



# Ceylon Government Gazette

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PART II.—Legal and Judicial.

PART III.—Provincial Administration.

PART IV.—Land Settlement.

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

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### UNOFFICIAL ANNOUNCEMENTS.

#### MEMORANDUM OF ASSOCIATION OF THE CEYLON PRODUCE AND LOAN COMPANY, LIMITED.

1. The name of the Company is the "CEYLON PRODUCE AND LOAN 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 carry on at Colombo, in the Island of Ceylon, or elsewhere the business of commission agents, planters, exporters, importers, traders, miners, and manufacturers, and generally to carry on and undertake any business undertaking, transaction, or operation commonly carried on by capitalists, promoters, financiers, concessionaires, contractors for public and other works, merchants, and any other business which may seem to the Company capable of being conveniently carried on in connection with the above or calculated, directly or indirectly, to enhance the value or render profitable any of the Company's property or rights.
  - (2) To buy tea, rubber, copra, plumbago, rice and/or other products, merchandise, articles, and materials of any kind whatever for manufacture, manipulation, and/or sale.
  - (3) 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, and book debts, or without any security at all, and generally to transact financial business of any kind.
  - (4) 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.
  - (5) To purchase, lease, take in exchange, hire, or otherwise acquire any land or lands, or any share or shares thereof, and any buildings, mines, minerals, mining and mineral properties and rights, machinery, implements, tools, live and dead stock, stores, effects, and other property, real or personal, movable or immovable of any kind, and any rights, easements, patents, licenses, or privileges in Ceylon or elsewhere

- (including the benefit of any trade mark or trade secret which may be thought necessary or convenient for the purpose of the Company's business), and to erect, construct, maintain, or alter any buildings, machinery, plant, roads, ways, or other works or methods of communication.
- (6) To appoint, engage, employ, maintain, provide for, and dismiss attorneys, agents, superintendents, managers, clerks, coolies, and other labourers and servants in Ceylon or elsewhere, 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.
  - (7) To clear, open, plant, cultivate, improve, and develop any land or lands that may be purchased, leased, or otherwise acquired by the Company in Ceylon or elsewhere, or portions thereof, and to plant, grow, and produce tea, rubber, coconuts, coffee, cinchona, cacao, cardamoms, rice, ramie plants, trees, and other natural products in Ceylon or elsewhere.
  - (8) To build, make, construct, equip, maintain, improve, alter, and work tea and rubber factories, coconut and coffee curing mills, and other manufactories, buildings, erections, roads, tramways, or other works conducive to any of the Company's objects, or to contribute to or subsidize such.
  - (9) To hire, lease, or purchase land either with any other person or company or otherwise, and to erect a factory and other buildings thereon or on any land already leased or owned by the Company at the cost of the Company and such other person or company or otherwise.
  - (10) 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, and products, and generally to carry on the business of mining in all its branches.
  - (11) To cultivate, manage, and superintend estates and properties in Ceylon or elsewhere, and generally to undertake the business of estate agents in Ceylon 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.
  - (12) To cause or permit any debenture stock, bonds, debentures, 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.
  - (13) To draw, make, accept, and endorse bills of lading, warrants, bills of exchange, promissory notes, and other transferable or negotiable instruments for the purposes of the Company.
  - (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 let, lease, sell, exchange, or mortgage the Company's estates, lands, buildings, or other property, or any part or parts thereof, whether in consideration of rents, money, or securities for money, shares, debentures, or securities in any other company, or for any other consideration, and otherwise to trade in, dispose of, or deal with the same or any part thereof.
  - (17) To procure the Company to be registered or incorporated in Ceylon, and, if and when necessary or thought advisable, elsewhere.
  - (18) 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.
  - (19) To pay for any lands and real or personal, immovable or movable, estate or 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 or debentures or 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 fully or partially paid up for such purpose.
  - (20) To accept as consideration for the sale or disposal of any lands and real and personal, immovable and movable, estate, property, and assets of the Company of any kind sold or otherwise disposed of by the Company or in discharge of any other consideration to be received by the Company in money or in shares, the shares (whether wholly or partially paid up) of any company, or the mortgages, debentures, or obligations of any company or person or partly one and partly other.
  - (21) 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.
  - (22) To do all such other things as shall be incidental or conducive to the attainment of the objects above mentioned or any of them or any one or more of the objects aforesaid, it being hereby declared that in the foregoing clauses (unless a contrary intention appears) the word "Company" includes companies or corporations, and the word "persons" any number of persons, and that the "other objects" specified in any 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 One million Rupees (Rs. 1,000,000), divided into One thousand shares of One thousand Rupees (Rs. 1,000) each, with power to increase or reduce the capital. The shares forming the capital (original, increased, or reduced) of the Company may be subdivided or 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.
O. B. WIJESEKERA, Colombo .. .. .	One
T. H. A. DE SOYSA, Colombo .. .. .	One
S. SANMOGAM, Colombo .. .. .	One
A. B. GOMES, Colombo .. .. .	One
HENRY L. DE MEL, Colombo .. .. .	One
D. M. P. ABEYWARDENA, Colombo .. .. .	One
D. H. P. ABEYWARDENA, Colombo .. .. .	One
Total ..	Seven

Witness to the seven above signatures, at Colombo, this Eighteenth day of October, 1915:

W. E. V. DE ROOY,  
Proctor and Notary.

#### ARTICLES OF ASSOCIATION OF THE CEYLON PRODUCE AND LOAN 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. The funds of the Company may be lent on the 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 “Ceylon Produce and Loan 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 One million Rupees (Rs. 1,000,000), divided into One thousand (1 000) shares of One thousand Rupees (Rs. 1,000) each, with power to increase or reduce the capital.

## 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 share 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 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 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 declination 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, 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) *Certificate of surrender or forfeiture.*—A certificate in writing under the hands of two of the Directors and of the Secretary or 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 net 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 Secretary or 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 place 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 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 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. 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. 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 Secretary or 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.

#### 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 entitled to vote.

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. 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:—

#### *Ceylon Produce and Loan 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 two nor more than five. In the event of the number of Directors in Ceylon ever being reduced to one, such remaining Director shall immediately cause to be convened an Extraordinary General Meeting of Shareholders for the purpose of filling up one or more of the vacancies; but, in the event of a quorum of Shareholders not attending such meeting, the remaining Director shall himself appoint a Director to fill one of the vacancies. Until such appointment the remaining Director shall not act except for the purpose of appointing another and, if necessary, enabling him to be placed on the Register of Shareholders.

88. *Their qualification and remuneration.*—The qualification of a Director shall be his holding fully paid shares in the Company, of the total nominal value of at least Five thousand Rupees (Rs. 5,000), 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 Two thousand Five hundred Rupees (Rs. 2,500) 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 Owen Bernard Wijeyesekera, Esq., of Colombo, Thomas Henry Arthur de Soysa, Esq., of Colombo, and Duncan Henricus Perera Abeyawardena, 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, Manager or Managers of the Company, Visiting Agent or Visiting Agents, 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, Manager or Managers, Visiting Agent or Visiting 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. No person, not being a retiring Director, shall, unless recommended by the Directors for election, be eligible for election to the office of Director at any General Meeting, unless he or some other Shareholder intending to propose him has, at least seven clear days before the meeting, left, at the office, a notice in writing under his hand signifying his candidature for the appointment or the intention of such Shareholder to propose him.

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 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 Secretaries, or by leaving the same at the office, or by tendering his written resignation at a meeting of the Directors.

101. No contract, arrangement, or transaction entered into by or on behalf of the Company with any Director, or with any company or co-partnership of which a Director is a partner, or of which he is a Director, Managing Director, or Manager, shall be void or voidable, nor shall such Director be liable to account to the Company for any profit realized by such contract, arrangement or transaction, by reason only of such Director holding that office or of the fiduciary relation thereto established, provided that the fact of his interest or connection therewith be fully disclosed to the Company or its Directors.

102. *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, Manager, 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.
- (f) If he shall be absent from the Island for a period of more than six consecutive calendar months.

*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.

103. *How Directors removed and successors appointed.*—The Company may, by extraordinary 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.

104. *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.

105. *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.

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 a manager or managers 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, preliminary as well 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 any 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 an extraordinary resolution of 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 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 minutéd 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 Secretary or Secretaries of the Company, who shall attest the sealing thereof; such attestation on the part of the Secretary or Secretaries in the event of a firm being the Secretary or 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 Secretaries.

## ACCOUNTS.

124. *What accounts to be kept.*—The Secretary or Secretaries for the time being, or, if there be no Secretary 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.

- (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.

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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.

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- (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.

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#### ACCOUNTS.

124. *What accounts to be kept.*—The Secretary or Secretaries for the time being, or, if there be no Secretary 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 financial state and condition of the Company; and the accounts shall be kept in such books and in such 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 net 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, 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 purpose 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 three years, shall rank as unclaimed dividends.

138. *Shares held by a firm.*—Every dividend or bonus payable in respect to 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 in hereafter 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 account vouchers relating thereto, and to report thereon to the meeting, generally or specially, as he may think fit.

*Company's accounts to be opened to Auditors for audit.*—All accounts, books, and documents whatsoever of all 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 Secretary, 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 it 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 Secretary 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 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 Eighteenth day of October, 1915.

O. B. WIJEYSEKERA.

T. H. A. DE SOYSA.

S. SANMOGAM.

A. B. GOMES.

HENRY L. DE MEL.

D. M. P. ABAYAWARDANA.

D. H. P. ABAYAWARDANA.

Witness to the above signatures:

W. E. V. DE ROOY,  
Proctor and Notary, Colombo.

Third Publication.]



## Application for Enrolment as an Advocate.

MANAN THOMAS DE SILVA AMERESEKERA, A.L.B., London, and Barrister-at-law of Middle Temple, presently of Penrhyn, in Campbell place, 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 the Island of Ceylon to be admitted and enrolled as an Advocate of the said Court.

Penrhyn, Campbell place, M. T. DE S. AMERESEKERA.  
Colombo, December 21, 1915.

## Application for Enrolment as a Proctor.

SIX weeks hence, I, Henry Stewart de Livera, Proctor of the District Court of Colombo, shall apply to the Hon. the Chief Justice and the other Justices of the Supreme Court of the Island of Ceylon to be admitted and enrolled a Proctor of the said Court.

62, Barber street, H. S. DE LIVERA.  
Colombo, December 20, 1915.

## Auction Sale.

UNDER and by virtue of the decree entered in case No. C 41,586, D. C., Colombo, I shall put up for sale by public auction on January 14, 1916, at 4 P.M., at the spot, the following property declared bound and executable for the payment of the amount due under the said decree, to wit:—

All that northern lot remaining from the middle portion of Ketakelagahawatta marked lot B, situated at Rawatawatta in Moratuwa, in extent 9½ perches, together with the plantations and buildings standing thereon.

M. PEIRIS,  
Auctioneer.

## Sale by Auction.

UNDER instructions from the assignee in insolvency case No. 2,456 of the District Court of Colombo, I shall sell by public auction at the spot at 5 P.M. on Friday, December 31, 1915, all that allotment marked K in the figure of survey thereof, being the western portion of an allotment of land marked A in the figure of survey thereof dated October 10, 1904, made by Juan de Silva, Licensed Surveyor, called Ambagahawatta, bearing assessment No. 20 and 52/59, situate at Bambalapitiya in Colombo, containing in extent 15½ square perches.

1, Hulftsdorp, C. P. AMERASINGHE,  
December 20, 1915. Auctioneer and Broker.

## Auction Sale of Valuable House Properties at Mutwal and Mattakulia.

UNDER and by virtue of the order to sell issued to me in case No. 41,600 of the District Court of Colombo, I shall sell by public auction on Saturday, January 15, 1916, at 3 P.M., at the spot the under-mentioned properties, to wit:—(1) All that part of the garden called Beligahawatta, together with the buildings and plantations standing thereon bearing assessment No. 64, situated at Mutwal, Colombo, containing in extent 9 43/100 square perches.

At 5 P.M., at the spot.

(2) All those undivided ¾ parts of all that part of the land and of the buildings and plantations standing thereon bearing assessment No. 36, situated at St. Mary's lane, Mattakulia, Colombo, containing in extent 1 rood and 15 1/10 square perches.

The said 2 properties specially and primarily mortgaged with the plaintiff and declared bound and executable under

the mortgage decree entered of record in the said case and ordered to be sold for realization of the sum of Rs. 4,560, and interests and costs of suit.

Further particulars can be had on application to John Leopold Perera, Esq., Proctor, Colombo, or from me—

119, Hulftsdorp street, Colombo. H. D. JOHN PEIRIS,  
Auctioneer and Broker.

## Sale of House Property in the Negombo Town.

D. C., Negombo, Case No. 9,405.

UNDER instructions received from the court in the above-styled action, I shall sell by public auction on Saturday, January 15, 1916, at 4 P.M., at the spot, the premises described below, specially bound and executable, for the recovery of the sum of Rs. 2,105 and interest thereon at 9 per cent. per annum from August 6, 1913, till payment in full and costs of suit Rs. 208.35 (less Rs. 2,307.50 already paid) and payable by (1) K. S. Alvino Perera and wife, (2) K. S. Maria Perera, both of Kotucampu, (3) K. S. Rossino Peries of Grand street, Negombo, (4) K. S. John Fernando of Kotucampu, and (5) K. S. John Perera of Grand street, Negombo, the defendants therein, to the plaintiff Warnakulasuriya Nickulange Bastian Fernando of Angampitiya.

The 2 contiguous portions of land called Suriagahawatta alias Kottangahawatta, with the tiled house standing thereon situated at Kotucampuwa, within the gravets and town of Negombo; bounded on the north by land which belonged to K. S. Dominikku Fernando and now belonging to K. S. Anthony Fernando, east by land of Anthony Leema and Don Miguel Mello, south by land of K. S. Agustino Fernando, and on the west by land of K. S. Sussey Peries, containing in extent 13½ perches.

Further particulars from A. L. J. Croos Dabrera, Esq., Proctor and Notary, Negombo, or from—

S. R. PEIRIS,  
Negombo, December 18, 1915. Auctioneer.

## Auction Sale.

In the District Court of Galle.

Artis Wijesuriya, Registrar of Dcdanduwa ... Plaintiff  
No. 13,541. Vs.

(1) Daniel Mendis Wickramasinghe, (2) Wasalage Arniel de Silva, both of Bussa ..... Defendants.

UNDER and by virtue of the decree and order issued to me in the above case, I shall sell by public auction the shares of lands as follows, declared bound and executable, for the recovery of a sum of Rs. 1,358.27 with further interest on Rs. 1,150 at 18 per cent. per annum from July 31, 1915, up to September 27, 1915, and thereafter on the aggregate amount at 9 per cent. per annum till payment, and costs of suit:—

On Saturday, January 15, 1916, at 10 A.M., at Mahagederawatta at Bussa.

1. All that undivided ¾ part of the land called Duwawatta, together with an undivided ¾ part of the 2 tiled houses standing thereon at Bussa, in extent about 4 acres.

2. All that undivided ¾ part of the field called Mawatawela at Bussa, in extent about 4 acres.

3. All that undivided ¾ part of the land called Mahamanuwangalawatta at ditto, in extent about 2½ acres.

4. All that undivided ¾ part of the land called Behattawatta at ditto, in extent about 3½ acres.

5. All that undivided 1/18 part of 2 contiguous lands called Mahagederawatta and Ambalamawatta at ditto, in extent about 4½ acres.

6. All that undivided ¾ part of the land called Palukoratuwa at ditto, in extent about 2½ acres.

7. All those undivided 1/12 and ¾ parts of the soil and trees of the land called Mudiyanseralahamigewatta at Hegoda, in extent about 8 acres.

8. All those undivided 9/20 parts of the soil and trees of the land called Rapa Vidane Padinchiwaun Leeniyannewattakebella at Kendala, in extent about 1½ acres.



On Saturday, January 15, 1916, at 3 P.M., at  
Oroppuwatta at Pitiwella.

9. All those undivided 5/36 parts of the land called  
Oroppuwatta at Pitiwella, in extent about 1½ acres.  
For further particulars please apply to E. A. Wijesuriya, Esq., Proctor, or to—

Arya Sinhala Wansaya Office, D. G. RATNAPALA,  
Galle, December 10, 1915. Licensed Auctioneer.

*Free*  
**Holy Trinity Church, Colombo.**

THERE will be a Meeting of the Seatholders of Holy Trinity Church, Colombo, after Morning Prayer on Sunday, December 26, to elect Trustees for 1916."

Holy Trinity Church, A. MACLULICH MACLULICH,  
Colombo, December 9, 1915. Vicar.

*Free*  
**All Saints' Church, Hulftsdorp.**

A MEETING of the Seatholders of All Saints' Church, Hulftsdorp, will be held at the vestry of the church on Sunday, December 26, 1915, at 5.15 P.M., for the purpose of electing three Trustees for the year 1916, in accordance with the provisions of section 10 of Ordinance No. 12 of 1846.

H. B. GOONATILAKA,  
Hulftsdorp, December 7, 1915. Vicar of All Saints.

*Free*  
**All Saints' Church, Galle.**

NOTICE is hereby given by the Trustees for 1915, under section 10 of Ordinance No. 12 of 1846, that the Annual General Meeting of the Congregation will be held before

them at the All Saints' Schoolroom on Monday, January 24, 1916, at 6.30 P.M., for the purpose of passing the accounts for 1915 and electing Trustees for the year 1916, and to transact any other business that may arise.

By order of the Trustees,  
G. E. ABAYASEKERA,  
Galle, December 20, 1915. Hon. Secretary.

*Free*  
**Christ Church, Tangalla.**

A GENERAL Meeting of the Congregation of Christ Church, Tangalla, will be held under the church porch at 6 P.M. on Friday, December 31, 1915, for the purpose of electing three Trustees and an Auditor of the said church for the year ending December 31, 1916, in accordance with the provisions of Ordinance No. 12 of 1846.

The Vicarage, JAS. F. DE MEL,  
Tangalla, December 7, 1915. Vicar.

*Free*  
**St. John Baptist Church, Kegalla.**

A MEETING of the Seatholders of St. John Baptist Church, Kegalla, will be held in the vestry of the church on Sunday, December 26, 1915, after Evensong, at 6 P.M.

*Business.*

To elect three new Trustees for the year commencing January 1 next ensuing, as provided for in section 10 of Ordinance No. 12 of 1846.

By order of Trustees,  
ÆLIAN ONDAATJE,  
Kegalla, December 7, 1915. Honorary Secretary.

## 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, November 26, 1915.

THE Council met this day at 3 P.M., pursuant to notice dated November 19, 1915.

*Present*—Mr. R. W. Byrde, Chairman; Mr. C. P. Dias; Mr. L. B. Fernando; Mr. N. H. M. Abdul Cader; Mr. Arthur Alvis; Mr. H. L. de Mel; Mr. E. G. Jayewardene; Dr. E. V. Ratnam; Dr. W. P. Rodrigo; Mr. J. A. Perera; Mr. T. L. Villiers; Mr. F. R. Senanayake; Mr. C. H. Wellard; the Hon. Dr. G. J. Rutherford; the Hon. Mr. W. C. S. Ingles; and Mr. Geo. Waddell.

1. The Minutes of the General Meeting of October 29, 1915, having been previously printed and a copy thereof having been sent to each Member of Council, were taken as read.

Resolved—That the Minutes of the General Meeting of October 29, 1915, be confirmed.

2. The Chairman read the following:—

*Statement re Plague.*

Since the last meeting of this Council there have been 12 cases of plague, making a total of 111 cases for the year, the corresponding number of cases last year was 383. Only 3 infected rats have been found.

Mr. C. P. Dias moved that the Council do go into Committee to consider items Nos. 3 to 7 on the agenda. Mr. L. B. Fernando seconded.—Carried.

(Council in Committee.)

3-5. The following extract from the Minutes of the Standing Committee on Sanitation and Markets, an extract from the Minutes of the Standing Committee on Law and General Subjects and extracts from the Minutes of the Standing Committees on Municipal Works and Finance (meeting together) and of the Finance Committee, having been previously printed and circulated, were laid before the Council in Committee:—

*Extract from the Minutes of the Standing Committee on Sanitation and Markets of November 17, 1915.*

(2) To consider a petition from the residents of San Sebastian, New Bazaar, and part of St. Paul's Ward re beef stall at junction of New Moor street with Messenger street.—Recommended that the application be granted provided that the requirements of the Medical Officer of Health with regard to the building are carried out.

*Resolution.*

Resolved that the above recommendation be adopted.

*Extracts from the Minutes of the Standing Committee on Law and General Subjects of November 17, 1915.*

(7) To consider the question of the remission of a sum of Rs. 801 of toll rents of the Mutwal Ferry and Draw-bridge.—Recommended.

*Resolution.*

Resolved—That the above recommendation be adopted.

*Extracts from the Minutes of the Standing Committee on Municipal Works of November 19, 1915.*

- (2) To consider Mr. C. S. Burns' motion *re* the upkeep of roads and the Municipal and Works Engineers' reports thereon.—Resolved that the annexed report be submitted to the Council.
- (4) To sanction the proposed street lines for Serpentine road.—Recommended that the street lines as laid down be adopted.

*Report referred to in item No. 2 above.*

REPORT OF THE WORKS COMMITTEE *re* ROADS.

The Committee has had under consideration the general question of road upkeep, and in particular the causes which lead to the breaking up of the road surface. The members have been assisted in their deliberations by the advice and opinion of the Hon. Mr. T. H. Chapman, the Director of Public Works.

The rapid deterioration of the roads after repair is due to a variety of different circumstances, the chief among which are (1) the absence of an adequate foundation and (2) the inferiority of the locally obtained gneiss as a material for the making of a macadamized road surface. Another important factor is the great increase in the amount of wheeled traffic which the roads have to carry, the traffic on many of the roads having reached the degree at which the maintenance of a macadamized roadway is no longer economical.

The Committee is satisfied that the Staff of the Works Department is dealing with the problem in the most efficient way that is possible and the endeavour of the Works Engineer is to reduce the quantity of metal used, and to devote greater expenditure on the process of laying it.

At the same time it must be realized that the conditions are such that the Council should, whenever possible, take steps to replace the present macadam by the laying of granite setts on the sides of the roads. This will relieve the road surface of the heavy bullock cart traffic, a step which the Hon. the Director of Public Works states will prove not only a decided economy but a distinct convenience to the public.

It appears to the Committee that the provision of kerbs, channels, and gullies under the Mansergh scheme will tend, in the near future, to prolong the life of roads surfaces.

The relative merits of tar macadam and water macadam as a road surface are still undetermined and must await the results of experiments.

R. W. BYRDE, Chairman  
C. P. DIAS.  
ARTHUR ALVIS.  
J. A. PERERA.

*Resolution.*

Resolved—That the above recommendations be adopted.

*Extracts from the Minutes of the Standing Committees on Municipal Works and Finance (meeting together) of November 19, 1915.*

- (4) To consider the question of granting the Fire Brigade a moiety of the fees paid for extinguishing fires on board ships in the harbour.—Recommended that one-third be distributed among the men taking part in the work connected with the fire.
- (5) To consider the draft by-laws *re* licenses for dangerous trades and places.—Recommended that the by-laws and schedule of fees, as amended and annexed, be passed.
- (7) To sanction a vote of Rs. 5,000 under vote I. 22—Upkeep of metal roads.—Recommended.
- (8) To consider the tenders for supplies for 1916.—Recommended—(1) That the contract for the supply of coir be granted to L. B. Perera at Re. 1.60 a cart load; (2) That the other recommendations of the Board be adopted.
- (9) To consider the question of sanctioning a vote of Rs. 3,000 on account of repairs to Labugama Reservoir.—Recommended that the vote be sanctioned.
- (10) To consider an application to proceed to England on leave from Mr. C. H. Kilmister, Chief Assistant Works Engineer, and for permission to serve in His Majesty's Forces.—Recommended.
- (11) To consider an application from Dr. L. Fabian Hirst, Municipal Bacteriologist, for leave of absence from Ceylon during the period of the war.—Recommended that Dr. Hirst be granted leave without pay, to join His Majesty's Forces for the period of the war.
- (12) To consider a letter from the Chief Construction Engineer, Railway Extensions, *re* level crossing across Reclamation road and Main street for Rice Warehouses at Racquet Court.—Recommended that the permission be granted subject to the conditions set out in the Works Engineer's letter No. 558/4439 of November 15, 1915.

*Resolutions.*

With reference to item No. 5, Mr. F. R. Senanayake moved that 1 cwt. appearing under item No. 10, schedule B, be altered to 5 cwt.—Dr. E. V. Ratnam seconded.

On a show of hands being taken 8 voted for, and 8 against the motion. The Chairman gave his casting vote in favour of the motion which was then carried.

With reference to item No. 8, Dr. W. P. Rodrigo moved that the recommendation of the Tender Board, Head of the Department, and the Financial Assistant with regard to the tender for the supply of coir be adopted and that the lowest tender be accepted. Mr. L. B. Fernando seconded.

Messrs. H. L. de Mel and C. P. Dias spoke in favour of the recommendation of the Standing Committee. Mr. T. L. Villiers and Dr. E. V. Ratnam spoke in favour of the motion.

On a show of hands being taken the motion was declared lost, 7 voting for it and 9 against.

Thereupon Dr. W. P. Rodrigo called for a division and the Council divided as follows:—

*For.*

Mr. L. B. Fernando.  
Dr. E. V. Ratnam.  
Dr. W. P. Rodrigo.  
Mr. T. L. Villiers.  
Mr. F. R. Senanayake.  
The Hon. Dr. G. J. Rutherford.  
Mr. Geo. Waddell.

*Against.*

The Chairman.  
Mr. C. P. Dias.  
Mr. N. H. M. Abdul Cader.  
Mr. Arthur Alvis.  
Mr. H. L. de Mel.  
Mr. E. G. Jayewardene.  
Mr. J. A. Perera.  
Mr. C. H. Wellard.  
The Hon. Mr. W. C. S. Ingles.

Mr. C. P. Dias moved that the recommendation of the Standing Committee be adopted. Mr. E. G. Jayewardene seconded.

Mr. T. L. Villiers moved, as an amendment, that the tender for coir be offered to the present contractor at Re. 1.58 a cart-load and, in the event of his declining, it be given to Brampy Singho at that rate, namely, Re. 1.58. Dr. W. P. Rodrigo seconded.—Carried.

With reference to item No. 10, it was resolved that Mr. Kilminster be granted such leave and pay as he may be entitled to and be given an assurance that on the expiry of that leave he will be entitled to remain on leave during the period of the war, provided he is serving with His Majesty's Forces.

Resolved—That the remaining items of the above recommendations be adopted.

*Extracts from the Minutes of the Standing Committee on Finance of November 19, 1915.*

(4) To consider the question of remuneration to be paid to Messrs. S. W. Gomes and H. R. Wickremasinghe of the Secretariat for special work in the preparation of File Registers.—Recommended that Rs. 150 each be granted.

(5) To sanction the following re-votes for 1914-1915:—

					Rs.	c.
G.	7/14/15	Working expenses	..	..	577	10
G.	1	Doctor's fee	..	..	185	0
H.	3	Rent	..	..	50	0
H.	12	Miscellaneous	..	..	566	77
H.	15	Rent of station	..	..	50	0
K.	2	Allowances	..	..	19	19
C.	16	Printing of Administration Reports	..	..	800	0
K.	16	Water service to Drieberg's lane	..	..	693	76

Recommended.

(6) To consider an application for leave from Mr. L. P. P. Gunatilleke, clerk to Municipal Bacteriologist, for leave of absence from Ceylon for the period of the war.—Recommended that the leave due be granted, and that he be given further leave without pay, provided that he joins some branch of His Majesty's Forces.

(7) To sanction a supplementary vote of Rs. 3,000 under vote I. 51—Refuse destructor.—Recommended.

(8) To sanction the supply of uniforms to Mrs. C. V. M. Barnett, newly appointed Health Visitor.—Recommended.

(9) To sanction a supplementary vote of Rs. 2 under vote I. 42, on account of payment of oil allowance to Supervisor Monzoor of the Works Department for April and May, 1915.—Recommended.

(10) To sanction the transfer of Rs. 600 from vote K. 1—Salaries and wages, to vote K. 3—Maintenance of Colombo Waterworks.—Recommended.

(11) To consider the question of the remission of a sum of Rs. 801 of toll rents of the Mutwal Ferry and Drawbridge.—Recommended that the remission be granted.

(12) To consider the question of leasing or selling the land (acquired for the widening of Skinner's road) at the junction of Galpotha street and Skinner's Road North.—Recommended that the land be sold at an upset price of Rs. 15,000 by public auction.

(13) To consider an application from Mr. N. Schokman, Sanitary Sub-Inspector, that the period from December 29, 1914, to February 14, 1915, during which he was in hospital as a result of an injury received in the performance of his duties, be not counted as leave.—Recommended.

(14) To sanction a re-vote of Rs. 349.98 in the supplementary budget for the current financial period of six months for payment of the pension of the late Mr. W. B. de Saram, not drawn before June 30, 1915.—Recommended.

*Resolution.*

Resolved—That the above recommendations be adopted.

6. To consider the following recommendations of the Special Committee appointed on May 4, 1915, to consider the report of the Municipal Commission and letter No. 43 of March 27, 1915, from the Hon. the Colonial Secretary:—

Recommended that the Municipality bind itself to complete the proposed modified programme of drainage forwarded by the Chairman to the Hon. the Colonial Secretary by letter No. 231s. of October 21, 1915, which scheme has been approved of by His Excellency the Governor, as stated in the Hon. the Colonial Secretary's letter No. 132/013,677 of November 3, 1915, to the Chairman.

Recommended that the Council accepts the recommendation of the Commission as contained in paragraph XIII. of their report without reserve.

Regarding recommendation No. XIV of the Commissioners, it is recommended that the Council should accept the proposal that the re-payment of the cost of the upkeep of trunk roads should be dependent upon the certificate of the Director of Public Works that such roads are maintained to his satisfaction and that the question of what thoroughfares are trunk roads should be determined by the Advisory Committee, provided that the Council is given an opportunity of being heard before that Committee.

Recommended that this Special Committee be re-appointed next year to discuss the further recommendations of the Municipal Commission.

Recommended that the Council do record their appreciation of the work of the Commissioners in their investigation of the affairs of the Municipality of Colombo and express their gratitude for the generous help which has been accorded to this Municipality by the acceptance by the Government of the recommendations made in the report of the Commissioners.

Mr. C. P. Dias moved that the public do withdraw. Mr. Arthur Alvis seconded.—Carried.

The members of the press then withdrew.

The Hon. Dr. D. J. Rutherford moved that item No. 1 of the above recommendations be adopted. T. L. Villiers seconded.—Carried.

Resolved—That the remaining items of the above recommendations be adopted.

7. To consider the report of the Special Committee appointed on October 29, 1915, to prepare a scheme for the liquidation of the charge upon the Municipal Revenue for providing compensation for the damage caused in the late riots under section 32 of Ordinance, No. 23 of 1915, entitled "An Ordinance to Provide Compensation for Losses by Riots."

The Chairman moved that Rs. 850,000 be substituted in place of Rs. 800,000 in the first recommendation of the Special Committee's report. Mr. L. B. Fernando seconded.—Carried.

The Chairman moved that in place of the words "has suffered . . . . Council" in sub-section, (a) under paragraph 1 of the scheme, the words "by reason of any injury received or damage sustained by him during the said riots is, in the opinion of the Chairman of the Municipal Council, deserving of exemption," be inserted. Mr. C. P. Dias seconded.—Carried.

Mr. N. H. M. Abdul Cader moved, as an amendment, that the Muhammadans should be exempted altogether from these two proposed taxes and that the deficiency arising from those exemptions should either be cast on the Sinhalese or on all, if the Europeans, Burghers, and Tamils and other communities, excepting the Muhammadan community, are willing to contribute. Dr. E. V. Ratnam seconded *pro forma*.

Mr. T. L. Villiers spoke against the amendment and supported the recommendation.

The amendment was put to the meeting and declared *lost*, 1 voting for it and 15 against.

Mr. N. H. M. Abdul Cader moved, as a further amendment, that the exemptions be made from the assessment tax as well as the capitation tax. Mr. E. G. Jayewardene seconded.

Dr. W. P. Rodrigo spoke against the amendment.

The amendment was put to the meeting and declared *lost*, 2 voting for it and 14 against.

Resolved that the words "under section 129 of the Municipal Councils Ordinance No. 6 of 1910," appearing under scheme I. (a), be transposed and inserted after the word "Tax."

The following recommendations, as amended, were then approved:—

1. That Government be requested to advance, under section 33 of Ordinance No. 23 of 1915, the necessary sum for the payment of the amounts of assessment due under section 31 of the said Ordinance, namely Rs. 850,000, and that the advance of Rs. 100,000 already made by the Government be taken as part of the said sum of Rs. 350,000.

2. That the payments of the amounts of assessment already made aggregating Rs. 130,195.74, be approved and the following scheme under Chapter 14 of Ordinance No. 23 of 1915, adopted:—

Whereas under section 32 of Ordinance No. 23 of 1915, entitled "An Ordinance to provide Compensation for Losses by Riots" a Municipal Council may frame a scheme for the liquidation of the charges imposed upon its revenues under section 32 of the aforesaid Ordinance; and

Whereas it is necessary for the Municipal Council of Colombo to frame a scheme for the liquidation of the amount, together with the cost of the collection thereof, of the assessment of the compensation due on the damages occasioned during the riots which occurred in the Municipality of Colombo on May 31, 1915, and the following days.

It is hereby resolved, subject to the approval of His Excellency the Governor in Executive Council, that—

I. (1) A tax of Rs. 5 per head per annum shall be imposed upon all persons liable to the labour tax under section 129 of the Municipal Councils Ordinance, No. 6 of 1910, in accordance with the lists prepared for the year 1916 and the year 1917, subject to the exemptions contained in the provisions of law mentioned in the aforesaid section, and subject further to the exemption—

(a) Of any person who by reason of any injury received or damage sustained by him during the said riots is in the opinion of the Chairman of the Municipal Council deserving of exemption.

(b) Of any member of any Volunteer Corps who may under the orders of the Military Authorities have assisted in the suppression of the aforesaid riots, on the production of a certificate under the hand of the Commanding Officer to the satisfaction of the Chairman of the Municipal Council.

(2) The said tax shall be paid on or before July 31, 1916, and July 31, 1917, respectively, and may be collected in the same manner as the "Commutation Tax," payable under section 129 of the Municipal Councils Ordinance, No. 6 of 1910, is collected.

(3) It shall be lawful for any person liable to the payment of the said tax to apply in writing to the Chairman of the Municipal Council to be allowed to commute the payment of the said sum of Rs. 5 due by him by the performance of labour upon such public works as the Works Engineer of the Colombo Municipality shall appoint.

(4) Every such application shall be made at any time prior to June 1, 1916, and June 1, 1917, respectively, and the Chairman of the Municipal Council shall make such order thereon as he may deem fit.

(5) If the application is allowed such applicant shall sign at the Office of the Financial Assistant of the Colombo Municipality an undertaking in writing to perform twelve days' labour within the limits of the Municipal Council of Colombo, and to appear on such date at the Town Hall, as may be decided by the Financial Assistant, to ascertain the time and place at which the labour is to be performed.

(6) No person shall be entitled to commute the money payment due by him unless he has signed the undertaking herein referred to before July 1, 1916, and July 1, 1917, respectively.

(7) If any person shall fail or neglect to pay the said sum of Rs. 5 by July 31, 1916, and July 31, 1917, respectively or if any person who may have signed an undertaking to perform labour in lieu of payment of the said sum of Rs. 5 shall fail or neglect to attend at the time and place appointed for the performance of labour, or shall fail or neglect to perform the labour appointed in pursuance of such undertaking, the Chairman of the Municipal Council may file or cause to be filed before the Municipal Magistrate an information against the said person.

(8) On the receipt of the said information the Municipal Magistrate shall issue a warrant for the arrest of such person.

(9) Any person arrested under the warrant issued by the Municipal Magistrate shall be taken without delay before the said Municipal Magistrate according to the terms of the warrant and subject to such bail as may be directed by the Municipal Magistrate in his discretion to be taken, and the Municipal Magistrate before whom such person shall be brought shall inquire into the default in respect of which such person was arrested, and upon being satisfied that the person arrested is the person against whom the warrant was issued and that the default mentioned in such warrant was committed by such person, shall and is hereby required by warrant to commit such person to prison, there to be detained at hard labour for the period of one month. Provided that the Municipal Magistrate before whom any such person shall be brought may in his discretion, in lieu of committing such person to prison, adjudge him to pay a penalty of Rs. 10, and, if such sum be paid forthwith or within such time as the Municipal Magistrate may allow, such person shall not be committed to prison, but otherwise he shall, and the Municipal Magistrate may, if such person shall have been released prior to the payment of such fine when inflicted, issue, if necessary, a warrant for his arrest. Provided that, if after the commitment of such person such penalty shall be paid, it shall be lawful for such Magistrate to discharge such person out of prison. Provided that from any decision of the Municipal Magistrate under this scheme there shall be no appeal.

II. A rate of 2 per cent. on the annual value of all houses and buildings of every description and of all lands and tenements whatsoever within the aforesaid Municipality of Colombo shall be made and assessed for the year 1916 and the year 1917, which said rate shall be collected and enforced in conformity with the provisions of the Municipal Councils Ordinance, No. 6 of 1910, and of any by-laws made thereunder relating to the collection and enforcement of rates.

Mr. C. P. Dias moved that the Council do resume and that the resolutions of Council in Committee be adopted. Mr. Arthur Alvis seconded.—Carried.

*Council Agenda (Continued).*

The Chairman, in Council, moved that the recommendations, as amended by the Council in Committee, be adopted. Mr. L. B. Fernando seconded.—Carried.

8-13. Mr. C. P. Dias moved that the following items on the agenda, namely, Nos. 8 to 13, be adopted. Mr. Arthur Alvis seconded.—Carried.

8. To sanction excess leave of 2 days over 42 days granted to Mr. C. Nagalingam, Laboratory Assistant, Madampitiya.

9. To sanction excess leave of 25 days over 42 days granted to Mrs. F. E. M. Harris, Health Visitor, Public Health Department, owing to ill-health.

10. To sanction excess leave of 8 days over 42 days granted to Mr. T. Joseph, Supervisor, Conservancy Branch, owing to ill-health.

11. To sanction excess leave of 28 days over 42 days granted to Mr. P. A. Varney, Supervisor, Conservancy Branch, owing to ill-health.

12. To sanction excess leave of 3 days over 42 days granted to James IL, disinfecting cooly, owing to ill-health.

13. To sanction excess leave of 11 days over 42 days granted to A. D. Martin, binder, Public Health Department.

14. The report of the Medical Officer of Health for the second quarter of 1915, having been previously printed and circulated, was laid on the table.

15. The City Analyst's reports on town water for October, 1915, and the Municipal Bacteriologist's report on town water for September, 1915, having been previously printed and circulated, were laid on the table.

16. The Progress Report No. 56 of the City Sanitation Engineer for October, 1915, having been previously printed and circulated, was laid on the table.

17. The Report of the Resident Engineer, Drainage Works, for October, 1915, was laid on the table.

18. The estimate of probable receipts and the proposed expenditure of the Municipality for the year 1916, having been previously printed and circulated, was laid on the table.

19. Statement of Receipts and Disbursements from July 1, 1915, to October 31, 1915, and Progress Reports showing expenditure up to October 31, 1915, were laid on the table.

20. Reports of Inspectors on licensed carriages for October, 1915, were laid on the table.

The following documents were also laid on the table :—

Return of Committees of the Municipal Council for 1915.

Proceedings of Committees.

C. L. I. Band Programme for December, 1915.

Return of average daily supply and consumption of water for September and October, 1915.

The Works Engineer's report for October, 1915, on the condition of Tramway routes.

Report of the Municipal Engineer of work done during October, 1915.

Report of the Municipal Bacteriologist of work done during October, 1915.

Diaries of the following officers for the month of October, 1915 :—

The Works Engineer and his Assistants, Waterworks Engineer and his Assistants, Medical Officer of Health and his Assistants, Prosecuting Inspector, 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.

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

Confirmed on December 10, 1915 :

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

(Vide item No. 5 of the Extracts from the Minutes of the Standing Committees on Municipal Works and Finance (meeting together) of November 19, 1915.)

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THE COLOMBO MUNICIPAL COUNCIL.

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Recommended that the following By-law be passed :—

*Draft By-law.*

The following trade and businesses are hereby declared to be offensive and/or dangerous trades and businesses for the purpose of section 212 of Ordinance No. 6 of 1910. :—

1. The keeping of a timber yard.
2. The keeping of a timber sawing depôt.
3. The manufacture of arated waters.
4. The manufacture of ice.
5. The storing and curing of plumbago.
6. The storing of plumbago.
7. The manufacture of manure.
8. The storing of manure.
9. The storing of hides.
10. The storing of Maldive fish.
11. The keeping of a poultry mart.
12. The quarrying for metal or cabook.

13. The keeping of an eating-house.
14. The keeping of a bakery.
15. The keeping of a livery or hack or cattle stables (excepting dairies).
16. The keeping of a common lodging-house.
17. The keeping of an opium divan.
18. The keeping of a copra store.
19. The manufacture of oil from the coconut.
20. The keeping of a factory, workshop, or work place in which steam, water, or other mechanical power is used.

Fees charged under section 233 of Ordinance No. 6 of 1910 for offensive trades and businesses. Recommended that the Council determine that the fees enumerated in the following schedules be charged for licences granted under the provisions of Ordinance No. 6 of 1910 for the use of places for the following purposes :—

*Schedule A.*

Fees charged under section 233 of the said Ordinance for offensive and dangerous trades and places under section 212 of the said Ordinance.

No.	Description of Trade.	Licence Fee.	
		Rs.	c.
1.	Boiling offal or blood .. .. .	250	0
2.	Soap house .. .. .	50	0
3.	Oil boiling house .. .. .	100	0
4.	Dyeing house .. .. .	5	0
5.	Tannery .. .. .	500	0
6.	Brick, pottery, or lime kiln .. .. .	100	0
7.	Sago manufactory .. .. .	100	0
8.	Gun powder manufactory .. .. .	500	0
9.	Manufactory of fireworks .. .. .	250	0
10.	Yard or depôt for hay .. .. .	5	0
11.	Do. straw .. .. .	5	0
12.	Do. firewood .. .. .	2	50
13.	Do. coal .. .. .	500	0
14.	Do. cotton .. .. .	100	0
15.	Do. bones .. .. .	100	0

*Schedule B.*

Fees charged under section 233 of the said Ordinance for trades and businesses which the Council has by means of a by-law declared to be offensive and/or dangerous trades and businesses for the purpose of section 212 of the said Ordinance for the use of places for the following purposes :—

1. Timber yard :—	Area.	License Fee.	
		Rs.	c.
	750 square feet or less .. .. .	30	0
	Over 750 square feet and not exceeding 1,500 square feet .. .. .	45	0
	Over 1,500 square feet and not exceeding 2,250 square feet .. .. .	60	0
	Over 2,250 square feet and not exceeding 3,000 square feet .. .. .	75	0
	Over 3,000 square feet .. .. .	90	0
2. Timber Sawing Depôt :—			
	750 square feet or less .. .. .	50	0
	Over 750 square feet and not exceeding 1,500 square feet .. .. .	65	0
	Over 1,500 square feet and not exceeding 2,250 square feet .. .. .	80	0
	Over 2,250 square feet and not exceeding 3,000 square feet .. .. .	95	0
	Over 3,000 square feet .. .. .	110	0
3.	Aerated water manufactory .. .. .	250	0
4.	Ice manufactory .. .. .	250	0
5.	Plumbago curing store and yard .. .. .	500	0
6.	Plumbago store .. .. .	100	0
7.	Manure manufactory .. .. .	500	0
8.	Manure store .. .. .	100	0
9.	Hide store .. .. .	100	0
10.	Maldiv fish store (containing over 5 cwt. at any one time) .. .. .	5	0
11.	Poultry mart .. .. .	15	0
12.	Metal or cabook quarry .. .. .	100	0
13.	Eating house .. .. .	2	50
14.	Bakery .. .. .	12	0
15.	Livery or hack or cattle stable (excepting dairies)		
	(a) 5 animals and under .. .. .	10	0
	(b) 5 to 10 animals .. .. .	30	0
	(c) Over 10 animals to 20 animals .. .. .	60	0
	And for every additional animal .. .. .	2	50
16.	Common lodging-house .. .. .	10	0
17.	Opium divan .. .. .	250	0
18.	Copra store .. .. .	50	0
19.	Coconut oil manufactory (where machinery is employed) .. .. .	250	0
20.	Chekku or hand-mills for extracting coconut oil .. .. .	10	0
21.	Factory, workshop, or work place in which steam, water, or other mechanical power is used .. .. .	0	50 per unit of horse power

(Maximum fee not to exceed Rs. 500 in the aggregate.)

## MUNICIPALITY OF GALLE.

## Minutes of Proceedings of a General Meeting of the Municipal Council of Galle held in the Municipal Office on Saturday, November 13, 1915.

THE Council met this day at 2 P.M., pursuant to notice dated November 8, 1915.

*Present*:—The Hon. Mr. R. B. Hellings, Chairman; Mr. D. G. Goonewardena; Mr. H. M. Makan Markar; Mr. D. W. Subesingha; Dr. C. B. Lourensz; Mr. G. E. Abeywardena; Mr. A. C. Hayley; Mr. J. E. Perera; and Mr. E. H. Vanderstraeten.

1. The Minutes of the General Meeting of Council held on October 9, 1915, a copy of which was sent to each Councillor, were taken as read.

Resolved—That the Minutes of the General Meeting of Council held on October 9, 1915, be confirmed.

2. Pursuant to notice the Chairman moved that a Special Committee be appointed to prepare a scheme for the liquidation of the charge laid upon the Municipal Revenue for providing compensation for the damage caused in the late riots, by section 32 of the Ordinance No. 23 of 1915, entitled "An Ordinance to provide Compensation for losses by Riots." Dr. C. B. Lourensz seconded.—Carried unanimously.

The Chairman then moved that the Special Committee consist of Mr. D. G. Goonewardena, Mr. Makan Markar, Mr. D. W. Subesingha, Mr. C. E. de Vos, Mr. A. C. Hayley, and the mover, three to form a quorum. Dr. C. B. Lourensz seconded.—Carried unanimously.

3. The Hon. the Colonial Secretary's letter No. 6, dated October 20, 1915, *re* amount due for Police employed within Municipal limits since 1914.

Mr. A. C. Hayley moved that it be pointed out to Government that the charge for Police employed within the Municipal limits is twenty-five per cent. of the Council's revenue and is out of proportion even to the amount which the Kandy Municipality is required to pay, and that the Council asks for a reduction of the present sum demanded for which no provision could be made, as the charge was unexpected. Mr. D. G. Goonewardena seconded.—Carried unanimously.

4. Applications for the post of Medical Officer of Health.—Deferred for next Meeting.

5 to 7. The Chairman moved that the Council do go into Committee to consider items Nos. 5, 6, and 7 on the agenda. Mr. D. G. Goonewardena seconded.—Carried.

(Council in Committee.)

5 to 7. The following extracts from the Minutes of the Meetings of the Standing Committees on Municipal Works, Finance and Assessment, and Markets and Sanitation of November 13, 1915, were laid before the Council in Committee:—

5.—*Extracts from the Minutes of the Meeting of the Standing Committee on Municipal Works of November 13, 1915.*

(5) Applications to lay private water service to No. 40, Leyn Baan street; No. 821, Halls road; and No. 830, Halls road.—Approved and recommended to Council.

(6) Applications to lay private water service to No. 4, Middle street.—Recommended to Council that permission be allowed on payment of Rs. 2 a quarter in advance.

*Resolution.*

Resolved—That the recommendations be adopted.

6.—*Extracts from the Minutes of the Meeting of the Standing Committee on Finance and Assessment of November 13, 1915.*

(6) Sale of rents of market stalls, Dewatta market, bathing and drinking wells in Talbot town, rooms in verandah of meat market bazaars, betel sheds, and house rubbish for 1916.—Approved.

(7) Papers *re* fish auction shed. Resolved—That tenders be called for the right to auction fish for 1916 on the following conditions:—

The Officers of the Council to conduct the sales as at present, recovering as at present the commission of 9 per cent. as commission and auction charges, and paying 4 per cent. of the amount collected at the close of each day to the renter, who will be entitled to make no recovery on his own account.

*Resolutions.*

With reference to item No. 6 it was resolved that the sales of the rents of the stalls in the green market, the fruit market, Dewatta market, bathing and drinking wells in Talbot town, rooms in the verandah of the meat market bazaars, betel sheds, and house rubbish be approved, but that the sales of the stalls in the fish market be not approved pending the decision of the Council *re* the sale of fish in the fish auction shed.

With reference to item No. 7 it was resolved that the recommendation be approved.

7.—*Extracts from the Minutes of the Meeting of the Standing Committee on the Regulation of Markets and Sanitation of November 13, 1915.*

(5) Sales of market stalls, Dewatta market, bathing and drinking wells in Talbot town, rooms in verandah of meat market bazaars, betel sheds, and house rubbish.—Referred to Council.

6 Papers *re* fish auction shed. Resolved—That the Council be recommended to (1) abolish the commission and all restrictions as regards the fish auction shed, and to call for tenders for the stalls of the fish market at the minimum rent of Rs. 100 each per annum; (2) abolish the commission and auctioneer's fees recovered in the fish auction shed and that no restrictions be placed on purchase and sale of fish, the Council reserving the right to fix the following prices, viz:—

Seer at 25 cents a pound; Kelawalla, Parawa, Thelia, Talapat, and Coppra at 15 cents a pound; and small fish as they like.

*Resolutions.*

With reference to item No. 5 it was resolved that the sales of rent of stalls in the green market, Dewatta market, bathing and drinking wells in Talbot town, rooms in the verandah of the meat market bazaars, betel sheds, and house rubbish be approved, but that the sales of the stalls in the fish market be not approved pending the decision of Council *re* the sale of fish in the fish auction shed.

With reference to item No. 6 it was resolved—(1) That the officers in charge of the fish auction shed be authorized to weigh fish and put them up at the following upset prices, viz., Seer at 25 cents a pound; Kelawalla, Parawa, Theliya, Talapat, and Coppra at 15 cents a pound; small fish not to be interfered with. When there is no bid over these upset prices the Officers to buy the fish on Council's account and dispose of it to stall-holders. The Chairman to be authorized to purchase a suitable scale and weights. (2) That tenders be called for for the market stalls for 1916 at a minimum rent of Rs. 100 each, with the condition that the sales by the fishermen be unrestricted, the present by-laws and rules regarding the auction shed and recovery of commission being suspended.

The Chairman moved that the Council do resume, and that the resolutions of Council in Committee be adopted. Mr. G. E. Abeywardena seconded.—Carried unanimously.



## Council agenda (continued).

## 8. The following documents were laid on the table :—

- (1) Statement of Receipts and Disbursements to end of October, 1915.
- (2) Progress Report of Works done on Estimates to end of October, 1915.
- (3) Report of the Inspector of Vehicles and Animals for carriages plying for hire during the month of October, 1915.
- (4) Diaries of (a) Medical Officer of Health; (b) Superintendent of Works; and (c) Manager of the Health Department.

Confirmed :

The Municipal Office,  
Galle, December 11, 1915.

R. B. HELLINGS,  
Chairman.

## A.—Statement showing the Total Receipts and Disbursements to end of November, 1915.

REVENUE.	Amount estimated.		Actual Receipts.		EXPENDITURE.	Amount estimated.		Actual Disbursements.	
	Rs.	c.	Rs.	c.		Rs.	c.	Rs.	c.
Taxes ..	28,010	0	27,632	65	Non-effective charges ..	33,903	9	26,821	88
Assessment ..	59,500	0	54,279	97	Chairman ..	500	0	453	34
Licenses ..	12,255	0	12,375	0	Secretariat ..	23,124	72	16,419	83
Judicial fines ..	2,000	0	2,916	38	Vehicle and Animal Department ..	1,643	0	747	68
Tolls ..	17,945	0	—	—	Judicial ..	610	0	476	0
Slaughter-houses ..	1,520	0	1,608	27	Markets ..	734	0	654	50
Health Department ..	8,050	0	8,821	30	Fish auction shed ..	2,460	0	1,737	59
Markets ..	18,027	0	15,733	23	Slaughter-houses ..	1,150	0	1,007	54
Rents ..	1,294	75	1,031	25	Fire Brigade ..	800	0	1,369	22
Miscellaneous ..	1,460	0	1,588	73	Town clock ..	220	0	115	98
Cemeteries ..	300	0	298	0	Lighting ..	13,500	0	11,414	52
Waterworks ..	2,950	0	2,238	39	Cemetery ..	800	0	695	5
<b>Total Revenue</b> ..	<b>163,331</b>	<b>75</b>	<b>128,523</b>	<b>23</b>	<b>Public Health Department :—</b>				
Deposits ..	—	—	5,074	56	Sanitation Branch ..	9,845	41	8,943	51
Advances repaid ..	—	—	400	0	Scavenging Branch ..	13,042	0	11,880	34
<b>Total Receipts</b> ..	<b>—</b>	<b>—</b>	<b>133,997</b>	<b>79</b>	Conservancy ..	15,827	0	12,882	23
Cash balance on January 1, 1915 ..	—	—	39,167	94	Waterworks ..	7,901	0	6,403	35
					<b>Public Works Department :—</b>				
					Annually recurrent ..	24,352	0	20,315	46
					Extraordinary ..	4,250	0	3,479	55
					<b>Total Expenditure</b> ..	<b>154,662</b>	<b>22</b>	<b>125,822</b>	<b>67</b>
					Deposits repaid ..	—	—	6,399	36
					<b>Total Disbursements</b> ..	<b>—</b>	<b>—</b>	<b>132,222</b>	<b>3</b>
					Cash balance on November 30, 1915 ..	—	—	40,943	70
<b>Total</b> ..	<b>—</b>	<b>—</b>	<b>173,165</b>	<b>73</b>	<b>Total</b> ..	<b>—</b>	<b>—</b>	<b>173,165</b>	<b>73</b>

## B.—Surplus and Deficit Account.

	Amount.		Amount.		
	Rs.	c.	Rs.		
Expenditure from January 1 to November 30, 1915 ..	125,822	67	Surplus on January 1, 1915 ..	31,610	65
Surplus on November 30, 1915 ..	34,311	21	Revenue from January to November, 1915 ..	128,523	23
<b>Total</b> ..	<b>160,133</b>	<b>88</b>	<b>Total</b> ..	<b>160,133</b>	<b>88</b>

## C.—Balance Sheet as at November 30, 1915.

LIABILITIES.		Amount.	ASSETS.		Amount.
		Rs.			Rs.
Deposits ..	6,632	49	Cash in Bank :—		
Surplus ..	34,311	21	Fixed deposits ..	3,790	0
			Current account (Rs. 37,059·86—Rs. 66·18) ..	37,003	70
			Cash in hand of Shroff ..	150	0
<b>Total</b> ..	<b>40,943</b>	<b>70</b>	<b>Total</b> ..	<b>40,943</b>	<b>70</b>

The Municipal Office,  
Galle, December 11, 1915.

D. M. MOREIRA,  
Secretary.



THE under-mentioned goods, having been left in the warehouses indicated below beyond the time allowed by law, will be sold by public auction on Tuesday, February 1, 1916, at 1 P.M. Goods to be paid for and removed on or before Friday, February 4, 1916:—

No. 1 BONDED WAREHOUSE.						
Date of Landing, 1915.	Entry No. and Date, 1915.	Vessel.	From.	Marks and Numbers.	Description of Goods.	
July 17	F 756 of Aug. 7	ss. Karmala	London	4206 in a diamond and F S & Co. 178 outside	1 case	
July 17	F 808 of Aug. 9	do.	do.	A U R A	1 bale	
No. 6 WAREHOUSE.						
Aug. 19	—	ss. Lady McCallum	Tuticorin	Nil	1 bag fish	
No. 7 WAREHOUSE.						
July 21	—	ss. Okhla	Calcutta	h o in a triangle or nil	3 empty drums	
Aug. 29	—	ss. Palitana	Tuticorin	Various	2 bundles fish	
No. 8 WAREHOUSE.						
Aug. 1	—	ss. Novara	London	Nil	2 barrels cement	
Aug. 10	—	ss. Worcestershire	Liverpool	M H in a diamond	6 planks	
PARCELS WAREHOUSE.						
Jan. 28	—	ss. Leicestershire	Liverpool	Mrs. H. Molse, Madras	1 parcel	
April 20	—	do.	do.	82 in a diamond and D V M C Calicut 79 outside	1 case	
July 14	—	ss. Nera	Marseilles	R C & Co.	2 cases, empty	
Aug. 3	—	ss. Australia	London	B L upon C in a triangle and 15 outside	1 case	
Aug. 9	—	ss. Worcestershire	Liverpool	B M	1 bag	
Aug. 25	—	ss. Derbyshire	do.	A E H-1	1 case, empty	
Aug. 27	—	ss. Lady Blake	Coast	I G P	1 parcel	

F. MARSHALL,  
for Principal Collector.

### LOCAL BOARD NOTICES.

#### Election of Unofficial Members, Local Board, Moratuwa.

IT is hereby notified that the following gentlemen have been elected to serve as Unofficial Members on the Local Board of Moratuwa for the years 1916 and 1917:—

Mr. G. M. Silva.  
Mr. P. C. Fernando.  
Mr. C. R. de Silva.

H. O. FOX,  
Chairman.

December 18, 1915.

#### Existence of Rabies, Local Board, Moratuwa.

NOTICE is hereby given, in terms of section 9 of the Ordinance No. 7 of 1893, of the existence of rabies within the limits of the Local Board of Moratuwa.

Any dog found in any public road or place unmuzzled or not under control by means of a collar and chain is liable to be destroyed.

This notification shall be in force for six months from this date.

J. G. FRASER,  
Chairman.

November 30, 1915.

#### Election of Unofficial Members, Local Board, Matale.

IT is hereby notified that the following gentlemen have been elected Unofficial Members of the Local Board of Matale for the years 1916 and 1917:—

Mr. C. Ariyanayagam.  
Mr. M. Y. Sallay.  
Mr. H. D. Weerasakera.

C. S. VAUGHAN,  
Government Agent.

Kandy, December 21, 1915.

#### Election of Unofficial Members, Local Board, Nawalapitiya.

NOTICE is hereby given that the following gentlemen have been elected Unofficial Members of the Local Board of Nawalapitiya for the years 1916 and 1917:—

Mr. F. J. Fernando.  
Mr. J. A. F. Attapattu.  
Mr. H. O. Lebbe.

Kandy Kacheheri,  
December 21, 1915.

H. W. CODRINGTON,  
Deputy Chairman.

#### Election of Unofficial Members, Local Board, Batticaloa.

IT is hereby notified that the following gentlemen have been elected Unofficial Members of the Local Board of Batticaloa for the years 1916 and 1917:—

Mr. S. F. Nagapper.  
Mr. J. T. Tambyrajah.  
Mr. A. Sithamparapillay.

Local Board Office,  
Batticaloa, December 17, 1915.

T. B. RUSSELL,  
Chairman.

#### Election of Unofficial Members, Local Board, Kurunegala.

IT is hereby notified that the under-mentioned gentlemen have been elected to serve as Unofficial Members of the Local Board of Health and Improvement, Kurunegala, for the years 1916 and 1917:—

1. Mr. Frederick Nell Daniels.  
2. Mr. Walter Arthur Cyril de Silva.  
3. Mr. Ponnoswamy Tambiraja.

Local Board Office,  
December 16, 1915.

C. R. CUMBERLAND,  
Chairman.

**Commutation Tax, Haputale, &c., 1916.**

NOTICE is hereby given to persons residing within the limits of the Board of Health towns of Haputale, Passara, Koslanda, Lunugala, Welimada, and Haldummulla that the Board, acting under the provisions of section 32 of the Ordinance No. 30 of 1909, has resolved that on account of the year 1916 a tax payable in six days' labour be imposed upon all persons residing within the limits of the said towns, who, if this section had not been passed, would have been liable, under "The Road Ordinance, 1861," to the performance of labour for the maintenance of the roads or other public means of communication, by land or by water.

Such labour may be commuted by a money payment of Rs. 2 on or before March 31, 1916.

Badulla Kachcheri,  
December 19, 1915.

L. D. C. HUGHES,  
for Chairman.

**Local Board, Ratnapura.****"THE CEMETERIES AND BURIALS ORDINANCE, NO. 9 OF 1899."**

IT is hereby notified that, in pursuance of sections 18, 20, and 23 of the above-named Ordinance, the "proper authority," to wit, the Local Board of Ratnapura, have made the following regulations.

The regulations dated December 9, 1898, published in the *Ceylon Government Gazette* No. 5,591 of December 16, 1898, are hereby revoked:—

**Burials and Cremations.**

1. All applications for graves are to be made to the keeper of the cemetery, or in his absence to the sexton, not less than six hours before the time fixed for the burial of the corpse.

2. The keeper, or in his absence the sexton, of the cemetery must intimate the line to be followed by a funeral party on arriving at the cemetery, and if more than one come at the same time the order in which they are respectively to move to the graves.

3. Should it be necessary for the purpose of preventing the disturbance of one funeral party by another, and not otherwise, the keeper of the cemetery, or in his absence the sexton, may require that one burial service shall be concluded before another is commenced.

4. The keeper of the cemetery, or in his absence the sexton, shall keep order within the cemetery, and his orders are to be obeyed.

5. No grave shall be less than 5 feet in depth, or at a distance of less than 3 feet from any other.

6. No grave shall be re-opened within a year, nor vault within eighteen months from the last interment therein, except for *post mortem* examinations for the purposes of the criminal law.

7. All cremations shall take place in the portion of the cemetery set apart for the purpose by resolution of the Board, and marked out as the cremation ground.

8. No dead body shall be buried or cremated without the permission of the cemetery-keeper, or in his absence of

the sexton, and such permission shall not be granted until all fees due have been paid.

9. Fees not exceeding the following shall be paid in advance:—

	Rs.	c.
For the performance of a burial service	..	5 0
For digging a full-size grave	..	3 0
For digging a grave for a child under 10 years	..	2 0
For digging a grave for a child under 5 years	..	1 50
For every cremation	..	10 0
For a space of ground for a tomb—		
Not exceeding 8 ft. square	..	30 0
Do. 6 ft. by 2 ft.	..	20 0
Do. 5 ft. by 3 ft.	..	20 0
Do. 4 ft. square	..	20 0
For each subsequent burial in such tomb	..	5 0
For a space of ground for a vault 8 ft. by 5 ft.	..	50 0
Do. do. 8 ft. by 6 ft.	..	60 0
Do. do. 9 ft. by 7 ft.	..	85 0
Do. do. 9 ft. by 8 ft.	..	105 0
For each subsequent burial in such vault	..	5 0
For the use of a hearse	..	1 50
For the use of a hearse with pall and tassels	..	2 75
For inspection of the plan and book of reference	..	0 50
For every entry or memorial of grant	..	1 0
For every entry or assignment of grant	..	1 0

10. The above fees are to be paid at the time of the application, provided that it is open to an applicant to dispense with the services of a minister, in which case the fee of Rs. 5 shall not be due.

Provided that paupers dying in the Government Civil Hospital shall be buried free of charge by the hospital contractor or servants under the direction of the cemetery-keeper.

Provided also that on the production of a certificate signed by either a minister of the Christian religion, a member of the Local Board, a senior officer of Police, or the Local Board Inspector, that the friends and relations of any deceased person are not able to pay the fees herein authorized for the digging of a grave, the keeper of the cemetery shall cause a grave to be dug and the corpse to be buried therein free of charge.

Local Board Office,  
Ratnapura, December 17, 1915.

B. CONSTANTINE,  
Chairman.

**Assessment Tax, Sanitary Board, Kegalla.**

IT is hereby notified that the Sanitary Board of the Kegalla District has, in terms of section 7 of "The Small Towns Sanitary Ordinance, 1892," as amended by section 2 (3) of Ordinance No. 13 of 1905, made and assessed a rate of 4 per cent. per annum for the year 1916 on the annual value of all houses and buildings of every description and all lands and tenements whatsoever within the towns of Yatiyantota, Dehiowita, and Rambukkana, in the Kegalla District, save such as are by the said section of the said Ordinance exempted from payment of such rate.

Kegalla Kachcheri,  
December 16, 1915.

H. A. BURDEN,  
Chairman.

**ROAD COMMITTEE NOTICES.****Election of Member, District Road Committee, Colombo.**

THE Provincial Road Committee, Western Province, hereby notifies that Mr. W. P. D. Vanderstraaten has been elected Member of the District Road Committee of Colombo to represent the interests of the Burgher community in the said Committee for the years 1916, 1917, and 1918.

Provincial Road Committee,  
Colombo, December 14, 1915.

A. L. CROSSMAN,  
Secretary.

**Election of Member, District Road Committee, Colombo.**

THE Provincial Road Committee, Western Province, hereby notifies that Mr. A. L. R. Aserappa has been elected Member of the District Road Committee of Colombo to represent the interests of the native community in the said Committee for the years 1916, 1917, and 1918.

Provincial Road Committee,  
Colombo, December 14, 1915.

A. L. CROSSMAN,  
Secretary.

## St. Margarets-Kirklees Branch Road.

NOTICE is hereby given that the Provincial Road Committee, acting under section 22 of the Branch Roads Ordinance, No. 14 of 1896, have assessed the proportion due by each estate interested in the above road for its share of the sixth instalment of the planters' contribution towards the cost of construction, which falls due on December 31, 1915, and the proprietors, managers, or agents of the several estates are hereby required to pay into the Colonial Treasury the following contributions:—

(Estimate No. 286. Sanctioned August 17, 1914.)

Government moiety	Rs. 59,500·00
Private contribution	Rs. 60,987·50

1st to 7th section, 3½ miles.

Total acreage, 3,682—Estates' contribution, Rs. 40,443·65—Sectional rate, Rs. 10·9838c.—Total rate, Rs. 10·9838c.

Proprietors or Agents.	Estate.	Acreage.	Total Amount due.	Amount already paid.	Balance Amount due on Revised Estimate.	Interest at 4 Per Cent. on Balance due for Half-year December 31, 1915.	Contribution on Sixth Instalment account	Total Amount due on Sixth Instalment.
			Rs. c.	Rs. c.	Rs. c.	Rs. c.	Rs. c.	Rs. c.
J. G. Sinclair and N. S. Man- sergh (R. G. Congreave)	Blairlmond	518	5,689 79	3,607 22	2,082 57	41 65	694 18	735 83

1st to 8th section, 4 miles.

Total acreage, 3,164—Estates' contribution, Rs. 4,389·93—Sectional rate, Rs. 1·6464c.—Total rate, Rs. 12·5293c.

Lanka Plantations Company (J. M. Robertson & Co.)	Rappahannock	474	5,939 5	3,793 85	2,145 20	42 90	715 6	757 96
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1st to 11th section, 5½ miles.

Total acreage, 2,890—Estates' contribution, Rs. 15,653·92—Sectional rate, Rs. 5·8193c.—Total rate, Rs. 18·3217c.

Estates Company of Uva (Whittall & Co.)	Gampaha	866	15,899 17	10,173 13	5,717 4	114 34	1,905 68	2,020 2
Kirklees Estates Co. (George Steuart & Co.)	Kirklees	1,077	10,761 80	12,851 79	7,110 1	142 20	2,369 99	2,512 19
Mrs. Fanning Patterson (H. G. Patterson)	Allagolla	375	6,860 87	4,405 25	2,475 62	49 51	825 22	874 73
F. J. Whittall and J. Gordon (F. J. Whittall)	Lucky land	372	6,825 82	4,370 1	2,455 81	49 12	818 61	867 73
			60,987 50	39,001 25	21,986 25	439 72	7,328 74	7,768 46

Provincial Road Committee's Office,  
Kandy, December 15, 1915.

C. S. VAUGHAN,  
Chairman.

## Maskeliya Branch Roads.

NOTICE is hereby given that, in terms of the Branch Roads Ordinance, No. 14 of 1896, a meeting of the Local Committee of the above roads will be held on Wednesday, December 29, 1915, at 3.30 P.M., at the Maskeliya Club.

## Business.

To discuss correspondence and any other business that may be brought before the meeting.

S. JOHNSTON,  
Chairman, Local Committee.  
Kincora estate,  
Norwood, December 13, 1915.

## Norton-Carolina Branch Road.

NOTICE is hereby given that, in terms of the Branch Roads Ordinance, No. 14 of 1896, a meeting of the Local Committee of the above road will be held on Tuesday, January 25, 1916, at Norton Factory, at 4 P.M.

## Business.

1. To consider and report to the Provincial Road Committee with regard to—

- The names of the estates (with their acreages) which are interested in and which use the road;
- The sections of the road used by these estates;

(c) The names of the proprietors, resident managers or superintendents, and of the agents of these estates—for the assessment of the cost of maintenance for the year ending September 30, 1915, estimated at Rs. 3,015.

S. H. GRIGG,  
Theberton estate, for Chairman, Local Committee.  
Watawala, December 14, 1915.

Appointment of Members, District Road Committees,  
Galle, Matara, and Hambantota.

NOTICE is hereby given that the under-mentioned gentlemen have been appointed members of the District Road Committees of Galle, Matara, and Hambantota, respectively, under clause 35 of Ordinance No. 10 of 1861, for the years 1916, 1917, and 1918:—

## District Road Committee of Galle.

Messrs. H. Scott, European Member; Guy O. Grenier, Burgher Member; E. V. Gooneratne, Atapattu Mudaliyar, Native Member.

## District Road Committee of Matara.

Messrs. W. A. Elwell, European Member; G. P. Keeneman, Burgher Member; O. C. Tillekeratne, Mudaliyar, Native Member.

## District Road Committee of Hambantota.

Messrs. R. F. Morris, European Member; E. G. Auwardt, Burgher Member; H. Jayawardena, Mudaliyar, Native Member.

R. B. NAIR,  
Provincial Road Committee's Office,  
Galle, December 15, 1915. Secretary.

**Maintenance of Deniyaya-Hayes Road during 1915-1916.**

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 during 1915-1916, the Provincial Road Committee of the Southern Province, acting under the provision of the Branch Roads Ordinance, No. 9 of 1907, will on Saturday, January 8, 1916, at 2 P.M., at their office in Galle, proceed to assess the under-mentioned estates to make up the private contributions:—

**MAINTENANCE OF DENIYAYA-HAYES ROAD.**

(Estimate No. D 178 of 1915-16.)

Government moiety	..	Rs. 3,600
Private contributions	..	Rs. 3,654
1st section, 1 mile.		
Proprietors or Agents.	Estates.	Acreage.
D. M. Rajapaksa (D. M. Rajapaksa)	.. Deniyaya	.. 275
1st and 2nd sections, 2 miles.		
W. Silva and others	.. Kekunahena	.. 80
1st to 4th section, 4 miles.		
J. Anderson (Geo. Stuart & Co.)	Handford	.. 754
1st to 6th section, 6 miles.		
E. C. Anderson (E. C. Anderson)	Anningkanda	.. 775
1st to 8th section, 8 miles.		
Lipton, Limited (Lipton, Limited)	Panilkanda	.. 852
1st to 10½ section, 10½ miles.		
Haydella Tea & Rubber Co., Ltd. (Whittall & Co.)	.. Hayes	.. 1,638½
Do. ..	.. Gongalla	.. 574
Do. ..	.. Longford	.. 257
		<b>5,205½</b>

And at the same time and place the Committee will take evidence, if necessary, and receive and consider objections and suggestions.

Provincial Road Committee's Office, R. B. HELLINGS,  
Galle, December 16, 1915. Chairman.

**Branch Road from Kegalla-Polgahawela Road to Lowlands Estate.**

NOTICE is hereby given that His Excellency the Governor, with the advice and consent of the Legislative Council, having granted the under-mentioned sum for the maintenance of the road from Kegalla-Polgahawela road to Lowlands estate, during 1915-1916, the Provincial Road Committee, North-Western Province, acting under the provisions of "The Branch Roads Ordinance, 1896," have assessed the proportion due by each estate in the district interested, as follows:—

**BRANCH ROAD FROM KEGALLA-POLGAHAWELA ROAD TO LOWLANDS ESTATE.**

Government moiety .. Rs. 400  
Private contributions .. Rs. 404

1st to 2nd section, 1 mile.

Total acreage, 829—Moiety of cost, Rs. 345·30—  
Sectional rate, 41652c—Total rate, 41652c.

Proprietors or Agents.	Estates.	Acreage.	Amount.
Charles Peries	.. Serapis	.. 60	.. 24 99
1st to 3rd sections, 1 mile 17 chains.			
Total acreage, 769—Moiety of cost, Rs. 58·70—			
Sectional rate, 7633—Total rate, 49285c.			
Lipton, Limited	.. Cavinhill	.. 132	.. 65 6
Do.	.. Lower Eadella	.. 20	.. 9 86
Do.	.. Lowlands	.. 65	.. 32 4
Do.	.. Upper Eadella	.. 438	.. 215 87
Do.	.. Lesmoir	.. 114	.. 56 18

Which sums the proprietors, managers, or agents of the several estates are hereby required to pay into the Colonial Treasury on or before January 10, 1916.

Provincial Road Committee's Office, A. N. HUTT,  
Kurunegala, November 29, 1915. for Chairman.