

Ceylon Government Gazette

EXTRAORDINARY.

REGISTERED AS A NEWSPAPER IN CEYLON.

Published by Authority.

No. 6,804 — TUESDAY, JULY 4, 1916.

Part I.—Minutes, Proclamations, Appointments, &c.

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

PROCLAMATION BY THE GOVERNOR.

“THE NECESSARIES OF WAR EXPORTATION ORDINANCE, No. 19 OF 1914.”

In the Name of His Majesty GEORGE THE FIFTH, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith.

PROCLAMATION.

By His Excellency Sir JOHN ANDERSON, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Honourable Order of the Bath, Governor and Commander-in-Chief in and over the Island of Ceylon, with the Dependencies thereof.

JOHN ANDERSON.

WHEREAS it is desirable to amend and consolidate Our Proclamations herein named :

Know Ye that We, the Governor, in pursuance of the said “The Necessaries of War Exportation Ordinance, No. 19 of 1914,” do hereby revoke Our Proclamations dated the 18th day of February, 1916, and the 30th day of May, 1916, published in the *Government Gazettes* Nos. 6,778 and 6,800 of the 18th February and 9th June, 1916, respectively, and do hereby prohibit the exportation from Ceylon of the articles enumerated in the schedule hereto as follows:—

1. Goods marked (A) to all destinations other than the United Kingdom, British Possessions and Protectorates.
2. Goods marked (B) to all destinations other than the United Kingdom, British Possessions and Protectorates, and France, Italy, and Russia, except through Baltic ports.
3. Goods marked (C) to all destinations in foreign countries, in Europe, and on the Mediterranean and Black Seas, other than France and French Possessions, Russia, Italy and Italian Possessions, Spain, and Portugal, and to all parts in any such foreign countries, and to all Russian Baltic ports.

Given at Colombo, in the said Island of Ceylon, this Third day of July, in the year of our Lord One thousand Nine hundred and Sixteen.

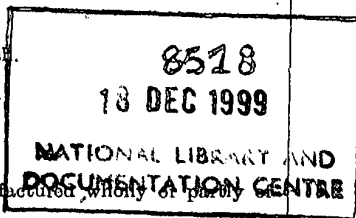
By His Excellency's command,

R. E. STUBBS,
Colonial Secretary.

GOD SAVE THE KING.

SCHEDULE.

- (c) Absinthe.
 (A) Accoutrements.
 (A) Aeroplane dope.
 (A) Aeroplane engines and their component parts.
 (A) Aircraft of all kinds and their component parts, together with accessories and articles suitable for use in connection with aircraft.
 (A) Alunite.
 (c) Anchors and chain cables.
 (A) Aneroids suitable for aircraft.
 (A) Animals, living, for food.
 (A) Animals, pack, saddle and draught, suitable, or which may become suitable, for use in war.
 (c) Armour plates, armour quality castings, and similar protective material.
 (c) Arrack.
 (A) Asbestos and articles manufactured wholly or partly of asbestos.
 (c) Asphalt, coal tar.
 (c) Asphalt and liquid or solid bitumen.
 (A) Baggings and sackings, old.
 (c) Bags and sacks not otherwise specifically prohibited (except paper bags).
 (A) Bags and sacks made of jute.
 (c) Balsams.
 (A) Bandoliers, leather.
 (A) Barographs, suitable for aircraft.
 (A) Baudruche skin.
 (A) Beeswax.
 (c) Belting, woven hair.
 (c) Bicycles and their component parts.
 (A) Binnaelos.
 (c) Black plates, and black sheets under $\frac{1}{2}$ inch thick.
 (A) Bladders.
 (c) Blankets.
 (A) Boilers.
 (A) Bones in any form and bone ash.
 (A) Boots, heavy, for men.
 (A) Buckets, suitable for camp use.
 (c) Burners, acetylene.
 (A) Calves' stomachs.
 (A) Camp equipment, articles of.
 (c) Camphor.
 (c) Candles (except candles manufactured wholly or partly of paraffin wax or tallow).
 (A) Candles manufactured wholly or partly of paraffin wax or tallow.
 (c) Canes and sticks, unmounted.
 (A) Cannon and other ordnance, and their component parts.
 (A) Canvas, old ship.
 (A) Canvas, cuttings.
 (A) Capsicum.
 (A) Capsicum, oleo-resin of.
 (A) Carbon, Brazilian.
 (c) Carbon, gas.
 (A) Carbons, suitable for searchlights.
 (A) Carriages and mountings for cannon and other ordnance and their component parts.
 (A) Cartridges, charges of all kinds, and their component parts.
 (A) Carts, two-wheeled, capable of carrying 15 cwt. or over, and their component parts.
 (c) Casein and preparations thereof.
 (A) Casings.
 (A) Celluloid.
 (A) "Celluloid" sheet, non-inflammable, and similar transparent material non-soluble in lubricating oil, petrol, or water.
 (c) Charcoal.
 Chemicals, drugs, dyes and dye stuffs, medicinal and pharmaceutical preparations and tanning extracts, the following:—
 (A) Acetanilide.
 (A) Acetates, all metallic.
 (A) Acetic acid.
 (A) Aceto-celluloses.
 (A) Acetone and its compounds and preparations.
 (A) Acetylsalicylic acid (aspirin) and its preparations.
 (A) Alcohol, absolute.
 (A) Alcohol, methylic.
 (A) Aluminium nitrate.
 (A) Aluminium, oxides of, and mixtures containing aluminium oxides.
 (c) Aluminium, salts of (except aluminium nitrate and sulphate, alumino-ferric and ammonium alum).
 (A) Aluminium sulphate.
 (A) Alumino-ferric.
 (A) Amidol and mixtures containing amidol.
 (A) Amidopyrine.
 (A) Ammonia and its salts, whether simple or compound (except ammonium nitrate, perchlorate, and sulphocyanide).
 (A) Ammonia, liquefied.
 (A) Ammonia liquor.
 (A) Ammonium alum.
 (A) Ammonium nitrate, perchlorate, and sulphocyanide.
 (A) Amyl acetate.
 (A) Anthracene oil.
 (c) Antimony, compounds of (except sulphides and oxides of antimony).
 (A) Antimony, sulphides and oxides of.
 (A) Antipyrine (phonazone) and its preparations.
 (A) Anti-tetanus serum.
 (c) Arsenic, compounds of arsenic, and mixtures containing arsenic.
 (c) Barium sulphate.
 (A) Belladonna and its preparations.
 (A) Belladonna alkaloids, and their salts and preparations.
 (A) Benzoic acid (synthetic) and benzoates.
 (A) Benzol and its compounds and preparations.
 (c) Bismuth and its salts (except bismuth nitrate).
 (A) Bismuth nitrate.
 (c) Bleaching powder.
 (c) Borax and mixtures containing borax.
 (c) Boric acid.
 (c) Boron compounds.
 (A) Bromine and alkaline bromides.
 (A) Caffeine and its salts.
 (A) Calcium carbide.
 (c) Calcium sulphate.
 (c) Calcium sulphide.
 (A) Cantharides.
 (A) Carbolic acid and compounds thereof, and preparations containing carbolic acid.
 (A) Carbon disulphide.
 (A) Carbon tetrachloride and its preparations.
 (A) Cerium, oxide and salts of.
 (A) Chloral and its compounds and preparations.
 (A) Chlorates, all metallic.
 (A) Chlorine.
 (A) Chromium, compounds of (except chromium acetate, chromium chlorate, and chromium nitrate), and mixtures containing such compounds of chromium.
 (A) Chromium acetate.
 (A) Chromium chlorate.
 (A) Chromium nitrate.
 (c) Citric acid.
 (A) Coal tar, all products (except creosote) obtainable from and derivatives thereof, suitable for use in the manufacture of dyos and explosives, whether obtained from coal tar or other sources, and mixtures containing such products or derivatives.
 (A) Cobalt nitrate.
 (A) Cobalt, oxides and salts of (except cobalt nitrate), and mixtures containing such oxides or salts of cobalt.
 (A) Cocaine and its salts and preparations.
 (A) Colchicum and its preparations.
 (A) Collodion.
 (A) Copper acetate.
 (c) Copper, compounds of (except copper acetate, copper iodide, copper nitrate, copper sulphate, and suboxide of copper), and mixtures containing such compounds of copper.
 (A) Copper iodide.
 (A) Copper nitrate.
 (A) Copper, suboxide of, and mixtures containing suboxide of copper.
 (A) Copper sulphate.
 (c) Creosote.
 (A) Cresol, compounds and preparations of cresol (except saponified cresol), and nitro-cresol.
 (A) Cresol (saponified).
 (A) Cyanamide.
 (A) Diethylbarbituric acid (veronal) and veronal sodium.
 (A) Dimethylaniline.
 (A) Dyes and dyestuffs manufactured from coal tar products, and articles containing such dyes or dyestuffs.
 (A) Emetin and its salts.
 (A) Ergot of rye.
 (A) Ether, acetic.
 (A) Ether, formic.
 (A) Ether, sulphuric.
 (A) Eucaine hydrochloride, eucaine (benzamine) lactate, and their preparations.
 (c) Formic acid.
 (A) Formic aldehyde.
 (A) Fusel oil (amyl alcohol).
 (A) Gentian and its preparations.
 (A) Glycerine, and preparations containing glycerine not otherwise specifically prohibited.
 (A) Green oil.
 (A) Guaiacol and guaiacol carbonate.
 (c) Halogen derivatives of aliphatic hydrocarbons (except carbon tetrachloride, the exportation of which is prohibited to all ports and destinations abroad other than ports and destinations in British Possessions and Protectorates).
 (A) Henbane and its preparations.



- (A) Hexamethylene tetramin (urotropin) and its compounds and preparations.
- (A) Hydrobromic acid.
- (A) Hydrochloric acid.
- (A) Hydroquinone, and mixtures containing hydroquinone.
- (A) Indigo, natural and synthetic.
- (C) Iodine and its compounds and preparations.
- (C) Iron sulphates.
- (A) Ipecacuanha root.
- (A) Magnesium chloride and sulphate and mixtures containing magnesium chloride or sulphate.
- (A) Manganese peroxide of.
- (A) Mercury, compounds and preparations of (except nitrate of mercury), and mixtures containing such compounds of mercury.
- (A) Mercury nitrate.
- (A) Methylamine.
- (A) Methyl salicylate, and preparations containing methyl salicylate.
- (A) Metol, and mixtures containing metol.
- (A) Naphthalene and its compounds and preparations.
- (A) Neo-salvarsan.
- (A) Nickel nitrate.
- (A) Nickel, oxides and salts of (except nickel nitrate), and mixtures containing such oxides or salts of nickel.
- (A) Nitrates, all metallic.
- (A) Nitric acid.
- (A) Nitro-toluol.
- (A) Novocain and its preparations.
- (C) Nux vomica and its preparations.
- (C) Nux vomica alkaloids and their salts and preparations.
- (A) Opium and its preparations.
- (A) Opium alkaloids and their salts and preparations.
- (A) Oxalic acid.
- (A) Paraffin, liquid medicinal.
- (A) Paraformaldehyde.
- (A) Paraldehyde.
- (A) Perchlorates, all metallic.
- (A) Phenacetin and its preparations.
- (A) Phosgene (carbonyl chloride).
- (A) Phosphorus and its compounds.
- (A) Picric acid and its components.
- (A) Platinum, salts of.
- (A) Potash, caustic, and articles containing caustic potash.
- (A) Potassium chlorate, and mixtures containing potassium chlorate.
- (A) Potassium cyanide, and mixtures containing potassium cyanide.
- (A) Potassium, nitrate (saltpetre).
- (A) Potassium, perchlorate.
- (A) Potassium, permanganate.
- (A) Potash salts (except potassium chlorate, cyanide, nitrate (saltpetre), perchlorate, and permanganate), and mixtures containing such potash salts.
- (A) Pyridine.
- (A) Pyrogallol, and mixtures containing pyrogallol.
- (A) Quinine and its salts.
- (A) Radium compounds.
- (A) Saccharin.
- (A) Salicylic acid and its preparations.
- (A) Salipyrine.
- (A) Salol and its preparations.
- (A) Salvarsan.
- (A) Santonin and its preparations.
- (A) Senna leaves and pods.
- (A) Soda, caustic.
- (A) Sodium carbonate.
- (C) Sodium bicarbonate.
- (C) Sodium cyanide, and mixtures containing sodium cyanide.
- (A) Sodium hyposulphite (thiosulphate), and mixtures containing sodium hyposulphite.
- (A) Sodium prussiate, and mixtures containing sodium prussiate.
- (A) Sodium salicylate and its preparations.
- (C) Sodium sulphate and bisulphate (nitre cake).
- (C) Sodium sulphide.
- (A) Spent oxide.
- (A) Stramonium leaves and seeds.
- (C) Strontium sulphate.
- (A) Sulphonal.
- (A) Sulphur and preparations containing sulphur.
- (A) Sulphur, chlorides of.
- (A) Sulphur dioxide, liquefied.
- (A) Sulphuric acid.
- (A) Sulphuric acid, fuming (oleum).
- Tanning extracts, the following:—
- (A) Chestnut extract.
- (A) Oakwood extract.
- (A) Valex.
- (A) Valonia.
- (A) Other extracts and substances for use in tanning.
- (A) Tartaric acid, cream of tartar, and alkaline tartrates.
- (A) Theobromine sodium salicylate.
- (A) Thorium, oxide and salts of.
- (A) Thymol and its preparations.
- (A) Tin, chlorides of.
- (C) Tin, compounds of (except chlorides and oxide of tin).
- (A) Tin, oxide of.
- (A) Toluol and its compounds and preparations.
- (A) Triphenyl phosphate.
- (A) Trional.
- (A) Trioxymethylene.
- (A) Tungsten, oxides and salts of.
- (C) Ultramarine, and mixtures containing ultramarine.
- (A) Urea and its compounds.
- (A) Xylol and its compounds and preparations.
- (A) Zinc chloride and sulphate, and mixtures containing zinc chloride or sulphate.
- (C) China stone.
- (A) Chronometers.
- (A) Cinematograph films.
- (C) Clay, China, potters', and ball.
- (C) Cloth manufactured wholly or partly of wool or hair, except khaki woollen or worsted cloth.
- (A) Cloth, khaki woollen or worsted, and mixtures thereof.
- (A) Coal, except coal allowed by the Commissioners of Customs and Excise to be shipped as bunker coal.
- (A) Coal tar.
- (C) Coconut, desiccated.
- (A) Coke, except petroleum coke.
- (A) Coke, petroleum.
- (A) Collar check, woollen.
- (A) Compasses for ships, and component parts thereof.
- (A) Compasses, other than ships' compasses.
- (C) Cordite presses.
- (C) Cork and cork dust and articles wholly manufactured from cork or cork dust or both.
- (C) Cotton, all manufactures, mixtures, and products of, not otherwise specifically prohibited.
- (A) Cotton pulp.
- (A) Cotton rags and rags containing cotton.
- (C) Cotton, raw.
- (A) Cotton shoddy.
- (A) Cotton wadding and articles containing cotton wadding.
- (A) Cotton waste and articles containing cotton waste.
- (A) Cotton wool and articles containing cotton wool.
- (A) Crucibles (plumbago).
- (A) Cylinders, metal, such as can be used for containing compressed gas.
- (A) Deer skins.
- (C) Dextrine.
- (A) Diamonds prepared for use in draw plates.
- (A) Diamonds suitable for industrial purposes.
- (C) Dies for cartridge cases.
- (A) Docks, floating, and their component parts.
- (A) Draw plates, jewelled, for drawing wire.
- (C) Dynamo sheets.
- (A) Electric lamps.
- (A) Electrodes, carbon, for electric furnaces.
- (A) Electrodes for printing purposes, composed of lead, antimony, or copper.
- (C) Emery, corundum, natural or artificial (such as stundum) corundum and crystallon and manufactures thereof.
- (A) Equipment, military.
- (A) Esparto grass.
- (A) Explosives.
- (A) Fats, all animal and vegetable, and articles and mixtures containing such fats.
- (A) Fatty acids and articles and mixtures containing fatty acids.
- (A) Fencing staples.
- Ferro alloys, the following:—
- (A) Ferro-cerium.
- (A) Ferro-chrome.
- (A) Ferro-manganese.
- (A) Ferro-molybdenum.
- (A) Ferro-nickel.
- (A) Ferro-titanium.
- (A) Ferro-tungsten.
- (A) Ferro-vanadium.
- (A) Spiegeleisen.
- (A) Ferro-silicon.
- (A) Fibre, China.
- (A) Fibre, Mauritius.
- (A) Fibre, Mexican.
- (A) Fibre, Mexican Istle.
- (A) Fibre, New Zealand flax.
- (C) Fibres, vegetable, not otherwise specifically prohibited, and yarns made therefrom.
- (A) Field glasses.
- (A) Files.
- (A) Firearms, rifles, and their component parts.

- (A) Firearms, unrifled, and their component parts.
- (C) Fishing gear (except tackle for fishing by rod and line).
- (A) Flax fabric, suitable for aircraft.
- (A) Flax, raw.
- (A) Flax shakings.
- (A) Flax tow.
- (A) Flax waste.
- (A) Forage and food which may be used for animals, the following :—
- Beans.
- Cakes and meals, the following :—
- Compound cakes and meal.
- Cotton seed cake and cotton seed meal.
- Linsced cake and meal.
- Whale cake.
- Whale meal.
- Hay.
- Lentils.
- Maize.
- Malt dust, malt flour, culms, sprouts, or combings.
- Offals of corn and grain, the following :—
- Bran.
- Middlings.
- Pollard.
- Rice meal (or bran) and dust.
- Sharps.
- Patent and proprietary cattle foods of all kinds.
- Straw.
- (C) Forage and food, all articles of, which may be used for animals, and the raw materials thereof, not otherwise prohibited, including :—
- Brewers' and distillers' grains.
- Brewers' dried yeast.
- Buckwheat.
- Cakes and meals, the following :—
- Biscuit meal.
- Calf meal.
- Coconut and poonac cake.
- Fishmeal and concentrated fish.
- Gluten meal or gluten food.
- Ground nut or earth nut cake and meal.
- Hemp seed cake and meal.
- Husk meal.
- Locust bean meal.
- Maize germ meal.
- Maize meal and flour.
- Moat meal.
- Palm nut cake and meal.
- Poppy seed cake and meal.
- Rape seed or colza seed cake and meal.
- Sesamo seed cake and meal.
- Soya bean cake and meal.
- Sunflower seed cake and meal.
- Chick peas.
- Dari.
- Gram or dhol.
- Green forage.
- Lupin seeds.
- Maize germs.
- Millet.
- Offals of corn and grain, the following :—
- Mill dust and screenings.
- Pigeon peas.
- (A) Forges, portable.
- (A) Fuel, manufactured.
- (C) Furs, and manufactures thereof ;
- (A) Fuses.
- (A) Fustic (chips and extract).
- (C) Gauges for cartridges and shells.
- (A) Glass for optical instruments.
- (A) Gloves, fingerless sheepskin.
- (A) Gloves, men's woollen.
- (A) Gloves, with leather palms.
- (C) Glucose.
- (A) Goat skins.
- (A) Goldbeaters' skin.
- (A) Gramophone and other sound records.
- (A) Graphite, and mixtures containing graphite.
- (A) Grindery, the following articles of, used in the making of boots and shoes :—
- Brass rivets.
- Cutlan studs.
- Heel attaching pins.
- Heel tip nails.
- Heel tips.
- Hobnails.
- Lasting tacks and rivets, and iron shoe rivets.
- Protector studs.
- Screwing wire.
- Steel bills.
- (C) Grindstones.
- (C) Grubbers.
- (A) Guanos.
- (C) Gums (except such as contain caoutchouc and except gum tragacanth).
- (A) Gums containing caoutchouc.
- (A) Gum tragacanth.
- (A) Guts.
- (C) Hacksaw blades.
- (A) Hair, animal.
- (A) Hair, animal, tops, noils, and yarns of.
- (C) Handles and helves for grubbers, pickaxes, spades, and shovels.
- (A) Harness and metal fittings therefor.
- (A) Heliographs.
- (A) Hemp, other than Manila hemp.
- (C) Hemp, Manila.
- Hemp, the following manufactures of :—
- (C) Binder and reaper twine.
- (B) Cloth.
- (B) Cordage and twine (except cordage or twine of Manila hemp, and binder or reaper twine).
- (C) Cordage and twine of Manila hemp.
- (A) Hemp ropes, old.
- (A) Hemp, waste.
- (A) Hides of cattle, buffaloes, and horses, and calfskins.
- (C) Honey.
- (A) Horse shoes.
- (A) Hosiery, wool or wool mixed, for men's wear.
- (A) Huts, wooden.
- (C) Implements and apparatus designed exclusively for the manufacture of munitions of war, for the manufacture or repair of arms or of war material for use on land or sea, the following :—
- Cordite presses.
- Dies for cartridge cases.
- Gauges for cartridges or shells.
- Incorporators.
- Lapping machines.
- Rifling machines.
- Wire-winding machines.
- (A) Implements for cutting or fixing barbed or galvanized wire
- (A) Incandescent mantles.
- (C) Incorporators.
- (A) Jute padding.
- (A) Jute piece goods.
- (A) Jute, raw and carded.
- (A) Jute threads.
- (A) Jute twist.
- (A) Jute waste.
- (A) Jute webbing.
- (A) Jute wrappers (Surrat tares).
- (A) Jute yarns.
- (A) Kettles, camp.
- (A) Khaki camel fleece.
- (A) Khaki woollen or worsted cloth and mixtures thereof.
- (A) Lacs, not including lac dye.
- (A) Lanterns suitable for camp use.
- (C) Lapping machines.
- Leather and leather goods of the following descriptions :—
- (C) Chamois, glacé kid, morocco, persians, roans, and sea leather.
- (A) Leather articles of personal equipment suitable for military purposes.
- (A) Leather bandoliers.
- (A) Leather belting, hydraulic leather, pump leather, and picking bands.
- (A) Leather belts.
- (C) Leather, bookbinding.
- (C) Leather, enamelled, japanned, or varnished.
- (A) Leather laces.
- (A) Leather pouches.
- (C) Leather suitable for textile machinery, except leather belting and picking bands.
- (A) Leather suitable for military clothing.
- (A) Leather suitable for saddlery, harness, or military boots.
- (C) Leather waste.
- (C) Linen manufactures, the following :—
- Canvas.
- Canvas hose.
- Drills, woven.
- Ducks, woven.
- Linen piece goods woven from bleached yarns, but bleached in the piece.
- Linen thread.
- Linen yarn.
- Union cloths containing cotton in the proportion of 25 cent. or upwards.
- (A) Linen waste.
- (A) Logwood (chips, extract, and preparations).

- (A) Lubricants and articles and mixtures containing lubricants.
 (A) Machine guns, mountings for machine guns and component parts thereof.
 (C) Machinery for ditching and trenching.
 (C) Machinery, metal-working, and component parts and accessories thereof.
 (A) Magnesite and magnesite bricks.
 (A) Magnesite, caustic or lightly calcined, and dead burnt magnesite.
 (A) Magnetos.
 (A) Manures, compound, containing nitrate or phosphate.
 (A) Maps and plans of any place within the territory of any belligerent, or within the area of military operations, on a scale of four miles to one inch or on any larger scale, and reproductions on any scale by photography or otherwise of such maps or plans.
 (C) Mess tins.
- Metals and ores, the following:—
- (A) Aluminium, alloys of aluminium, and manufactures of aluminium.
 (A) Antimony and alloys of antimony.
 (C) Arsenical ore.
 (A) Bauxite.
 (A) Cerium and its alloys (except ferro-cerium, the exportation of which is prohibited to all ports and destinations abroad other than ports and destinations in British Possessions and Protectorates).
 (A) Chrome ore.
 (A) Cobalt, cobalt ore, and alloys of cobalt.
 (C) Copper ore.
 (A) Copper, unwrought and part wrought, all kinds, including alloys of copper (such as brass, gun metal, naval brass, and delta metal, phosphor copper, phosphor bronze, and solder containing copper), copper and brass circles, slabs, bars, ingots, scrap, rods and plates and also wrought copper of the following descriptions:—Copper and brass pipes, sheets, condenser plates, copper wire, brass wire, bronze wire, perforated brass sheets, perforated brass linings, and copper foil.
 (C) Copper manufactures, the following:—
 All articles wholly or partly manufactured of copper or its alloys not otherwise specifically prohibited.
 (A) Iron ore.
 (A) Iron pig.
 (A) Iron pyrites.
 (A) Iron scrap.
 (A) Lead ore.
 (A) Lead, pig.
 (A) Lead, pipe, scrap, or sheet, and solder containing lead.
 (A) Magnesium and its alloys.
 (A) Manganese and manganese ore.
 (A) Mercury.
 (A) Molybdenum and molybdenite.
 (A) Nickel, alloys of nickel, and nickel ore.
 (A) Platinum, alloys of platinum, and manufactures containing platinum.
 (A) Scheelite.
 (A) Selenium.
 (A) Sodium.
 (A) Spelter and spelter dross.
 (A) Steel containing tungsten or molybdenum, and any tools or other articles made from such steel. ◊
 (A) Steel and steel articles containing chrome, cobalt, nickel, or vanadium.
 (A) Steel angles, channels, joists, tees, and other steel sectional material.
 (A) Steel billets, blooms, and slabs.
 (A) Steel bridge work, pier work, and structural material.
 (A) Steel flats, rounds, and squares (except carbon steel for tools and steel for mining purposes).
 (A) Steel ingots.
 (A) Steel plates and sheets $\frac{1}{2}$ in. thick and over.
 (A) Steel scrap.
 (A) Steel sheet bars.
 (A) Steel tubes.
 (A) Steel wire.
 (A) Steel wire rods.
 (A) Tin, alloys of tin not otherwise specifically prohibited, and manufactures of tin (except hollow-ware, tin plates, and receptacles made from tin plates).
 (A) Tin ore.
 (C) Tin plates and receptacles made from tin plates.
 (A) Tungsten (except tungsten filaments for electric lamps).
 (A) Tungsten filaments for electric lamps.
 (A) Vanadium.
 (A) Wolframite.
 (A) Wolfenite.
 (A) Yellow metal.
 (A) Zinc ashes.
- (A) Zinc ore.
 (A) Zinc, alloys of zinc, and manufactures of zinc.
- (A) Mica, mica chimneys, mica splittings, micaite, and micaite cloth.
 (A) Mineral jellies.
 (A) Mines and their component parts.
 (C) Monazite sand.
 (A) Motor spirit (except benzol, the exportation of which is prohibited to all destinations).
 (C) Motor vehicles, motor bicycles, and their component parts and accessories.
 (A) Nautical instruments.
 (A) Needles, hosiery.
 (A) Nightlights.
 (A) Oakum.
 (A) Oats.
 (C) Oil, blast furnace.
 (C) Oils, creosote, except wood tar oil.
 (A) Oil fuel, except oil fuel allowed by the Commissioners of Customs and Excise to be shipped for use on board the exporting ship.
 (A) Oil fuel, shale.
 (A) Oils, all animal and vegetable (not including essential oils), and articles and mixtures containing such oils.
 (A) Oil waste.
 (A) Oil, whale (train, blubber, sperm), seal oil, shark oil, fish oil generally, and mixtures of the foregoing.
 (A) Oil, wood tar.
 (B) Oleaginous kernels, nuts, seeds, and products, all, including:—
 (B) Castor beans.
 (B) Coconuts.
 (B) Copra.
 (B) Cotton seed.
 (B) Ground nuts, earth nuts, or pea nuts (Arachides).
 (B) Hemp seed.
 (B) Linseed.
 (B) Palm nuts and palm kernels.
 (B) Poppy seeds.
 (B) Rape or colza seed.
 (B) Sesame seed.
 (B) Soya beans.
 (B) Sunflower seed.
 (C) Other oleaginous kernels, nuts, seeds, and products.
- (A) Ovens, suitable for camp use.
 (C) Packings, engine and boiler.
 (A) Paper, waste.
 (A) Paraffin oil.
 (A) Paraffin wax.
 (C) Peat.
 (A) Pepper.
 (A) Periscopes.
 (A) Petroleum, fuel oil.
 (A) Petroleum, lighting oil.
 (A) Petroleum, gas oil.
 (A) Petroleum spirit and articles containing petroleum spirit.
 (C) Petroleum and its products not otherwise specifically prohibited.
 (A) Phosphate rock, namely:—
 Apatites.
 Phosphates of lime and alumina.
 (A) Photographic sensitive films, plates, and printing paper, whether exposed or not.
 (C) Pickaxes.
 (C) Pitch, coal tar.
 (C) Pitch, rosin.
 (C) Pitch, wood.
 (C) Pimento.
 (A) Pigskins.
 (A) Pitches derived from fat, greases, oils, or fatty acids.
 (A) Plumbago.
 (C) Pocket lamp cases, and cases fitted with bulbs, but not containing batteries.
 (A) Powder, aluminium.
 (A) Powder, bronze (except aluminium powder).
 (A) Projectiles of all kinds and their component parts.
 (A) Provisions and victuals which may be used as food for man, the following:—
 Animals, living, for food.
 Barley, barley meal, and pearled and pot barley.
 Butter.
 Cheese.
 Eggs in shells.
 Lard and imitation lard.
 Malt.
 Margarine.
 Meat, namely, beef and mutton, fresh or refrigerated.
 Milk, condensed or preserved.
 Oatmeal and rolled oats.
 Peas (except tinned and bottled peas, and peas packed in cardboard boxes or similar receptacles).
 Sugar, cane and beet.
 Wheat, wheat flour, and wheat meal.

- (c) Provisions and victuals, all, which may be used as food for man, and the raw materials thereof, not otherwise prohibited, including—
- Arrowroot.
 - Bean flour and meal.
 - Biscuits, bread and cakes.
 - Cassava powder.
 - Cocoa, raw, and manufactures thereof.
 - Cocoa husks.
 - Cocoa shells.
 - Coffee.
 - Corn flour.
 - Corn grits.
 - Egg, yolk and liquid, and albumen.
 - Farina.
 - Fish.
 - Fruit, fruit preserves, and nuts used as fruit.
 - Hominy.
 - Lentil flour and meal.
 - Macaroni.
 - Malt sugar.
 - Mandioca.
 - Meat, extract of.
 - Meat of all kinds (except poultry and game), not including beef and mutton, fresh or refrigerated.
 - Meats, tinned or potted.
 - Onions.
 - Pea flour and meal.
 - Potatoes and potato flour.
 - Prepared foods wholly or partially derived from cereals.
 - Rice and rice flour.
 - Rye, rye flour, and meal.
 - Sago and sago flour and meal.
 - Semolina.
 - Soups, compressed and desiccated.
 - Spaghetti.
 - Tapioca and tapioca flour.
 - Tomato pulp.
 - Vegetables, fresh (except peas).
 - Vermicelli.
- (A) Pulp-board waste.
- (A) Rags, cotton, and rags containing cotton.
- (A) Rags, linen.
- (A) Rags, woollen, shoddy, and mungo applicable to other uses than manure.
- (c) Railway material, both fixed and rolling stock (except railway wagons and their component parts, steel rails, steel sleepers, steel springs, wheels, axles, and tyres).
- (A) Railway material, the following :—
- Steel rails.
 - Steel sleepers.
 - Steel springs.
 - Wheels, axles, and tyres.
- (A) Railway wagons and their component parts (except steel springs, and wheels, axles, and tyres).
- (A) Ramie stockings and ramie fabrics suitable for the manufacture of gas mantles.
- (A) Range finders and their component parts.
- (c) Rattans.
- (c) Resins and resinous substances (except such as contain caoutchouc).
- (A) Resinous substances containing caoutchouc.
- (A) Revolution indicators suitable for aircraft.
- (c) Rifling machines.
- (c) Rock crystal.
- (A) Rope made of steel wire, and steel hawsers.
- (A) Rubber (raw, waste, and reclaimed), solutions containing rubber, jellies containing rubber, and any other preparations containing rubber, and also balata, gutta-percha, and the following varieties of rubber, viz. :—Borneo, Guayule, Jelutong, Palembang, Pontianac, and all other substances containing caoutchouc.
- (A) Rubber, gutta-percha or balata, goods made wholly or partly of.
- (c) Rugs (except horse rugs).
- (A) Rugs, horse.
- (c) Rum and imitation rum.
- (c) Sbadilla seeds and preparations therefrom.
- (A) Sacks, coal.
- (A) Saddle felt.
- (A) Saddlery, and metal fittings therefor.
- (A) Saddle serge.
- (c) Salt, rock and white (except table salt).
- (A) Sausage skins.
- (A) Searchlights.
- (c) Seeds, clover and grass.
- (A) Sheepskins, haired or woolled.
- (A) Shellac.
- Shipbuilding materials, the following :—
- (A) Boiler tubes.
 - (A) Condenser tubes.
- (c) Diesel and other internal combustion engines for marine propulsion, and component parts of such engines.
- (c) Iron and steel castings and forgings for hulls and machinery of ships.
- (c) Iron plates and sectional materials for shipbuilding.
- (c) Ships' auxiliary machinery.
- (c) Shovels.
- (A) Signalling lamps and their component parts.
- Silica bricks.
- Silk and silk manufactures, the following :—
- (A) Broad silks of all kinds, whether all silk or of silk mixed with other yarns (except with artificial silk yarn or metal threads), in the gray or discharged, undyed, dyed, or printed, but unweighted.
 - (A) Silk braid, silk cloth, silk thread, suitable for cartridges.
 - (A) Schappe and spun yarns.
 - (A) Shantung silk.
 - (A) Silk noils.
 - (A) Silk, raw or thrown.
 - (A) Silk waste.
- (A) Sisal strings, old.
- (A) Sisal waste.
- (c) Slagwool.
- (A) Soap containing more than one per cent. of glycerine.
- (c) Soap (except soft soap) containing one per cent. or less of glycerine.
- (A) Soap, soft, containing one per cent. or less of glycerine.
- (c) Sounding machines and gear.
- (c) Spades.
- (c) Sparking plugs.
- (c) Spices other than pepper.
- (A) Spiegeleisen.
- (A) Spirits, methylated.
- (A) Spirits of a strength of not less than 43 degrees above proof.
- (c) Starch.
- (A) Steel stampings, suitable for aircrafts.
- (A) Stockinette.
- (A) Strawboard waste.
- (A) Submarine sound-signalling apparatus.
- (A) Surgical bandages and dressings (except cotton wadding and cotton wool, the exportation of which is prohibited to all destinations).
- (A) Surgical instruments.
- (A) Swords, bayonets, and other arms (not being firearms), and their component parts.
- (A) Syringes, hypodermic.
- (c) Syrups, which may be used as food for man, and molasses produced from cane sugar.
- (A) Tar, vegetable.
- (A) Tar, wood.
- (A) Tarpaulins.
- (c) Telegraphs (except wireless), instruments and material for (not including insulated wires and cables, the exportation of which is prohibited to all ports and destinations abroad other than ports and destinations in British Possessions and Protectorates).
- (A) Telegraphs, wireless, instruments and material for.
- (c) Telephones, material for (except telephone sets and their component parts).
- (A) Telephone sets and their component parts.
- (A) Telescopes.
- (A) Tents and their component parts.
- (c) Ternepates and receptacles made from ternepates.
- (A) Theodolites.
- (A) Thermometers, clinical.
- (c) Tin plates and receptacles made from tin plates.
- (A) Torpedoes and their component parts.
- (A) Torpedo nets.
- (A) Torpedo tubes.
- (c) Transformer sheets.
- (A) Tubes, brass, solid drawn.
- (A) Tubes, brass, brazed.
- (A) Tubes, copper, solid drawn.
- (A) Turnbuckles suitable for aeroplanes.
- (A) Turpentine (oil and spirit), and articles containing turpentine.
- (A) Turpentine substitute, and articles containing turpentine substitute.
- (c) Twist drills.
- (A) Tyres for motor vehicles and for cycles (whether attached to a vehicle or cycle or not), together with articles and materials especially adapted for use in the manufacture or repair of tyres.
- (A) Uniform clothing (except second-hand military uniform clothing).
- (A) Uniform clothing, second-hand military.
- (A) Vessels, boats and craft.
- (A) Wagons, four-wheeled, capable of carrying one ton or over, and their component parts.
- (A) Wagon covers.

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| <ul style="list-style-type: none"> (C) Water bottles suitable for military use. (C) Wax, carnauba. (A) Waxed paper. (A) Waxes, mineral and vegetable (except carnauba), and composite waxes. (A) Web equipment. (A) Wires and cables, insulated. (C) Wire-winding machines. <p>Woods, the following :—</p> <ul style="list-style-type: none"> (A) Ash. (A) Ash three-ply wood. (C) Lignum vitæ. (C) Mahogany. | <ul style="list-style-type: none"> (C) Plywood, except ash three-ply wood. (A) Spruce. (A) Walnut. <ul style="list-style-type: none"> (A) Wool grease. (A) Woollen and worsted yarns and mixtures thereof. (A) Woollen scarves, jerseys, cardigan jackets, socks, and men's woollen gloves and underwear. (A) Woollen rags, shoddy, and mungo, applicable to other uses than manure. (A) Wool noils and mixtures thereof. (A) Wool, raw (sheep's and lambs'), and mixtures thereof. (A) Wool tops and mixtures thereof. (A) Wool waste. (A) X-ray apparatus. |
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APPOINTMENT BY THE GOVERNOR.

No. 213 of 1916.

HIS EXCELLENCY THE GOVERNOR has, by virtue of the powers in him vested by clause XII. of the Royal Instructions dated November 24, 1910, as amended by the Additional Instructions dated December 31, 1915, and with the approval of HIS MAJESTY THE KING, been pleased to appoint the Hon. Mr. Thomas Howard Chapman to be an Official Member of the Legislative Council of this Island, with effect from July 1, 1916.

Colonial Secretary's Office,
Colombo, July 1, 1916.

By His Excellency's command,
R. E. STUBBS,
Colonial Secretary.

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance for the Liquidation of Enemy Firms.

Preamble.

WHEREAS it is expedient to make provision for the liquidation of enemy firms: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Enemy Firms Liquidation Ordinance, No. of 1916."

CHAPTER I.

Appointment, Powers, and Duties of Liquidators.

Governor may declare any person, firm, or company enemy firm and appoint liquidators.

2 The Governor in Executive Council, by order in Council published in the "Government Gazette," may declare—

- (a) Any person carrying on business in Ceylon at the commencement of the present war who is an enemy; or
- (b) Any partnership so carrying on business, the partners of which, or the majority of the partners of which, are enemies; or
- (c) Any company so carrying on business which is registered in Ceylon, and the majority of the shares of which are held by enemies—

to be an "enemy firm" within the meaning of this Ordinance, and may appoint a liquidator or liquidators for the purpose of winding up the business of the said firm.

Property rights of firm to vest in liquidator.

3 (1) Upon any such appointment all the right, title, and interest of the said person, the said partnership, and all the members thereof, or the said company, as the case may be, in all the property of the firm, movable or immovable, shall vest in the liquidator (or liquidators) so appointed for the purpose of the liquidation.

(2) Every liquidator so appointed (including all persons declared by this Ordinance to be deemed to be so appointed) shall, for all purposes whatsoever, have as full rights as if the whole of the trade previously carried on by such firm, together with the goodwill of such trade and every part thereof, and all the property of every description of the firm, had been absolutely assigned to such liquidator for valuable consideration, and as if all the contracts of such trade had originally been entered into with such liquidator.

Duty of liquidator.

4 It shall be the duty of any liquidator so appointed—

- (a) To realize all the assets of the said firm;
- (b) To discharge all the liabilities of the said firm to the extent and in the manner hereinafter provided;
- (c) Generally to do all things necessary to wind up the business of the said firm.

Powers of liquidator.

5 (1) For the purpose of the discharge of his duties under this Ordinance, every liquidator shall have the following powers:

- (a) To sell all the property, movable and immovable, of the firm, including the goodwill and trade marks thereof, whether by public auction, tender, or private contract, with power to transfer the whole thereof to any person, or to sell the same in parcels;
- (b) To do all acts, and to execute in the name and on behalf of the firm all conveyances, receipts, and other documents of every description;

- (c) To carry on the business of the firm so far as may be necessary for the beneficial winding up thereof ;
- (d) To draw, accept, make, and endorse any bill of exchange or promissory note in the name and on behalf of the firm, with the same effect with respect to the liability of the firm as if the bill or note had been drawn, accepted, made, or endorsed by or on behalf of the firm in the course of its business ;
- (e) To bring or defend any action or other legal proceeding, or otherwise to appear and take part therein, and to continue and maintain the part of the firm in any pending action or other legal proceeding to which the firm may be a party in the name and on behalf of the firm ;
- (f) To raise on the security of the assets of the firm any money requisite ;
- (g) To compromise any debt or claim ;
- (h) To prove rank and claim in the insolvency, winding up, or liquidation of any person under any liability to the firm ;
- (i) To do all such other things as may be necessary for winding up the business of the firm.

(2) In addition to the above powers, every liquidator in the case of a firm which is a company shall have all the powers of an official liquidator under "The Joint Stock Companies Ordinance, 1861," and in the case of any other firm all the powers of an assignee in insolvency under Ordinance No. 7 of 1853, in so far as such powers are not herein enumerated or implied, and in so far as the same are not inconsistent with this Ordinance.

Application of assets.

6 (1) The assets of the firm shall be applied in the payment of the following liabilities and in the following order of priority :

- (a) All expenses of and incidental to the winding up (including the remuneration of the liquidator) ;
- (b) All rates and taxes due from the firm ;
- (c) All wages and salary of any clerk or servant, not being an enemy, in respect of services rendered to the firm. Provided that in the case of any clerk or servant who is an enemy, and who is interned in British territory, the custodian of enemy property may authorize the payment of such wages or salary due to such clerk or servant up to the amount of seven hundred and fifty rupees under such conditions as he may direct ;
- (d) All sums of money due to the Crown ;
- (e) All sums due to persons other than enemies, and in the case of an enemy firm which is a partnership, other than a partner in the firm ;
- (f) All sums due in respect of any other debt or class of debts, the discharge of which may be specially ordered by the Governor.

(2) In any case in which it appears to the liquidator that there is reasonable cause to believe that the assets of the company are not sufficient to discharge in full the liabilities above enumerated, the liabilities referred to in paragraph (e) (subject to the rights of secured creditors) shall be discharged rateably *pari passu*.

(3) In any case in which the nett assets of an enemy firm, after deducting the value of all securities held by secured creditors, shall be or become insufficient to discharge the expenses incidental to the winding up, the liquidator may require any secured creditor to make such contribution towards the said expenses as may be equitable, and the amount of such contribution, if not settled by agreement, shall be determined by the custodian of enemy property hereinafter provided for.

Payment of surplus proceeds to custodian of enemy property.

7 Upon the completion of the liquidation, the liquidator shall pay all the surplus proceeds realized thereby to the custodian of enemy property, and all sums so paid to such custodian shall be held by him at the disposal of the Governor.

CHAPTER II.

Messrs. Freudenberg & Co.

Conversion of,
the control of
the firm of
Messrs.
Freudenberg &
Co. into a
liquidation.

8 (1) The controllers of the firm of Messrs. Freudenberg & Co. appointed under the order of the District Court of Colombo of the 24th October, 1914, shall, in addition to the powers conferred upon them by the said order (as amended by the order of the said court of the 22nd March, 1915), have all the powers conferred upon a liquidator under this Ordinance, in so far as the same are not already conferred upon them by the said order.

(2) The said firm shall be deemed to be a partnership declared an enemy firm under this Ordinance, and the controllers shall for all the purposes and with reference to all the provisions of this Ordinance be deemed to be liquidators appointed under this Ordinance at the date of the commencement thereof, and all the provisions of this Ordinance with reference to liquidators so appointed (including the provisions of section 3) shall apply to the said controllers as from the said date, and all references to a liquidator shall be construed as references to the said controllers.

(3) In the application of the said order, so amended, to the winding up of the said business, such order shall be construed as if all references to a committee of management to be appointed by the court were references to the custodian of enemy property, and the custodian of enemy property shall have all the powers of a committee of management under the said order, together with such other powers as are vested in him under this Ordinance.

(4) The court may give all such directions with regard to any scheme or matter pending or in operation in pursuance of an order made in the course of the control as may be necessary or expedient in the circumstances, and may make all necessary orders with reference to any question that may arise for the purpose of the conversion of the control into a liquidation and for the winding up of the business of the firm.

(5) All contracts made by or with the said controllers, all obligations undertaken to or by them, and all powers and authorities conferred by or upon them or any of them for the purposes of the control, and in particular the power of attorney dated 30th day of March, 1915, executed by James Ford, Arthur John Rhodes, Charles Jermyn Ford, and Arthur Pelham Ford in favour of Harold Douglas Thornton, Patrick Haggard Fraser, and Maurice John Harding shall continue in force for the purposes of the liquidation and all matters incidental thereto.

CHAPTER III.

Custodian of Enemy Property.

Custodian of
enemy property.

9 (1) For the purpose of this Ordinance the Governor may appoint any person to be custodian of enemy property, or may order that any person for the time being from time to time discharging the duties of any office shall be the custodian of enemy property.

Duty of
custodian.

(2) It shall be the duty of the custodian of enemy property—

- (a) To exercise a general control over all liquidations proceeding under this Ordinance, with a view to facilitating and expediting the procedure of the same, and to the carrying out of the objects of this Ordinance;
- (b) On the completion of any liquidation under this Ordinance, to receive the proceeds of the said liquidation, and to hold and deal with the same in accordance with the orders of the Governor;
- (c) To discharge any other duty imposed upon him under this Ordinance.

Power of
liquidator to
apply for
directions.

10 Any liquidator appointed under this Ordinance may at any time apply to the custodian of enemy property for directions either as to the general course of the liquidation, or as to any matter arising therein, or for the sanction of any payment made or to be made, or of any action taken or to be taken by such liquidator.

Powers of
custodian.

11 (1) The custodian of enemy property shall have the following powers :

- (a) To call upon any liquidator to furnish him with any information he may require in such form as he shall specify as to the general course of the liquidation or as to any matter arising therein, and to lay before him all books, papers, and documents that he may require to be produced for his inspection ;
- (b) To require any liquidator to conform to any general or special direction which the custodian may give for the purpose of the liquidation ;
- (c) To require any person, whom he has reasonable cause to believe to be possessed of information as to any property belonging to or supposed to belong to or any debt due or supposed to be due to any enemy firm, or otherwise relating to matters comprised in any liquidation, to attend before him and be examined on oath or affirmation with reference thereto, and to answer truly any question put to him in the course of such examination, and (if necessary) to enforce the attendance of any such person for the purpose of such examination, in the same manner as if such custodian were a Police Magistrate, and such person were a witness summoned to give evidence before him ;
- (d) To require any person who shall have in his possession or control any book or document relating to the business or to the property of an enemy firm to produce or to deliver to him or to the liquidator such book or document for inspection or consideration, or if such book or document is the property of the firm, to deliver such book or document into his possession or into the possession of the liquidator.

(2) Any person who, without reasonable excuse, the proof whereof shall lie on him, shall make default in complying with a requirement of the custodian of enemy property under paragraphs (c) and (d) of the last preceding sub-section shall be guilty of an offence, and liable on summary conviction to a fine not exceeding one thousand rupees, or to simple imprisonment for a period not exceeding six months.

CHAPTER IV.

Legal Proceedings.

Special rules as
to legal
proceedings.

12 The following provisions shall take effect with reference to enemy firms under this Ordinance—

- (a) In the case of a firm which is not a company no proceeding in insolvency under Ordinance No. 7 of 1853 shall be instituted against such firm, and in the case of a firm which is a company no proceeding for the winding up thereof shall be instituted under "The Joint Stock Companies Ordinance, 1861" ;
- (b) Except in the following cases, that is to say :
 - (1) In the case of insolvency proceedings under Ordinance No. 7 of 1853 ;
 - (2) In the case of proceedings for the winding up of a company under "The Joint Stock Companies Ordinance, 1861" ;
 - (3) In the case of proceedings under "The Land Acquisition Ordinance, 1876," or the Order of the Queen in Council of 26th October, 1896 ;

no other action or other civil proceeding with reference to any matter relating to the business of the firm shall be instituted by or against such firm, or any partner thereof, or the liquidator thereof, save in accordance with the procedure prescribed by this chapter ;

- (c) With respect to all such actions or other legal proceedings already instituted by or against any such firm or the liquidator thereof, any court of the Colony, before which such action or proceeding is pending, may on application by or on behalf of either party give such directions as may best conduce to the expeditious

determination thereof according to such procedure as it may prescribe, and shall in all cases where such a course is feasible adapt the procedure to be followed in such action or proceeding as nearly as possible to the procedure prescribed by this chapter.

- (d) With respect to all actions or other legal proceedings already instituted by or on behalf of or against any enemy firm or the liquidator thereof, which have been stayed, struck out, or otherwise dealt with by reason of any disability of the said firm, the court before which any such action or proceeding was originally instituted may in its discretion order that, for the purposes of the liquidation, such action or proceeding shall revive or continue subject to the directions of the court under the last preceding paragraph, or that fresh proceedings be instituted by or against the liquidator under this Ordinance in respect of the same cause or matter, and may otherwise give such directions with reference to the matter in question as it shall deem just and expedient.

Special procedure for the expeditious determination of claims.

13 (1) The liquidator of any enemy firm for the purpose of any claim against any person, and any person (other than an enemy or a partner in the firm) for the purpose of any claim against an enemy firm or the liquidator thereof, may make application to the District Court of Colombo for the issue of a summons calling upon such person, or the liquidator of such firm, to show cause on a date fixed in the summons why such claim should not be satisfied, and the court shall issue such summons accordingly.

(2) Upon the hearing the court shall determine the matter in a summary manner according to such procedure as it may direct for the purpose of the most expeditious decision of the issues between the parties, and may enter up judgment in accordance with its determination, and all the relevant provisions of the Civil Procedure Code shall apply for the purpose of the enforcement of such judgment.

Court may determine any question arising in the liquidation.

14 The liquidator, or any person interested in the liquidation of any enemy firm (other than an enemy or a partner in the firm), may in any case which cannot conveniently be dealt with under the last preceding section apply to the District Court of Colombo for the determination of any question or matter arising in the course of the liquidation, and the court shall, subject to such notices and such other procedure as it may direct, determine such question or matter accordingly, and may enter up judgment in accordance with its determination, and all the relevant provisions of the Civil Procedure Code shall apply for the purpose of the enforcement of such judgment.

Proceedings under this chapter to have precedence.

15 All proceedings under this chapter shall take precedence of all other business of the court of every description, and shall be heard either in court or chambers as the court may direct.

Appeals.

16 (1) An appeal shall lie at the suit of any party aggrieved by any final order under this chapter to the Supreme Court.

(2) Every such appeal shall be presented within the same time and shall be dealt with in the same manner and shall be entitled to the same precedence as appeals from interlocutory orders of District Courts.

No execution against property of enemy firm without consent of custodian.

17 No execution, or proceeding in the nature of execution, shall be issued or taken in pursuance of any order or judgment made or given (whether before or after the commencement of this Ordinance) against any enemy firm or any partner thereof without the written consent of the custodian of enemy property.

Orders and judgments binding against enemy firm.

18 Every order or judgment made or given in any proceeding instituted or continued under the provisions of this chapter, or otherwise instituted or continued by or against a liquidator in pursuance of the provisions of this Ordinance, shall for all purposes and in all respects be binding upon the enemy firm in respect of which the order or judgment is made or given, and all persons entitled to the profits of the business of the said firm, and upon all persons claiming through or against the same, as if such proceeding had been instituted by or against, or as if the order or judgment had been made or given for or against, such enemy firm in ordinary course of law.

CHAPTER V.

General Provisions.

Power to
disclaim
contract, &c.

19 A liquidator may disclaim any contract made between an enemy firm and any other person, or any property of the firm or any interest therein, which is burdened with any onerous obligation.

Provided that if any person (other than an enemy or a partner in the enemy firm) shall allege that he has suffered damage or is otherwise entitled to relief by reason of such disclaimer, he may (in default of the settlement of the matter by agreement) apply to the court under chapter IV. hereof, and the court on such application may make such order as may be just.

Where enemy
firm insolvent.

20 In any case in which the assets of an enemy firm are not sufficient to discharge the liabilities for which provision is made under this Ordinance, it shall be the duty of the liquidator (subject to any special provision of this Ordinance) to deal with all claims against such firm as nearly as possible in the same manner as such claims would have been dealt with under the order of the competent court if the estate of the firm was being administered, or if the firm was being wound up, under Ordinance No. 7 of 1853, or under "The Joint Stock Companies Ordinance, 1861," respectively.

Land
acquisition
proceedings.

21 (1) In any case in which any proceedings under "The Land Acquisition Ordinance, 1876," or under the Order of the Queen in Council of 26th October, 1896, are instituted, or have been instituted, with reference to any property of any enemy firm which is vested in any liquidator under this Ordinance, or with reference to any property in which any enemy firm is interested, the liquidator shall be deemed to be the only person entitled to represent the interests of the enemy firm (or in the case of a partnership of any partner thereof) under the said Ordinance or Order, and any sum paid to or received by the liquidator as compensation under the said Ordinance or Order shall be deemed to be proceeds of the liquidation.

(2) In the case of any such proceedings under "The Land Acquisition Ordinance, 1876," if any claim is made on behalf of any enemy, or where the enemy firm is a partnership, on behalf of any partner in the firm as being a person interested, or if the Government Agent has reason to think that any enemy or any partner in the enemy firm is a person interested, no account shall be taken of any such claim or of the interests of any such person in the acquisition proceedings either by the Government Agent or the District Court; but in any such case it shall be the duty of the liquidator to pay any sum received by him as compensation under the said Ordinance to the custodian of enemy property, and any sum so paid shall be held by the custodian in a separate account subject to the orders of the Governor.

(3) In the case of any such proceedings under the said Ordinance, the notice issued by the Government Agent under section 7 of the said Ordinance may include any machinery, plant, appliances, furniture, or other appurtenances or things used on or in connection with the said property, the goodwill of the business of the said firm so far as it relates to the said property and to the business of the firm there carried on, or any other right of the said firm, corporeal or incorporeal, in or in connection with the said property or business, and all the provisions of the said Ordinance shall apply as if all matters included in the said notice in pursuance of this section were included in the definition of "land" in the said Ordinance.

Inclusion in
sale of other
enemy
interests.

22 In any case in which for the purposes of any liquidation it becomes necessary to sell the interest of an enemy firm in any property in which such firm is interested jointly or in co-ownership with an enemy, the liquidator may, in his discretion, include the interest of such enemy in the sale; but in any such case he shall (subject to the prior rights of any incumbrancer other than an enemy or a partner in the enemy firm) pay the whole of the proceeds of the sale of such combined interests to the custodian of enemy property, and the sum so paid shall be held by the custodian in a separate account subject to the orders of the Governor.

Secured
creditors.

23 (1) When any creditor of any enemy firm (other than an enemy or a partner of the firm) holds any mortgage, charge, or lien on any property of the firm as security for his debt, such creditor or the liquidator may apply to the District Court under chapter IV. hereof for an order directing either—

- (a) That the security be realized, and that the creditor account for or make his claim in respect of any balance due ; or
- (b) That the security be valued and retained by the creditor, and that the creditor account for or make his claim in respect of any balance due ; or
- (c) That the creditor surrender his security to the liquidator for the benefit of the estate of the firm and claim in respect of his whole debt ;

and the court upon any such application shall have power to make any order that it may deem just.

(2) Where any property of an enemy firm is subject to any mortgage, charge, or lien in favour of an enemy, or a partner of the firm, the liquidator may sell such property free of any such mortgage, charge, or lien, and in any such case the said property shall vest in the purchaser absolutely discharged therefrom, or from any claim in respect thereof.

Provided that in any such case the liquidator shall out of the nett proceeds of the sale pay the amount of the debt secured by such mortgage, charge, or lien (or the estimated value thereof under section 24), or if the sale does not realize a sum sufficient to discharge the said debt or the estimated value thereof, then, subject to the rights of prior incumbrancers, the whole of the nett proceeds of the sale, to the custodian of enemy property, and the sum so paid shall be held by the custodian in a separate account subject to the orders of the Governor.

Contingent or
future
liabilities.

24 In any case in which any claim by or against an enemy firm is made in respect of any future or contingent debt or liability, the value of which is capable of being fairly estimated (not being a claim by an enemy or a partner in the enemy firm), such debt or liability shall be enforceable for the purpose of the liquidation, and in default of agreement the liquidator or other claimant (not being an enemy or a partner in the enemy firm) may apply to the court under chapter IV. hereof to estimate the value of such debt or liability and to direct its enforcement, and the court, if it shall be of opinion that the value of the debt or liability is capable of being fairly estimated, shall make an estimate thereof and direct its enforcement accordingly ; but if it shall be of opinion that the value of the debt or liability is incapable of being fairly estimated, it shall direct that no account be taken of the said debt or liability in the liquidation.

Duty to
disclose
property of
enemy firm.

25 (1) It shall be the duty of any person, who shall have been entrusted with or shall otherwise be in possession of any property belonging to an enemy firm, within one month after the commencement of this Ordinance, or of the declaration of the Governor in Executive Council that such firm is an enemy firm, to disclose to the liquidator particulars in writing of such property and the terms on which it is in the possession of such person, and, on being so required by the liquidator, to furnish to the liquidator all such further information with regard to such property as the liquidator may indicate.

(2) Any person who, without reasonable excuse, the proof whereof shall lie on him, shall make default in compliance with any of the provisions of this section shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding one thousand rupees, or in default to simple imprisonment for a period not exceeding six months.

Remuneration
of liquidator.

26 A liquidator shall be entitled to retain out of the assets of the firm liquidated such remuneration as the custodian of enemy property may authorize.

Security by
liquidator.

27 The custodian of enemy property may require that any liquidator shall give security for the proper discharge of his duties under this Ordinance, and the costs of providing any such security shall be deemed to be part of the expenses of the liquidation.

Audit of
accounts.

28 The accounts of any liquidator appointed under this Ordinance shall, subject to any special provision in that behalf, be audited in such manner as the custodian of enemy property shall direct.

Procedure on
completion of
liquidation.

29 (1) The custodian of enemy property on being satisfied in that behalf may, by notification published in the "Government Gazette," declare that the liquidation of any enemy firm has been completed.

(2) In any such case it shall be the duty of the liquidator to pay over to the custodian of enemy property the whole of the surplus proceeds realized by the liquidation.

Completion of
liquidation
subject to any
pending matter
or matters.

30 (1) A liquidation may be completed subject to any pending matter or matters, and, subject to the provisions of this section, all references to the completion of a liquidation under this Ordinance shall include the completion of a liquidation subject to any pending matter or matters.

(2) In any such case the provisions of the last preceding section shall be subject to the following qualifications :

(a) The declaration of the custodian of enemy property that the liquidation has been completed shall declare that it has been completed subject to such pending matter or matters ;

(b) The liquidator may retain out of the surplus proceeds of the liquidation such sum as he may be authorized by the custodian of enemy property to retain for the purpose of such pending matter or matters.

(3) When the pending matter or matters shall be finally disposed of, the liquidator shall pay over to the custodian of enemy property all such further surplus proceeds of the liquidation as may be in his hands, and the said custodian shall receive and hold the same subject to the orders of the Governor.

Disposal of
documents, &c.

31 On the completion of the liquidation of an enemy firm, or on the final disposal of any pending matter or matters subject to which such liquidation is declared completed, the books, papers, accounts, and documents of the firm and of the liquidator shall be dealt with in such manner as the Governor shall direct.

Protection of
liquidator.

32 No action shall be brought against any liquidator or the custodian of enemy property to charge him with any personal liability in respect of any act which he may have done, or may have omitted to do, when acting in good faith in pursuance, or supposed pursuance, of his powers or duties under this Ordinance.

Meaning of
"business."

33 In this Ordinance the expression "business" includes any enterprise, work, or occupation carried on by an enemy, whether directly or by an agent in his behalf.

"Assets" and
"property of
the firm."

34 (1) The expressions "assets of the firm" and "property of the firm" shall include all property of any description previously employed in or in connection with the business of the firm, or otherwise treated as assets of the firm in the course of its business, and in the case of a partnership shall (unless the Governor otherwise order) include all immovable property vested in the members of the partnership jointly or in co-ownership.

(2) In any case in which, owing to the existence of a state of war, difficulties arise with reference to the maintenance during the war of any immovable property belonging to any person who is, or is a member of, any enemy firm, which is not an asset of the firm or property of the firm within the meaning of this Ordinance, the Governor may direct the custodian of enemy property to assume control of such immovable property, and to let the same on such terms as to such custodian may seem fit until such time as the Governor may declare the war to be terminated, or if such letting prove impracticable, to sell the same, and to hold the proceeds of such letting or sale at the disposal of the Governor.

Meaning of
"enemy,"
"property of
the firm," &c.

35 (1) "Enemy" means a person who is a subject of a power at war with His Majesty, or, in the case of a person who is a company, a company, the majority of the shares of which are held by such subjects.

(2) A certificate under the hand of the Governor to the effect that any person is an enemy within the meaning of this Ordinance shall be *prima facie* proof in all legal proceedings of such enemy character.

(3) If any question arises in the course of any liquidation under this Ordinance as to whether any asset or property of any enemy declared to be an enemy firm, or of any partner in any partnership declared to be an enemy firm, is an asset or property of the firm, or as to whether any book or document is the property of an enemy firm, the question shall be referred to the Governor in Executive Council, whose decision shall be final.

Conveyances in fraud of objects of Ordinance void.

36 Any conveyance, assignment, contract, judgment, or other disposition or transaction made, suffered, or entered into by any enemy firm or any partner thereof, whether before or after the passing of this Ordinance, for the purpose of evading or frustrating any of the provisions of this Ordinance, or for the purpose of evading or frustrating any measures that might by law be taken for dealing with the property or business of enemies or enemy firms, shall be deemed to be absolutely void *ab initio*.

General powers of Governor in Executive Council.

37 The Governor in Executive Council may give directions or make rules in respect of any matter necessary for the administration of this Ordinance which is not specifically provided for therein, and such directions or rules on being published in the "Government Gazette" shall have the force of law.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, June 26, 1916.

R. E. STUBBS,
Colonial Secretary.

Statement of Objects and Reasons.

THE object of this Ordinance is to give effect to the direction of the Secretary of State that all enemy firms in the Colony shall be liquidated, and in particular to provide for the conversion of the control of the business of Messrs. Freudenberg & Co. into a liquidation.

2. For this purpose it provides that the Governor in Executive Council may appoint liquidators to wind up the business of any enemy firm, and that the controllers of the business of Messrs. Freudenberg & Co. shall have all the powers of liquidators in so far as they do not already possess them.

3. With a view to the speedy completion of the liquidations, provision is made—

- (a) For the appointment of a special officer to direct and expedite the liquidations (chapter III.);
- (b) For a special, simple, and expeditious procedure with a view to the decision of all legal questions arising therein (chapter IV.);
- (c) For the disclaimer by the liquidator of contracts or interests burdened with onerous obligations subject to compensation to persons prejudiced (section 19);
- (d) For the reservation of certain questions, which are questions of imperial policy rather than law, for the decision of the Governor (section 35).

4. As it may be necessary to postpone the enforcement of any debt or claim, and as any matter arising in the liquidation may prove to be of a protracted character, it is provided that the liquidation may be completed subject to any pending matter or matters (section 30).

5. In carrying out the liquidation no provision is made for the discharge of debt due to enemy creditors, who, subject to any special order that may be made by the Governor under paragraph (f), are left to pursue their remedies elsewhere after the close of the war (section 6 (1)).

6. On the completion of each liquidation the surplus proceeds are to be paid to the special officer above referred to as custodian of enemy property, and are to be held subject to the order of the Governor (section 7).

7. Special provision is made for cases in which immovable property of an enemy firm is subject to a charge in favour of an enemy (section 23 (2)), for cases in which an enemy firm and some other enemy are jointly interested in immovable property (section 22), and for cases in which in land acquisition proceedings with reference to property of an enemy firm it appears that another enemy is a person interested (section 21).

Attorney-General's Chambers,
Colombo, March 16, 1916.

ANTON BERTRAM,
Attorney-General.

MINUTE.

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

An Ordinance relating to Enemy Property and other matters.

Preamble.

WHEREAS it is expedient to make provision for the custody of enemy property and for the collection of information with regard to sums due by persons resident in the Colony to enemies or by enemies to persons resident in the Colony, and with regard to property of enemies held by persons in the Colony or property of persons in the Colony held by enemies: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title and commencement.

1 This Ordinance may be cited as "The Enemy Property Ordinance, No. of 1916," and shall come into operation on such date as the Governor shall by Proclamation appoint.

Definitions.

2 In this Ordinance—

"Enemy" means any person or body of persons resident or carrying on business in an enemy country, and (subject to the provisions of section 9) includes any other person or body of persons declared to be enemy for the purpose of this Ordinance by order of the Governor in Executive Council.

"Custodian of enemy property" means the person for the time being discharging the duties of custodian of enemy property under "The Enemy Firms Liquidation Ordinance, No. of 1916."

Duties of custodian.

3 (1) It shall be the duty of the custodian of enemy property (hereinafter referred to as the "custodian")—

- (a) To receive, hold, preserve, and deal with such property as may be paid to or vested in him in pursuance of this Ordinance in manner therein prescribed;
- (b) To collect such information as he may be directed or authorized to collect for the purposes of this Ordinance.

(2) The custodian shall have such powers and duties with respect to the property aforesaid (including power to charge fees and retain expenses) as may be prescribed by order of the Governor in Executive Council.

(3) The custodian may place on deposit with any bank, or invest in any securities approved by the Governor, any moneys paid to him under this Ordinance, or received by him from property vested in him under this Ordinance, and any interest or dividends received on account of such deposits or investments shall be dealt with in such manner as the Governor may direct.

Payment of dividend, &c., payable to enemy.

5 Geo. V. c. 12, s. 2.

4 (1) Any sum which, had a state of war not existed, would have been payable or paid to or for the benefit of an enemy, by way of dividends, interest, or share of profits, shall be paid by the person, firm, or company by whom it would have been payable to the custodian, to hold subject to the provisions of this Ordinance and any Order in Council made

thereunder, and the payment shall be accompanied by such particulars as the custodian may require. Any payment required to be made under this sub-section to the custodian shall be made—

- (a) Within fourteen days after the commencement of this Ordinance, if the sum, had a state of war not existed, would have been paid before the commencement of this Ordinance ; and
- (b) In any other case within fourteen days after it would have been paid.

(2) Where before the commencement of this Ordinance any such sum has been paid into any account with a bank, or has been paid to any other person in trust for an enemy, the person, firm, or company by whom the payment was made shall, within fourteen days after the commencement of this Ordinance, by notice in writing, require the bank or person to pay the sum over to the custodian to hold as aforesaid, and shall furnish the custodian with such particulars as aforesaid. The bank or other person shall, within one week after the receipt of the notice, comply with the requirement, and shall be exempt from all liability for having done so.

(3) If any person fails to make or require the making of any payment, or to furnish the prescribed particulars within the time mentioned in this section, he shall be guilty of an offence, and shall, on summary conviction, be liable to a fine not exceeding one thousand rupees, or to imprisonment of either description for a term not exceeding six months, or to both such fine and imprisonment, and, in addition, to a further fine not exceeding five hundred rupees for every day during which the default continues ; and every director, manager, secretary, or officer of a company, or any other person who is knowingly a party to the default shall, on the like conviction, be liable to the like penalty.

(4) The obligations of this section shall not apply to any person, partnership, or company declared or deemed to be declared an enemy firm under "The Enemy Firms Liquidation Ordinance, No. of 1916," or to any person appointed or deemed to be appointed a liquidator with reference to the business of any such person, firm, or company under the said Ordinance.

(5) For the purposes of this Ordinance the expression "dividends, interest, or share of profits" means any dividends, bonus, or interest in respect of any shares, stock, debentures, debenture stock, or other obligations of any company, any interest in respect of any loan to a firm or person carrying on business for the purpose of that business, and any profits or share of profits of such a business.

Extension of provisions of last preceding section.

5 & 6 Geo. V.
c. 79, s. 1.

5 (1) The provisions of the last preceding section shall extend to sums which, had a state of war not existed, would have been payable and paid in the Colony to enemies—

- (a) In respect of interest on securities issued by or on behalf of any Government, or of any municipal or other authority ; and
- (b) By way of payment off of any securities which have become repayable on maturity or by being drawn for payment or otherwise, being such securities as aforesaid or securities issued by any company ;

and in the case of such sums as aforesaid (other than sums in respect of the payment off of securities issued by a company), the duty of making payments to the custodian and of requiring payments to be made to him and of furnishing him with particulars shall rest with the person, firm, or company through whom the payments in the Colony are made.

(2) Where the custodian is satisfied from returns made to him under section 6 of this Ordinance that any such securities as aforesaid (including securities issued by a company) are held by any person on behalf of an enemy, the custodian may give notice thereof to the person, firm, or company by or through whom any dividends, interest, or bonus in respect of the securities of any sums by way of payment off of the securities are payable ; and upon the receipt of such notice

any dividends, interest, or bonus payable in respect of, and any sums by way of payment off of, the securities to which the notice relates shall be paid to the custodian in like manner as if the securities were held by an enemy.

(3) For the purposes of this section " securities " includes stock, shares, annuities, bonds, debentures or debenture stock, or other obligations.

Duty of trustees for enemies to notify the custodian.
5 Geo V. c. 12, s. 3.

6 (1) Any person who holds or manages for or on behalf of an enemy any property, movable or immovable (including any rights, whether legal or beneficial, in or arising out of property, movable or immovable), shall, within one month after the commencement of this Ordinance, or if the property comes into his possession or under his control after the commencement of this Ordinance, then within one month after the time when it comes into his possession or under his control, by notice in writing, communicate the fact to the custodian, and shall furnish the custodian with such particulars in relation thereto as the custodian may require, and if any person fails to do so, he shall be guilty of an offence, and shall, on summary conviction, be liable to a fine not exceeding one thousand rupees, or to imprisonment of either description for a term not exceeding six months, or to both such a fine and imprisonment, and, in addition, to a further fine not exceeding five hundred rupees for every day during which the default continues.

5 & 6 Geo. V. c. 79, s. 2 (1).

(2) The provisions of the last preceding sub-section shall apply to balances and deposits standing to the credit of enemies at any bank, and to debts to the amount of seven hundred and fifty rupees or upwards which are due, or which, had a state of war not existed, would have been due to enemies, as if such bank or debtor were a person who held property on behalf of an enemy.

5 & 6 Geo. V. c. 79, s. 2 (2).

(3) The duty of making returns under the last two preceding sub-sections shall extend to companies as if the expression " person " included company, and if any company fails to comply with the provisions of the said sub-sections, every director, manager, secretary, or officer of the company who is knowingly a party to the default shall be guilty of an offence, and shall, on summary conviction, be liable to a fine not exceeding one thousand rupees, or to imprisonment of either description for a term not exceeding six months, or to both such a fine and imprisonment, and, in addition, to a further fine not exceeding five hundred rupees for every day during which the default continues.

5 Geo. V. c. 12, s. 3 (2).

(4) Every company incorporated in the Colony shall, within one month after the commencement of this Ordinance, by notice in writing, communicate to the custodian full particulars of all shares, stock, debentures, and debenture stock and other obligations of the company which are held by or for the benefit of an enemy; and every partner of every firm, one or more partners of which on the commencement of the war became enemies, or to which money had been lent for the purpose of the business of the firm by a person who so became an enemy, shall, within one month after the commencement of this Ordinance, by notice in writing, communicate to the custodian full particulars as to any share of profits or interest due to such enemies or enemy, and if any company or partner fails to comply with the provisions of this sub-section, the company shall be guilty of an offence, and shall, on summary conviction, be liable to a fine not exceeding one thousand rupees, and, in addition, to a further fine not exceeding five hundred rupees for every day during which the default continues; and the partner and every director, manager, secretary, or officer of the company who is knowingly a party to the default shall, on the like conviction, be liable to the like fine, or to imprisonment of either description for a term not exceeding six months, or to both such imprisonment and fine.

5 & 6 Geo. V. c. 79, s. 2 (3).

(5) The custodian shall keep a register of all property, returns whereof have been made to him under this section, and such register may be inspected by any person who appears to the custodian to be interested as a creditor or otherwise.

Power to vest
property in
custodian.
5 Geo. V. c. 12,
s. 4.

7 (1) The Supreme Court or a judge thereof may on the application of any person who appears to the court to be a creditor of an enemy or entitled to recover damages against an enemy or to be interested in any property, movable or immovable (including any rights, whether legal or beneficial, in or arising out of property, movable or immovable), belonging to or held or managed for or on behalf of an enemy, or on the application of the custodian or any Government department, by order vest in the custodian any such movable or immovable property as aforesaid, if the court or the judge is satisfied that such vesting is expedient for the purpose of this Ordinance, and may by the order confer on the custodian such powers of selling, managing, or otherwise dealing with the property as to the court or judge may seem proper.

(2) The court or judge, before making any order under this section, may direct that such notices (if any), whether by way of advertisement or otherwise, shall be given as the court or judge may think fit.

(3) A vesting order under this section as respects property of any description shall be of the like purport and effect as a vesting order as respects property of the same or like description made under the Trustee Act, 1893.

56 & 57 Vict.
c. 53.

Holding and
dealing with
property by
custodian.

5 Geo. V. c. 12,
s. 5.

8 (1) The custodian shall, except so far as the Governor in Executive Council or the Supreme Court or a judge thereof may otherwise direct, and subject to the provisions of the next succeeding sub-section, hold any money paid to and any property vested in him under this Ordinance until the termination of the present war, and shall thereafter deal with the same in such manner as the Governor in Executive Council may direct.

(2) The property held by the custodian under this Ordinance shall not be liable to be attached or otherwise taken in execution, but the custodian may, if so authorized by an order of the Supreme Court or a judge by whose order any property belonging to an enemy was vested in the custodian under this Ordinance, or of any court in which judgment has been recovered against an enemy, pay out of the property paid to him in respect of that enemy the whole or any part of any debts due by that enemy and specified in the order.

Provided that before paying any such debt the custodian shall take into consideration the sufficiency of the property paid to or vested in him in respect of the enemy in question, to satisfy that debt and any other claims against that enemy of which notice verified by affidavit may have been served upon him.

(3) The receipt of the custodian or any person duly authorized to sign receipts on his behalf for any sum paid to him under this Ordinance shall be a good discharge to the person paying the same as against the person or body of persons in respect of whom the sum was paid to the custodian.

(4) The custodian shall keep a register of all property held by him under this Ordinance, which register shall be open to public inspection at all reasonable times free of charge.

Rules of
procedure.

5 Geo. V. c. 12,
s. 5 (5).

(5) The judges of the Supreme Court may by rules make provision for the practice and procedure to be adopted for the purpose and the last preceding section, and pending the making of such rules such practice and procedure shall be observed as the court or judge may direct.

Construction.

9 No person or body of persons shall, for the purposes of this Ordinance, be treated as an enemy who would not be so treated under or for the purpose of any Act of the Imperial Parliament or any Proclamation issued by His Majesty dealing with trading with the enemy for the time being in force, and the expression "commencement of the present war" shall mean as respects any enemy the date on which war was declared by His Majesty on the country in which that enemy resides or carries on business.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, June 26, 1916.

R. E. STUBBS,
Colonial Secretary.

Statement of Objects and Reasons.

THIS Ordinance is in effect an enactment in the Colony of those sections of the Imperial Acts relating to Trading with the Enemy which deal with the constitution of the office of custodian of enemy property, and the duties and powers of the person holding it.

2. The powers and duties of the custodian of enemy property fall under three heads:—

- (a) The receipt of dividends, interests, and profits due to enemies from persons in the Colony;
- (b) The collection of information as to sums due from persons in the Colony to enemies, and generally as to enemy property in the Colony; and
- (c) The taking over of enemy property for the purpose of discharging debts due by enemies to residents of the Colony and others under the direction of a court.

3. The immediate object of the enactment of these provisions in the Colony is to facilitate a scheme undertaken by the Imperial Government for the collection of information throughout the Empire under the four following heads:—

- (a) Property situate in British territory belonging to enemy subjects;
- (b) Debts due from British subjects to persons in enemy territory;
- (c) Property in enemy territory belonging to British subjects;
- (d) Debts due to British subjects from persons in enemy territory.

The giving of information as to classes (a) and (b) is compulsory under the Ordinance, and as to classes (c) and (d) will be voluntary.

4. To prevent confusion it would be well to observe that the term "enemy" is used in this Ordinance with a different signification from that which it possesses in the Ordinance for the liquidation of enemy firms. In the latter Ordinance the term includes enemy subjects who, at the commencement of the war, were resident or carrying on business in the Colony, and extends, therefore, to German and Austrian subjects now interned in Australia; in the present Ordinance "enemy" means primarily a person or body of persons residing or carrying on business in enemy territory. It does not extend, therefore, to the German and Austrian subjects interned in Australia, and the present Ordinance does not impose on any person any obligation with regard to any sum due or property belonging to any German or Austrian subject so interned.

5. For the purpose of further elucidating the effect of the Ordinance, a statement is annexed of the heads under which information will be collected by the custodian under the Ordinance.

Attorney-General's Chambers,
Colombo, March 23, 1916.

ANTON BERTRAM,
Attorney-General.

HEADS OF INFORMATION TO BE COLLECTED UNDER
THE ORDINANCE.

A.—*Compulsory.*

1. Dividends, interest, or share of profits due from any person, firm, or company in the Colony to any person or body of persons resident or carrying on business in enemy countries (hereinafter called "enemies").

(To be paid to the custodian.)

2. Sums which but for the war would have been payable and paid in the Colony in respect of Government securities and the other securities mentioned in section 5 of the Ordinance.

(To be paid to the custodian.)

3. Particulars as to shares, stock, debentures, debenture stock, or other obligations of companies incorporated in the Colony held for or by enemies, and as to interests of enemies in partnerships in the Colony, showing each enemy partner's capital and interest or share of profits.

(Return to be made by the companies and firms concerned.)

4. Particulars as to movable or immovable property (other than shares, &c., in companies and partnership interests under 3) held in the Colony by or on behalf of enemies.

(Return to be made by person holding and showing the capacity in which he holds, e.g., as banker, stockbroker, agent, &c.)

5. Particulars of property held in the Colony for safe custody on behalf of enemies, such as securities, deeds, personal belongings, jewellery, or cash.

(Return to be made as in case of 4.)

6. Quarterly return of income received from property already recorded under 4 or 5 *supra* (companies and firms do not have to record income under 3, as they have to pay it to the custodian under 1).

(Return to be made as in case of 4.)

7. Particulars of debts, bank deposits, and bank balances in the Colony due to or held on behalf of enemies.

(Return to be made by the debtor or, as the case may be, the person or bank holding the deposit or balance, but not by companies or firms whose return under 3 should include these particulars.)

B.—*Voluntary.*

1. Particulars of debts (including bank balances) due from enemies (including persons in territory occupied by the enemy) to British persons or firms resident or carrying on business in the Colony.

(Return to be made by the creditor.)

2. Particulars of property other than debts and bank balances held by enemies (including persons in territory occupied by the enemy) for British persons or firms resident or carrying on business in the Colony.

(Return to be made by the persons for whom the property is held.)

3. Particulars of luggage detained in enemy countries (including territory occupied by the enemy) and belonging to British persons or persons resident or carrying on business in the Colony.

(Return to be made by the owner of the luggage.)