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Part II.—Legal.

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DRAFT ORDINANCE.

MINUTE.

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

An Ordinance further to amend "The Vehicles Ordinance, No. 4 of 1916."

Preamble.

WHEREAS it is expedient further to amend "The Vehicles Ordinance, No. 4 of 1916": 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 Vehicles (Amendment) Ordinance, No. of 1921," and shall come into operation on a date to be fixed by the Governor in Executive Council, by Proclamation in the "Government Gazette."

Amendment of sections 5, 6, and 44 of the principal Ordinance.

2 The principal Ordinance is hereby amended in the following respects:

(a) Section 5 thereof—

(i.) By striking out the words "substantially in the form A in the second schedule hereto" in lines 7 and 8 of the said section and substituting therefor the words "in one or other of such forms as may be prescribed";

(ii.) By inserting after the word "license" in line 8 of the said section the words "in one or other of such forms as may be prescribed."

(b) Section 6 thereof, by striking out the words "in the form in the second schedule hereto" at the end of the said section and substituting therefor the words "in one or other of such forms as may be prescribed."

(c) Section 44 (2) thereof, by inserting after the word "therefor" in line 3 of the said section the words "or for any purpose or purposes not set out in such license."

By His Excellency's command,

Colonial Secretary's Office,
Colombo, March 12, 1921.

GRAEME THOMSON,
Colonial Secretary.

Statement of Objects and Reasons.

It has been found, as the result of the working of the Ordinance, that sections 5 and 6 of "The Vehicles Ordinance, 1916, are couched in terms which are too general so far as the forms of licenses are concerned.

Those sections provide for the issue of a simple form of license to cover vehicles—

- (a) Plying for hire in a public street ;
- (b) Standing for hire on a stand in a public street ; and
- (c) Carrying passengers, &c., for hire where the vehicle is kept on private premises.

It is obvious that different considerations apply to these 3 classes, and the amendments in section 2 (a) and (b) of the Bill are intended to allow of effect being given to those considerations.

Colombo, December 15, 1920.

H. C. GOLLAN,
Attorney-General.

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the Districts of Negombo, Chilaw, and Puttalam will be holden at the District Court-house at Negombo on Monday, April 18, 1921, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

Deputy Fiscal's Office, FRED. G. HEPPONSTALL,
Negombo, March 23, 1921. Deputy Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Galle.

No. 469. In the matter of the insolvency of A. W. P. Don Davith of Galle.

WHEREAS A. W. P. Don Davith of Galle has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Wehellage Don Bastian Samaranayaka of Talpe under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. W. P. Don Davith of Galle insolvent

accordingly, and that two public sittings of the court, to wit, on April 25, 1921, and on May 23, 1921, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, RICHARD L. PERERA,
Galle, March 24, 1921. Secretary.

NOTICES OF FISCALS' SALES.

Southern Province.

In the District Court of Galle.

Hinatigala Madinage Dineshamy of Heenatigala..Plaintiff.

No. 18,207. Vs.

Wedage Babunhamy and four others of Habaraduwa.....Defendants.

NOTICE is hereby given that on Wednesday, April 27, 1921, at 12 o'clock in the noon, will be sold by public auction

at the spot the right, title, and interest of the said defendants in the following property, viz. :—

The land called Kottimullewatta, situate at Heenatigala; bounded on the north by Kapparagewatta, east by Geriatakumbura, south by Wella-addarakumbura, and west by Kottiduwewatta; extent about 2 acres and 2 roods.

Amount of writ Rs. 420, with interest at 9 per cent. per annum from the date of decree till payment in full, and costs Rs. 92.83 and writ costs Rs. 20.70.

Fiscal's Office,
Galle, March 24, 1921.

J. A. LOURENSZ,
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

4/00
In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Godamullage Singhappuhamy of Kadugoda, in the Udugaha pattu of Hewagam korale, deceased.
No. 361.
Class IV.
Rs. 18,772.50.

Godamullage DonJacolis of Kadugoda aforesaid. Petitioner.

And

- (1) Katriatchipinnawalage Neno Hamine of Kandugoda aforesaid, (2) Godamullage Jane Nona, wife of (3) Samarakkodi Mudianselage Goonewardene Banda of Mudunkotuwa, in Kuruwiti korale, in the District of Ratnapura, (4) Godamullage Don Sethan, (5) ditto Don Brumby, (6) ditto Baby Nona, (7) ditto Mei Nona all of Kadugoda aforesaid Respondents.

THIS matter coming on for disposal before V. M. Fernando, Esq., Acting District Judge of Colombo, on March 8, 1921, in the presence of Mr. H. A. Abeyewardene, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated March 14, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son and an heir of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before April 21, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 8, 1921.

V. M. FERNANDO,
Acting District Judge.

4/00
In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Mary Matilda de Silva Atapattu nee Suriya Bandara of Ratmalane, in the Palle pattu of Salpiti korale, deceased.
No. 362.
Class III.
Rs. 5,957.

Don Alfred William Atapattu of Ratmalane aforesaid Petitioner.

And

- (1) Hettiaratchige Cecilia Pinto Jayawardene, (2) Arthur Reginald de Silva Suriya Bandara, both of Ratmalane aforesaid Respondents.

THIS matter coming on for disposal before V. M. Fernando, Esq., Acting District Judge of Colombo, on March 8, 1921, in the presence of Mr. H. A. Abeyewardene, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 14, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as widower of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above-named or any other person or persons interested shall, on or before April 21, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 8, 1921.

V. M. FERNANDO,
Acting District Judge.

204/00
In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Lionel Stuart of 6, Upper Cheyne Row, Chelsea, in the County of Middlesex, England, formerly of Engrugalla, Aranaike, in the Island of Ceylon, deceased.
No. 383.

THIS matter coming on for disposal before V. M. Fernando, Esq., District Judge of Colombo, on March 22, 1921, in the presence of Messrs. Julius & Creasy, Proctors, on the part of the petitioner Daniel Blythe of Mariawatta, Gampola; and the affidavit of the said petitioner dated March 17, 1921, certified copies of probate will of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated March, 1921, having been read: It is ordered that the will of the said deceased dated March 6, 1905, of which a certified copy of probate has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said petitioner is the attorney of the executor named in the said will, and that he is entitled to have letters of administration, with copies of the said will annexed, issued to him accordingly, unless any person or persons interested shall, on or before April 21, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 22, 1921.

V. M. FERNANDO,
District Judge.

4/00
In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate and effects of Liyanage Charles Perera, late of Welikada, in the Palle pattu of Salpiti korale, deceased.
No. 7,056.
Class IV.
Rs. 20,000.

And

In the Matter of an application under Chapters XXXVIII. and XXXIX. of the Civil Procedure Code of 1889.

Liyanage Flora Wijesinghe nee Perera, wife of Don Simon Wijesinghe of Arethusaplace, Wellawatta, in Colombo Petitioner.

And

- (1) Liyanage Henry Perera, (2) Pathberiyage Liyana Perera Hamine, a lunatic, by her duly appointed manager the 1st respondent, both of Welikada aforesaid, (3) Liyanage Grace Harriet Wanigasuriya nee Perera, wife of (4) Don Philip Wanigasuriya, both of 19th lane, Bambalapitiya Respondents.

THIS matter coming on for disposal before V. M. Fernando, Esq., Acting District Judge of Colombo, on March 3, 1921, in the presence of Mr. Danton P. Ratnaike, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 26, 1921, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as the elder sister of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before April 14, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 3, 1921.

V. M. FERNANDO,
Acting District Judge.

In the District Court of Kalutara.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. In the Matter of the Estate of the late Busabaduge Pulonona Fernando, deceased, No. 1,341. of Beruwala.

THIS matter coming on for disposal before J. C. W. Rock, Esq., District Judge of Kalutara, on January 28, 1921, in the presence of Mr. C. E. A. Perera, Proctor, on the part of the petitioner Mututantirige Abraham Henry, deceased; and the affidavit of the said petitioner dated January 28, 1921, having been read :

It is ordered that the petitioner and he hereby declared entitled, as the husband of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents—(1) Mututantirige Flory Vicklyn Fernando, (2) ditto Charles Richard Fernando, both of Horetuduwa—or any other person or persons interested shall, on or before April 18, 1921, show sufficient cause to the satisfaction of this court to the contrary.

J. C. W. ROCK, District Judge.

January 28, 1921.

In the District Court of Nuwara Eliya holden at Hatton.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Sandanam, Head Cangany, deceased, No. 84. of East Holyrood Estate, Talawakele.

THIS matter coming on for disposal before Charles William Bickmore, Esq., District Judge, Nuwara Eliya-Hatton, on March 1, 1921, in the presence of Messrs. Van Rooyen & Modder, on the part of the petitioner; and the affidavit of Sevathiamma, daughter of Gnanapragasam, dated February 22, 1921, having been read :

It is ordered that letters of administration to the estate of the deceased, Sandanam, Head Cangany, do issue to the said Sevathiamma, daughter of Gnanapragasam, as widow of the deceased, unless (1) Susay, (2) Gnamma, and (3) Jepamalay shall, on or before April 7, 1921, show sufficient cause to the satisfaction of this court to the contrary.

C. W. BICKMORE, District Judge.

March 1, 1921.

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late (1) Kumarage Don Juwanis de Silva, (2) Kumarage Owen Walter de Silva, deceased, of Pahurutnulla. No. 5,321.

THIS action coming on for disposal before T. B. Russell, Esq., District Judge of Galle, on February 2, 1921, in the presence of Mr. E. C. Abeyagoonawardene, Proctor, on the part of the petitioners (1) Kumarage Charlotte Ann de Silva, (2) David Arthur Weerapperuma; and the affidavit of the petitioners dated January 31, 1921, having been read : It is ordered and declared that the said 1st petitioner, Kumarage Charlotte Ann de Silva, is the sole heir of the deceased, and is as such entitled to have letters of administration of the same issued to her accordingly, unless any body interested shall, on or before March 3, 1921, show sufficient cause to the satisfaction of this court to the contrary.

T. B. RUSSELL, District Judge,

February 2, 1921.

Extended for April 14, 1921.

T. B. RUSSELL, District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Weyradoowege Thevenis, deceased, of Habaraduwa. No. 5,338.

Weyradoowege Amaris of Habaraduwa Petitioner.

And

- (1) Walgamage Carlinahamy, (2) Siyadiris de Silva Dheerasekara, (3) Simandiris de Silva Dheerasekara, (4) Subadiris de Silva Dheerasekara, (5) Arinahamy Dheerasekara, (6) U. G. Alwis, Postmaster, Magalle, (7) Saibinahamy Dheerasekara, (8) K. K. P. de Silva, Fiscal's Arachchi, (9) Charlinahamy Dheerasekara, (10) A. P. Wickremasinghe, Postmaster, Gintota, (11) Disinahamy Dheerasekara, (12) Richard William Senaratne of Polatumodera, (13) Weyradoowege Eranis, (14) Weyradoowege Methias, (15) Weyradoowege Elias, (16) Wijewickrema Soinahamy, (17) Siri-sena, (18) Sardias Appu, both of Badulla, (19) Weyradoowege Nonnohamy, all of Habaraduwa. Respondents.

THIS matter coming on for disposal before T. B. Russell, Esq., District Judge of Galle, on March 18, 1921, in the presence of Mr. A. J. Pandita Gunewardene, Proctor, on the part of the petitioner Weyradoowege Amaris; and the affidavit of the petitioner dated March 18, 1921, having been read :

It is ordered that the 18th respondent be appointed guardian *ad litem* over the 17th minor respondent, unless the respondents or any others interested shall, on or before April 28, 1921, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Weyradoowege Amaris is a son of the deceased, and is as such entitled to administer his estate and to have letters of administration of the same issued to him accordingly, unless the respondents above named or any others interested shall, on or before April 28, 1921, show sufficient cause to the satisfaction of this court to the contrary.

T. B. RUSSELL, District Judge.

March 18, 1921.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Innesam, wife of Michael John of Karaiyur, deceased. No. 4,340.

Michael John of Karaiyur Petitioner.

Vs.

- (1) Francis Samuel of Karaiyur, (2) John Joseph of ditto, and (3) John Mark of ditto; the 2nd and 3rd respondents are minors and appear by their guardian *ad litem* the 1st respondent Respondents.

THIS matter of the petition of Michael John, praying for letters of administration to the estate of the above-named deceased Innesam, wife of Michael John, coming on for disposal before J. Homer Vanniasinkam, Esq., Acting District Judge, on February 18, 1921, in the presence of Mr. K. Kanakasabai, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October 6, 1920, having been read : It is declared that the petitioner is the widower of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before March 11, 1921, show sufficient cause to the satisfaction of this court to the contrary.

J. H. VANNIASINKAM, Acting District Judge.

February 28, 1921.

Time to show cause is extended till April 8, 1921.

March 11, 1921.

G. W. WOODHOUSE, District Judge.

6/00 In the District Court of Jaffna. *Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late S. V. P. Pitchaitamby Abdul Hamid of Devipatnam in India, deceased. No. 4,319.

A. A. Sahul Hamid Marakair of Devipatnam Original Petitioner.
Vs.

(1) Mohammedo Kathisa Amma, 1st widow of S. V. P. Sahul Hamid of Devipatnam, by her attorney the petitioner, (2) Seeny Abdulrahim, son of S. V. P. Abdul Hamid, minor by his guardian *ad litem* the 1st respondent, (3) Kathisa Umma, the 2nd widow of the deceased of Devipatnam, (4) Kuppamma, daughter of S. V. P. Abdul Hamid by her guardian *ad litem* the 3rd respondent, (5) Segu Mohammedo Vappa Marikar Pitchaitamby Hadjiar of Devipatnam in India Original Respondents.

S. V. P. Agamad Abdulcader of Devipatnam, presently of Vannarponnai, Jaffna Present Petitioner.
Vs.

(1) Mohammedo Kathisa Umma, 1st widow of the deceased S. V. P. Abdul Hamid of Devipatnam, (2) Seeny Abdulrahim, son of S. V. P. Abdul Hamid, minor appearing by his guardian *ad litem* the 1st respondent, (3) Kathisa Umma, the 2nd widow of the deceased Abdul Hamid of Devipatnam in India, (4) Mohammedo Amir Umma, daughter of the deceased S. V. P. Abdul Hamid, a minor by her guardian *ad litem* the 3rd respondent, (5) Segu Mohammedo Vappa Maricar Pitchaitamby Hadjiar of Devipatnam in India Present Respondents.

THIS matter of the petition of the above-named original petitioner, praying for letters of administration to the estate of the above-named deceased S. V. P. Pitchaitamby Abdul Hamid, coming on for disposal before G. W. Woodhouse, Esq., District Judge, on March 11, in the presence of Mr. K. Somasundram, Proctor, on the part of the original petitioner; and the affidavit of the original petitioner dated March 8, 1921, having been read: It is declared that the original petitioner is the attorney of the 5th respondent, the sole heir of the intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before April 21, 1921, show sufficient cause to this court to the contrary.

March 18, 1921. G. W. WOODHOUSE, District Judge.

4/00 In the District Court of Jaffna. *Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Parupaty, wife of Sanmugam Ampalavanar of Karadivu east, deceased. No. 4,392.

Sanmugam Ampalavanar of Karadivu east Petitioner.
Vs.

(1) Ampalavanar Sinnattamby, (2) Ampalavanar Subramaniam, (3) Ampalavanar Ponnampalam, (4) Kadarasipillai, daughter of Ampalavanar, (5) Ampalavanar Selliah, (6) Ampalavanar Kandiah, all of Karadivu east. The 2nd, 3rd, 4th, 5th, and 6th respondents are minors by their guardian *ad litem* the 1st respondent Respondents.

THIS matter of the petition of Sanmugam Ampalavanar of Karadivu east, praying for letters of administration to the estate of the above-named deceased, Parupaty, wife of Sanmugam Ampalavanar, coming on for disposal before G. W. Woodhouse, Esq., District Judge, on March 2, 1921, in the presence of Mr. A. V. Kulasingam, Proctor, on the part of the petitioner; and the affidavit of the petitioner

dated December 6, 1920, having been read: It is declared that the petitioner is the widower of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before April 7, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 14, 1921. G. W. WOODHOUSE, District Judge

4/00 In the District Court of Kegalla. *Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Pokapenduruge Soiya of Kitalangamuwa. No. 725.

Bambugalage Podina of Kitalangamuwa Petitioner.
Vs.

Ranpandewayalage Silindu of Kitalangamuwa. Respondent.

THIS action coming on for final disposal before V. P. Redlich, Esq., District Judge, Kegalla, on January 12, 1921, in the presence of Messrs. Wijeyeratne & Paul, Proctors, on the part of the petitioner; and his affidavit and petition, dated November 2, 1920, and January 5, 1921, respectively, praying for letters of administration to the estate of the deceased having been read: It is ordered and decreed that the petitioner, as the mother of the deceased, is entitled to letters of administration to the estate, and that such letters of administration to the said estate will be issued to her accordingly, unless the respondent above named or any person or persons interested shall, on or before March 15, 1921, show sufficient cause to the contrary.

January 12, 1921. V. P. REDLICH, District Judge.

Time for showing cause against the *Order Nisi* is extended to April 5, 1921.

March 15, 1921. V. P. REDLICH, District Judge.

4/00 In the District Court of Kegalla. *Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Henry Albert Lancelot Glenie of Chestford estate. No. 734.

Reginald Melville Owen Glenie of Madaltenna estate, Ruwanwella Petitioner.
Vs.

Algernon Charles Montague Glenie of Madaltenna estate, Ruwanwella Respondent.

THIS matter coming on for disposal before V. P. Redlich, Esq., District Judge, Kegalla, on March 4, 1921, in the presence of Messrs. Wijeyeratne & Paul, Proctors, on the part of the petitioner; and his affidavit and petition dated January 29 and March 3, 1921, respectively, praying for letters of administration to the above estate, having been read: It is ordered and declared that the petitioner, as a brother of the deceased, is entitled to letters of administration to his estate, and that such letters will be issued to him accordingly, unless the respondent or any person or persons interested shall, on or before April 5, 1921, show sufficient cause to the satisfaction of this court to the contrary.

March 8, 1921. V. P. REDLICH, District Judge

DRAFT ORDINANCE.

(Continued from page 251.)

MINUTE.

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

An Ordinance further to amend "The Rabies Ordinance, 1893."

Preamble.

WHEREAS it is expedient further to amend "The Rabies Ordinance, 1893": 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 Rabies (Amendment) Ordinance, No. of 1921."

Substitution of new section for section 12A of the principal Ordinance.

2 The following section shall be substituted for section 12A of the principal Ordinance, as the same is contained in section 2 of Ordinance No. 7 of 1906:

Importation of animals.

12A. (1) It shall be lawful for the Governor, with the advice of the Executive Council, by Proclamation to be published in the "Government Gazette," to prohibit from time to time, as he may think desirable, the importation into Ceylon, from any place where he has reason to believe that rabies exists, of dogs, or to order that no dog shall be imported without a license in writing under the hand of the Principal Collector of Customs containing such conditions as the Principal Collector of Customs may from time to time direct to be inserted therein.

(2) The said license shall bear a stamp of five rupees, which shall be supplied by the person to whom the same is issued.

(3) Any person who knowingly imports or attempts to import any dog contrary to the prohibition or order contained in such Proclamation, or who contravenes any condition contained in any such license, shall be guilty of an offence, and shall be liable on conviction thereof to a fine not exceeding one hundred rupees, or in default to simple imprisonment for a period not exceeding three months.

(4) The Governor may, with the advice of the Executive Council, by Proclamation published in the "Government Gazette," extend the provisions of this section, subject to any exceptions and modifications set forth in the said Proclamation, to any other animals by which, in the Governor's judgment, rabies is liable to be carried.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, March 4, 1921.GRAEME THOMSON,
Colonial Secretary.*Statement of Objects and Reasons.*

It has been found that the procedure laid down in section 12A of Ordinance No. 7 of 1893 is somewhat complicated, and that the need of obtaining a license from the Colonial Secretary to import dogs involves unnecessary delay in cases of ports like Talaimannar. By this Bill it is proposed to confine its provisions to dogs ordinarily, but power is taken to include any other animals by which rabies may be carried. The license, on which a fee of Rs. 5 is payable, is under the Bill, to be issued by the Principal Collector, and will contain such conditions as in his opinion are necessary in the interests of the public safety.

Breaches of any condition are made punishable under sub-section (3).

Colombo, February 7, 1921.

H. C. GOLLAN,
Attorney-General.