



# THE CEYLON GOVERNMENT GAZETTE

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*Published by Authority.*

## PART II.—LEGAL.

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

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COLOMBO :

H ROSS COTTLE, GOVERNMENT PRINTER, CEYLON.

**DRAFT ORDINANCE.****MINUTE.**

U 166/27

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

**An Ordinance to amend the Nuwara Eliya Board of Improvement Ordinance, 1896.**

**B**E it enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as the Nuwara Eliya Board of Improvement Ordinance, No. of 1927.

Amendment of section 30 of the principal Ordinance.

2 For the words "For protecting fish, game, and wild birds" in paragraph (19) of section 30 of the principal Ordinance, there shall be substituted the following, viz.:

"For the protection of fish, game, and birds within the limits of the town of Nuwara Eliya, for the establishment of sanctuaries wherein the capture or destruction of any form of animal life may be prohibited, restricted, or regulated, and for the establishment of reserves wherein damage to or the destruction or removal of any form of plant life may be prohibited, restricted, or regulated."

By His Excellency's command,

Colonial Secretary's Office, A. G. M. FLETCHER,  
Colombo, December 1, 1927. Colonial Secretary.

*Statement of Objects and Reasons.*

THE Nuwara Eliya Board of Improvement have imported several species of ornamental birds in order to acclimatize them on Lake Gregory, and desire to establish sanctuaries in which these and other birds may breed unmolested. The Board also desire to establish reserves for certain species of orchids and other plants which were once common in Nuwara Eliya but which have now entirely disappeared.

2. The Nuwara Eliya Board of Improvement Ordinance, 1896, gives the Board power to make by-laws for the protection of fish, game, and wild birds (section 30 (19)), but not for the protection of imported birds or for the establishment of reserves for plants. This Bill amends section 30 of that Ordinance so as to give the Board the necessary power.

Attorney-General's Chambers, L. H. ELPHINSTONE,  
Colombo, August 30, 1927. Attorney-General.

**PASSED ORDINANCE.**

W 372/26

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

**No. 18 of 1927.**

**An Ordinance further to amend the Road Ordinance, 1861.**

H. J. STANLEY.

**B**E it 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 Road Ordinance, No. 18 of 1927.

2 The following section shall be substituted for section 30 of the principal Ordinance :

30. At every such election it shall be lawful for every male inhabitant above the age of eighteen years who has been resident within the district for six months prior to the election and being a member of that class of the community for which the member is to be elected to nominate for election as a member of the District Committee of the said district any person who shall have offered himself as a candidate for the said office ; and every such inhabitant shall be entitled to attend personally at the time and place aforesaid before the person holding the election and declare to him the name of the candidate for whom he votes : Provided, however, that it shall not be competent for any inhabitant to nominate or vote for any candidate who may have already been elected by either of the other two classes for the same period.

Substitution of new section for section 30 of the principal Ordinance.

[No. 10 of 1861 I. 378.]

Passed in Council the Ninth day of December, One thousand Nine hundred and Twenty-seven.

W. L. MURPHY,  
Clerk to the Council.

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

W. L. MURPHY,  
Clerk to the Council.

(Continued on page 1223.)

## 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 Western Circuit will be holden at the Court-house at Hulftsdorp, on Tuesday, January 10, 1928, 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.

Fiscal's Office,  
Colombo, December 10, 1927.

R. O. DE SARAM,  
for Fiscal.

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 District of Kurunegala will be holden at the Court-house at the Town Hall, Kurunegala, on Monday, January 9, 1928, 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.

Fiscal's Office,  
Kurunegala, December 9, 1927.

T. A. HODSON,  
Fiscal.

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 District of Ratnapura will be holden at the Court-house at Hulftsdorp on Tuesday, January 10, 1928, 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.

Fiscal's Office,  
Ratnapura, December 12, 1927.

E. T. MILLINGTON,  
Fiscal.

## NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 3,643. In the matter of the insolvency of Bethmäge Don Simon Singho *alias* Rajapaksa of 14, Hulftsdorp.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 14, 1928, for the grant of a certificate of conformity to the insolvent.

By order of court, P. DE KRETZER,  
Colombo, December 12, 1927. Secretary.

In the District Court of Colombo.

No. 3,671. In the matter of the insolvency of K. Elaris Silva of Welisara.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 28, 1928, for the grant of a certificate of conformity to the insolvent.

By order of court, P. DE KRETZER,  
Colombo, December 12, 1927. Secretary.

In the District Court of Colombo.

No. 3,801. In the matter of the insolvency of A. R. M. Jalaldeen of St. Joseph's street, Grandpass.

WHEREAS A. R. M. Jalaldeen has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by I. M. Sheriff of 97, Main street, Pettah, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. R. M. Jalaldeen insolvent accordingly; and that two public sittings of the court, to wit, on January 17, 1928, and on January 31, 1928, 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, P. DE KRETZER,  
Colombo, December 9, 1927. Secretary.

In the District Court of Colombo.

No. 3,802. In the matter of the insolvency of A. A. Mohamado Mohideen Saibo of 17, Cotta road, Colombo.

WHEREAS A. A. Mohamado Mohideen Saibo has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by K. M. K. Ibrahim of Union place, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. A. Mohamado Mohideen Saibo insolvent accordingly; and that two public sittings of the court, to wit, on January 24, 1928, and on February 7, 1928, 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, P. DE KRETZER,  
Colombo, December 9, 1927. Secretary.

In the District Court of Colombo.

No. 3,803. In the matter of the insolvency of S. L. Samsudeen of China street, Colombo.

WHEREAS S. L. Samsudeen has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by M. S. M. M. Moulā Aboobucker of 126, Bankshall street, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said S. L. Samsudeen insolvent accordingly; and that two public sittings of the court, to wit, on January 24, 1928, and on February 7, 1928, 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, P. DE KRETZER,  
Colombo, December 10, 1927. Secretary.

In the District Court of Colombo.

No. 3,804. In the matter of the insolvency of Ana Assen Saibo of 84, Messenger street, Colombo.

WHEREAS A. Assen Saibo has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by S. M. Allapitchai of First Division, Maradana, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. Assen Saibo insolvent accordingly; and that two public sittings of the court, to wit, on January 31, 1928, and on February 14, 1928, 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, P. DE KRETZER,  
Colombo, December 10, 1927. Secretary.

In the District Court of Colombo.

No. 3,805. In the matter of the insolvency of M. Kaliappa Pillai of Dematagoda.

WHEREAS M. Kaliappa Pillai has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by M. M. Pathmanathan of Dematagoda, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said M. Kaliappa Pillai insolvent accordingly; and that two public sittings of the court, to wit, on January 31, 1928, and on February 14, 1928, 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, P. DE KRETZER,  
Colombo, December 10, 1927. Secretary.

## In the District Court of Colombo.

No. 3,806. In the matter of the insolvency of A. F. Koch of School avenue, Wellawatta.

WHEREAS A. F. Koch has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Thomas Peiris, Nugegoda, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. F. Koch insolvent accordingly; and that two public sittings of the court, to wit, on January 31, 1928; and on February 14, 1928, 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, A. E. PERERA,  
Colombo, December 10, 1927. Secretary.

## In the District Court of Negombo.

No. 188/I. In the matter of the insolvency of N. K. Mohamed Mohideen of Kochchikade, Negombo.

NOTICE is hereby given that N. K. Mohamed Mohideen of Kochchikade has been adjudged an insolvent and has been directed to file his balance sheet on December 19, 1927.

By order of court, C. CANAPATHIPILLAI,  
Negombo, December 8, 1927. Secretary.

## In the District Court of Negombo.

No. 189/I. In the matter of the insolvency of N. K. Neina Mohamed of Kochchikade, Negombo.

NOTICE is hereby given that N. K. Neina Mohamed of Kochchikade has been adjudged an insolvent and has been directed to file his balance sheet on December 19, 1927.

By order of court, C. CANAPATHIPILLAI,  
Negombo, December 8, 1927. Secretary.

## In the District Court of Kalutara.

No. 227. In the matter of the insolvency of Walatara Acharige Obios Silva of Kalutara.

WHEREAS Walatara Acharige Obios Silva has filed a declaration of insolvency, and a petition for the sequestration of the estate of Walatara Acharige Obios Silva by Lokuliyabadalge Don William of Kalutara, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Walatara Acharige Obios Silva insolvent accordingly; and that two public sittings of the court, to wit, on January 25, 1928, and on February 22, 1928, 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, R. MALALGODA,  
Kalutara, December 9, 1927. Secretary.

## In the District Court of Kandy.

No. 1,730. In the matter of the insolvency of Pana Muna Mohamadu Magudu Meera Saibo of Deweramulle, Matale.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 20, 1928, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, P. MORTIMER,  
Kandy, December 10, 1927. Secretary.

## In the District Court of Kandy.

No. 1,732. In the matter of the insolvency of Thomas Ebenezer Clements of 5, Bahirawakande, Kandy.

NOTICE is hereby given that a special meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 27, 1928, regarding the withdrawal of the sum of Rs. 200, being the amount brought into court by the insolvent.

By order of court, P. MORTIMER,  
Kandy, December 13, 1927. Secretary.

## In the District Court of Kandy.

No. 1,747. In the matter of the insolvency of Gnana-pragasam Missier of Kandy.

NOTICE is hereby given that the order of adjudication made in the above case was annulled on December 2, 1927.

By order of court, P. MORTIMER,  
Kandy, December 8, 1927. Secretary.

## In the District Court of Kandy.

No. 1,753. In the matter of the insolvency of Muna Sana Sathiyavelu Pulle of Trincomalee street, Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 3, 1928, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, P. MORTIMER,  
Kandy, December 10, 1927. Secretary.

## In the District Court of Matara.

Insolvency In the matter of the insolvency of Uduma No. 37. Lebbe Mohammadu Sheriff of Weligama.

NOTICE is hereby given that the second sitting of this court in the above matter has been adjourned for January 18, 1928.

By order of court, E. C. DIAS,  
Matara, December 5, 1927. Secretary.

## In the District Court of Puttalam.

Insolvency In the matter of the insolvency of R. M. No. 1. Mohamado Ismail of Mundel.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court at 10 A.M. on January 23, 1928, for the grant of a certificate to the above-named insolvent.

By order of court, C. CHELLIAH,  
Puttalam, December 12, 1927. Secretary.

## In the District Court of Anuradhapura.

Insolvency In the matter of insolvency of Nawanna No. 4. Kawanna Cader Meera Saibo of Kekirawa.

NOTICE is hereby given that the first sitting of the court in the above-named action has been adjourned for January 10, 1928, for proving the claims of the creditors.

By order of court, A. J. WIKRAMASINHE,  
Anuradhapura, December 8, 1927. Secretary.

## NOTICES OF FISCALS' SALES.

## Western Province.

In the District Court of Colombo.

Hettiakandage Bastian Fernando of Colpetty,  
Colombo ..... Plaintiff.  
No. 1,511/21. Vs.

Henry William Boyagoda of Rambukkana, pre-  
sently care of C. W. Alwis of Boswell road,  
Wellawatta ..... Defendant.

NOTICE is hereby given that on Thursday, January 19, 1928, at 10.30 A.M., will be sold by public auction at 122, Hulftsdorp, Colombo, in the following property for the recovery of the sum of Rs. 9,240, with interest on Rs. 7,000 at the rate of 12 per cent. per annum from June 4, 1921, to date of decree, March 27, 1922, and thereafter on the aggregate amount of the decree at the rate of 9 per cent. per annum till payment in full, and costs of this action; less a sum of Rs. 1,900, viz.:—

The right, title, interest, and claim to a decree which the defendant above named is seeking to obtain in case No. 19,574 of the District Court of Colombo against the defendants named therein or anyone of them, as well as the above-named defendant's right, title, interest, and claim to a reconveyance of the premises herein below described from the defendants named in the said case No. 19,574 or anyone of them, and also all the right, title, interest, and claim to the said premises, to wit:—

The land called Belgoda estate *alias* Belmont Group, situated in the village Belgoda and Dunukewatta in Tiragandahaye korale of Weudawili hatpattu of Kurunegala District and in the village of Gabbala and Hewadiwala in the District of Kegalla of Province of Sabaragamuwa; bounded on the north by lands claimed by the natives, east by Parape village and lands claimed by natives, south by Gabbala estate and village lands, and on the west by Hewadiwala village lands claimed by natives; containing in extent 430 acres, more fully described in deed No. 881 dated March 21, 1920, attested by J. A. Perera, Notary Public, Colombo.

Fiscal's Office, R. O. DE SARAM,  
Colombo, December 14, 1927. Deputy Fiscal.

In the District Court of Colombo:

Testamentary In the Matter of the Estate of the late  
No. 1,761. Clarence Leslie Fernando of 45M,  
Second Maligakanda, Colombo.

Percy H. de Kretser, Secretary, District Court,  
Colombo: ..... Petitioner.

NOTICE is hereby given that on Tuesday, January 17, 1928, will be sold by public auction at the respective premises the right, title, and interest of the said estate of the deceased, Clarence Leslie Fernando, in the following property for the recovery of the sum of Rs. 43, with interest on Rs. 56.70 at 4 per cent. per annum from April 12, 1924, to date of payment, viz.:—

At 3 P.M.

1. An undivided  $\frac{1}{3}$  share of premises bearing assessment No. 2974/33, now No. 5, situated at Cotta

road in Colombo, exclusive of the life interest of the deceased's mother, Mrs. J. C. Fernando of Temple View, Maligakanda; and bounded on the north by the property of M. H. Vandendriesen, on the east by property bearing assessment No. 7, on the south by high road called Cotta road, and on the west by property bearing assessment No. 3; containing in extent about 1 acre and 1 rood more or less.

At 4 P.M.

2. An undivided  $\frac{1}{3}$  share of premises bearing assessment No. 951/188, now No. 76, situated at Dematagoda in Colombo, exclusive of the life interest of the deceased's mother, Mrs. J. C. Fernando of Temple View, Maligakanda; and bounded on the north by Clifton lane, on the east by premises bearing assessment No. 4, Clifton lane, on the south by premises bearing assessment No. 74, and on the west by Dematagoda road; containing in extent about 1 rood more or less.

Fiscal's Office, R. O. DE SARAM,  
Colombo, December 14, 1927. Deputy Fiscal.

23/208/ In the District Court of Colombo. 11  
Testamentary In the Matter of the Estate of Amba-  
No. 1,833. wala Liyanage Johannes Perera *alias*  
Andrew Perera, late of Kuala  
Lumpur.

NOTICE is hereby given that on Monday, January 16, 1928, at 2 P.M. will be sold by public auction at the premises the right, title, and interest of the said estate of the deceased, Ambawala Liyanage Johannes Perera *alias* Andrew Perera, in the following property for the recovery of the sum of Rs. 13.40, being deficiency of stamp duty in the above case, viz.:—

All that land called Horaketiyewatta, situated at Koratota in the Palle pattu of Hewagam korale in the District of Colombo, Western Province; bounded on the east by the lands belonging to Emis Goonesekera, Police Headman, and others, west by Nagahadeniye-kumburukattiya, on the south by Nagahadeniya, north by the lands belonging to Don Carolis, Police Headman, and others; containing in extent about 10 acres and 3 perches.

Fiscal's Office, R. O. DE SARAM,  
Colombo, December 14, 1927. Deputy Fiscal.

24/208/ In the District Court of Colombo. 120  
Testamentary In the Matter of the Last Will and  
No. 1,957. Testament of Habaragamuwaralalage  
Carolis Pieris, late of Maradana,  
Colombo, deceased.

Habaragamuwaralalage Simon Pieris of Cotta  
road, Colombo ..... Heir of deceased.

NOTICE is hereby given that on Wednesday, January 18, 1928, 3 P.M., will be sold by public auction at the premises the right, title, and interest of the said Habaragamuwaralalage Simon Pieris, heir of deceased, in the following property for the recovery of the sum of Rs. 51.74, being proportionate share of deficiency of stamp duty payable in the above case, viz.:—

All that land being lot D out of premises bearing Nos. 1 and 2, now No. 44, situated at Baseline road in

Colombo, with the buildings thereon; bounded on the north by Magazine road, on the east by premises now occupied by Mr. L. A. Rajapakse, south by property belonging to M. M. Mohammado Usoof, and on the west by Baseline road; containing in extent about 1 rood more or less.

Fiscal's Office, R. O. DE SARAM,  
Colombo, December 14, 1927. Deputy Fiscal.

In the District Court of Colombo. 25/12/27

Testamentary In the Matter of the Last Will and  
No. 5,957. Testament of Habaragamuwaralalage Carolis Pieris, late of Maradana, Colombo, deceased.

Habaragamuwaralalage Leo Pieris of Grandpass,  
Colombo ..... Heir of deceased.

NOTICE is hereby given that on Wednesday, January 18, 1928, at 3.30 p.m., will be sold by public auction at the premises the right, title, and interest of the said Habaragamuwaralalage Leo Pieris, heir of deceased, in the following property for the recovery of the sum of Rs. 31.74, being proportionate share of deceased, in the following property for the recovery of viz. :—

All that land being lot D out of premises bearing Nos. 1 and 2, now No. 44, situated at Baseline road in Colombo, with the buildings thereon; bounded on the north by Magazine road, on the east by premises now occupied by Mr. L. A. Rajapakse, south by property belonging to M. M. Mohammado Usoof, and on the west by Baseline road; containing in extent about 1 rood more or less.

Fiscal's Office, R. O. DE SARAM,  
Colombo, December 14, 1927. Deputy Fiscal.

In the District Court of Colombo. 31/12/27

Kehelkaduhitana Aratchige Deonis Perera of  
Kotahena, Colombo ..... Plaintiff.

No. 19,722. Vs.

Karunanayaka Pathirage Dona Augustina Hamy  
of Telengapatha ..... Defendant.

NOTICE is hereby given that on Friday, January 20, 1928, at 12 noon, will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 329 dated December 13, 1922, attested by P. D. A. F. Seneviratne of Colombo, Notary Public, and declared specially bound and executable under the decree entered in the above case and decreed to be sold for the recovery of the sum of Rs. 324, with interest thereon at 9 per cent. per annum from March 4, 1926, till payment in full, and cost of suit, which is taxed at Rs. 182.15, viz. :—

An undivided  $\frac{1}{3}$  share of all that portion of land out of two portions consisting of  $\frac{1}{3}$  part of Pelawatta *alias* Kongahawatta, together with all the trees, plantations, and thatched house standing thereon, situated at Telangapatha in the Ragam pattu of Alutkuru korale in the District of Colombo, Western Province; and bounded on the north by the limit of a portion of the land purchased by Gurunnanselage Don Dines Appuhamy, east by the limit of Laulugahawatta, south also by limit of  $\frac{1}{5}$  part of this Pelawatta, and on the west by high road leading to Negombo; containing in extent about 1 laha. Prior registration B 201/282.

Fiscal's Office, R. O. DE SARAM,  
Colombo, December 14, 1927. Deputy Fiscal.

In the District Court of Colombo. 26/12

Hoare and Company (Engineers), Ltd., of Dias  
place, Colombo ..... Plaintiffs.

No. 21,323. Vs.

(1) G. D. I. Seneviratne, (2) B. P. Seneviratne,  
carrying on business under the name, style,  
and firm of O. and I. Seneviratne & Co., 54,  
Dean's road, Colombo ..... Defendants.

NOTICE is hereby given that on Wednesday, January 11, 1928, at 4 p.m., will be sold by public auction at 54, Dean's road, Maradana, the following property for the recovery of the sum of Rs. 1,551.95, with interest thereon at 9 per cent. per annum from October 1, 1926, till payment in full, and costs of suit, less Rs. 500, viz. :—

The right, title, and interest of the defendants in and to the following property :—

1. One Imperial Keightley engine, about 10/12 H.P.
2. One  $1\frac{1}{2}$ -ton Berliet Chassis believed to be 1926 model, 20 H.P.
3. Three small power lathes—and the good will and all their other right, title, and interest in the said business carried on as R. Oscar Seneviratne & Co.

Fiscal's Office, R. O. DE SARAM,  
Colombo, December 8, 1927. Deputy Fiscal.

In the District Court of Colombo. 19/12/27

O. A. P. R. M. A. R. Adaikappa Chettiār of Sea  
street, Colombo ..... Plaintiff.

No. 24,903. Vs.

Udayagiri Narayana Row of Musilipatnam in  
Telagu District, Madras Presidency, presently  
of Wellawatta, Colombo ..... Defendant.

NOTICE is hereby given that on Tuesday, January 17, 1928, at 2 p.m., will be sold by public auction at this office in the following movable property for the recovery of the sum of Rs. 2,871.66, with interest thereon at 9 per cent. per annum from August 23, 1927, till payment in full, and costs, viz. :—

The right, title, and interest of the defendant in and over the mortgage bond No. 746 dated September 30, 1926, and attested by J. S. Paravitane, Notary Public, Colombo.

Fiscal's Office, R. O. DE SARAM,  
Colombo, December 14, 1927. Deputy Fiscal.

In the District Court of Colombo. 48/12

(1) A. M. R. M. Muthupalaniappa Chetty, (2)  
N. M. A. R. Nallacaruppen Chetty, both of  
178, Sea street, in Colombo ..... Plaintiffs.

No. 19,598. Vs.

(1) H. Don Sayineris *alias* Don Simon of Hora-  
wala, (2) M. Don Alexander Appuhamy of  
Katukurunda, both of Kalutara District. Defendants.

NOTICE is hereby given that on Friday, January 20, 1928, commencing at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 6,884.36, with interest on Rs. 6,500 at 16 $\frac{1}{2}$  per cent. per annum from April 26, 1926, till April 28, 1926, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit, less a sum of Rs. 1,650, viz. :—

1. An undivided  $\frac{2}{96}$  shares of the land called Potawitaowita and Kanuasseowita, situated at Hora-wala in Iddagoda pattu of Pasdun korale in the

District of Kalutara, Western Province; and bounded on the north by Balapuwekumbura, east by Muttettuwatta and Muttettukumbura, south by river, and on the west by Udalukoluweowita; containing in extent 9 acres.

2. All that land called Muttettuwahenaowita, situated at Horawala aforesaid; and bounded on the north by the high road, east by Crown high jungle, south by Muttettuwahenaowita, and on the west by Gungollewatta; containing in extent 6 acres.

3. All that land called Kuruduwatta bearing lot No. 4,524, situated at Horawala aforesaid; and bounded on the north by Gorakagahahena, east by Millagahawela, south by Kelakerellagahawatta, and on the west by Godakelebima; containing in extent 2 acres 1 rood and 12 perches.

4. An undivided 1/9 share of the lands called Manamullewatta, Duwanawatta, Polpelawatta, Pitallyadda alias Pilleweowita, Godaganowita alias Gankandeowita, and Pellaliyadde, situated Horawala aforesaid; and bounded on the north by ela, east by land sold by Crown, south by Crown land, and west by Muttettuwekumbura; containing in extent 12 acres.

H. SAMERESINGHA,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Kalutara, December 13, 1927.

Central Province.

In the District Court of Kandy.

A. V. R. P. S. Murugappa Chetty of Gampola ..... Plaintiff.  
No. 34,418. Vs.

Muna Nena Naina Mohamado of Gampola. Defendant.

NOTICE is hereby given that on Saturday, January 21, 1928, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 576.45, with interest on Rs. 500 at 9 per cent. per annum from October 6, 1926, till payment in full, and pounceage, viz. :—

The tiled building and premises No. 224 of about 12 feet in breadth along the road side and about 40 feet in length from front to the back of the building, situate at Ambagamuwa street in the town of Gampola in Ambagamuwa korale of Udapalata in the District of Kandy; and bounded on the east by the wall of the house No. 225, on the south by high road, on the west by the wall of the house No. 223, and on the north by concrete drain.

D. J. PERUSINGHE,  
Additional Deputy Fiscal.

Fiscal's Office,  
Kandy, December 13, 1927.

Southern Province.

In the Additional Court of Requests, Matara.

Peramunegge James of Kotadupe and another ..... Plaintiffs.  
No. 14,451. Vs.

Wanniachchikkananage James de Silva of Kotadupe ..... Defendant.

NOTICE is hereby given that on Saturday, January 7, 1928, commencing at 1 o'clock in the afternoon, will

be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of a sum of Rs. 177.40, the life interest of the defendant in the following property, viz. :—

(1) An undivided 1 bag paddy sowing extent of the field called Bogahadeniya, situate at Pategama in the Weligam korale of Matara District, Southern Province; and bounded on the north by Egodahawatta, east by Delgahagoda, south by Pinkanatiya, and on the west by Tewatta.

(2) An undivided 5 kurunies paddy sowing extent of the field called Wampare, situate at Pategama aforesaid; and bounded on the north by Tewatta, east by Wampare Pahalakella, south by Delgahagoda, and on the west by Gamaralagedeniya.

(3) An undivided 6 kurunies paddy sowing extent of the field called Gamaralagedeniya, situate at Pategama aforesaid; and bounded on the north by Tewatta, east by Wampare, south by Egodahawatta, and on the west by Tewatta.

(4) An undivided 10 kurunies paddy sowing extent of the field called Arathdiwela, situate at Pategama aforesaid; and bounded on the north by Arathdiwela-watta, east by Helpatha, south by Pansala, and on the west by Katuimbulegoda.

(5) An undivided 18 kurunies paddy sowing extent of Mahakohilekumbura, situate at Kekunewela in the Weligam korale aforesaid; and bounded on the north by Kodikaragemahakumbura, east by Medahelpatha, south by Mahagodawatta, and on the west by Mahabibula.

(6) An undivided 6 kurunies paddy sowing extent of the field called Koralediwela, situate at Kekunewela aforesaid; and bounded on the north by Bogahakumbura, east by Kadawatagemahakumbura, south by Kodikaragemahakumbura, and on the west by Bakmeegahagodella.

(7) Undivided 15 kurunies paddy sowing extent of Bibula and Geissarakumbura, situate at Kekunewela aforesaid; and bounded on the north by Andigewatta, east by Mahakohile, south by Yakdehigodahelepotha, and on the west by Peramunegewatta.

(8) An undivided 2 bags of paddy sowing extent of the field called Medaliadda, situate at Maragoda in the Weligam korale aforesaid; and bounded on the north by Diyakadakuttiya; east by Potuwila, south by Irawalla, and on the west by Delgahawala.

(9) An undivided 2 bags of paddy sowing extent of the field called Waradamulla, situate at Maragoda aforesaid; and bounded on the north by Delgahawala, east by Irawalla, south by Bakmeegahagodella, and on the west by Pansala.

(10) An undivided 16 kurunies paddy sowing extent of Bakmeegahagodella, situate at Maragoda aforesaid; and bounded on the north by Waradamulla, east by Kemankadakumbura, south by Warakagahakumbura, and on the west by Polhenegoda.

(11) The land called Batalawattedeniya, containing in extent 10 kurunies paddy sowing, and situate at Maragoda aforesaid; and bounded on the north by Polhenegoda, east by Nekatigoda, south by Udabibula, and on the west by Andigemulana.

(12) An undivided 5 bags of paddy sowing extent of the field called Talgasmulla, situate at Maragoda aforesaid; and bounded on the north by Nagahakumbura, east and south by rubber estate, and on the west by rubber estate.

(13) An undivided 22 kurunies of paddy sowing extent of Udakumbura and Nekatigeliadda, situate at Maragoda aforesaid; and bounded on the north by Pansalakuttiya and Kuruwimullewila, east by Nambagodamulla and Deniya, south by Okandewatta and Pattiniyawatta, and on the west by Okandegeliadda.



(14) An undivided 8 kurunies paddy sowing extent of the field Adderageliadda, situate at Maragoda aforesaid; and bounded on the north by Meekandaliadda, east by Okandegeliadda, south by Talarambegedera, and on the west by Medagoda.

E. T. GOONEWARDENE,  
Deputy Fiscal's Office, Deputy Fiscal.  
Matara, December 12, 1927.

In the District Court of Colombo.

M. T. K. L. Letchumanan Chetty of Sea street,  
Colombo ..... Plaintiff.  
No. 22,619. Vs. 45/12/27  
O. S. K. Abdul Majeed of Kotuwegoda,  
Matara ..... Defendant.

NOTICE is hereby given that on the following days at the hours mentioned below will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 1,000, with legal interest thereon from February 11, 1927, and costs:—

On Saturday, January 7, 1928, at 9.30 A.M.

An allotment of land called Outiyaotuketiye-kumbura, situated in the village Naimbala in the Gangaboda pattu, Matara District, Southern Province; and bounded on the north by Polgaswatta *alias* Gamagewatta claimed by B. Babunappu and others and Mahagahahena claimed by D. A. W. Gunasekera, east by Mahagahahena claimed by D. A. W. Gunasekera, south by Outiyakumbura and land described in plan No. 59,365, west by a path and Siyambaladuwage-watta claimed by D. A. W. Gunasekera; and containing in extent 1 acre and 6 perches.

On Saturday, January 14, 1928, at 2 P.M.

An undivided  $\frac{1}{2}$  part or share, together with half of the plantations thereon, from and out of an allotment of land called Olinagodawatta, situated at Aparekka in the Wellaboda pattu of Matara District, Southern Province; and bounded on the north by Gansabhawa road, east by Peelangawahena, south by Halamadina-mulla, and on the west by Hakmanagewatta; and containing in extent about  $1\frac{1}{2}$  acres.

On Saturday, January 21, 1928, at 2 P.M.

An undivided  $\frac{1}{2}$  part or share of the soil and of the remaining fruit trees of the land Kankanamgewatta (exclusive of the planter's  $\frac{1}{2}$  share of the second plantation), situated at Beraleliya in Weligam korale of Matara District, Southern Province; and bounded on the north by Esubu tottam, east by Pottaya tottam, south by Panikkiyakumbura, and west by Garawaganda; and containing in extent about  $2\frac{1}{2}$  acres.

E. T. GOONEWARDENE,  
Deputy Fiscal's Office, Deputy Fiscal.  
Matara, December 9, 1927.

In the Court of Requests, Hambantota. 27/12/27

(1) Dane Juwita Nona Abdin Cassim and (2) Tuan  
Yahiya Doole, both of Hambantota..... Plaintiffs.  
No. 4,368. Vs.

Don Charlis Samaraweera Vaidiyatilake of Rana-keliya ..... Defendant.  
Dioguhennadige Salohamy of Yodakandiya... Claimant.

NOTICE is hereby given that on Tuesday, January 10, 1928, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and

interest of the said plaintiffs in the following property, viz.:—

Two allotments of land bearing Nos. 12,225 and 12,226 called Loluwetiyeyaya, containing in extent about 18 acres, situated at Ranakeliwalakade in Tissa in Magam pattu of the Hambantota District in the Southern Province; and bounded on the north by Crown channel, on the east by the land of Punnegambaraya, on the south by the lot in extent 9 acres belonging to the late Jayawickrama Mudaliyar, and on the west by Crown channel.

Writ amount Rs. 114.70 and poundage Re. 1.38 to be credited to revenue.

C. SENARATNE,  
Additional Deputy Fiscal.  
Deputy Fiscal's Office,  
Hambantota, December 5, 1927.

In the District Court of Tangalla. 23/12/27

Madanasin Arachchige Don Andrayas of Dik-wella ..... Plaintiff.  
No. 2,610. Vs.

Don Dionis Pedrukku Munasin Dissanayaka of Ritigahayaya ..... Defendant.

NOTICE is hereby given that on Saturday, January 14, 1928, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following mortgaged property for the recovery of Rs. 624.97 $\frac{1}{2}$ , with legal interest on Rs. 507.90 from November 8, 1927, till payment in full, and poundage, viz.:—

At Ritigahayaya.

The entire soil and fruit trees of the land called Karadiwalamulla, containing in extent 3 acres and 15 perches, situated at Ritigahayaya; and bounded on the north by the village limit of Talwatta and lots bearing Nos. 1 and 2R, east by lots 2R and 2M, south by reservation along the road, and west by reservation for a path; valuation Rs. 1,000.

Deputy Fiscal's Office, J. E. SENANAYAKE,  
Tangalla, December 9, 1927. Deputy Fiscal.

Northern Province. 35/12/27

In the District Court of Jaffna. 2/1/28

Arunasalam Seenier Thuraiappah of Vannarponnai East ..... Plaintiff.  
No. 22,668. Vs.

V. Sinniah Sabaratnam of Elalai..... Defendant.

NOTICE is hereby given that on Friday, January 6, 1928, at 10 o'clock in the forenoon, will be sold by public auction at the respective spots the right, title, and interest of the said defendant in the following property for the recovery of Rs. 978.88, with interest on Rs. 920 at the rate of 18 per cent. per annum from June 7, 1927, till payment in full, and costs (not taxed), poundage, and charges, viz.:—

1. A piece of land situated at Elalai in Mallakam parish, Valigamam North division of the Jaffna District, Northern Province, called Elukalaikkaladdy, containing or reputed to contain in extent 36 lachams varagu culture and 12 kudies, with its appurtenances and well; bounded or reputed to be bounded on the east by road, on the north by property of Naganathy Kurunathy and others, on the west by property of Swaminathar Thambu and property belonging to Kalikovil, and on the south by property of Ramu Sinniah and others.

2. A piece of land situated at Elalai aforesaid called Mathirai, containing or reputed to contain in extent 6 lachams varagu culture, with its appurtenances, stone-built house, cigar manufacturing shed, and koda shed, and share of well lying on the eastern boundary land and right of use of way and water-course; bounded or reputed to be bounded on the east, north, and south by the property of the heirs of the late Murukar Punniyar, and on the west by road.

Fiscal's Office,  
Jaffna, December 13, 1927.

J. P. KANTHYAH,  
for Fiscal.

**North-Western Province.**

In the District Court of Kurunegala.

Pana Lana Nawanna Suppramaniam Chetty of  
Negombo ..... Plaintiff.

No. 10,264. Vs.

(1) Meewewasundarapedige Malinduwa, (2) ditto Wattuwa (dead), (3) ditto Horatala, (4) Bilinduwege Ukkuwa Veda, (5) ditto Malliya, (6) Meewewasundarapedige Dingiri, (7) ditto Bilindi (dead), (8) ditto Santia, (9) ditto Nilamali, (10) ditto Mana, (11) ditto Pontha, (12) ditto Balaya, (13) ditto Horatala, all of Murukkuwagara in Pitigal korale, (14) Juwanis Silva Rendarala of Lihiriyagama, substituted in place of 2nd defendant, (15) Silindu (dead), (16) Menika, (17) Sabadu, (18) Setuwa, and (19) Silindu, substituted in place of 7th defendant, all of Murukkuwagara, (20) H. Saradiya, (2) H. Somiya, (22) H. Ukku, and (23) R. Ththuwa, substituted in place of 15th defendant, all of Murukkuwagara in Pitigal korale ..... Defendants.

NOTICE is hereby given that on Saturday, January 21, 1928, commencing at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

1. Three-fourth of an acre on the north-western side with the thatched house standing thereon from and out of the land formed of the three contiguous portions of high and low land, viz., Ambagahawatta of about 1 timba kurakkan sowing extent, Nugagahamulahenyaya *alias* Nugagahayaya *alias* Ketakalagahayaya of about 2 pelas kurakkan sowing extent, and Horagahamulakumbura *alias* Horagahakumbura of about 3 amunams paddy sowing in extent, situate at Murukkuwa-agare in Pitigal korale of Katugampola hatpattu in the District of Kurunegala, North-Western Province, of about 56 acres and 2 roods in extent; and bounded on the north by demarcation road separating the land belonging to Nawasiyanu Mudaliyar, on the east by village limit of Gonulla and Hettirippuwa, on the south by demarcation road separating the land belonging to Andris Pieris, and on the west by the village limit of Lihiriyagama.

2. Three-fourth of an acre on the north-western side from and out of the land above described with the thatched house standing thereon.

3. An undivided 1/16 share of the land as described above with the thatched house standing thereon.

4. An undivided (1/28 × 1/168) 1/940 share of the land as described above with the thatched house standing thereon.

5. An undivided (1/28 × 1/168) 1/940 share of the land as described above with the thatched house standing thereon.

6. An undivided (1/940 × 1/168) share of the land as described above with the thatched house standing thereon.

7. An undivided (1/28 × 1/168) 1/940 share of the land as described above with the thatched house standing thereon.

8. An undivided portion on the eastern side of about ½ acre of the land mentioned at first with the thatched house standing thereon.

Amount to be levied Rs. 1,125 and poundage.

Fiscal's Office,  
Kurunegala, December 12, 1927.

S. D. SAMARASINHE,  
Deputy Fiscal.

In the District Court of Kurunegala.

S. P. A. Y. A. N. Annamalay Chetty, by his  
attorney R. M. Dharmalingam Pillai of Naram-  
mala ..... Plaintiff.

No. 12,405. Vs.

Thewarapperuma Aratchige Mary Josphine of  
Pamunugama, administratrix of the estate of  
J. D. E. Pieris ..... Defendant.

NOTICE is hereby given that on Tuesday, January 17, 1928, commencing at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

1. An undivided third share of the land called and known as Mary Mount estate, with the buildings standing thereon, situate at Ahapola, Hewapola, and Pahala Hewapola, in Tiragandahe korale, and Millawa in Mahagalboda Megoda korale of Weudawili hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by the Wewakumbura of E. Mageedu Muhammado, Kotuwakumbura of Ukku Banda and others, land of Gabriel Perera, and the high road leading to Kandy, east by Bulutenne estate of J. F. de Silva and the high road leading to Kandy, south by the land of Perera of Yakdessamullawatta, Yakdessamullawatta of Kiri Baiya and others, Yakdessamullawatta of Dinga and others, Yakdessamullawatta of Tikira, Kira, Sasira, and others, Deniyekumbura of Kira and others, Dangahamulawatta and Paragawawatta described below, and west by Wewapahalakumbura and Pillewa of Bandirala, Walawwewatta of the heirs of the late G. de Silva, Galpotttekumbura of Ukkurala and others; containing in extent 51 acres 2 roods and 14 perches.

2. Two undivided third shares of the land called Paragawawatta, together with the buildings thereon, comprising two twenty-fourth shares of Paragawawatta of 2 lahas kurakkan, a sixth share of Paragawawatta of 1 laha kurakkan, a fourth share of Paragawawatta of 2 lahas of kurakkan, Dangahamulawatta *alias* Tekkagahamulawatta of 2 acres 2 roods and 22 perches in extent, situate at Hewapola in Tiragandahe korale aforesaid; and bounded on the north-east and east by the high road leading to Kandy, south by the garden of Horatala, west by the garden of Andia, garden of A. Fernando, and garden of Andiris and others, north-west and north by Mary Mount estate; containing in extent 10 acres 2 roods and 37 perches.

Amount to be levied Rs. 1,057, with interest thereon at 9 per cent. per annum from September 29, 1927, till payment in full, and poundage.

Fiscal's Office,  
Kurunegala, December 12, 1927.

S. D. SAMARASINHE,  
Deputy Fiscal.

In the District Court of Kurunegala.

Francis Kotalawala of Kongahahena, Paragoda ..... Plaintiff  
 No. 12,433. Vs. 36/12/81

Sri Narayana Mudiyansele Kalu Banda of Kosgolla Walawwa in Madure korale.....Defendant.

NOTICE is hereby given that on Thursday, January 12, 1928, commencing at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz.:—

1. Hetinagederawatta of about 1 pela kurakkan sowing extent; and bounded on the east by Rambadagalla estate, north by fence, south by stream and fence, west by fence, situate at Kosgolla in Madure korale of Weudawili hatpattu in the District of Kurunegala, North-Western Province.

2. All that allotments of land called (1) Etikewaranehena of 3 acres 1 rood and 1 perch in extent, (2) Mukalanhena of 2 acres 2 roods and 38 perches, (3) Waluwahena, Gurulegahamulahena, Metihakkehena, Hondagalagawahena, Galpitagawahena, Millagahamulahena, all of the extent of 49 acres 2 roods and 24 perches, all forming one block; and bounded on the north by Mahawela village and Rambodagalla estate, east by Ambatena estate belonging to Francis Kotalawala, south by Kosgolla village and Malakandura, west by Rambodagalla estate and Malakandura; situate at Kosgolla aforesaid.

Amount Rs. 522.07, with interest thereon at 9 per cent. per annum from October 13, 1927, till payment in full, and poundage.

S. D. SAMARASINHE,  
Deputy Fiscal.

Fiscal's Office,  
Kurunegala, December 12, 1927.

In the District Court of Negombo.

S. N. S. Narayanan Chetty of Negombo.....Plaintiff.  
 No. 1,292. Vs.

L. M. L. Fernando of Katana.....Defendant.

NOTICE is hereby given that on Saturday, January 21, 1928, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 1,139.13, with interest on Rs. 1,350 at 15 per cent. per annum from November 1, 1926, till April 12, 1927, and thereafter at 9 per cent. per annum till payment; and poundage, viz.:—

The land called Palamarattadikadu and Peekkulam-yavel, situate at Peekkulama in Anavilundan pattu of Pitigal korale north in the District of Chilaw; and bounded on the north by lands of Aiyanna Kalimuttu and others, east by Crown land, south by land of Philippu Manuel Fernando, and west by ela (canal); containing in extent 13 acres 3 roods and 22½ perches.

Deputy Fiscal's Office,  
Chilaw, December 13, 1927.

A. BASNAYAKE,  
Deputy Fiscal.

In the District Court of Chilaw.

M. M. R. M. Muttiah Chetty of Madampe....Plaintiff.  
 No. 7,260. Vs. 25/12/81

P. L. Peris of Chilaw, presently of Nattandiya ..... Defendant.

NOTICE is hereby given that on Saturday, January 21, 1928, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 497, with interest on Rs. 400 at 12 per cent. per annum from May 22, 1923, till September 14, 1923, and thereafter on the aggregate sum at 9 per cent. per annum, and costs of suit, viz.:—

An undivided ½ share of the eastern portion of land called Alawakkangala and of the buildings standing thereon, situate in Bazaar street in Chilaw town; and bounded on the north by Bazaar street, east by common wall separating lot C and lot H in plan No. 1,639 belonging to Peter Fernando and other portion of lot G lying to the west of the well in plan No. 1,639, south by lot F in plan No. 1,639, and west by lots B and G sold to A. S. Seeni Mohammado; containing in extent about 2 perches.

Deputy Fiscal's Office,  
Chilaw, December 13, 1927.

A. BASNAYAKE,  
Deputy Fiscal.

Province of Uva.

In the District Court of Kalutara.

Madar Lebbe Marikkar Peer Mohammado of Panadure badda ..... Plaintiff.  
 No. 14,063. Vs.

(1) Ismail Lebbe Marikkar Kadija Umma, (2) Mahakan Mohammado Lebbe Marikkar Saribodeen, both of Henemulla in Panadure badda ..... Defendants.

NOTICE is hereby given that on Saturday, January 14, 1928, at 1.30 P.M., will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 1,724 and further rent at Rs. 20 per mensem from May 23, 1927, till possession is restored, viz.:—

(1) The contiguous lands called Dambagahulpote-watta of 9 roods and 21 perches, Huriyagaswagure-watta of 9 acres and 10 perches, and Audawatta of 2 acres 1 rood and 32 perches in extent, together with the plantations standing thereon, situated at Haputalegama in Udukinda Mahapalata; and bounded on the east and south by Crown patana, west by Gansabhawa road, north by Crown patana and Malaperodewatta.

(2) The two contiguous lands called Haradapahaliyewatta of about 30 acres and Galbokkewatta of about 2 kurunies kurakkan sowing extent, together with the plantations standing thereon, situated in the same village as aforesaid; and bounded on the east by Malaperodewatta and Crown patana, north by Haradapahaliyekumbura and Kadurugamuwe-oya, west by Kadurugamuwe-oya and Bataketiye-kumbura, south by Crown patana and Bataketiye-watta.

(3) The land called Haradapahaliyewatta (now in jungle) of about 7 acres in extent, together with the plantations standing thereon, situated at Kadurugamuwa in Udukinda Mahapalata; and bounded on the east by Kadurugamuwe-oya, north by Crown patana

and Koswatta, west by Gansabhawa road and Crown patana, south by Kadurugamuwe-oya and Gansabhawa road.

H. C. WIJESINHA,  
Additional Deputy Fiscal.

Fiscal's Office,  
Badulla, December 5, 1927.

*12/8/27*  
**Province of Sabaragamuwa.**

In the District Court of Ratnapura.

(1) Nadaraja Sinnatamby, Advocate, Fern Lodge, Barnes place, Colombo; and two others.... Plaintiffs.  
No. 4,608. Vs.

(1) Jane Sophia Mahaweletenne Jayawardene Kumarihamy and (2) Abraham Obeysekera Jayawardene, both of Balangoda..... Defendants.

NOTICE is hereby given that on Monday, January 9, 1928; at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property specially mortgaged and decreed to be sold by the

decreed entered in the above case for the recovery of the sum of Rs. 37,531, with interest thereon at the rate of 9 per cent. per annum from December 2, 1926, till payment in full (costs reserved), and poundage, viz. —

All that allotment of land called Solway estate *alias* Paddegewatta; bounded on the north by Mee-gahakoratuwa belonging to W. Kiripotta, tea estate belonging to E. M. Fernando, and chena claimed by Mohamed, on the east by chena claimed by Sumana-sara, priest, and chena and garden; claimed by Ukkupina, south by Massenne-oya, Alutayagewatta, Tiriwanalgodehena, and tea estate, west by Palle-kumburewatta, Kitulhena, Galagawa-arawa, Wata-mullagehena, Galamunehena, and Bogahawattehena, and situated at Massenna in the Hela Uda palata in Meda korale of the District of Ratnapura, Province of Sabaragamuwa (as described in survey plan No. 76, signed by D. J. B. Ferdinando, Licensed Surveyor); containing in extent 37 acres 1 rood and 26 perches.

R. E. D. ABEYRATNE,  
Additional Deputy Fiscal.

Fiscal's Office,  
Ratnapura, December 10, 1927.

I, THOMAS ARTHUR HODSON, Fiscal for the North-Western Province, do hereby appoint Mr. A. K. Kandiah to be Marshal for the Divisions of Dambadeni Udukaha North and West, and Mairawati korales of Dambadeni hatpattu, Giratalana, Baladora, and Angama korales of Dewamedi hatpattu, Karandapattu, Meddeketiya, Yatikaha, Yagampattu, Kinyama, Katugampola Medapattu East and West, Katugampola North and South and Pitigal korales of Katugampola hatpattu in the Kurunegala District, under the provisions of the Fiscals' Ordinance, No. 4 of 1867, for December 15 and 16, 1927, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Given under my hand at Kurunegala, this 12th day of December, 1927.

T. A. HODSON,  
Fiscal.

**NOTICES IN TESTAMENTARY ACTIONS.**

*12/8/27*  
In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Meringhage Juliana *alias* Duliana de Costa of Kirillapone in the Palle pattu of Salpa korale, deceased.

Meringhage Johanna de Costa of Kirillapone..... Petitioner.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on November 29, 1927, in the presence of Messrs. Jayasekera & Jayasekera, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 17, 1927, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as sister of the above-named deceased, to have letters of administration to her estate issued to her, unless any person or persons interested shall, on or before January 19, 1928, show sufficient cause to the satisfaction of this court to the contrary.

November 29, 1927.

O. L. DE KRETZER,  
District Judge.

*27/10/27*  
In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Margaret Beatrice de Silva *nee* No. 3,604. Wiraratne of Ambalangoda, deceased J. P. Simon de Silva of Padmagiri, Ambalangoda..... Petitioner.

And  
(1) Mrs. Alice Wiraratne, (2) Ronald Frederick Wiraratne, both of Anchorage, Tangalla, (3) Frederick Oswald Wiraratne of St. John's College, Panadure..... Respondents.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on October 13, 1927, in the presence of Mr. C. V. Wickremasinghe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 12, 1927, 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 January 12, 1928, show sufficient cause to the satisfaction of this court to the contrary.

October 13, 1927.

O. L. DE KRETZER,  
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Don James Samarakody of Wellawatta, deceased. No. 3,662.

Don John Marthelis Samarakkody of Wellawatta ..... Petitioner.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on November 16, 1927, in the presence of Mr. C. V. Wickremasinghe, Proctor, on the part of the petitioner above named; and (1) the affidavits of the said petitioner dated November 14, 1927, (2) of the attesting witnesses dated November 7, 1927, (3) of the attesting notary dated November 15, 1927, (4) power of attorney in favour of the petitioner dated September 12, 1927, having been read:

It is ordered that the last will of Don James Samarakkody, deceased, of which the original 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 petitioner is the attorney of the executor named in the said will, and that he is entitled to have letters of administration (with copy of the said will annexed) to the estate of the above-named deceased issued to him, unless any person or persons interested shall, on or before January 12, 1928, show sufficient cause to the satisfaction of this court to the contrary.

O. L. DE KRETSEK,  
District Judge.  
November 16, 1927.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate Jurisdiction. of the late Moona Pana Ravenna Mana Leyna Kathirasan Chetty, also known as Ana Seyna Ana Vana Leyna Kathirasan Chetty, also known as Ana Seyna Ana Vana Kathirasan Chetty, and also known as Ana Vana Vana Theena Kathirasan Chetty of Sea street, Colombo, and of Letchimipuram, Pudukota State, India, deceased. No. 3,685.

Moona Pana Ravenna Mana Leyna Letchimanan Chetty, also known as Ana Seyna Ana Vana Leyna Letchimanan Chetty, and also known as Ana Seyna Ana Vana Letchimanan Chetty of Sea street, Colombo ..... Petitioner.

(1) Nallamma Acheny of Letchimipuram, Pudukota State, India, guardian *ad litem* of the minor  
(2) Velliappen Chetty of Letchimipuram, Pudukota State, India ..... Respondents.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on December 2, 1927, in the presence of Mr. C. T. Kandaiya, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 30, 1927, and the order of the Supreme Court dated November 25, 1927, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as a person interested in the estate 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 January 26, 1928, show sufficient cause to the satisfaction of this court to the contrary.

O. L. DE KRETSEK,  
District Judge.  
December 2, 1927.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate Jurisdiction. of the late Meringhage Selestina de Costa of Kirillapone in the Palle pattu of Salpiti korale, deceased. No. 3,666.

Meringhage Johanna de Costa of Kirillapone ..... Petitioner.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on November 21, 1927, in the presence of Messrs. Jayasekera & Jayasekera, Proctors, on the part of the petitioner dated November 17, 1927, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as sister of the above-named deceased, to have the letters of administration to her estate issued to her, unless any person or persons interested shall, on or before January 19, 1928, show sufficient cause to the satisfaction of this court to the contrary.

O. L. DE KRETSEK,  
District Judge.  
November 21, 1927.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament (with three Codicils) of William Ontario David of Belle Rive Nyon in the Republic of Switzerland, formerly of Madras in India, Solicitor, deceased. No. 3,695.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on December 9, 1927, in the presence of Mr. C. M. de Saram, Proctor, on the part of the petitioner, David Ernest Martensz of Colombo; and (1) the affidavit of the said petitioner dated November 29, 1927, (2) the power of attorney dated September 15 and 16, 1927, and (3) the order of the Supreme Court dated November 17, 1927, having been read: It is ordered that the will of the said William Ontario David, deceased, dated March 10, 1908, and three codicils thereto dated respectively, January 8, 1916, November 30, 1921, and March 19, 1926, an exemplification of which under the seal of His Majesty's High Court of Justice in England 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 David Ernest Martensz is the attorney in Ceylon of the surviving executors named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 12, 1928, show sufficient cause to the satisfaction of this court to the contrary.

O. L. DE KRETSEK,  
District Judge.  
December 9, 1927.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. and Testament of Edwin Wollaston Fritchley, late of Coonoor, South India, deceased. No. 3,696.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on December 9, 1927, in the presence of Mr. C. M. de Saram, Proctor, on the part of the petitioner, David Ernest Martensz of Colombo; and (1) the affidavit of the said

petitioner dated November 29, 1927, (2) the power of attorney dated September 27, 1927, and (3) the order of the Supreme Court dated November 17, 1927, having been read: It is ordered that the will of the said Edwin Wollaston Fritchley, deceased, dated June 4, 1925, an exemplification of which under the seal of the High Court of Judicature at Madras 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 David Ernest Martensz is the attorney in Ceylon of the sole executrix named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 12, 1928, show sufficient cause to the satisfaction of this court to the contrary.

December 9, 1927. O. L. DE KRETZER, District Judge.

In the District Court of Colombo.  
Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Catherine Barnewall Wheeler of 41, Philbeach Gardens, Earls Court, in the County of Middlesex, England, formerly of Regents House, St. James's Court, Buckingham Gate, in the said County, widow, deceased.

THIS matter coming on for disposal before O. L. de Kretzer, Esq., District Judge of Colombo on December 9, 1927, in the presence of Mr. C. M. G. de Saram, Proctor, on the part of the petitioner, David Ernest Martensz of Colombo; and (1) the affidavit of the said petitioner dated November 29, 1927, (2) the power of attorney dated October 12, 1927, and (3) the order of the Supreme Court dated November 17, 1927, having been read: It is ordered that the will of the said Catherine Barnewall Wheeler, deceased, dated August 17, 1914, a certified copy of which under the seal of His Majesty's High Court of Justice in England 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 David Ernest Martensz is the attorney in Ceylon of the executrix named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 12, 1928, show sufficient cause to the satisfaction of this court to the contrary.

December 9, 1927. O. L. DE KRETZER, District Judge.

In the District Court of Colombo.  
Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament or Trust Disposition and Settlement (with a Codicil) of Alexander Sandison of Hurlly Arms Hotel, Aboyno, Aberdeenshire, Scotland, deceased.

THIS matter coming on for disposal before O. L. de Kretzer, Esq., District Judge of Colombo, on December 9, 1927, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, William Randall Ivan Taylor of Colombo; and (1) the affidavit of the said petitioner dated November 26, 1927, (2) the

power of attorney dated August 22, 23, and 24, 1927, and (3) the order of the Supreme Court dated November 17, 1927, having been read: It is ordered that the will of the said Alexander Sandison, deceased, dated November 18, 1924, and a codicil thereto dated March 6, 1926, an exemplification of which under the seal of the Commissary Court of Aberdeenshire 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 William Randall Ivan Taylor is the attorney in Ceylon of the executors named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 12, 1928, show sufficient cause to the satisfaction of this court to the contrary.

December 9, 1927. O. L. DE KRETZER, District Judge.

In the District Court of Colombo.  
Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament (with three Codicils) of No. 3,699. Charles Adamthwaite of Drayton House, Daventry, in the County of Northampton, England, deceased.

THIS matter coming on for disposal before O. L. de Kretzer, Esq., District Judge of Colombo, on December 9, 1927, in the presence of Mr. C. M. G. de Saram, Proctor, on the part of the petitioner, David Ernest Martensz of Colombo; and (1) the affidavit of the said petitioner dated November 29, 1927, (2) the power of attorney dated August 24, 1927, and (3) the order of the Supreme Court dated November 17, 1927, having been read: It is ordered that the will of the said Charles Adamthwaite, deceased, dated March 19, 1919, and three codicils thereto dated respectively, November 17, 1919, February 27, 1924, and March 12, 1926, an exemplification of which under the seal of His Majesty's High Court of Justice in England 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 David Ernest Martensz is the attorney in Ceylon of the executors named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 12, 1928, show sufficient cause to the satisfaction of this court to the contrary.

December 9, 1927. O. L. DE KRETZER, District Judge.

In the District Court of Colombo.  
Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of John Beatty Barrington of Ashroe, Newport, in the County of Limerick, in the Irish Free State, deceased.

THIS matter coming on for disposal before O. L. de Kretzer, Esq., District Judge of Colombo, on December 9, 1927, in the presence of Mr. C. M. G. de Saram, Proctor, on the part of the petitioner, David Ernest Martensz of Colombo; and (1) the affidavit of the said petitioner dated November 29, 1927, (2) the power of attorney dated August 30, 1927, and (3) the order of the Supreme Court dated November 17, 1927, having been read: It is ordered that the will of the said John Beatty Barrington, deceased, dated January 13, 1922,



a certified copy of which under the seal of His Majesty's High Court of Justice in England 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 David Ernest Martensz is the attorney in Ceylon of the surviving executrix named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him, accordingly, unless any person or persons interested shall, on or before January 12, 1928, show sufficient cause to the satisfaction of this court to the contrary.

December 9, 1927.

O. L. DE KRETZER,  
District Judge.

In the District Court of Kandy. 31/12/27

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Malawanage Manuel Fernando,  
No. 4,559. deceased, of Kadugannawa.

THIS matter coming on for disposal before Paulus Edward Pieris, Doctor of Letters, District Judge, Kandy, on November 17, 1927, in the presence of Messrs. Silva & Coomaraswamy, Proctors, on the part of the petitioner, Malawanage Victor Fernando of Kadugannawa; and the affidavit of the said petitioner dated November 10, 1927, having been read:

It is ordered that the will of the above named deceased dated August 29, 1923, and now deposited in this court, be and the same is hereby declared proved, unless any person or persons interested shall, on or before December 15, 1927, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Malawanage Victor Fernando of Kadugannawa is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any person or persons interested shall, on or before December 15, 1927, show sufficient cause to the satisfaction of this court to the contrary.

November 17, 1927.

P. E. PIERIS,  
District Judge.

Date for showing cause is extended to December 22, 1927.

December 13, 1927.

P. E. PIERIS,  
District Judge.

In the District Court of Galle. 23/12/27

No. 6,405 T. In the Matter of the Estate of the late  
Don Simon Patabendi Purolis de  
Silva, deceased, of Lenduwa in  
Nindana.

THIS matter coming on for disposal before P. Boone, Esq., District Judge of Galle, on March 4,

1927, in the presence of Mr. A. D. de Silva on the part of the petitioner, Don Simon Patabendi Irinelis de Silva of Lenduwa; and the affidavit of the said petitioner dated March 2, 1927, having been read:

It is declared that the said petitioner, as son of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondent, Gallegei Nikonona of Lenduwa, shall, on or before May 13, 1927, show sufficient cause to the satisfaction of this court to the contrary.

March 4, 1927.

A. P. BOONE,  
District Judge.

The foregoing affidavit is extended to December 17, 1927.

T. W. ROBERTS,  
District Judge.

In the District Court of Galle. 30/12/27

Order Nisi.

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Nora Charlotte Dambawinne  
No. 6,509. Kumarihamy, deceased, of Kitulam-  
pitiya, Galle.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on November 1, 1927, in the presence of Mr. J. N. Goonetilleke, Proctor, on the part of the petitioner, William Alexander Goonetilleke of Kitulampitiya, Galle; and the affidavit of the said petitioner dated August 10, 1927, having been read:

It is ordered that the 3rd respondent be appointed guardian *ad litem* over 1st and 2nd respondent, minors, unless the respondents, viz., (1) Suwarnalatha Lisinawathi Charlotte Goonetilleke, (2) Sirimalwathie Nora Alexander Goonetilleke, both of Kitulampitiya, Galle, (3) Charles Edwin Goonetilleke, Mudaliyar, Talpe pattu, Galle, shall, on or before December 20, 1927, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner, as husband of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondents shall, on or before December 20, 1927, show sufficient cause to the satisfaction of this court to the contrary.

November 1, 1927.

T. W. ROBERTS,  
District Judge.

In the District Court of Galle. 22/12/27

Order Nisi

No. 6,519. In the Matter of the Intestate Estate of  
Obada Kankanange Jackoris Appu,  
deceased, of Magalla in Galle.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on November

16, 1927, in the presence of Mr. K. R. Alson de Silva on the part of the petitioner, Obada Kankanange James Appu of Magalla aforesaid; and the affidavit of the said petitioner dated November 15, 1927, having been read:

It is declared that the petitioner, as the brother of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondents, namely, (1) Obada Kankanange Nonno Hamy, (2) Obada Kankanange Nikko Hamy, (3) Obada Kankanange Thomas Appu, all of Magalla, shall, on or before December 20, 1927, show sufficient cause to the satisfaction of this court to the contrary.

November 16, 1927.

T. W. ROBERTS,  
District Judge.

In the District Court of Matara.

Testamentary In the Matter of the Estate of Don No. 3,369. Samel Samarasinghe of Gangodagama, deceased.

Don Abraham Samarasinghe of Gangodagama, now of Mahabotuwana ..... Petitioner.

- Vs.
- (1) Siriwardena Merenchige Hinnihamy of Gangodagama, (2) Don Nicolas Samarasinghe of ditto, (3) Don Janis Samarasinghe of ditto, now of B. B. S., Mabotuwana, (4) Don James Samarasinghe of Gangodagama, (5) Don Andrayas Samarasinghe of ditto, (6) Dona Gimara Samarasinghe of ditto ..... Respondents.

THIS matter coming on for disposal before M. Prasad, Esq., District Judge of Matara, on October 28, 1927, in the presence of Messrs. G. E. & G. P. Keuneman, Proctors, on the part of the petitioner above named; and the petition and affidavit of the said petitioner dated October 26, 1927, having been read:

It is ordered that the petitioner, Don Abraham Samarasinghe, be and he is hereby declared entitled, as son of the said deceased, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above named or any person or persons interested shall, on or before February 9, 1928, show sufficient cause to the satisfaction of this court to contrary.

It is also ordered that the 1st respondent, Siriwardene Merenchige Hinnihamy, be and she is hereby appointed guardian *ad litem* over the 4th, 5th, and 6th minor respondents, unless sufficient cause be shown to the contrary on February 9, 1928.

It is further ordered that the said 4th, 5th, and 6th respondents be produced before this court on February 9, 1928.

October 28, 1927.

M. PRASAD,  
District Judge.

29/11/27 In the District Court of Matara.

Testamentary In the Matter of the Intestate Estate Jurisdiction of the late Gamage Danoris of No. 3,373. Eparele, deceased.

Subasinge Carolis of Kudapana ..... Petitioner.

Vs.

- (1) Gamage Seelohamy of Gambaddala, (2) ditto Balahamy, wife of (3) Subasinge Andiris, both of Kudapana, (4) Gamage Heenbaba of Eparele, (5) ditto Angilamy, (6) ditto Heenhamy, both of Gambaddala, (7) ditto Janohamy, wife of (8) Kodikarage Babun Appu, both of Mawarala ..... Respondents.

THIS matter coming on for disposal before M. Prasad, Esq., District Judge of Matara, on November 4, 1927, in the presence of Mr. E. P. Wijetunge, Proctor, on the part of the petitioner above named; and the petition and the affidavit of the said petitioner dated October 24, 1927, having been read:

It is ordered that the petitioner, Subasinge Carolis, be and he is hereby declared entitled, as nephew of the said deceased, to administer the said estate, and that letters of administration do issue to him accordingly, unless the respondents above named or any person or persons interested shall, on or before February 13, 1928, show sufficient cause to the satisfaction of this court to the contrary.

November 4, 1927.

M. PRASAD,  
District Judge.

36/11/27 In the District Court of Matara.

Testamentary In the Matter of the Estate of the late Jurisdiction. Kirineliya Gamage Dona Gimara No. 3,374. Hamine of Pottewela, deceased.

Wannigamage Don Carolis of Pottewela ..... Petitioner.

Vs.

- (1) Wannigamage Dona Gimara of Agalaboda, wife of (2) Jalat Mubandiranga Don Dama of ditto, (3) Wannigamage Dona Earline of Kohiliyadda, wife of (4) Liyanage Dingiappu of ditto, (5) Wannigamage Dona Ciciliana of Kanatta, wife of (6) Don James Rajapaksa of ditto, (7) Wannigamage Don Samel of Pottewela ..... Respondents.

THIS matter coming on for disposal before M. Prasad, Esq., District Judge of Matara, on November 11, 1927, in the presence of Messrs. G. E. & G. P. Keuneman, Proctors, on the part of the petitioner above named; and the petition and the affidavit of the said petitioner dated November 9, 1927, having been read:

It is ordered that the petitioner, Wannigamage Don Carolis, be and he is hereby declared entitled, as son of the said deceased, to administer the said estate, and that letters of administration do issue to him accordingly, unless the respondents above named or any person or persons interested shall, on or before March 7, 1928, show sufficient cause to the satisfaction of this court to the contrary.

It is also ordered that the 4th respondent, Liyanage Dingiappu, be and he is hereby appointed guardian *ad litem* over the minor, 7th respondent, unless sufficient cause be shown to the contrary on March 7, 1928.

It is further ordered that the said minor, 7th respondent, be produced before this court on March 7, 1928.

November 11, 1927.

M. PRASAD,  
District Judge.



In the District Court of Jaffna.

Order Nisi. 33/12/27

Testamentary In the Matter of the Estate and Effects  
Jurisdiction. of the late Kathirasippillai, wife of  
No. 6,473. Vytilingam Sivakkolunthu of Neer-  
vely, deceased.

Vaitilingam Sivakkolunthu of Neervely.....Petitioner.

Vs.

(1) Sivakkolunthu Velantippillai (minor) and (2) Ramu Arunugam of Neervely; the 1st respondent is a minor and appears by his guardian *ad litem* the 2nd respondent. Respondents.

THIS matter of the petition of the above-named petitioner, praying for letters of administration to the estate of the above-named deceased, Kathirasippillai, wife of Vytilingam Sivakkolunthu, coming on for disposal before G. W. Woodhouse, Esq., District Judge, Jaffna, on September 27, 1927, in the presence of Mr. P. K. Somasundram, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated June 8, 1927, having been read:

It is declared that the petitioner is the lawful husband 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 November 22, 1927, show sufficient cause to the satisfaction of this court to the contrary.

November 3, 1927.

G. W. WOODHOUSE,  
District Judge.

Order Nisi extended till December 20, 1927.

G. W. WOODHOUSE,  
District Judge.

In the District Court of Jaffna. 25/12/27

Order Nisi.

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Kannakaipillai, wife of Thamothe-  
No. 6,523. ram of Kudattanai, deceased.

Velauthar Veeragatty of Kudattanai.....Petitioner.

Vs.

(1) Walliammai, wife of Veeragatty of Kudattanai, (2) Velauthar Kanthas and (3) Kadai-pillai of Nagarkovil..... Respondents.

THIS matter coming on for disposal before J. D. Brown, Esq., District Judge, Jaffna, on November 24, 1927, in the presence of Mr. N. Mudaliar Krishnappillai, Proctor, on the part of the petitioner; and the petition and affidavit of the petitioner having been read:

It is hereby ordered that the petitioner be and he is hereby declared entitled to take out letters of administration to the estate of the late Kannakaipillai, wife

of Thamotheeram, and that letters of administration be issued to him accordingly, unless the respondents appear and show cause to the contrary on or before December 22, 1927.

November 24, 1927.

J. D. BROWN,  
District Judge.

In the District Court of Jaffna. 35/12/27

Order Nisi.

Testamentary In the Matter of the Estate of the late  
No. 6,578. Sittampalam Kumaresu of Chara-  
vanai, deceased.

Savuntharam, widow of Sittampalam Kumaresu  
of Charavanai.....Petitioner.

Vs.

(1) Nagespary, daughter of Sittampalam Kumaresu, (2) Ramu Sittampalam and wife (3) Nagamiah, both of ditto, presently of 27, Sea street, Colombo, and (4) Velauthar Kagar Charavanai..... Respondents.

THIS matter of the petition of the above-named petitioner, praying that the 4th respondent be appointed guardian *ad litem* over the minor, the 1st respondent, and that letters of administration to the estate of the said intestate be issued to the petitioner, coming on for disposal before G. W. Woodhouse, Esq., District Judge, Jaffna, on October 6, 1927, in the presence of Mr. R. Candiah, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October 3, 1927, having been read: It is ordered that the above-named 4th respondent be appointed guardian *ad litem* over the minor, the 1st respondent, for the purpose of protecting her interest and of representing her in this case, and the petitioner be declared entitled to have letters of administration to the estate of the said intestate, as her lawful widow, and unless the respondents shall appear before this court on November 22, 1927, and state objection or show cause to the contrary.

October 21, 1927.

G. W. WOODHOUSE,  
District Judge.

Extended till December 20, 1927.

In the District Court of Jaffna. 30/12/27

Order Nisi.

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Veeragatty Nagesu of Changanai,  
No. 6,588. deceased.

Visuvar Kandiah of Changanai.....Petitioner.

(1) Marimuttu, wife of Visuvar Kandiah of Changanai, and (2) Parvathy, widow of Veeragatty Nagesu of Kattivu East..... Respondents.

THIS matter of the petition of the above-named petitioner, praying for the grant of letters of administration to the estate of the above-named deceased.

coming on for disposal before G. W. Woodhouse, Esq., District Judge, Jaffna, on October 12, 1927, in the presence of Mr. P. Canapathypillay, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October 8, 1927, having been read:

It is ordered that the petitioner is the brother-in-law of the deceased above named, and is entitled to have letters of administration to the estate of the above-named deceased issued to him accordingly, unless the above-named respondents shall, on or before November 17, 1927, show sufficient cause to the satisfaction of this court to the contrary.

October 18, 1927. G. W. WOODHOUSE,  
District Judge.

Time extended to December 22, 1927.

G. W. WOODHOUSE,  
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary. In the Matter of the Estate of the late Jurisdiction. Manonmany, daughter of Sinnatamby Subramaniam of Koyelakkandy, deceased.

Seettampillai, widow of Kandar Kulanthaivelu of Koyelakkandy ..... Petitioner.

Chennappan Santherasegaram of ditto..... Respondent.

THIS matter of the petition of the petitioner above named, praying for letters of administration to the estate of the above-named deceased, coming on for disposal before G. W. Woodhouse, Esq., District Judge, Jaffna, on October 14, 1927, in the presence of Mr. C. R. Tambiah, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October 12, 1927, having been read:

It is declared that the petitioner is the sole heir of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondent or any other person shall, on or before November 24, 1927, show sufficient cause to the satisfaction of this court to the contrary.

G. W. WOODHOUSE,  
District Judge.

Extended to December 20, 1927.

November 24, 1927.

J. D. BROWN,  
District Judge.

29/10/27 In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Vichaladchippillai, widow of Muttukumar No. 6,595. kumararu of Chulipuram, deceased.

Muttukumararu Arumugam of Chulipuram.... Petitioner.

Vs.

(1) Muttukumararu Sinniah of ditto, presently contractor, Seramban, (2) Muttukumararu Thampoo of ditto, presently driver, Railway Sentinal, Kuala Lumpur, F. M. S. .... Respondents.

THIS matter of the petition of the above-named petitioner, praying for the grant of letters of administration to the estate of the above-named deceased, coming on for disposal before G. W. Woodhouse, Esq., District Judge, Jaffna, on October 17, 1927, in the presence of Mr. R. Candiah, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October 11, 1927, having been read:

It is ordered that the above-named petitioner be and he is hereby entitled to have letters of administration to the estate of the above-named deceased, as her son, and that such letters be issued to him accordingly, unless the above-named respondents or any others show sufficient cause to the satisfaction of this court to the contrary on or before \_\_\_\_\_, 1927.

October 29, 1927. G. W. WOODHOUSE,  
District Judge.

Order Nisi extended to January 24, 1928.

31/10/27 In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Vinasithamby Elaguppillai of No. 6,599. Tirunelvely, deceased.

Elaguppillai Navaratnam of Tirunelvely.... Petitioner.

Vs.

(1) Vinasithamby Suppiah, (2) ditto Kathiresu, (3) ditto Thuralappah, (4) ditto Veluppillai of Tirunelvely ..... Respondents.

THIS matter of the petition of the above-named petitioner, praying for the grant of letters of administration to the estate of the above-named deceased, coming on for disposal before G. W. Woodhouse, Esq., District Judge, Jaffna, on October 21, 1927, in the presence of Mr. K. Somasundaram, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October 20, 1927, having been read:

It is ordered that the petitioner be and he is hereby entitled to take out letters of administration to the estate of the above-named deceased, as his only son and heir, and that such letters be issued to him accordingly, unless the above-named respondents or any others show sufficient cause to the satisfaction of this court to the contrary on or before November 29, 1927.

October 29, 1927. G. W. WOODHOUSE,  
District Judge.

Extended to December 20, 1927.

J. D. BROWN,  
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Sinnappillai, wife of Kathiramu Nagamuttu of Vannarponnai East, Jaffna, deceased.

Kathiramu Nagamuttu of Vannarponnai East, Jaffna ..... Petitioner.

Vs.

(1) Kurunathan, son of Nagamuttu, (2) Kanagammah, daughter of Nagamuttu, (3) Subramaniam, son of Nagamuttu, (4) Srinathar, son of Nagamuttu, minors, appearing by their guardian *ad litem* (5) Nanny Kulanthai of Mane-pay ..... Respondents.

THIS matter of the petition of the above-named petitioner, praying that the above-named 5th respondent be appointed guardian *ad litem* over the minors, the 1st, 2nd, 3rd, and 4th respondents, and that letters of administration to the estate of the above-named deceased, coming on for disposal before G. W. Woodhouse, Esq., District Judge, Jaffna, on October 27, 1927, in the presence of Mr. S. Cumarasurier, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October 21, 1927, having been read:

It is ordered that the above-named 5th respondent be appointed guardian *ad litem* over the said minors, the 1st, 2nd, 3rd, and 4th respondents, for the purposes of this testamentary action, and that letters of administration be granted to the petitioner, as he is the lawful husband of the deceased intestate issued to him, unless the respondents or any other person shall, on or before December 6, 1927, show sufficient cause to the satisfaction of this court to the contrary.

November 9/10, 1927. G. W. WOODHOUSE, District Judge.

Order Nisi extended for December 20, 1927.

December 6, 1927. J. D. BROWN, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of the late Muthalia Nachan, wife of Thillaiampalam Kumariah of Neervely, Jaffna, deceased.

Thillaiampalam Kumariah of Neervely South, Jaffna ..... Petitioner.

Vs.

(1) Wallipillai, widow of Sampanther Velupillai, and (2) Velupillai Thambiah, both of Neervely South, Jaffna ..... Respondents.

THIS matter of the petition of the above-named petitioner, praying that the last will and testament dated December 12, 1923, be proved, and that he may

be declared executor of the said last will, and that probate thereof may be issued to him, coming on for disposal before G. W. Woodhouse, Esq., District Judge, Jaffna, on November 4, 1927, in the presence of Mr. S. Cumarasurier, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated June 9, 1927, and of the attesting notary and witnesses having been read:

It is declared that the said last will dated December 12, 1923, be proved, and that the petitioner is the executor of the said will, and that probate thereof may be issued to him, unless the respondents or any other person shall, on or before December 22, 1927, show sufficient cause to the satisfaction of this court to the contrary.

November 22, 1927.

J. D. BROWN, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Kathiresar Sithambaranathar of Thavalai Iyattalai, deceased.

Subramaniam Chelliah of Thavalai Iyattalai ..... Petitioner.

(1) Thaiyalayagam, widow of Sithambaranathar, and (2) Nagammah, wife of Chelliah of ditto ..... Respondents.

THIS matter of the petition of the above-named petitioner, praying that letters of administration to the estate of the above-named deceased, coming on for disposal before G. W. Woodhouse, Esq., District Judge, Jaffna, on November 9, 1927, in the presence of Mr. V. Canagaratnam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October 20, 1927, having been read:

It is ordered that the petitioner be declared entitled to have letters of administration to the estate of the said intestate, unless the respondents or any other person or persons interested shall appear before this court on December 22, 1927, and state objection or show cause to the contrary.

November 28, 1927.

J. D. BROWN, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Kanthar Manican of Chunnakam, deceased.

Thavasy Sithampary of Chunnakam ..... Petitioner.

Vs.

Latchimy, daughter of Thavasy of Chunnakam ..... Respondent.

THIS matter of the petition of Thavasy Sithampary of Chunnakam, praying for letters of administration

to the estate of the above-named deceased, Kanthan Manican of Chunnakam, coming on for disposal before G. W. Woodhouse, Esq., District Judge, Jaffna, on November 14, 1927, in the presence of Mr. R. C. Canagasingam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated November 12, 1927, having been read:

It is declared that the petitioner is the nephew and one of his heirs of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before December 22, 1927, show sufficient cause to the satisfaction of this court to the contrary.

November 24, 1927.

J. D. BROWN,  
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Anulamma, wife of Arumukam Somasundram of Chiviyateru, deceased.

Ramanather Visuvanathapillai of Chiviyateru ..... Petitioner.

Vs.

(1) Viyaladchippillai, wife of Ramanather Visuvanathapillai of Chiviyateru, (2) Arumugam Somasundram of ditto ..... Respondents.

THIS matter of the petition praying for letters of administration to the estate of the above-named deceased, coming on for disposal before G. W. Woodhouse, Esq., District Judge, Jaffna, on November 18, 1927, in the presence of Mr. R. Subramaniam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated November 18, 1927, having been read:

It is declared that the petitioner is the father of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before December 22, 1927, show sufficient cause to the satisfaction of this court to the contrary.

November 28, 1927.

J. D. BROWN,  
District Judge.

In the District Court of Mannar.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of Allapichai Mohamado Abdulcader, late of Erukkilampiddy, deceased.

Allapichai Mohamadeen Abdulcader of Erukkilampiddy ..... Petitioner.

Vs.

(1) Mohamado Sulhaumma, wife of Noorumohamado, (2) Mohamadoveevee, wife of Seguthamby, (3) Allapichai Mohamado Caseen, (4) Aysamma, daughter of Mohamado Abdulcader, (5) Mohamado Marum, daughter of Mohamado Abdulcader, all of Erukkilampiddy ..... Respondents.

THIS matter of the petition of Allapichai Mohamadeen Abdulcader of Erukkilampiddy, praying for letters of administration to the estate of the above-named deceased, Allapichai Mohamado Abdulcader,

coming on for disposal before P. O. Fernando, Esq., Additional District Judge, on December 2, 1927, in the presence of Mr. S. Mudaliyar Anantham, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated December 2, 1927, having been read: It is declared that the petitioner is one of the heirs 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 January 5, 1928, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the 3rd respondent be appointed guardian *ad litem* of the 4th and 5th respondents for the purpose of representing them in these proceedings, unless the respondents above named shall, on or before the said date, show sufficient cause to the satisfaction of this court to the contrary.

December 2, 1927.

P. O. FERNANDO,  
Additional District Judge.

In the District Court of Puttalam.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Mena Yana Avenna Annamalai Chetty, late of Karaikudy in South India, deceased.

A. V. M. M. P. L. Palaniappa Chetty of Puttalam ..... Petitioner.

(1) Annamalai Chetty, (2) Karuppen Chetty, (3) Annamalai Chetty Natchiappen Chetty, both of Karaikudy in South India, appearing by their proposed guardian *ad litem* (3) Mena Yana Nawanna Mevappa Chetty, also of Karaikudy aforesaid ..... Respondents.

THIS matter coming on for disposal before N. Moonasinghe, Esq., Additional District Judge of Puttalam, on November 2, 1927, in the presence of Mr. William S. Strong, Proctor, on the part of the petitioner above named; and the (1) affidavit of the said petitioner dated May 31, 1927, (2) affidavit of the attesting witnesses of the said will dated October 12, 1927, and (3) order of the Supreme Court dated July 1, 1927, having been duly read:

It is ordered that the 3rd respondent above named be and he is hereby appointed guardian *ad litem* of the 1st and 2nd respondents above named, and that the last will and testament of the deceased above named, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further ordered and declared that the petitioner above named be and he is hereby declared executor of the said will, and that probate thereof be issued to him accordingly, unless the respondents or any other person or persons interested shall, on or before November 25, 1927, show sufficient cause to the satisfaction of this court to the contrary.

November 2, 1927. N. MOONESINGHE,  
Additional District Judge.

Time for showing cause against the Order Nisi is extended to December 22, 1927.

November 25, 1927.

## PASSED ORDINANCES.

(Continued from page 1205.)

F 484/27

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

No. 19 of 1927.

An Ordinance to amend the Stamp Ordinance, 1909.

H. J. STANLEY.

BE it enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

1 This Ordinance may be cited as the Stamp Ordinance, No. 19 of 1927, and shall come into operation on such date as the Governor shall, by Proclamation in the *Government Gazette*, appoint.

Short title and commencement.

2 The provisions of schedule B to the principal Ordinance mentioned in the second column of the schedule to this Ordinance shall be amended in the manner shown in the third column of the schedule.

Amendment of schedule B to the principal Ordinance.

## SCHEDULE.

No. of Amendment.	Provision.	Nature of Amendment.
1	Items 1, 13, 16, 17, 29, 34, 47, and 50 of Part I.	For the figure "6" under the column headed "Duty," there shall be substituted the figure "5."
2	Item 3 of Part I.	The following words shall be inserted after the words "Affidavits filed for the purposes of proceedings under Chapter XL of the Civil Procedure Code" under the heading "Exemptions from the preceding and all other Stamp Duties," viz. :— "Affidavits in support of stamped petitions made for the purpose of being filed, read, or used in any court of justice in this Island."
3	Item 41 of Part I.	The following shall be inserted immediately after the words "Policy of Insurance," viz. :— "In the case of insurance against accidents and for any payment agreed to be made during the sickness of any person or his incapacity from personal injury or by way of indemnity against loss or damage of or to any property .. 0 25"
4	Tabular statement of duties in civil proceedings in the Supreme Court in Part II.	(a) For the words and figures "Rs. 500 and under" under the heading "Class 1," there shall be substituted the words and figures "Up to and including Rs. 500." (b) For the words and figures "Rs. 1,000 and under" under the heading "Class 2," there shall be substituted the words and figures "Over Rs. 500 up to and including Rs. 1,000." (c) For the words and figures "Rs. 1,500 and under" under the heading "Class 3," there shall be substituted the words and figures "Over Rs. 1,000 up to and including Rs. 1,500."

No. of Amendment.	Provision.	Nature of Amendment.
		(d) For the words and figures "Rs. 2,000 and under" under the heading "Class 4," there shall be substituted the words and figures "Over Rs. 1,500 up to and including Rs. 2,000."
		(e) For the words and figures "Rs. 2,500 and under" under the heading "Class 5," there shall be substituted the words and figures "Over Rs. 2,000 up to and including Rs. 2,500."
		(f) For the words and figures "Rs. 5,000 and under" under the heading "Class 6," there shall be substituted the words and figures "Over Rs. 2,500 up to and including Rs. 5,000."
		(g) For the words and figures "Rs. 7,500 and under" under the heading "Class 7," there shall be substituted the words and figures "Over Rs. 5,000 up to and including Rs. 7,500."
		(h) For the words and figures "Rs. 10,000 and under," under the heading "Class 8," there shall be substituted the words and figures "Over Rs. 7,500 up to and including Rs. 10,000."
		(i) For the words and figures "Above Rs. 10,000," under the heading "Class 9," there shall be substituted the words and figures "Over Rs. 10,000."
	Tabular statement of duties in civil proceedings in District Courts in Part II.	(a) For the words "Copy of decree absolute or any other decree" in the first column, there shall be substituted the words "Copy of decree absolute or any other decree for purposes of execution."
		(b) The words "Notice of trial" in the first column shall be repealed.
		(c) For the words "Copy, duly certified, of all matters of record" in the first column, there shall be substituted the words "Copy, duly certified, of all matters of record not otherwise provided for."
		(d) Immediately after the words "Notice to admit genuineness of documents or to produce documents, or any other notice applied for at instance of a party to an action" in the first column, there shall be inserted the words "without reference to number, other than a notice to a judgment debtor by a decree holder regarding the withdrawal of moneys recovered under writ and deposited in court.—Notice of trial."
		(e) The words "Order confirming sale" in the first column shall be repealed.
		(f) The whole of the column headed "Class 1, Rs. 300 and under" shall be deleted.
		(g) For the heading of column "Class 2, Rs. 500 and under," there shall be substituted the heading "Class 1, up to and including Rs. 1,000."
		(h) For the heading of column "Class 3, Rs. 1,000 and under," there shall be substituted the heading "Class 2, over Rs. 1,000 up to and including Rs. 2,500."
		(i) For the heading of column "Class 4, Rs. 5,000 and under," there shall be substituted the heading "Class 3, over Rs. 2,500 up to and including Rs. 5,000."
		(j) For the heading of column "Class 5, Rs. 10,000 and under," there shall be substituted the heading "Class 4, over Rs. 5,000 up to and including Rs. 10,000."
		(k) For the heading of column "Class 6, above Rs. 10,000," there shall be substituted the heading "Class 5, over Rs. 10,000."

No. of Amendment.	Provision.	Nature of Amendment.
6 ..	Statement of duties on law proceedings under the heading "In the Court of Requests" in Part II.	For the words and figures "In cases under Rs. 50, 60c.; in cases of Rs. 50 and upwards, Re. 1.20," there shall be substituted the words and figures "In cases under Rs. 50, 50c.; in cases of Rs. 50 and upwards, Re. 1."
6A ..	Under the heading "In the Court of Requests in Part II."	Add after "Notice to admit genuineness of document, or to produce document, or any other notice applied for at the instance of a party to an action" the words "without reference to number."
7 ..	The proviso under the heading "Exhibits" in Part II.	The following shall be substituted for the existing proviso, viz. :— "Provided that where in any law proceeding in a District Court or Court of Requests more than ten exhibits or translations are, or would but for this proviso be, chargeable with duty according to the class of action, then such duty shall be charged on the first ten only of such exhibits or translations, and a duty of 12 cents shall be charged on every such exhibit or translation after the first ten. An exhibit and a translation thereof shall be treated as two documents for the purposes of this proviso."
8 ..	The provisions in Part II. under the heading "Miscellaneous"	The following paragraph shall be substituted for the paragraph "Matrimonial suits shall be charged as of the value of Rs. 5,000," viz. :— "Matrimonial suits shall be charged as of the value of Rs. 1,000 where the amount of damages claimed does not exceed such sum. Where the damages claimed exceeds Rs. 1,000, the class shall be determined by the amount of the damages claimed according to the classification of suits in Civil Proceedings in the District Courts."
9 ..	Part III.	The following part shall be substituted for Part III., viz. :—

## PART III.

## Containing the Duties in Testamentary Proceedings.

	Class 1.	Class 2.	Class 3.
	Up to and including Rs. 5,000	Over Rs. 5,000 up to and including Rs. 10,000.	Over Rs. 10,000
Every appointment of proctor.— Every pleading other than a petition of application.—Every notice, citation, or supplemental citation, without reference to number.— Every decree nisi, order nisi, interlocutory order and decree absolute.—Copy of decree nisi, order nisi, interlocutory order without reference to number.— Every copy of decree absolute or any other decree.—Bill of costs.— Every affidavit or affirmation other than affidavits or affirmations attached to inventories or intermediate or final accounts.— Caveat.—Oath of office of executor or administrator.—Letters ad colligenda.—Inventory.—Final account.—Petition of appeal.—Certificate in appeal.	Free	Rs. 10	For Every additional Rs. 5,000 or fraction thereof in addition to the duties in Class 2, Rs. 1
Summonses to each witness.— Translation of each document.— Every exhibit of any document on which no stamp is affixed or impressed, unless the duplicate bears a stamp.	Free	Rs. 4	25 cents

No. of Amendment.	Provision.	Nature of Amendment.	Duty. Rs. c.
		<p>Provided that in the case of incidental proceedings arising in the course of a testamentary action, the above documents relating to such proceedings shall not be liable to duty in the class of the action, but in the class determined according to the value of the interest involved in the incidental proceeding.</p>	
		<p>Provided also that in the case of the estates of persons whose deaths occurred before the First July, 1919, in determining the value of such estates, the amount of the debt due by the deceased under mortgage or other notarial bonds shall be deducted, and also the value of any property to which the deceased was entitled, or of which he was in possession as trustee for any other person or persons and not beneficially.</p>	
		<p>In all other cases the value of the estate shall be taken to be the value as determined for the purposes of estate duty of all property for the administration of which a grant of probate or letters of administration is required.</p>	
		<p>Provided that where more than ten exhibits or translations are, or would but for this proviso be, chargeable with duty according to the class of action, then such duty shall be charged on the first ten only of such exhibits or translations, and a duty of 12 cents shall be charged on every such exhibit or translation after the first ten. An exhibit and a translation thereof shall be treated as two documents for the purposes of this proviso.</p>	
		<p>Every certified copy of any will or codicil, or extract therefrom, or of any document mentioned in this part of the schedule and every certified copy of letters of administration or of probate..</p>	
10 .. Part IV.		<p>.. At the end the following two provisos shall be inserted, viz. :—</p>	
		<p>“ Provided that in partition cases, the service of process in the Supreme Court and in District Courts shall be free of duty.</p>	
		<p>Provided further that in all cases where there are several notices to be served, the first ten copies only shall be charged at the rates hereinbefore mentioned and the balance at 10 cents per copy. Where the notices are issued to more than one Fiscal, the first ten issued to each of them shall be liable to the full duty.”</p>	

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

W. L. MURPHY,  
Clerk to the Council.

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

W. L. MURPHY,  
Clerk to the Council.



J 758/2

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

No. 20 of 1927.

An Ordinance to amend and consolidate the Law relating to Motor Cars and to amend the Vehicles Ordinance, No. 4 of 1916.

H. J. STANLEY.

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- 2 Interpretation :—
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  - “ Motor cycle ”
  - “ Trailer ”
  - “ Tare ”
  - “ Hiring car ”
  - “ Motor cab ”
  - “ Omnibus ”
  - “ Lorry ”
  - “ Plying for hire ”
  - “ Motor car licence ”
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  - “ Registrar ”
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*Construction and Equipment of Motor Cars.*

- 4 Dimensions and weight of cars.
- 5 Trailers.
- 6 Restriction on use of heavy cars outside Colombo.
- 7 Marking of tare, maximum load, maximum number of passengers, and weight of goods.
- 8 Wheels and tyres.
- 9 Right hand control.
- 10 Brakes.
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- 12 Sound warnings.
- 13 Mirrors.
- 14 Lights.
- 15 Silencers.
- 16 Emission of smoke, &c.
- 17 Inspection of boilers.

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## Section.

18. Registration of possessor of car.
19. Registrar of motor cars.
20. Information to registrar.
21. Distinctive number and registration certificates.
22. Change of possession or ownership.
23. Owner leaving Ceylon.
24. Cancellation of registration.
25. Registered owner liable under Ordinance.
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## CHAPTER IV.

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27. Position of plates.
28. Design of plates.
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*Motor Car Licences.*

30. Motor cars to be licensed.
31. Conditions in motor car licence.
32. Duration of licences and duties.
33. Disposal of duties.
34. Cars becoming subject to a higher duty.
35. Dealer's motor car licences.
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## CHAPTER VI.

*Certificates of Competence.*

37. Issue of certificate of competence.
38. International certificates.
39. Endorsement and cancellation of certificates.
40. Fraudulent application for certificate.
41. Production of certificate to police officer.
42. Saving as regards holder of driving licences.

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*Driving Rules.*

43. Liability of driver and owner under this chapter.
44. Rules of the road.
45. Reversing.
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47. When car is to be stopped.
48. Duty in case of accident.
49. Position of driver when driving.
50. Riding on outside of car, and pillion riding.
51. Distribution of advertisements.
52. Motor cars when halted.
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- 54 Signals by drivers.
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- 57 Drunkenness and reckless driving.

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- 58 Regulations for restriction of motor traffic.
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- 60 Periodical examination of hiring cars and lorries.
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- 72 Regulation of petrol pumps.
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- 75 Verification of facts in applications.
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- 77 Giving false information an offence.
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- Passenger cars, other than hiring cars.
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Form.

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- 2 Particulars to be given by applicant for the registration of motor car.
- 3 Certificate of registration.
- 4 Notice of change of possession of car.
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- 8 Application for registration of nominee of owner leaving Ceylon.
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- 10 Application for motor car licence for all cars except motor cabs, omnibuses, or lorries.
- 11 Application for motor car licence for motor cab.
- 12 Application for a motor car licence for an omnibus.
- 13 Application for a motor car licence for a lorry.
- 14 Motor car licence for cars constructed wholly or mainly for carrying passengers.
- 15 Motor car licence for motor cab.
- 16 Motor car licence for an omnibus.
- 17 Motor car licence for a lorry.
- 18 Application for dealer's motor car licence.
- 19 Dealer's motor car licence.
- 20 Record of motor cars used under dealer's motor car licence.
- 21 Application for certificate of competence.
- 22 Driver's certificate of competence.
- 23 Application for certificate of competence by holder of a driving licence.
- 24 Application for extension of certificate to another class of car.
- 25 Application for a duplicate certificate of competence to drive motor cars.
- 26 Application for distinctive number for use of dealer or manufacturer of motor cars.
- 27 Register of distinctive numbers assigned to dealer or manufacturer of motor cars.
- 28 Application for a duplicate.

## FOURTH SCHEDULE.

*Provisions applicable to Hiring Cars.*

## Part I.

*Omnibuses.*

## Part II.

*Motor Cabs.*

## FIFTH SCHEDULE.

*Repeals and Amendments.*

**An Ordinance to amend and consolidate the Law relating  
to Motor Cars and to amend the Vehicles Ordinance,  
No. 4 of 1916.**

**B**E it enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

CHAPTER I.

*Preliminary.*

1 This Ordinance may be cited as the Motor Car Ordinance, 1927, and shall come into operation on January 1, 1928.

Short title and commencement.

Provided that—

- (a) Licences may be issued and appointments may be made before the commencement of this Ordinance ; and
- (b) Regulations may be made temporarily postponing or modifying the operation of any provision of this Ordinance where, in the opinion of the Governor in Executive Council, to give immediate and full effect to such provision would cause undue difficulty or inconvenience.

2 (1) In this Ordinance, unless the context otherwise requires—

Interpretation.

“Motor car” includes a motor cycle, and every description of vehicle propelled by mechanical power and a trailer, but does not include a tram car, or a road roller *bona fide* used as such and not used as a tractor or for the purpose of carrying goods ;

“Motor cycle” means a motor car designed to travel on not more than three wheels, and having a tare which, together with the tare of any side car attached thereto, does not exceed five hundredweight ;

“Trailer” includes every description of vehicle attached to and drawn by a motor car, but does not include a side car attached to a motor cycle ;

“Tare” means the actual weight of a motor car fully equipped, but unladen, and excluding the weight of any water or fuel, but including the weight of accumulators ;

“Hiring car” means a motor car used for the conveyance of passengers for fee or reward ;

“Motor cab” means a hiring car having seating accommodation for not more than seven passengers ;

“Omnibus” means a hiring car having seating accommodation for more than seven passengers ;

“Lorry” means a motor car or trailer constructed wholly or mainly for carrying goods, or hauling another vehicle ;

“Plying for hire” means plying or standing for hire by passengers, whether on a highway or not, but a motor car shall not be deemed to ply for hire by reason only that at a place which is not a highway the exclusive use of the car is hired by any person ;

“Motor car licence” means a licence issued under this Ordinance to use a motor car ;

“At night” means from a quarter of an hour after sunset until a quarter of an hour before sunrise ;

“Highway” includes every place over which the public have a right of way, or to which the public or any part of the public are granted access, and every place where the motor traffic thereon is regulated by a police officer ;

“Police officer” means a member of the police force in uniform ;

“Headman” means a headman authorized by a Government Agent or Assistant Government Agent to perform police duties and wearing his authorized uniform or badge ;

- “ Offence ” means an offence against this Ordinance ;
- “ Colombo ” means the area within the administrative limits of the municipality of Colombo ;
- “ Urban area ” means any area comprised within the administrative limits of any municipality, urban district council, local board, sanitary board, or the Board of Improvement of Nuwara Eliya, and any other area declared by regulation to be an urban area for the purposes of this Ordinance.
- “ Licensing authority ” means—
- (a) As respects an urban area, the chairman of the municipal council, district council, local or sanitary or other board having jurisdiction over the area, or some other officer of the council or board specially authorized by the chairman, or, in the case of an area declared to be an urban area by regulation, such person as may be appointed by regulation to be the licensing authority ;
- (b) As respects any place not within an urban area, the Government Agent or Assistant Government Agent in charge thereof ;
- “ Registrar ” means the registrar of motor cars ;
- “ Regulation ” means a regulation made under this Ordinance by the Governor in Executive Council and published in the *Gazette*.
- (2) Unless otherwise provided, this Ordinance applies to a motor car only when on a highway.

Power to transfer duties of licensing authority to registrar.

3 Regulations may be made transferring to the registrar all or any of the powers and duties by this Ordinance or any regulation imposed on or given to any licensing authority.

## CHAPTER II.

### *Construction and Equipment of Motor Cars.*

Dimensions and weight of cars.

4 (1) No motor car shall be used in Colombo if it exceeds any of the following dimensions :

	Ft.	in.
Width of an omnibus, including load ..	7	2
Width of other motor cars, including load ..	7	6
Height (including load) of a motor car ..	12	0
Wheel base of a motor car ..	16	0

or if its total weight when loaded exceeds thirteen tons.

(N.B.—The wheel base of a six-wheeled motor car shall be measured from the centre of the front axle to the centre of the rearmost axle.)

The overhang of an omnibus behind the back axle shall not exceed two-fifths of the wheel base or six feet six inches, whichever is the less.

The overhang of other motor cars behind the back axle shall not exceed one-half of the wheel base or six feet six inches, whichever is the less.

(2) No motor car shall be used outside Colombo if it exceeds any of the following dimensions :

	Ft.	in.
Width, including load ..	7	2
Height, including load ..	12	0
Wheel base ..	14	0

The overhang behind the back axle shall not exceed two-fifths of the wheel base or five feet six inches, whichever is the less.

(3) For the purposes of this section, the overhang shall be measured from a vertical line passing from the centre of the back axle to a vertical line drawn at the extreme end of the body.

(4) Regulations may be made as respects the whole Island or any specified area or highway—

- (a) Permitting the use of all or any class of motor cars in excess of all or any of the dimensions or weights specified in this Ordinance, if it is found that such excess can safely be allowed ;
- (b) Further restricting any such dimensions or weights if experience shows that such restriction is necessary for safety.

5 (1) The distance between the back of any motor car and the front of any trailer to which it is attached, measured when the trailer and tractor are in a straight line, shall not exceed four feet.

Trailers.

(2) The combined length of a two-wheeled trailer and its tractor when attached to one another shall not exceed thirty-three feet six inches.

(3) The length of a trailer having four wheels or more on the ground when being hauled shall not exceed seventeen feet.

(4) The length of a trailer having two wheels only on the ground when being hauled shall not exceed twenty-one feet.

(5) No lorry shall be used with more than one trailer attached and no tractor shall be used with more than two trailers attached.

(6) The registrar may exempt any trailer or tractor imported into Ceylon before the commencement of this Ordinance from all or any of the provisions of this section if he is satisfied that no danger will be caused thereby.

6 (1) No motor car having a tare exceeding two and one-quarter tons, no omnibus having a tare exceeding one and one-half tons, and no lorry, trailer, or six-wheeled motor car shall be used outside Colombo except on highways declared by regulation to be suitable for such traffic, and in accordance with any conditions or restrictions imposed by regulation.

Restriction on use of heavy cars outside Colombo.

(2) Provided that the Director of Public Works may grant a permit, either with or without conditions or restrictions, for the use of any such omnibus, lorry, or other motor car, trailer, or six-wheeled motor car on a highway in charge of the Public Works Department—

- (a) For carrying goods for the use of the Government ; or
- (b) For the purpose of conveying the omnibus, lorry, or other motor car, trailer, or six-wheeled motor car to a highway which has been declared by regulation to be suitable for such traffic.

(3) Any notification in the *Gazette* published before the commencement of this Ordinance declaring a road to be suitable for use by lorries or trailers shall be deemed to be a regulation made under this section.

7 The tare of an omnibus, lorry, or trailer and the maximum load which a lorry is licensed to carry, and the number of passengers which a hiring car and the weight of goods which an omnibus is licensed to carry, shall each be painted in one or more straight lines upon some conspicuous part of the right or off side of the motor car in legible letters in white upon black or black upon white, not less than one inch in height. The exact position may be prescribed by regulation.

Marking of tare, maximum load, maximum number of passengers, and weight of goods.

8 The wheels of every motor car shall be properly fitted to the axles, and shall not revolve in such a manner as to cause or to be likely to cause avoidable damage to the surface of the roads ; and unless specially authorized by the Governor in Executive Council all tyres shall be constructed of rubber or some other soft and elastic material.

Wheels and tyres.

9 (1) Every motor car shall be constructed so as to be steered from the right or off side thereof.

Right hand control.

(2) This section shall not apply to a motor car imported into Ceylon before the commencement of this Ordinance.

## Brakes.

10 (1) Every motor car, not being a steam-driven motor car or trailer, shall have two independent brakes in good working order and of such efficiency that the application of either to the motor car shall cause two of its wheels on the same axle to be so held that the wheels shall be effectually prevented from revolving, or shall have the same effect in stopping the car as if such wheels were so held: Provided that, in the case of a motor car having less than four wheels, this condition shall apply as if, instead of two wheels on the same axle, one wheel was therein referred to.

(2) Every steam-driven motor car or trailer, the tare of which exceeds two hundredweights, shall have a handbrake in good working order of such efficiency that its application shall cause two of the wheels of the steam-driven motor car or trailer on the same axle to be so held that the wheels shall be effectually prevented from revolving, or shall have the same effect in stopping the steam-driven motor car or trailer as if such wheels were so held.

(3) There shall be carried on every trailer to which a brake is required to be attached a person competent to apply the brake: Provided that it shall not be necessary to comply with this condition if the brakes upon the motor car hauling the trailer are so constructed and arranged that neither of such brakes can be used without bringing into action simultaneously the brake attached to the trailer, or if the brake of the trailer can be applied from the motor car by a person upon the motor car independently of the brakes of the latter.

(4) There shall be carried at the rear of the trailer a person who shall give warning to the driver of the tractor or motor car of the approach of overtaking traffic. A whistle, bell, or other appliance shall be provided and used for the purpose of giving such warning.

## Reversibility.

11 A motor car, if its tare exceeds seven hundredweights, shall be capable of travelling under its own power either forwards or backwards.

## Sound warnings.

12 Every motor car shall be provided with an efficient instrument for sounding warning of its approach.

## Mirrors.

13 Every motor car, the tare whereof exceeds  $1\frac{1}{2}$  tons, and every omnibus, lorry, and tractor shall be fitted with a mirror on the off or right side of the car, so that the driver when driving can see therein the reflection of vehicles behind or overtaking him.

## Lights.

14 (1) Every motor car, other than a trailer or motor cycle, shall carry at night, whether in motion or stationary, at least two uncoloured lamps, one fixed on each side of the car, throwing their rays forward, and also, unless a trailer is attached thereto, one lamp fixed on the back of the car and showing a red light visible from behind the car.

(2) Every motor cycle shall carry at night, whether in motion or stationary, at least one uncoloured lamp fixed so as to throw its rays forward and be visible from the front, and also one lamp fixed on the back of the cycle and showing a red light visible from behind the cycle.

(3) A side car attached to a motor cycle shall carry at night, whether in motion or stationary, at least one uncoloured lamp fixed on that side of the car which is farthest from the motor cycle.

(4) A trailer attached to a motor car shall carry at night, whether in motion or stationary, one lamp fixed on the back of the trailer and showing a red light visible from behind the car.

(5) A trailer not attached to a motor car shall carry the lamps specified in sub-section (1).

(6) Where the load on any motor car projects more than six feet behind the rear elevation of the car, a lamp showing a red light shall be affixed at the end of the load at night so as to be visible from the rear.



(7) All lamps shall be kept brightly burning at night, but if the Governor in Executive Council is satisfied that any highway or part of a highway is adequately lit for motor traffic by street lamps, regulations may be made prohibiting the use on that highway or part of a highway of undimmed headlights, and in such case no lamp throwing its rays forward shall, so long as the street lamps are alight, be used on a motor car on such highway or part of a highway unless the glare thereof is effectively dimmed or prevented in a manner or by a device approved by regulation.

(8) When the Governor in Executive Council is satisfied that a device which effectively prevents glare but provides sufficient light for safe driving can be procured in Ceylon at a reasonable price, regulations may be made requiring all motor cars to be fitted with such device or other device approved by the registrar, and in such case no lamp throwing its rays forward shall be used on a motor car at night unless it is fitted with such device as aforesaid.

15 Every internal combustion engine used on a motor car shall be fitted with an efficient silencer or other device sufficient to prevent annoyance by the sound of the exhaust, and the exhaust gases from any cylinder of the engine shall not be permitted to escape into the atmosphere otherwise than through such silencer or other device.

Silencers.

16 Smoke, grease, oil, ashes, water, steam, or visible vapour shall not be emitted from a motor car in such quantity as to be a nuisance or cause damage to the road or annoyance or damage to any person.

Emission of smoke, &c.

17 Regulations may provide for the periodical inspection and testing of steam boilers, gas cylinders, or other vessels working under pressure used for supplying motive power or light to a motor car and for the fees to be paid for such inspection or testing.

Inspection of boilers.

### CHAPTER III.

#### *Registration of Motor Cars.*

18 (1) No person shall possess or use a motor car unless the person for the time being entitled to the possession thereof is duly registered as the owner thereof in accordance with the provisions of this Ordinance.

Registration of possessor of car.

(2) This section shall not apply—

(a) To a motor car lawfully used under the authority of a motor dealer's licence and identified by a distinctive number assigned for the purpose;

(b) To a motor car before registration while being driven to or from a place indicated by the registrar for the purposes of inspection, or while being tested by the direction of the registrar;

and possession of a motor car by a dealer for purposes of sale shall not be deemed unlawful possession within the meaning of this section.

(3) Where the person entitled to the possession of a motor car is not the absolute owner thereof, the latter may, if he thinks fit, require a note to that effect to be entered in the register.

(4) A motor car which at the commencement of this Ordinance is duly registered under any by-laws made under the Vehicles Ordinance, No. 4 of 1916, shall be deemed to have been registered under this Ordinance.

19 (1) The registrar shall be appointed by the Governor and shall keep a register of motor cars in the prescribed form. Regulations may provide that a separate register shall be kept of motor cars in any locality.

Registrar of motor cars.

(2) The Governor may appoint one or more assistant registrars who, subject to the directions of the registrar, may do anything which by this Ordinance is required or authorized to be done by the registrar.

Information to registrar.

20 (1) Before registering a motor car, or after registration, if the registrar has reason to suspect that the motor car is not in a serviceable condition, or that its weight, dimensions, character, or seating accommodation has been altered, the registrar may require the motor car to be brought to any convenient place indicated by him there to be inspected and, if necessary, weighed and measured.

(2) The registered owner of a motor car shall forthwith inform the registrar of any circumstance or event which affects the accuracy of any entry in the register affecting the motor car.

(3) The registered owner of a motor car shall, whenever required by the registrar, forthwith furnish him with all information required for the purpose of verifying the entries in the register affecting his motor car.

Distinctive number and registration certificates:

21 (1) On registering a motor car, the registrar shall—

(a) Assign to the car a number or a combination of one or more letters and one or more numbers, in this Ordinance referred to as a "distinctive number"; and

(b) Give a certificate of registration to the registered owner.

(2) The registrar shall assign sufficient distinctive numbers to identify motor cars used under the authority of any dealer's motor car licence produced to him, and shall enter the numbers so assigned in the licence.

Change of possession or ownership.

22 (1) On any change of possession of a motor car otherwise than by death—

(a) The motor car shall not be used for more than seven days after such change of possession until the new owner is registered as the owner thereof, and while the licence is with the registrar, it shall be sufficient if the certificate of registration is carried in the car instead of the licence; and

(b) The registered owner shall within seven days deliver his motor car licence to the registrar, and shall deliver the certificate of registration to the new owner, and shall within seven days inform the registrar in writing of the name and address of the new owner and of the date of the change of possession of the motor car.

(2) Sub-section (1) shall not apply by reason only of a change of possession consequent on a contract of hiring where the period of the hiring does not exceed three months, or where the registered owner continues to employ and pay the driver of the car.

(3) Application for registration of a new owner may be made before the actual transfer of the motor car, but the registration of a new owner shall not be effective until the old certificate and the motor car licence have been surrendered to and re-issued by the registrar.

(4) On the death of the registered owner of a motor car—

(a) The motor car shall not be used until the registration of the new owner; and

(b) The person into whose custody the motor car licence shall come, shall within one month of the death deliver it to the registrar.

Provided that for one month after the death of the registered owner the motor car may be used by the husband or wife and family of the deceased owner without re-registration.

(5) On registration of a new owner, the registrar shall make the necessary alterations to the motor car licence if it is still in force and to the certificate of registration, and shall deliver the altered licence and certificate to the new registered owner. If more convenient, a new certificate of registration may be issued.

Owner leaving Ceylon.

23 (1) If the registered owner of a motor car leaves Ceylon for a period exceeding one month, the motor car shall not be used from the expiration of that period until his return to Ceylon, unless some other person is registered as the owner.

(2) The owner may nominate a person to be registered as the owner during his absence. The owner may be re-registered on his return.

24 The registrar shall cancel the registration of a motor car if he is satisfied that it has been destroyed or rendered permanently unserviceable or permanently removed from Ceylon.

25 For the purposes of any proceedings under this Ordinance, the registered owner of a motor car shall be deemed to be the owner.

26 A certificate of registration shall be *prima facie* evidence of the due registration of the motor car to which the certificate relates and of the particulars appearing in the certificate.

Cancellation of registration.

Registered owner liable under Ordinance.

Evidence.

#### CHAPTER IV.

##### Identification Plates.

27 (1) There shall be fixed and maintained on every motor car two identification plates (in this Ordinance referred to as "plates"), each having the distinctive number of the motor car thereon, viz.:

Position of plates.

(a) On motor cars, other than motor cycles and trailers—

(i.) A plate shall be fixed on the front elevation of the car in such a manner that the distinctive number thereon is clearly discernible from in front of the car; and

(ii.) A plate, which shall be illuminated at night, shall be fixed on the back elevation of the car in such a manner that the distinctive number thereon is clearly discernible from behind the car.

(b) On motor cycles—

(i.) A plate shall be fixed on the front elevation of the cycle or a plate shall be fixed on the front mudguard in the same plane as the wheel in such a manner that the distinctive number thereon is clearly discernible from either side of the cycle.

(ii.) A plate, which shall be illuminated at night, shall be fixed on the back in such a manner that the distinctive number thereon is clearly discernible from behind the cycle.

(c) On trailers, two plates, which shall be illuminated at night, shall be fixed, one above the other, on the back elevation in such a manner that the distinctive numbers thereon are clearly discernible from behind the trailer. The top plate shall have thereon the distinctive number of the trailer, and the bottom plate shall have thereon the distinctive number of the motor car to which the trailer is attached.

(2) A plate is clearly discernible if it can be easily read by a person of normal vision, at night, from a distance of twenty yards, and, in the day time, from a distance of fifty yards

28 (1) Every plate of a motor car shall be in one of the shapes indicated in the following diagrams, or in any other shape approved by the registrar:

Design of plates.

Diagram No. 1.

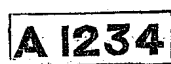


Diagram No. 2.

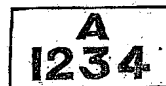


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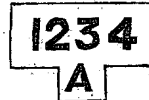


Diagram No. 4.

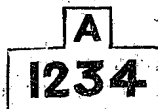


Diagram No. 5.

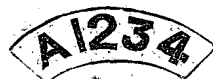
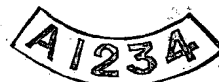


Diagram No. 6.



(2) In diagrams Nos. 1, 5, and 6 the space between the letter and the figures shall be not less than one and a half inches.

(3) In diagrams Nos. 2, 3, and 4, the space between the upper and the lower lines shall be not less than three-quarters of an inch.

(4) Every plate of a motor car shall bear upon it the distinctive number assigned to the motor car in accordance with the design of the particular diagram to which it conforms.

(5) The ground of each plate on a motor car licensed to be used for fee or reward shall be white, and the distinctive number thereon shall be red.

(6) The ground of each plate on a motor car used under the authority of a dealer's motor car licence shall be red, and the distinctive number thereon shall be white.

(7) The ground of each plate on any other motor car shall be black, and the distinctive number thereon shall be white.

(8) All letters and figures on every plate shall be not less than three and a half inches high; every part of every letter and figure shall be at least five-eighths of an inch broad; and the total width of the space taken by every letter or figure, except in case of the figure 1, shall be at least two and a half inches. The letters and figures shall be of uniform size.

(9) The space between adjoining letters and adjoining figures shall be half an inch, and there shall be a margin between the nearest part of any letter or figure and the top and bottom of the plate of at least half an inch, and between the nearest part of any letter or figure and the sides of the plate of at least one inch.

(10) Each plate shall be fixed upright with the upper edge of the letters and figures upward.

(11) A design similar to a plate painted or otherwise delineated on a motor car may be used instead of a plate, and in this Ordinance any reference to a plate includes a reference to such a design, and any reference to the fixing of a plate includes a reference to the painting or other delineation of such a design.

Plates not to be obscured.

29 No part of a plate shall be in any manner obscured.

#### CHAPTER V.

##### *Motor Car Licences.*

Motor cars to be licensed.

30 (1) No person shall possess or use a motor car for which a motor car licence is not in force, or use a motor car for a purpose not authorized by the motor car licence in force for the use thereof, but possession of a motor car by a dealer for purposes of sale shall not be deemed unlawful possession within the meaning of this section.

(2) But where the owner of a motor car gives written notice to the registrar that he does not intend to use the motor car for a stated period, a person shall not be convicted under this section by reason only of his possession of the motor car after the receipt of such notice by the registrar and during such stated period.

(3) If any person is convicted of an offence against this section, the convicting magistrate may, if he thinks fit, impose a fine (which shall be disposed of in the same manner as the duty payable on the licence) not exceeding the amount of the duty payable on an annual licence for the motor car, in addition to any other fine which may lawfully be imposed under this Ordinance.

Conditions in motor car licence.

31 A motor car shall not be used in contravention of any condition or other provision lawfully inserted in the motor car licence.

32 (1) Every motor car licence shall be in force from the date on which it is expressed to come into force until the next following thirty-first day of December.

Duration of licences and duties.

(2) Motor car licences shall be charged with the duties specified in the First Schedule, and shall be issued by the licensing authority of the place in which the motor car is usually kept.

[First Schedule.]

(3) But where a licence, not being a dealer's motor car licence, is issued on or after any first March, and it is shown to the satisfaction of the licensing authority that the car has not been unlawfully used or possessed between the preceding thirty-first December and the date of issue of the licence, the duty on the licence shall be reduced by one-twelfth part for each complete calendar month which has elapsed between the preceding thirty-first January and the date of the issue of the licence, but so that the amount of duty shall never be less than five rupees.

(4) The holder of a motor car licence shall, on surrendering it for cancellation to the licensing authority who issued the licence, be entitled to a refund of one-twelfth part of the duty paid on the licence for each complete calendar month of the licence year still to run. Provided that the sum of five rupees shall be deducted from the total amount so computed and shall not be refunded.

(5) No duty shall be payable in respect of a motor car belonging to the Crown or the Government of Ceylon.

33 (1) The proceeds of the duties on motor car licences shall be credited to the funds following, viz. :

Disposal of duties.

For licences issued by a Municipal Council, to the Municipal fund ;

For licences issued by a district council, local board, or sanitary board, to the appropriate local fund ;

For licences issued by the Nuwara Eliya Board of Improvement, to the fund of the Board ;

For licences issued by a Government Agent or Assistant Government Agent, to general revenue.

(2) Provided that regulations may provide for the distribution of the proceeds of the duties among the several licensing authorities according to such scheme, in lieu of that contained in sub-section (1), and in such manner as may be specified in the regulations.

(3) A licensing authority shall not issue a motor car licence unless a certificate of registration of the car is produced, or if the particulars specified in the certificate differ in any respect from the particulars appearing in the application for the licence.

Provided that the licensing authority may, if it thinks fit, dispense with production of the certificate of registration when the motor car licence, not being a licence to use the car as a hiring car or lorry, is to be issued by way of renewal of an existing licence and to the same licensee.

34 (1) Where after the issue of a motor car licence the motor car is altered so as to become a motor car for which a motor car licence at a higher rate of duty or of a different class is required, the motor car licence shall become void, but the holder of the licence may apply for a new motor car licence.

Cars becoming subject to a higher duty.

(2) Where the holder of a motor car licence desires to use the motor car for a purpose not authorized by the motor car licence, he may apply for a new licence.

(3) A new licence shall not be issued under this section until the old licence has been surrendered, and there shall be deducted from the duty on the new licence a sum equal to the duty which would have been payable on the old licence if it had been issued on the same day as the new licence, provided that the minimum duty on the new licence shall be five rupees.

Dealer's motor  
car licences.

35 (1) A licensing authority may issue to a dealer in or manufacturer of motor cars carrying on business in his district a dealer's motor car licence which, subject to the provisions of this section and to any other conditions which may be prescribed, shall authorize the use of such number of cars as may be specified in the licence.

(2) A dealer's motor car licence shall authorize the use of a motor car which belongs to the dealer, or is entrusted to him for sale or repair and is being tested or being used for the purposes of effecting a sale. It shall not authorize the carriage of passengers or goods for fee or reward or any passenger not engaged in testing the car or inspecting the car with a view to the purchase of the car.

(3) A motor car sold by a dealer may for the ten days next following the sale be used under the authority of the dealer's motor car licence for any purpose other than as a hiring car.

(4) But unless within three days from the sale application is made by the purchaser for a motor car licence, or, if the car is already licensed, for a transfer of the licence, use of the car under the authority of the dealer's motor car licence shall be deemed to have been and to be unlawful and shall be punishable accordingly.

(5) When a motor car sold by a dealer is used after the sale under the authority of the dealer's motor car licence, the motor car licence subsequently issued for the car shall be expressed to have come into force on the date of the sale, and the fee thereon shall be computed accordingly.

(6) The holder of a dealer's motor car licence shall keep a record in the prescribed form of every occasion when a motor car is used under the authority of the licence, or, if the motor car is sold and used by the purchaser under the authority of the dealer's licence, of the name and address of the purchaser, the date and time when the car was removed, and of the distinctive number on the identification plates attached to the car, and he shall produce the record for inspection whenever requested to do so by any officer of police of or above the rank of sergeant or by any person authorized in writing by the licensing authority.

(7) A dealer's motor car licence remains in force only so long as the holder carries on the business of a dealer in or manufacturer of motor cars in the district for which the licence is issued.

Motor car  
licence to be  
carried on car.

36 (1) A motor car licence, other than a dealer's motor car licence, shall always be carried on the motor car for which it is issued and produced on demand for inspection by a police officer or headman.

(2) The motor car licence shall be carried on the motor car in a weather proof holder having a transparent front placed in a conspicuous position on the near side of the motor car so that the front of the licence may be clearly visible at all times by daylight to a person standing on the near side of the motor car, whether moving or stationary. The exact position may be prescribed by regulation.

#### CHAPTER VI.

##### *Certificates of Competence.*

Issue of  
certificate of  
competence.

37 (1) A person shall not drive a motor car unless he holds a valid certificate of competence to drive a motor car, and a person shall not employ any person to drive a motor car who does not hold such a certificate.

Provided that, for the purpose of being taught to drive, an uncertificated person may drive a motor car, other than a hiring car carrying passengers, if accompanied by a person holding a certificate of competence to drive a motor car and sitting next to the driver.

(2) Certificates of competence shall be issued by or under the direction of the registrar to applicants who pass a driving test to his satisfaction.

(3) Examinations under this section may be conducted by the registrar, or by such persons as the registrar shall from time to time appoint.

(4) A certificate of competence shall not be granted to any person having any physical or mental disability which prevents him from driving in a safe and proper manner.

(5) If it is shown to the satisfaction of a police magistrate that the holder of a certificate of competence has any such disability, the police magistrate shall order the certificate to be produced to him and shall cancel the certificate.

(6) If the registrar or any police magistrate has reason to suspect that any applicant for or holder of a certificate of competence is suffering from any such disability, he may require the applicant or holder to be examined by a registered medical practitioner approved by him and to produce the report of the medical practitioner for his inspection.

(7) A certificate of competence shall not be granted to a person under the age of eighteen years.

(8) A certificate of competence, unless expressed to be valid for all classes of motor car, shall be valid only for the class of car specified therein, but may by endorsement of the certificate by the registrar be extended to any other class of motor car.

(9) For the purposes of this section motor cars are classified as follows, viz. :

- (a) Motor cycles ;
- (b) Cars other than omnibuses, lorries, or steam-driven motor cars ;
- (c) Omnibuses ;
- (d) Lorries ;
- (e) Steam-driven motor cars.

(10) Where the applicant for a certificate of competence is tested only on a motor car not driven by sliding gears, the certificate shall not be valid for cars driven by sliding gears, and a note to that effect shall be made on the certificate. In such case the certificate may, when the holder passes a satisfactory examination on a car driven by sliding gears, be extended by endorsement of the registrar to cars driven by sliding gears.

(11) The examination for competency to drive a steam-driven motor car shall include a test in competency to manage and attend to the boiler and furnace.

(12) A certificate of competence shall not authorize the holder to drive a hiring car unless the certificate is, by endorsement of the registrar, made applicable to such cars.

(13) The registrar may, subject to appeal to the Governor in Executive Council, refuse such endorsement where the holder of the certificate is of bad character.

(14) Such endorsement shall not be granted to a person under the age of 21 years.

(15) Such endorsement shall not be made applicable to an omnibus unless the applicant shows to the satisfaction of the registrar that he has been regularly engaged in driving a motor car for a period of at least 12 months.

(16) A court which convicts the holder of a certificate of an offence which shows him to be unfit to drive a hiring car may order the certificate to be produced and cancel such endorsement.

38 A certificate of competence to drive a motor car granted under any Order-in-Council made under the (Imperial) Motor Car (International Circulation) Act, 1909, or under any law in force in any country to which this section shall be extended by regulation, shall, so long as the certificate is valid in the country in which it was granted, be deemed to be a certificate of competence granted under this Ordinance :

International  
certificates.

Provided that the holder of such a certificate shall, before he drives a motor car in this Island, produce his certificate to the registrar.

Endorsement  
and cancellation  
of certificates.

39 (1) Any court before which a person is convicted of an offence against this Ordinance or any other written law in connection with the driving of a motor car—

(a) may, if the person convicted holds a certificate of competence, suspend the certificate for such time as the court thinks fit, or cancel the certificate and declare the person convicted disqualified for obtaining another certificate for a stated period, and, unless otherwise provided, shall endorse upon the certificate particulars of any order of the court made under this section and also, whether such an order is made or not, particulars of the conviction ;

(b) may, if the person convicted holds a certificate of competence granted in any other country which is deemed to have been granted under this Ordinance, suspend the validity of the certificate in this Island either permanently or for such time as the court thinks fit, and declare the person convicted disqualified for obtaining a certificate of competence in this Island for a stated period, and, unless otherwise provided, shall endorse upon the certificate particulars of any order of the court made under this section and also, whether such an order is made or not, particulars of the conviction ;

(c) may, if the person convicted does not hold a certificate of competence, declare him disqualified for obtaining a certificate for a stated period.

(2) Any person so convicted, if he holds a certificate of competence, shall produce the certificate within such time as the court may direct for the purpose of endorsement or cancellation.

(3) A court which suspends or cancels a certificate of competence, or declares a person disqualified for obtaining a certificate of competence, shall forthwith inform the registrar and shall send to the registrar every suspended or cancelled certificate of competence. At the expiration of a suspension, the registrar shall return the certificate to the owner on demand.

(4) A certificate of competence suspended by the court shall during the term of suspension be of no effect, and a person whose certificate is suspended, or who is declared by the court to be disqualified for obtaining a certificate, shall, during the period of such suspension or disqualification, be disqualified for obtaining a certificate.

Fraudulent  
application for  
certificate.

40 If any person who is disqualified for obtaining or has been refused a certificate of competence applies for or obtains a certificate of competence while he is so disqualified or without disclosing such refusal, or if any person whose certificate has been endorsed or cancelled applies for or obtains another certificate without giving particulars of the endorsement or cancellation, that person shall be guilty of an offence, and any certificate so obtained shall be of no effect.

Production of  
certificate to  
police officer.

41 The driver of a motor car shall always carry his certificate of competence on his person or in the motor car, and forthwith produce it on demand by a police officer or headman and permit the police officer or headman to inspect it.

Saving as  
regards holder  
of driving  
licences.

42 (1) A licence (in this section referred to as a driving licence) to drive a motor car issued under by-laws made under the Vehicles Ordinance, No. 4 of 1916, and in force at the commencement of this Ordinance shall be deemed to be a certificate of competence to drive all classes of motor cars, but shall expire on the date on which it is expressed to expire.

(2) A person having a driving licence in force at the commencement of this Ordinance shall, if the licence has not been at any time suspended or cancelled, be entitled, on application at any time before or within six months after the expiration of the licence and on payment of the prescribed fee, to receive a certificate of competence to drive cars other than omnibuses, lorries, or steam-driven motor cars, without undergoing a driving test.



(3) The registrar may, if he thinks fit, on payment of the prescribed fee, grant without a driving test a certificate of competence to drive all or any classes of motor cars to any person who has at any time held a driving licence.

## CHAPTER VII.

### *Driving Rules.*

43 (1) The driver of a motor car shall observe the provisions of this chapter.

Liability of driver and owner under this chapter.

(2) Section 80 (3) (b) shall not apply to a contravention of this chapter, and the owner of a motor car, not being the driver thereof, shall only be convicted of a contravention of a provision of this chapter, not being specially applicable to the owner, if he has abetted such contravention within the meaning of Chapter V. of the Ceylon Penal Code.

44 (1) In this section "traffic" includes bicycles, tricycles, motor cars, tram cars, vehicles of every description, processions, and bodies of troops, and all animals being ridden, driven, or led, and "overtaking" includes passing or attempting to pass any other vehicle proceeding in the same direction.

Rules of the road.

(2) A motor car meeting or being overtaken by other traffic shall be kept to the left or near side of the road.

A motor car overtaking other traffic shall be kept on the right or off side of such other traffic.

Provided that a tram car or an animal being led or driven may be passed or overtaken on whichever side is the safer.

(3) A motor car being overtaken by other traffic shall be driven so as to allow such other traffic to pass.

(4) A motor car shall not be driven alongside of, or overlapping, or so as to overtake other traffic proceeding in the same direction if by so doing it obstructs any traffic proceeding in the opposite direction.

(5) A motor car shall not be driven so as to cross or commence to cross or be turned in a highway if by so doing it obstructs any traffic.

(6) A motor car proceeding from one highway to another highway shall not be driven so as to obstruct any traffic on such other highway.

(7) A motor car proceeding from a place which is not a highway into a highway, or from a highway into a place which is not a highway, shall not be driven so as to obstruct any traffic on the highway.

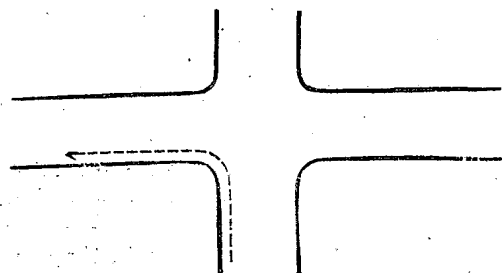
(8) Where two or more highways intersect, regulations may declare which highway is to be considered the main road, and in such case a motor car turning into or crossing the main road shall not be driven so as to obstruct any traffic on the main road. Provided that the prescribed form of warning notice shall always be exhibited.

(9) A motor car shall not be driven so as to overtake other traffic unless the driver has a clear and unobstructed view of the road ahead.

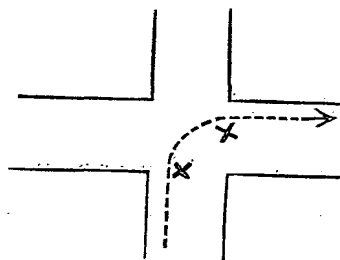
(10) For the purposes of this section, a motor car obstructs other traffic if it causes risk of accident thereto.

(11) Unless otherwise directed by a police officer on duty, a motor car turning into another highway to the left shall be kept close to the left hand side of the road.

Thus :



(12) Unless otherwise directed by a police officer on duty, a motor car turning into another highway to the right shall, where practicable, be driven as indicated in the following diagram :



(13) Notwithstanding anything contained in this section, it shall be the duty of every driver of a motor car to take such action as may be necessary to avoid an accident, and the breach by the driver of a motor car of any provision of this section shall not exonerate the driver of any other motor car from the duty imposed on him by this sub-section.

Reversing.

45 A motor car shall not be permitted to travel backwards further than may be necessary for turning or other reasonable purpose.

Sound warnings.

46 (1) Audible and sufficient warning of the approach or position of a motor car shall be given, whenever necessary for safety, by sounding an efficient instrument, but such instrument shall not be unnecessarily sounded so as to be a nuisance to any person.

(2) No whistle or horn other than a horn sounding a single note shall be used within the limits of an urban area.

When car is to be stopped.

47 On the request of any police officer or headman or of any person in command of a body of troops or having charge of any animal, or if such police officer, headman, or person shall raise his hand as a signal to stop, the motor car shall be immediately stopped and kept stationary so long as may be reasonably necessary.

Duty in case of accident.

48 If, owing to the presence of a motor car on a highway, any accident occurs causing injury to any person, animal, or property, then—

- (i.) The driver of the car shall immediately stop the car ;
- (ii.) The driver of and every person in the car at the time of the accident shall, if so requested by any person injured, or by the owner of or the person in charge of any animal or property injured, or by any police officer or headman, give his name and address ;
- (iii.) If bodily injury has been caused to any person, the driver shall—
  - (a) If the injured person so requests, or is unconscious, or if he appears to be so injured as to endanger life, take him at once to a hospital or medical practitioner, and then forthwith report the accident to the officer in charge of the nearest police station ; and
  - (b) In every other case, at once report the accident to the officer in charge of the nearest police station ;

and every other occupant of the motor car shall within twenty-four hours communicate his name and address to the officer in charge of a police station, stating that he was in the car at the time of the accident.

(iv.) The owner of the motor car, whether present or not at the time of the accident, shall, on demand by any police officer or headman, give all the information in his possession as to the name, address, description, antecedents, and whereabouts of the person driving and the occupants of the motor car at the time of the accident.

49 (1) A motor car shall not be driven from such a position that the driver has not full control of the car, or that he has not a full view of the road and traffic ahead of the motor car.

Position of driver when driving.

(2) The driver of a motor car shall not permit any person to sit beside him in such a manner as in any way to obstruct his view or to hinder him in steering or controlling the car.

(3) No person shall be allowed to sit or stand on the right hand side of the driver of a motor car steered from the right or off side thereof, or on the left hand side of the driver of a motor car steered from the left or near side thereof.

50 (1) No person shall ride on the running boards, wings, or fenders of a motor car or on the outside of the car, except on a properly constructed seat or for the purpose of testing the car during or after repairs.

Riding on outside of car, and pillion riding.

(2) In the case of an omnibus, it shall be the duty of the conductor to prevent the commission of offences under subsection (1), and the driver shall not be responsible for such offences.

(3) The driver of a solo motor cycle shall not carry more than one person at the rear of the motor cycle or any person in front of him on the motor cycle.

51 No person shall, while any motor car is in motion on a highway, distribute any advertisement, leaflet, or hand-bill therefrom.

Distribution of advertisements.

52 (1) A motor car when not in motion shall be placed as close to the side of the road as possible, or in such position as may be indicated by any police officer or headman, or by notice exhibited by the licensing authority, and shall not be placed or be allowed to remain in such a position as to obstruct or to be likely to obstruct traffic.

Motor cars when halted.

(2) The driver of a motor car shall not leave the motor car unattended without having stopped the engine and taken due precautions against its being moved or moving in his absence.

(3) It shall not be lawful to pour any petrol or other fuel into any tank of a motor car or into any receptacle in or on a motor car while the engine is running or when any light, other than an electric light, is alight in or on the motor car, and during any such operation no person shall smoke or light any match in the motor car.

53 (1) Regulations may be made, at the request of the licensing authority concerned, prohibiting, restricting, or regulating the parking of motor cars in an urban area.

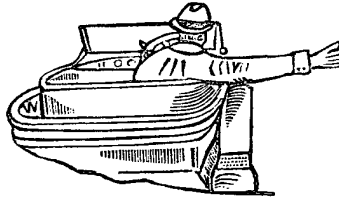
Parking of cars.

(2) In default of or subject to any such regulations, a notice exhibited by the licensing authority of an urban area prohibiting, restricting, or regulating the parking of cars in any highway or part of a highway shall be obeyed, and, unless otherwise provided by the notice, no motor car shall be allowed to remain stationary at a place where the parking of cars is so prohibited or restricted for longer than is necessary to allow passengers to alight or to enter the car.

(3) In a prosecution for an offence against section 52 (1) or for not obeying a notice under subsection (2) of this section, every notice purporting to be by order of a licensing authority shall, unless the contrary is proved, be deemed to have been lawfully exhibited by the licensing authority.

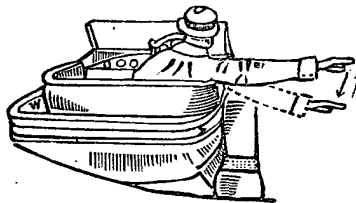
Signals by  
drivers.

54 (1) The driver of a motor car shall, before commencing to turn to, or change direction towards, the right, extend his right arm and hand horizontally straight out from the right or off side with the palm turned to the front, so as to be visible to the drivers of all vehicles concerned, in the manner indicated in the following sketch :

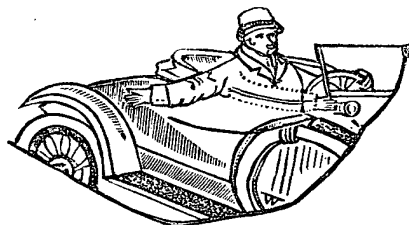


(2) The driver of a motor car may also if he thinks fit—

(a) In order to signal to an overtaking car not to attempt to pass, extend his right arm and hand horizontally straight out from the right or off side of the motor car, with the palm turned downwards, and move the arm up and down in the manner indicated in the following sketch :



(b) In order to signal to an overtaking car to pass, extend his right arm and hand below the level of the shoulder from the right or off side of the motor car with the palm turned to the front, and move the arm back wards and forwards in the manner indicated in the following sketch :



(3) When approaching a police officer on duty at a road junction, the driver of a motor car shall extend his arm in the direction in which he wishes to proceed so as to be visible to the police officer.

(4) The use of additional signals may be prescribed or permitted by regulation.

(5) All or any of the signals prescribed or permitted by this section or by regulation may be given by any mechanical or illuminated device of a type approved by the registrar.

Signals by  
police officers  
to be obeyed.

55 The driver of a motor car shall obey all directions, whether verbal or by signal, given by a police officer in the execution of his duty to stop the car, or to make it slow down, or to pass on any indicated side of the police officer, or to keep to any indicated line of traffic.

Notices of  
licensing  
authority and  
Public Works  
Department to  
be obeyed.

56 (1) The driver of a motor car shall obey all notices intended to apply to motor cars which may be erected or exhibited in any highway or so as to be visible from a highway by the order of the licensing authority, and also all notices which may be erected or exhibited in any highway or so as to be visible from any highway by the order of the Public Works Department prohibiting, restricting, or regulating traffic over bridges or sections of road which are in a dangerous condition, or in course of repair, construction, or reconstruction.

Provided that regulations may be made restricting or regulating the erection and exhibition of notices under this section.

(2) In a prosecution for an offence, every notice purporting to be by order of a licensing authority or the Public Works Department shall, unless the contrary is proved, be deemed to have been erected or exhibited by the order of the licensing authority or the Public Works Department, as the case may be.

(3) Except as aforesaid, no person shall exhibit, erect, or maintain in a highway or so as to be visible from a highway any notice appearing to be intended for the guidance of motor cars, except with the sanction of the licensing authority and in accordance with any regulations made under this section.

57 (1) If any person—

- (a) Drives a motor car when intoxicated by alcohol or any drug ; or
- (b) Being under the influence of alcohol or any drug, drives a motor car recklessly or negligently or in a dangerous manner or at a dangerous speed ;

Drunkenness  
and reckless  
driving.

he shall—

- (i.) On conviction by a District Court be liable to a fine not exceeding two thousand rupees or to imprisonment of either description for a term not exceeding two years or to both such fine and imprisonment ; or
- (ii.) On summary conviction by a police magistrate, be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term not exceeding one year or to both such fine and imprisonment.

(2) If any person drives a motor car recklessly or in a dangerous manner or at a dangerous speed, he shall on summary conviction by a police magistrate be liable to a fine not exceeding five hundred rupees.

(3) If any person drives a motor car negligently, he shall on summary conviction by a police magistrate be liable to a fine not exceeding two hundred rupees.

#### CHAPTER VIII.

##### *Restriction on use of Highways and Speed Limits.*

58 (1) Regulations may be made, as respects the whole Island or any specified area or highway, prohibiting, restricting, or regulating the use of all or any class of motor cars on any specified area or highway or part of a highway so far as prohibition, restriction, or regulation is necessary for the safety or convenience of the public or the prevention of injury to or excessive wear of any highway or bridge.

Regulations for  
restriction of  
motor traffic.

(2) Any by-law made under the Vehicles Ordinance, No. 4 of 1916, prohibiting, restricting, or regulating the use of motor omnibuses or lorries and in force at the commencement of this Ordinance shall be deemed to be a regulation made under this section.

[Vol. III., p. 363.]

59 (1) A motor car shall not be driven—

- (a) Outside an urban area, at a greater speed than thirty miles per hour ; or
- (b) In any urban area, at a greater speed than twenty miles per hour ; or
- (c) Being an omnibus outside an urban area, at a greater speed than twenty miles per hour ; or
- (d) Being an omnibus within an urban area, at a greater speed than fifteen miles per hour ; or

Speed limits.

- (e) Being a lorry having a tare exceeding thirty hundred-weights, at a greater speed than fifteen miles per hour; or
  - (f) Being a motor car outside Colombo having a tare exceeding one and a half tons, and crossing a bridge, at a greater speed than eight miles per hour; or
  - (g) Being on any highway or part of a highway for which any speed limit is prescribed by regulation, at a greater speed than that prescribed.
- (2) Regulations may be made prescribing speed limits more stringent than those enumerated in sub-section (1) for all or any classes of motor cars on all or any highways or any part of a highway.

## CHAPTER IX.

*Provisions applicable to Hiring Cars and Lorries.*

Periodical  
examination of  
hiring cars  
and lorries.

60 (1) A motor car licence to use a hiring car or lorry shall not be issued unless the car has, at a date not more than one month before the date on which the licence is to take effect, been examined and certified to be fit for the purpose for which it is to be licensed by an examiner.

(2) The examiner shall charge the prescribed fees which shall be paid into general revenue.

(3) Any licensing authority within whose jurisdiction a hiring car or lorry is used, and who has reason to suspect that the car has ceased to be fit for the purpose for which it is licensed, may order that the car be produced for examination by an examiner at a specified time and place.

(4) If the order is not obeyed, the licensing authority may in its discretion prohibit the use of the hiring car or lorry as such until the order is obeyed.

(5) If on examination the hiring car or lorry is found to be unfit for the purpose for which it is licensed, the licensing authority shall order that the hiring car or lorry shall not be used as such until all necessary repairs, adjustments, or alterations have been effected to the satisfaction of the examiner.

(6) Where an examiner finds a hiring car or lorry to be unfit for use as such by reason of remediable defects, he shall inform the owner and the registrar, and if such defects are subsequently remedied to his satisfaction, he shall issue a certificate of fitness accordingly.

(7) Where an examiner finds a hiring car or lorry to be unfit for use as such by reason of irremediable defects, he shall inform the licensing authority and also the registrar, and the owner shall not, without the written consent of the registrar, apply to have the motor car examined by any other examiner.

(8) A motor car licence to use a hiring car or lorry may contain any conditions reported by the examiner to be necessary in the interests of safety.

(9) Regulations may prescribe the method of examination and the tests to be applied by examiners in examining and reporting on hiring cars.

(10) The registrar may from time to time appoint suitable persons to be examiners for the purposes of this Ordinance, and allot one or more examiners to the area of any licensing authority.

(11) An examiner shall not examine a hiring car or lorry for the purposes of this section except at the request of a licensing authority in whose area the car or lorry is usually kept.

(12) The decision of an examiner that a hiring car or lorry is fit for use shall be final. His decision that a hiring car or lorry is unfit for use shall be subject to appeal to a person to be nominated by the Director of Public Works.

61 (1) No licence to use a motor car as a hiring car or lorry shall be issued or remain in force unless the person for the time being registered as owner of the motor car—

Compulsory  
insurance  
against third  
party risks.

- (a) Is indemnified by an insurance policy in an office approved by the Governor against all sums which the owner shall become liable to pay for compensation on account of injury to person or property caused by the motor car during the term of the licence; or
  - (b) Has deposited with the licensing authority the prescribed sum (in this Ordinance called "the insurance fund") as security for the payment of any compensation which the owner of the motor car may become liable to pay on account of any injury to person or property caused by the motor car during the term of the licence.
- (2) Provided that the licensing authority may, if it thinks fit, accept in lieu of a deposit of the whole or any part of the insurance fund a personal bond by the owner with one or more sureties for the payment of the insurance fund to the licensing authority on demand.
- (3) Every policy of insurance shall be in the prescribed form or in a form approved by the registrar.
- (4) For the purposes of this section, injury is caused by a motor car if it is caused by, through, or in connection with, the motor car or the use of the motor car; and "injury to person" includes death.
- (5) The prescribed sum shall be—
- (a) 2,500 rupees for the first or only hiring car belonging to the licensee, and 500 rupees for every other hiring car belonging to the same licensee; and
  - (b) 2,500 rupees for the first or only lorry belonging to the licensee, and 250 rupees for every other lorry belonging to the same licensee.
- (6) Any person who claims compensation from the owner of a hiring car or lorry on account of any injury to person or property caused by the motor car may apply to the District Court having jurisdiction at the place where the incident giving rise to the claim occurred for an award of compensation out of the insurance fund.
- (7) The District Court shall then hold an inquiry into the facts, and, after giving the owner of the motor car and all persons appearing to have a claim for compensation an opportunity of being heard, shall award such compensation (if any) as the court considers to be legally due, whether to the original claimant or any other person, from the owner and shall order such compensation to be paid out of the insurance fund, *pro rata*, if the fund be insufficient, and every such order shall be obeyed by the licensing authority.
- (8) An award of compensation under this section shall be deemed to be a judgment of the court and, so far as the insurance fund is insufficient, may be enforced accordingly.
- (9) When an order is made for payment of compensation out of the insurance fund, then, unless within seven days after the date of the order the amount so ordered to be paid is deposited by the owner of the motor car with the licensing authority, the licence to use the motor car which caused the injury shall cease to be operative until the amount is so deposited.
- (10) When the motor car licence expires or otherwise ceases to be in force, the insurance fund or so much thereof as has not been paid out under this section shall be repaid to the person entitled thereto. But the licensing authority may, if it thinks fit, retain the whole or any part of the fund until it is satisfied that there is no unsatisfied claim for compensation which can be made against the fund.
- (11) Seizure of an insurance fund by a judgment creditor or the bankruptcy or insolvency of the owner of the motor car shall not affect any rights to compensation out of the fund conferred by this section, whether the injury occurs before or after the seizure or bankruptcy.

(12) This section shall not come into operation until the Governor in Executive Council, being satisfied that the required insurance can be obtained at reasonable rates, declares by regulation that it shall come into operation. The Governor in Executive Council may by regulation suspend the operation of this section if at any time he considers that the required insurance cannot be obtained at reasonable rates, and may by regulation extend the operation of this section to all or any other class of motor cars.

**Load of lorries.**

62 (1) It shall not be lawful for a load exceeding the maximum load which a lorry is licensed to carry to be carried in the lorry.

(2) For the purposes of this section, each person carried in a lorry shall be deemed to weigh one hundred and twelve pounds.

(3) No person shall be carried in a lorry other than the owner or hirer of the lorry or of the goods carried therein or the servant or agent of the owner or hirer.

**Seating accommodation.**

63 (1) In computing the number of persons to be carried on a hiring car, fifteen inches of seat shall be allowed for each person, and each person shall be deemed to weigh one hundred and twenty pounds. The safe load shall be computed in such manner as may from time to time be directed by regulation.

Provided that where the least distance between the front edge of the rear seat and the back of the front seat of a motor cab exceeds two feet the examiner may in his discretion allow one or two persons to be carried in addition to those for whom seating accommodation is provided.

(2) A motor cab shall not by reason only of the allowance of such additional persons be considered to be an omnibus, or become subject to a higher licence duty.

(3) If there are found in any hiring car more persons than the car is licensed to carry, then the driver of the car, not being an omnibus, and the conductor of the car, being an omnibus, shall be guilty of an offence.

(4) If any person being requested by the conductor or driver of a hiring car not to enter the car enters or attempts to enter the car when carrying the full number of persons which it is licensed to carry, he shall be guilty of an offence.

(5) For the purposes of this section, a child under five years of age and not occupying a seat shall not be counted, and two children over five years of age but under ten years of age shall be counted as one person.

**Touting.**

64 No owner, driver, or conductor, or person acting on behalf of the owner, driver, or conductor of a hiring car plying for hire shall—

(1) Speak, make any noise, or sound any instrument in order to attract the attention of the public or of a possible passenger; or

(2) Act so as to cause annoyance or inconvenience to any person.

**Hiring cars to be kept clean.**

65 Every hiring car plying for hire shall be kept in a clean and sanitary state.

**Spare wheels.**

66 Every hiring car plying for hire fitted with two or more pneumatic tyres shall carry at least one spare inflated tyre affixed to a rim, spare wheel, or other device capable of being quickly fitted to a wheel or axle.

**Legal fares.**

67 (1) Regulations may be made prescribing the fares which it shall be lawful to demand from passengers on a hiring car plying for hire.

(2) An easily legible table of any fares so prescribed shall be conspicuously posted inside the hiring car in English, Sinhalese, and Tamil.

(3) The owner, driver, or conductor of a hiring car shall not exact or demand more than the prescribed fare or more than any smaller fare agreed upon with the hirer.



(4) An agreement to pay a fare larger than the prescribed fare shall not be binding on the hirer, and any sum paid by or on behalf of the hirer to the owner, driver, or conductor of the hiring car in excess of the prescribed fare shall be recoverable by the hirer.

(5) On the conviction of any person for a contravention of the provisions of sub-section (3), the magistrate may, in addition to imposing a fine, order the repayment of any sum paid to the accused in excess of his legal fare. Such sum shall be recoverable as a fine, and imprisonment may be imposed in default of payment.

(6) Any passenger in an omnibus who has paid his fare may, if the omnibus fails to reach its destination within a reasonable time owing to a breakdown or any fault or neglect of the owner or his servant, recover the whole fare paid by him.

(7) Where a fare is recoverable under sub-section (6), it shall be the duty of the person who received the fare to repay it to the passenger on demand. If he fails to do so, a magistrate may on summary conviction order him to repay the fare, in addition to any other fine to which he may be liable, and the amount of the fare shall then be recoverable as a fine, and imprisonment may be imposed in default of payment.

(8) Nothing in this section shall affect any civil remedy for the recovery of any fare or part of a fare which may be recoverable under the provisions of this section.

68 (1) The conductor or driver of a hiring car shall, after the completion of a journey, carefully search for any property left in the car, and shall without undue delay take the same, if not claimed by the owner, to the nearest police station.

Lost property.

(2) Any such property, if claimed by the owner within one month after the date on which it was brought to the police station, shall be delivered to the owner on paying to the registrar or officer appointed by the registrar to receive the same a reward for the finder equal to one-tenth of the value of the property, provided that the reward shall not be less than fifty cents or more than fifty rupees. In the event of any dispute as to the value of the property, the decision of the registrar shall be final.

(3) If any such property is not claimed and removed by the owner within the period aforesaid, the property shall be sold by public auction in accordance with the directions of the registrar, and the nett proceeds, after deducting all expenses and the reward for the finder, shall be paid into general revenue.

(4) The reward shall be paid over to the finder of the property. In the event of any dispute as to the disposal of the reward, the decision of the registrar shall be final.

69 (1) If any person fails to pay any sum not exceeding one hundred rupees due from him for accommodation in a hiring car hired when plying for hire on demand by the owner of the car or the person authorized by the owner to receive such sum, or wilfully injures any hiring car hired when plying for hire, the sum or damages due may be recovered summarily before a police magistrate having jurisdiction in the place where the hiring of the accommodation commenced or ended or the injury occurred, and the magistrate may, if he thinks, award costs and also reasonable compensation for the loss of time incurred by the owner, driver, or conductor in attending court.

Recovery of fares.

(2) Any person dissatisfied with an order made by a police magistrate under this section may prefer an appeal to the Supreme Court in like manner as if the order was a final order pronounced by a police court in a criminal case or matter, and sections 338 to 352 (inclusive) of the Criminal Procedure Code, 1898, shall apply to such appeal.

Regulations as  
to hiring cars.

**70** (1) Regulations may be made prohibiting, restricting, and regulating the use of all or any hiring cars, either generally or as respects any specified area or highway or part of a highway or all or any highways in any specified area, and, in particular,—

- (a) As to the construction and equipment of all or any hiring cars, including the compulsory use of taximeters;
- (b) Requiring the routes to be used by an omnibus plying for hire to be approved;
- (c) Restricting the number of omnibuses which may ply for hire on a specified route;
- (d) Requiring omnibuses to be run between specified places according to a specified time table;
- (e) Regulating the conduct of drivers of hiring cars;
- (f) Restricting the number of hours during which it shall be lawful for the driver of a hiring car to drive the car during any one day or week or other period; and
- (g) Imposing fees for the use of any public stand provided or allotted for the use of hiring cars.

(2) Any by-laws made before the commencement of this Ordinance prohibiting or restricting the use of omnibuses on any highway shall be deemed to have been made under this section.

Regulations in  
Fourth  
Schedule.  
[Fourth  
Schedule.]

**71** The provisions as to hiring cars contained in the Fourth Schedule shall have effect, but may be altered or added to by regulation.

#### CHAPTER X.

##### *Supplementary.*

Regulation of  
petrol pumps.

**72** Regulations may be made, at the request of any licensing authority, permitting and regulating the construction and operation on highways of pumps or other devices for the supply of petrol or other fuel for motor cars, and imposing fees for the privilege, and providing for the recovery and disposal of such fees, and for inspecting and testing the accuracy of such pumps or devices, whether erected on a highway or elsewhere, and imposing fees for such inspection or testing and for the disposal of such fees.

Fees.

[Second  
Schedule.]

[No. 14 of 1925.]

**73** (1) The several fees specified in the Second Schedule shall be chargeable and, unless otherwise prescribed by regulation, or under the Revenue Collection Ordinance, 1925, shall be collected by means of revenue stamps to be provided by the applicant, and to be cancelled by the registrar or licensing authority concerned.

(2) No fee shall be payable in respect of the registration of a motor car belonging to the Crown or the Government of Ceylon.

Forms.

[Third  
Schedule.]

**74** The forms contained in the Third Schedule shall be used, with such modifications as may be approved by the registrar or authority concerned to meet particular cases. The said forms may be altered, and new forms may be prescribed, by regulation.

Verification of  
facts in  
applications.

**75** Any person or authority to whom application is made for anything to be done under this Ordinance may require any facts stated in the application, and any other necessary information to be verified to his satisfaction.

Duty of owner  
to give  
information as  
to driver and  
occupants of  
car.

**76** Where any police officer or headman has reason to suspect that an offence in connection with a motor car has been committed, it shall be lawful for him or any other police officer or headman to require the owner of the motor car to give all information in his possession as to the name, address, description, antecedents, and whereabouts of the person driving and the occupants of the motor car at the time of the alleged offence.

Giving false  
information  
an offence.

**77** If any person in or in connection with an application for a motor car licence or registration of a motor car, or a certificate of competence or the endorsement of such a certificate, or any change or correction in a motor car licence or the registration of a motor car or in giving any

information lawfully demanded or required under this Ordinance or any regulation makes any statement which to his knowledge is false or in any material respect misleading, he shall be guilty of an offence, and on conviction by a police magistrate shall be liable to a fine not exceeding five hundred rupees, or to imprisonment of either description for a period not exceeding six months, or to both such fine and imprisonment.

78 (1) Any authority or person having power to issue any certificate or licence under this Ordinance shall, on proof to his satisfaction that such certificate or licence has been lost or destroyed, and on payment of the prescribed fee, issue a duplicate of the certificate or licence to the person entitled thereto.

Duplicate licences and certificates.

(2) The fee for a duplicate issued by a licensing authority shall be credited to the same fund as are the duties on motor car licences issued by the same authority.

79 Unless otherwise provided by this Ordinance or by regulation, this Ordinance shall apply to persons and motor cars in the public service.

Ordinance to apply to persons and motor cars in public service.

80 (1) If any motor car is used which does not comply with or contravenes any provision of this Ordinance or of any regulation, or of any order lawfully made under this Ordinance or any regulation; or

Liability of driver and owner for offences.

(2) If any motor car is used in such a state or condition or in such a manner as to contravene any such provision; or

(3) If anything is done or omitted in connection with a motor car in contravention of any such provision; then, unless otherwise expressly provided by this Ordinance,—

(a) The driver of the motor car at the time of the offence shall be guilty of an offence unless the offence was not due to any act, omission, neglect, or default on his part; and

(b) The owner of the motor car shall also be guilty of an offence, if present at the time of the offence, or, if absent, unless the offence was committed without his consent and was not due to any act or omission on his part, and he had taken all reasonable precautions to prevent the offence.

81 Whoever fraudulently imitates, alters, or uses, or fraudulently lends or allows to be used by any other person any identification plate, motor car licence, certificate of registration, or certificate of competence issued or deemed to have been issued under this Ordinance shall be guilty of an offence, and on conviction by a police magistrate shall be liable to a fine not exceeding five hundred rupees, or to imprisonment of either description for a period not exceeding six months, or to both such fine and imprisonment.

Fraudulent imitation of licences, &c.

82 Any person who contravenes any provision of this Ordinance or any regulation, or fails to comply with any order, demand, requirement, or direction lawfully issued, made, or given under this Ordinance or any regulation, shall be guilty of an offence.

Contravention of Ordinance or regulation an offence.

83 Any person who attempts to commit or abets the commission of an offence shall himself be guilty of the same offence.

Attempts and abetment.

84 Any person guilty of an offence shall, unless some other punishment is provided, be liable on conviction by a police magistrate to a fine not exceeding one hundred rupees, or, in the case of a second or any subsequent conviction, to a fine not exceeding two hundred rupees.

General penalty.

85 If by reason of an offence against this Ordinance any injury is caused to any highway or bridge, the authority responsible for the repair of the highway or bridge may cause such injury to be made good, and may, either before or after the injury is made good, recover the estimated or actual cost thereof from the owner of the motor car causing the injury.

Recovery of damage to highway or bridge.

Certificate of examination to be admissible in evidence.

86 If in any proceedings under this Ordinance any question arises whether a motor car does or does not comply with any provision of this Ordinance or any regulation, the certificate of any person appointed by the Governor by notice in the *Gazette* to act for the purposes of this section that he has examined the car and as to the result of his examination shall be admissible in evidence and shall be sufficient *prima facie* evidence of any fact or opinion stated therein relating to the matter in question, and the court shall not permit the officer to be called for cross-examination on the certificate unless contrary evidence is given which appears to the court to be credible, or unless for any reason the court considers cross-examination to be necessary in the interests of justice.

Regulations to be laid before Legislative Council.

87 All regulations shall, as soon as conveniently may be, be laid before the Legislative Council, and may, at any of the next following three meetings, be rescinded by resolution of the Legislative Council, but without prejudice to anything already done thereunder, and if not so rescinded shall be deemed to be valid.

Reprinting of Ordinance.

88 (1) This Ordinance may be reprinted from time to time by order of the Governor in Executive Council, together with all amendments, additions, and alterations which may have been made thereto by the Legislative Council or by regulations under any powers contained in this Ordinance, and any copy of this Ordinance so reprinted shall be deemed for all purposes to be a correct copy of the Ordinance as so amended, added to, or altered at the date of such reprinting, provided that it purports to have been printed by the Government Printer by order of the Governor in Executive Council.

[Vol. III., p. 363.]

(2) All by-laws, orders, rules, and regulations relating to motor cars made under the Vehicles Ordinance, No. 4 of 1916, are hereby revoked except as mentioned in sections 6 and 58.

Repeals and amendments. [Fifth Schedule.]

89 The repeals and amendments in the Fifth Schedule shall have effect.

[S. 32.]

#### FIRST SCHEDULE.

##### DUTIES ON MOTOR CAR LICENCES.

###### Passenger Cars other than Hiring Cars.

	Rs.	c.
For a yearly licence for a motor cycle with or without a trailer or side car .. ..	10	0
For a yearly licence for a motor car or trailer constructed wholly or mainly for carrying passengers, the tare whereof—		
(a) Does not exceed 5 cwt. .. ..	10	0
(b) Exceeds 5 cwt., but does not exceed 10 cwt. .. ..	20	0
(c) " 10 " " 15 " " .. ..	30	0
(d) " 15 " " 20 " " .. ..	35	0
(e) " 20 " " 25 " " .. ..	40	0
(f) " 25 " " 30 " " .. ..	50	0
(g) " 30 " " 35 " " .. ..	75	0
(h) " 35 " " 40 " " .. ..	100	0
(i) " 40 " " 45 " " .. ..	150	0
(j) " 45 " " 50 " " .. ..	200	0
(k) " 50 cwt. " " .. ..	250	0

###### Hiring Cars.

For a yearly licence for a motor car or trailer constructed wholly or mainly for carrying passengers—

- (a) Where the car or trailer is licensed to carry not more than seven passengers, Rs. 20 for each such passenger.
- (b) Where the car or trailer is licensed to carry more than seven passengers, Rs. 10 for each such passenger, with a minimum fee of Rs. 160.

N.B.—The driver and, in the case of an omnibus, the conductor are not to be counted as passengers.

## Lorries and Tractors.

For a yearly licence for a lorry or tractor whether used for fee, or reward, or not, the tare whereof—

	Rs.	c.
(a) Does not exceed 15 cwt. ..	30	0
(b) Exceeds 15 cwt., but does not exceed 20 cwt. ..	40	0
(c) " 20 " ..	25	0
(d) " 25 " ..	30	0
(e) " 30 " ..	35	0
(f) " 35 " ..	40	0
(g) " 40 " ..	50	0
(h) " 50 " ..	60	0
(i) " 60 " ..	70	0
(j) " 70 " ..	80	0
(k) " 80 " ..	90	0
(l) " 90 " ..	100	0
(m) " 100 cwt. ..	300	0

Each trailer three-fifths of above rates.

Licences for motor ploughs and harrows and for motor cars proved to the satisfaction of the licensing authority to be used exclusively for hauling or propelling ploughs or harrows are exempt from duty.

## Cars not equipped with Rubber Tyres.

The duties on motor car licences for passenger cars, hiring cars, lorries, tractors, and trailers not equipped with rubber tyres on all the wheels shall be double the rates specified above.

## Dealer's Motor Car Licence.

	Rs.	c.
For a yearly dealer's motor car licence ..	10	0

## SECOND SCHEDULE.

## Fees to be charged.

	Rs.	c.
On first registration of a motor car ..	10	0
On first registration of a motor cycle ..	2	50
On assigning a distinctive number for a dealer's motor car licence, per number ..	2	0
On registering a new owner of a motor car ..	5	0
On registering a new owner of a motor cycle ..	2	50
On registering a nominee of a motor car or re-registering an owner on his return to Ceylon ..	2	50
On application for certificate of competence ..	5	0
On certificate of competence ..	10	0
On application for extension of certificate of competence to another class of car ..	5	0
For the issue of a duplicate certificate of competence ..	15	0
For the issue of a duplicate of any other document ..	5	0
For examination of a motor cab ..	10	0
For examination whether defects of a motor cab have been removed ..	5	0
For examination of an omnibus or lorry ..	20	0
For examination whether defects of an omnibus or lorry have been removed ..	10	0
For an appeal from an examiner (to be paid to the person hearing the appeal) ..	20	0

[S. 73.]

## THIRD SCHEDULE.

## FORMS.

## 1.—Register of Motor Cars.

[S. 74.]

The register shall be in any convenient form containing the following particulars and any other particulars which the registrar may consider expedient :—

Distinctive number :  
 Make or name of manufacturer :  
 Type and manufacturer's number of chassis :  
 Type and manufacturer's number of engine :  
 Tare :  
 Type and colour of body :  
 Number of seats :  
 Purpose for which car will be used :  
 Place where car will usually be kept :  
 Date of registration :  
 Name and address of owner :  
 Transfers :

## 2.—Particulars to be given by Applicant for the Registration of Motor Car.

I, \_\_\_\_\_ of \_\_\_\_\_, hereby declare that I am entitled to the possession of the motor car described below, and apply to be registered as the owner thereof :—

- (1) Description or type of car : <sup>2</sup>
- (2) Type<sup>3</sup> and colour of body of car : <sup>4</sup>
- (3) Manufacturer's number of chassis :
- (4) Manufacturer's number of engine :
- (5) Tare : <sup>5</sup>
- (6) Purpose for which car will be used :—
  - (a) Private use—conveyance of persons.
  - (b) Conveyance of goods.
  - (c) Motor cab.
  - (d) Motor omnibus.
- (7) Place where car will usually be kept :
- (8) The certificate of registration should be sent to me at : <sup>6</sup>

And I hereby declare that the above-described motor car has not previously been registered in Ceylon (or as may be), and that the above particulars are true and accurate in every respect.

Dated : \_\_\_\_\_, 192—.

(Signature of Applicant.)

Revenue Stamp of Rs. 10 for a motor car or Rs. 2.50 for a motor cycle to be affixed by applicant.
--

<sup>1</sup> Write full name and address in capitals.

<sup>2</sup> Write the horse power, make, and manufacturer's name.

<sup>3</sup> Write whether the body is touring, tonneau, dogcart, torpedo, buggy shaped, charabanc, &c.

<sup>4</sup> In case of motor cycle, particulars under this head need not be given.

<sup>5</sup> (1) Except in the case of motor cycle, the entry shall be supported by a certificate signed by the manager of the manufacturing firm, or by their agents in Ceylon, or by the manager or agents of the shipping company by which the motor car was imported, stating its weight ; or by a certificate from an officer of the Public Works Department, or from a manager of a firm of engineers in Ceylon, stating that he has weighed the motor car, and specifying the weight so ascertained.

(2) The "tare" means the actual weight of a motor car fully equipped, but unladen, and excluding the weight of any water or fuel but including the weight of accumulators.

<sup>6</sup> Address to be written in capitals.

Note.—If this form, with stamps affixed, is sent by post, it should be sent registered.

## 3.—Certificate of Registration.

(Copy of particulars from Register.)

Certified to be a true copy of the registered particulars of motor car No. \_\_\_\_\_.

Dated : \_\_\_\_\_, 192—.

(Signature.)

## 4.—Notice of Change of Possession of Car.

To the Registrar of Motor Cars.

Take notice that on the <sup>1</sup>\_\_\_\_\_, I <sup>2</sup>\_\_\_\_\_, transferred the possession of motor car <sup>3</sup>\_\_\_\_\_ to <sup>4</sup>\_\_\_\_\_.

[Third Schedule.]

I enclose herewith the motor car licence for the car.

Dated : \_\_\_\_\_, 192—.

(Signature.)

<sup>1</sup> Date of transfer.<sup>2</sup> Name and address.<sup>3</sup> State distinctive number and, where the car was registered before January 1, 1928, the number of the engine and of the chassis must also be given.<sup>4</sup> Write name and address of transferee in capitals.

## 5.—Application for Registration of a Motor Car on Transfer

To the Registrar of Motor Cars.

Consequent on a transfer from <sup>1</sup>\_\_\_\_\_, I, <sup>2</sup>\_\_\_\_\_, hereby apply to be registered as the owner of motor car <sup>3</sup>\_\_\_\_\_, and I enclose the certificate of registration thereof:—

(a) The present colour of body of car : <sup>4</sup>

(b) Purpose for which car will be used:—

- (1) Private use—conveyance of persons.
- (2) Conveyance of goods.
- (3) Motor cab.
- (4) Motor omnibus.

(c) Place where car will usually be kept :

The motor car licence and certificate of registration should be sent to me at : <sup>5</sup>

Dated : \_\_\_\_\_, 192—.

(Signature.)

Revenue Stamp of Rs. 5 for a motor car or Rs. 2.50 for a motorcycle. to be affixed by applicant.
---

<sup>1</sup> Name of former owner.<sup>2</sup> Full name and address of applicant to be written in capitals.<sup>3</sup> Distinctive number and, where the car was registered before January 1, 1928, the number of the engine and the chassis.<sup>4</sup> In the case of motor cycle, particulars under this head need not be given.<sup>5</sup> Address to be written in capitals.

*Note.*—If this form, with stamps affixed, is sent by post, it should be sent registered.

## 6.—Intimation to accompany Motor Car Licence and Certificate of Registration of Deceased Owner.

To the Registrar of Motor Cars.

I, <sup>1</sup>\_\_\_\_\_, enclose herewith the motor car licence and certificate of registration of motor car <sup>2</sup>\_\_\_\_\_ of <sup>3</sup>\_\_\_\_\_ who died on <sup>4</sup>\_\_\_\_\_, at <sup>5</sup>\_\_\_\_\_.

Dated : \_\_\_\_\_, 192—.

(Signature.)

<sup>1</sup> Name and address of informant in capitals.<sup>2</sup> Distinctive number and, where the car was registered before January 1, 1928, the number of the engine and of the chassis.<sup>3</sup> Name of deceased.<sup>4</sup> Date of death.<sup>5</sup> Place of death.

## 7.—Application for Registration of Car consequent on Death

To the Registrar of Motor Cars.

Consequent on the death on the \_\_\_\_\_ day of \_\_\_\_\_ of \_\_\_\_\_, the registered owner of motor car <sup>2</sup>\_\_\_\_\_, I, <sup>3</sup>\_\_\_\_\_ as <sup>4</sup>\_\_\_\_\_ of the deceased, apply to be registered as the owner of the said motor car.

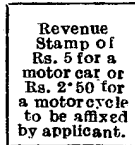
[Third Schedule.] And I enclose the certificate of registration and motor car licence of the said car :—

- (a) Present colour of body of car : <sup>5</sup>  
 (b) Purpose for which car will be used :—  
 (1) Private use—conveyance of persons.  
 (2) Conveyance of goods.  
 (3) Motor cab.  
 (4) Motor omnibus.

(c) Place where car will usually be kept :

Dated : ———, 192—.

(Signature:)



*N.B.*—If the car is transferred by the executor or administrator, he shall give notice of the transfer, and the new owner should apply to be registered.

<sup>1</sup> Name and address of the deceased owner.

<sup>2</sup> Distinctive number and, where the car was registered before January 1, 1928, the number of the engine and of the chassis.

<sup>3</sup> Name and address of applicant in capitals.

<sup>4</sup> Whether executor or administrator, or other capacity, *e.g.*, legatee or next of kin.

<sup>5</sup> In the case of motor cycle, particulars under this head need not be given.

*Note.*—If this form, with stamps affixed, is sent by post, it should be sent registered.

### 8.—Application for Registration of Nominee of Owner leaving Ceylon.

To the Registrar of Motor Cars.

In view of my approaching departure from Ceylon, I, the registered owner of motor car <sup>1</sup> ———, hereby nominate <sup>2</sup> ——— to be registered as the owner of the said motor car during my absence from Ceylon, such registration to take effect as from the ——— day of ———.

I enclose the certificate of registration and motor car licence.

Dated : ———, 192—.

(Signature of Owner.)

I hereby consent to be registered as the owner of the above-mentioned car.

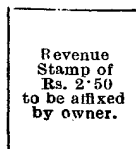
- (a) Present colour of body of car : <sup>3</sup>  
 (b) Purpose for which car will be used :—

- (1) Private use—conveyance of persons.  
 (2) Conveyance of goods.  
 (3) Motor cab.  
 (4) Motor omnibus.

(c) Place where car will usually be kept :

Dated : ———, 192—.

(Signature of Nominee.)



<sup>1</sup> Distinctive number and, where the car was registered before January 1, 1928, the number of the engine and of the chassis.

<sup>2</sup> Name and address of nominee in capitals.

<sup>3</sup> In the case of motor cycle particulars under this head need not be given.

*Note.*—If this form, with stamps affixed, is sent by post, it should be sent registered.



9.—Application for Re-registration of Owner returning [Third Schedule.]  
to Ceylon.

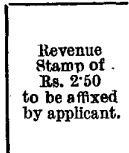
To the Registrar of Motor Cars.

Consequent on my return to Ceylon, I, \_\_\_\_\_, hereby apply for re-registration as the owner of motor car <sup>1</sup>\_\_\_\_\_. And I enclose the certificate of registration and motor car licence for the said car. The car will be kept at <sup>2</sup>\_\_\_\_\_.

The said certificate and motor car licence should be sent to \_\_\_\_\_.

Dated : \_\_\_\_\_, 192—.

(Signature of Nominee.)



<sup>1</sup> Distinctive number and, where the car was registered before January 1, 1928, the number of the engine and of the chassis.

<sup>2</sup> State where car will usually be kept.

*Note.*—If this form, with stamps affixed, is sent by post, it should be sent registered. The registrar may if he thinks fit require the nominee to endorse his consent to the re-registration. The application may also be made by the nominee instead of the owner, the form being altered accordingly.

10.—Application for Motor Car Licence for all Cars  
except Motor Cabs, Omnibuses, or Lorries.

To the Licensing Authority for \_\_\_\_\_.

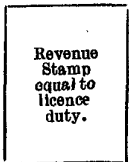
I, \_\_\_\_\_, being the registered owner of motor car <sup>2</sup>\_\_\_\_\_, enclose the certificate of registration of the said motor car, and hereby apply for a motor car licence for the said motor car to be used as a motor car constructed wholly or mainly for carrying passengers.

The car will usually be kept at \_\_\_\_\_.

The licence should be sent to \_\_\_\_\_.

Dated : \_\_\_\_\_, 192—.

(Signature.)



<sup>1</sup> Name in full.

<sup>2</sup> Distinctive number of motor car and, where the car was registered before January 1, 1928, the number of the engine and of the chassis.

*N.B.*—Where the application is for the renewal of an existing licence by the same licensee, the certificate of registration should not be enclosed unless asked for by the licensing authority.

11.—Application for Motor Car Licence for Motor Cab.

To the Licensing Authority for \_\_\_\_\_.

I, \_\_\_\_\_, being the registered owner of motor car <sup>2</sup>\_\_\_\_\_, enclose the certificate of registration for the said motor car and also a copy of the said certificate, and hereby apply for a motor car licence to use the said motor car as a motor cab to carry <sup>3</sup>\_\_\_\_\_ passengers in addition to the driver.

The car will be used to ply for hire in <sup>4</sup>\_\_\_\_\_.

A licence to use the motor car as a hiring car or for any other purpose under the Motor Car Ordinance, 1927, or any earlier Ordinance or regulations has never previously been refused <sup>5</sup>\_\_\_\_\_.

The last occasion on which the motor car was examined as to its fitness to be used as a hiring car or for other purpose was on \_\_\_\_\_ by \_\_\_\_\_ at \_\_\_\_\_. The result of such examination was \_\_\_\_\_.

[Third Schedule.] The motor car licence now in force for the motor car is \_\_\_\_\_  
and was issued on the \_\_\_\_\_ at \_\_\_\_\_.  
The car will usually be kept at \_\_\_\_\_.  
The licence should be sent to \_\_\_\_\_.  
Dated : \_\_\_\_\_, 192—. (Signature.)

Revenue  
Stamp  
equal to  
licence  
duty.<sup>5</sup>

- <sup>1</sup> Name in full.  
<sup>2</sup> Distinctive number and, where the car was registered before January 1, 1928, the number of the engine and of the chassis.  
<sup>3</sup> State number of passengers exclusive of driver.  
<sup>4</sup> Strike out these words where the car will not ply for hire in the public streets.  
<sup>5</sup> State whether refused, or as the case may be.  
<sup>6</sup> The stamp should not be affixed until the car has been examined.

Report of Examiner on Motor Cab No. \_\_\_\_\_

The car complies with the provisions of the Motor Car Ordinance, 1927, and the regulations made thereunder, and is fit to be licensed to carry \_\_\_\_\_ passengers in addition to the driver, and to ply for hire as a motor cab in \_\_\_\_\_.

[Insert any special conditions necessary in the interests of safety.]

Or

The car is unfit to be licensed as a motor cab by reason of the following irremediable defects, viz. : \_\_\_\_\_

Or

The car is unfit to be licensed as a motor cab by reason of the following remediable defects, viz. : \_\_\_\_\_

Dated : \_\_\_\_\_, 192—. (Signature.)

The above-mentioned defects have now been removed to my satisfaction.

Dated : \_\_\_\_\_, 192—. (Signature.)

N.B.—This form should be sent by the examiner direct to the licensing authority.

12.—Application for a Motor Car Licence for an Omnibus.

To the Licensing Authority for \_\_\_\_\_.

I, \_\_\_\_\_, being the registered owner of motor car \_\_\_\_\_, enclose the certificate of registration of the said motor car and also a copy of the said certificate, and hereby apply for a motor car licence to use the said motor car as an omnibus carrying \_\_\_\_\_ passengers in addition to the driver and conductor and goods up to a weight of \_\_\_\_\_ pounds or alternatively \_\_\_\_\_ passengers and goods up to a weight of \_\_\_\_\_, and to ply for hire on the following routes, viz. : \_\_\_\_\_.

A licence to use the motor car as a hiring car or for any other purpose under the Motor Car Ordinance, 1927, or any earlier Ordinance or regulations has never previously been refused.

The last occasion on which the motor car was examined as to its fitness to be used as an omnibus or for other purpose was on \_\_\_\_\_ by \_\_\_\_\_ at \_\_\_\_\_. The result of such examination was \_\_\_\_\_.

The motor car licence now in force for the motor car is \_\_\_\_\_ and was issued on the \_\_\_\_\_ at \_\_\_\_\_.

The car will usually be kept at \_\_\_\_\_.

The licence should be sent to \_\_\_\_\_.

Dated : \_\_\_\_\_, 192—. (Signature.)

Revenue  
Stamp  
equal to  
licence  
duty.<sup>4</sup>

- <sup>1</sup> Name in full.  
<sup>2</sup> Distinctive number of car and, where the car was registered before January 1, 1928, the number of the engine and of the chassis.  
<sup>3</sup> State whether refused, or as the case may be.  
<sup>4</sup> The stamp should not be affixed until the car has been examined.

## Report of Examiner on Omnibus No. ———. [Third Schedule.]

The omnibus complies with the provisions of the Motor Car Ordinance, 1927, and the regulations made thereunder, and is fit to be licensed as an omnibus to carry ——— passengers besides the driver and conductor and goods up to a weight of ——— lbs. on the routes specified in the application (or as may be); or alternatively to carry ——— passengers besides the driver and conductor and goods up to a weight of ——— lbs. on the routes aforesaid.

[Insert any special conditions necessary in the interests of safety, and also state how and where goods may be loaded.]

Or

The car is unfit to be licensed as an omnibus by reason of the following irremediable defects, viz. : ———.

Or

The car is unfit to be licensed as an omnibus by reason of the following remediable defects, viz. : ———.

Dated : ———, 192—. (Signature.)

The above-mentioned defects have now been removed to my satisfaction.

Dated : ———, 192—. (Signature.)

N.B.—This form should be sent by the examiner direct to the licensing authority.

## 13.—Application for a Motor Car Licence for a Lorry.

To the Licensing Authority for ———.

I, <sup>1</sup>———, being the registered owner of motor car <sup>2</sup>———, enclose the certificate of registration of the said motor car and also a copy of the said certificate, and hereby apply for a motor car licence to use the said motor car as a lorry carrying goods up to the weight of ——— pounds, or alternatively ——— passengers and goods up to the weight of ———.

A licence to use the motor car as a lorry or for any other purpose under the Motor Car Ordinance, 1927, or any earlier Ordinance or regulations has never previously been refused <sup>3</sup>———.

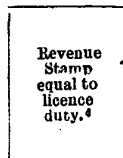
The last occasion on which the motor car was examined as to its fitness to be used as a lorry or for other purpose was on ——— by ——— at ———. The result of such examination was ———.

The motor car licence now in force for the motor car is ——— and was issued on the ——— at ———.

The car will usually be kept at ———.

The licence should be sent to ———.

Dated : ———, 192—. (Signature.)



<sup>1</sup> Name in full.

<sup>2</sup> Distinctive number of car and, where the car was registered before January 1, 1928, the number of the engine and of the chassis.

<sup>3</sup> State whether refused, or as the case may be.

<sup>4</sup> The stamp should not be affixed until the car has been examined.

## Report of Examiner on Lorry No. ———.

The lorry complies with the provisions of the Motor Car Ordinance, 1927, and the regulations made thereunder, and is fit to be licensed as a lorry to carry goods up to the weight of ——— lbs., or alternatively to carry ——— passengers and goods up to the weight of ——— lbs.

[Insert any special conditions necessary in the interests of safety.]

Or

The car is unfit to be licensed as a lorry by reason of the following irremediable defects, viz. : ———.

Or

The car is unfit to be licensed as a lorry by reason of the following remediable defects, viz. : ———.

Dated : ———, 192—. (Signature.)

The above-mentioned defects have now been removed to my satisfaction.

Dated : ———, 192—. (Signature.)

N.B.—This form should be sent by the examiner direct to the licensing authority.

[Third Schedule.]

14.—Motor Car Licence for Cars constructed wholly or mainly for carrying passengers.

( FRONT )

**MOTOR CAR LICENCE No.**

Distinctive No. : \_\_\_\_\_  
 Make : \_\_\_\_\_  
 Number of Engine : \_\_\_\_\_  
 Number of Chassis : \_\_\_\_\_  
 Weight unladen : \_\_\_\_\_  
 Place where car usually kept : \_\_\_\_\_  
 Licensed for wholly or mainly carrying passengers.  
 Licence Fee Rs. : \_\_\_\_\_  
 Dated : \_\_\_\_\_, 192—  
 \_\_\_\_\_  
 (Signature and Designation.)

( BACK )

This licence is conditional on the possession of the motor car remaining in \_\_\_\_\_ of \_\_\_\_\_, the present registered owner. On any change of possession the operation of the licence is suspended until it has been duly endorsed by the registrar of motor cars.

This licence commences on \_\_\_\_\_ and expires on December 31 next.

Dated : \_\_\_\_\_, 192—  
 \_\_\_\_\_  
 (Signature and Designation.)

15.—Motor Car Licence for Motor Cab.

( FRONT )

**MOTOR CAB LICENCE No.**

Distinctive No. : \_\_\_\_\_  
 Make : \_\_\_\_\_  
 Number of Engine : \_\_\_\_\_  
 Number of Chassis : \_\_\_\_\_  
 To carry \_\_\_\_\_ passengers besides the driver \_\_\_\_\_  
 Place where motor cab usually kept : \_\_\_\_\_  
 Licence Fee Rs. : \_\_\_\_\_  
 Dated : \_\_\_\_\_, 192—  
 \_\_\_\_\_  
 (Signature and Designation.)

( BACK )

This licence is conditional on the possession of the motor cab remaining in \_\_\_\_\_ of \_\_\_\_\_, the present registered owner. On any change of possession the operation of the licence is suspended until it has been duly endorsed by the registrar of motor cars.

This licence commences on \_\_\_\_\_ and expires on December 31 next.

Dated : \_\_\_\_\_, 192—  
 \_\_\_\_\_  
 (Signature and Designation.)

[Third Schedule.]

## 16.—Motor Car Licence for an Omnibus.

(FRONT)

**MOTOR OMNIBUS LICENCE No.**

Distinctive No. : \_\_\_\_\_

To carry \_\_\_\_\_ passengers  
(besides driver and conductor) and  
goods up to \_\_\_\_\_ lbs. or alter-  
natively to carry goods up to a weight  
of \_\_\_\_\_ lbs. and \_\_\_\_\_ passen-  
gers (besides driver and conductor) on  
the following routes : \_\_\_\_\_

Dated : \_\_\_\_\_, 192—.

(Signature and Designation.)

(BACK)

Make : \_\_\_\_\_

Number of Chassis : \_\_\_\_\_

Number of Engine : \_\_\_\_\_

Licence Fee paid : \_\_\_\_\_

Special Conditions : \_\_\_\_\_

This licence is conditional on the omnibus  
remaining in the possession of \_\_\_\_\_  
of \_\_\_\_\_, the present registered owner. On  
any change of possession the operation of the  
licence is suspended until it has been duly  
endorsed by the registrar of motor cars.

This licence commences on \_\_\_\_\_  
and expires on December 31 next.

*N.B.*—This licence is only effective as  
regards the routes specified herein.

Dated : \_\_\_\_\_, 192—.

(Signature and Designation.)

## 17.—Motor Car Licence for a Lorry.

(FRONT)

**MOTOR LORRY LICENCE No.**

Distinctive No. \_\_\_\_\_

To carry goods and/or passengers  
up to the total weight of \_\_\_\_\_ lbs.,  
such passengers being the servants or  
agents of the owner or hirer of the lorry  
or of the goods carried therein.

Dated : \_\_\_\_\_, 192—.

(Signature and Designation.)

(BACK)

Make : \_\_\_\_\_

Number of Chassis : \_\_\_\_\_

Number of Engine : \_\_\_\_\_

Licence fee paid : \_\_\_\_\_

Special conditions : \_\_\_\_\_

This licence is conditional on the lorry  
remaining in the possession of \_\_\_\_\_  
of \_\_\_\_\_, the present registered owner. On  
any change of possession, the operation of the  
licence is suspended until it has been duly  
endorsed by the registrar of motor cars.

This licence commences on \_\_\_\_\_  
and expires on December 31 next.

Dated : \_\_\_\_\_, 192—.

(Signature and Designation.)

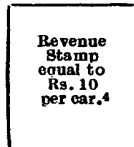
## 18.—Application for Dealer's Motor Car Licence.

[Third Schedule.] To the Licensing Authority for \_\_\_\_\_.

I, \_\_\_\_\_, hereby declare that I am carrying on the business of a dealer in or manufacturer of motor cars at<sup>2</sup> \_\_\_\_\_, and apply for a dealer's motor car licence to use<sup>3</sup> \_\_\_\_\_ motor cars.

Dated : \_\_\_\_\_, 192—.

(Signature.)

<sup>1</sup> Name and address in full written in capitals.<sup>2</sup> Full address of business premises written in capitals.<sup>3</sup> Number of cars.<sup>4</sup> The applicant should not affix the stamp until informed that the licence will be granted.

## 19.—Dealer's Motor Car Licence.

Licence is hereby granted to \_\_\_\_\_ of \_\_\_\_\_ to use not more than \_\_\_\_\_ motor cars at the same time, subject to the provisions of the Motor Car Ordinance, 1927, and to any other conditions which may be prescribed.

This licence commences on \_\_\_\_\_ and expires on \_\_\_\_\_.

Dated : \_\_\_\_\_, 192—.

(Signature.)

\_\_\_\_\_ are the distinctive numbers assigned to motor cars used under the authority of the above licence.

(Signature.)

Dated : \_\_\_\_\_, 192— for the Registrar of Motor Cars.

N.B.—The provisions of section 35 are printed on the back.

## 20.—Record of Motor Cars used under Dealer's Motor Car Licence.

Record of Motor Cars used under Dealer's Motor Car Licence No. \_\_\_\_\_ issued by \_\_\_\_\_ on \_\_\_\_\_.

N.B.—On every occasion when a motor car is used an entry must be made in this record.

Distinctive Number placed on Motor Car used.	Date and Time of Motor Car leaving Garage.	Name and Address of Person driving the Car.	Date and Time of return of Car to Garage.	Remarks.

## 21.—Application for Certificate of Competence.

To the Examiner of Motor Drivers at \_\_\_\_\_.

I, \_\_\_\_\_, hereby apply for a certificate of competence to drive \_\_\_\_\_.

My age is \_\_\_\_\_ years.

I am not suffering from any physical or mental disability which prevents me from driving in a safe and proper manner.

I have never before applied for or been granted or refused a [Third Schedule.]  
licence to drive or a certificate of competence to drive a motor  
car (or as may be, stating particulars of any endorsement or  
cancellation).

I enclose two copies of my photograph.

And I hereby declare that the above particulars are true and  
accurate in every respect

Dated : ———, 192—

(Signature of Applicant.)

Revenue Stamp of Rs. 5 to be affixed by applicant on application for exami- nation.
--

<sup>1</sup> Full name and address in capitals.

<sup>2</sup> Class of car, i.e., "motor cycle," or "cars other than omnibuses  
lorries, and steam-driven motor cars," or "omnibuses," or "lorries,"  
or "steam-driven motor cars," or "all cars."

Note.—If this form, with stamps affixed, is sent by post,  
it should be sent registered.

#### EXAMINER'S REPORT.

I hereby certify that I have tested the above described  
applicant and find him competent to drive (or as may be).

(Photograph.)

(Signature of Examiner.)

N.B.—A copy of the photograph should be authenticated by  
the signature of the Examiner.

To the Registrar of Motor Cars, Colombo.

Forwarded. Please issue to me a certificate of competence to  
drive as per above report.

Dated : ———, 192—

(Signature of Applicant.)

N.B.—Where the applicant is not passed as competent, the  
examiner should return the form direct to the Registrar of  
Motor Cars at Colombo.

Revenue Stamp of Rs. 10 to be affixed by applicant after passing test.
--

#### 22.—Driver's Certificate of Competence.

This is to certify that <sup>1</sup> ———, whose photograph is placed  
below, has been examined and found competent to drive ———.

(Photograph.)

Dated : ——— 192—

(Signature of Registrar.)

<sup>1</sup> Write the name and address.

N.B.—The photograph shall be authenticated by the signature  
or official stamp of the Registrar.

[Third Schedule.]

23.—Application for Certificate of Competence  
by holder of a Driving Licence.

I, \_\_\_\_\_, hereby declare that I am the person named in the enclosed driving licence, and apply for a certificate of competence without undergoing a driving test to drive all cars other than omnibuses, lorries, or steam-driven motor cars.<sup>1</sup>

I enclose two copies of my photograph.

Dated : \_\_\_\_\_, 192—.

(Signature.)

<p>Revenue Stamp of Rs. 15 to be affixed by applicant.</p>
--

*N.B.*—If the application is granted, the Registrar may if he thinks fit, instead of issuing a certificate of competence, endorse and sign on the driving licence the words “Certificate of Competence to drive \_\_\_\_\_ granted without test under section 42 of the Motor Car Ordinance, 1927.”

<sup>1</sup> Full name and address in capitals.

<sup>2</sup> Form 21 should be used for all other classes of car.

*Note.*—If this form, with stamps affixed, is sent by post, it should be sent registered.

24.—Application for Extension of Certificate to  
another Class of Car.

To the Examiner of Motor Drivers at \_\_\_\_\_.

I, \_\_\_\_\_, the holder of a certificate of competence,<sup>2</sup> \_\_\_\_\_, hereby apply for the extension of the said certificate to <sup>3</sup>\_\_\_\_\_.

Dated : \_\_\_\_\_, 192—.

(Signature of Applicant.)

<p>Revenue Stamp of Rs. 5 for each class of car.</p>
--

*N.B.*—Applicant should produce the certificate of competence which he holds for the perusal of the Examiner.

*Note.*—if this form, with stamps affixed, is sent by post, it should be sent registered.

## EXAMINER'S REPORT.

I hereby certify that I have tested the above-described applicant and find him competent to drive <sup>3</sup>\_\_\_\_\_.

Dated : \_\_\_\_\_, 192—.

(Signature of Examiner.)

To the Registrar of Motor Cars.

<sup>1</sup> Full name and address in capitals.

<sup>2</sup> State number and date of the certificate of competence.

<sup>3</sup> Class of car, i.e., “motor cycle,” or “all cars other than omnibuses, lorries, or steam-driven motor cars,” or “omnibuses,” or “lorries,” or “steam-driven motor cars.”



25.—Application for a Duplicate Certificate of Competence [Third Schedule.]  
to drive Motor Cars.

I, <sup>1</sup>———, the holder of certificate of competence <sup>2</sup>———  
dated ——, hereby declare that the said certificate has  
been <sup>3</sup>——— in the following circumstances <sup>4</sup>———, and the  
certificate was never endorsed, suspended, or cancelled.<sup>5</sup>

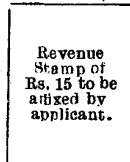
I enclose a copy of my photograph.

And I hereby apply for a duplicate thereof.

And I hereby declare that the above statements are true and  
accurate in every respect.

Dated : ——, 192—.

(Signature.)



<sup>1</sup> Full name and address in capitals.

<sup>2</sup> State the number of the certificate.

<sup>3</sup> "Lost" or "destroyed."

<sup>4</sup> State facts.

<sup>5</sup> If endorsed, suspended or cancelled, state full particulars.

*Note.*—If this form, with stamps affixed, is sent by post, it  
should be sent registered.

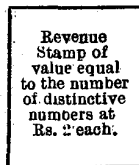
26.—Application for Distinctive Number for use of  
Dealer or Manufacturer of Cars.

To the Registrar of Motor Cars:

I herein enclose a dealer's motor car licence and request you to  
assign <sup>1</sup>——— distinctive numbers.

Dated : ——, 192—.

(Signature.)



<sup>1</sup> Write the number of distinctive numbers required.

*Note.*—If this form, with stamps affixed, is sent by post,  
it should be sent registered.

27.—Register of Distinctive Numbers assigned to Dealer  
or Manufacturer of Motor Cars.

Name of Manufacturer or Dealer.	Address of Manufacturer or Dealer.	Description of the Distinctive Number assigned.	Date of Issue of the Distinctive Number.	Remarks.

## 28.—Application for a Duplicate.

To the Registrar of Motor Cars, Colombo:

Or

To the Licensing Authority at ——.

I, <sup>1</sup>———, the holder of <sup>2</sup>——— of car <sup>3</sup>——— dated  
——, hereby declare that the said —— has been  
<sup>4</sup>——— in the following circumstances <sup>5</sup>———.

And I hereby apply for a duplicate thereof.

And I hereby declare that the above statements are true and accurate in every respect.

Dated : ———, 192—.

(Signature.)

Revenue  
Stamp of  
Rs. 5 to be  
affixed by  
applicant

<sup>1</sup> Full name and address in capitals.

<sup>2</sup> State whether licence, giving its number and date, or certificate of registration of car.

<sup>3</sup> Distinctive number.

<sup>4</sup> "Lost" or "destroyed."

<sup>5</sup> State facts.

*Note.*—If this form, with stamps affixed, is sent by post, it should be sent registered.

#### FOURTH SCHEDULE.

#### Provisions applicable to Hiring Cars.

##### PART I.

##### *Omnibuses.*

[S. 71.] Routes.

1. No omnibus shall ply or stand for hire except on routes approved by the licensing authority and endorsed on the motor car licence for the omnibus. The licensing authority may, if it thinks fit, on the application of the licensee, alter such routes from time to time, and may on special occasions allow departure from such routes. A licensing authority shall not approve routes outside its area except with the consent of the licensing authority within whose area such routes lie.

Provided that approval of a route shall be withheld on the following grounds only, viz. :—

- (a) That the omnibus, owing to its weight, size, or construction, cannot safely be used on the proposed route; or
- (b) That the proposed route is, owing to the condition of the route, including width and grade, unsuitable for omnibus traffic; or
- (c) That the proposed route is already so congested by traffic that additional omnibus traffic cannot safely be allowed thereon.

Standing on the highway.

2. No omnibus shall be allowed to stand on any highway, except—

- (a) On a public stand or stopping place indicated as such by a notice exhibited by the licensing authority; or
- (b) In the event of a breakdown, and then only so long as may be necessary to enable essential repairs to be effected; or
- (c) For the purpose of taking up or setting down passengers, and then only so long as may be reasonably necessary for the purpose.

Stopping.

3. An omnibus shall be stopped to take up or set down passengers as near to the left or near side of the road as possible.

Stopping places.

4. Where in an urban area notices are exhibited by a licensing authority indicating stopping places for omnibuses, an omnibus shall not be stopped for the purpose of taking up or setting down passengers except at a place so indicated.

Overtaking.

5. An omnibus shall not be driven alongside of, or overlapping, or so as to overtake, another omnibus proceeding in the same direction unless such other omnibus is stationary or has signalled the overtaking omnibus to pass.

Carriage of goods, &c.

6. (1) No goods shall be carried on an omnibus unless permitted by the licence.

(2) No goods or baggage other than spare wheels or spare tyres shall be carried on the roof of an omnibus or in any place on the omnibus not authorized by the licence.

(3) If there are found in an omnibus goods exceeding the weight which, having regard to the number of passengers in the omnibus, the omnibus is licensed to carry, the conductor of the omnibus shall be guilty of an offence.

Conductor.

7. Every omnibus shall carry a conductor, who shall have the word "conductor" legibly marked on some conspicuous part of his clothing, or shall wear in a conspicuous position a metal badge having the word "conductor" legibly marked thereon.

8. A special seat shall be provided at the back of the omnibus for the use of the conductor and shall be conspicuously marked with the word "Conductor." It shall not be lawful for the conductor to sit on any seat other than the seat so marked or for any person other than the conductor to sit on the seat so marked. [Fourth Schedule.]  
Conductor's seat.
9. The distance between the wheel tracks of the front or of the rear pair of wheels from centre to centre taken in line with the axles shall not be less than four feet eight inches, and shall be sufficient to ensure the proper stability of the vehicle. This provision shall not apply to any omnibus already licensed, or to any chassis of an omnibus already imported, provided the examiner is satisfied that the omnibus is sufficiently stable. Wheel tracks.
10. The width between the backs of seats on an omnibus, when the seats are placed lengthwise, must not be less than fifty-six inches. Space between seats placed lengthwise.
11. When seats are placed behind each other on an omnibus, the unimpeded distance available for the passage between them shall not be less than thirteen inches, while the distance between the backs of two seats so placed shall not be less than twenty-seven inches. Space between seats placed crosswise.
12. No omnibus shall have a seat in such a position that it is likely to cause obstruction to persons entering or leaving such vehicle. Obstruction by seats.
13. The steps for entrance to the inside of an omnibus must be at the left or near side or at the rear of the vehicle, and suitable means must be provided, such as hand rails or bands, to assist passengers to enter or leave. The lowest step shall not be more than fifteen inches above the ground. The risers of all steps must be closed, and the treads of steps must be fitted with a form of tread-plate approved by the examiner. Every omnibus shall be fitted with an emergency door to the satisfaction of the registrar, and such door, if situated on the right or off side of the omnibus, shall only be used for emergencies. Entrance and steps.
14. The driver's seat of an omnibus shall be not less than two feet wide, and shall be so constructed that there is a space of at least one foot on each side of the steering column. The driver's seat shall be divided off from that of the person sitting beside the driver and on his left by a partition of at least fifteen inches high, and no person, but the driver shall be permitted to occupy the space so divided off for the driver, and no person shall sit or stand on the driver's right, and there shall be no seating accommodation on the driver's right. One person only may sit on the front seat with the driver, and such person shall not occupy any portion of the driver's seat. Driver's seat.
15. An omnibus shall be capable of being properly ventilated when the windows or sides are not open. Ventilation.
16. No petrol, kerosine, or other inflammable liquid shall be carried in or on an omnibus except in the fuel tank or in properly constructed containers which shall be carried in such manner and in such position as may be approved by the examiner and endorsed on the licence. No more containers shall be carried than are approved by the examiner, nor shall any container be carried on the roof of the omnibus. Carriage of petrol and other fuel.
17. The interior of every omnibus shall be lighted with an electric light, or other safe light approved by the registrar. Interior lighting.
18. Each omnibus shall show by a suitable device in the front and at the rear of the vehicle the destination to which the vehicle is proceeding. The letters used and the background shall be black and white respectively, and the letters shall be at least four inches high and thick in proportion. If destination indicators are also used at the sides of the vehicle, the letters used and the background shall be black and white respectively. The letters shall be in English, and in one or more of the vernaculars. Destination indicators.
19. Every omnibus shall have inside within view of the passengers an easily legible notice in English, Sinhalese, and Tamil showing the number of passengers which the vehicle is licensed to carry, and a similar notice showing the fares which will be charged, whether such fares have been prescribed by regulation or not. Notices.
20. It shall not be lawful to place any writing or lettering in black and white colours on the front or rear of an omnibus, except to indicate routes, and it shall be unlawful to place any writing or lettering in any colour in such a way that it is likely to interfere with the easy and instantaneous legibility of the destination indicators. Exhibition of writing, &c.
21. Every omnibus shall be fitted with a bell or other device approved by the examiner for enabling passengers to signal to the driver or conductor when necessary. Signalling device.
22. The driver of an omnibus shall not smoke while driving the omnibus. Smoking by the driver.

- [Fourth Schedule.]
23. Every omnibus shall be fitted with a fire extinguisher of a type approved by the registrar, and such fire extinguisher shall be kept in proper working order.
24. Where tickets are issued in an omnibus, every passenger shall show his ticket on demand to the conductor or other duly authorized servant of the licensee, and in default of so doing, shall pay the fare for the distance which he has travelled.
25. No person in a state of intoxication shall enter or remain in or upon an omnibus, and any such person found in or upon an omnibus shall immediately leave the omnibus on being requested to do so by the driver or conductor. The driver or conductor shall not permit any such person to be carried in the omnibus.
26. No person, while travelling in or upon an omnibus shall—
- (1) Spit on the floor or any part thereof, or use obscene, indecent, offensive or quarrelsome language, gestures or behaviour ; or
  - (2) Wilfully interfere in any way with the comfort of any passenger ; or
  - (3) Wilfully obstruct or impede the driver or conductor in the exercise of his duty ; or
  - (4) Wilfully damage the omnibus.

## PART II.

*Motor cabs.*

27. This part of this schedule applies only to motor cabs when plying for hire in Colombo, but applies to a motor cab outside Colombo in pursuance of a contract of hiring made when plying for hire in Colombo.
28. No driver of a motor cab shall ply or stand for hire on a highway, except—
- (a) When the motor cab is on a public stand approved by the licensing authority ; or
  - (b) If hailed by an intending passenger while proceeding after the conclusion of a hiring to a public stand or to the place where the cab is kept ; or
  - (c) If hailed by an intending passenger while proceeding to or from a public stand from or to the place where his cab is kept.
29. No motor cab shall remain at a public stand unless it is in a proper state of repair.
30. (1) The driver of each of the first two motor cabs on a public stand must stay beside his cab, and must be ready to be hired at once by any person. All motor cabs on the stand must move up as vacancies occur.
- (2) If a person wishes to engage a motor cab of a particular seating capacity, and if such a motor cab is not the first one on the stand, but such a motor cab is behind other motor cabs of less capacity, the driver of the first motor cab of the required seating capacity on the stand shall accept the hire, and it is unlawful for any other driver to do so.
31. No driver of a motorcab, while hired shall, unless requested by the hirer, stop his cab for a longer time than is reasonably necessary, and, if he is not engaged for hire, he shall not stop his cab except on a public stand. He shall not loiter by driving his cab in a highway when not engaged for hire.
32. The driver of a motor cab shall not, without reasonable excuse—
- (a) Refuse to be hired when the motor cab is standing on a public stand ;
  - (b) Refuse or neglect to drive the cab to any place indicated by the hirer : Provided that the whole journey, out and return, does not exceed twenty miles ;
  - (c) Refuse or neglect to carry such number of passengers, not exceeding the number specified in the motor car licence, as he may be required to carry by the hirer.

## FIFTH SCHEDULE.

[S. 89.]

## Repeals and Amendments.

1. The following repeals and amendments shall be made to the Vehicles Ordinance, No. 4 of 1916, viz. :—

Repeals and amendments.

(1) The following shall be inserted at the end of section 4, viz. :—

“ Highway ” includes every place over which the public have a right of way or to which the public or any part of the public are granted access, and every place where the traffic thereon is regulated by a police officer.

(2) The following section shall be inserted at the end of Chapter I. :—

“ 4 A. Chapters II., III., VII., and IX. of this Ordinance shall not apply to mechanically propelled vehicles other than tram cars.”

Application of Chapters II., III., VII., and IX.

(3) In Chapters IV. and V., the word “ licensed ” shall be repealed wherever the word occurs.

(4) In section 24, the words “ and such liability shall be deemed to continue in the person who, in the case of vehicles other than motor cars as defined by The Motor Car Ordinance, 1927, shall have made the declaration of ownership hereto required unless and until he shall have given the notice of transfer required by section 12, or, in the case of motor cars as defined by The Motor Car Ordinance, 1927, in the person registered as the owner of the motor car under that Ordinance, unless and until he shall have informed the registrar of motor cars of the name and address of the new owner as required by that Ordinance ” shall be substituted for the part of the section commencing with the words “ and such liability ” and ending with the word and figures “ section 12.”

(5) The following shall be substituted for section 41, viz. :—

41. Audible and sufficient warning of the approach or position of every vehicle shall be given, whenever necessary for safety, by sounding an efficient instrument, but such instrument shall not be unnecessarily sounded so as to be a nuisance to any person.

(6) The following shall be substituted for section 43, viz. :—

43. (1) In this section, unless the context otherwise requires, “ traffic ” includes bicycles, tricycles, motor cars, tram cars, vehicles of every description, processions, and bodies of troops, and all animals being ridden, driven, or led, and “ overtaking ” includes passing or attempting to pass any other vehicle proceeding in the same direction.

Rules of the road.

(2) Traffic meeting or being overtaken by other traffic shall be kept to the left or near side of the road. Traffic overtaking other traffic shall be kept on the right or off side of such other traffic.

Provided that a tram car or an animal being led or driven may be passed or overtaken on whichever side is the safer.

(3) Traffic being overtaken by other traffic shall be moved so as to allow such other traffic to pass.

(4) Traffic shall not be moved alongside of, or overlapping, or so as to overtake other traffic proceeding in the same direction, if by so doing it obstructs any traffic proceeding in the opposite direction.

(5) Traffic shall not be moved so as to cross or commence to cross or be turned in a highway if by so doing it obstructs any traffic.

(6) Traffic proceeding from one highway to another highway shall not be moved so as to obstruct any traffic on such other highway.

(7) Traffic proceeding from a place which is not a highway into a highway, or from a highway into a place which is not a highway, shall not be moved so as to obstruct any traffic on the highway.

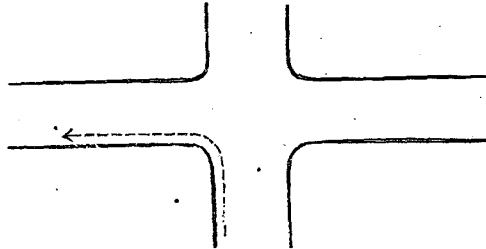
(8) Where two or more highways intersect, regulations may declare which highway is to be considered the main road, and in such case traffic turning into or crossing the main road shall not be moved so as to obstruct any traffic on the main road. Provided that the prescribed form of warning notice shall always be exhibited.

(9) Traffic shall not be moved so as to overtake other traffic, unless there is a clear and unobstructed view of the road ahead.

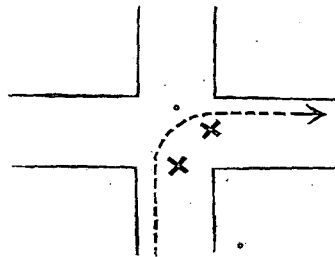
(10) For the purposes of this section traffic obstructs other traffic if it causes risk of accident thereto.

(11) Unless otherwise directed by a police officer on duty, traffic turning into another highway to the left shall be kept close to the left hand side of the road.

Thus:—



(12) Unless otherwise directed by a police officer on duty, traffic turning into another highway to the right shall where practicable be moved as indicated in the following diagram:



(13) Notwithstanding anything contained in this section, it shall be the duty of a person in charge of any traffic to take such action as may be necessary to avoid an accident, and the breach by a person in charge of any traffic of any provision of this section shall not exonerate any other person in charge of any traffic from the duty imposed on him by this sub-section.

Chapter not to apply to motor cars.

(7) The following shall be inserted between section 43 and section 44, viz. :—

43 A. The driver or owner of a motor car shall not be prosecuted for the contravention of any provision of Chapter VI. with respect to a motor car.

(8) In section 44 the words "any person committing a breach of sections 41, 42, or 43" shall be substituted for the words "any person committing a breach of sections 42, 43."

(9) The following provisions shall be repealed, viz. :—

Section 10 (7), section 22, section 23, section 44 (9), the proviso to section 52, Chapter VIII., section 56 (2), paragraphs 3 and 4 of Schedule III., and Schedule IV.

2. Section 85 of the Police Ordinance, 1865, is hereby repealed.

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

W. L. MURPHY,  
Clerk to the Council.

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

W. L. MURPHY,  
Clerk to the Council.

Z 184/26

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

**No. 21 of 1927.**

**An Ordinance to amend and consolidate certain Laws  
relating to Mortgages.**

H. J. STANLEY.

TABLE OF SECTIONS.

CHAPTER I

*Preliminary.*

Section:

- 1 Short title and commencement.
- 2 Interpretation.
- 3 General mortgages abolished.

CHAPTER II.

*Hypothecary Actions.*

- 4 Application of chapter.
- 5 Meaning of "registered."
- 6 Parties to hypothecary actions.
- 7 Representation of estate of deceased mortgagor or person interested in the mortgaged property.
- 8 Registration of address for service.
- 9 Service on defendants to hypothecary actions.
- 10 Effect of conveyance under mortgage decree.
- 11 Mortgage in suit to be kept on foot.
- 12 Directions in mortgage decree.
- 13 Validation of certain conveyances in hypothecary actions.
- 14 Decree absolute in default of appearance.
- 15 Expenses after decree.
- 16 Enforcement of other remedies in hypothecary action.

CHAPTER III.

*Mortgages to secure Future Advances.*

- 17 Effect of mortgages to secure future, &c., liability.
- 18 Priorities of law of registration unaffected.

CHAPTER IV.

*Supplementary.*

- 19 Repeal.

**An Ordinance to amend and consolidate certain Laws  
relating to Mortgages.**

**B**E it enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

CHAPTER I.

*Preliminary.*

Short title and commencement.

1 This Ordinance may be cited as the Mortgage Ordinance, No. 21 of 1927, and shall come into operation on the first day of January, 1928.

Interpretation.

2 In this Ordinance, unless the context otherwise requires—

“Land” includes things attached to the earth or permanently fastened to anything attached to the earth, and any estate, right, or interest in or over land ;

“Mortgage” includes any charge on property for securing money or money's worth, and includes a mortgage arising by operation of law ;

“Mortgagee” includes any person from time to time deriving title under or through the original mortgagee ;

“Mortgage money” means money or money's worth secured by a mortgage, and includes the mortgagee's costs, charges, and expenses ;

“Hypothecary action” means an action to enforce payment of a mortgage by a judicial sale of the mortgaged property.

General mortgages abolished.

3 No conventional general mortgage, executed after January 14, 1871, shall be valid and effectual, so as thereby to give the mortgagee any lien, charge, claim, or priority over or in respect of any property movable or immovable.

CHAPTER II.

*Hypothecary Actions.*

Application of chapter.

4 Unless otherwise provided, this chapter applies to mortgages created or arising, and to hypothecary actions instituted, before or after the commencement of this Ordinance.

Meaning of “registered.”

5 In this chapter, “register” and its derivatives refer to the law for the time being in force as to the registration of instruments affecting land.

Parties to hypothecary actions.

6 (1) Every person is a necessary party to an hypothecary action who has any mortgage on, or interest in, the mortgaged property to which the mortgage in suit has priority. But nothing in this sub-section shall affect section 472 or any other provision as to parties contained in the Civil Procedure Code, 1889.

(2) Provided that a person (other than the mortgagor or the executor or administrator of a deceased mortgagor or the assignee in the insolvency of the mortgagor) shall not be a necessary party to a hypothecary action to enforce a mortgage of land—

(a) Unless at the time when the plaint is filed, the instrument, if any, under which he derives title is duly registered ; and

(b) Where the mortgage in suit was duly registered before his title accrued, unless, at the time when the plaint is filed, an address for the service on him of legal documents is duly registered in accordance with the provisions of this Ordinance, or an address for service has, before the commencement of this Ordinance, been furnished by him to the Registrar of Lands under section 643 of the Civil Procedure Code, 1889.

(3) Every person who by sub-section (2) of this section is declared not to be a necessary party to a hypothecary action shall be bound by every order, decree, and sale, or thing done in the hypothecary action in like manner and to the same extent as if he had been a party to the action, but may be permitted by the court to intervene at any stage of the proceedings before distribution of the proceeds of sale, on such terms as to the court may seem just.



Provided that a person so permitted to intervene shall, unless and so far as the court otherwise orders, be bound by every order, decree, and sale, or thing done in the hypothecary action before his intervention.

(4) Nothing in this section shall affect any right to participate in the surplus proceeds of sale of property sold in a hypothecary action remaining after satisfaction of the mortgage in suit or to follow such proceeds.

(5) This section applies only where the hypothecary action is instituted after the commencement of this Ordinance.

7 (1) Where the executor or administrator of a deceased mortgagor is a necessary party to a hypothecary action, or a mortgagee, or interest in, the mortgaged property forms part of the estate of a deceased person, and representation to the deceased mortgagor or person has not been granted, the court may, if it thinks fit and after service of notice of the application on such persons, if any, as the court may order, appoint a person to represent the estate of the deceased for the purposes of the hypothecary action, and every order, decree, and sale, or thing done in the hypothecary action (including a seizure and sale in execution of the property of the deceased mortgagor not included in the mortgage in suit) shall, if such person is a party to the action, be as effective as if the executor or administrator of the deceased were a party to the action.

Representation of estate of deceased mortgagor or person interested in the mortgaged property.

(2) This section applies only—

(a) Where the value of the mortgaged property does not exceed one thousand rupees; or

(b) Where the grant of representation to the deceased is, in the opinion of the court, likely to be unduly delayed.

8 (1) Application for registration of an address for service of legal documents shall be made substantially in the form in the schedule to this chapter.

Registration of address for service.

(2) Where such an application declares that a previously registered address for service of legal documents on the applicant is cancelled, the registrar shall cancel the entry in the register of such previously registered address.

(3) The address for service shall be registered in or in continuation of the same folio as is the mortgage of the land in or on which the applicant has an interest or mortgage.

(4) But where the mortgage of the land in or on which the applicant has an interest or mortgage includes other land, it shall be sufficient if the address for service on the applicant is registered in the folio relating to that land in or on which the applicant has an interest or mortgage.

(5) The fee for registration of an address for service or of a change of such an address shall be fifty cents for each address, with an addition of ten cents for each folio after the first in which the address is to be registered.

9 (1) Service on a defendant to a hypothecary action (other than the mortgagor or the executor or administrator of a deceased mortgagor or a person appointed under section 7 or the assignee in the insolvency of the mortgagor) of any of the following documents, viz., any summons, notice, process, order, decree, document, or written communication required to be served on him personally for any purpose in connection with the action shall be deemed to be duly served on the defendant—

Service on defendants to hypothecary actions.

(a) If it is served on him personally; or

(b) If a copy of the document is posted in a conspicuous position on the mortgaged property and published in a newspaper circulating in Ceylon; and

(c) Where an address for service of legal documents on the defendant is duly registered under this Ordinance or has, before the commencement of this Ordinance, been furnished to the Registrar of Lands under section 643 of the Civil Procedure Code, 1889, if, in addition, a copy of the document is sent by registered post to the defendant at such address.

(2) The posting of a copy of the document on the mortgaged property for the purposes of paragraph (b) of sub-section (1) may be effected either by the mortgagee or his agent or by the Fiscal under a precept from the court.

(3) This section applies only where the hypothecary action is instituted after the commencement of this Ordinance.

(4) Nothing in this section shall affect any power of ordering substituted or other service contained in the Civil Procedure Code, or the provisions of sections 28, 64, and 66 of that Code (which relate to service on an agent of the defendant).

Effect of conveyance under mortgage decree.

10 (1) A conveyance completing a sale in a hypothecary action shall not affect the interest or mortgage of a necessary party who is not a party to the action, or any interest or mortgage which has priority to the mortgage in suit.

(2) Subject as aforesaid, the conveyance shall, unless otherwise expressed therein, operate to convey the property sold for such estate and interest therein as is the subject of the mortgage, freed from the interests, mortgages, and rights of—

(a) Every party to the action ; and

(b) Every person who by sub-section (2) of section 6 is declared not to be a necessary party to the action.

(3) This section applies only where the hypothecary action is instituted after the commencement of this Ordinance.

Mortgage in suit to be kept on foot.

11 (1) On a sale of mortgaged land in a hypothecary action, every mortgage wholly or in part paid off out of the purchase money shall, unless a contrary intention is expressed in the conveyance to the purchaser, be deemed to be kept on foot for the protection of the purchaser and his successors in title against incumbrances, estates, and interests to which the mortgage in suit in the hypothecary action had priority, and the purchaser and his successors in title shall, accordingly, be entitled to a hypothecary charge on the purchased land for a sum (which shall not bear interest) equal to the amount of the purchase money or the amount of the mortgage money due under the mortgage so paid off at the date of the sale, whichever amount shall be the less, and having the same priority as had the mortgage so paid off at the date of the payment of the purchase money.

(2) This section applies to sales effected before or after the commencement of this Ordinance, but shall not affect any title acquired for valuable consideration before the commencement of this Ordinance.

Directions in mortgage decree.

12 (1) Where in a hypothecary action the court finds that the mortgage ought to be enforced, the decree shall order that, in default of payment of the mortgage money within the period mentioned in the decree, the mortgaged property shall be sold, and the court may, if it thinks fit, in the decree or subsequently give such directions as to the conduct and conditions of the sale (including the terms on which the mortgagee shall be allowed to purchase), and the person to conduct the sale and the confirmation of the sale, and the form of conveyance and the person by whom it is to be executed, and as to the delivery of possession to the purchaser and as to the removal of any person bound by the decree from the property, as the court may think fit.

(2) Subject to or in default of any such directions, the mortgaged property shall, on an order for sale being given by the court to the Fiscal, be sold in like manner as if it had been seized by the Fiscal under a writ of execution for the amount of the mortgage money, and sections 255 to 288 (inclusive) and 290 to 297 (inclusive) of the Civil Procedure Code, 1889, shall apply accordingly.

(3) On a sale under this section the Fiscal shall not, except by order of the court—

(a) Seize the property ; or

(b) If any occupier, other than the judgment debtor, objects, enter on the property, whether before or after the sale.

(4) Sections 241 to 252 (inclusive) of the Civil Procedure Code, 1889 (which relate to claims and objections) shall not apply to sales under this section unless the property is seized by the Fiscal.

(5) On a sale by the Fiscal under this section, the form of conveyance contained in the schedule to this chapter shall be used unless the court otherwise orders.

(6) This section applies only where the decree is made after the commencement of this Ordinance.

13 (1) A conveyance, whether executed before or after the commencement of this Ordinance, completing a sale of mortgaged property in a hypothecary action shall not be invalid by reason only that the directions for the sale or any directions as to the conduct and conditions of the sale (including the terms on which the plaintiff shall be allowed to purchase) were not embodied in the decree for sale or were given after such decree.

Validation of certain conveyances in hypothecary actions.

(2) This section shall not affect any title acquired for valuable consideration before the commencement of this Ordinance.

14 (1) Where an hypothecary action instituted after the commencement of this Ordinance is heard *ex parte* under section 85 of the Civil Procedure Code, 1889, the decree shall be a decree absolute and not a decree *nisi*, and, accordingly, the following amendments shall be made to the Civil Procedure Code, 1889, viz.:

Decree absolute in default of appearance.

- (a) The words "or, in the case of a hypothecary action, a decree absolute in the form No. 22A in the Second Schedule or to the like effect," shall be inserted in section 85 immediately after the words "to the like effect" and the words "and shall issue to the defendant a notice of every such decree *nisi*" shall be substituted for the words "and shall thereupon issue to the defendant a notice of such decree" in the same section;
- (b) The words "or, in the case of a hypothecary action, that there were reasonable grounds for the default upon which the decree absolute was passed," shall be inserted in section 87 immediately after the words "information of the proceedings"; and
- (c) The following form shall be inserted in the Second Schedule, viz.:

No. 22A.—Form of Decree Absolute in Hypothecary Action in Default of Appearance of Defendant.

(See Section 85.)

(Title.)

This action coming on for disposal before (*name and office of Judge*) on the \_\_\_\_\_ day of \_\_\_\_\_, 19—, being the day appointed in the summons for the defendant to appear and answer (*or being the day appointed for the defendant to file answer, or for the filing of the replication, or being the day fixed for the hearing of the action, as the case may be*), and the plaintiff appearing (*in person, &c., as above*) and the defendant not appearing either in person or by proctor or counsel, although he was duly served with the summons, together with a copy of the plaint (*or, if the case is so, a concise statement of the nature of the claim as provided by section 49 of the Civil Procedure Code*), as by the affidavit of \_\_\_\_\_, filed the \_\_\_\_\_ day of \_\_\_\_\_ appears: It is ordered and decreed \_\_\_\_\_ that the defendant \_\_\_\_\_ do pay to the plaintiff the sum of rupees \_\_\_\_\_ and cents \_\_\_\_\_ (Rs. \_\_\_\_\_), being the aggregate amount of the principal, interest, and costs due in respect of Mortgage Bond No. \_\_\_\_\_, dated the \_\_\_\_\_ day of \_\_\_\_\_, 19—, and attested by \_\_\_\_\_, Notary Public, with interest thereon at the rate of nine per cent. per annum from this date till payment in full, and the costs of this action (Rs. \_\_\_\_\_), as taxed by the officer of the court, within (*state period*) from the date of this decree.

And it is further ordered that in default of payment of the said amount, interest, and costs within such time, the premises mortgaged by the said bond, to wit: \_\_\_\_\_, and all the right, title, interest, and claim whatsoever of the \_\_\_\_\_ defendant in, to, upon, or out of the said several premises mortgaged by the defendant, be sold and the proceeds applied in and towards the payment of the said amount, interest, and costs, and if such proceeds shall not be sufficient for the payment in full of such amount, that the \_\_\_\_\_ defendant do pay to the plaintiff the amount of the deficiency, with interest thereon at the afore-mentioned rate until realization.

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

\_\_\_\_\_  
District Judge.

(2). In the next and every subsequent revised edition of the Legislative Enactments of Ceylon, it shall be sufficient to insert in the Civil Procedure Code, 1889, the amendments made by sub-section (1) and it shall not be necessary to reproduce this section.

Expenses  
after decree.

15 A mortgagee's costs in a hypothecary action include all costs, charges, and expenses properly incurred by him as mortgagee whether before or after institution of the hypothecary action or the decree in the action.

Enforcement of  
other remedies  
in hypothecary  
action.

16 (1) Notwithstanding section 34 of the Civil Procedure Code, 1889, a claim to all or any of the remedies of a mortgagee to enforce payment of the mortgage money may be joined to a claim in a hypothecary action, or a separate action may be brought in respect of each remedy.

(2) But if more actions than one are brought to enforce payment of any mortgage money, the mortgagee shall not, unless and so far as the court for good reason otherwise orders, be entitled to costs in any action except the first action, and in any such action after the first the court may, if it thinks fit, award costs to the defendant.

*Schedule to Chapter II.*

Application for Registration of Address for Service of  
Legal Documents.

To the Registrar of Lands of \_\_\_\_\_.

I (*name in full and address*) apply under section 8 of the Mortgage Ordinance, No. \_\_\_\_\_ of 1927, for registration in or in continuation of the folio or folios specified in B. below of the address specified in A. below as the address for service on me of legal documents in any hypothecary action to enforce any mortgage registered in the folio or folios specified in B. below. Particulars of the instrument under which I derive title are given in C. below.

A.—Address for Service.

(*Name of person to whom legal documents are to be sent. This person may be the applicant or another person.*)

(*Full postal address in the Island.*)

*e.g.* :—H. John Perera,  
No. 18, Maliban street,  
Pettah, Colombo.

B.—Folio or Folios in which the Address is to be registered.

Volume : \_\_\_\_\_.

Folio : \_\_\_\_\_.

Volume : \_\_\_\_\_.

Folio : \_\_\_\_\_.

C.—Particulars of Instrument under which Applicant  
derives Title.

(1) Number and date of deed : \_\_\_\_\_.

(2) Name of attesting notary : \_\_\_\_\_.

(3) Volume and folio where the deed is registered : \_\_\_\_\_.

2. I further declare that my address for service previously registered with you on \_\_\_\_\_ in volume \_\_\_\_\_, folio \_\_\_\_\_, is hereby cancelled.

3. The registration fee of Rs. \_\_\_\_\_ is enclosed in stamps.

Dated : \_\_\_\_\_, (*Signature of Applicant or Agent.*)\*

\* Agent means an agent authorized in writing by the applicant or doctor or notary public.

## Form of Conveyance by Fiscal.

(Title.)

To all to whom these presents shall come, greeting.

Whereas by a mortgage bond dated \_\_\_\_\_ and bearing number \_\_\_\_\_ and attested by \_\_\_\_\_, notary public, and registered in the \_\_\_\_\_ District Land Registry at folio \_\_\_\_\_, the payment to \_\_\_\_\_ of the sum of \_\_\_\_\_ rupees was secured with interest by mortgage of the property hereinafter described and hereby conveyed.

And whereas by a decree entered in action No. \_\_\_\_\_ of the District Court of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ it was ordered and decreed that \_\_\_\_\_ the defendant in the said action do pay to \_\_\_\_\_ the plaintiff in the said action forthwith the sum of \_\_\_\_\_ rupees (Rs. \_\_\_\_\_), being the aggregate amount of the principal, interest, and costs due in respect of the said mortgage bond, together with interest thereon at the rate of nine per centum per annum from the date of the said decree until payment. And that in default of payment of the said sum, interest, and costs within (*state period*) from the date of the said decree the said property be sold :

And whereas an order for the sale of the said premises was subsequently given by the court to the Fiscal under section 12 (2) of the Mortgage Ordinance, No. \_\_\_\_\_ of 1927.

And whereas after due notice and publication in manner by law prescribed the said property was exposed to public sale on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_ acting under the authority of the said Fiscal, and was sold to \_\_\_\_\_ as the highest bidder at the said sale for the sum of \_\_\_\_\_ rupees :

And whereas the said (*purchaser*) has duly paid to the said Fiscal the whole of the said purchase money and thus became entitled to a conveyance of the said property (*or, where the plaintiff is purchaser, and whereas the said (purchaser) has been allowed the amount of the purchase money (or as the case may be) in reduction of his claim, and has produced the order of court, copy whereof is hereunto annexed, and has thus become entitled, &c. :*

And whereas the said court by an order dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, copy of which is hereunto annexed, has duly confirmed the said sale.

Now these presents witness that the said Fiscal in consideration of the said sum of \_\_\_\_\_ rupees so paid by (*or credited to*) the said (*purchaser*) as aforesaid, the receipt whereof the said Fiscal doth hereby acknowledge, hath sold and assigned, and by these presents doth sell and assign, unto the said (*purchaser*), his heirs, executors, administrators, and assigns, the property described in the schedule hereto. To have and to hold the same with their and every of their appurtenances to him, the said (*purchaser*), his heirs, executors, administrators, and assigns for ever :

In witness whereof the said Fiscal hath hereunto subscribed his name at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_, Fiscal

Witnesses :

*Schedule.*

(To contain a description of the property conveyed.)

*Annexures.*

N.B.—This form may be varied as circumstances may require

## CHAPTER III.

*Mortgages to secure Future Advances.*

Effect of  
mortgages to  
secure future,  
&c., liability

17 (1) In the following cases, that is to say :

- (a) Where a mortgage is given to secure future advances (whether with or without any previous advances or other liability) ;
- (b) Where a mortgage is given to secure the floating balance from time to time due upon any account ;
- (c) Where a mortgage is given to secure a contingent liability arising out of a particular relationship (not being a liability of the nature of those referred to in either of the last two preceding paragraphs) ;

such mortgage shall be effective to the full extent of the charge intended to be created thereby as against any person claiming under any subsequent mortgage or transfer, notwithstanding that no money may have been actually due at the date of such subsequent mortgage or transfer in respect of the liability intended to be secured, and irrespective of the actual amount so due on such date.

(2) For the purposes of this section, the expression "transfer" includes any instrument creating any interest in the mortgaged property.

(3) This chapter applies to mortgages and transfers of land whether created, executed, or arising before or after the commencement of this Ordinance, but shall not affect the mutual rights of the parties in the case of *K. P. S. T. Sithambaram Chetty of Sea Street, Colombo, v. Bentotage David Fernando and Bentotage Bastian Fernando, both of Wellawatta, D. C., Colombo, Case No. 46,630*, or in any other case in which the decision of the Supreme Court in the said case shall have been followed prior to April 24, 1918.

(4) This chapter does not apply to mortgages of property other than land.

Priorities of law  
of registration  
unaffected.

18 Nothing contained in this chapter shall affect the priorities attaching to instruments as the result of registration under the law for the time being regulating the registration of instruments affecting land.

## CHAPTER IV.

*Supplementary.*

Repeal.

19 Sections 201, 640, 641, 642, 643, 644, and 649 of the Civil Procedure Code, 1889, and section 1 of Ordinance No. 8 of 1871, and the whole of Ordinance No. 8 of 1918 are hereby repealed.

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

W. L. MURPHY,  
Clerk to the Council.

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

W. L. MURPHY,  
Clerk to the Council.