Chairman, if one has been elected and is present, but if there be a vacancy in the office of Chairman, or if at any meeting of Directors the Chairman be not present at the time appointed for holding the same, then and in that case the Directors present shall choose one of their number to be Chairman of such meeting.

116. *Questions at meetings how decided.*—Any question which shall arise at any meeting of the Directors shall be decided by a majority of votes, and in case of an equality of votes the Chairman thereof shall have a casting vote in addition to his vote as a Director.

117. *Board may appoint committees.*—The Board may delegate any of their powers to committees consisting of such member or members of their body as the Board think fit, and they may from time to time revoke and discharge any such committee, either wholly or in part, and either as to persons or purposes, but every committee so formed shall, in exercise of the powers delegated to it, conform to all such regulations as may be prescribed by the Board. All acts done by any such committee, in conformity with such regulations and in the fulfilment of the purposes of their appointment, but not otherwise, shall have the like force and effect as if done by the Board.

118. *Acts of Board or committee valid notwithstanding informal appointment.*—The acts of the Board or of any committee appointed by the Board shall, notwithstanding any vacancy in the Board or committee, or defect in the appointment of any Director or of any member of the committee, be as valid as if no such vacancy or defect had existed, and as if every person had been duly appointed, provided the same be done before the discovery of the defect.

119. *Regulation of proceedings of committees.*—The meetings and proceedings of such committees shall be governed by the provisions herein contained for regulating the meetings and proceedings of Directors, so far as the same are applicable thereto, and are not superseded by the express terms of the appointment of such committees respectively, or any regulation imposed by the Board.

120. *Resolution in writing by all the Directors as valid as if passed at a meeting of Directors.*—A resolution in writing signed by all the Directors shall be as valid and effectual as if it had been passed at a meeting of the Directors duly called and constituted.

121. *Minutes of proceedings of the Company and the Directors to be recorded.*—The Directors shall cause minutes to be made in books to be provided for the purpose of the following matters, *videlicet* :—

- (a) Of all appointments of officers and committees made by the Directors.
- (b) Of the names of the Directors present at each meeting of the Directors and of the members of the committee appointed by the Board present at each meeting of the committee.
- (c) Of the resolutions and proceedings of all General Meetings.
- (d) Of the resolutions and proceedings of all meetings of the Directors and of the committees appointed by the Board.
- (e) Of all orders made by the Directors.

122. *Signature of minutes of proceedings and effect thereof.*—All such minutes shall be signed by the person or one of the persons who shall have presided as Chairman at the General Meeting, the Board Meeting, or Committee Meeting at which the business minuted shall have been transacted, or by the person or one of the persons who shall preside as Chairman at the next ensuing General Meeting, Board Meeting, or Committee Meeting, respectively; and all minutes purporting to have been signed by any Chairman of any General Meeting, Board Meeting, or Committee Meeting, respectively, shall, for all purposes whatsoever, be *prima facie* evidence of the actual and regular passing of the resolutions, and the actual and regular transaction or occurrence of the proceedings and other matters purporting to be so recorded, and of the regularity of the meeting at which the same shall appear to have taken place, and of the Chairmanship and signature of the person appearing to have signed as Chairman, and of the date on which such meeting was held.

COMPANY'S SEAL.

123. *The use of the seal.*—The seal of the Company shall not be used or affixed to any deed, certificate of shares, or other instrument except in the presence of two or more of the Directors, or of one Director and the Agents and Secretaries of the Company, who shall attest the sealing thereof; such attestation on the part of the Agents and Secretaries, in the event of a firm being the Agents and Secretaries, being signified by a partner or duly authorized manager, attorney, or agent, of the said firm signing for and on behalf of the said firm as such Agents and Secretaries.

ACCOUNTS.

124. *What accounts to be kept.*—The Agent or Secretary or the Agents or Secretaries for the time being, or, if there be no Agent or Secretary or Agents or Secretaries, the Directors shall cause true accounts to be kept of the paid-up capital for the time being of the Company, and of all sums of money received and expended by the Company, and of the matters in respect of which such receipts and expenditure take place, and of the assets, credits, and liabilities of the Company, and generally of all its commercial, financial, and other affairs, transactions, and engagements, and of all other matters necessary for showing the true financial state and condition of the Company; and the accounts shall be kept in such books and in such a manner as the registered office of the Company as the Directors think fit.

125. *Accounts how and when open to inspection.*—The Directors shall from time to time determine whether, and to what extent, and at what times and places, and under what conditions or regulations, the accounts and books of the Company or of any of them shall be open to the inspection of the Shareholders, and no Shareholder shall have any right of inspecting any account or book or document of the Company, except as conferred by statute or authorized by the Directors, or by a resolution of the Company in General Meeting.

126. *Statement of accounts and balance sheet to be furnished to General Meeting.*—At the Ordinary General Meeting in every year the Directors shall lay before the Company a statement of the profit and loss account for the preceding financial year, and a balance sheet containing a summary of the property and liabilities of the Company made up as at the end of the same period.

127. *Report to accompany statement.*—Every such statement shall be accompanied by a report as to the state and condition of the Company and as to the amount, which they recommend to be paid out of the profits by way of dividend or bonus to the Shareholders, and the statement, report, and balance sheet shall be signed by the Directors.

128. *Copy of balance sheet to be sent to the Shareholders.*—A printed copy of such balance sheet shall, at least seven days previous to such meeting, be delivered at, or posted to, the registered address of every Shareholder.

DIVIDENDS, BONUS, AND RESERVE FUND.

129. *Declaration of dividend.*—The Directors may, with the sanction of the Company in General Meeting, from time to time declare a dividend to be paid, and (or) pay a bonus to the Shareholders in proportion to the amounts paid on their shares, but no dividend or bonus shall be payable except out of nett profits.

130. *Interim dividend.*—The Directors may also, if they think fit, from time to time and at any time, without the sanction of a General Meeting, determine on and declare an interim dividend to be paid, and (or) pay a bonus to the Shareholders on account and in anticipation of the dividend for the then current year.

131. *Reserve fund.*—Previously to the Directors paying or recommending any dividend on preference or ordinary shares, they may set aside out of the profits of the Company, such a sum as they think proper as a reserve fund, and shall invest the same in such securities as they shall think fit, or place the same on fixed deposit in any bank or banks.

132. *Application thereof.*—The Directors may from time to time apply such portions as they think fit of the reserve fund to meet contingencies, or for the payment of accumulated dividends due on preference shares or for equalizing dividends, or for working the business of the Company, or for repairing or maintaining or extending the buildings and premises, or for the repair or renewal or extension of the property or plant connected with the business of the Company or any part thereof, or for any other purpose of the Company which they may from time to time deem expedient.

133. *Unpaid interest or dividend not to bear interest.*—No unpaid interest or dividend or bonus shall ever bear interest against the Company.

134. *No Shareholder to receive dividend while debt due to Company.*—No Shareholder shall be entitled to receive payment of any dividend or bonus in respect of his share or shares whilst any moneys may be due or owing from him (whether alone or jointly with any other person) to the Company in respect of such share or shares, or otherwise howsoever.

135. *Directors may deduct debt from the dividends.*—The Directors may deduct from the dividend or bonus payable to any Shareholder all sums of money due from him (whether alone or jointly with any other person) to the Company, and notwithstanding such sums shall not be payable until after the date when such dividend is payable.

136. *Dividends may be paid by cheque or warrant and sent through the post.*—Unless otherwise directed any dividend may be paid by cheque or warrant sent through the post to the registered address of the Shareholder entitled, or, in the case of joint-holders, to the registered address of that one whose name stands first on the register in respect of the joint-holding; but the Company shall not be liable or responsible for the loss of any such cheque or dividend warrant sent through the post.

137. *Notice of dividend; forfeiture of unclaimed dividend.*—Notice of all interest or dividends or bonuses to become payable shall be given to each Shareholder entitled thereto; and all interest or dividends or bonuses unclaimed by any Shareholder for three years after notice thereof is given may be forfeited by a resolution of the Board of Directors for the

benefit of the Company, and, if the Directors think fit, may be applied in augmentation of the reserve fund. For the purposes of this clause any cheques or warrants which may be issued for interest, dividends, or bonuses, and may not be presented at the Company's Bankers for payment within three years, shall rank as unclaimed dividends.

138. *Share held by a firm.*—Every dividend or bonus payable in respect of any share held by a firm may be paid to, and an effectual receipt given by, any partner of such firm or agent duly authorized to sign the name of the firm.

139. *Joint-holders other than a firm.*—Every dividend or bonus payable in respect of any share held by several persons jointly, other than a firm, may be paid to, and an effectual receipt given by, any one of such persons.

AUDIT.

140. *Accounts to be audited.*—The accounts of the Company shall from time to time be examined, and the correctness of the balance sheet and profit and loss account ascertained by one or more Auditor or Auditors.

141. *Qualification of Auditors.*—No person shall be eligible as an Auditor who is interested otherwise than as a Shareholder in any transaction of the Company, but an Auditor shall not be debarred from acting as a professional accountant in doing any special work for the Company which the Directors may deem necessary. It shall not be a necessary qualification for an Auditor that he be a Shareholder of the Company, and no Director or officer of the Company shall, during his continuance in office, be eligible as an Auditor.

142. *Appointment and retirement of Auditors.*—The Directors shall appoint the first Auditor or Auditors of the Company and fix his or their remuneration; all future Auditors, except as is hereinafter mentioned, shall be appointed at the First Ordinary General Meeting of the Company in each year by the Shareholders present thereat, and shall hold their office only until the First Ordinary General Meeting after their respective appointments or until otherwise ordered by a General Meeting.

143. *Retiring Auditors eligible for re-election.*—Retiring Auditors shall be eligible for re-election.

144. *Remuneration of Auditors.*—The remuneration of the Auditors other than the first shall be fixed by the Company in General Meeting, and this remuneration may from time to time be varied by a General Meeting.

145. *Casual vacancy in number of Auditors how filled up.*—If any vacancy that may occur in the office of Auditor shall not be supplied at any Ordinary General Meeting, or if any casual vacancy shall occur, the Directors shall (subject to the approval of the next Ordinary General Meeting) fill up the vacancy by the appointment of a person who shall hold the office until such meeting.

146. *Duty to Auditor.*—Every Auditor shall be supplied with a copy of the balance sheet and profit and loss account intended to be laid before the next Ordinary General Meeting, and it shall be his duty to examine the same with the accounts and vouchers relating thereto, and to report thereon to the meeting, generally or specially, as he may think fit.

147. *Company's accounts to be opened to Auditors for audit.*—All accounts, books, and documents whatsoever of the Company shall at all times be open to the Auditors for the purpose of audit.

NOTICES.

148. *Notices how authenticated.*—Notices from the Company may be authenticated by the signature (printed or written) of the Agent or Secretary, Agents or Secretaries, or other persons appointed by the Board to do so.

149. *Shareholders to register address.*—Every Shareholder shall furnish the Company with an address in Ceylon, which shall be deemed to be his place of abode, and shall be registered as such in the books of the Company.

150. *Service of notices.*—A notice may be served by the Company upon any Shareholder, either personally or by sending through the post in a prepaid letter, addressed to such Shareholder at his registered address or place of abode; and any notice so served shall be deemed to be well served for all purposes, notwithstanding that the Shareholder to whom such notice is addressed be dead, unless his executors or administrators shall have given to the Directors or to the Agent or Secretary or Agents or Secretaries of the Company their own or some other address in Ceylon.

151. *Notice to joint-holders of shares other than a firm.*—All notices directed to be given to Shareholders shall, with respect to any share to which persons other than a firm are jointly entitled, be sufficient if given to any one of such persons, and notice so given shall be sufficient notice to all the holders of such shares.

152. *Date and proof of service.*—Any notice if served by post shall be deemed to have been served on the day on which the letter containing the same would in ordinary course of post have been delivered at its address, and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and put into a post box or posted at a post office, and the entry in the Company's books of the leaving or sending by post of any notice at or to such address shall be sufficient evidence thereof, and no further evidence shall be necessary.

153. *Non-resident Shareholders must register addresses in Ceylon.*—Every Shareholder residing out of Ceylon shall name and register in the books of the Company an address within Ceylon at which all notices shall be served upon him, and all notices served at such address shall be deemed to be well served. If he shall not have named and registered such an address, he shall not be entitled to any notices.

All notices required to be given by advertisement shall be published in the *Ceylon Government Gazette*.

ARBITRATION.

154. *Directors may refer disputes to arbitration.*—Whenever any question or other matter whatsoever arises in dispute between the Company and any other company or person, the same may be referred by the Directors to arbitration.

EVIDENCE.

155. *Evidence in action by Company against Shareholders.*—On the trial or hearing of any action or suit brought or instituted by the Company against any Shareholder or his representatives to recover any debt or money claimed to be due to the Company in respect of his shares, it shall be sufficient to prove that the name of the defendant is or was when the claim arose on the Register of Shareholders of the Company as a holder of the number of shares in respect of which such claim is made, and that the amount claimed is not entered as paid in the books of the Company; and it shall not be necessary to prove the registration of the Company, nor the appointment of the Directors who made any call, nor that a quorum of Directors was present at the Board at which any call was made, nor that the meeting at which any call was made was duly convened or constituted, nor any other matter whatsoever, but the proof aforesaid shall be conclusive evidence of the debt.

PROVISIONS RELATIVE TO WINDING UP OR DISSOLUTION OF THE COMPANY.

156. *Purchase of Company's property by Shareholders.*—Any Shareholder, whether a Director or not, or whether alone or jointly with any other Shareholder or Director, and any person not a Shareholder, may become the purchaser of the property of the Company or any part thereof, in the event of a winding up or a dissolution, or at any other time when a sale of the Company's property or effects or any part thereof shall be made by the Directors under the powers hereby or under the Ordinance conferred upon them.

157. *Distribution.*—If the Company shall be wound up, and there shall be any surplus assets after payment of all debts and satisfaction of all liabilities of the Company, such surplus assets shall be applied, first, in repaying to the holders of the preference shares (if any) the amounts that may be due to them, whether by way of capital only or by way of capital and dividend or arrears of dividend or otherwise in accordance with the rights, privileges, and conditions attached thereto, and the balance in repaying to the holders of the ordinary shares the amounts paid up or reckoned as paid up on such ordinary shares. If there shall remain any surplus assets after repayment of the whole of the paid up capital, such surplus assets shall, subject to the conditions attached to preference shares (if any), be divided among the Shareholders in proportion to the capital paid up, or reckoned as paid up, on the shares which are held by them respectively at the commencement of the winding up.

158. *Payment in specie, and vesting in trustees.*—If the Company shall be wound up, the liquidator, whether voluntary or official, may, with the sanction of an extraordinary resolution, divide among the contributories in specie any part of the assets of the Company, and may, with their sanction, vest any part of the assets of the Company in trustees upon such trusts for the benefit of the contributories as the liquidator, with like sanction, shall think fit.

In witness whereof the subscribers to the Memorandum of Association have hereunto set and subscribed their names, at Colombo, this 12th day of March, 1914.

PATTEN S. BRIDGE.
C. M. GORDON.
TOM VILLIERS.
JAMES J. PARK.
EDGAR TURNER.
LESLIE W. F. DE SARAM.

W. H. MILES.

Witness to the signatures of the above-named PATTEN S. BRIDGE, C. M. GORDON, TOM VILLIERS, JAMES J. PARK, EDGAR TURNER, LESLIE W. F. DE SARAM, and W. H. MILES :

EUSTACE F. DE SARAM,
Proctor, Supreme Court, Colombo.

[First Publication.]

MEMORANDUM OF ASSOCIATION OF THE OONOGALOYA TEA COMPANY, LIMITED.

1. The name of the Company is "THE OONOGALOYA TEA COMPANY, LIMITED."
2. The registered office of the Company is to be established in Colombo.
3. The objects for which the Company is to be established are—
 - (1) To purchase or otherwise acquire the Oonogaloya and Yellabanda estates situated in the Kotmale district, in the Central Province of the Island of Ceylon.
 - (2) To purchase, take on lease or in exchange, hire, or otherwise acquire any lands, concessions, estates, plantations, and properties in the Island of Ceylon, the Federated Malay States, India, or elsewhere, and any right of way, water rights, and other rights, privileges, easements, and concessions, and any factories, machinery, implements, tools, live and dead stock, stores, effects, and other property, real or personal, immovable or movable, of any kind.
 - (3) To hold, use, clear, open, plant, cultivate, work, manage, improve, carry on, and develop the undertaking lands, and real and personal, immovable and movable, estate or property, and assets of any kind of the Company, or any part thereof.
 - (4) To plant, grow, and produce tea, rubber, coconuts, coffee, cinchona, cacao, cardamoms, rice, ramie, and other natural products or produce of any kind in the Island of Ceylon, the Federated Malay States, India, or elsewhere.
 - (5) To treat, cure, prepare, manipulate, submit to any process of manufacture, and render marketable (whether on account of the Company or others) tea, rubber, coconuts, coffee, or any other such products or produce as aforesaid, or any articles or things whatsoever; to buy, sell, export, import, trade, and deal in tea, rubber, coconut produce, coconuts, coffee, and other products, wares, merchandise, articles, and things of any kind whatsoever, either in a prepared, manufactured, or raw state, and either by wholesale or retail.
 - (6) To carry on in the Island of Ceylon, the Federated Malay States, India, or elsewhere all or any of the following businesses, that is to say: planters of tea, rubber, coconuts, coffee, or any other such products or produce as aforesaid in all its branches; carriers of passengers and goods by land or by water; forwarding agents, merchants, exporters, importers, traders, engineers, tug owners and wharfingers, proprietors of docks, wharves, jetties, piers, warehouses, and boats; and any other business which can or may conveniently be carried on in connection with any of them.
 - (7) To acquire or establish and carry on any other business, manufacturing, shipping, or otherwise, which can be conveniently carried on in connection with any of the Company's general business; to apply for, purchase, or otherwise acquire, any patents, *brevets d'invention*, concessions, and the like, conferring an exclusive or non-exclusive or limited right to use, or any information as to any invention which may seem capable of being used for any of the purposes of the Company, or the acquisition of which may seem calculated directly or indirectly to benefit the Company; and to use, exercise, develop, grant licenses in respect of or otherwise turn to account the property, rights, and information so acquired.
 - (8) To purchase tea leaf, rubber, coconuts, coffee, and (or) other raw products or produce for manufacture, manipulation, and (or) sale.
 - (9) To work mines or quarries, and to find, win, get, work, crush, smelt, manufacture, or otherwise deal with ores, metals, minerals, oils, precious and other stones, deposits, or products, and generally to carry on the business of mining in all its branches.
 - (10) To purchase, take in exchange, hire, or otherwise acquire and hold boats, barges, tugs, launches, and vessels of any description whatsoever; to purchase, take in exchange, hire, or otherwise acquire and hold vans, omnibuses, carriages, carts, and other vehicles of any description whatsoever; and to purchase, take in exchange, hire, or otherwise acquire and hold all live and dead stock, chattels, and effects required for the maintenance and working of the business of carriers by land or by water; of proprietors of docks, wharves, jetties, piers, warehouses and boats; of tug owners and wharfingers or of any other business which can or may conveniently be carried on in connection with the above respectively.

- (11) To build, make, construct, equip, maintain, improve, alter, and work tea and rubber factories, coconut and coffee-curing mills, manufactories, buildings, erections, roads, water-courses, docks, wharves, jetties, and other works and conveniences which may be necessary or convenient for the purposes of the Company, or may seem calculated directly or indirectly to advance the Company's interests; and to contribute to, subsidize, or otherwise assist or take part in the construction, improvement, maintenance, working, management, carrying out, or control thereof.
- (12) To cultivate, manage, and superintend estates and properties in the Island of Ceylon the Federated Malay States, India, and elsewhere, and generally to undertake the business of estate agents in the Island of Ceylon, the Federated Malay States, India, and elsewhere; to act as agents for the investment, loan, payment, transmission and collection of money, and for the purchase, sale, improvement, development, and management of property, including concerns and undertakings; and to transact any other agency business of any kind.
- (13) To engage, employ, maintain, and dismiss managers, superintendents, assistants, clerks, coolies, and other servants and labourers; and to remunerate any such at such rate as shall be thought fit, and to grant pensions or gratuities to any such or the widow or children of any such.
- (14) To enter into any arrangements with any authorities, Government, municipal, local, or otherwise, that may seem conducive to the Company's objects or any of them, and to obtain from any such authority any rights, privileges, rebates, and concessions which the Company may think it desirable to obtain, and to carry out, exercise, and comply with such arrangements, rights, privileges, and concessions.
- (15) To enter into partnership or into any arrangement for sharing profits, union of interest, reciprocal concession, amalgamation or co-operation with any person, corporation, or company carrying on or about to carry on or engage in any business or transaction which this Company is authorized to carry on or engage in or any business or transaction capable of being conducted so as directly or indirectly to benefit this Company; to take or otherwise acquire and hold shares or stock in or securities of, and to subsidize, or otherwise assist any such company, and to sell, hold, re-issue with or without guarantee, or otherwise deal with such shares or securities; and to form, constitute, or promote any other company or companies for the purpose of acquiring all or any of the property, rights, and liabilities of this Company, or for any other purpose which may seem directly or indirectly calculated to benefit this Company.
- (16) To procure the Company to be registered or established or authorized to do business in the Island of Ceylon, the Federated Malay States, India, or elsewhere.
- (17) To lend money on any terms and in any manner and on any security, and in particular on the security of plantations, factories, growing crops, produce, bills of exchange, promissory notes, bonds, bills of lading, warrants, stocks, shares, debentures, or book debts, or without any security at all, and generally to transact financial business of any kind.
- (18) To borrow or raise money for the purposes of the Company, or receive money on deposit at interest or otherwise, and for the purpose of raising or securing money for the performance or discharge of any obligation or liability of the Company, or for any other purpose to create, execute, grant, or issue any mortgages, mortgage debentures, debentures, debenture stock, bonds, or obligations of the Company either at par, premium, or discount, and either redeemable, irredeemable, or perpetual, secured upon all or any part of the undertaking, revenue, rights, and property of the Company, present and future, including uncalled capital or the unpaid calls of the Company.
- (19) Generally to purchase, take on lease or in exchange, hire, or otherwise acquire any real or personal property, and any rights, privileges, licenses, or easements which the Company may think necessary or convenient with reference to any of these objects, and capable of being profitably dealt with in connection with any of the Company's property or rights for the time being.
- (20) To cause or permit any debentures, debenture stock, bonds, mortgages, charges, incumbrances, liens, or securities of or belonging to or made or issued by the Company or affecting its property or rights or any of the terms thereof to be renewed, extended, varied, redeemed, exchanged, transferred, or satisfied, as shall be thought fit; also to pay off and re-borrow the moneys secured thereby, or any part or parts thereof.
- (21) To sell the undertaking of the Company or any part thereof for such consideration as the Company may think fit, and in particular for shares, debentures, or securities of any other company having objects altogether or in part similar to those of this Company.
- (22) To invest and deal with the moneys of the Company not immediately required upon such securities and in such manner as may from time to time be determined.
- (23) To make, accept, endorse, and execute promissory notes, bills of exchange, bills of lading, and other negotiable and transferable instruments.
- (24) To remunerate any parties for services rendered or to be rendered in placing or assisting to place any shares in the Company's capital, or any debentures, debenture stock, or other securities of the Company, or in or about the formation or promotion of the Company or the conduct of its business.
- (25) To do all or any of the above things in any part of the world, as principals, agents, contractors, or otherwise, or alone, or in conjunction with others, or by or through agents, sub-contractors, trustees, or otherwise, and generally to carry on any business or effectuate any object of the Company.
- (26) To sell, let, lease, underlease, exchange, surrender, transfer, deliver, charge, mortgage, dispose of, turn to account, or otherwise deal with all or any part of the property and rights of the Company, whether in consideration of rents, moneys, or securities for money, shares, debentures, or securities in any other Company, or for any other consideration.
- (27) To pay for any lands and real or personal, immovable or movable, estate, property, or assets of any kind acquired or to be acquired by the Company, or for any services rendered or to be rendered to the Company, and generally to pay or discharge any consideration to be paid or given by the Company, in money or in shares (whether fully paid up or partly paid up), or in debentures, debenture stock, or obligations of the Company, or partly in one way and partly in another, or otherwise howsoever, with power to issue any shares either as fully paid up or partly paid up for such purpose.
- (28) To accept as consideration for the sale or disposal of any lands and real or personal, immovable or movable, estate, property, or assets of the Company, or in discharge of any other consideration to be received by the Company, money or shares (whether fully paid up or partly paid up) of any company, or debentures or debenture stock or obligations of any company or person, or partly one and partly any other.
- (29) To distribute among the Shareholders in specie any property of the Company, whether by way of dividend, or upon a return of capital, but so that no distribution amounting to a reduction of capital be made, except with the sanction for the time being required by law.

(30) To distribute by way of dividend among the shareholders all profits made by the carrying on of the business of the Company from January 1, 1914, onwards, notwithstanding that the registration of the Company will be effected at a later date.

(31) To do all such other things as may be necessary, incidental, conducive, or convenient to the attainment of the above objects or any of them.

It being hereby declared that in the foregoing clauses (unless a contrary intention appears) the word "person" includes any number of persons and a corporation, and that the "other objects" specified in any one paragraph are not to be limited or restricted by reference to or inference from any other paragraph.

4. The liability of the Shareholders is limited.

5. The nominal capital of the Company is Four hundred thousand Rupees (Rs. 400,000), divided into Forty thousand (40,000) shares of Ten Rupees (Rs. 10) each, with power to increase or reduce the capital. The shares forming the capital (original, increased, or reduced) of the Company may be subdivided, consolidated, or divided into such classes, with any preferential, deferred, qualified, special, or other rights, privileges, or conditions attached thereto, and be held upon such terms as may be prescribed by the Articles of Association and Regulations of the Company for the time being, or otherwise.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a Company in pursuance of this Memorandum of Association, and we respectively agree to take the number of shares in the capital of the Company set opposite our respective names:—

Names and Addresses of Subscribers.		Number of Shares taken by each Subscriber.
W. HENRY FIGG, Colombo	One
A. J. AUSTIN DICKSON, Kataboola Kotmale	One
E. R. WALDOCK, Colombo	One
C. W. BOOTY, Colombo	One
H. P. CHURCH, Colombo	One
W. G. MACVICAR, Colombo	One
A. REDEMANN, Colombo	One
Total number of Shares taken		Seven

Witness to the signatures of the above-named W. HENRY FIGG, C. W. BOOTY, H. P. CHURCH, W. G. MACVICAR, and A. REDEMANN, at Colombo, this 14th day of March, 1914:

LESLIE W. F. DE SARAN,
Proctor, Supreme Court, Colombo.

Witness to the signatures of the above-named A. J. AUSTIN DICKSON and E. R. WALDOCK, this 10th day of March, 1914:

LESLIE W. F. DE SARAN,
Proctor, Supreme Court, Colombo.

ARTICLES OF ASSOCIATION OF THE OONOOGALOYA TEA COMPANY, LIMITED.

It is agreed as follows:—

1. *Table C not to apply; Company to be governed by these Articles.*—The regulations contained in Table C in the schedule annexed to "The Joint Stock Companies Ordinance, 1861," shall not apply to this Company, which shall be governed by the regulations contained in these Articles, but subject to repeal, addition, or alteration by special resolution.
2. *Power to alter the regulations.*—The Company may, by special resolution, alter and make provisions instead of, or in addition to, any of the regulations of the Company, whether contained and comprised in these Articles or not.
3. None of the funds of the Company shall be employed in the purchase of or be lent on shares of the Company.

INTERPRETATION.

4. *Interpretation clause.*—In the interpretation of these presents the following words and expressions shall have the following meanings, unless such meanings be inconsistent with, or repugnant to, the subject or context:—

Company.—The word "Company" means "The Oonogaloya Tea Company, Limited," incorporated or established by or under the Memorandum of Association to which these Articles are attached.

The Ordinance.—The "Ordinance" means and includes "The Joint Stock Companies Ordinances, 1861 to 1909," and every other Ordinance from time to time in force concerning Joint Stock Companies which may apply to the Company.

Special resolution.—"Special resolution" has the meaning assigned thereto by the Ordinance.

Extraordinary resolution.—"Extraordinary resolution" means a resolution passed by three-fourths in number and value of such Shareholders of the Company for the time being entitled to vote as may be present at any meeting of the Company, of which notice specifying an intention to propose such resolution as an extraordinary resolution has been duly given.

These presents.—"These presents" means and includes the Memorandum of Association and the Articles of Association of the Company from time to time in force.

Capital.—"Capital" means the capital for the time being raised or authorized to be raised for the purposes of the Company.

Shares.—"Shares" means the shares from time to time into which the capital of the Company may be divided.

Shareholder.—"Shareholder" means a Shareholder of the Company.

Presence or present.—With regard to a Shareholder "presence or present" at a meeting means presence or present personally or by proxy or by attorney duly authorized.

Directors.—"Directors" means the Directors for the time being of the Company or (as the case may be) the Directors assembled at a Board.

Board.—“ Board ” means a meeting of the Directors or (as the context may require) the Directors assembled at a Board Meeting, acting through at least a quorum of their body in the exercise of authority duly given to them.

Persons.—“ Persons ” means partnerships, associations, corporations, companies, unincorporated or incorporated by Ordinance and registration, as well as individuals.

Office.—“ Office ” means the registered office for the time being of the Company.

Seal.—“ Seal ” means the common seal for the time being of the Company.

Month.—“ Month ” means a calendar month.

Writing.—“ Writing ” means printed matter or print as well as writing.

Singular and plural number.—Words importing the singular number only include the plural, and *vice versâ*.

Masculine and feminine gender.—Words importing the masculine gender only include the feminine, and *vice versâ*.

BUSINESS.

5. **Commencement of business.**—The Company may proceed to carry out the objects for which it is established, and to employ and apply its capital as soon after the registration of the Company as the Directors in their discretion shall think fit; and notwithstanding that the whole of the shares shall not have been subscribed, applied for, or allotted, they shall do so as soon as, in the judgment of the Directors, a sufficient number of shares shall have been subscribed or applied for.

6. **Business to be carried on by Directors.**—The business of the Company shall be carried on by or under the management or direction of the Directors, and subject only to the control of General Meetings, in accordance with these presents.

CAPITAL.

7. **Nominal capital.**—The nominal capital of the Company is Four hundred thousand Rupees (Rs. 400,000) divided into Forty thousand (40,000) shares of Ten Rupees (Rs. 10) each.

SHARES.

8. **Allotment and issue.**—The shares, except where otherwise provided, shall be allotted at the discretion of and by the Directors, who may from time to time issue any unissued shares and may add to such shares such an amount of premium as they may consider proper; provided that such unissued shares shall be first offered by the Directors to the registered Shareholders for the time being of the Company as nearly as possible in proportion to the shares already held by them, and such shares as shall not be accepted by the Shareholder or Shareholders, to whom the shares shall have been offered within the time specified in that behalf by the Directors, may be disposed of by the Directors in such manner as they think most beneficial to the Company; provided also that the Directors may at their discretion allot any unissued shares in payment for any estates or lands or other property purchased or acquired by the Company without first offering such shares to the registered Shareholders for the time being of the Company, and may make arrangements on an issue of shares for a difference between the holders of such shares in the amount of calls to be paid, and the time of payment of such calls.

9. **Payment of amount of shares by instalments.**—If by the conditions of allotment of any share the whole or part of the amount thereof shall be payable by instalments, every such instalment shall, when due, be paid to the Company by the holder of the share.

10. **Acceptance.**—Every person taking any share in the Company shall testify his acceptance thereof by writing under his hand in such form as the Company from time to time directs.

11. **Payment.**—Payment for shares shall be made in such manner as the Directors shall from time to time determine and direct.

12. **Shares held by a firm.**—Shares may be registered in the name of a firm, and any partner of the firm or agent duly authorized to sign the name of the firm shall be entitled to vote and to give proxies, but not more than one partner may vote at a time.

13. **Shares held by two or more persons not in partnership.**—Shares may be registered in the names of two or more persons not in partnership.

14. **One of joint-holders other than a firm may give receipts; only one of joint-holders resident in Ceylon entitled to vote.**—Any one of the joint-holders of a share, other than a firm, may give effectual receipts for any dividends payable in respect of such share; but only one of such joint Shareholders shall be entitled to the right of voting and of giving proxies and exercising the other rights and powers conferred on a sole Shareholder, and if the joint-holders cannot arrange amongst themselves as to who shall vote or give proxies and exercise such other rights and powers conferred on a sole Shareholder, the Shareholder whose name stands first on the register of shares shall vote or give proxies and exercise those rights and powers; provided, however, that in the event of such first registered Shareholder being absent from the Island, the first registered Shareholder then resident in Ceylon shall vote or give proxies and exercise all such rights and powers as aforesaid.

15. **Survivor of joint-holders, other than a firm, only recognized.**—In case of the death of any one or more of the joint-holders, other than a firm, of any shares, the survivor or survivors shall be the only person or persons recognized by the Company as having any title to or interest in such shares.

16. **Liability of joint-holders.**—The joint-holders of a share shall be severally as well as jointly liable for the payment of all instalments and calls due in respect of such share.

17. **Trusts or any interest in share other than that of registered holder or of any person under clause 38 not recognized.**—The Company shall not be bound to recognize (even though having notice of) any contingent, future, partial, or equitable interest in the nature of a trust or otherwise in any share, or any other right in respect of any share, except any absolute right thereto in the person from time to time registered as the holder thereof, and except also the right of any person under clause 38 to become a Shareholder in respect of any share.

INCREASE OF CAPITAL.

18. **Increase of capital by creation of new shares.**—The Company in General Meeting may, by special resolution from time to time, increase the capital by creation of new shares of such amount per share and in the aggregate, and with such special, preferential, deferred, qualified, or other rights, privileges, or conditions attached thereto as such resolution shall direct.

19. **Issue of new shares.**—The new shares shall be issued upon such terms and conditions, and with such preferential, deferred, qualified, special, or other rights, privileges, or conditions attached thereto, as the General Meeting resolving on the creation thereof or any other General Meeting of the Company shall direct; and if no direction be given, as the Directors shall determine, and in particular such shares may be issued with a preferential or qualified right to the dividends and in the distribution of assets of the Company, and with a special or without any right of voting. The Directors shall have power to add to such new shares such an amount of premium as they may consider proper.

20. **How carried into effect.**—Subject to any direction to the contrary that may be given by the meeting that sanctions the increase of capital, all new shares shall be offered to the Shareholders in proportion to the existing shares held by them, such offer shall be made by notice specifying the number of shares to which the Shareholder is entitled,

and limiting a time within which the offer, if not accepted, will be deemed to be declined, and after the expiration of such time, or on the receipt of an intimation from the Shareholder to whom such notice is given that he declines to accept the shares offered, the same shall be disposed of in such manner as the Directors may determine. Provided that the Directors may, at their discretion, allot such new shares or any portion of them in payment for any estates or lands or other property purchased or acquired by the Company, without first offering such shares to the registered Shareholders for the time being of the Company.

21. *Same as original capital.*—Except so far as otherwise provided by the conditions of issue or by these presents, any capital raised by the creation of new shares shall be considered part of the original capital, and shall be subject to the provisions herein contained with reference to the payments of calls and instalments, transfer transmission, forfeiture, lien, surrender, and otherwise.

REDUCTION OF CAPITAL AND SUBDIVISION OR CONSOLIDATION OF SHARES.

22. *Reduction of capital and subdivision or consolidation of shares.*—The Company in General Meeting may by special resolution reduce the capital in such manner as such special resolution shall direct, and may by special resolution subdivide or consolidate the shares of the Company or any of them.

SHARE CERTIFICATES.

23. *Certificates how issued.*—Every Shareholder shall be entitled to one certificate for all the shares registered in his name, or to several certificates, each for one or more of such shares. Every certificate shall specify the number of the share in respect of which it is issued.

24. *Certificates to be under seal of Company.*—The certificates of shares shall be issued under the seal of the Company.

25. *Renewal of certificate.*—If any certificate be worn out or defaced, then, upon production thereof to the Directors, they may order the same to be cancelled and may issue a new certificate in lieu thereof; and if any certificate be lost or destroyed, then, upon proof thereof to the satisfaction of the Directors, and on such indemnity as the Directors may deem adequate being given, a new certificate in lieu thereof shall be given to the person entitled to such lost or destroyed certificate. A sum of fifty cents shall be payable for such new certificate.

26. *Certificate to be delivered to the first named of joint-holders not a firm.*—The certificate of shares registered in the names of two or more persons not a firm shall be delivered to the person first named on the register.

TRANSFER OF SHARES.

27. *Exercise of rights.*—No person shall exercise any right of a member until his name shall have been entered in the Register of Shareholders and he shall have paid all calls and other moneys for the time being payable on every share in the Company held by him.

28. *Transfer of shares.*—Subject to the restriction of these Articles, any Shareholder may transfer all or any of his shares by instrument in writing.

29. *No transfer to minor or person of unsound mind.*—No transfer of shares shall be made to a minor or person of unsound mind.

30. *Register of transfers.*—The Company shall keep a book or books, to be called "The Register of Transfers," in which shall be entered the particulars of every transfer or transmission of any share.

31. *Instrument of transfer.*—The instrument of transfer of any share shall be signed both by the transferor and transferee, and the transferor shall be deemed to remain the holder of such share until the name of the transferee is entered in the register in respect thereof.

32. *Board may decline to register transfers.*—The Board may, at their own absolute and uncontrolled discretion, decline to register any transfer of shares by a Shareholder who is indebted to the Company, or upon whose shares the Company have a lien or otherwise; or in the case of shares not fully paid up, to any person not approved by them.

33. *Not bound to state reason.*—In no case shall a Shareholder or proposed transferee be entitled to require the Directors to state the reason of their refusal to register, but their declinature shall be absolute.

34. *Registration of transfer.*—Every instrument of transfer must be left at the office of the Company to be registered, accompanied by such evidence as the Directors may reasonably require to prove the title of the transferor, and a fee of Rs. 2-50, or such other sum as the Directors shall from time to time determine, must be paid; and thereupon the Directors, subject to the powers vested in them by Articles 32, 33, and 35, shall register the transferee as Shareholder and retain the instrument of transfer.

35. *Directors may authorize registration of transferees.*—The Directors may, by such means as they shall deem expedient, authorize the registration of transferees as Shareholders without the necessity of any meeting of the Directors for that purpose.

36. *Directors not bound to inquire as to validity of transfer.*—In no case shall the Directors be bound to inquire into the validity, legal effect, or genuineness of any instrument of transfer produced by a person claiming a transfer of any share in accordance with these Articles; and whether they abstain from so inquiring, or do so inquire and are misled, the transferor shall have no claim whatsoever upon the Company in respect of the shares, except for the dividends previously declared in respect thereof, but, if at all, upon the transferee only.

37. *Transfer books when to be closed.*—The transfer books may be closed during the fourteen days immediately preceding each Ordinary General Meeting, including the First General Meeting; also, when a dividend is declared, for the three days next ensuing the meeting; also at such other times as the Directors may decide, not exceeding in the whole twenty-one days in any one year.

TRANSMISSION OF SHARES.

38. *Title to shares of deceased holder.*—The executors, or administrators, or the heirs of a deceased Shareholder shall be the only persons recognized by the Company as having any title to shares of such Shareholder.

39. *Registration of persons entitled to shares otherwise than by transfer.*—Any curator of any minor Shareholder, any committee of a lunatic Shareholder, or any person becoming entitled to shares in consequence of the death, bankruptcy, or liquidation of any Shareholder, or the marriage of any female Shareholder, or in any other way than by transfer, shall, upon producing such evidence that he sustains the character in respect of which he proposes to act under this clause, or of his title, as the Company think sufficient, be forthwith entitled, subject to the provisions herein contained, to be registered as a Shareholder in respect of such shares on payment of a fee of Rs. 2-50; or may, subject to the regulations as to transfers hereinbefore contained, transfer the same to some other person.

40. *Failing such registration, shares may be sold by the Company.*—If any person who shall become entitled to be registered in respect of any share under clause 39 shall not from any cause whatever, within twelve calendar months after the event on the happening of which his title shall accrue, be registered in respect of such share, or if in the case of the death of any Shareholder no person shall, within twelve calendar months after such death, be registered as a Shareholder

in respect of the shares of such deceased Shareholder, the Company may sell such shares, either by public auction or private contract, and give a receipt for the purchase money, and the purchaser shall be entitled to be registered in respect of such share, and shall not be bound to inquire whether the events have happened which entitled the Company to sell the same; the nett proceeds of such sale, after deducting all expenses and all moneys in respect of which the Company is entitled to a lien on the shares so sold, shall be paid to the person entitled thereto.

SURRENDER AND FORFEITURE OF SHARES.

41. *The Directors may accept surrender of shares.*—The Directors may accept, in the name and for the benefit of the Company, and upon such terms and conditions as may be agreed upon, a surrender of the shares of Shareholders who may be desirous of retiring from the Company.

42. (a) *If call or instalment be not paid, notice to be given to Shareholder.*—If any Shareholder fails to pay any call or instalment on or before the day appointed for the payment of the same, the Directors may at any time thereafter, during such time as the call or instalment remains unpaid, serve a notice on such Shareholder or his executors or administrators or the trustee or assignee in his bankruptcy requiring him to pay the same, together with any interest that may have accrued at the rate of 9 per cent. per annum, and all expenses that may have been incurred by the Company by reason of such non-payment.

(b) *Terms of notice.*—The notice shall name a day (not being less than one month from the date of the notice) on and a place or places at which such call or instalment and such interest and expenses as aforesaid are to be paid. The notice shall also state that, in the event of non-payment at or before the time and at the place appointed, the shares in respect of which the call was made or instalment is payable will be liable to be forfeited.

(c) *In default of payment, shares to be forfeited.*—If the requisition of such notice as aforesaid be not complied with, every or any share or shares in respect of which such notice has been given may at any time thereafter, before payment of calls or instalments, with interest and expenses due in respect thereof, be declared forfeited by a resolution of the Board to that effect.

(d) *Shareholder still liable to pay money owing at time of forfeiture.*—Any Shareholder whose shares have been so declared forfeited shall, notwithstanding, be liable to pay, and shall forthwith pay to the Company all calls, instalments, interest, and expenses owing upon or in respect of such shares at the time of the forfeiture, together with interest thereon from the time of forfeiture until payment at 9 per cent. per annum, and the Directors may enforce the payment thereof if they think fit.

43. *Surrendered or forfeited shares to be the property of the Company, and may be sold, &c.*—Every share surrendered or so declared forfeited shall be deemed to be the property of the Company, and may be sold, re-allotted, or otherwise disposed of upon such terms and in such manner as the Board shall think fit.

44. *Effect of surrender or forfeiture.*—The surrender or forfeiture of a share shall involve the extinction of all interest in, and also of all claims and demands against, the Company in respect of the share and the proceeds thereof, and all other rights incident to the share, except only such of those rights (if any) as by these presents are expressly saved.

45. (a) *Certificates of surrender or forfeiture.*—A certificate in writing under the hands of two of the Directors and of the Agent and Secretary or Agents and Secretaries that a share has been duly surrendered or forfeited, stating the time when it was surrendered or forfeited, shall be conclusive evidence of the facts therein stated as against all persons who would have been entitled to the share but for such surrender or forfeiture. Such certificate and the receipt of the Company for the price of such share shall constitute a good title to such share, and a certificate of proprietorship shall be delivered to any person who may purchase the same from the Company, such purchaser thereupon shall be deemed the holder of such share, discharged from all calls due prior to such purchase; and he shall not be bound to see to the application of the purchase money, nor shall his title to such share be affected by any irregularity in the proceedings in reference to such forfeiture or sale.

(b) *Forfeiture may be remitted.*—The Directors may in their discretion remit or annul the forfeiture of any share within six months from the date thereof upon the payment of all moneys due to the Company from the late holder or holders of such share or shares, and all expenses incurred in relation to such forfeiture, together with such further sum of money by way of redemption money for the deficit, as they shall think fit, not being less than 9 per cent. per annum on the amount of the sums wherein default in payment had been made, but no share *bona fide* sold, re-allotted, or otherwise disposed of under Article 43 hereof shall be redeemable after sale or disposal.

46. *Company's lien on shares.*—The Company shall have a first charge or paramount lien upon all the shares of any holder or joint-holders for all moneys for the time being due to the Company by such holder or by all or any of such joint-holders respectively, either in respect of such shares or of other shares held by such holder or joint-holders or otherwise, and whether due from any such holder individually or jointly with others, including all calls, resolutions for which shall have been passed by the Directors, although the times appointed for the payment thereof shall not have arrived; and where any share is held by more persons than one, the Company shall be entitled to the said charge or lien in respect of any money due to the Company from any of such persons. The Directors may decline to register any transfer of shares subject to such charge or lien.

47. *Lien how made available.*—Such charge or lien may be made available by a sale of all or any of the shares subject to it, provided that no such sale shall be made except under a resolution of the Directors, and until notice in writing shall have been given to the indebted Shareholder or his executors or administrators, or the assignee or trustee in his bankruptcy, requiring him or them to pay the amount for the time being due to the Company, and default shall have been made for twenty-eight days from such notice in paying the sum thereby required to be paid. Should the Shareholder over whose share the lien exists be in England or elsewhere abroad, sixty days' notice shall be allowed him.

48. *Proceeds how applied.*—The nett proceeds of any such sale as aforesaid under the provisions of Articles 43 and 47 hereof shall be applied in or towards the satisfaction of such debts, liabilities, or engagements, and the residue (if any) shall be paid to such Shareholder or his representatives.

49. *Certificate of sale.*—A certificate in writing under the hands of two of the Directors and of the Agent and Secretary or Agents and Secretaries that the power of sale given by clause 47 has arisen, and is exercisable by the Company under these presents, shall be conclusive evidence of the facts therein stated.

50. *Transfer on sale how executed.*—Up on any such sale two of the Directors may execute a transfer of such share to the purchaser thereof, and such transfer, with the certificate last aforesaid, shall confer on the purchaser a complete title to such shares.

PREFERENCE SHARES.

51. *Preference and deferred shares.*—Any shares from time to time to be issued or created may from time to time be issued with any such right of preference, whether in respect of dividend or of payment of capital, or both, or any such other special privilege or advantage over any shares previously issued or then about to be issued (other than shares issued with a preference), or with such deferred rights as compared with any shares previously issued or then about to be issued, or subject to any such conditions or provisions, and with any such right or without any right of voting, and generally on such terms as the Company may from time to time by special resolution determine.

52. *Modification of rights and consent thereto.*—If at any time by the issue of preference shares or otherwise the capital is divided into shares of different classes—

- (1) The holders of any class of shares by an extraordinary resolution passed at a meeting of such holders may consent, on behalf of all the holders of shares of the class, to the issue or creation of any shares ranking equally therewith, or having any priority thereto, or to the abandonment of any preference or priority, or of any accrued dividend, or the reduction for any time or permanently of the dividends payable thereon, or to any scheme for the reduction of the Company's capital affecting the class of shares;
- (2) All or any of the rights, privileges and conditions attached to each class may be commuted, abrogated, abandoned, added to, or otherwise modified by a special resolution of the Company in General Meeting, provided the holders of any class of shares affected by any such commutation, abrogation, abandonment, addition, or other modification of such rights, privileges, and conditions, consent thereto, on behalf of all the holders of shares of the class, by an extraordinary resolution passed at a meeting of such holders.

Any extraordinary resolution passed under the provisions of this Article shall be binding upon all the holders of shares of the class, provided that this Article shall not be read as implying the necessity for such consent as aforesaid in any case in which but for this Article the object of the resolutions could have been effected without it.

53. *Meeting affecting a particular class of shares.*—Any meeting for the purpose of the last preceding clause shall be convened and conducted in all respects as nearly as possible in the same way as an Extraordinary General Meeting of the Company, provided that no Shareholder, not being a Director, shall be entitled to notice thereof or to attend thereat, unless he be a holder of shares of the class intended to be affected by the resolution, and that no vote shall be given except in respect of a share of that class, and that at any such meeting a poll may be demanded in writing by any Shareholder personally present and entitled to vote at the meeting.

CALLS.

54. (a) *Directors may make calls.*—The Directors may from time to time make such calls as they think fit upon the registered holders of shares, in respect of moneys unpaid thereon, and not by the conditions of allotment made payable at fixed times; and each Shareholder shall pay the amount of every call so made on him to the persons and at the times and places appointed by the Directors, provided that two months' notice at least shall be given to the Shareholders of the time and place appointed for payment of each call.

(b) *Calls, time when made.*—A call shall be deemed to have been made at the time when the resolution authorizing the call was passed at a Board Meeting of the Directors or by resolution in writing in terms of Article 120.

(c) *Extension of time for payment of call.*—The Directors shall have power in their absolute discretion to give time to any one or more Shareholder or Shareholders, exclusive of the others, for payment of any call or part thereof on such terms as the Directors may determine. But no Shareholder shall be entitled to any such extension except as a matter of grace or favour.

55. *Interest on unpaid call.*—If the sum payable in respect of any call or instalment is not paid on or before the day appointed for the payment thereof, the holder for the time being of the share in respect of which the call shall have been made, or the instalments shall have been due, shall pay interest for the same at the rate of 9 per centum per annum from the day appointed for the payment thereof to the time of the actual payment, but the Directors may, when they think fit, remit altogether, or in part any sum becoming payable for interest under this clause.

56. *Payments in anticipation of calls.*—The Directors may at their discretion receive from any Shareholder willing to advance the same, and upon such terms as they think fit, all or any part of the amount of his shares beyond the sum actually called up.

BORROWING POWERS.

57. *Power to borrow.*—The Directors shall have power to procure from time to time, in the usual course of business, such temporary advances on the produce in hand, or in the future to be obtained from the Company's estates, as they may find necessary or expedient for the purpose of defraying the expenses of working the Company's estates, or of erecting, maintaining, improving, or extending buildings, machinery or plantations, or otherwise. Also from time to time at their discretion to borrow or raise from the Directors or other persons any sum or sums of money for the purposes of the Company, but so that the amount at any one time owing in respect of moneys so borrowed or raised shall not, without the sanction of a General Meeting, exceed the sum of One hundred thousand Rupees (Rs. 100,000). With the sanction of a General Meeting the Directors shall be entitled to borrow such further sum or sums, and at such rate of interest, as such meeting shall determine. The Directors may, for the purpose of securing the repayment of any such sum or sums of moneys so borrowed or raised, create and issue any mortgages, debentures, mortgage debentures, debenture stock, bonds, or obligations of the Company, charged upon all or any part of the undertaking, revenue, property, and rights or assets of the Company (both present and future), including uncalled capital or unpaid calls, or give, accept, or endorse on behalf of the Company any promissory notes or bills of exchange. Provided also that before the Directors execute any mortgage, issue any debentures, or create any debenture stock they shall obtain the sanction thereto of the Company in General Meeting, whether Ordinary or Extraordinary, notice of the intention to obtain such sanction at such meeting having been duly given. Any such securities may be issued either at par or at a premium or discount, and may from time to time be cancelled or discharged, varied or exchanged as the Directors may think fit, and may contain any special privileges as to redemption, surrender, drawings, allotment of shares, or otherwise. Every debenture or other instrument issued by the Company for securing the payment of money may be so framed that the moneys thereby secured shall be assignable free from any equities between the Company and the person to whom the same may be issued. A declaration under the Company's seal contained in or endorsed upon any of the documents mentioned in this Article and subscribed by two or more of the Directors, or by one Director and the Agent and Secretary or Agents and Secretaries, to the effect that the Directors have power to borrow the amount which such document may represent, shall be conclusive evidence thereof in all questions between the Company and its creditors, and no such document containing such declaration shall, as regards the creditor, be void on the ground of its being granted in excess of the aforesaid borrowing power, unless it shall be proved that such creditor was aware that it was so granted.

MEETINGS.

58. *First General Meeting.*—The First General Meeting of the Company shall be held at such time, not being more than twelve months after the registration of the Company, and at such place as the Directors may determine.

59. *Subsequent General Meetings.*—Subsequent General Meetings shall be held once in every year at such time and place as may be prescribed by the Company in General Meeting, and if no time or place is prescribed, at such time and place as may be determined by the Directors.

60. *Ordinary and Extraordinary General Meetings.*—The General Meetings mentioned in the two last preceding clauses shall be called Ordinary General Meetings; all other meetings of the Company shall be called Extraordinary General Meetings.

61. *Extraordinary General Meetings.*—The Directors may, whenever they think fit, call an Extraordinary General Meeting, and the Directors shall do so upon a requisition made in writing by not less than one-seventh of the number of Shareholders holding not less than one-seventh of the issued capital and entitled to vote.

62. *Requisition of Shareholders to state object of meeting; on receipt of requisition, Directors to call meeting, and in default Shareholders may do so.*—Any requisition so made shall express the object of the meeting proposed to be called, shall be addressed to the Directors, and shall be sent to the registered office of the Company. Upon the receipt of such requisition the Directors shall forthwith proceed to convene an Extraordinary General Meeting, to be held at such time and place as they shall determine. If they do not proceed to convene the same within seven days from the delivery of the requisition, the requisitionists may themselves convene an Extraordinary General Meeting, to be held at such place and at such time as the Shareholders convening the meeting may themselves fix.

63. *Notice of resolution.*—Any Shareholder may, on giving not less than ten days' previous notice of any resolution, submit the same to a meeting. Such notice shall be given by leaving a copy of the resolution at the registered office of the Company.

64. *Seven days' notice of meeting to be given.*—Seven days' notice at least of every General Meeting, Ordinary or Extraordinary, and by whomsoever convened, specifying the place, date, hour of meeting, and the objects and business of the meeting, shall be given either by advertisement in the *Ceylon Government Gazette*, or by notice sent by post, or otherwise served as hereinafter provided, but an accidental omission to give such notice to any Shareholder shall not invalidate the proceedings at any General Meeting.

65. *Business requiring and not requiring notification.*—Every Ordinary General Meeting shall be competent, without special notice having been given of the purposes for which it is convened, or of the business to be transacted thereat, to receive and discuss any report and any accounts presented thereto by the Directors, and to pass resolutions in approval or disapproval thereof, and to declare dividends, and to elect Directors and Auditors retiring in rotation, and to fix the remuneration of the Auditors, and shall also be competent to enter upon, discuss, and transact any business whatever of which special mention shall have been made in the notice or notices upon which the meeting was convened.

66. *Notice of other business to be given.*—With the exceptions mentioned in the foregoing Articles as to the business which may be transacted at Ordinary General Meetings without notice, no General Meeting, Ordinary or Extraordinary, shall be competent to enter upon, discuss, or transact any business which has not been specially mentioned in the notice or notices upon which it was convened.

67. *Quorum to be present.*—No business shall be transacted at any General Meeting, except the declaration of a dividend recommended by a report of the Directors or the election of a Chairman, unless there shall be present in person at the commencement of the business three or more persons being Shareholders entitled to vote or persons holding proxies or powers of attorney from Shareholders.

68. *If a quorum not present, meeting to be dissolved or adjourned; adjourned meeting to transact business.*—If at the expiration of half an hour from the time appointed for the meeting the required number of persons shall not be present at the meeting, the meeting, if convened by or upon the requisition of Shareholders, shall be dissolved, but in any other case it shall stand adjourned to the same day in the next week at the same time and place; and if at such adjourned meeting a quorum is not present, those Shareholders who are present shall be a quorum, and may transact the business for which the meeting was called.

69. *Chairman of Directors or a Director to be Chairman of General Meeting; in case of their absence or refusal a Shareholder may act.*—The Chairman (if any) of the Directors shall be entitled to take the chair at every General Meeting, whether Ordinary or Extraordinary; but if there be no Chairman, or if at any meeting he shall not be present within 15 minutes after the time appointed for holding such meeting, or if he shall refuse to take the chair, the Shareholders shall choose another Director as Chairman; and if no Directors be present, or if all the Directors present decline to take the chair, then the Shareholders present shall choose one of their number to be Chairman.

70. *Business confined to election of Chairman while chair vacant.*—No business shall be discussed at any General Meeting except the election of a Chairman whilst the chair is vacant.

71. *Chairman with consent may adjourn meeting.*—The Chairman, with the consent of the meeting, may adjourn any meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place, unless due notice shall be given.

72. *Minutes of General Meetings.*—Minutes of the proceedings of every General Meeting, whether Ordinary or Extraordinary, shall be entered in a book to be kept for that purpose, and shall when so entered be signed as soon as practicable by the Chairman of the same meeting or by the Chairman of the succeeding meeting, and the same when so entered and signed shall be evidence of all such proceedings and of the proper election of the Chairman.

VOTING AT MEETINGS.

73. *Votes.*—At any meeting every resolution shall be decided by the votes of the Shareholders present in case there shall be an equality of votes, the Chairman at such meeting shall be entitled to give a casting vote in addition to the votes to which he may be entitled as a Shareholder and proxy and attorney; and unless a poll be immediately demanded in writing by some Shareholder present at the meeting and entitled to vote, a declaration by the Chairman that a resolution has been carried, and an entry to that effect in the Minute Book of the Company, shall be sufficient evidence of the fact without proof of the number of votes recorded in favour of or against such resolution.

74. *Poll.*—If a poll be duly demanded, the same shall be taken in such manner and at such time and place as the Chairman shall direct, and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded. The demand of a poll shall not prevent the continuance of a meeting for the transaction of any business other than the question on which a poll has been demanded.

75. *Poll how taken.*—If at any meeting a poll be demanded by notice in writing signed by some Shareholder present at the meeting and entitled to vote, which notice shall be delivered during the meeting to the Chairman, the meeting shall, if necessary, be adjourned, and the poll shall be taken at such time and in such a manner as the Chairman shall direct, and in such case every Shareholder shall have the number of votes to which he may be entitled as hereinafter provided, and in case at any such poll there shall be an equality of votes, the Chairman of the meeting at which such poll shall have been demanded shall be entitled to a casting vote in addition to any votes to which he may be entitled as a Shareholder and proxy and attorney, and the result of such poll shall be deemed to be the resolution of the Company in such meeting.

76. *No poll on election of Chairman or on question of adjournment.*—No poll shall be demanded on the election of a Chairman of the meeting or on any question of adjournment.

77. *Number of votes to which Shareholder entitled.*—On a show of hands every Shareholder present in person or by proxy or by attorney shall have one vote only. In case of a poll every Shareholder present in person or by proxy or attorney shall have one vote for every one share held by him up to ten shares; he shall have an additional vote for every ten shares held by him beyond the first ten shares up to one hundred shares; an additional vote for every twenty-five shares beyond the first one hundred shares. When voting on a resolution involving the winding up of the Company, every Shareholder shall have one vote for every share held by him; but no such resolution shall be deemed

to be carried unless passed by three-fourths in number and value of such Shareholders of the Company for the time being entitled to vote as may be present in person or by proxy or by attorney at any meeting of which notice specifying the intention to propose such resolution has been duly given.

78. *Curator of minor, &c., when not entitled to vote.*—The parent or curator of a minor Shareholder, the Committee or other legal guardian of any lunatic Shareholder, the husband of any female Shareholder not entitled to her shares as separate estate, and the executor or administrator of any deceased Shareholder, or any one of such persons as aforesaid, if more than one, shall not be entitled to vote in the place of such minor, lunatic, female, or deceased person, unless such person shall have been registered as a Shareholder.

79. *Voting in person or by proxy or attorney.*—Votes may be given either personally or by proxy or by attorney duly authorized.

80. *Non-Shareholder not to be appointed proxy; but attorney though not Shareholder may vote.*—No person shall be appointed a proxy who is not a Shareholder of the Company, but the attorney of a Shareholder, even though not himself a Shareholder of the Company, may represent and vote for his principal at any meeting of the Company.

81. *Shareholder in arrear or not registered at least three months previous to the meeting not to vote.*—No Shareholder shall be entitled to vote or speak at any General Meeting unless all calls due from him on his shares or any of them shall have been paid; and no Shareholder other than the trustee or assignee of a bankrupt or representative of a deceased Shareholder, or person acquiring by marriage, shall be entitled to vote or speak at any meeting held after the expiration of three months from the registration of the Company, in respect of or as the holder of any share which he has acquired by transfer, unless he has been at least three months previously to the time of holding the meeting at which he proposes to vote or speak duly registered as the holder of the share in respect of which he claims to vote or speak.

82. *Proxy to be printed or in writing.*—The instrument appointing a proxy shall be printed or written, and shall be signed by the appointor, or if such appointor be a corporation it shall be under the common seal of such corporation.

83. *When proxy to be deposited.*—The instrument appointing a proxy shall be deposited at the registered office of the Company not less than twenty-four hours before the time appointed for holding the meeting at which the person named in such instrument proposes to vote.

84. *Form of proxy.*—Any instrument appointing a proxy may be in the following form:—

The Oonogaloya Tea Company, Limited.

I, _____, of _____, appoint _____, of _____ (a Shareholder in the Company), as my proxy, to represent me and to vote for me and on my behalf at the Ordinary (or Extraordinary, as the case may be) General Meeting of the Company to be held on the _____ day of _____, One thousand Nine hundred and _____, and at any adjournment thereof, and at every poll which may be taken in consequence thereof.

As witness my hand this _____ day of _____, One thousand Nine hundred and _____.

85. *Objection to validity of vote to be made at the meeting or poll.*—No objection shall be made to the validity of any vote (whether given personally or by proxy or by attorney) except at the meeting or poll at which such votes shall be tendered, and every vote (whether given personally or by proxy or by attorney) to which no objection shall be made at such meeting or poll shall be deemed valid for all purposes of such meeting or poll whatsoever.

86. *No Shareholder to be prevented from voting by being personally interested in result.*—No Shareholder shall be prevented from voting by reason of his being personally interested in the result of the voting.

DIRECTORS.

87. *Number of Directors.*—The number of Directors shall never be less than two nor more than five; but this clause shall be construed as being directory only, and the continuing Directors may act notwithstanding any number of vacancies.

88. *Their qualification and remuneration.*—The qualification of a Director shall be his holding shares in the Company, whether fully paid up or partly paid up, of the total nominal value of at least One thousand Five hundred Rupees (Rs. 1,500), and upon which, in the case of partly paid up shares, all calls for the time being shall have been paid, and this qualification shall apply as well to the first Directors as to all future Directors. As remuneration for their services the Directors shall be entitled to appropriate a sum not exceeding Three thousand Rupees (Rs. 3,000) annually, to be divided between them in such manner as they may determine, but the Company in General Meeting may at any time alter the amount of such remuneration for the future, and such remuneration shall not be considered as including any remuneration for special or extra services hereinafter referred to nor any extra remuneration to the Managing Directors of the Company.

89. *Appointment of first Directors and duration of their office.*—The first Directors shall be A. J. Austin Dickson, Esq., of Kataboola, Kotmale; E. R. Waldoock, Esq., of Colombo; and C. W. Maclean, Esq., of Silverkandy, Brookside, who shall hold office till the First Ordinary General Meeting of the Company, when they shall all retire, but shall be eligible for re-election.

90. *Directors may appoint Managing Director or Directors; his or their remuneration.*—One or more of the Directors may be appointed by the Directors to act as Secretary, Managing Director, or Managing Directors, and (or) Visiting Agent or Visiting Agents of the Company, or Superintendent or Superintendents of any of the Company's estates for such time and on such terms as the Directors may determine or fix by agreement with the person or persons appointed to the office, and they may from time to time revoke such appointment and appoint another or other Secretary, Managing Director or Managing Directors, and (or) Visiting Agent or Agents, Superintendent or Superintendents, and the Directors may impose and confer on any Manager of the Company. If any Director shall be called upon to perform any extra services, the Directors may arrange with such Director for such special remuneration for such services either by way of salary, commission, or the payment of a lump sum of money, as they shall think fit.

91. *Appointment of successors to Directors.*—The General Meeting at which Directors retire or ought to retire by rotation shall appoint successors to them, and in default thereof such successors may be appointed at a subsequent General Meeting.

92. *Board may fill up vacancies.*—The Board shall have power at any time and from time to time before the First Ordinary General Meeting to supply any vacancies in their number arising from death, resignation, or otherwise.

93. *Duration of office of Director appointed to vacancy.*—Any casual vacancy occurring in the number of the Directors subsequently to the First Ordinary General Meeting may be filled up by the Directors, but any person so chosen shall retain his office so long only as the vacating Director would have retained the same if no vacancy had occurred.

94. *To retire annually.*—At the Second Ordinary General Meeting and at the Ordinary General Meeting in every subsequent year one of the Directors for the time being shall retire from office as provided in clause 95.

95. *Retiring Directors how determined.*—The Directors to retire from office at the Second and Third General Meetings shall, unless the Directors otherwise arrange among themselves, be determined by ballot; in every subsequent year the Directors to retire shall be those who have been longest in office.

96. *Retiring Directors eligible for re-election.*—Retiring Directors shall be eligible for re-election.

97. *Decision of question as to retirement.*—In case any question shall arise as to which of the Directors who have been the same time in office shall retire, the same shall be decided by the Directors by ballot.

98. *Number of Directors how increased or reduced.*—The Directors, subject to the approval of a General Meeting, may from time to time, at any time subsequent to the Second Ordinary General Meeting, increase or reduce the number of Directors; and may also, subject to the like approval, determine in what rotation such increased or reduced number is to go out of office.

99. *If election not made, retiring Directors to continue until next meeting.*—If at any meeting at which an election of a Director ought to take place the place of a retiring Director is not filled up, the retiring Director may continue in office until the First Ordinary General Meeting in the next year, and so on, from meeting to meeting until his place is filled up, unless it shall be determined at such meeting to reduce the number of Directors.

100. *Resignation of Directors.*—A Director may at any time give notice in writing of his intention to resign by delivering such notice to the Secretary or by leaving the same at the office, or by tendering his written resignation at a meeting of the Directors, and on the acceptance of his resignation by the Directors, but not before, his office shall become vacant.

101. *When office of Director to be vacated.*—The office of Director shall be vacated—

- (a) If he accepts or holds any office or place of profit other than Managing Director, Visiting Agent, Superintendent, or Secretary under the Company.
- (b) If he becomes bankrupt or insolvent, or suspends payment, or files a petition for the liquidation of his affairs, or compounds with his creditors.
- (c) If by reason of mental or bodily infirmity he becomes incapable of acting.
- (d) If he ceases to hold the required number of shares to qualify him for the office.
- (e) If he is concerned or participates in the profits of any contract with, or work done for, the Company.

Exceptions.—But the above rule shall be subject to the following exceptions:—That no Director shall vacate his office by reason of his being a member of any corporation, company, or firm which has entered into any contract with, or done any work for, the Company of which he is a Director, or by his being agent, or secretary, or proctor, or by his being a member of a firm who are agents, or secretaries, or proctors of the Company; nevertheless, he shall not vote in respect of any contract work or business in which he may be personally interested.

102. *How Directors removed and successor appointed.*—The Company may, by a special resolution, remove any Director before the expiration of his period of office, and may, by an ordinary resolution, appoint another person in his stead, the Director so appointed shall hold office only during such time as the Director in whose place he is appointed would have held the same if he had not been removed.

103. *Indemnity to Directors and others for their own acts and for the acts of others.*—Every Director or officer, and his heirs, executors, and administrators shall be indemnified by the Company from all losses and expenses incurred by him respectively in or about the discharge of his respective duties, except such as happen from his respective wilful acts or defaults; and no Director or officer, nor the heirs, executors, or administrators of any Director or officer, shall be liable for any other Director or officer, or for joining in any receipt or other acts of conformity, or for any loss or expense happening to the Company by the insufficiency or deficiency of title to any property acquired for or on behalf of the Company, or for the insufficiency or deficiency of any security in or upon which any of the moneys of the Company shall be invested, or for any loss or damage arising from the bankruptcy, insolvency, or tortious act of any person with whom any moneys, securities, or effects shall be deposited, or for any other loss, damage, or misfortune whatsoever which shall happen in the execution of the duties of his office or in relation thereto, unless the same happen through his own wilful act or default.

104. *No contribution to be required from Directors beyond amount, if any, unpaid on their shares.*—No contribution shall be required from any present or past Director or Manager exceeding the amount, if any, unpaid on the shares in respect of which he is liable as a present or past Shareholder.

POWERS OF DIRECTORS.

105. The Directors shall have power to purchase or otherwise acquire the said Oonoogaloya and Yellabenda estates.

106. *To manage business of Company and pay preliminary expenses, &c.*—The business of the Company shall be managed by the Directors, either by themselves or through a Managing Director, or with the assistance of an agent or agents and secretary or secretaries of the Company, to be appointed by the Directors for such a period and on such terms as they shall determine, and the Directors may pay out of the funds of the Company all costs and expenses, as well preliminary as otherwise, paid or incurred in and about the formation and registration of the Company, and in connection with the placing of the shares of the Company, and in and about the valuation, purchase, lease, or acquisition of the said Oonoogaloya and Yellabenda estates and of any other lands, estates, or property, and the opening, clearing, planting, and cultivation thereof, and in or about the working and business of the Company.

107. *To acquire property, to appoint officers, and pay expenses, &c.*—The Directors shall have power to purchase, take on lease or in exchange, or otherwise acquire for the Company any estate or estates, land or lands, property, rights, options or privileges which the Company is authorized to acquire at such price and for such consideration and upon such title, and generally on such terms and conditions as they may think fit; and to make, and they may make such regulations for the management of the business and property of the Company as they may from time to time think proper, and for that purpose may appoint such managers, agents, secretaries, treasurers, accountants, and other officers, visiting agents, inspectors, superintendents, clerks, artisans, labourers, and other servants for such period or periods, and with such remuneration, and at such salaries, and upon such terms and conditions as they may consider advisable, and may pay the expenses occasioned thereby out of the funds of the Company, and may from time to time remove or suspend all or any of the managers, agents, secretaries, treasurers, accountants, and other officers, visiting agents, inspectors, superintendents, clerks, artisans, labourers, and other servants, for such reasons as they may think proper and advisable, and without assigning any cause.

108. *To appoint proctors and attorneys.*—The Directors shall have power to appoint a proctor or proctors, solicitor or solicitors, attorney or attorneys, to assist in carrying on or protecting the business of the Company, on such terms as they may consider proper, and from time to time to revoke such appointment.

109. *To open banking accounts and operate thereon, &c.*—The Directors shall have power to open on behalf of the Company any account or accounts with such bank or banks as they may select or appoint, and also by such signatures as they may appoint to draw, accept, make, endorse, sign, and execute cheques, bills of exchange, and promissory notes, bills of lading, receipts, contracts, and agreements, bonds, mortgages, proxies to any proctor or proctors, and other documents on behalf of and to further the interests of the Company.

110. *To sell and dispose of Company's property, &c.*—It shall be lawful for the Directors, if authorized so to do by the Shareholders in General Meeting, to arrange terms for the amalgamation of the Company with any other company or companies, or individual or individuals, or for the sale or disposal of the business, estates, and effects of the Company, or any part or parts, share or shares thereof, respectively, to any company or companies, or person or persons, upon such terms and in such manner as the Directors shall think fit; and the Directors shall have power to do all such things as may be necessary for carrying such amalgamation, sale, or other disposition into effect so far as a resolution or special resolution of the Company is not by law necessary for such purpose; and in case any terms so arranged by the Directors include or make necessary the dissolution of the Company, the Company shall be dissolved to that end.

111. *General powers.*—The Directors shall carry on the business of the Company in such manner as they may think most expedient; and in addition to the powers and authorities by any Ordinance or by these presents expressly conferred on them, they may exercise all such powers, give all such consents, make all such arrangements, appoint all such agents, managers, secretaries, treasurers, accountants, and other officers, clerks, assistants, artisans, and workers, and generally do all such acts and things as are or shall be by any Ordinance and by these presents directed and authorized to be exercised, given, made or done by the Company, and are not by any Ordinance or by these presents required to be exercised or done by the Company in General Meeting, subject, nevertheless, to the provisions of any such Ordinance and of these presents and to such regulations and provisions (if any) as may from time to time be prescribed by the Company in General Meeting; but no regulation made by the Company in General Meeting shall invalidate any prior act of the Board which would have been valid if such regulation had not been made. The generality of the powers conferred by any clause in these presents on the Directors shall not be taken to be limited by any clause conferring any special or expressed power.

112. *Special powers.*—In furtherance, and not in limitation of, and without prejudice to, the general powers conferred or implied in the last preceding clause, and of the other powers conferred by these presents, it is hereby expressly declared that the Directors shall have the powers following, that is to say :—

- (1) To institute, conduct, defend, compound, or abandon any action, suit, prosecution, or legal proceedings by and against the Company, or its officers, or otherwise concerning the affairs of the Company, and also to compound and allow time for payment or satisfaction of any debts due, and of any claims and demands by and against the Company.
- (2) To refer any claims or demands by or against the Company to arbitration, and observe and perform the awards.
- (3) To make and give receipts, releases, and other discharges for money payable to the Company and for claims and demands of the Company.
- (4) To act on behalf of the Company in all matters relating to bankrupts and insolvents, with power to accept the office of trustee, assignee, liquidator, inspector, or any similar office.
- (5) To invest any of the moneys of the Company which the Directors may consider not immediately required for the purposes thereof, upon such securities and in such manner as they may think fit, and so that they shall not be restricted to such securities as are permissible to trustees without special powers, and from time to time to vary or release such investments.
- (6) From time to time to provide for the management of the affairs of the Company abroad in such manner as they think fit, and to establish any local boards or agencies for managing any of the affairs of the Company abroad, and to appoint any persons to be members of such local board, or any managers or agents, and to fix their remuneration.
- (7) From time to time and at any time to delegate to any one or more of the Directors of the Company for the time being, or any other person or company for the time being, residing or carrying on business in Ceylon or elsewhere, all or any of the powers hereby made exercisable by the Directors, except those relating to shares and any others as to which special provisions inconsistent with such delegation are herein contained; and they shall have power to fix the remuneration of and at any time to remove such Director or other person or company, and to annul or vary any such delegation. They shall not, however, be entitled to delegate any powers of borrowing or charging the property of the Company to any Agent of the Company or other person, except by instrument in writing, which shall specifically state the extent to which such powers may be used by the person or persons to whom they are so delegated, and compliance therewith shall be a condition precedent to the exercise of these powers.

PROCEEDINGS OF DIRECTORS.

113. *Meeting of Directors.*—The Directors may meet for the despatch of business, adjourn, and otherwise regulate their meetings as they may think fit, and determine the quorum necessary for the transaction of business. Until otherwise determined, two Directors shall be a quorum.

114. *A Director may summon meetings of Directors.*—A Director may at any time summon a meeting of Directors

115. *Who is to preside at meetings of Board.*—The Board may elect a Chairman of their meetings and determine the period for which he is to hold office, and all meetings of the Directors shall be presided over by the Chairman, if one has been elected and if present, but if there be a vacancy in the office of Chairman, or if at any meeting of Directors the Chairman be not present at the time appointed for holding the same, then and in that case the Directors present shall choose one of their number to be Chairman of such meeting.

116. *Questions at meetings how decided.*—Any question which shall arise at any meeting of the Directors shall be decided by a majority of votes, and in case of an equality of votes the Chairman thereat shall have a casting vote in addition to his vote as a Director.

117. *Board may appoint committees.*—The Board may delegate any of their powers to committees consisting of such member or members of their body as the Board think fit, and they may from time to time revoke and discharge any such committee, either wholly or in part, and either as to persons or purposes, but every committee so formed shall, in exercise of the powers delegated to it, conform to all such regulations as may be prescribed by the Board. All acts done by any such committee, in conformity with such regulations and in the fulfilment of the purposes of their appointment, but not otherwise, shall have the like force and effect as if done by the Board.

118. *Acts of Board or committee valid notwithstanding informal appointment.*—The acts of the Board or of any committee appointed by the Board shall, notwithstanding any vacancy in the Board or committee or defect in the appointment of any Director or of any member of the committee, be as valid as if no such vacancy or defect had existed and as if every person had been duly appointed, provided the same be done before the discovery of the defect.

119. *Regulation of proceedings of committees.*—The meetings and proceedings of such committees shall be governed by the provisions herein contained for regulating the meetings and proceedings of Directors, so far as the same are applicable thereto, and are not superseded by the express terms of the appointment of such committee respectively, or any regulation imposed by the Board.

120. *Resolution in writing by all the Directors as valid as if passed at a meeting of Directors.*—A resolution in writing signed by all the Directors for the time being resident in Ceylon shall be as valid and effectual as if it had been passed at a meeting of the Directors duly called and constituted, provided that not fewer than two Directors shall sign it.

121. *Minutes of proceedings of the Company and the Directors to be recorded.*—The Directors shall cause minutes to be made in books to be provided for the purpose of the following matters, *videlicet* :—

- (a) Of all appointments of officers and committees made by the Directors.
- (b) Of the names of the Directors present at each meeting of the Directors and of the members of the committee appointed by the Board present at each meeting of the committee.
- (c) Of the resolutions and proceedings of all General Meetings.

- (d) Of the resolutions and proceedings of all meetings of the Directors and of the committees appointed by the Board.
 (e) Of all orders made by the Directors.
 (f) Of the use of the Company's seal.

122. *Signature of minutes of proceedings and effect thereof.*—All such minutes shall be signed by the person or one of the persons who shall have presided as Chairman at the General Meeting, the Board Meeting, or Committee Meeting, at which the business minuted shall have been transacted, or by the person or one of the persons who shall preside as Chairman at the next ensuing General Meeting, Board Meeting, or Committee Meeting, respectively; and all minutes purporting to have been signed by any Chairman of any General Meeting, Board Meeting, or Committee Meeting, respectively, shall, for all purposes whatsoever, be *prima facie* evidence of the actual and regular passing of the resolutions, and the actual and regular transaction or occurrence of the proceedings and other matters purporting to be so recorded, and of the regularity of the meeting at which the same shall appear to have taken place, and of the Chairmanship and signature of the person appearing to have signed as Chairman, and of the date on which such meeting was held.

COMPANY'S SEAL.

123. *The use of the seal.*—The seal of the Company shall not be used or affixed to any deed, certificate of shares, or other instrument except in the presence of two or more of the Directors, or of one Director and the Agents and Secretaries of the Company, who shall attest the sealing thereof; such attestation on the part of the Agents and Secretaries, in the event of a firm being the Agents and Secretaries, being signified by a partner or duly authorized manager, attorney, or agent of the said firm signing for and on behalf of the said firm as such Agents and Secretaries. The sealing shall not be attested by one person in the dual capacity of Director and representative of the Agents and Secretaries.

ACCOUNTS.

124. *What accounts to be kept.*—The Agent or Secretary or the Agents or Secretaries for the time being, or, if there be no Agent or Secretary or Agents or Secretaries, the Directors shall cause true accounts to be kept of the paid-up capital for the time being of the Company, and of all sums of money received and expended by the Company, and of the matters in respect of which such receipts and expenditure take place, and of the assets, credits, and liabilities of the Company, and generally of all its commercial, financial, and other affairs, transactions, and engagements, and of all other matters necessary for showing the true financial state and condition of the Company; and the accounts shall be kept in such books and in such a manner at the registered office of the Company as the Directors think fit.

125. *Accounts how and when open to inspection.*—The Directors shall from time to time determine whether, and to what extent, and at what times and places, and under what conditions or regulations the accounts and books of the Company or of any of them shall be open to the inspection of the Shareholders, and no Shareholder shall have any right of inspecting any account or book or document of the Company, except as conferred by statutes or authorized by the Directors or by a resolution of the Company in General Meeting.

126. *Statement of accounts and balance sheet to be furnished to General Meeting.*—At the Ordinary General Meeting in every year the Directors shall lay before the Company a statement of the profit and loss account for the preceding financial year, and a balance sheet containing a summary of the property and liabilities of the Company made up as at the end of the same period.

127. *Report to accompany statement.*—Every such statement shall be accompanied by a report as to the state and condition of the Company and as to the amount which they recommend to be paid out of the profits by way of dividend or bonus to the Shareholders, and the statement, report, and balance sheet shall be signed by the Directors.

128. *Copy of balance sheet to be sent to the Shareholders.*—A printed copy of such balance sheet shall, at least seven days previous to such meeting, be delivered at, or posted to, the registered address of every Shareholder.

DIVIDENDS, BONUS, AND RESERVE FUND.

129. *Declaration of dividend.*—The Directors may, with the sanction of the Company in General Meeting, from time to time declare a dividend to be paid, and (or) pay a bonus to the Shareholders in proportion to the amounts paid on their shares, but no dividend or bonus shall be payable except out of nett profits.

130. *Interim dividend.*—The Directors may also, if they think fit, from time to time and at any time, without the sanction of a General Meeting, determine on and declare an interim dividend to be paid, and (or) pay a bonus to the Shareholders on account and in anticipation of the dividend for the then current year.

131. *Reserve fund.*—Previously to the Directors paying or recommending any dividend on preference or ordinary shares, they may set aside, out of the profits of the Company, such a sum as they think proper as a reserve fund, and may invest the same in such securities as they shall think fit, or place the same on fixed deposit in any bank or banks.

132. *Application thereof.*—The Directors may from time to time apply such portions as they think fit of the reserve fund to meet contingencies, or for the payment of accumulated dividends due on preference shares, or for equalizing dividends, or for working the business of the Company, or for repairing or maintaining or extending the buildings and premises, or for the repair or renewal or extension of the property or plant connected with the business of the Company or any part thereof, or for any other purpose of the Company which they may from time to time deem expedient.

133. *Unpaid interest or dividend not to bear interest.*—No unpaid interest or dividend or bonus shall ever bear interest against the Company.

134. *No Shareholder to receive dividend while debt due to Company.*—No Shareholder shall be entitled to receive payment of any dividend or bonus in respect of his share or shares whilst any moneys may be due or owing from him (whether alone or jointly with any other person) to the Company in respect of such share or shares or otherwise howsoever.

135. *Directors may deduct debt from the dividends.*—The Directors may deduct from the dividend or bonus payable to any Shareholder all sums of money due from him (whether alone or jointly with any other person) to the Company, and notwithstanding such sums shall not be payable until after the date when such dividend is payable.

136. *Dividends may be paid by cheque or warrant and sent through the post.*—Unless otherwise directed, any dividend may be paid by cheque or warrant sent through the post to the registered address of the Shareholder entitled, or, in the case of joint-holders to the registered address of that one whose name stands first on the register in respect of the joint-holding; but the Company shall not be liable or responsible for the loss of any such cheque or dividend warrant sent through the post.

137. *Notice of dividend: forfeiture of unclaimed dividend.*—Notice of all dividends or bonuses to become payable shall be given to each Shareholder entitled thereto; and all dividends or bonuses unclaimed by any Shareholder for three years after notice thereof is given may be forfeited by a resolution of the Board of Directors for the benefit of the Company, and, if the Directors think fit, may be applied in augmentation of the reserve fund. For the purposes of this clause any cheques or warrants which may be issued for dividends or bonuses and may not be presented at the Company's bankers for payment within 3 years shall rank as unclaimed dividends.

138. *Shares held by a firm.*—Every dividend or bonus payable in respect of any share held by a firm may be paid to, and an effectual receipt given by, any partner of such firm or agent duly authorized to sign the name of the firm.

139. *Joint-holders other than a firm.*—Every dividend or bonus payable in respect of any share held by several persons jointly, other than a firm, may be paid to, and an effectual receipt given by, any one of such persons.

AUDIT.

140. *Accounts to be audited.*—The accounts of the Company shall from time to time be examined, and the correctness of the balance sheet and profit and loss account ascertained by one or more Auditor or Auditors.

141. *Qualification of Auditors.*—No person shall be eligible as an Auditor who is interested otherwise than as a Shareholder in any transaction of the Company, but an auditor shall not be debarred from acting as a professional accountant in doing any special work for the Company which the Directors may deem necessary. It shall not be a necessary qualification for an Auditor that he be a Shareholder of the Company, and no Director or officer of the Company shall, during his continuance in office, be eligible as an Auditor.

142. *Appointment and retirement of Auditors.*—The Directors shall appoint the first Auditor or Auditors of the Company and fix his or their remuneration; all future Auditors, except as is hereinafter mentioned, shall be appointed at the First Ordinary General Meeting of the Company in each year by the Shareholders present thereat, and shall hold their office only until the First Ordinary General Meeting after their respective appointments, or until otherwise ordered by a General Meeting.

143. *Retiring Auditors eligible for re-election.*—Retiring Auditors shall be eligible for re-election.

144. *Remuneration of Auditors.*—The remuneration of the Auditors other than the first shall be fixed by the Company in General Meeting, and this remuneration may from time to time be varied by a General Meeting.

145. *Casual vacancy in number of Auditors how filled up.*—If any vacancy that may occur in the office of Auditor shall not be supplied at any Ordinary General Meeting, or if any casual vacancy shall occur, the Directors shall (subject to the approval of the next Ordinary General Meeting) fill up the vacancy by the appointment of a person who shall hold the office until such meeting.

146. *Duty of Auditor.*—Every Auditor shall be supplied with a copy of the balance sheet and profit and loss account intended to be laid before the next Ordinary General Meeting, and it shall be his duty to examine the same with the accounts and vouchers relating thereto, and to report thereon to the meeting, generally or specially, as he may think fit.

147. *Company's accounts to be opened to Auditors for audit.*—All accounts, books, and documents whatsoever of the Company shall at all times be open to the Auditors for the purpose of audit.

NOTICES.

148. *Notices how authenticated.*—Notices from the Company may be authenticated by the signature (printed or written) of the Agent or Secretary, Agents or Secretaries, or other persons appointed by the Board to do so.

149. *Shareholders to register address.*—Every Shareholder shall furnish the Company with an address in Ceylon, which shall be deemed to be his place of abode, and shall be registered as such in the books of the Company.

150. *Service of notices.*—A notice may be served by the Company upon any Shareholder, either personally or by sending through the post in a prepaid letter, addressed to such Shareholder at his registered address or place of abode; and any notice so served shall be deemed to be well served for all purposes, notwithstanding that the Shareholder to whom such notice is addressed be dead, unless his executors or administrators shall have given to the Directors, or to the Agent or Secretary or Agents or Secretaries of the Company, their own or some other address in Ceylon.

151. *Notice to joint-holders of shares other than a firm.*—All notices directed to be given to Shareholders shall, with respect to any share to which persons other than a firm are jointly entitled, be sufficient if given to any one of such persons, and notice so given shall be sufficient notice to all the holders of such shares.

152. *Date and proof of service.*—Any notice if served by post shall be deemed to have been served on the day on which the letter containing the same would in ordinary course of post have been delivered at its address, and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and put into a post box or posted at a post office and the entry in the Company's books of the leaving or sending by post of any notice at or to such address shall be sufficient evidence thereof, and no further evidence shall be necessary.

153. *Non-resident Shareholders must register addresses in Ceylon.*—Every Shareholder residing out of Ceylon shall name and register in the books of the Company an address within Ceylon at which all notices shall be served upon him, and all notices served at such address shall be deemed to be well served. If he shall not have named and registered such an address, he shall not be entitled to any notices.

All notices required to be given by advertisement shall be published in the *Ceylon Government Gazette*.

ARBITRATION.

154. *Directors may refer disputes to arbitration.*—Whenever any question or other matter whatsoever arises in dispute between the Company and any other company or person, the same may be referred by the Directors to arbitration.

EVIDENCE.

155. *Evidence in action by Company against Shareholders.*—On the trial or hearing of any action or suit brought or instituted by the Company against any Shareholder or his representatives to recover any debt or money claimed to be due to the Company in respect of his shares, it shall be sufficient to prove that the name of the defendant is or was when the claim arose on the Register of Shareholders of the Company as a holder of the number of shares in respect of which such claim is made, and that the amount claimed is not entered as paid in the books of the Company; and it shall not be necessary to prove the registration of the Company, nor the appointment of the Directors who made any call, nor that a quorum of Directors was present at the Board at which any call was made, nor that the meeting at which any call was made was duly convened or constituted, nor any other matter whatsoever, but the proof aforesaid shall be conclusive evidence of the debt.

PROVISIONS RELATIVE TO WINDING UP OR DISSOLUTION OF THE COMPANY.

156. *Purchase of Company's property by Shareholders.*—Any Shareholder, whether a Director or not, or whether alone or jointly with any other Shareholder or Director, and any person not a Shareholder, may become the purchaser of the property of the Company or any part thereof, in the event of a winding up or a dissolution, or at any other time when a sale of the Company's property or effects or any part thereof shall be made by the Directors under the powers hereby or under the Ordinance conferred upon them.

157. *Distribution.*—If the Company shall be wound up, and there shall be any surplus assets after payment of all debts and satisfaction of all liabilities of the Company, such surplus assets shall be applied, first, in repaying to the holders of the preference shares (if any) the amounts that may be due to them, whether by way of capital only or by way of capital and dividend, or arrears of dividend, or otherwise in accordance with the rights, privileges, and conditions attached thereto, and the balance in repaying to the holders of the ordinary shares the amounts paid up, or reckoned as paid up, on

such ordinary shares. If after such payments there shall remain any surplus assets, such surplus assets shall be divided among the ordinary Shareholders in proportion to the capital paid up, or reckoned as paid up, on the shares which are held by them respectively at the commencement of the winding up, unless the conditions attached to the preference shares expressly entitle such shares to participate in such surplus assets.

158. *Payment in specie, and vesting in trustees.*—If the Company shall be wound up, the liquidator, whether voluntary or official, may, with the sanction of an extraordinary resolution, divide among the contributories in specie any part of the assets of the Company, and may with their sanction vest any part of the assets of the Company in trustees upon such trust for the benefit of the contributories as the liquidator, with like sanction shall think fit.

In witness whereof the subscribers to the Memorandum of Association have hereunto set and subscribed their names at Colombo on the days and dates hereinafter mentioned:

W. HENRY FIGG.

A. J. AUSTIN DICKSON.

E. R. WALDOCK.

C. W. BOOTY.

H. P. CHURCH.

W. G. MACVICAR.

A. REDEMANN.

Witness to the signatures of the above-named W. HENRY FIGG, C. W. BOOTY, H. P. CHURCH, W. G. MACVICAR, and A. REDEMANN, this Fourteenth day of March, 1914:

LESLIE W. F. DE SARAM,
Proctor, Supreme Court, Colombo.

Witness to the signatures of the above-named A. J. AUSTIN DICKSON and E. R. WALDOCK, this Sixteenth day of March, 1914:

LESLIE W. F. DE SARAM,
Proctor, Supreme Court, Colombo.

[First Publication]

NOTICE TO MARINERS.

A TIME ball actuated by electricity, directly controlled from the Colombo Observatory, has been erected on the Master Attendant's Office immediately behind the Signal Flagstaff.

2. It will be substituted for the semaphore arm on or about Monday, March 23, 1914.
3. The ball will be dropped at 9 A.M., 1 P.M., and 4 P.M. local zone mean time equivalent to 5 hours and 30 minutes fast of Greenwich mean time, or under circumstances at other times, if application is made to the Master Attendant. On Sundays and public holidays the ball will be dropped at 9 A.M. only.
4. The ball will be hoisted halfway up at 5 minutes and right up at 2 minutes before the hour for dropping.
5. In the event of a failure of current or any other cause preventing the ball falling at the time specified, a green flag will be hoisted at the masthead of the Colombo signal mast for 30 minutes.
6. The ball is liable to be moved for the purpose of cleaning and oiling prior to 8 A.M. on any day.

Master Attendant's Office,
Colombo, March 12, 1914.

C. E. STAINER, Lieut., R.N.,
Acting Master Attendant.

MUNICIPAL COUNCIL NOTICES.

MUNICIPALITY OF COLOMBO.

Minutes of Proceedings of a General Meeting of the Municipal Council of Colombo held in the Town Hall on Friday, January 16, 1914.

The Council met this day at 3 P.M., pursuant to notice dated January 9, 1914.

Present:—Mr. R. W. Byrde, Chairman; Mr. C. P. Dias; the Hon. Sir Allan Perry, Kt.; the Hon. Mr. R. S. Templeton; Mr. L. B. Fernando; Mr. N. H. M. Abdul Cader; Mr. Arthur Alvis; Mr. H. L. de Mel; Mr. E. G. Jayewardene; Dr. David Rockwood; Dr. D. P. Banajee; Dr. E. V. Rutnam; Dr. W. P. Rodrigo; Mr. W. Sutherland Ross; Mr. T. H. Chapman; Mr. J. A. Perera; and Major W. N. Robinson.

1. The Minutes of the General Meeting of December 19, 1913, having been printed, and a copy thereof having been sent to each member of Council, were taken as read.

With reference to the Minutes of the General Meeting of December 19, 1913, it was resolved that the word "Commission" be altered into "Committee" at the beginning of line 2, page 141, and that instead of the words "Gentlemen of the Press" the word "public" be inserted in item 5 of the above Minutes.

Resolved—That the Minutes of the General Meeting of December 19, 1913, be adopted as amended.

The Chairman read a copy of the letter, forwarded for his information, from the Hon. the Colonial Secretary to the members of the Commission appointed to inquire into the affairs, financial and otherwise, of the Municipality, requesting the Commission, in carrying out this important inquiry, to consider the essential relations of local authorities to the central government as the basis of principles of general application.

2 to 7. Mr. C. P. Dias moved that the Council do go into Committee to consider items 2 to 7 on the agenda. Mr. H. L. de Mel seconded.—Carried.

(Council in Committee.)

2. Papers in connection with the closing of Albert road and proposed diversion.

Mr. Arthur Alvis moved that the recommendation be adopted. Mr. E. G. Jayewardene seconded.—Carried.

3. To consider the applications for the post of Assistant Medical Officer of Health, and the question of an allowance.

Mr. Arthur Alvis referred the Chairman to the resolution of Council of October 24 last, in which it was stated that no allowance should be granted to the Assistant Medical Officer of Health, and inquired how the question of an allowance came to be placed on the agenda.

The Chairman explained that the Standing Committees on Sanitation and Finance had recommended a salary of Rs. 5,000 per annum, rising to Rs. 10,500 by annual increments of Rs. 250, and an allowance of Rs. 720 per annum, and that, as immediately after the meetings of these Committees, his predecessor had wired to Dr. Marshall Philip to advertise in England for candidates in terms of the recommendation of the above Committees, the majority of the candidates had applied on the understanding that an allowance would be granted.

The Chairman, after pointing out the necessity for an allowance to the Assistant Medical Officer of Health, moved that the salary of the Assistant Medical Officer of Health be as fixed by the resolution of Council of October 24, 1913, and that an allowance of Rs. 60 per mensem be granted. The Hon. Mr. R. S. Templeton seconded.—Carried.

The Chairman said that the Council should next proceed to select the Assistant Medical Officer of Health.

The Chairman, after reading the list of the applicants and their qualifications, moved that the recommendation of the Medical Officer of Health be accepted, and that Dr. Peterswald Pattison be appointed to the post of Assistant Medical Officer of Health. The Hon. Sir Allan Perry seconded.

Mr. C. P. Dias moved as an amendment that the post be offered to Dr. C. V. Aserappa. Mr. E. G. Jayewardene seconded the amendment, which was supported by Dr. W. P. Rodrigo, Mr. H. L. de Mel, and Dr. E. V. Rutnam.

On a show of hands being taken the amendment was declared carried, 13 voting for it and 3 against.

4 to 7. Mr. Arthur Alvis moved that the following items on the agenda, viz., 4, 6, and 7 be passed, and that item No. 5 (relating to the question of an advance to the Medical Officer of Health for the purchase of a motor car) be referred to the Standing Committee on Finance. Mr. E. G. Jayewardene seconded.—Carried.

4. To sanction the sale of three padda boats no longer required by the Works Department.

6. To sanction the purchase of a new motor lorry at a cost of Rs. 12,000—to be met from vote I. (k) 63, Deviation of Serpentine road, and vote I. 22, Upkeep of metal roads.

7. To sanction an estimate of Rs. 900 for re-building the cattle shed at the Kachcheri gala.

Mr. H. L. de Mel moved that the Council do resume, and that the resolutions of Council in Committee be adopted. Mr. E. G. Jayewardene seconded.—Carried.

8. The Council proceeded to elect members to form the four Standing Committees for 1914, in terms of section 94 of Ordinance No. 6 of 1910, voting by ballot. The result of the ballot was declared by the Chairman as follows:—

(1) Standing Committee on Law and General Subjects.—Mr. L. B. Fernando, Mr. N. H. M. Abdul Cader, and Mr. J. A. Perera.

(2) Standing Committee on Sanitation and Markets.—Mr. L. B. Fernando, Dr. E. V. Rutnam, and Dr. W. P. Rodrigo.

(3) Standing Committee on Finance.—Mr. Arthur Alvis, Mr. H. L. de Mel, and Mr. E. G. Jayewardene.

(4) Standing Committee on Municipal Works.—Mr. C. P. Dias, Mr. Arthur Alvis, and Dr. David Rockwood.

9. To re-appoint the following Special Committees:—

(1) Special Committee on Drainage Works; (2) Special Committee to inquire into the salaries of the Council's Staff and the higher Grade Officers; (3) The Flood Relief Special Committee.

The Chairman moved that the above Committees be re-appointed. Mr. C. Dias seconded.—Carried.

10 to 12. Mr. Arthur Alvis moved that the following items on the agenda, viz., 10 to 12, be adopted. Mr. H. L. de Mel seconded.—Carried.

10. To sanction the following excess leave over 30 days granted to the under-mentioned officers of the Veterinary Department:—

(1) H. D. P. Wijesinghe, 6 days excess leave; (2) N. W. Herft, 2 days excess leave.

11. To sanction the following excess leave over 30 days granted to the under-mentioned officers of the Conservancy Branch, Works Department:—

Mr. E. W. Gunewardane, Supervisor, 2 days excess leave and Mr. J. A. A. Fernando, clerk, 4 days excess leave.

12. To sanction further excess leave of 31 days over 30 days granted to Stock Inspector L. B. P. Dharmabandu of the Veterinary Department.

13. The City Analyst's reports on town water for December, 1913, and the Municipal Bacteriologist's report on town water for the month of December, 1913, having been previously printed and circulated, were laid on the table.

14. The Progress Report No. 34 of the City Sanitation Engineer for December, 1913, having been previously printed and circulated, was laid on the table.

15. The Statement of Receipts and Disbursements from July 1, 1913, to December 31, 1913, was laid on the table.

16. The reports of Inspectors on licensed carriages for December, 1913, were laid on the table.

The following documents were also laid on the table:—

Return of Committees of the Municipal Council of 1913.

Proceedings of Committees.

Volunteer Band Programme for February, 1914.

Return of Average Daily Supply and Consumption of Water for November, 1913.

The Works Engineer's report for December, 1913, on the Condition of Tramway Routes.

Report of the Municipal Bacteriologist of Work done during December, 1913.

Diaries of the following officers for the month of December, 1913:—

The Works Engineer and his Assistants, Waterworks Engineer and his Assistants, Medical Officer of Health and his Assistant, Inspector of Private Buildings, City Sanitation Engineer and his Assistant, the Financial Assistant to the Chairman and the Officers of his Department, the Veterinary Surgeon and his Officers, and the City Analyst.

Confirmed on February 20, 1914:

R. W. BYRDE,
Chairman, Municipal Council, and
Mayor of Colombo.

R. W. BYRDE,
Chairman, Municipal Council, and
Mayor of Colombo.

**Statement of Receipts and Disbursements on account of the Municipal Fund from
July 1, 1913, to January 31, 1914.**

REVENUE.

	Estimate Receipts to for 12 months Jan. 31, ending June 1914.		Estimate Receipts to for 12 months Jan. 31, ending June 1914.	
	Rs.	c.	Rs.	c.
A.—TAXES.				
1 Commutation under the Road Ordinance ..	170,000	0	7,787	50
2 Taxes on vehicles and animals ..	85,000	0	31,901	69
3 Costs on recovery of ditto ..	400	0	252	75
B.—LICENSES.				
4 Carriages and rickshas ..	21,000	0	2,302	0
5 Passenger hackeries ..	600	0	75	0
6 Cart, coach, and tram cars ..	14,000	0	999	0
7 Boat ..	7,000	0	12	0
8 Gun ..	800	0	349	0
9 Sale of intoxicating liquors ..	15,000	0	37,401	50
10 Slaughter of animals ..	100	0	75	50
11 Sale of meat and fish ..	2,200	0	1,065	0
12 Petroleum ..	6,000	0	2,874	50
13 Guides ..	50	0	30	0
14 Poison ..	300	0	—	—
15 Trade licenses ..	10,000	0	4,849	0
16 Auctioneers and brokers ..	12,000	0	7,675	0
17 Advocates, proctors, and notaries certificates and articles of clerkship (stamp duty) ..	10,000	0	6,557	0
18 Arrack taverns (stamp duty and licenses) ..	31,000	0	—	—
C.—JUDICIAL FINES.				
19 Municipal and Police Courts ..	60,000	0	27,183	33
D.—TOLLS.				
20 Tolls ..	150,000	0	147,131	40
E.—MARKETS.				
21 Edinburgh market ..	11,000	0	5,570	20
22 Price park market ..	11,000	0	6,587	34
23 St. John's market ..	4,000	0	2,345	49
24 Dean's road market ..	26,000	0	16,646	14
25 Grandpass market ..	2,700	0	1,352	91
26 Kollupitiya market ..	1,500	0	2,503	50
27 Gintupitiya street market ..	3,700	0	1,824	0
28 Bambalapitiya market ..	850	0	492	0
29 Costs on recovery of arrears of market rents ..	300	0	435	22
F.—SLAUGHTER-HOUSE.				
30 Slaughtering fees ..	27,000	0	15,483	40
31 Feeding fees ..	30,000	0	16,601	20
32 Miscellaneous receipts ..	1,200	0	488	80
33 Fees for inspection of frozen meat ..	1,500	0	1,381	79
G.—PUBLIC HEALTH DEPARTMENT.				
34 Conserving private latrines (special coolies) ..	5,000	0	9,093	0
35 Sale of disinfectants and buckets (profit) ..	100	0	89	79
H.—CATTLE MART AND QUARANTINE STATION.				
36 Recoveries for limewashing ..	500	0	—	—
37 Clearing cesspit privies ..	200	0	886	92
38 Miscellaneous ..	100	0	—	—
I.—CONSOLIDATED RATE. (Including Special Water-rate at 2 per cent.)				
43 Arrears ..	200,000	0	154,260	40
44 Current ..	1,500,000	0	744,245	5
45 Advance ..	50,000	0	—	—
46 Costs on recoveries ..	50,000	0	23,511	89
J.—WATER.				
47 Sale of water ..	350,000	0	175,096	17
48 Costs on recoveries ..	1,000	0	1,044	33
49 Contribution by Military ..	10,000	0	7,500	0
50 Meter rents ..	20,000	0	10,008	70
K.—RENTS.				
51 Racquet Court ..	5,000	0	2,740	0
52 Cricket pitches, &c. ..	300	0	355	75
53 Grass lands, &c. ..	12,000	0	6,731	59
54 Miscellaneous rents ..	5,000	0	142	50
L.—MISCELLANEOUS.				
55 Fees for registration of dogs ..	5,000	0	1,710	90
56 Opium, Government contribution in lieu of licenses ..	5,085	0	5,085	6
57 Trunk roads, Government contribution ..	32,570	0	44,224	0
58 Tramway mileage ..	4,830	0	—	—
59 Interest ..	10,000	0	2,454	76
60 Military contribution for lighting Fort ..	1,700	0	1,276	38
61 Mulet ..	1,000	0	717	20
62 General cemeteries, fees, &c. ..	10,000	0	5,394	80
63 Fire Brigade fees ..	2,000	0	2,397	50
64 Sundries ..	50,000	0	18,093	42
65 Estimated surplus at June 30, 1913 ..	400,000	0	—	—
Total ..	3,499,285	0	1,598,687	8

EXPENDITURE.

	Estimate for 12 months ending June 30, 1914.		Disbursements to Jan. 31, 1914.			Estimate for 12 months ending June 30, 1914.		Disbursements to Jan. 31, 1914.	
	Rs.	c.	Rs.	c.		Rs.	c.	Rs.	c.
A.—NON-EFFECTIVE CHARGES.					E.—VETERINARY DEPARTMENT.				
1 Annuities, Waterworks, and Victoria bridge ..	108,000	0	—	—	<i>(a) Administrative.</i>				
2 Interest and sinking fund on drainage loan ..	500,000	0	206,528	18	1 Salaries and wages ..	7,908	0	4,583	89
3 Pensions ..	24,252	88	17,954	75	2 Allowances ..	1,848	0	1,086	0
4 Audit of accounts ..	7,000	0	—	—	3 Council's share of rent of Inspectors' houses ..	3,000	0	1,480	0
5 Maintenance of police ..	72,076	0	10,215	0	4 Prevention of diseases in animals ..	2,000	0	479	69
6 Contribution to Volunteer Band ..	4,500	0	2,250	0	5 Grazing tickets ..	200	0	83	66
7 Contribution to Friend-in-Need Society ..	4,000	0	—	—	6 Uniforms ..	500	0	488	87
8 Contribution to Law Library ..	500	0	500	0	7 Train and tram fare allowances ..	350	0	132	9
9 Contribution to Pasteur Institute ..	150	0	—	—	8 Postage ..	100	0	30	0
10 House of Detention for Vagrants ..	10,000	0	—	—	9 Furniture ..	300	0	119	37
11 Interest and sinking fund on water loan not provided for, as the amount cannot be ascertained ..	—	—	11,500	0	10 Library ..	75	0	36	70
5/12 Maintenance of police ..	107,634	0*	97,419	0	11 Stationery ..	500	0	182	63
8/12 Contribution to Law Library ..	—	—	250	0	12 Miscellaneous ..	450	0	22	75
12 Drainage and latrine and accommodation for the Home for the Aged ..	5,000	0†	3,000	0	4/12 Council's share of rent of Inspectors' houses ..	—	—	85	0
B.—CHAIRMAN.					<i>(b) Cattle Mart and Quarantine Station.</i>				
1 Salary ..	18,000	0	10,500	0	13 Salaries and wages ..	7,098	0	4,058	21
C.—SECRETARIAT.					<i>(c) Conservancy Dept.</i>				
1 Salaries ..	27,156	40	14,241	93	14 Allowances ..	924	0	543	0
2 Legal expenses ..	3,000	0	4,495	36	15 Contingencies ..	3,000	0	1,500	71
3 Advertisements ..	2,000	0	460	45	<i>(d) Dog Pound and Cattle Ambulance and Reception Carts.</i>				
4 Furniture ..	500	0	303	3	25 Salaries and wages ..	1,163	0	631	0
5 Stationery ..	5,000	0‡	4,870	68	26 Capture of dogs ..	4,000	0	877	51
6 Library ..	150	0	17	50	27 Destruction of rats ..	5,000	0	2,960	70
7 Postage ..	500	0	22	26	28 Upkeep of ambulance and reception carts ..	1,500	0	561	52
8 Telephones ..	3,500	0	105	92	F.—MUNICIPAL COURT.				
9 Train and tram fare allowances ..	1,250	0	649	15	1 Salaries ..	13,985	39	8,074	91
10 General upkeep, &c., Printing Department ..	1,000	0	106	42	2 Train and tram fare allowances ..	750	0	310	86
11 Extra clerks ..	500	0	169	50	3 Uniforms ..	150	0	21	46
12 Binding materials, &c. ..	500	0	137	72	4 Stationery ..	250	0	46	98
13 Medical Boards ..	100	0	63	0	5 Library ..	100	0	7	60
14 New printing machine ..	1,350	0	225	35	6 Miscellaneous ..	500	0	290	85
15 Miscellaneous ..	1,500	0	889	91	G.—FIRE BRIGADE AND AMBULANCES.				
16 Address of, Welcome to His Excellency the Governor ..	500	0*	375	0	1 Salaries and wages ..	22,876	6	10,777	47
D.—FINANCE DEPARTMENT.					<i>(a) Sanitary Branch.</i>				
1 Salaries ..	67,434	25	38,115	74	2 Allowances ..	660	0	405	33
2 Allowances ..	5,022	0	2,730	4	3 Uniforms, &c. ..	2,000	0	1,336	10
3 Commission ..	60,000	0	23,284	29	4 Stores ..	3,000	0	1,127	60
4 Refunds ..	1,000	0	854	82	5 Horses ..	4,800	0	2,400	0
5 Uniforms ..	1,500	0	351	13	6 Telephones ..	600	0	—	—
6 Extra clerks ..	5,000	0	911	19	7 Working expenses and lights ..	4,000	0	1,431	80
7 Library ..	100	0	58	5	8 Stationery ..	250	0	55	13
8 Stationery ..	1,000	0‡	790	29	9 Passage money to Assistant Superintendent, Fire Brigade ..	—	—	445	50
9 Postage and receipt stamps ..	2,000	0	850	42	H.—PUBLIC HEALTH DEPARTMENT.				
10 Train and tram fare allowances ..	2,000	0	1,065	21	<i>(a) Sanitary Branch.</i>				
11 Furniture ..	600	0	208	94	1 Salaries, wages, &c. ..	76,279	6	42,371	40
12 Advertisements ..	3,000	0	473	65	2 Allowances ..	9,732	0	5,182	27
13 Tin plates, badges, fare tables, painting, branding, and dog tickets ..	6,000	0	326	96	3 Council's share of rent of Sanitary Inspectors' houses ..	9,000	0	4,350	0
14 Council's share of rent of Revenue Inspectors' houses ..	6,000	0	2,235	0	4 Prevention of infectious diseases ..	12,500	0	4,746	50
15 Legal expenses ..	1,000	0	43	75	5 Train and tram fare allowances ..	750	0	442	25
16 Half share of salaries, &c., of Rural Inspectors ..	2,000	0	881	89	6 Postage ..	500	0	140	0
17 Seizure of cattle straying on public roads ..	1,400	0	763	38	7 Uniforms ..	3,007	0	2,808	48
18 Rent of grass land, night soil depôt ..	7,526	0	—	—	<i>(b) Sanitary Branch.</i>				
19 New typewriter ..	400	0	365	0	1 Salaries, wages, &c. ..	76,279	6	42,371	40
20 Miscellaneous ..	3,500	0	1,132	65	2 Allowances ..	9,732	0	5,182	27
21 Difference in exchange on salaries of officers in England ..	765	60	329	47	3 Council's share of rent of Sanitary Inspectors' houses ..	9,000	0	4,350	0
22 Land acquisition ..	—	—	22,548	96	4 Prevention of infectious diseases ..	12,500	0	4,746	50
23 Conservancy contractor's claim ..	—	—	21,829	51	5 Train and tram fare allowances ..	750	0	442	25
24 Flood relief ..	—	—	6,830	68	6 Postage ..	500	0	140	0
					7 Uniforms ..	3,007	0	2,808	48

* M. C., November 28, 1913.

† M. C., August 29, 1913.

‡ M. C., October 24, 1913.

§ M. C., September 26, 1913.

	Estimate for 12 months ending June 30, 1914.		Disbursements to Jan. 31, 1914.	
	Rs.	c.	Rs.	c.
8 Cost of disinfectants ..	2,000	0	1,323	40
9 Library ..	425	0	191	97
10 Furniture ..	300	0	57	6
11 Stationery ..	1,000	0*	601	54
12 Miscellaneous ..	2,400	0	992	62
13 Upkeep of motor car ..	2,728	75	1,475	15
14 Rent of motor house ..	180	0	160	53
38/12 Mosquito prevention ..	—	—	850	67
1/12 Salaries ..	—	—	1,000	0
38 Exchange compensation to Dr. Philip ..	—	—	491	93
40 All-India Sanitary Conference ..	—	—	400	0
<i>(b) Dispensaries.</i>				
15 Salaries ..	4,000	13	2,304	19
16 Allowances ..	900	0	525	0
17 Rent of station ..	600	0	300	0
18 Equipment, &c. ..	3,500	0	665	81
<i>(c) Municipal Enteric Hospital.</i>				
19 Salaries ..	6,599	75	2,744	43
20 Allowances ..	960	0	457	41
21 Diet ..	4,500	0	1,311	72
22 Extras and stimulants, contingencies, &c. ..	7,232	0	1,576	58
<i>(d) Markets.</i>				
23 Salaries and wages ..	9,758	78	5,187	61
24 Tools and equipment ..	1,300	0	771	20
<i>(e) Slaughter-houses.</i>				
25 Salaries ..	4,739	0	2,716	42
26 Allowances ..	360	0	210	0
27 Feeding charges ..	4,500	0	1,730	8
28 Miscellaneous ..	2,000	0	537	14
<i>(f) General Cemeteries.</i>				
29 Salaries and wages ..	6,374	0	4,110	69
30 Allowance ..	360	0	60	0
31 Upkeep of cemeteries ..	1,050	0	40	60
32 Miscellaneous ..	600	0	934	8
<i>(g) Bacteriological Laboratory.</i>				
33 Salaries and wages ..	8,945	88	5,083	6
34 Allowances ..	600	0	351	17
35 Equipment ..	1,750	0	0	65
36 Maintenance ..	5,000	0	698	0
37 Store room and apparatus room ..	—	—	—	—
30/12 Equipment ..	—	—	460	40

I.—WORKS DEPARTMENT.

(a) Administrative.

1 Salaries and wages ..	133,977	13†	72,565	60
2 Allowances ..	16,260	0	8,844	44
3 Survey, drawing, and photographic materials ..	3,250	0	602	99
4 Train and tram fare allowance ..	1,250	0	698	74
5 Uniforms ..	550	0	156	22
6 Library ..	200	0	227	4
7 Stationery ..	1,000	0*	542	74
8 Miscellaneous ..	800	0†	330	30
111 Expenses re All-India Sanitary Conference ..	—	—	400	0

(b) Buildings.

9 Town Hall—maintenance ..	3,000	0	1,342	6
10 Cemeteries and hospitals—maintenance ..	3,239	0	1,769	46
11 Quarantine mart—maintenance ..	1,645	0	515	84
12 Markets—maintenance ..	10,450	0	3,859	42
13 Latrines—maintenance ..	1,950	0	936	94
14 Suduwella depôt—maintenance ..	1,091	0	1,101	81
15 Conservancy buildings—maintenance ..	2,510	0	1,355	73
16 Fire Brigade buildings—maintenance ..	1,000	0	246	48

* M. C., October 24, 1913.

	Estimate for 12 months ending June 30, 1914.		Disbursements to Jan. 31, 1914.	
	Rs.	c.	Rs.	c.
17 Maligakanda office—maintenance ..	2,000	0	835	16
18 Working and maintenance of disinfectant ..	1,045	0	278	7
19 Slaughter-house—maintenance ..	3,180	0	463	9
20 Miscellaneous ..	2,450	0	1,137	32
95/12 Improvements to cattle quarantine station ..	—	—	19	96
92 Dog pound—maintenance ..	—	—	125	28
93 Ambulance shed ..	—	—	17	26
94 Municipal Council Court-house—maintenance ..	—	—	313	94
<i>(c) Roads, Bridges, Culverts, Drains, &c.</i>				
21 General upkeep of roads ..	26,500	0	10,542	94
22 Upkeep of metal roads (including dust prevention) ..	255,900	0	128,119	80
23 Upkeep of gravel roads, &c. ..	50,347	0	19,614	68
24 Watering and oiling streets ..	46,120	0	30,859	40
25 Repairs to roads, bridges, culverts, drains, &c. ..	17,400	0	6,439	38
26 Conservancy of main drains ..	6,000	0	3,467	57
27 Repairs to steam rollers and lorries ..	7,500	0	3,031	57
28 Repairs and purchase of tools ..	22,000	0	9,684	25
29 Roads, night soil depôt ..	3,500	0	3,179	42
30 Maintenance and repairs to plant ..	1,050	0	141	96
31 Miscellaneous ..	1,800	0	341	73
81/11 Central fire station drainage ..	—	—	33	38
19/11 Upkeep of roads, &c. ..	—	—	714	28
22/12 Improvements to Ingham street ..	—	—	919	71
19/12 Upkeep of metal roads ..	—	—	73	50
<i>(d) Scavenging.</i>				
32 Scavenging, dust sweeping, and removal of mud ..	258,812	0	132,384	48
<i>(e) Lake and Canals.</i>				
33 Upkeep and conservancy of lake ..	4,880	0	1,708	33
34 Lake and canal dredging ..	5,800	0	1,941	63
<i>(f) Parks.</i>				
35 Maintenance of parks, open spaces, &c. ..	26,758	0	13,391	17
<i>(g) Lighting.</i>				
36 Lighting public streets with gas ..	40,000	0	65,086	18
37 Electric lighting of the Fort ..	19,800	0	9,326	35
38 Alterations to gas lamps ..	1,500	0	548	95
39 Lighting Municipal buildings ..	11,820	0	4,553	77
40 Gas apparatus, chemicals, fittings, &c. ..	500	0	11	38
<i>(h) Conservancy.</i>				
41 Salaries ..	18,782	0	10,819	22
42 Allowances ..	2,352	0	1,350	0
43 Supply of coir dust ..	20,000	0	9,866	75
44 Tools and materials ..	5,000	0	1,541	36
45 Uniforms, &c. ..	700	0	9	90
46 Disinfectants ..	500	0	182	5
47 Latrine and storage buckets ..	1,000	0	—	—
48 Train and tram fare allowances ..	150	0	53	57
49 Wages of coolies ..	84,690	0	49,182	39
50 Miscellaneous ..	1,000	0	453	77
<i>(i) Miscellaneous.</i>				
51 Working and maintenance of destructor ..	33,000	0	18,414	8
52 Repairs to ambulance carts ..	200	0	—	—
53 Construction and repairs of night soil carts and conservancy buckets ..	6,666	0	3,168	11
54 Cart washing place and filter beds ..	225	0	31	50
55 Electric fans and lamps ..	10,600	0	4,242	24
56 Surveys, tracings, &c. ..	9,501	0	5,240	1
57 Watching Municipal lands ..	660	0	428	0

† M. C., November 28, 1913.

	Estimate for 12 months ending June 30, 1914.		Disbursements to Jan. 31, 1914.			Estimate for 12 months ending June 30, 1914.		Disbursements to Jan. 31, 1914.	
	Rs.	c.	Rs.	c.		Rs.	c.	Rs.	c.
58 Furniture ..	750	0	112	3	67/11 Conversion of Elie House reservoir into a park ..	—	—	413	79
59 Upkeep of Chairman's motor car ..	2,400	0	2,107	3	90/12 Paving of Queen street level crossing ..	—	—	950	64
60 Sundries ..	500	0	162	15	100 Boundary wall on the site leased out at Panchikawatta ..	—	—	224	35
61 Printing Department machinery—upkeep ..	400	0	273	26	98 Gullies and catchpits for rain water drainage ..	—	—	1,060	81
62 Lighting of cattle mart ..	1,100	0	380	80	99 Erection of gas lamps in Hudson road, Polwatta ..	—	—	258	0
<i>(b) Public Works Extraordinary.</i>					95 Construction of a side drain in Dickman's road ..	—	—	443	96
63 Deviation of Serpentine and Thurston roads ..	7,500	0	—	—	102 Improvements to Madampitiya cemetery ..	—	—	272	29
64 San Sebastian and Parson's road bridges ..	—	—	14,500	0	106 Waiting room for Members of Municipal Council ..	—	—	414	7
65 Lighting of Nelson lane ..	650	0	628	24	104 Sewer in Duke street ..	—	—	2,773	31
66 Improvement, Municipal Council land, Symond's road ..	1,200	0	537	11	112 Store and apparatus room, Bacteriological Laboratory ..	—	—	1,812	98
67 Conversion of Thurston road from gravel to metal ..	5,200	0	—	—	96 Erection of latrine at cemetery keeper's quarters, Madampitiya ..	—	—	13	25
68 Conversion of Cambridge place from gravel to metal ..	4,100	0	—	—	105 Under ground drain, Campbell park ..	—	—	178	30
69 Conversion of Edinburgh crescent from gravel to metal ..	4,400	0	640	94	107 Repairs to out houses at 7, Hulftsdorp ..	—	—	12	5
70 Conversion of Braybrooke street from gravel to metal ..	1,700	0	—	—	110 Extension of Printing Office ..	—	—	98	72
71 Conversion of Buller's road ..	7,200	0	1,630	20	K.—WATERWORKS DEPARTMENT.				
72 Rain water connections, Ferry street ..	440	0	—	—	<i>(a) Recurrent Expenditure.</i>				
73 Record shelves, Works Department ..	650	0	517	68	1 Salaries and wages ..	47,774	88	26,254	18
74 Improvement to stalls, Gintunpitiya market ..	300	0	—	—	2 Allowances ..	6,540	0	3,755	16
75 Machine tools, workshop ..	4,700	0	1,465	42	3 Maintenance of Colombo Waterworks ..	29,120	0	14,233	91
76 Improvement to cart washing place, night soil depôt ..	400	0	82	93	4 Surveys and tracings, &c. ..	1,050	0	9	53
77 Kerb and channel, Kanatta road ..	880	0	354	70	5 Maintenance of Waterworks Office ..	1,200	0	149	47
78 Granite sett cart tracks, Old Moor street extension ..	23,500	0	18,724	46	6 Maintenance of motor car ..	3,000	0	2,351	7
79 Improvement to Front street and Main street along Racquet Court and Lotus pond latrine ..	4,500	0	—	—	7 Purchase of tools and meters ..	9,000	0	6,220	45
80 Granite sett tracks and kerb and channel, Main street level crossing to Harbour Works gate ..	18,000	0	3,849	46	8 Repairs to tools and meters ..	5,100	0	1,841	0
81 Fence and level up Municipal Council land; Glennie street ..	2,130	0	—	—	9 Store expenses ..	504	0	359	86
82 Improvement to Vauxhall street, Muster place ..	750	0	—	—	10 Train and tram fare allowances ..	350	0	181	50
83 Granite sett track, Main street ..	3,000	0	1,524	25	11 Labugama reservoir reserve ..	1	0	—	—
84 Ceiling to Printing Office ..	150	0	115	34	12 Library ..	200	0	47	0
85 Flooring Finance and Sanitation Department Offices ..	1,500	0	882	44	13 Postage ..	250	0	120	0
86 Fly-proofing cooly lines, night soil depôt ..	1,750	0	—	—	14 Stationery ..	1,000	0	439	86
87 One new range of cooly lines, night soil depôt ..	2,250	0	—	—	15 Furniture ..	1,000	0	502	3
88 Improvements to Dematagoda slaughter-house ..	1,450	0	—	—	16 Extension and improvement of water service ..	8,500	0	6,577	81
89 Improvements to cemetery-keeper's quarters, Liveramentu ..	2,500	0	128	25	17 Surveying and drawing instruments ..	500	0	312	69
90 Alterations to Assessor's Office ..	1,450	0	1,068	85	18 Uniforms ..	700	0	20	36
91 Ferguson's road ..	12,500	0	—	—	19 Miscellaneous ..	300	0	37	50
71/12 Union place widening ..	13,500	0	5,583	92	20 Purchase of typewriter ..	450	0	437	0
67/12 Urugodawatta bridge ..	30,000	0	23,669	17	21 Purchase of fans for new office ..	1,100	0	790	45
92/12 Gas extensions ..	34,000	0	29,780	70	22 Scraping of distribution mains ..	13,342	80	7,626	77
64/12 Scavenging carts, &c. ..	10,000	0	609	87	23/12 Laying 3-in. water main in Buller's road ..	—	—	56	57
90/11 Wellawatta road bridge ..	4,200	0	2,444	46	12/11 Extension of water service, Eastern Extension ..	—	—	255	95
61/12 Parson's road and granite paving, Railway road ..	14,100	0	12,815	66	18/12 Provision of quarters for caretakers of Elie House reservoir ..	—	—	537	0
97/12 Laying granite setts in Norris road, &c. ..	—	—	13,397	75	<i>(b) Extraordinary Expenditure.</i>				
91/12 Regrading Kirillapone road ..	—	—	5,200	38	23 Water supply to Eastern and Southern Extensions ..	142,000	0	65,409	85
93/12 Improvements to cemetery-keeper's quarters, Kanatta ..	—	—	1,122	50	22/11 Waterworks Office accommodation ..	—	—	592	65
102/12 Improvements to Assistant Superintendent's quarters, Cattle Quarantine Station ..	—	—	720	24	L.—ASSESSING DEPARTMENT.				
266/7 Construction of Skinner's road ..	—	—	16	14	1 Salaries ..	16,998	0	9,855	5
255/10 Mansergh avenue ..	—	—	11	53	2 Allowances ..	2,700	0	1,575	0
49/11 Refuse destructor ..	—	—	731	67	3 Train and tram fare allowances ..	200	0	269	12
54/11 Cooly lines, Kanatta ..	—	—	13	91	4 Street number plates ..	5,000	0	2,854	73
101/12 Galle Face footpath ..	—	—	169	20	5 Costs in legal proceedings ..	2,000	0	410	99
35/12 Two steam rollers ..	—	—	16,556	97	6 Extra clerks ..	300	0	72	0
					7 Furniture ..	800	0	43	50
					8 Library ..	100	0	24	30
					9 Uniforms ..	450	0	100	73
					10 Stationery ..	500	0	157	3
					11 Miscellaneous ..	500	0	193	43

The Chairman made the following statement, briefly reviewing the present situation of the Drainage System and representing some of its main features :—

We have met here to consider the question of drainage. I have much pleasure in introducing to you Mr. Ernest Mansergh, the Consulting Engineer. The majority of you have already had the privilege of meeting him and of being taken over the Madampitiya Treatment Works by him last week when he was able to explain to you on the spot the working of the system. I propose that he should to-day formally state his views to the Council, and solve the questions which some of you have submitted to him through me. I then propose that Mr. Cox, the City Sanitation Engineer, should give us his views on the subject of the Colombo Drainage Scheme, as, from the experience he has gained in the working of the system, he has some valuable suggestions to propose. When he has concluded his remarks, I suggest that Mr. Mansergh should be given an opportunity of replying and discussing Mr. Cox's views.

I am satisfied that by the adoption of this procedure we shall be best able to arrive at a correct estimate of the facts at issue. As a prelude I will submit a résumé of the position in as few words as possible. There can be no doubt that the Drainage System is both desirable and essential for the welfare and health of the city. The sooner the existing system for the removal of night soil in carts is suppressed, and the Narahenpitiya depôt closed, the better it will be for Colombo. It will not be out of place for me here to quote the words of Dr. Chalmers in 1906 :—

"I am of opinion that the water-carriage system is the only one which will meet the requirements of Colombo. That the Mansergh Scheme as it has been adopted should be pushed on as rapidly as possible ; that this scheme appears in the main to be excellent, though expensive ; that the main sewer should be as soon as possible laid from end to end, and the small sewers, be pushed on as quickly as possible after the main sewer is laid. I feel that the Mansergh Scheme is the most pressing need of Colombo, and that no delay should be made in its introduction all through the city. The expense must be faced in a proper spirit. The whole problem is simply a financial one."

These words written in 1906 are equally true to-day. It is a problem which we must face with courage and wisdom.

The question is in the main a financial one, and before we can deal with it in that aspect we must wait for the report of the Commission which is at present sitting. I am convinced that the outlook is not as dark and gloomy as has been supposed, and that with foresight and promptitude we shall be able to arrive at the right solution of this extremely difficult problem. I propose treating the subject under four heads so as to avoid any possibility of confusion.

- (1) Madampitiya Treatment Works.
- (2) Northern Outfall Drainage Scheme.
- (3) Southern Outfall.
- (4) The Financial Aspect.

Madampitiya Treatment Works.

(a) *Septic Tanks.*—The present installation has admittedly not worked satisfactorily. I suggest that we approve of one tank being altered according to Mr. Mansergh's suggestion and another according to Mr. Cox's, and then await the results of Mr. Cox's experiments and observations. In the meantime we should approve of the installation of two Emscher tanks.

(b) *Filter Beds.*—Eight of these have been constructed, but one at present is not in use. Mr. Mansergh does not propose putting in any more for the present. Mr. Cox will continue to carry on his experiments. He estimates the period required for them at not less than eight months, but Mr. Mansergh would naturally like them to be concluded earlier. Personally, I consider that it would be prudent to allow Mr. Cox to have his eight months or longer if necessary. It would be a mistake to hurry him.

(c) *New Storm Water Tanks.*—This includes grit tanks and sedimentation tanks. Here there is a marked divergence between the views of Mr. Mansergh and Mr. Cox. In view of the present stringent financial position, I recommend that, after hearing their views, this matter be postponed for consideration by us till we know what funds we shall have at our command.

Northern Outfall Drainage Scheme.

I recommend that our general policy be decided along the lines advised by Mr. Cox, and I will later ask for your sanction for the erection of tipping depôts at the spots indicated by him, coir dust being replaced by liquid disinfectant. It will be necessary to acquire sites for two pumping stations : (1) Vuystwyke, (2) Maligawatta. We must at the same time push forward with the work of providing kerbs, channels, and gullies so as to bring the rain water sewers, which have been laid, into use. Every effort should also be made to encourage the making of the house connections, so that full use may be made of the foul water sewers.

Southern Outfall.

The Council in August, 1911, passed a resolution deciding on the adoption of the general principle of the Southern Outfall. Mr. Mansergh, as requested, has submitted his estimates and recommendation for a complete scheme. Mr. Cox, while agreeing that the general principle of the scheme is essential, would confine it to the laying of the main sewers which would admit of the construction of public latrines and tipping depôts and a certain number of house connections along the route. Mr. Mansergh is, I understand, prepared to submit a fresh programme based in great extent on Mr. Cox's proposals. He should, I think, at the same time let us have plans and a schedule of the works and their cost. The scheme will comprise foul water sewers and also rain water sewers. Until the present Commission has concluded its inquiry it would, I consider, be inopportune for the Council to pass any further resolutions on the subject, subject to the exception of certain acquisitions.

It is desirable that the site of the Treatment Works should be acquired at an early date and also the site of the western pumping station. I therefore propose at some later date to move, with your consent, a resolution empowering me to take the necessary steps for the acquisition of the sites as soon as money is available.

The Financial Aspect.

The Council has up to date committed itself to the expenditure of Rs. 13,800,000 on account of drainage. It has secured funds from Government up to Rs. 12,500,000, of which Rs. 1,250,000 is a Government contribution, leaving a sum of Rs. 11,250,000, for which the Council is liable, and on which we have to pay 3½ per cent. interest and a sinking fund of 1 per cent. The expenditure up to December 31, 1913, was Rs. 11,153,496. We have also expended nearly 3 lakhs on latrines, tipping depôts, and house connections, leaving a balance of about one million rupees, which will be expended by the end of the current year. One hundred miles of sewers have been laid, and the Madampitiya Treatment Works installed : 670 house connections have been made, and 22 public water-carriage latrines have been constructed. One tipping depôt has also been established. There is no failure of the scheme as a whole. It must be carried on, tipping depôts and public latrines being constructed, and house connections made wherever possible, so that the Narahenpitiya conservancy depôt may be closed.

MR. MANSERGH'S REMARKS.

Mr. Chairman and Gentlemen,—I am extremely pleased to have been given this opportunity of meeting you and explaining some points about the drainage of Colombo on which there appears to be much misunderstanding. Before addressing myself to more technical matters, I should like very much to disabuse people's minds of an idea which seems very general, and that is, that my firm are contractors for the work, and that we are presumably making profits out of carrying it out. There are no contractors connected with the scheme at all except those who supply materials—either from England or locally. We are the Consulting Engineers and advisers, having designed the scheme of sewerage and disposal of sewage at the instance of Government so long ago as 1897, and our position is purely fiduciary. The executive part of the scheme is in the hands of the Chief Resident Engineer and his staff of four assistants. These men are all well trained and able engineers, whose duty it is to see that the work is carried out in the best, soundest, and, at the same time, most economical manner in accordance with our designs, and they are assisted in this by European foremen, who are all men who have had large experience in this class of work. Our visits of inspection, which are made from time to time, are for the purpose of investigating the progress, discussing problems arising in the execution of the work, and generally supervising. During a very long engineering experience my late father always insisted that work done under his supervision should be of the very best quality and workmanship, and the Resident Engineer and his staff are all fully imbued with that tradition, so that I can confidently assure you that the work which is being done is absolutely sound in every way. Some of it you have seen and can judge for yourselves of its quality. Of course the many miles of sewers and drains that have been laid cannot be seen, but no one connected with the work has any interest in doing anything but the best, and I am satisfied that the quality of the underground work is of as high a standard as that which can be seen.

Let me very shortly compare the condition of Colombo as regards the disposal of its fouled water supply ten years ago with what it is now. Ten years ago, as you know, all the night soil was carted through the streets at night and pitted at Narahenpitiya, while the liquid refuse, bath water, cooking water, urine, and often human excrement were discharged into the side ditches of the roads and streets, which were in many cases very irregular in line and gradient, with the result that stagnant pools were formed of stinking festering matter, and so the atmosphere was polluted. Some of this matter, especially in the sandy and porous soil of the Cinnamon Gardens, soaked in in a very short distance and polluted the sub-soil. Some found its way to the harbour, some to the lake and water-courses. Anyone who cared to examine the disgusting condition of, say, the Suduwella ditch and its outfall into the lake under the conditions which obtained ten years ago must have been convinced that it was a menace, and a serious menace, to the health of the community.

One of the chief objects of the water-carriage system of sewerage is to take away from human habitations and their neighbourhood, in the quickest and easiest way, all such polluting matter as I have described. There are now sewers ready in a very large part of Colombo, including some of the most insanitary areas, with the pumping stations necessary, and it behoves every owner, who has a real interest in the health of himself and his neighbours, to have his premises fitted with water-carriage appliances, and a connection made to the sewers as soon as he can.

There are now in Colombo, I think, 22 public water-carriage latrines, an example of which many of you, gentlemen, examined with me on January 28. How many of you, I wonder, would have cared to stay even half a minute in one of the old bucket latrines? The City Sanitation Engineer tells me that he has a census taken of the users of these latrines from time to time, and the latest figures show that they are used by some 85,000 people, so that at any rate a considerable part of their sewage no longer pollutes the air, soil, or water-courses.

Many miles of rain water drains have been laid, but very little use has been made of them so far. Their object is to take away surface water, which at present meanders down the irregularly formed side drains, which I have before described, and which are themselves, more or less, choked with refuse of all kinds. It is very important that roads, especially in the closely built up parts should be kerbed, channelled, and provided with gullies, as in this way not only would the surface water get away, instead of lying in pools to form excellent breeding places for mosquitoes, but the scavenging would be rendered much more simple and effective. Another way in which the sewers are being made use of now is by means of a night soil tipping depôt (which many of you have also seen) in Price Park. Here the night soil is brought in buckets from a large number of dwellings and, being mixed with a certain proportion of water, is discharged into the sewer into which is also discharged about 150,000 gallons per day of sullage water gathered by means of a rain water drain from a considerable area. The City Sanitation Engineer also estimates that, by means of house connections, the sewage of some 15,000 persons is taken away by the sewers.

This, then, is the position to-day—a large part of the fouled water supply of about 100,000 people is prevented from entering the harbour, lake, water-courses, and sub-soil, with the result that the number of those dangerous and disgusting night-soil carts has already been materially reduced with a corresponding reduction in the amount of night soil to be disposed of at the Narahenpitiya deposit itself—a very serious menace to the health of Colombo. I confess to feeling some indignation when I read in the memorandum of the late Chairman of August 5 last, the following:—“So far the expenditure of nearly Rs. 11,000,000, which the Council have been compelled to undertake on account of drainage, has resulted in very little benefit to the city.” I say that a considerable benefit has already accrued, though I do not contend that it is as great as it might and would have been, if house connections had been proceeded with at the speed which I hoped and expected they would. I did propose to continue this statement by describing what is proposed now with regard to the scheme generally and the treatment works, but I have been furnished by the Chairman with three sets of questions, numbering 56 in all, which together practically cover the whole subject. I therefore think it will be best if I read out these questions in order and answer them *seriatim* at once. My answers may suggest other questions to members, which I will do my best to answer after I have concluded my statement. I have called these three series of questions A, B, and C. I cannot be more definite as I am not aware who is responsible for them.

Series A.

Q. 1.—Up to the present date no work has been done in areas D, F, G, and H, Mutwal, Alutmawatta, Mattacooly. (These are estimated to cost nearly 1½ millions.) It will therefore be necessary to continue the dry earth system in those areas for years to come. Do you advise the erection of tipping depôts along mains in the area E directed to the Harbour pumping station or the treatment works, and so avoid the carting of sewage through Colombo to Narahenpitiya?

Q. 2.—The area Mp. (estimated to cost Rs. 1,294,000) is also not likely to be sewered for years. Could a similar arrangement be made through sewers in area Mg.?

A. (1 and 2). Owing to the fact that house connections are so much behind I have very carefully considered the City Sanitation Engineer's suggestions that in certain areas water-carriage latrines should be established and tipping depôts, and that we should start forthwith on the sewers, pumping stations, &c., necessary to deal with these, and in principle I agree. The only proviso I make is that coir fibre shall not be used as a deodorant for the buckets emptied at the tipping depôts. The areas to be so dealt with are H, and possibly parts of G, Mp, V, and W.

Q. 3.—I note your remarks in paragraphs 57 to 59 in your letter of January 23, 1913, relating to areas V and X. Would it not be best, from points of view of finance, utility, and sanitary engineering in the East, that this Council should suspend further sewer construction (after the sanctioned works) in any area outside that shown in map of December, 1912, attached to the Administration Report of the Resident Engineer for 1911-12?

A.—No, if the principle I have just laid down is worked to.

Q. 4.—I note your remarks in paragraphs 35 to 41 in letter of January 23, 1913, relating to new areas in Wellawatta and the pumping station, &c. If no sewers have been laid in areas S or T to gravitate towards the proposed Southern Outfall, do you think it wise or proper to incur any expenditure now in either a pumping station or treatment works in Wellawatta, before we are fully satisfied that the Emscher tanks and aerobic filters to be erected and tried at Madampitiya work satisfactorily or produce an effluent dischargeable to a river or a sea with currents landwards?

A.—No sewers in S or T gravitate to the Southern Outfall but W 1, which is in hand now does.

Q. 5.—Is it not more prudent and economical, from the point of view of this Council, to connect and work only those areas that will give the Polwatta, Slave Island, and harbour pumping stations full work, so as to let the maximum sewage through these stations with nearly the same cost in maintenance as at present?

A.—It is one of the City Sanitation Engineer's own suggestions that the Wellawatta pumping station and treatment works should be started, and I most strongly advise that it should be so. There are parts of Wellawatta which are quite as fully developed as the Cinnamon Gardens. I see no object whatever in delaying until the Emscher tanks have been tried. I am quite satisfied that they will do their work.

Q. 6.—With the present sanitation contractors in Colombo, available labour, and materials, and assuming that Council had the right to compel house connections, is it possible or probable that all the houses and premises in the areas completed can be connected to utilize all or a greater part of the eighty miles of sewers now taken over by the Council within the next five years?

Q. 7.—If not, will not the construction of further sewers and connected works be unsound policy? Will not the complete working of one or two areas with completed house connections give our Sanitation Department more experience in normal conditions and strength of sewage, and its effectual disposal, and the density of different areas, so that any new knowledge gained of those (Eastern) conditions could be applied with advantage to the sewers and works in new areas left untouched?

A. (6 and 7).—I cannot say definitely how long it will take for the whole of the house connections in the present drained area to be completed. It obviously depends upon how many different contractors are licensed, but I am quite clear that the fact that sewers are ahead of house connections—no matter what the reason for the delay with the latter—is not in itself a reason for delaying extensions of sewers.

The following paragraphs of our report of December 10, 1913, deal with this question:—

Paragraph 8: "It must not be forgotten that before the Harbour Scheme could be handed over, some heavy work, *e.g.*, the main sewer for the whole Municipality and the treatment works for the first instalment, had to be completed, so that it was impossible to hand over the works until about 20 miles of sewers had been laid, with the result that the sewers had necessarily a very long start of the house connections. This fact to a certain extent accounts for the 'racing ahead' of the former, which the Chairman complains of in paragraph 4."

Paragraph 9: "We may point out that in any new scheme of sewerage this procedure is unavoidable, but in Colombo (provided house connections had been proceeded with without undue delay) it would not have been as marked as in a smaller place, where house drainage cannot possibly proceed coincidentally with extensions of sewers. There are numerous cases of towns in which new sewerage systems have been introduced, and the whole capital expenditure on sewers pumping machinery and treatment works has had to be incurred before a single house connection could be made."

Q. 8.—Would not the statement made by you in paragraph 52 be applicable even to sewers which lie idle for years? False economy, unsound policy, or financial madness? The Drainage Works began in 1903, and it was only after an expenditure of nearly Rs. 7,000,000 that in November, 1910, the first private connection was made, while the first residential house was connected in August, 1911. At the end of 1912, after the expenditure of Rs. 10,000,000 650 houses and 14 public latrines were connected to the sewers; the cost of maintenance for 1911 and 1912 per year was Rs. 42,304 and Rs. 69,236 respectively, without any reduction in the cost of the Conservancy Branch. The sanitary and the pecuniary benefits derivable are small in comparison with incurred cost. The estimated maintenance for current twelve months is Rs. 158,357.

A.—No, the two cases are not similar. In paragraph 52 alluded to we were discussing treatment works which might never be wanted at all owing to the difference in the distribution of the population from that forecasted. Whereas there is no question that sewers will be wanted in these districts, and they should be made available as soon as possible to take sewage from latrines and tipping depôts, so as to extend the maximum benefits to the greatest number of inhabitants of the Municipality in the shortest possible time.

Q. 9.—In your letter of May 31, 1911, paragraph 33, you say that the cost of public latrines, *viz.*, Rs. 602,524 is excluded from the revised estimates. This is an unexpected contingency for the Council. We have already spent nearly Rs. 200,000 on some 18 latrines. About 70,000 people use them daily. It is this feature of the water-carriage system that has been of real good to the city during the last twelve months. What is proposed regarding public latrines in the areas D, F, G, H, and M?

A.—This was done by express instructions from Government in consequence of a representation made by the Municipal Council many years ago. In answering No. 1 I have already answered the last part of this question.

Q. 10.—If it is found that the anaerobic treatment (with the proper disposal of sludge) producing a satisfactory effluent is sufficient, will not there be a saving of nearly Rs. 2,000,000 in capital expenditure and several thousand rupees in annual maintenance at the treatment works?

A.—Undoubtedly, if the aerobic beds are not required, though I do not say yet that they will not, there will be a saving in capital cost of approximately Rs. 1,200,000, and no doubt something in working expenses, though I should not like to state any definite figure for those.

Q. 11.—What has been expended on the four septic tanks and aerobic filter beds? Should this capital expenditure have been expended by this Council or its advisers, when at the time of their construction the principle underlying the Emscher tanks had been ascertained and published by sanitary experts on Eastern sewerage conditions?

A.—This looks like a suggestion that we did not design the tanks in the best manner possible. I repudiate this *in toto*. The tanks were designed in 1904, and in designing them we followed the best lines as far as was known and proved. The Emscher principle was known, but I am not aware that it had ever been tried at that time. In fact there is not to my knowledge a single Emscher tank at work in England to-day on a large scale, though they have been used in Germany and America to a considerable extent, and their efficacy has been proved.

Q. 12.—Between the years 1902 and 1910 did the Consulting Engineers analyse the sewage collected in night-soil carts in Colombo? Did they compare it with sewage in Western countries? Did they follow the experiments made by Major Clemesha and Dr. Hutchinson in India re conditions in tropical temperatures? If so, what changes were introduced in the construction of the treatment works?

A.—No. It is not our business to analyse sewage. We followed what was admittedly the best practice at home.

Q. 13.—In paragraphs 11 and 13 of your letter of June 11, 1913, reference is made to the marked septic action and putrefaction of sewage in a hot climate. Will this not cause the emanation of sewer gases in greater volume than in temperate climates? If so, have sufficient precautions to ventilate sewers throughout the city, without injury to health been provided in estimates and actually fitted up in completed areas?

A.—I do not think that any alarm on this head need be felt, if steps are taken to increase the volume of sewage by house connections, latrines, and tipping depôts as is intended. The greater the volume put into the sewers the greater

the velocity through them, and therefore the fresher the sewage when it reaches the treatment works. As soon as the sewers are being worked to a certain proportion of their capacity, I do not think there is the least likelihood of septic or putrefactive action taking place in them.

Q. 14.—Apart from the sanctioned cost of 13½ millions on drainage, the Council has to incur the following cost as a result or as a consequence of installing a drainage system.

- (a) Rs. 1,000,000 for street connections with private houses.
- (b) Rs. 3,000,000 for improvement of the waterworks and supply per head of population.
- (c) Rs. 2,000,000 in kerbing and channelling streets to utilize the storm water drains.
- (d) Rs. 2,000,000 advances to householders to connect houses. Neither the Government nor the Consulting Engineers informed the Council of the large sums likely to be needed under (a), (c), and (d). In these circumstances should not special assistance be given to the Council to meet these capital charges? (*Vide* Government's letter No. 38 of May 31, 1901, giving the Council's liabilities, &c., Consulting Engineers' letter of July 17, 1908, Chairman's letter No. 25 of February 19, 1908, and No. 56 of April 2, 1908, Consulting Engineers' letter of October 30, 1908.)

A.—I am not quite sure that I can follow these figures, or find all the references in the end of the paragraph (d), but I quite agree that Government should give all the assistance they possibly can to the Council financially, and have so stated on several occasions.

Series B.

Q. 1.—Is there a possibility of the bad smells emanating from the septic tanks at the treatment works being prevented?

Q. 2.—If so, what steps would you suggest should be adopted for this purpose?

Q. 3.—If not, was the possibility of such smells prevailing taken into consideration when the tanks were designed?

A. (1, 2, and 3). I am afraid that a certain amount of smell is inseparable from the treatment of sewage anywhere. My own experience of Madampitiya is that the odours are not noticeable for any great distance, and if the sewage comes down to the works in a fresh condition the effluvia from it is certainly not dangerous.

I know for a fact that there are no more healthy set of men than the sewer men of London.

Q. 4.—It is now admitted that the effluent passing into the river is not as pure as it was expected to be. What do you think this is due to?

A.—No. Because one of the processes of purification is and has been in abeyance for several months.

Q. 5.—What steps do you propose should be taken to make the effluent thoroughly pure before it is discharged into the river?

A.—When the experiments now being made are completed, we will give our advice as to whether or not the aerobic beds for second and future instalments should be constructed or not.

Q. 6.—Is it a fact that the water in that part of the river which is affected by the effluent is unfit for use?

A.—I do not know, but I understand that samples of the river water are being regularly taken and bacteriologically examined.

Q. 7.—Is the failure of the aerobic beds due to the climatic conditions prevailing here causing violent putrefaction of the sewage?

A.—There has been no failure of any part of the treatment works. Owing to climatic conditions the anaerobic action in the tanks was more violent than was anticipated, and evolution of gases continued right up to the outlet ends, so causing the tank effluent to contain a greater quantity of solids in suspension, which clogged the radial sprinklers and the beds themselves, causing clogging and ponding. The necessary cleaning made the administration of the work unduly costly.

Q. 8.—If so, were you not aware of the climatic conditions prevailing in this city before the treatment works were designed?

A.—Of course we are aware of the climatic conditions, but no one could foresee the exact effect of those conditions.

Q. 9.—Are you aware that the use of the aerobic beds have been discontinued?

A.—Yes, for several months.

Q. 10.—Is it due to this cause that the effluent discharged into the river is impure?

A.—An effluent that has not received full treatment is necessarily more impure than one that has.

Q. 11.—What remedy do you suggest?

A.—The City Sanitation Engineer is making experiments with a view to the alterations which we and he have suggested being carried out, and, until those experiments are completed, it is impossible to say whether or not full treatment is necessary.

Q. 12.—Can the occurrence of the few cases of plague in the city be in any way attributed to the introduction of the water-carriage system of sewage? Is there any connection between the two?

A.—Emphatically no. Dr Marshall Philip has already, I think, effectually scotched that idea.

Series C.—Aerobic Beds.

Q. 1.—Do you agree with the City Sanitation Engineer that the evidence available at present is "definitely in support" of the view expressed by him that complete purification of the sewage is not necessary?

Q. 2.—Have you examined the evidence above referred to? If so, do you think that it justifies the conclusions arrived at by the City Sanitation Engineer?

A. (1 and 2).—Some of that evidence does go to support the City Sanitation Engineer's views, but I am not satisfied, and shall not be, until the experiments he is now making are completed, and the results have been carefully considered, after which we shall advise on the subject.

Q. 3.—On the evidence above referred to, do you think that the Council will be justified in continuing the present method of treatment, whereby one of the processes of purification—the aerobic—is dispensed with?

A.—Again I say await the result of the experiments. The Council would certainly not be justified in deciding anything at present, and I certainly will not take the responsibility of advising that any of the processes of treatment can be dispensed with entirely.

Q. 4.—Will the continued discharge of the tank effluent into the river, unpurified by the aerobic process, be attended with danger to the health of the city?

A.—Danger to the health of the city? No, though possibly as the quantity increases, there may be some danger to the users of the river water.

Q. 5.—Is the evidence available at present sufficient in your opinion to justify the Council in postponing the provision of further aerobic beds?

A.—No. When all the evidence has been gathered, we will report fully on the subject and advise definitely what should be done; till then we are holding our hands in the matter of further instalments of aerobic beds.

Q. 6.—If you are of opinion that the evidence available at present is insufficient to establish the view that complete purification, that is to say, purification by the anaerobic and aerobic processes is unnecessary, what further evidence would you require to justify you in advising the Council that the treatment of the sewage may be limited to the anaerobic process?

A.—I have already answered this.

Q.—7. On what lines would you recommend that experiments should be carried out to collect further evidence and data?

A.—I agree that the lines on which the City Sanitation Engineer is at present working are the right ones, but I also recommend that one of the septic tanks should be altered according to our method forthwith, as was suggested in our report of June 11, 1913.

Q. 8.—What will be the saving effected in regard to capital cost and maintenance charges by the omission of the aerobic beds, both at the Madampitiya works and at the treatment works of the proposed Southern Outfall?

A.—Until I know what we are going to advise I cannot commit myself to any figures as to cost.

Septic Tanks.

Q. 1.—Is it the case that septic tanks at present in use have been found to be defective in two respects, viz. :—
(a) In regard to the arrangement for the removal of sludge.

(b) In regard to the elimination from the tank effluent of suspended solids.

Q. 2.—Is not defect (a) a purely mechanical one, and entirely unconnected with climatic action?

Q. 3.—Is the following statement of the City Sanitation Engineer, contained in his letter No. 265 of December 13, 1912, accurate?

“At the Madampitiya tanks the floors slope slightly to the central sludge channels which fall with a very flat gradient to the sludge outlet valves.”

Q. 4.—What is the gradient of the sludge channel?

Q. 5.—Is not the trouble experienced by the City Sanitation Engineer in the removal of sludge due in a large measure to the “very flat gradient” provided?

Q. 6.—If so, what reason had the Consulting Engineers for providing a “very flat gradient”?

Q. 7.—Would not a steep gradient have prevented the accumulation of sludge in the tanks to the extent complained of by the City Sanitation Engineer?

A. (1 to 7).—I do not agree with the word “defective” in connection with the septic tanks at all. There are in existence hundreds of tanks of the same description at home in which the sludging out arrangements are exactly the same as at Madampitiya.

The method at first used for sludging out by the City Sanitation Engineer was not the method intended, and he only used it once and found it costly.

Since then the method has been to squeegee the wet sludge down to the outlet as was intended, and the whole process takes but a few hours, and the cost is reasonable.

A steep gradient would have made no difference whatever to the amount of sludge collecting in the tanks, and would have added very materially, not only to the initial cost of the tanks but also to the pumping costs.

Q. 8.—Is not defect (b) due entirely to climatic action, viz., rapid septic action under a tropical temperature resulting in an undesirable quantity of suspended solids being discharged with the tank effluent to the aerobic beds causing clogging and ponding of the beds?

A.—I have already dealt with this part of the subject in answering a question under heading B.

Q. 9.—If, as you say in your letter to the Crown Agents dated December 10, 1913, you had in mind in designing the treatment works the fact “that under an Eastern sun the action was likely to be much more rapid throughout each process of purification,” how came it that in designing the septic tank, provision was not made to meet this state of things?

A.—We quite expected the rapidity of action, but not that the violent evolution of gases would be continued throughout the length of the tanks.

Q. 10.—Why was a type of tank suited to a temperate climate adopted without any modification at all?

The Emscher Tank.

Q. 11.—When was the Emscher tank designed? Was it designed to meet a difficulty of the nature we have to contend with at present?

Q. 12.—If so, did the same difficulty arise in non-tropical countries?

Q. 13.—If not, what is the guarantee that the Emscher tank will prove successful in a tropical climate?

A. (8 to 13).—Because at the time these works were designed this description of septic tank was the most approved form. An Emscher, or Imhof tank, had never been constructed at that time. The object of the Emscher tank is primarily to separate the digesting sludge from the sewage which is being settled, so as to prevent the evolution of gases from the sludge interfering with that settlement, and to keep the sewage flowing through the settlement chamber out of contact with the digesting sludge.

Q. 14.—In your report dated November 1, 1899, the following passage occurs :—

“There is a feature of the process, viz., the disposal of the sludge produced which requires more careful handling than the other operations. In some of the more recent developments of the bacterial processes, however, no sludge is produced, and if the experience of the next year or two confirm the present results, double sets of contact beds could be adopted and the screening tanks omitted. There would then be no sludge produced.”

Did experience confirm the results above referred to?

A.—1899 was in the science of sewage disposal a very long time ago, and much has been learnt since then. One of the things which we have learnt is that no bacterial process of treatment eliminates all sludge.

The City Sanitation Engineer has formed the opinion that the quantity of sludge at Colombo will be abnormally small, and I think he is right.

Q. 15.—Is there a possibility of the quantity of sludge at present produced being reduced?

A.—I do not know. I should think that when more tipping depôts have been got into use the quantity per unit of sewage will very likely increase, and this effect will be counterbalanced by the increase in the number of house connections.

Q. 16.—Is it not as important to devise measures to reduce the quantity of sludge as to provide for the production of a tank effluent free from solids in suspension?

A.—It stands to reason that the larger the deposition of sludge from a given quantity of sewage the smaller will be the amount of solids in suspension in the effluent. Sludge is one difficulty, suspended solids are another, and it is necessary to choose a way of minimizing both. The City Sanitation Engineer's experiments will help in this respect.

Q. 17.—Do you agree with Major Clemesha that a comparatively considerable amount of “putrefaction” in septic tanks is favourable to subsequent aerobic purification of an oriental sewage?

A.—Putrefaction is the essence of the principle of the septic tank and is necessary for the effective purification of aerobic processes.

Q. 18.—If the sewage be allowed to remain a considerable time in the tanks and the anaerobic organisms allowed to assert themselves, will the result be a comparatively reduced quantity of sludge and a clearer taken effluent?

A*.—I do not think it is advisable to try and mix the two processes, because aerobic organisms will not assert themselves in a septic tank.

* This answer was given because in the copy of the questions supplied to Mr. Manneigh the word “aerobic” and not “anaerobic” appeared.

It is a proper answer if the word is “aerobic,” but if it is “anaerobic” the answer should be.—It is undesirable to keep sewage in septic tanks too long. A diminution in the rate of flow through them of a given quantity of sewage can only be obtained by an enlargement of the tanks—extra cost without any corresponding advantage.

Q. 19.—What is your answer to the observation of the Municipal Engineer in his report No. 77 of August 7, 1913, to the change of method indicated in paragraph 13 of your report to the Council of June 11, 1913, in the course of which he expresses the opinion that to hurry the sewage through these (anaerobic) tanks so as to avoid septic action—only such delay being permitted as is sufficient for suspended solids to be precipitated—is a grave mistake, because it involves (a) the neglect of this (anaerobic) method of treatment, and (b) it assumes that deposition of solids will be sufficiently complete in so short a time?

A.—That observation was based on an altogether erroneous idea, as there is no suggestion of abandoning the septic action in our report of June 11, 1913.

Q. 20.—Did you agree with the following statement contained in the work entitled "The principles of Hygiene as applied to tropical and sub-tropical climates" by W. J. R. Simpson, M.D., F.R.C.P., D.P.H., formerly Health Officer of Calcutta, published in 1908, at page 272: "A closed septic tank is preferable to an open one in the tropics, but for its effective working the gases formed in the tank should be drawn off." The author says (page 272) that "at the Malunga Leper Asylum in Bombay the gas is collected in a tank, and is used to work a gas engine, to light the premises and buildings, and to cook the food of the inmates of the institution."

A.—I have not read the work in question, and I do not agree with the statement. We actually tried covering the septic tanks at Madampitiya, but they became prolific breeding places for mosquitoes; on account, I believe, of a petition from the inhabitants of the neighbourhood to the Medical Officer of Health, the Resident Engineer had the roofs taken off, and the nuisance immediately ceased. I imagine that at least some of those petitioners are now asking that the roofs should be reinstated. We have plenty of power in the Suction Gas Plant at the Northern pumping station to do all that is required.

Q. 21.—Will the use of a closed septic tank eliminate the smell at present emanating from the treatment works and fouling the atmosphere?

A.—Not necessarily.

Q. 22.—Are you acquainted with Travis and Aults hydrolytic tank and oxidizer, a description of which is given in pages 277-281 of Dr. Simpson's work? Do you agree with Dr. Simpson that they are most suitable for the tropics?

A.—Yes, and the principle of the Travis tank is the same as that of the Emscher tank which we are now adopting.

Mr. Mansergh: I have now come to the end of the questions put to me and can only express the hope that the authors of those questions consider that I have fully answered their queries. There is one other matter that I wish to bring to your notice before concluding my remarks, and that is the question of the treatment of storm water. The City Sanitation Engineer has made certain alternative suggestions to those we ourselves made in the report of June 11, 1913, and also wishes to make experiments with the treatment of diluted sewage during rain on the lines of his proposals. I, however, suggest that the work on the first instalment of detritus and sedimentation tanks should be proceeded with at once. This can be done without interfering with the present rising main or the present storm water tanks. In conclusion, I think it will probably save time if I read a few paragraphs from our report dated December 10, 1913. I do not know whether this document has been formally before you or not, but it sums up shortly my firm's views on the general question.

Extract of paragraphs from the Consulting Engineers' report of December 10, 1913, read by Mr. Mansergh.

21. There are many other points raised in this report and C.S.E. No. 105 of June 12, 1913, with which we do not agree, but we do not propose to deal further with them now, but to come to the root of the matter at once.

In effect the City Sanitation Engineer is suggesting and asking for an alteration of the programme of work, which we put forward in our Table B attached to our report of January 23, 1913.

22. We are unaware that we have ever shown any reluctance about receiving from the Municipal Council, as advised by their local officers, suggestions as to the most suitable programme of work, and we have fully considered this suggestion in all its bearings. Although we adhere to the opinion that the best way to carry out the Colombo Drainage Scheme is by districts, as up to now has been the case, we are alive to the fact that the circumstances are changed from what they were in 1909, when we condemned the principle of laying long lengths of trunk sewers to very little purpose. This change has been brought about solely by the inordinate delay—to whatever cause it may be attributed—in making house connections and utilizing the rain water drains provided.

23. Shortly put, the City Sanitation Engineer's suggestions are, as we understand them:—

- (a) That the drainage districts now in hand should be completed;
- (b) That certain main branch sewers and the pumping stations in connection with them should be constructed in the northern, southern, and eastern portions of the Municipal area;
- (c) That the Southern outfall and treatment works should be constructed; and
- (d) That latrines and tipping depôts should be constructed all over the Municipal area to work in connection with the sewers already laid and proposed to be laid under (b).

24. We agree with all these suggestions, except that with regard to the tipping depôts, the establishment of which we emphatically deprecate, unless a liquid disinfectant is to be used in place of coir dust and fibre; and in this it will be noted that we are in agreement with the City Sanitation Engineer (see report, C. S. E. No. 105, paragraph 43).

25. We have taken out from our estimates the cost of the works recommended in paragraph 48, C. S. E. 105. This amounts, in round figures, to Rs. 2,400,000.

26. The estimated cost, as set out in Table B, June 13, 1913, of the extensions of treatment works and Northern pumping station which we consider to be necessary, together with the complete drainage of the districts now in hand, is, say Rs. 14,850,000.

27. These two sums together amount to Rs. 17,250,000, or very nearly the sum given in the above-mentioned table as the expenditure to the end of 1917.

28. The City Sanitation Engineer does not definitely give his idea of the period within which the works he recommends should be done, but we are of opinion that three years will be ample for them, and we should think that within that time he would be able to get finished all the latrines and tipping depôts that he proposes.

29. The preparation of a revised Table B is necessitated by this alteration in programme, but we do not propose to prepare this until after Mr. Ernest Mansergh's visit to Colombo, when he will confer with the Chief Resident Engineer as to certain points with reference to the districts at present in hand and with the City Sanitation Engineer with regard to certain details of his recommendations.

30. Meanwhile, seeing that the cost of sewer W I has already been sanctioned, we would suggest that the above amount of Rs. 17,250,000 should be sanctioned at once as the expenditure up to the end of 1917.

This will give the City Sanitation Engineer a clear four years in which to push on with house connections in what he describes on his plan as the drained areas, before any question arises as to the undrained areas.

31. We can quite believe that financial exigencies may necessitate some extension of the time within which the whole drainage scheme shall be carried to completion, but we very strongly deprecate anything in the way of sudden material drop in the annual expenditure or more than a moderate extension of time for completion, for we are convinced that the longer the time taken over finishing the scheme the more it will cost per unit. Our reasons for saying this were fully set out in our report of October 30, 1908, and they are just as true to-day as when they were written, with the

exception that experience has shown that about Rs. 1,500,000, and not Rs. 2,000,000, is the limiting value of work that can be got through in a year by the existing organization with the work spread about the Municipality as it necessarily is now.

32. Past experience during the last four years has also shown exactly what we anticipated, viz., that prices of materials and cost of labour have had decided upward tendencies; and we most earnestly ask that no diminution in the rate of the progress should take place solely on account of the fact that sewers are ahead of house connections.

We have already pointed out that this is not an unusual state of affairs in other places, and is not in itself any reason for delay.

THE DISCUSSION.

The Chairman: Has any gentleman any question to ask?

Dr. Rodrigo: With regard to the tipping depôts do not you believe, Mr. Mansergh, that in the tipping depôts all the processes of the present method of dealing with night soil exist, minus the cartage?

Mr. Mansergh: Undoubtedly true. But the tipping depôt is only a temporary expedient.

Dr. Rodrigo: In that case they will have to be destroyed as soon as possible. Then would you not ask Government to hurry on with the necessary legislation for house connection?

Mr. Mansergh: I have every intention of trying to persuade Government to hurry on with the legislation.

Dr. Rodrigo: Mr. Mansergh, do you really believe that the covering of the septic tanks would induce the multiplication of mosquito breeding places?

Mr. Mansergh: I know this much: when the septic tanks were covered they served as actual breeding places for mosquitoes, and many of the inhabitants living in the neighbourhood petitioned the Medical Officer of Health, who caused the tanks to be uncovered. When this was done the mosquitoes disappeared.

Dr. Rodrigo: Are you aware that mosquitoes have been existing there before the septic tanks were constructed?

Mr. Mansergh: I do not know. And I do not suggest that mosquitoes do not exist anywhere else excepting at the Madampitiya septic tanks.

Dr. Rodrigo: The rate of flow in the tanks is one of the most essential points in the success of their working. Do you know what this rate is?

Mr. Mansergh: I am afraid I cannot tell you. But I understand from Mr. Cox that it is about 1 foot in three minutes.

Dr. Rodrigo: Is this the recognized rate of flow everywhere?

Mr. Mansergh: We are not going to be satisfied with that rate, nor do we know yet what the best rate of flow is. We are trying to ascertain this.

Dr. Rodrigo: With regard to the elimination of solids from the septic tanks, do not you think that a screen or a sieve between the two tanks should be used?

Mr. Mansergh: I will note your suggestion.

Dr. Rockwood: Do you not think that the liquid disinfectants, which have to be used universally in the future, would have the effect of interfering with the bacteriological action?

Mr. Mansergh: You should ask that question of Mr. Cox. But if you want my personal opinion I should say not.

Dr. Rodrigo: Are you aware of the number of places this side of Aden where this system of drainage is in use?

Mr. Mansergh: I am sure I do not know how many.

The Chairman next called upon Mr. Cox, the City Sanitation Engineer, to give his views on the Drainage Scheme.

REMARKS MADE BY THE CITY SANITATION ENGINEER.

Gentlemen,—The Chairman has instructed me to place before you my views on the Drainage Scheme.

I should first like it to be understood that I consider a complete Drainage Scheme will ultimately become essential. As far as our present knowledge extends, and as far as one can predict, a complete system of drains is the only satisfactory method of collecting and disposing of the foul liquid wastes of a populous city, and it is certainly the most sanitary method for the disposal of night soil. Further evidence in support of this view is not, I think, necessary.

I propose to confine my remarks to those aspects of the question in respect to which my opinions are to some extent at variance with the original proposals of the Consulting Engineers.

Dealing first with the general scheme and its extensions. As the Council are aware, I have frequently pointed out that the question of house drainage is a problem of some considerable magnitude, and its completion entails greater difficulties than are generally realized. These difficulties are financial and practical rather than technical.

We must have proper powers, but even when they are obtained they must be exercised with considerable discretion. I maintain that under any circumstances many years must elapse before house drainage can approach completion even in the areas already provided with sewers. In some of the more sparsely populated areas I consider general house drainage will not be feasible or desirable for some considerable time.

For these reasons I have, as the Council know, consistently advocated the adoption of what may be termed temporary measures, that is to say, the provision of tipping depôts and the interception at various points of much of the foul sillage now flowing in the old system of sewers and drains.

The tipping depôt in Price Park has now been in use for over one year and, although it is capable of improvement in minor details, it has, I think it will be agreed, proved successful.

At this depôt we are dealing with the night soil from about 8,000 people. We have been able to abandon several of the old depôts where night soil was stored during the day under most insanitary and obnoxious conditions. We have diminished the amount of night soil dealt with at Narahenpitiya, and there has been a corresponding saving of about Rs. 4,000 in conservancy charges.

The temporary connection at Price Park has been in operation for more than one year, and we are diverting to the new sewers about 100,000 to 150,000 gallons per day of very foul sillage which formerly discharged into the harbour.

A similar connection at Ferry street diverts from the canal a somewhat smaller amount of foul sillage, and a third connection at Vauxhall street diverts a small but very foul flow, which previously discharged into the lake and occasioned much nuisance.

All these measures have proved eminently satisfactory and must, I think, entirely dispose of the objections that were raised in some quarters against my proposals.

I have, therefore, suggested the adoption of such measures throughout the whole of the area already drained, and have recommended that the programme for extensions should be so modified that its first aim shall be to provide sewers to serve public latrines and tipping depôts.

By this means, I contend, we shall be able to realize within a comparatively short period more material and immediate benefits from the Mansergh Scheme than would be possible if we rely upon house drainage alone. In effect my proposals, as they refer to the areas not yet drained, entail the provision of the main sewers and pumping stations and such of the small sewers as will be necessary to serve the latrines and depôts.

I recommend that the minor sewers should be omitted from the general programme, and should be considered as a supplementary scheme to be dealt with in detail. It will not, in my opinion, be either economical or sanitary to provide these minor sewers until we are certain that the premises they will serve can be drained into them.

If these proposals are adopted it will be necessary to make some provision to prevent the rise of insanitary conditions in the quickly developing suburban areas, which must occur if foul water stagnates in and around the premises.

This should be effected by the provision of a proper system of rain water drains, which may for the time being serve two purposes. This provision should, in my opinion, take precedence of the foul water sewers. In this connection, must be considered the important question of the incidence of cost of the necessary sewers and rain water drains in newly developed private roads.

Turning now to the Madampitiya treatment works. Putting it briefly, the question at issue is—Whether the complete treatment of the sewage by artificial processes before its discharge into the Kelani is, or is not, necessary?

The Council will absolve me from undue timidity if I decline to give a definite and permanently binding opinion on this matter. As the results are so much affected by local circumstances, it is impossible to deduce a general rule from the observations recorded elsewhere, and our knowledge of local factors, such as the strength and direction of the currents in the Kelani, the characteristics of a normal oriental sewage, and the influence of climatic conditions, is so inexact that until proper investigations have been undertaken the expression of such an opinion would be most injudicious.

At the same time I most unhesitatingly declare that, after a careful examination of all the evidence that is available, there is every reasonable justification for assuming that complete treatment will not be necessary.

It is now admitted by the highest authorities that under certain circumstances the disposal of a crude or partially treated sewage by dilution in large bodies of water is both a proper and reasonable method, and that by this means true purification of the polluting matter can be effected without giving rise to objectionable conditions.

It must be remembered that the polluting effects resulting from an admixture of water with sewage matter of various strengths and in various proportions differ in degree and not in kind. Thus, chemical and bacteriological analyses will show there to be no material difference between an intimate mixture of crude sewage and a large body of water, or tank effluent and a larger body of water, or well purified effluent from bacteria beds and a still smaller body of water.

Instances are recorded where effluents of the latter class have been discharged into streams giving a dilution of ten times or even less without creating offensive conditions.

The minimum dilution afforded by the Kelani as compared with the ultimate maximum discharge of dry weather sewage is about 200 times. I estimate the present dilution to be about 1,600 times. The former figure is admittedly somewhat below the standard tentatively laid down by the Royal Commission on sewage disposal, but the latter figure is very much in excess of the dilution considered sufficient for a crude sewage.

Are we then to forego the natural advantages offered by the Kelani, and expend large sums to produce a purified effluent that might be discharged with perfect safety into a stream giving very much smaller dilution?

There is one point, gentlemen, that I desire to make perfectly clear. However well purified an effluent may be (excluding of course complete sterilization) it cannot be discharged into a river in large quantities without prejudicing the water in the vicinity as a safe source for drinking water supplies. I imagine, however, that under any circumstances the Kelani in the vicinity of Colombo cannot be considered as a suitable source. I would quote from a memorandum I have recently prepared. (See paragraph 15, memorandum No. 25 of February 4 annexed.)

This factor does not therefore affect the controversy, and we have merely to consider whether other offensive conditions will or will not arise. Will the river afford sufficient dilution to prevent offensive decomposition of the effluent discharged into it? Will the water be discoloured to an objectionable extent? Will objectionable matters be deposited on the river banks or float on its surface? Will there be any danger to fish life or undue growths of aquatic plants?

I have discussed these matters at length in the memorandum referred to, and I have arrived at the conclusion that no material nuisance need be anticipated in the immediate future.

At the present time under most unfavourable conditions as regards direction of wind, volume of stream, and defective operations at the works, the only noticeable result from the discharge is the discoloration of the river extending about 12 feet from the banks and for a distance of about 30 to 40 yards below the outfall. The extension of the outfall towards the middle of the river would obviate this.

At my request the City Analyst has made analyses of samples of river water taken 100 yards above, immediately opposite, and 100 yards below the outfall in the centre of the stream. I will read from his remarks:—

“Water from Kelani river.

“SIR,—I HAVE the honour to report on the samples of above received on the 30th instant:—

	Parts per 100,000.		
	No. 1. 100 Yards above Outlet.	No. 2. Opposite. Outlet.	No. 3. 100 Yards. below Outlet.
Total solids	20.0	24.0	28.0
Organic solids	10.0	10.0	8.0
Mineral solids	10.0	14.0	20.0
Chlorine	6.4	8.3	11.6
Free ammonia	0.0045	0.0045	0.0018
Albumenoid ammonia	0.0116	0.0116	0.0062
Nitrates	Nil	Nil	Nil
Nitrites	Nil	Nil	Nil
Oxygen consuming power in 2 hours	0.082	0.073	0.070

“The above figures show the water to be remarkably pure considering the population on the banks. The effect of the tides is shown by the high chlorine content increasing as the mouth of the river is approached. Sea water has about 1,800 chlorine parts per 100,000, so that the sea water might be said to increase 1/600 every 100 yards, and there might also be calculated the proportion of sea water to fresh water as 1: 250 at the point of flow of effluent. The flow of river water down and the inlet of salt water due to tides dilute the sewage flowing into the river so much that at 100 yards down from the sewage outlet, the river is actually purer chemically than it is 100 yards above the sewage outlet.

“Weather conditions: dry.

I am, &c.,
M. KELWAY BAMBER.”

As judged by the standards of the Royal Commission the river at the points where the samples were taken would be deemed a very good water, and, using one set of figures as an index, the theoretical dilution would appear to agree with that determined by a knowledge of the amount and character of the sewage discharged.

The question whether an increase in the volume of sewage will lead to a material change, or give rise to substantially objectionable conditions, must await further investigation and observation, but it seems clear that for some time to come no such possibility need be apprehended.

The matter requires to be judged from a rational standpoint, especially in view of the urgent need of money for other important sanitary works. It is not a question whether a purer effluent can be obtained from more extensive works (there is no doubt on this point), but whether the advantages that will accrue from a complete artificial process will be proportionate to the heavy expenditure, both in capital costs and maintenance charges, that will be involved.

I have placed before you my own views, necessarily in a very brief and imperfect manner, but I should be pleased to have the privilege of explaining any debatable points or to give either now or later more detailed evidence in support of those views.

A DISCUSSION.

Dr. Rodrigo: The purification of sewage was two-fold—that was first in the septic tanks, and next in the aerobic beds. In the aerobic beds the process was again two-fold—that was by the action of the aerobic microbes, and again by aeration and filtration. The whole process then consisted of the action of the aerobic microbes and the three processes mentioned above. Mr. Cox suggested the doing away with the processes in aerobic beds and to allow only one to continue. Did Mr. Cox still suggest that aerobic beds should be discontinued?

Mr. Cox: In reply I may say that there seems to be some misapprehension with regard to my recommendation. The whole point of my recommendation is that the final purification of the sewage, instead of being done by the aerobic beds, should be entrusted to the river, which undoubtedly is a most efficient purifier. The method employed by us now is only seen in towns and cities where natural facilities are not present. We are now adopting artificial methods, and we are trying to imitate, in the aerobic beds, the natural processes going on in the flowing river.

Dr. Rodrigo: That is to say, you will allow half purified sewage to go straight into the river to be thus purified?

Mr. Cox: Yes.

THANKS TO MR. MANSERGH.

The Chairman: The business is now at an end, and I have great pleasure in proposing a vote of thanks to Mr. Mansergh for his presence here to-day, and for the trouble he has taken in answering the enormous number of questions.

Mr. Arthur Alvis seconded.

Mr. Mansergh: Mr. Chairman and gentlemen,—I am very much obliged to you for giving me this opportunity to confer with you. I am always ready to give this Council my advice with regard to the scheme. At the present moment Mr. Cox and I do not see eye to eye in certain details, but the object is the same, and that is to purify the atmosphere, the sub-soil, and the harbour, and to make this place as healthy as it can be made.

This concluded the proceedings.

Confirmed on February 20, 1914:

R. W. BYRDE,
Chairman, Municipal Council, and
Mayor of Colombo.

R. W. BYRDE,
Chairman, Municipal Council, and
Mayor of Colombo.

Sewage and Sewage Disposal.

THE CHAIRMAN,—I HAVE the honour to submit a brief memorandum dealing with the scientific and technical aspects of the problem of sewage and sewage disposal with special reference to the biological methods adopted in Colombo, and to the question of the necessity or otherwise of completely treating the city's sewage before its discharge into the Kelani.

2. *Composition of the Sewage.*—The sewage from a non-manufacturing community drained on the separate system consists of solid and liquid excrementitious matter, culinary, bathing, and other waste polluted liquids, together with a certain amount of incidental mineral matter and clean water derived from unavoidable sources.

The dry weather flow is estimated in Colombo to be 25 gallons per head per day. With this dilution there may be 75 to 150 parts of solid matter per 100,000 parts of sewage (by weight), roughly 70 per cent. of which would be in true or colloidal solution and 30 per cent. in suspension. About one half of the total solids would be organic matter of a highly complex nature and the remainder innocuous mineral matter.

3. *Decomposition of Sewage.*—Under natural conditions the decomposition of the organic matter forms but a part of the cycle of natural operations that establishes the preservation of living matter. By complex biological and biochemical actions the sewage is split up and changed through the agency of myriads of bacteria and by enzymes or unorganized ferments which are diffused from the living cell; and under some conditions the process is assisted by the assimilative powers of higher forms of life. According to the conditions under which they thrive the bacteria are classed as aerobes and anaerobes, that is to say, bacteria that exist and act in the presence or in the absence of oxygen; and the actions under such conditions are termed aerobic or anaerobic, as the case may be. It will be understood that there is no sharp line demarcating the changes in the processes, and that facultative bacteria may act under either circumstances.

4. In perfectly fresh sewage, oxygen is present, the action is partly aerobic, oxidized substances are formed, and the decomposition of the less stable compounds (especially urea) is commenced.

In the second stage, the oxygen becomes exhausted, anaerobic action prevails, and the organic matter is further decomposed into simpler compounds. In this stage of the process the carbon compounds evolve marsh gas, carbon dioxide, and other inodorous gases in considerable quantities, and the nitrogenous compounds produce complex evil smelling substances, which by volatilization or dissemination occasion the smell which characterizes advanced septicization or putrefaction.

In the final stage, and under perfect aerobic conditions, the organic matters are oxidized to stable soluble chemical compounds with a residuum of insoluble and practically stable organic matter of indefinite composition.

It is possible to arrive at this result by direct oxidation of crude sewage under aerobic conditions, and without the production of offensive odours. In Dibden's slate bed method this principle is employed, and the purification of crude sewage by intimate mixture with large quantities of water is an example of its successful application.

5. *Methods of Purification and Disposal of Sewage.*—These may be summarized as—

- (1) Disposal of crude sewage by dispersion and dilution in the sea, rivers or lakes;
- (2) Disposal of settled or clarified sewage in the sea, rivers, or lakes;
- (3) Broad irrigation on sewage farms;
- (4) Chemical precipitation with or without filtration;
- (5) Bacteriological methods;
- (6) Electrolytic methods.

I propose to deal later with the question of disposal by dilution, but would here point out that this method effects true purification, and can properly be employed when by dispersion in sufficient quantities of oxygenated water the impurities can be consumed by bacteria and larger forms of plant and animal life,* or otherwise disposed of so that no nuisance results. Of the other methods quoted, broad irrigation and chemical treatment are now adopted only under exceptional circumstances, and the electrolytic method has hardly passed the experimental stage. The Madampitiya plant is one of the many forms of the bacteriological method, and a detailed description of the process may be of interest.

6. The sewage as it reaches the pumping station has already undergone preliminary changes, and anaerobic conditions (especially in hot climates) have been established.

The sewage is first passed through the detritus tank and the heavier mineral matters are deposited.

The sewage then flows at a very slow rate through the septic tanks, and during its passage further deposition of suspended mineral and organic matters occurs. Relieved of the greater parts of its suspended matter the effluent is sprinkled on the aerobic beds and emerges as an almost clear liquid not liable to material putrefaction, but containing small quantities of undecomposed organic matter in a stable form.

It is now generally recognized that the prime purification factor in tank treatment is the purely mechanical process which leads to the separation and deposition of suspended matter and the consequent clarification of the liquid. Some biochemical changes certainly occur in the organic matter in solution, but these are not material to the subsequent aerobic treatment, and in the latest designs for tanks this fact has found expression in the effort to limit the time of the retention of the sewage in the tank to that necessary for proper deposition of the solid matter, and to prevent, rather than further, decided changes in the soluble matter. The term "septic action," which was originally applied to the process as a whole, is now invariably applied to the anaerobic decomposition of the deposited organic matter. These matters are decomposed by the agency of bacteria and enzymes as already explained, and the process, which is most active under tropical temperatures, is accompanied by the evolution of gases to such an extent that not only is the deposition of suspended matter affected, but large masses of solid matter are raised to the surface and ultimately disgorged with the tank effluent. The necessity for measures to prevent the disturbance of the supernatant liquid and the eruption of deposited matters will be clearly understood.

7. The principles of the final or aerobic process have already been explained. Exactly in what manner purification is effected in aerobic beds is still a matter for speculation. Older authorities considered that the soluble organic matters are acted upon directly by bacteria and other higher organisms during the passage of the tank effluent through the well aerated interstices of the aerobic beds, whilst later opinions incline to the view that the soluble organic matter is extracted from the liquid by a physical process of desolution or absorption by the gelatinous growths which cover the surfaces of the filtering media, the purified liquid passing quickly through the bed, and the organic matters undergoing much more leisurely purification before being, in part, re-dissolved in an innocuous form and, in part, discharged as stable organic solids or "humus."

An adequate supply of oxygenated air to the interior of the filter is necessary for the proper functioning of this process and it is, therefore, essential that the supply of sewage should not be excessive, and that the surface layers should not be ponded or clogged by accumulations of solid matter.

8. *Disposal of Sewage by Dilution.*—Much attention has been given to this subject since the issue, in November, 1912, of the Eighth Report of the Royal Commission on Sewage Disposal.

Under the Rivers Pollution Prevention Act of 1876 the duty was imposed upon local authorities of rendering sewage harmless before it enters a river (including, under certain circumstances, tidal waters). The sewage effluent by itself alone was to be considered, and no account was to be taken of local circumstances. In their Eighth Report the Commissioners state that the data obtained indicate clearly that the volume and other conditions of a stream are factors which in ordinary circumstances go far to determine whether obvious nuisance will or will not be caused by the discharge of sewage liquids, and they reiterate the recommendations made in their Fifth Report that the law should be altered so that local authorities should not be required to purify their sewage more highly than is necessary to obviate the risk of actual nuisance arising from its discharge.†

9. Rideal states that, with conditions that are favourable, the purifying action of rivers is known to be great.‡

Fuller, in his standard work on sewage disposal, states that in 1904, the raw sewage from a population of 20,000,000 domiciled in American towns of over 3,000 inhabitants was discharged into inland streams and lakes, and that a population of 1,100,000 were served by treatment works. He considers it doubtful (1912) whether this proportion has materially altered since that date.§

He further states that natural agencies affect far greater purification of polluted river water than is generally supposed.|| that unquestionably there are cases where sewage disposal by dilution is followed by self purification so that all reasonable requirements are met,¶ and that this method ordinarily involves works which are simpler and cheaper to build and operate.**

Cotterell states that the Royal Commissioners' Eighth Report established an epoch in that it set up as a dominant factor a standard of dilution or diffusion, and modified the part to be played by the artificial processes of purification according to the amount of dilution that could be obtained.††

Watson states that the predominant factor in the Commissioners' recommendations was the recognition of the principle of disposal by dilution, and the ideal should be to avoid pollution by suiting each effluent to the needs of each stream. Having removed the solid matters in many instances there is not the slightest need for further large expenditure of public moneys.‡‡

Professor Lettes states that under no circumstances is a nuisance likely to arise from sea water contaminated with sewage up to 1 per cent.§§

Kinnicutt Winslow and Pratt state that disposal by dilution is a real method of purification, and that in Germany this method has been extensively adopted under rational and scientific conditions (generally after careful screening). Under certain circumstances this method is the economical and proper one.¶¶

It must, I think, be admitted that, under certain circumstances, disposal of sewage by dilution is a rational procedure, and the English Report of the Royal Commission on Sewage Disposal may be regarded as an official acceptance of this view.

10. It remains then to be considered whether local circumstances are such that this method is applicable to Colombo sewage, and if so, whether, and to what extent, departure can reasonably be made from the proposals to purify completely the sewage discharging into the Kelani.

* Fuller. Sewage Disposal. (America.)

† Eighth Report, Royal Commission on Sewage Disposal, page 1.

‡ Dr. S. Rideal: Sewage Purification, page 14. (England.)

§ Fuller. Sewage Disposal, page 204. (America.)

¶ Fuller. Sewage Disposal, page 177. (America.)

|| *Idem* page 207.

** *Idem* page 203.

†† A. P. I. Cotterell, M.I.C.E., Proceedings of the Royal Sanitary Institute, Vol. XXXIV. (10).

‡‡ J. D. Watson, M.I.C.E. (Birmingham and District Drainage Board), *idem*, page 503.

§§ Rideal, page 317.

¶¶ Kinnicutt Winslow and Pratt. Sewage Disposal (America), page 44.

I may say at once that, for reasons which will be clear, I consider some form of partial treatment to be necessary, and I have assumed that such will be undertaken.

The main points that require elucidation are therefore:—

- (1) Whether the available dilution is such that a partially treated or clarified effluent can be discharged, dispersed, and purified without giving rise to objectionable odours or materially prejudicing the appearance of the stream.
- (2) Whether objectionable mud banks will be formed on the banks of the river polluted by the deposition of offensive solid matters.
- (3) Whether there will be undue growths of aquatic plants which might give rise to objectionable conditions by (a) obstructing navigation in the river; (b) decomposing and producing offensive odours.
- (4) Whether the discharge of a partially treated effluent will materially prejudice the river from a bacterial standpoint.

It may be noted that however highly purified (short of complete sterilization), an effluent cannot be discharged into a stream without prejudicing the waters in the vicinity as a source for drinking water supplies, and this aspect of the question does not therefore affect the problem.

11. *Dilution.*—The ultimate maximum dry weather flow to the Madampitiya works is estimated to be 8,000,000 gallons per day. The present flow is nearly 2,000,000 gallons per day. I estimate the present sewage to be about one half the strength of normal dry weather sewage—that is to say, the true sewage flow may be taken to be 1,000,000 gallons per day.

The minimum dry weather discharge of the Kelani is estimated to be 1,440,000,000 gallons per day, to which must be added 212,000,000 gallons, the estimated volume of tidal water passing in and out of the river daily. The average daily discharge of land water in the Kelani is estimated to be 3,437,000,000 gallons.

With the minimum dry weather river discharge and the ultimate maximum dry weather sewage flow the dilution of sewage or effluent by river water will be about 200 times. With the minimum dry weather discharge the present dilution is about 1,600 times. If the average daily river discharge be taken these figures are increased $2\frac{1}{2}$ times, and it will be understood that during floods or heavy rains the dilution will be enormously augmented.

12. All American authorities appear to agree that if the diluting water exceeds 7 cubic feet per second per 1,000 of population, crude sewage may be discharged into water-courses without giving rise to objectionable pollution.* With Colombo sewage this is equivalent to a dilution of 150 times.

Dr. Calmette concluded that the effluent from a septic tank could be satisfactorily purified by a dilution of 50 to 1. †

Dr. Rideal, in quoting Dupres' statement that on an average dilution with 30 volumes of water prevents fouling and ultimately purifies the sewage, states that in his experience a less proportion is effectual. ‡

In the summary to their report the Royal Commission state that if the dilution exceeds 150 times all standards may be omitted, provided the suspended matter does not exceed 6 parts per 100,000; or if the dilution exceeds 300 times, 15 parts per 100,000. With a dilution of 500 times crude sewage may be discharged subject to such conditions as the provision of screens and deffritus tanks.§ In the body of the report the dilution necessary to comply with the theoretical standard is stated to be 8 to 1 in the case of clean river water and a standard effluent (corresponding to a well-purified effluent from the Madampitiya works).

In the appendix to the report numerous observations of the effect of discharging effluents of various degrees of purity into streams giving various dilutions are recorded.

It is almost impossible to deduce any general rule, but the Commissioners appear to consider that, apart from unfavourable local conditions, the records support their theoretical conclusions.

If no objectionable smells are to result from the discharge of sewages or effluents into rivers it is essential that the self-purification process should be maintained on an aerobic basis, that is to say, the oxygen contained in the water must not be depleted below a certain limit. High temperatures have an adverse effect as the oxygen content of the water is decreased, but this is counterbalanced by the fact that oxidation is more active in strong sunshine. ||

13. *Formation of Mud Banks and the Pollution of the River Banks by the Deposition of Offensive Solid Matter.*—In the case of small or shallow rivers, or rivers subject to extreme seasonal or tidal flow, this constitutes one of the most important sources of nuisance, but the conditions in the Kelani are, from this standpoint, most favourable, and I do not consider there is any prospect of offensive conditions arising in this manner from the discharge of a partially treated sewage.

14. *Aquatic Growths.*—Aquatic plants and algae act in a similar manner to land plants and by their assimilative operations assist in the purification and reoxygenation of the water. As they may thrive in all streams containing nitrogen compounds whether derived from a fully purified effluent or a partially treated sewage, it seems unnecessary to discuss whether, under the latter conditions, their presence may occasion nuisance. Indeed, definite knowledge of this subject is extremely limited.

15. *The effects of the Discharge of a Partially Purified Effluent from a Bacteriological Standpoint.*—Dr. Houston observes that "the different kinds of bacteria and their relative abundance appear to be very much the same in the effluents (septic effluent and contact effluent) as in the crude sewage. . . . and in no case, seemingly, has the reduction of objectionable bacteria been so marked as to be very material from the point of view of the epidemiologist." ¶

With the newer types of coarse grained filters (as opposed to fine sand filters) a certain reduction in bacterial numbers is produced, but the decrease is not sufficient to be of very great sanitary moment.

This does not imply that effluents from these processes need necessarily produce conditions offensive to the senses, but that waters into which they are discharged must be considered as potentially dangerous if used as sources for drinking water supplies. Such waters, however, whether directly polluted by the discharge of sewage effluents or not, would in general require to be filtered or sterilized before safety is assured, and the matter has, therefore, little bearing on the principles under discussion.

16. There is admittedly great difficulty in applying the available evidence to local circumstances, but it seems to me clear:—

- (a) That the conditions of the Kelani are so favourable that there is little possibility of the formation of foul mud banks or the pollution of the river banks if the major part of the suspended solid matter is removed from the sewage by settlement or clarification in the tanks.
- (b) That the improvement effected in the bacterial content of the river by complete treatment of the sewage as compared to partial treatment is not of great moment.

* Fuller, pages 216, 225, 230, *et seq.*; Kinnicut Winslow and Pratt, page 36, *et seq.*; Rideal, page 15.

† The Surveyor, August 15, 1913, page 246.

‡ Rideal, page 17.

§ Eighth Report of Royal Commission on Sewage Disposal, page 17.

|| Fuller, page 228.

¶ Kinnicut Winslow and Pratt, page 379.

- (c) That several instances are recorded when no nuisance arises from the discharge of a well purified effluent in a stream giving a dilution of 8 times or even less, and that, unless exceptionally unfavourable circumstances exist, there is every prospect that dilution in excess of this amount will give satisfactory results. The minimum diluting capacity of the Kelani is so much in excess that it is reasonable to assume that complete purification of the sewage of the city by artificial processes may not be necessary.
- (d) That a septic tank or settled effluent can be discharged into a river giving a dilution of 150 to 300 times with reasonable prospects of a successful result, and that as judged by American and German experience the latter figure (which is given by the Royal Commission) errs on the side of safety.
- (e) That disposal by dilution effects real purification and, under certain circumstances, is quite as satisfactory a method as any of the artificial processes.

17. I regret that in the short time available I have been able to do no more than outline in a very imperfect manner the general principles involved, and indicate very briefly the opinions and conclusions of certain authorities.

18. I have previously recorded my own views on this subject, and they may be summarized as—

- (1) I consider no immediate danger is likely to arise from the discharge of a partially purified effluent.
- (2) I consider there to be every probability that complete treatment will be unnecessary, and until experience shows such to be desirable, I am of opinion that there is no justification for large expenditure on the provision of a complete plant.

19. The Members of the Council who visited Madampitiya with Mr. Mansergh on January 28 will have observed that the river in the immediate vicinity of the outfall is somewhat discoloured by the discharge. The zone of visible pollution is, however, very limited, and chemical analyses have shown that dispersion is so effective that at very short distances from the outfall the pollution of river water is practically negligible. The extension of the outfall towards the centre of the river would facilitate proper dispersion, and would remove from the banks of the river such slight signs of pollution as are now observable.

C. L. COX,

City Sanitation Engineer.

February 4, 1914.

NOTICE is hereby given that in the absence of movable property liable to seizure, (1) rents and profits from 1 to 10 years, (2) timber and produce, (3) materials of house, and (4) the under-mentioned properties themselves, seized in virtue of a warrant issued by the Chairman of the Municipal Council of Colombo, in terms of the 140th clause of the Ordinance No. 6 of 1910, for arrears of consolidated rates due on the premises, and for the period mentioned in the subjoined schedule, will be sold by public auction on the spot at the time therein mentioned, unless in the meantime the amount of the consolidated rates and costs be duly paid.

C. M. YOUNG,

Financial Assistant to the Chairman,

The Municipal Office, Municipal Council.
Colombo, March 18, 1914.

SCHEDULE.

Date of Sale: Wednesday, April 15, 1914.
Darley road.

Premises No.	Quarter and Year.	Time of Sale.
2499.36	3rd quarter, 1911, to 2nd quarters, 1913	7 A.M.
2503.38	3rd and 4th quarter, 1912	7.5 "
2504.38	Do.	7.10 "
2505A	Do.	7.15 "
2505.38A	Do.	7.20 "
De Saram's place.		
2614.1	1st quarter, 1911, to 2nd quarter, 1913	7.25 A.M.
Ward place.		
2947.5A	3rd quarter, 1910, to 2nd quarter, 1911	7.30 A.M.
Wellawatta.		
504.58D	1st quarter, 1912, to 2nd quarter, 1913	8 A.M.
Muhandiram's road.		
1484.10	3rd quarter, 1911, to 2nd quarter, 1913	8.5 A.M.
1526.40	1st quarter, 1911, to 2nd quarter, 1913	8.10 "
1527.41	Do.	8.15 "
1530.44	3rd quarter, 1911, to 2nd quarter, 1913	8.20 "
Nelson lane.		
1474.1A	3rd quarter, 1912, to 2nd quarter, 1913	8.25 A.M.
Muhandiram's road.		
1494.20	3rd quarter, 1912, to 2nd quarter, 1913	8.30 A.M.
1514.30	3rd quarter, 1911, to 2nd quarter, 1913	8.35 "
Wellawatta.		
832.1310	3rd quarter, 1910, to 2nd quarter, 1913	8.40 A.M.

Premises No.	Quarter and Year.	Time of Sale.
416.43	3rd quarter, 1911, to 2nd quarter, 1913	8.45 A.M.
Colpetty road.		
70.222	1st quarter, 1912, to 2nd quarter, 1913	8.50 A.M.
Wellawatta road.		
788.117c	1st and 2nd quarters, 1913	8.55 A.M.
790.117B	Do.	9 "
794.117	Do.	9.5 "

Date of Sale: Thursday, April 16, 1914.

Premises No.	Quarter and Year.	Time of Sale.
Peer Saibo's lane.		
639.25	1st quarter, 1912, to 2nd quarter, 1913	7 A.M.
643A.29	3rd quarter, 1912, to 2nd quarter, 1913	7.5 "
644.29	1st quarter, 1912, to 2nd quarter, 1913	7.10 "
Dam street.		
563.37	3rd quarter, 1912, to 2nd quarter, 1913	7.15 A.M.
564.38	Do.	7.20 "
565.39	Do.	7.25 "
Peer Saibo's lane.		
635.23/23A	1st quarter, 1912, to 2nd quarter, 1913	7.30 A.M.
636.24	1st quarter, 1911, to 2nd quarter, 1913	7.35 "
Old Moor street.		
752.105	3rd quarter, 1912, to 2nd quarter, 1913	7.40 A.M.
Keyzer street.		
259.31.32.33	1st quarter, 1911, to 4th quarter, 1913	7.45 A.M.
291.60	4th quarter, 1911, to 4th quarter, 1913	7.50 "
First lane.		
298.13	1st quarter, 1912, to 4th quarter, 1913	7.55 A.M.
302.9	Do.	8 "
303.7.8	Do.	8.5 "
Second lane.		
317.9	3rd quarter, 1911, to 4th quarter, 1913	8.10 A.M.
320.12	Do.	8.15 "
326.18	1st quarter, 1912, to 4th quarter, 1913	8.20 "
Prince street.		
335.1.1A	3rd quarter, 1911, to 4th quarter, 1913	8.25 A.M.
401.63	4th quarter, 1911, to 4th quarter, 1913	8.30 "

Premises No.	Quarter and Year.	Time of Sale.	Premises No.	Quarter and Year.	Time of Sale.
404.66	1st quarter, 1912, to 4th quarter, 1913	8.35 A.M.	1956.50	Wall street.	
	Mitchoe's lane.		1957.51	1st and 2nd quarters, 1913	8.40 A.M.
408.3	1st quarter, 1912, to 4th quarter, 1913	8.40 A.M.		Do.	8.45 "
410.5	Do.	8.45 "	1960.53A.1.3	Do.	8.50 "
411.6	Do.	8.50 "	1961.53B	Do.	8.55 "
	Maliban street.			Wasala road.	
443.15.16	3rd quarter, 1911, to 4th quarter, 1913	8.55 A.M.	2000.60B	1st and 2nd quarters, 1913	9 A.M.
520.93	Do.	9 "	2001.60c	Do.	9.5 "
537.6	3rd quarter, 1911, to 4th quarter, 1913	9.5 A.M.	2011.67	2nd quarter, 1913	9.10 "
	First Cross street.			Kotahena street.	
610.39	3rd quarter, 1911, to 4th quarter, 1913	9.10 A.M.	2098.23	1st and 2nd quarters, 1913	9.15 A.M.
611.36.37	1st quarter, 1912, to 4th quarter, 1913	9.15 "	2099.23A	Do.	9.20 "
628.8	Do.	9.20 "		Mayfield road.	
629.7	Do.	9.25 "	2146.1B	1st and 2nd quarters, 1913	9.25 A.M.
630.6	Do.	9.30 "		Kotahena street.	
631.5	1st quarter, 1911, to 4th quarter, 1913	9.35 "	2380.125	1st and 2nd quarters, 1913	9.30 A.M.
	Second Cross street.		2381.1	1st and 2nd quarters, 1913	9.35 A.M.
679.28	2nd quarter, 1912, to 4th quarter, 1913	9.40 A.M.	2382.2 & 4	Do.	9.40 "
	Third Cross street.			Santiago street.	
743.5/9	4th quarter, 1910, to 4th quarter, 1913	9.45 A.M.	2447.62 (2)	1st and 2nd quarters, 1913	9.45 A.M.
	Fourth Cross street.		2448.63 (1 & 3)	Do.	9.50 "
846.68	3rd quarter, 1912, to 4th quarter, 1913	9.50 A.M.	2573.74A	2nd and 3rd quarters, 1913	9.55 "
847.67	2nd quarter, 1912, to 4th quarter, 1913	9.55 "	2574.74	Do.	10 "
850.64	Do.	10 "		Date of Sale : Saturday, April 18, 1914.	
848.66	Do.	10.5 "		Santiago street.	
849.65	1st quarter, 1911; to 4th quarter, 1913	10.10 "	2575.74A	2nd and 3rd quarters, 1913	7 A.M.
				Kotahena street.	
	Date of Sale : Friday, April 17, 1914.		2364.119	2nd quarter, 1913	7.5 A.M.
	Vuystwyke road.		2365.119	Do.	7.10 "
1203.113	1st quarter, 1912, to 2nd quarter, 1913	7 A.M.	2366.119	Do.	7.15 "
	K. Mill road.		2367.119	Do.	7.20 "
1092.11	1st quarter, 1912, to 2nd quarter, 1913	7.5 A.M.	2368.119	Do.	7.25 "
1093.12	3rd quarter, 1913	7.10 "		Wall street.	
	Franswatta lane.		1958.52	1st and 2nd quarters, 1913	7.30 A.M.
1124.66	1st and 2nd quarters, 1913	7.15 A.M.	1959.53	Do.	7.35 "
	Vuystwyke road.		1963.53D	Do.	7.40 "
1195.104	1st and 2nd quarters, 1913	7.20 A.M.	1964.53E	Do.	7.45 "
1194.103	3rd quarter, 1913	7.25 "		St. Lucia's street.	
1197.106	2nd and 3rd quarters, 1913	7.30 "	2063.36	1st and 2nd quarters, 1913	7.50 A.M.
1207.6	1st and 2nd quarters, 1913	7.35 "		Alutmawatta road.	
1209.7A	3rd quarter, 1913	7.40 "	3010.279	3rd quarter, 1911, to 4th quarter, 1912	8 A.M.
1214.12	1st and 2nd quarters, 1913	7.45 "	3379.18	4th quarter, 1911, to 4th quarter, 1912	8.5 "
1218.15	Do.	7.50 "		Modera street.	
1219.16	Do.	7.55 "	3946.91	1st to 4th quarter, 1912	8.10 A.M.
	Mattacooly road.		3954.88A	Do.	8.15 "
1252.46	1st and 2nd quarters, 1913	8 A.M.	3871.185	Do.	8.20 "
1261.53	Do.	8.5 "	3847.195	Do.	8.25 "
1262.53A	Do.	8.10 "	3856.192	Do.	8.30 "
	Alutmawatta road.		3857.184	Do.	8.35 "
1289.70B	1st and 2nd quarters, 1913	8.15 A.M.	3703.147	Do.	8.40 "
1290.75	Do.	8.20 "	4039.9	Do.	8.45 "
1292.79A	Do.	8.25 "		Mutwal street.	
1307.83	Do.	8.30 "	3617.172	1st to 4th quarter, 1912	8.50 A.M.
	Ferguson's road.			Modera street.	
1327.50	1st and 2nd quarters, 1913	8.35 A.M.	4034.14 (1)	3rd quarter, 1911, to 4th quarter, 1912	8.55 A.M.
				New Fishers' quarters.	
			3467.98	3rd quarter, 1911, to 4th quarter, 1912	9 A.M.
				Do.	9.5 "
			3383.17	Do.	9.10 "
			3390.17 (1)	1st to 4th quarter, 1912	9.10 "
			4314.88	3rd quarter, 1911, to 4th quarter, 1912	9.15 "
				Bloemendhal street.	
			1730.10	1st to 4th quarter, 1912	9.20 A.M.
			1692.25	3rd and 4th quarters, 1912	9.25 "

MUNICIPALITY OF KANDY.

The Minutes of Proceedings of a Meeting of the Municipal Council of Kandy held in the Town Hall, Kandy, on January 17, 1914, at 8.30 a.m., in accordance with Notice dated January 14, 1914.

Present : The Hon. Mr. G. S. Saxton, Chairman ; Mr. E. Beven ; Mr. L. H. S. Pieris ; Mr. E. L. Wijegoonewardene ; Mr. R. W. Jonklaas ; Mr. D. E. Weerasooria ; Mr. C. A. LaBrooy ; and Mr. H. F. Tomalin.

1. The Minutes of Proceedings of the Meeting held on December 20 having been previously submitted to the Chairman for his approval, and a copy thereof furnished to each Member, were taken as read and confirmed by the Chairman.

2. The following documents were submitted :—

- (a) Statements of receipts and expenditure from close of 1912 to December 31, 1913, on account of the Municipal Fund, comprising the (No. 1) General Revenue and Consolidated Rate (Police and Lighting) and (No. 2) Water-rate Accounts.
- (b) Progress Report of Works brought up to the same date.
- (c) Health Officer's Report for December.
- (d) Statement of cases instituted by the several Inspectors and of Work done by the Municipal Magistrate during the month of December.
- (e) The Reservoir Readings for December.

Resolved—That the several statements, together with the Minutes of Proceedings of this Meeting, as required by section 83 of the Municipal Councils Ordinance, No. 6 of 1910, and the Health Officer's report, be forwarded to the Colonial Secretary for publication in the *Government Gazette*.

3. The following papers were laid on the table :—Reports by the several Inspectors on Laundries, Bakeries, Dairies, Standpipes, and House Service Taps inspected during December.

4. Correspondence :—

- (i.) Letter No. 1 of January 5 from the Hon. the Colonial Secretary, forwarding extract of recommendations made by the Committee appointed to report on the question of the establishment of a Sanitary Branch of the Medical Department, and inquiring whether the Municipal Council agrees to the acceptance of these recommendations in principle.

On the Chairman's motion the Council went into Committee.

Mr. Beven moved—That this Council has no objection to offer to the proposal made in paragraph 15 (1) of the Report of the Committee, but is strongly of opinion that, if it is carried out, steps should be taken to have an additional elected Member. Mr. Wijegoonewardene seconded.—Carried.

The Council resumed, and the resolution was carried unanimously

- (ii.) Letter of January 9 from the Hon. the Colonial Secretary to the Colonial Auditor nominating him to be Auditor of the Accounts of the Kandy Municipality for the year 1914.—for the information of the Chairman.—Read.

- (iii.) Letter No. 77 of December 30 from Dr. McGahey approving of the proposed new site for the market latrine.

Resolved—That the matter be referred to the Special Committee on the Health Department.

5. Papers *re* the proposed improvements to the street lighting on the termination next January of the present electric lighting contract.

It was agreed to write to the Colombo Gas & Water Company, inquiring what terms they would be prepared to offer to the Council, in the event of a renewal of the contract for 20 years, to give effect to the following improvements :—

- (1) To keep all the lamps burning throughout the night instead of only alternate lamps as at present.
- (2) To raise the candle power of all the lamps to 70 or to raise that of alternate lamps to 100, while the others remain at 50-candle power as at present.
- (3) To replace existing fittings by improved fittings of the type in lamp opposite Messrs. Miller & Co.
- (4) To increase the number of arc lamps from 6 to 16.

The Company was also to be asked what reduced terms they were prepared to offer to private consumers in view of the long period for which it was proposed to renew the contract.

Three of the Members (Messrs. Wijegoonewardene, Pieris, and Weerasooria) were of opinion that the contract should be renewed for only 15 years with an extension of 5 years if the services of the Company have been satisfactory, but the majority were for its renewal for 20 years as the terms would be cheaper for the longer period.

6. Recommendations of Standing Committees—

Law and General Subjects.

(i.) That the following be substituted for section 150 of the by-laws of the Municipal Council of Kandy :—The sums recoverable under either of the last four preceding sections shall be recovered as if the same were a tax under the Municipal Councils Ordinance and any existing or future amending Ordinances."

(ii.) That the following estimates be passed :—

- (a) Metalling Lady McCarthy's road, Rs. 220.
- (b) Retaining wall in Lady Gordon's road, Rs. 718 (half cost to be paid by Mr. Lambert Pieris).
- (c) That 50 new meters for house service pipes be indented for, and that no private service of water be allowed to any premises, the annual value of which is below Rs. 250.
- (d) That house service pipes be allowed on usual terms to—(1) Nos. 214 and 215, Trincomalee street—A. D. Martinus ; (2) No. 7, Wewelpitiya—Miss Eaton.

Resolved that the recommendations be adopted.

7. To re-appoint the following Special Committees :—

- (i.) Special Committee on House of Detention for Vagrants in Kandy.—Messrs. Pieris, LaBrooy, and Dr. de Saram.
- (ii.) Special Committee on Ornamental and Shade Trees.—Messrs. Pieris and LaBrooy.
- (iii.) Special Committee on improvements to the Public Market, and to consider the question of revising the present scale of stall rents.—Messrs. Beven, Pieris, and LaBrooy.
- (iv.) Special Committee on re-organization of the Health Department.—Messrs. Beven, Jonklaas, Pieris, LaBrooy, Dr. de Saram, and Chairman.

Resolved that the several Special Committees be re-appointed.

8. The election of Standing Committees for the year resulted as follows :—

- (a) Law and General Subjects—Messrs. Beven, Jonklaas, and LaBrooy.
- (b) Market and Sanitation—Messrs. Weerasooria, Jonklaas, and Dr. A. de Saram.
- (c) Finance and Assessment—Messrs. Beven, Wijegoonewardene, and Pieris.
- (d) Municipal Works—Messrs. Wijegoonewardene, LaBrooy, and Tomalin.

Confirmed this 21st day of February, 1914 :

G. S. SAXTON.
Chairman.

Progress Report of Works done brought up to January 31, 1914.

Estimate No.	Heads of Expenditure.	Amount voted for the Year 1914.		Expenditure during Jan., 1914.		Unexpended Balance.	
		Rs.	c.	Rs.	c.	Rs.	c.
1	Upkeep of pavements	2,911	0	220	12a	2,690	88
2	Town streets	8,300	0	642	54b	7,657	46
3	Alutgantota and Lady Anderson's roads	1,330	0	34	6c	1,295	94
4	Udaivattekele road	2,200	0	199	58d	2,000	42
5	Halloluwa, Bahirawakanda, Hospital, and Huduhumpola roads	1,900	0	219	47e	1,680	53
6	Municipal buildings	2,160	0	144	37f	2,015	63
7	Watering streets	1,560	35	227	43g	1,332	92
8	Market buildings	1,432	0	21	36h	1,410	64
9	Ornamental trees	546	0	46	0i	500	0
10	Tools	600	0	41	67j	558	33
11	Bathing and dhobies' tanks	155	0	—	—	155	0
12	Recreation ground and esplanade	1,000	0	76	35k	923	65
13	Sundry minor works	1,000	0	111	14w	888	86
14	Repairs to cemetery-keeper's house	60	75	—	—	60	75
15	Wace Park	435	0	39	18l	395	82
16	Repairs to carriage and ricksha stands	100	0	2	0m	98	0
17	Public seat, maintenance	220	0	—	—	220	0
18	Lady Blake's Drive	570	0	141	16n	428	84
19	Land above Old Garrison Cemetery	207	50	14	50o	193	0
A	Clearing vegetation	300	0	—	—	300	0
B	Clearing silt from side drains	495	0	—	—	495	0
C	Opening and covering in pits	2,880	0	328	54p	2,551	46
D, E, & F	Ferry boats	595	0	5	47q	589	53
G	House of shelter	280	0	15	50r	264	50
H	Waterworks maintenance	4,746	0	247	73s	4,498	27
I	Maintenance of two fountains	80	0	—	—	80	0
	Scavenging streets	18,000	0	1,656	61t	16,343	39
	Lake silt	3,000	0	232	16u	2,767	84
	House service	1,000	0	186	63v	813	37
20	Town drainage	3,786	94	6	0x	3,780	94
21	Opening a path along railway land	242	77	—	—	242	77
22	Drainage of premises 1 to 6, Railway approach road	260	0	—	—	260	0
18 of 13	Town drainage	230	0	47	7y	183	1
26 of 13	Improvements to Bahirawakanda road	280	89	179	2z	101	87
31 of 13	Building culverts on Halloluwa road	182	67	39	35a1	143	32
34 of 13	Drainage	7,287	66	2	55b1	7,285	11
31 of 11	Treating town streets with gregsonite	1,356	65	—	—	1,356	65
36 of 13	Constructing a cement concrete drain	454	15	5	8c1	549	7
	Extension of water mains	1,596	58	—	—	1,596	58

(a) Cleared barrel drains, Castle Hill street, King street, Brownrigg street, and Colombo street, Rs. 85·81; 25 concrete manhole covers made, Rs. 96·25; 10 wooden manhole covers repaired, Rs. 8·70; cleared gratings, Rs. 21·98; 3 cubes gravel excavated and transported to Ward street, Rs. 7·50 = Rs. 220·12.

(b) 40 cubes metal transported to Victoria Drive and Colombo street, Rs. 310·50; 17 cubes gravel transported to Gregory road, Rs. 52·80; deepened side drains, Rs. 30·46; cleared jungle, Rs. 12; wages of lime watchers, sweepers, and store coolies, Rs. 46·77; cleared land slips, Rs. 21·52; reduced sides, Rs. 30; repaired tools, Rs. 15·40; rail freight on asphalt lime rent and repairs to steam roller, Rs. 33·59; cleared side drains, Victoria Drive, Rs. 60; cleared footpath round bund, Rs. 26; cleared metal quarry, Rs. 3·50 = Rs. 642·54.

(c) Repaired Alutgantota road, Rs. 34·06.

(d) 10 cubes gravel transported to Lady Gorden's road, Rs. 24·50; 5 miles side drains deepened, Rs. 49·01; 5 miles jungle cleared, Rs. 37·45; paid forest overseer's coolies, Rs. 35; 5 miles sides reduced, Rs. 43·12; wages of overseer, Rs. 10·50 = Rs. 199·58.

(e) 3 cubes gravel transported to Asgria road, Rs. 7·50; deepened side drains, Rs. 80·65; cleared jungle, Rs. 50·65; reduced sides, Rs. 80·67 = Rs. 219·47.

(f) Repaired Record Room, white and colour-washed office, Rs. 75·32; repaired lines, Rs. 62·03; repaired 3 latrines, Rs. 7·02 = Rs. 144·37.

(g) Watered streets, Rs. 186·25; repaired water carts, Rs. 6·18; cost of 25 feet canvas hose, Rs. 35 = Rs. 227·43.

(h) Repaired stalls, Rs. 21·36.

(i) Pruned hedges and cut overhanging branches, Rs. 46.

(j) Cost of tools, Rs. 41·67.

(k) Mowed grass and removed, Rs. 42·15; wages of watcher, Rs. 12·40; weeded grounds, Rs. 20·54; contingencies, Rs. 1·26 = Rs. 76·35.

(l) Weeded and swept grounds, Rs. 25·35; wages of watcher, Rs. 13·02; contingencies, 81 cents = Rs. 39·18.

(m) Repaired carriage and ricksha stands, Rs. 2.

(n) Deepened side drains, Rs. 41; cleared jungle, Rs. 15·96; cleared land slips, Rs. 34·20; reduced sides, Rs. 27; repaired hand rails, Rs. 23 = Rs. 141·16.

(o) Wages of watcher, Rs. 14·50.

(p) Earthwork in opening and covering pits, Rs. 264·88; cleared jungle and weeded grounds, Rs. 8·40; wages of overseer and cost of disinfectant, Rs. 55·26 = Rs. 328·54.

(q) Repaired Halloluwa ferry, Rs. 4·47; cart hire for transporting teak planks, Re. 1 = Rs. 5·47.

(r) Wages of watcher, Rs. 15·50.

(s) Repaired main standposts, &c., Rs. 79·86; supplied grass to exposing shed, Rs. 40·25; cleared silt from storm channel, Rs. 3; wages of watchers, Rs. 124·62 = Rs. 247·73.

(t) Swept streets and removed household rubbish, Rs. 1,376·83; burnt rubbish, Rs. 78·30; flushed drains, Rs. 201·48 = Rs. 1,656·61.

(u) Removed silt from lake and silt traps, Rs. 232·16.

- (v) Laid water services to private houses, Rs. 186·63.
 (w) Repaired notice boards, Rs. 10·99; removed steam roller, Rs. 97·35; surveying Anderson's road, Rs. 2·80 = Rs. 111·14.
 (x) 4 cubes metal transported, Rs. 6.
 (y) Made kerbs, Rs. 47·07.
 (z) Built drain and culvert in Bahirawakanda road, Rs. 179·02.
 (a1) Built culvert in Halloluwa road, Rs. 39·85.
 (b1) Half cubes metal transported, Rs. 2·55.
 (c1) Made drain moulds, Rs. 5·08.

March 4, 1914.

G. FRED. BUULTJENS,
Superintendent of Works.

Health Officer's Report for the Month of January, 1914.

Scavenging.—Satisfactory.*Water Supply.*—Good.*Drainage.*—The drains were flushed and kept clean.*Alleys.*—These were kept in as sanitary a state as possible.*Bakeries.*—Fairly well kept.*Eating-houses.*—Fairly well kept.*Public Market.*—Clean and well kept.*Slaughter-house.*—Clean and well kept.*Night Soil Depôt.*—Well kept.*Public Latrines.*—Fairly well kept.

Food Supply.—Good. During the month 519 cattle, 169 buffaloes, 70 sheep, and 417 goats were passed. Twelve head of cattle, 3 buffaloes, 5 sheep, and 16 goats were rejected. Three livers and 3 lungs of cattle, 7 livers and 1 lung of buffaloes, 2 livers of sheep, and 7 livers and 38 lungs of goats were condemned and destroyed.

Public Health.—The health of the town during the month was good. Nine cases of chickenpox, 6 cases of measles, 2 cases of enteric fever, and 1 case of plague were reported. Dr. de Saram informed me about 8.30 p.m. on the night of January 30, that the Medical Officer of the General Civil Hospital had reported that a Tamil boy, aged 16 years, had been admitted about 1 p.m. that day very ill with fever and enlarged cervical glands, &c., and that he had died suddenly about 5 p.m., he suspected that it was a case of plague. We went immediately to the Hospital and after examination decided that it was a case of plague. We then interviewed the Chairman and took all necessary steps to prevent a spread of the disease. Arunasalem Pulley, the father of the deceased, who admitted that he had brought the boy to Pallekkelley from a house in Sea street, two doors away from a house where two sudden deaths had occurred, was prosecuted and fined Rs. 750 on the 10th instant.

The direct contacts were released on the 9th instant, 10 days after the death of the boy.

GEO. P. HAY, L.R.C.P. & S. (Edin.), I.E.P. & S. (Glas.),
Medical Officer of Health.

THE under-mentioned goods having been left in No. 14 Warehouse beyond the time allowed by law will be sold by public auction, unless previously cleared, on Thursday, April 9, 1914, at 1 p.m. :—

Date,	No.	Marks.	Vessel.	Whence.	Description.
1913.					
November 17	42	S. W. & Co. in a square Agent, A. S. N. Co.	ss. Ismailia	Java	2 bottles sugar 1 case
December 1	47	Various	ss. Okhla	do.	5 parcels sugar
November 21	5	H. T. R. or nil	ss. Lindenfels	Calcutta	1 package merchandise
December 6	8	O. B. E. C. in a diamond	ss. Bharata	Turticorin	1 case fittings
December 5	9	Nil	ss. City of Edinburgh	Calcutta	12 bags grain
December 1	16	C. in a diamond ss. S. Cassil or nil	ss. Nevassa	Madras	1 case merchandise 1 case merchandise
November 19	21	Hunter in a square			1 cask cement
December 8	22	D. Reid & Co. A. C. Chamberlain R. C. Norris	ss. Okara	Java	1 parcel samples
December 12	23	616, 244, Darley Butler 618, 244, Viktor Krobath	ss. Worcestershire	Liverpool	1 empty case 1 empty case
January 12	25	E. Wheeler	ss. Austria	Karachi	1 parcel piece goods 1 parcel stockings
November 25	31	Various	ss. Bremen	Bremen	1 bag wearing apparel
December 15	32	Nil	ss. Querimba	Java	9 parcels sugar
October 4	33	Nil	ss. China	Trieste	1 parcel fez
December 16	35	Bradley	ss. Bangala	Tuticorin	1 block
			ss. Lady Blake	Coast	1 package furniture

H. M. Customs,
Colombo, March 13, 1914.J. CONROY,
for Principal Collector.

Statement showing the Importation of Rice into the Ports of Colombo and Galle during the
Week ended March 14, 1914.

	Bags.		Bags.
TO COLOMBO	From Adfampatam ..	499	
	Bangkok ..	6,000	
	Bombay ..	97	
	Calcutta ..	68,856	
	China ..	1,046	
	Kong Kong ..	1,800	
	Karachi ..	2,129	
	Rangoon ..	20,528	
	Singapore ..	19,113	
	Tuticorin ..	3,702	
Total ..	123,770		
		TO GALLE.—From Bombay ..	25

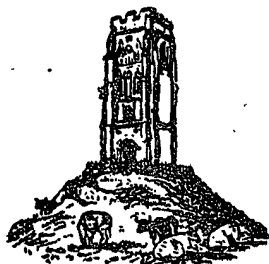
H. M. Customs,
Colombo, March 16, 1914.

H. E. NEWNHAM,
for Principal Collector.

TRADE MARKS NOTICES.

Application No. 877.

IN compliance with the provisions of "The Trade Marks Ordinances, 1888 to 1904," as amended by the Ordinances Nos. 9 of 1906 and 15 of 1908, and the Regulations made on June 1, 1906, notice is hereby given that Messrs. C. and J. Clark, Limited, of Street, in the County of Somerset, England, Boot and Shoe Manufacturers, who claim to be the proprietors of the following Trade Mark, have applied for the registration of the same in their name in respect of boots, shoes, slippers, cork, and other socks and leggings in Class 38 in the Classification of Goods in the above-mentioned Regulations:—



The essential particular of the Trade Mark is the representation of the Glastonbury Tor in the County of Somerset, England, being a tower upon a hill with cattle on the lower ground.

Registrar-General's Office,
Colombo, March 18, 1914.

BERTRAM HILL,
Registrar-General.

Application No. 878.

IN compliance with the provisions of "The Trade Marks Ordinances, 1888 to 1904," as amended by the Ordinances Nos. 9 of 1906 and 15 of 1908, and the Regulations made on June 1, 1906, notice is hereby given that Messrs. C. and J. Clark, Limited, of Street, in the County of Somerset, England, Boot and Shoe Manufacturers, who claim to be the proprietors of the following Trade Mark, have applied for the registration of the same in their name in respect of boots, shoes, slippers, cork, and other socks and leggings in Class 38 in the Classification of Goods in the above-mentioned Regulations:—

KIDLET.

Registrar-General's Office,
Colombo, March 18, 1914.

BERTRAM HILL,
Registrar-General.

Application No. 892.

IN compliance with the provisions of "The Trade Marks Ordinances, 1888 to 1904," as amended by the Ordinances Nos. 9 of 1906 and 15 of 1908, and the Regulations made on June 1, 1906, notice is hereby given that Vauxhall Motors, Limited, of Kimpton road, Luton, and of 180, Great Portland street, London, England, Manufacturers, who claim to be the proprietors of the following Trade Mark, have applied for the registration of the same in their name in respect of motor cars and other carriages in Class 22 in the Classification of Goods in the above-mentioned Regulations:—

Registrar-General's Office,
Colombo, March 18, 1914.

BERTRAM HILL,
Registrar-General.

Ratnapura-Malwala Ferry Branch Road.

NOTICE is hereby given that the Governor, with the advice and consent of the Legislative Council, having agreed to grant the under-mentioned sum for the maintenance of the under-mentioned road from July 1, 1913, to September 30, 1914, the Provincial Road Committee of the Province of Sabaragamuwa, acting under the provisions of section 23 of the Branch Roads Ordinance, No 14 of 1896, have assessed the proportion due by each estate in the district interested in the maintenance of the under-mentioned road follows:—

RATNAPURA-MALWALA FERRY BRANCH ROAD.

(Estimate No. 572 of September 9, 1913.)

Government moiety .. Rs. 2,800
Private contributions .. Rs. 2,856

1st section, 2 miles.

Total acreage, 7,815—Moiety of cost, Rs. 1,142.40—
Sectional rate, 14.6180c.—Total rate, 14.6180c.

Proprietors or Agents.	Estates.	Acreage.	Rs.	c.
The Mahawala Tea Estates Co., Limited	Mahawala	940	137	42
1st to 5th section, 5 miles.				
Total acreage, 6,875—Moiety of cost, Rs. 1,713.60— Sectional rate, 24.9250c.—Total rate, 39.5430c.				
Saffragam Tea and Rubber Company, Limited	Carney	530	209	59
Lansdowne Rubber Co., Ltd., Carson & Co., Agents	Lansdowne	686	271	28
N. D. S. Silva, Winyatts, Gregory's road, Colombo	Silvaland	506	200	10
The Consolidated Tea and Lands Company, Limited	Hapugastenna	3,732	1,475	66
Do.	Hopewell	233	92	14
Do.	Alupolla	210	83	6
Do.	Balakotenna and Wewelwatta	518	204	84
Do.	Welawala Mukalana	295	116	65
W. D. Holland and A. H. Allenby	Dikmukalana	165	65	26
			2,856	0

Which sums the proprietors, managers, or agents of the several estates are hereby required to pay into the Colonial Treasury, Colombo, on or before April 25, 1914.

Provincial Road Committee's Office, S. D. DHONDY,
Ratnapura, March 12, 1914. for Chairman.

Malwala Ferry-Wewelwatta Factory Estate Road.

NOTICE is hereby given that the Local Committee, having estimated the cost of amount spent on new bridges on the above road up to October, 1913; at Rs. 6,148.26, the Provincial Road Committee of the Province of Sabaragamuwa, acting under the provisions of section 24 of the Estates Roads Ordinance, No. 12 of 1902, have assessed the under-mentioned estates, according to the under-mentioned sections into which the road is divided, to make up the amount above estimated:—

AMOUNT TO BE RECOVERED FROM ESTATES.*Bridges.*

3rd to 6th section.

Total acreage, 8,053½—Cost of moiety, Rs. 112.31—
Sectional rate 1.39 cents.

Proprietors or Agents.	Estates.	Acreage.	Rs.	c.
Messrs. N. D. P. Silva & Co.	Silvaland	500	6	95
The Consolidated Tea & Lands Co.	Calboda	742	10	31
Do.	Hapugastenna	4,150	58	5
Do.	Alupolla	2,661½	34	22
Messrs. W. D. Holland and A. H. Allenby	Dikmukalana	200	2	78
			8,053½	112 31

7th to 8th section.

Total acreage, 6,811½—Cost of moiety, Rs. 1,978.29—
Sectional rate, 29 cents.

The Consolidated Tea & Lands Co.	Hapugastenna	4,150	1,206	46
Do.	Alupolla	2,461½	713	83
Messrs. W. D. Holland and A. H. Allenby	Dikmukalana	200	58	0
			6,811½	1,978 29

9th to 15th section.

Total acreage, 2,661½—Cost of moiety, Rs. 4,057.66.

The Consolidated Tea & Lands Co.	Alupolla	2,461½	3,948	80
Messrs. W. D. Holland and A. H. Allenby	Dikmukalana	200	108	86
			2,661½	4,057 66

Which sums the proprietors, managers, or agents of the several estates are hereby required to pay to Mr. C. A. Grant, Hapugastenna Group, Wewelketiya, Ratnapura, the Chairman of the Local Committee, on or before April 25, 1914.

Provincial Road Committee, S. D. DHONDY,
Ratnapura, March 17, 1914. for Chairman.

UNOFFICIAL ANNOUNCEMENTS.

(Continued from page 293.)

The Kelani Valley Rubber Company of Ceylon, Limited.

NOTICE is hereby given that the Seventh Annual Ordinary General Meeting of Shareholders of the above Company will be held at the offices of the Company, No. 18, Upper Chatham street, Colombo, on Tuesday, March 31, 1914, at 12 noon.

Business.

- To receive the report of the Directors and statement of accounts to December 31, 1913.
- To declare a dividend.
- To elect a Director.
- To appoint an Auditor, and to transact any other business that may be duly brought before the Meeting.

By order of the Directors,

GORDON FRAZER & Co., Ltd.,
Colombo, March 18, 1914. Agents and Secretaries.

The Weniwelle Rubber Company, Limited.

NOTICE is hereby given that the Eighth Annual General Meeting of the Shareholders of this Company will be held at 12 noon on Tuesday, March 31, 1914, at the registered office of the Company, Australia buildings, York street, Colombo.

Business.

- To receive the report of the Directors and accounts to December 31, 1913.
 - To elect a Director.
 - To appoint Auditors.
- And transact any other business that may be duly brought before the Meeting.

By order of the Board,

CARSON & Co., Ltd.,
Colombo, March 20, 1914. Agents and Secretaries.

The Indo-Malay Estates, Limited.

NOTICE is hereby given that an Extraordinary General Meeting of Shareholders will be held at the registered office of the Company on Saturday, March 28, 1914, at 12 noon.

Business.—To consider the following resolution submitted by Messrs. F. Crosbie Roles and C. C. S. Dean, under Article 56 of the Articles of Association, viz.: "That the agency, office, and management of this Company be transferred from Messrs. Cumberbatch & Co. to Messrs. Harrisons & Crosfield, Ltd., and that the arrangements required to carry this into effect be made forthwith.

By order of the Directors,

CUMBERBATCH & Co.,
Colombo, March 16, 1914. Agents and Secretaries.

The Tenacombe Estates Company of Ceylon, Limited.

NOTICE is hereby given that the Twentieth Ordinary General Meeting of the Shareholders of this Company will be held at Ambewatte House, Slave Island, Colombo, on Monday, March 30, 1914, at 3.45 P.M.

Business.

To receive the Directors' report and accounts for the year ended December 31, 1913.

To elect a Director.

To appoint an Auditor for the current year, and for such other business as may be brought before the Meeting.

(The Transfer Books of the Company will be closed from March 23 to 30, 1914.)

By order of the Directors,

CUMBERBATCH & Co.,
Colombo, March 21, 1914. Agents and Secretaries.

The Kuruwita Rubber Company of Ceylon, Limited.

THE Third Ordinary General Meeting of the Shareholders of the above Company will be held at their registered office, No. 6, Prince street, Fort, Colombo, on Friday, March 27, 1914, at 3 P.M.

Business.

To receive the Directors' report and accounts to December 31, 1913.

To elect a Director.

To appoint an Auditor, and transact any other business that may be duly brought before the Meeting.

(The Transfer Books of the Company will be closed from March 16 to 27, both days inclusive.)

By order of the Board of Directors,

J. M. ROBERTSON & Co.,
Agents and Secretaries.

The Great Western Tea Company of Ceylon, Limited.

NOTICE is hereby given that the Ordinary General Meeting of the Shareholders of this Company will be held at their registered office, No. 6, Prince street, Fort, Colombo, on Friday, April 3, 1914, at 3 P.M.

Business.

To receive the Directors' report and accounts for season ending December 31, 1913.

To declare a dividend.

To elect a Director.

To appoint an Auditor, and transact any other business that may be duly brought before the Meeting.

(The Transfer Books of the Company will be closed from March 20 to April 3, 1914, both days inclusive.)

By order of the Board of Directors,

J. M. ROBERTSON & Co.,
Agents and Secretaries.

The Ullswater Rubber Company of Ceylon, Limited.

NOTICE is hereby given that the Seventh Ordinary Annual General Meeting of the Shareholders of the above Company will be held at the registered office of the Company, No. 2, Prince street, Fort, Colombo, on Friday, April 3, 1914, at 12 noon.

Business.

1. To receive the report of the Directors and the accounts for the past year.
2. To declare a dividend.
3. To elect a Director in place of one retiring.
4. To appoint Auditors for the current year.
5. To transact such other business as may properly be brought before the Meeting.
6. The Transfer Books of the Company will be closed from March 24 to April 3, 1914, both days inclusive.

By order of the Directors,

AITKEN, SPENCE & Co.,
Colombo, March 17, 1914. Agents and Secretaries.

The Ceylon Coconut Company, Limited.

NOTICE is hereby given that the Fifth Ordinary Annual General Meeting of the Shareholders of the above Company will be held at the registered office of the Company, No. 2, Prince street, Fort, Colombo, on Saturday, April 4, 1914, at 11.30 A.M.

Business.

1. To receive the report of the Directors and the accounts for the past year.
2. To declare a final dividend.
3. To elect a Director in place of one retiring.
4. To appoint Auditors for the current year.
5. To transact such other business as may properly be brought before the Meeting.
6. The Transfer Books of the Company will be closed from March 25 to April 4, 1914, both days inclusive.

By order of the Directors,

AITKEN, SPENCE & Co.,
Colombo, March 17, 1914. Agents and Secretaries.

The Ceylon Ice and Cold Storage Company, Limited.

NOTICE is hereby given that the Twelfth Ordinary General Meeting of Shareholders will be held at the Company's registered office, No. 21, Baillie street, Fort, Colombo, on Friday, April 3, 1914, at noon.

Business.

1. To receive the report of the Directors and accounts for the year ending December 31, 1913.
2. To declare a final dividend.
3. To elect two Directors.
4. To elect Auditors for 1914.
5. To transact such other business as may properly come before the Meeting.

(The Share Transfer Books of the Company will be closed from March 20 to April 6, 1914, inclusive.)

By order of the Directors,

Lewis Brown & Co.,
Colombo, March 18, 1914. Agents and Secretaries.

The Talgaswella Tea Company of Ceylon, Limited.

NOTICE is hereby given that the Twenty-sixth Ordinary General Meeting of the Shareholders of the Company will be held at the Company's offices, The Priory, Union Place, Colombo, on Saturday, April 4, 1914, at 12 noon, for the following purposes, viz. :—

- (a) To receive the report of the Directors and statement of accounts for the year ending December 31, 1913.
- (b) To declare a dividend.

(c) To elect a Director in the place of Mr. Geo. Vanderspar who retires by rotation, but is eligible for re-election.

(d) To appoint an Auditor for the current year.
(The Share Transfer Books will be closed from March 20 to April 6, 1914, both days inclusive.)

By order of the Directors,

J. J. VANDERSPAR & Co.,
Agents and Secretaries.

The Lapan Utan Rubber Company, Limited.

NOTICE is hereby given that the Eighth Annual General Meeting of the Shareholders of this Company will be held at 2 noon on Friday, April 3, 1914, at the registered office of the Company, Messrs. Boustead Bros., No. 2, Saunders Road, Colombo.

Business.

1. To receive the report of the Directors and accounts to December 31, 1913.
2. To declare a dividend.
3. To elect a Director.
4. To appoint Auditors.

And Transact any other business that may be duly brought before the Meeting.

(The Transfer Books of the Company will be closed from March 30 to April 3, 1914, both days inclusive.)

By order of the Board,

BOUSTEAD BROS.,
Agents and Secretaries.
Colombo, March 16, 1914.

Election of a Trustee, Christ Church, Matale.

NOTICE is hereby given that a Meeting of the Congregation of Christ Church, Matale, will be held on Sunday, March 29, 1914, at 6 P.M., at the vestry, to elect a trustee for the said church for this year, in place of Mr. F. A. Prins deceased, in terms of clause 6 of Ordinance No. 21 of 1846

A. S. AMARASEKARA,
Incumbent.

March 6, 1914.

Application for Enrolment as a Proctor.

SIX weeks hence I, Victor Tambinayagam, of "Aria Cottage," Jaffna, presently of No. 37, Hulftsdorp, Colombo, do hereby give notice that I shall apply to the Hon. the Chief Justice and the other Judges of the Supreme Court of Ceylon to be admitted and enrolled a Proctor of the said Court.

March 18, 1914.

VICTOR TAMBINAYAGAM.

I, SVAGURUNATHER SUPRAMANIAM THIAGARAJAH, of Trincomalee, presently of 37, Hulftsdorp, Colombo, do hereby give notice that, six weeks hence, I shall apply to the Hon. the Chief Justice and the other Judges of the Supreme Court of Ceylon, to be admitted and enrolled a Proctor of the said Court.

Colombo, March 17, 1914.

S. S. THIAGARAJAH.

Application for Enrolment as a Notary Public.

I, SIMON DE SILVA, of 306, Alutmawatte road, Colombo, do hereby give notice, in terms of rule 2 of Schedule I, B., of the Ordinance No. 1 of 1907, that I shall, three months hence, apply to the Registrar-General to be admitted and enrolled a Notary Public, to practise in English in the District of Colombo.

Colombo, December 30, 1913.

SIMON DE SILVA.

Application for Enrolment as a Notary Public.

I, HETTI ARATCHY WELLAMURUGE SEDRIS GUNARATNE, of Dalugama, in the Adikari pattu of Siyane korale, do hereby give notice, in terms of rule 2 of Schedule I, B., of Ordinance No. 1 of 1907, that, three months hence, I shall apply to the Registrar-General to be admitted and enrolled a Notary Public, to practise in the District of Colombo.

Dalugama, December 4, 1913.

H. S. GUNARATNE.

Auction Sale of Properties at Colombo, Pannipitiya, Kegalla, and Gampola.

UNDER instructions from Mr. Wijeyesekere of ²⁰⁷⁵⁰⁰ Colombo, and with leave of court granted in guardian case No. 92 of the District Court of Puttalam, I shall sell by public auction the under-mentioned property at the respective spots, on the following dates, to wit:—

1.—On Saturday, March 28, 1914, at 3.30 P.M.

Premises bearing assessment No. 1, Summer place, Kanatta road, with the substantial building called "Kalyani," in extent 2 roods and 4/60 square perches, within sight of the Borella tram terminus.

2.—On Tuesday, March 31, 1914, at 4 P.M.

All that allotment of land called Nugagahalanda, in the village Kottawa close to the Pannipitiya station, in extent 9 acres and 26 perches.

3.—On Friday, April 3, 1914, at 12.15 P.M.

All that allotment of land called Penigalhena, with the building thereon, situated in the town of Kegalla, in extent 1 acre and 2 roods.

4.—On Saturday, April 4, 1914, at 9 A.M.

Two allotments of land called Deliwatta, with the plantations thereon, situated in the town of Gampola, adjoining the railway premises, one in extent about 1 acre, and the other about 2 acres.

For further particulars apply to A. E. de Soyza, Esq., Proctor, Hulftsdorp, Colombo, or to—

AYRES KARUNARATNA,
No. 2, Baillie street, Colombo. Auctioneer and Broker.

Auction Sale under Mortgage Decree.

In the District Court of Negombo.

Una Lana Wana Wana Sindamani Chetty of ²⁰⁷⁵⁰⁰ Negombo Plaintiff.

No. 9,595.

Vs.

Lokubalasurege Dona Selestina Hamy of Walpitamulla, administratrix of the estate of Ranatunga Aratchchige Don Herath Vedarala, deceased. Defendant.

UNDER and by virtue of a decree entered in the above-styled action, I am directed by the District Court of Negombo to sell by public auction, at the respective spots, the following properties declared specially bound and executable for the payment of the amount due on the said decree.

On Saturday, April 25, 1914, commencing at 9 A.M.

1. A portion of the field called Kekunagahakumbura, with the buildings standing thereon, situate at Walpitamulla; bounded on the north by the liminary dam of the field of Sanchy Appu, east by the liminary dam of the field of Nonchyhamy, south by the high land, and west by a portion of this field belonging to Maiappu; containing about 1 parrah paddy sowing extent.

2. An undivided $\frac{1}{2}$ share of the field called Delgahakumbura, with the buildings standing thereon, situate at Walpitamulla aforesaid; bounded on the north by pillawa belonging to Crown, east by the liminary dam of the field of Baronchi Appu, south by the liminary dam of the field of Juanis Appu, and west by liminary dam of the field Wewakumbura belonging to Don Semiel Vidane Arachchi; containing about 4 parrahs paddy sowing extent.

3. The $\frac{1}{2}$ share of the land called Kongahawatta, with the buildings standing thereon, situate at Wigoda, in Dasiya pattu of the Alutkuru korale; bounded on the north by the live fence separating the other $\frac{1}{2}$ share of the land belonging to Subasinmaddumagama Janchamy, on the east and west by the live fences separating the lands belonging to the heirs of Subasinmaddumagama Juan Appu, and south by the live fence separating the land belonging to the heirs of Ranatunga Arachchige Punchappihamy and Subasinmaddumagama Juan Appu; containing in extent about 2 roods.

For further particulars please apply to D. Jno. S. Goonewardene, Esq., Proctor, or to the undersigned.

C. M. LEITAN,
Negombo, March 11, 1914.

Auctioneer.