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PART II.—LEGAL.

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

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PASSED ORDINANCES.

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

No. 2 of 1945.

L. D.—O. 42/44

An Ordinance to amend the War Damage (Business and Personal Movables) Ordinance, No. 9 of 1942.

HENRY MOORE.

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

1. This Ordinance may be cited as the War Damage (Business and Personal Movables) Amendment Ordinance, No. 2 of 1945.

Short title.

2. Section 27 of the War Damage (Business and Personal Movables) Ordinance, No. 9 of 1942, is hereby amended in sub-section (1) by the insertion, between paragraph (c) and the proviso to that sub-section, of the following new paragraph:—

Amendment of section 27 of Ordinance No. 9 of 1942.

“(d) damage occurring (whether accidentally or not) as the direct result of—

- (i) the explosion of any munitions or engines of war, being an explosion which is not due to the taking of any action referred to in paragraph (a) or of any measures referred to in paragraph (b) or paragraph (c); or
- (ii) any fire caused by or attributable to any such explosion;”.

Passed in Council the Sixth day of February, One thousand Nine hundred and Forty-five.

D. C. R. GUNAWARDANA,
Clerk of the Council.

Assented to by His Excellency the Governor the Twenty-fourth day of February, One thousand Nine hundred and Forty-five.

H. A. C. DOBBS,
Acting Secretary to the Governor.

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

No. 3 of 1945.

L. D.—O. 11/43

An Ordinance to amend the War Damage (Immovable Property) Ordinance, No. 62 of 1942.

HENRY MOORE.

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

1. This Ordinance may be cited as the War Damage (Immovable Property) Amendment Ordinance, No. 3 of 1945.

Short title.

Amendment of
section 29 of
Ordinance
No. 62 of 1942.

2. Section 29 of the War Damage (Immovable Property) Ordinance, No. 62 of 1942, (hereinafter referred to as "the principal Ordinance"), is hereby amended in sub-section (3) by the substitution, for the words "as may be prescribed.", of the words "as the Commissioner, with the approval of the Executive Committee, may in each case determine."

Amendment of
section 53 of
the principal
Ordinance.

3. Section 53 of the principal Ordinance is hereby amended in sub-section (1) by the insertion, between paragraph (c) and the proviso to that sub-section, of the following new paragraph:—

"(d) damage occurring (whether accidentally or not) as the direct result of—

- (i) the explosion of any munitions or engines of war, being an explosion which is not due to the taking of any action referred to in paragraph (a) or of any measures referred to in paragraph (b) or paragraph (c); or
- (ii) any fire caused by or attributable to any such explosion;"

Passed in Council the Sixth day of February, One thousand Nine hundred and Forty-five.

D. C. R. GUNAWARDANA,
Clerk of the Council.

Assented to by His Excellency the Governor the First day of March, One thousand Nine hundred and Forty-five.

H. A. C. DOBBS,
Acting Secretary to the Governor.

NOTICES OF INSOLVENCY.

In the District Court of Kandy.

No. I. 120. In the Matter of the insolvency of B. A. Abdeen of 3, Hill street, Kandy.

WHEREAS Cyril Gascoigne Bigford of Kandy has filed a declaration of insolvency, and a petition for the sequestration of the estate of B. A. Abdeen under the Ordinance No. 7 of 1853; Notice is hereby given that the said court has adjudged the said B. A. Abdeen, insolvent accordingly; and that two public sittings of the court, to wit, on April 24, 1945, and on May 22, 1945, 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, T. J. M. FERNANDO,
Secretary.
March 2, 1945.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

D. C. Vithiasakera of Maradana in Colombo Plaintiff.
No. S/6,261.

Arthur C. Weerasekera of 139, Dutugemunu road, Kohuwela, Nugegoda Defendant.

NOTICE is hereby given that on Thursday, April 5, 1945, will be sold by public auction at the respective premises the following properties for the recovery of the sum of Rs. 759 together with interest on Rs. 716 at 18 per cent. per annum from October 10, 1944, to November 20, 1944, and thereafter legal interest on the aggregate amount of the decree till payment in full, viz. —

The right title and interest of the defendant in and to the following property to wit:—

1. At 3 p.m.—An undivided 9/200 shares of Gorakagahakumbura, situated at Pagoda in the Palle pattu of Salpiti korale, Colombo District, Western Province; and bounded on the north by portions of land of D. Andiris Perera and others and D. Abraham Perera, east by reservation along canal, south by Welabodakumbura claimed by P. B. Perera and others, west by property of D. Simon and D. Andiris Perera and others and Gorakagahawita and Kongahawatta claimed by N. Don Hendrick and others in extent 4 acres and 23 perches.

The life interest of the defendant in and to the following properties to wit:—

2. At 3.30 p.m.—An undivided half share of Elabodaowita alias Elabodakumbura, situated at Pagoda aforesaid; and bounded on the north by property of Don Carolus, east by property of K. Don Cornelis, deceased, south by property of D. J. Wijesinghe, and west by old canal; containing in extent 2 acres and 16 perches.

3. At 4.15 p.m.—An undivided half share of Dawatagahawatta, situated at Nugegoda within the Kotte Urban Council in the Palle pattu aforesaid bearing assessment No. 648 and presently bearing No. 66; and bounded on the north by Nawala road and old ela, east by Abraham Costa's land, south by Nugegoda Cotta road, and west by land of W. A. Haramanis Appu; containing in extent about one rood.

4. At 5 p.m.—An undivided half share of Parangiyakumbura alias Kalwakkumbura bearing lot No. C, situated at Nawala in the Palle pattu aforesaid; and bounded on the north by fields belonging to Crown and land belonging to Andris Appu, east by field of Baron Cooray and garden of Bempy Perera and others, south by garden of Pabilis Cooray, Helena Cooray and William Botejue

and high road, and west by field of N. Kumaris Cooray and L. D. Arnolis Appuhamy; containing in extent 20 acres 1 rood and 7 perches.

Fiscal's Office,
Colombo, March 6, 1945.

H. C. WIJESINHA,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Abdul Majeed Khair's son Janul Abdeen of Tennekumbura in Gandhaye korale, Pata Hewaheta, Kandy Plaintiff.
No. M. B. 960. Vs.

Ojeer Umma, widow of Packeer Lobbe's son Uduma Lebbo of Tennekumbura, aforesaid Defendant.

NOTICE is hereby given that on Tuesday, April 3, 1945, at 2 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 the sum of Rs. 1,984.50, with interest on Rs. 1,100 at 15 per cent. per annum from July 25, 1944, to December 20, 1944, and thereafter legal interest on the aggregate amount till payment in full and costs and poundage in respect of assignment No. 658 dated September 24, 1942, and attested by V. M. Gurtswamy, Notary Public, viz. —

All that allotment of land situate at Malabar street in Ruwelkada within the Town Municipality and District of Kandy, Central Province, containing in extent 14 feet in breadth alongside the road and 74 feet in length from the road to the limit at the back together with the buildings thereon presently bearing assessment No. 51; and bounded on the east or south-east Malabar street, south or south-west premises No. 50 belonging to Seyad Packeer Mohammado Haniffa, west or north-west by ela or water-course separating this property from the paddy field belonging to Gangarama Vihare, and north or north-east by premises bearing assessment No. 52 belonging jointly to Muna Keena Seyado Mohammado and Muna Keena Mohideen Ally, containing in extent 4 perches according to Mr. James T. Trowell's plan of survey dated September 22, 1913, subject to Indemnity Bond No. 2304 dated December 25, 1928, and attested by S. A. Wijeyatillaka of Kandy, Notary Public. Registered in A 73/168.
Valuation Rs. 3,500.

Fiscal's Office,
Kandy, March 6, 1945.

H. F. RATWATTE,
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Dona Helena Henadri, also known as Henadirage No. 11,256. Dona Panchinona of Nawinna, deceased.

Hettiaratchige Don Daniel Perera of Pubbare Medagama in Badulla District Petitioner.

Vs.

(1) Hettiaratchige Don Daniel Perera of Nawinna, (2) ditto Don Danapala of Pubbare, (3) ditto Don Dayananda of Pubbare, (4) ditto Don Dharmadasa of Pubbare, (5) ditto Don Dharmadasa of Nawinna, (6) ditto Don Dharmasena, (7) ditto Don Podinona, both of Nawinna Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on January 30, 1945,

in the presence of Mr. N. V. T. Cooray, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 15, 1945, having been read:

It is ordered that the 7th respondent above named be and she is hereby declared appointed guardian *ad litem* over the 1st, 2nd, 3rd, 4th, 5th and 6th minor respondents and the petitioner above named be hereby declared entitled, as the widower of the said deceased, to have letters of administration to the estate of the said deceased issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before March 15, 1945, show sufficient cause to the satisfaction of this court, to the contrary.

S. J. C. SCHOKMAN,
Additional District Judge.

February 21, 1945.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of the Jurisdiction. late Maggonage Gimgoris Fernando of 35/2, No. 11,260. Albert road, Kollupitiya, deceased.

Asarappulle Katherine Fernando *alias* Asarappulige Juliana Fernando of 35/2, Albert road, Kollupitiya Petitioner.

Vs.

(1) M. Dharmadasa, (2) M. Seelawathie, (3) M. Dharmaratne, (4) M. Dharmapala, (5) M. Gunawathie, appearing by her guardian *ad litem*, (6) Mrs. Louisa Dias, all of Albert road, Kollupitiya Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on February 6, 1945, in the presence of Mr. S. Kanagaram, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 18, 1944, and the affidavit of the attesting witnesses dated December 18, 1944, having been read:

It is ordered that the 6th respondent above named be and she is hereby declared appointed guardian *ad litem* over the minor, the 5th respondent above named, and the last will and testament of Maggonage Gimgoris Fernando, the deceased above named, the original of which has been produced and is now deposited in this court be hereby declared proved and the petitioner is hereby declared entitled, as the widow of the deceased, to have letters of administration with will annexed issued to her accordingly, unless the respondents above named or any person or persons interested shall, on or before March 15, 1945, show sufficient cause to the satisfaction of this court to the contrary.

S. J. C. SCHOKMAN,
Additional District Judge.

March 1, 1945.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Denis Raven Stewart, late of Salisbury in the No. 11,285. Colony of Southern Rhodesia, a Lieutenant in the Punjab Regiment, deceased.

And in the Matter of the British Courts Probates (Re-sealing) Ordinance (Chapter 84).

NOTICE is hereby given that after the expiry of twenty-one days from the date hereof application will be made to the District Court of Colombo under the British Courts Probates (Re-sealing) Ordinance (Chapter 84) for the sealing of a certified copy of the grant of letters of administration with the will annexed of Denis Raven Stewart, late of Salisbury in the Colony of Southern Rhodesia, a Lieutenant in the Punjab Regiment, deceased, granted by the High Court of Southern Rhodesia on October 11, 1944.

JULIUS & CREASY,

Colombo, February, 19 1945.

Proctors for Henry Millen Attorney for Marjorie Ward Amy Stewart the Sole Executrix of the Last Will and Testament of Denis Raven Stewart, deceased.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Ellen Margaret Mann of 11, Palace Mansions, No. 11,286. Addison Bridge, Fulham in the County of Middlesex, England, widow, deceased.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on February 21, 1945, in the presence of Messrs. F. J. & G. de Saaram, Proctors, on the part of the petitioner, Frederick James Harry Harrison of Colombo; and (1) the affidavit of the said petitioner dated February 15, 1945, (2) the power of attorney dated August 15, 1944, and (3) the order of the Supreme Court dated February 8, 1945, having been read: It is ordered that the will of the said Ellen Margaret Mann, deceased, dated June 24, 1942, 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 Frederick James Harry Harrison is the attorney in Ceylon of the executor 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 March 22, 1945, show sufficient cause to the satisfaction of this court to the contrary.

S. J. C. SCHOKMAN,
Additional District Judge.

February 28, 1945.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament and, Jurisdiction. Codicils of Ewart Thackrah of Withens, 62, Harlow, No. 11,287. Moor Drive, Harrogate in the County of York, England, deceased.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on February 21, 1945, in the presence of Messrs. F. J. & G. de Saaram, Proctors, on the part of the petitioner, Frederick James Harry Harrison of Colombo; and (1) the affidavit of the said petitioner dated February 15, 1945, (2) the power of attorney dated October 20, 1944, and (3) the order of the Supreme Court dated February 8, 1945, having been read: It is ordered that the will of the said Ewart Thackrah, deceased, dated January 21, 1937, with two codicils thereto dated July 12, 1937, and January 17, 1939, respectively, 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 Frederick James Harry Harrison is the attorney in Ceylon of the executor named in the said will and that he is entitled to have letters of administration (with will and codicils annexed) issued to him accordingly, unless any person or persons interested shall, on or before March 22, 1945, show sufficient cause to the satisfaction of this Court to the contrary.

S. J. C. SCHOKMAN,
Additional District Judge.

February 28, 1945.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Philip Benedict Anandappa of 192, Modera No. 11,293. street, Mutwal, deceased.

Mary Rosaha Anandappa of 192, Modera street, Mutwal, Colombo Petitioner.

Vs.

(1) Philip Benedict Anandappa (a minor) by his guardian *ad litem* (2) Joseph Cesar Philip Casper Chetty, both of 192, Modera street, Mutwal Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on February 23, 1945, in the presence of Mr. J. M. Caderamanpulle, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 19, 1945, having been read:

It is ordered that the 2nd respondent above named be and he is hereby declared appointed guardian *ad litem* over the minor, the 1st respondent above named and the petitioner above named be and she is hereby declared entitled, as the widow of the said deceased, to have letters of administration to the estate of the said deceased issued to her accordingly, unless the respondents above named or any person or persons interested shall, on or before April 26, 1945, show sufficient cause to the satisfaction of this court to the contrary.

S. J. C. SCHOKMAN,
Additional District Judge.

March 1, 1945.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate and Effects of the late Jurisdiction. Weligamage Francis Silva, deceased, of Maningamuwa in Udugoda korale in Matale North. No. T 430.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge, Kandy, on January 18, 1945, in the presence of Mr. Alfred Fernando, Proctor, on the part of the petitioner, Weligamage Charles Silva of Maningamuwa, and the affidavit of the said petitioner dated January 12, 1945, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the elder brother of the above-named deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents (1) L. T. H. Noli Nona, (2) W. Samuel de Silva, (3) W. Dayawathie de Silva, (4) W. Shelton de Silva, (5) W. Douglas de Silva, (6) Babu Nona Thenabandu, (7) W. Leelawathie, (8) W. Yassowathie, (9) W. Hemalatha and (10) W. Somalatha or any other person or persons interested shall, on or before March 15, 1945, show sufficient cause to the satisfaction of this court to the contrary.

C. NAGALINGAM,
District Judge.

January 18, 1945.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate and Effects of the late Jurisdiction. Ballegedera Mudalhamy, deceased of Naguliyadda No. T 490. in Ambanganga korale.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge, Kandy, on January 18, 1945, in the presence of Messrs. Abeykoon & Dias Desinghe, Proctors, on the part of the petitioner Bamaragasyayegedera Ram Menka of Naguliyadda; and the affidavit of the said petitioner dated January 15, 1945, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to the estate of the deceased issued to her, unless any other person or persons interested shall, on or before March 22, 1945, show sufficient cause to the satisfaction of this court to the contrary.

C. NAGALINGAM,
District Judge.

January 18, 1945.

In the District Court of Nuwara Eliya.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects Jurisdiction. of Grace Wynell-Mayow late of Cranleigh, No. 384. Nuwara Eliya, deceased.

Reginald Wynell-Mayow of Wewesse, Badulla Petitioner.

(1) Ida Helen Sopwell of Beauvais Idalgashena, (2) John Harding Wynell-Mayow of the Hill Club, Nuwara Eliya, (3) Edward Wynell-Mayow, (4) Constance Fwart of 11, Brownrigg road, Colombo, (5) Evelyn Wynell-Mayow of 20, Tweedy road, Bromley, Kent, England, (6) Gerald Wynell-Mayow of Wartyhully estate Saklaspur Mysore, South India, (7) Charles Wynell-Mayow of Ellawella estate, Bandarawela, (8) Kenneth Wynell-Mayow of Choughleigh, Pussellawa Respondents.

THIS matter coming on for disposal before T. P. P. Goonetilleke, Esq., District Judge of Nuwara Eliya, on February 10, 1945, in the presence of Mr. V. C. Modder, Proctor, on the part of the petitioner and the affidavit and petition of the petitioner dated February 3 and 9, 1945, respectively. Minutes of consent from the 1st, 2nd and 4th to 8th respondents above named having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as brother of the above-named deceased, to have letters of administration to the intestate estate of the said deceased issued to him unless the above-named respondents or any other person or persons interested shall on or before March 16, 1945, show sufficient cause to the satisfaction of this court to the contrary.

February 10, 1945.

T. P. P. GOONETILLEKE,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Kandanda Arachchige Gawthamadasa of Pallimulla, deceased. No. 4,241.

Kalutantiri Dona Gimara of Pallimulla Petitioner.

THIS matter coming on for disposal before K. D. de Silva, Esq., District Judge of Matara, on November 23, 1944, in the presence of Mr. W. Balasuriya, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated November 15, 1944, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as mother and ob. heir of the deceased, to have letters of administration to the estate of the deceased issued to her, unless the respondents or any other person or persons interested in the estate shall on or before January 8, 1945, show sufficient cause to the satisfaction of this court to the contrary.

November 23, 1944.

K. D. DE SILVA,
District Judge.

Extend *Order Nisi* for March 26, 1945.

In the District Court of Jaffna (held at Point Pedro).

Order Nisi.

No. 264/PT. In the Matter of the Intestate Estate of Kathirgamar Jurisdiction. Thambar Sinnathurai of Thumpalai, deceased. No. 353.

Sinnappillai, widow of Muththiah of Thumpalai Petitioner.

Vs.

Manappillai, widow of Selador of ditto Respondent.

THIS matter coming on for disposal before E. Wijeyawardene, Esq., Additional District Judge, Jaffna, on February 10, 1945, in the presence of Messrs. Rajaratnam & Nadarajasunderam, Proctors, on the part of the petitioner, and the affidavit of the petitioner dated February 6, 1945, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled as the sole heir of the deceased to have letters of administration to the above estate issued to her accordingly, unless the respondent or any other person or persons interested shall, on or before March 15, 1945, show sufficient cause to the satisfaction of this court to the contrary.

February 28, 1945.

E. WIJEWARDENE,
Additional District Judge.

In the District Court of Jaffna.

Order Absolute in the First Instance.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. the late Aechimuttu, wife of Kanapathippillai No. 329. Sithambarappillai of Kokkuvil, Testatrix.

Kanapathippillai Sithambarappillai of Kokkuvil Petitioner.

THIS matter coming on for final determination before H. A. de Silva, Esq., District Judge, on October 18, 1944, in the presence of Mr. V. K. Gnanasundaram, Proctor, on the part of the petitioner; and the affidavits of Muttiah Sinnatambay and Thambiah Sellaturai, the witnesses, and V. K. Gnanasundaram the attesting Notary, having been read:

It is ordered that the will of Aechimuttu, wife of Kanapathippillai Sithambarappillai, the deceased, dated February 15, 1939, and now deposited in this court be and the same is hereby declared proved, and that probate of the said will be issued to the petitioner, who is the executor named in the said will, accordingly.

Jaffna, October 18, 1944.

H. A. DE SILVA,
District Judge.

Publication for 14.3.45,

January 18, 1945.

H. A. DE SILVA,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Rasamma, Jurisdiction. wife of Appakuddy Kanapathippillai of Kokkuvil No. 330. East, deceased, of Wellawatta.

Appakuddy Kanapathippillai of Kokkuvil East Petitioner.

(1) Leelavathiyamma, (2) Saromy, (3) Puspavathiamma, all children of Kanapathippillai, all of Kokkuvil East, (4) Senathirajah Kulaveerasingam, Deputy Fiscal, N. P., Jaffna Respondents.

THIS matter coming on for disposal before H. A. de Silva, Esq., District Judge, Jaffna, on October 20, 1944, in the presence of Mr. C. Arulambalam, Proctor, on the part of the petitioner, and the affidavit of the above-mentioned petitioner dated March 29, 1944, having been read:

It is further declared that the said 4th respondent, be appointed guardian *ad litem* over the minors, 1st, 2nd and 3rd respondents, and that the said petitioner be declared entitled, to have letters of administration to the estate of the deceased, as her lawful husband, unless the respondents or others interested shall, on or before January 30, 1945, show sufficient cause to the satisfaction of this court to the contrary.

October 20, 1944.

H. A. DE SILVA,
District Judge.

Extended for March 20, 1945.

H. A. DE SILVA,
D. J.

In the District Court of Jaffna.

Order Nisi.

Case No. 337 T. In the Matter of the Estate of the late C. Paramanathan of Chiweatheru, deceased.

Annalechumy, widow of Paramanathan of ditto Petitioner

And

(1) P. Kuganathan, (2) P. Kamalawathy, (3) P. Patmawathy, (4) P. Nallathian (minors), (5) A. Cateeravelu, all of ditto Respondents.

THIS matter of the petition of the above-named petitioner praying that the 5th respondent be appointed guardian *ad litem* over 1st-4th respondents, and for the grant of letters of administration to her coming on for disposal before H. A. de Silva, Esq., District Judge, Jaffna, in the presence of Mr. C. T. Kumaraswamy, Proctor, it is ordered that the 5th respondent be appointed guardian *ad litem* over 1st-4th respondents and that letters of administration be granted to the petitioner as widow of the deceased, unless the respondent shall, show sufficient cause to the contrary on January 19, 1945.

November 8, 1944.

H. A. DE SILVA,
District Judge.

Order Nisi entered for March 16, 1945.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Manonmany, Jurisdiction. wife of Thyagarajah Rajasingham of Tellippalai East, deceased. No. 353.

Murugesar Ramuppillai of Tellippalai East Petitioner.

Vs.

(1) Rajasingham Rajamanoharan, (2) Rajasingham Nithyanantham, (3) Rajasingham Thevendran, (4) Rajasingham Arulmalar, (5) Thyagarajah Rajasingham, all of Tellippalai East Respondents.

THIS matter coming on for disposal before H. A. De Silva, Esq., District Judge, Jaffna, on January 10, 1945, in the presence of Mr. M. Sithambaranathan, Proctor, on the part of the petitioner; and on reading the affidavit and petition of the petitioner:

It is ordered that the above-named 5th respondent be appointed guardian *ad litem* over the minors, the above-named 1st, 2nd, 3rd and 4th respondents, for the purpose of representing them in this action, and that the petitioner be declared entitled, to letters of administration to the estate of the above-named deceased, and that the same be issued to him accordingly, unless the above-named respondents shall, on or before February 12, 1945, appear before this court and show sufficient cause to the satisfaction of this court to the contrary.

January 10, 1945.

H. A. DE SILVA,
District Judge.

Cause to show extended to March 13, 1945.

February 27, 1945.

H. A. DE SILVA,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Rangithammah, Jurisdiction. wife of Thambippillai Thambiah of Nallore, No. 364. deceased.

Thambippillai Thambiah of Nallore, Jaffna Petitioner.

Vs.

(1) Nadarajah, (2) Jesvarajah, (3) Navaratnarajah, (4) Jogeswary, (5) Thilageswary, (6) Vigneswary, and (7) Santhakumar, children of Thambippillai Thambiah, all of Nallore, and (8) Ehatamby Muttutambay, and wife (9) Sinnammah, both of ditto Respondents.

THIS matter coming on for disposal before H. A. de Silva, Esq., District Judge, Jaffna, on February 2, 1945, in the presence of Mr. S. Visuvalingam, Proctor, for the petitioner; and the affidavit of the petitioner having been read:

It is ordered that letters of administration to the estate of the above-named deceased be issued to the petitioner, as her lawful husband and that the 8th and 9th respondents be appointed guardian *ad litem* over the minors, 1st to 7th respondents, unless the respondents appear before this court on March 26, 1945, and state objection to the contrary.

The minors should appear on the said date.

H. A. DE SILVA,
District Judge.

February 2, 1945.

In the District Court of Batticaloa.
Order Nisi.

Testamentary In the Matter of the Estate of the late Juam Ignatius
Jurisdiction. Miranda of Manapad, South India, deceased.
No. 534.

Susai Francis Fernando of Batticaloa Petitioner.
Vs.

Susai Estove Fernando of Batticaloa Respondent.

THIS matter coming on for disposal before L. W. de Silva, Esq., District Judge of Batticaloa, on February 20, 1945, in the presence of Mr. K. W. Devanayagam, Proctor on the part of the petitioner; and the affidavit and petition of the petitioner dated February 19 and 20, 1945, respectively, having been read:

It is ordered that the petitioner as the elder son of the deceased be and he is hereby appointed administrator of the estate of the late Juam Ignatius Miranda of Manapad, South India, and that letters of administration be issued to him accordingly, unless any person or persons interested shall, on or before March 22, 1945, show sufficient cause to the satisfaction of this court to the contrary.

February 20, 1945.

L. W. DE SILVA,
District Judge.

In the District Court of Puttalam.
Amended-Order Nisi.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Pitche Maraiakar Assena Maraiakar of Puttalam,
No. 772. deceased.

Mohamedo Usoof Alim Maimoon, widow of Assena Maraiakar
of Puttalam Petitioner.

And

(1) Assena Maraiakar Abdussamado, (2) Assena Maraiakar Sultan Mohamedo, (3) Muhammed Mariam Umma, wife of Mohamedo Ibrahim, (4) Mohamedo Asia Beevy, wife of M. M. Tajudeen, (5) Assena Maraiakar Mashooth, and (6) Assena Maraiakar Muhammed Usoof, all of Puttalam Respondents.

THIS matter coming on for disposal before K. D. de Silva, Esq., District Judge of Puttalam, on November 16, 1943, in the presence

of Mr. Emmanuel Muttukumaru on the part of the petitioner and the petition of the petitioner dated November 8, 1943, and affidavit dated November 4, 1943, and last will dated August 3, 1942, with its translation having been read:

It is ordered that the last will of the above-named deceased, filed in this case be and the same is hereby declared proved, and that the above-named Muhammed Usoof Alim Maimoon be and she is hereby appointed administratrix of the said estate and that letters of administration be accordingly issued to her, unless the respondents above named or any other person or persons interested in the matter of this application shall, appear on or before October 16, 1944, and show sufficient cause to the contrary.

September 25, 1944.

V. H. WIJEYARETNA,
District Judge.

Time extended to show cause against the *Order Nisi* for February 12, 1945.

January 22, 1945.

V. H. WIJEYARETNA,
District Judge.

Time extended to show cause against the *Order Nisi* for March 13, 1945.

V. H. WIJEYARETNA,
District Judge.

In the District Court of Ratnapura.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Ana
Jurisdiction. Mohammadu of Ratnapura, deceased.
No. 1,167.

Between

Mohammadu Abdul Wahid of Ratnapura Petitioner.

And

(1) Mohamadu Ahamed Ismail, (2) Mohamadu Suleiha Umma, (3) Mohamadu Pathumma, all of Inner Circular road, Ratnapura, (4) Noofa Lebbe Nona Umm *qadas* Babanona, presently of Malangama Respondents.

THIS matter coming on for disposal before Spencer Rajaratnam, Esq., District Judge, Ratnapura, on February 15, 1945, in the presence of Mr. V. H. Abeyratne, Proctor, on the part of the petitioner, and the petition and affidavit of the petitioner above named dated February 12, 1945, having been read: It is ordered that Mohamed Abdul Wahid of Ratnapura, the petitioner above named, is the son of the deceased above named, and that he is entitled to have letters of administration to the estate of the deceased above named issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before March 15, 1945, show sufficient cause to the satisfaction of the court to the contrary.

Ratnapura, February 15, 1945.

C. J. C. JANSZ,
District Judge.

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to amend and consolidate the law relating to Weights and Measures.

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FIRST SCHEDULE—*Avoirdupois weight.*SECOND SCHEDULE—*Apothecaries' weight.*THIRD SCHEDULE—*Troy Weight.*FOURTH SCHEDULE—*Jewellers' weight.*FIFTH SCHEDULE—*Measures of length.*SIXTH SCHEDULE—*Measures of surface.*SEVENTH SCHEDULE—*Measures of capacity.*EIGHTH SCHEDULE—*Apothecaries measures.*NINTH SCHEDULE—*Amendments of other written law.*

L D.—O. 62/30.

An Ordinance to amend and consolidate the law relating to Weights and Measures.

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

Short title and date of operation.

1. This Ordinance may be cited as the Weights and Measures Ordinance, No. of 1945, and shall come into operation, on such dates as the Governor may appoint by Proclamation published in the *Gazette*.

PART I.

Appointments, Administration, etc.

2. (1) The Governor may, for the purposes of this Ordinance, appoint—

Appointment of Warden of the Standards, Deputy Warden of the Standards, Examiner of Standards and Superintendent of Weights and Measures.

(a) any person, by name or by office, to be or to act as Warden of the Standards ;

(b) any person, by name or by office, to be or to act as Deputy Warden of the Standards ;

- (c) any person, by name or by office, to be or to act as Examiner of the Standards ;
- (d) any person, by name or by office, to be or to act as Superintendent of Weights and Measures for any specified District or area.

(2) The Deputy Warden of the Standards appointed under sub-section (1) may, subject to the general direction and control of the Warden of the Standards, exercise, perform or discharge all or any of the powers, duties or functions, conferred or imposed on or assigned to the Warden by or under this Ordinance.

3. The Governor, on the joint recommendation of the Executive Committee of Labour, Industry and Commerce, and the Executive Committee of Local Administration, may, by Proclamation published in the *Gazette*,—

Local authorities.

- (a) declare that any Municipal Council, Urban Council, Local Board, Sanitary Board, or Village Committee shall be the local authority for the purposes of the administration of the Ordinance in the area within the administrative limits of such Council, Board, or Committee, as the case may be ; and
- (b) where any Council, Board or Committee so declared to be a local authority has failed or is unable to exercise or perform the powers or duties conferred or imposed on a local authority by this Ordinance, declare that such Council, Board, or Committee shall cease to be a local authority for the purposes of this Ordinance.

4. (1) The Warden shall appoint such number of Inspectors of Weights and Measures and other officers and servants as may be necessary for the administration of this Ordinance in all areas other than areas within the administrative limits of local authorities, and shall assign to every such Inspector an area (hereinafter referred to as an "Inspectoral area") in which he shall exercise the powers and discharge the duties conferred or imposed on an Inspector by or under this Ordinance.

Appointment of Inspectors.

(2) Every local authority shall appoint not less than one Inspector of Weights and Measures for the area within the administrative limits of that authority, and may appoint such other Inspectors, officers and servants as may be necessary for the administration of this Ordinance in that area.

(3) No person shall be appointed under this section to be an Inspector unless he holds a certificate in the prescribed form under the hand of the Warden to the effect that he is competent to be an Inspector ; no such certificate shall be issued to any person unless he has been examined by, and passed the prescribed tests to the satisfaction of the Warden.

(4) A Superintendent shall have and may exercise within the District or area for which he is appointed, all the powers conferred on an Inspector by or under this Ordinance.

PART II.

Authorised Weights and Measures.

5. (1) A pound avoirdupois shall be the primary weight in Ceylon.

Avoirdupois weight.

(2) The weights specified in the first column of the First Schedule (in this Ordinance referred to as "avoirdupois weight"), are hereby declared to be such parts or multiples of a pound avoirdupois as are respectively specified in the second column of that Schedule.

First Schedule.

6. The weights specified in the first column of the Second Schedule (in this Ordinance referred to as "apothecaries' weight"), are hereby declared to be such parts of a pound avoirdupois as are respectively specified in the second column of that Schedule.

Apothecaries' weight, Second Schedule.

7. The weights specified in the first column of the Third Schedule (in this Ordinance referred to as "troy weight"), are hereby declared to be such parts or multiples of a pound avoirdupois as are respectively specified in the second column of that Schedule.

Troy weight, Third Schedule.

8. (1) The carat is hereby declared to be a weight equivalent to 3·08646974 grains of avoirdupois weight.

Jewellers' weight.

(2) The weights specified in the first column of the Fourth Schedule (in this Ordinance referred to as "Jewellers' weight") are hereby declared to be such parts or multiples of a carat as are respectively specified in the second column of that Schedule.

Fourth Schedule.

9. (1) A yard shall be the primary measure of length in Ceylon.

Measures of length.

- Fifth Schedule. (2) The measures specified in the first column of the Fifth Schedule (in this Ordinance referred to as "measure of length"), are hereby declared to be such parts or multiples of a yard as are respectively specified in the second column of that Schedule.
- Measures of surface. 10. (1) A square yard shall be the primary measure of surface in Ceylon.
- Sixth Schedule. (2) The measures of surface specified in the first column of the Sixth Schedule are hereby declared to be such parts or multiples of a square yard as are respectively specified in the second column of that Schedule.
- Measure of Capacity. 11. (1) A gallon shall be the primary measure of capacity in Ceylon.
- Seventh Schedule. (2) The measures specified in the first column of the Seventh Schedule (in this Ordinance referred to as "measures of capacity"), are hereby declared to be such parts or multiples of a gallon as are specified respectively in the second column of that Schedule.
- Eighth Schedule. 12. The apothecaries measures specified in the first column of the Eighth Schedule are hereby declared to be such parts of a gallon as are respectively specified in the second column of that Schedule.
- Authorised weight and measures. 13. (1) All weights and measures specified in the Schedules to this Ordinance are hereby declared to be, and are referred to in this Ordinance as, authorised weights and authorised measures, respectively; and every denomination of weight or measures specified in any such Schedule is hereby declared to be, and is referred to in this Ordinance as, an authorised denomination of weight or measure, as the case may be.
- (2) The Governor may from time to time with the advice of the Executive Committee, by Proclamation published in the *Gazette*, declare either generally or for the purpose of any specified trade or class of trades—
- (a) new denominations of the weights and measures specified in any Schedule to this Ordinance;
- (b) new weights and measures in addition to the weights and measures specified in the Schedule to this Ordinance.
- (3) Every new denomination of weight or measure and every new weight or measure declared by Proclamation under sub-section (1) shall, to the extent specified in such Proclamation, be an authorised denomination of weight or measure or an authorised weight or measure, as the case may be, for the purpose of this Ordinance.

PART III.

Standards of Weight and Measure.

- Ceylon standards. 14. (1) For the purposes of this Ordinance, the Governor may from time to time procure such standards of weight and measure as he may consider necessary.
- (2) Every standard of weight or measure procured under sub-section (1) shall be equivalent to an authorised denomination of weight or measure, and shall be made of such materials and in such manner as to be, as far as practicable, proof against mechanical and atmospheric agencies and other sources of error.
- (3) Every standard of weight or measure procured under sub-section (1) shall be verified and stamped at the Standards Department of the Board of Trade in England before such standard is brought into use in Ceylon.
- (4) The Governor may by notification in the *Gazette* declare that any standard of weight or measure, which has been procured and verified under this section, shall be brought into use in Ceylon and such standard shall upon such notification become a Ceylon standard and shall for all purposes whatsoever be conclusively presumed to be true and accurate.
- Custody and verification of Ceylon standards. 15. (1) Every Ceylon standard shall be kept and preserved in such manner as may be prescribed at the office and in the custody of the Warden.
- (2) The Governor shall, once at least in each period of fifteen years, cause every Ceylon standard to be verified and if necessary, adjusted or renewed, at the Standards Department of the Board of Trade in England.
- Provided, however, that before any Ceylon standard of any weight or measure is sent out of Ceylon for such purpose, the Governor may cause a secondary standard of that weight or measure to be verified by comparison with such Ceylon standard and to be authenticated in such manner as the Governor may direct and to be placed in the custody of the Warden, and such secondary standard shall, during such time as the Ceylon standard is out of Ceylon, be deemed to be a Ceylon standard.

16. (1) The Governor may, for the purposes of this Ordinance, cause such copies as he may consider necessary of any Ceylon standards to be made in such manner and of such material, weight, length, form and specifications, as may be prescribed.

Secondary standards.

(2) Every such copy of a Ceylon standard shall, unless otherwise prescribed, be verified at the Standards Department of the Board of Trade in England, and shall be authenticated in the prescribed manner before it is brought into use in Ceylon.

(3) The Governor may, by notification published in the *Gazette*, declare that any copy of a Ceylon standard, which has been verified and authenticated in accordance with the provisions of sub-section (2), shall be brought into use in Ceylon; and such copy shall upon such notification become a secondary standard of weight or measure, as the case may be, and shall be deemed, until the contrary is proved, to be true and accurate.

(4) Every secondary standard of any weight or measure shall be kept and preserved in such manner as may be prescribed at the office and in the custody of the Warden, who shall, once at least in each period of five years, cause such standard to be compared with the Ceylon standard of that weight or measure and, if necessary, to be corrected or adjusted.

(5) The Governor may at any time by notification published in the *Gazette* cancel any secondary standard and any standard so cancelled shall thereupon cease to be, and to be used as, a secondary standard.

17. (1) The Warden or any local authority may from time to time for the purposes of this Ordinance procure such copies as may be necessary of the secondary standards of weight and measure; every such copy shall be made in such manner and of such materials, form and specifications as may be prescribed.

Working standards.

(2) The Warden shall cause every such copy of a secondary standard to be verified, and if found to be correct, to be authenticated, in the prescribed manner; every copy so authenticated shall be a working standard for the purposes of this Ordinance, and shall be deemed, until the contrary is proved, to be true and accurate.

18. (1) The Warden shall provide, for use by Inspectors appointed by him, such number of working standards as he may consider necessary; and such standards shall be kept at every Kachcheri in Ceylon and at such other places as the Warden may direct, in the custody of the Government Agent of the Province or the Assistant Government Agent of the District, or, in the case of a place other than a Kachcheri, in the custody of the Superintendent of the District or area in which that place is situated.

Revision of working standards for the use of Inspectors.

(2) Every local authority shall provide, for use by Inspectors appointed by that authority, such working standards as the Warden may from time to time direct; and such standards shall be kept at the office and in the custody of the authority and at such other places in the area of that authority as the Warden may direct.

19. (1) Every local authority and every Government Agent, having the custody of any working standard, shall once at least in every period of two years send that standard to the Warden for the purpose of examination.

Periodical verification of working standards.

(2) The Examiner shall examine every working standard of weight or measure which is sent to the Warden under sub-section (1) and shall compare it with the secondary standard of that weight or measure, and if such working standard is, after such correction or adjustment as may be necessary, found to be true and accurate, shall in such manner as may be prescribed, stamp it as correct.

20. (1) The Warden shall provide, for use by Inspectors appointed by him, such weighing and measuring instruments as he may consider necessary, and such instruments shall be kept at every Kachcheri in Ceylon and at every other place at which working standards are, under section 18 (1), required to be kept.

Provision of weighing and measuring instruments for use by Inspectors.

(2) Every local authority shall keep and maintain such weighing and measuring instruments as the Warden may direct at the office of the authority and at every other place in the area of that authority at which working standards are, under section 18 (2), required to be kept.

(3) Every weighing or measuring instrument which is provided and kept under this section, shall be verified by the Superintendent at such times and in such manner as may be prescribed.

21. Every Court shall take judicial notice of every Ceylon standard and of every secondary or working standard.

Judicial notice of standards.

PART IV.

Use of Weights and Measures, etc.

All contracts sales, etc., and collection of fees or duties to be in terms of authorised weights or measures.

22. (1) Save as is otherwise provided in section 54, every contract, bargain, sale or dealing made or had in Ceylon whereby any work, goods, wares, merchandise or other thing is or are to be done, sold, delivered, carried, measured, computed, paid for, or agreed for by weight or measure, shall be made and had according to one of the authorised weights and measures.

(2) All fees and duties whatsoever charged or collected in Ceylon according to weight or measure shall be charged and collected according to weight or measure shall be charged and measures.

(3) Every contract, bargain, sale or dealing which is not made or had in accordance with the provision of sub-section (1) shall be void :

Provided, however, that notwithstanding anything in this section, a court may, in any case where any person has derived or received any advantage from or under any such contract, bargain, sale or dealing, make such order as the court may deem expedient for the purpose of compensating the person from whom or on account of whose act such advantage was derived or received.

Only authorised denominations to be used for trade.

23. Save as is otherwise provided in section 54, no weight or measure of any denomination other than an authorised denomination shall be used for the purpose of any trade.

Use of authorised weights for sale of articles.

24. (1) Subject as hereinafter provided, every article which is sold by weight shall be sold by avoirdupois weight, and every computation of the weight of any article for the purpose of trade shall be made by avoirdupois weight :

Provided, however, that—

- (a) every drug which is sold by retail shall, if sold by weight, be sold by apothecaries weight ;
- (b) troy weight or jewellers' weight may be used for the sale or for the computation of the weight—
 - (i) of gold and silver or any article made thereof including gold or silver thread, lace and fringe ;
 - (ii) of platinum, diamonds, or any other precious metal or stone :

Provided, further, that nothing in this section shall be deemed to prohibit the use of any new weight declared by Proclamation under section 13 to such extent as may be specified in such Proclamation.

Use of weight or measure the denomination of which is not stamped thereon.

25. No person shall use for the purpose of any trade, or have in his possession for use in any trade—

- (a) any weight which purports to be of a denomination equivalent to an authorised denomination, unless the denomination is stamped on the top or side thereof in legible figures and letters ; or
- (b) any measure of length or capacity which purports to be of a denomination equivalent to an authorised denomination, unless the denomination is stamped on the outside thereof in legible figures and letters ;
- (c) any striker which does not comply with the requirements of section 30 (a) :

Provided that nothing in this section shall be deemed to require the stamping of a denomination of any weight, if the small size of such weight renders such stamping impracticable.

Use of weighing or measuring instrument the capacity of which is not stamped thereon.

26. No person shall use for the purpose of any trade, or have in his possession for use in any trade any weighing or measuring instrument which does not bear a stamp indicating the maximum weight or measure, as the case may be, which may be weighed or measured by means of such instrument.

Seller to weight or measure article if required.

27. Every person who in any shop, warehouse, store, market, or public place sells any article by weight or measure, whether on his own behalf or on behalf of the owner of such article, shall on demand made by the person to whom the article is to be delivered—

- (a) if the article is sold by weight, weigh the article in a weighing instrument in the presence of that person or
- (b) if the article is sold by measure, measure the article in a measure of capacity in the presence of that person.

Prohibition on sale of weight, etc., not stamped by inspectors.

28. No person shall sell or expose for sale any weight or measure or weighing or measuring instrument which has not been verified and stamped by an Inspector with the prescribed mark of verification.

29. Where the Governor is satisfied that sufficient facilities are provided under this Ordinance for the verification and stamping by Inspectors of all weights and measures and weighing and measuring instruments which are in use in any place or area in Ceylon, the Governor may by Proclamation published in the *Gazette* prohibit the use, for the purpose of any trade in that place or area, of any weight or measure or weighing or measuring instrument which has not been stamped by an Inspector with the prescribed mark of verification; every such Proclamation shall be in force in such place or area on and after such date as may be specified therein, not being earlier than three months after the date on which the Proclamation is published in the *Gazette*.

Prohibition of use of weights, measures, or instruments not stamped by Inspectors.

30. Where any authorised measure of capacity is used for the purpose of any trade, such measure shall not be heaped but shall—

Use of measures of capacity.

- (a) be stricken with a round striker which must be straight and of the same diameter from end to end; or
- (b) whether the article measured cannot conveniently be stricken by reason of its shape or size, be filled in all parts as nearly to the level of the brim as the shape and size of the article will permit.

31. (1) No person shall sell, manufacture or repair any authorised weight or measure or any weighing or measuring instrument or any striker except under the authority of a licence issued by the Warden under this section.

Prohibition of sale, manufacture or repair of weights, measures etc., except under licence.

(2) No licence to manufacture or repair weights, measures, strikers, and weighing and measuring instruments shall be issued to any person except upon payment of the prescribed fee.

(3) Every licence issued by the Warden under this section shall be in the prescribed form, shall be subject to such conditions as may be prescribed, and shall be in force until such date as may be specified in the licence.

(4) Regulations may be made prohibiting persons licensed under this section from demanding or accepting, in respect of the repair or adjustment of weights, measures, and weighing and measuring instruments, fees in excess of such maximum fees as may be prescribed by such regulations.

PART V.

Inspection, stamping and verification of Weights and Measures.

32. (1) The Superintendent for each District or area shall fix the times and the places within such District or area at which each Inspector appointed by the Warden shall examine and verify weights and measures and weighing and measuring instruments.

Periodical examination of weights, measures and instruments.

(2) The Chairman of every local authority shall fix the times and the places within the area of that authority at which each Inspector appointed by that authority shall examine and verify weights and measures and strikers and weighing and measuring instruments.

(3) Public notice of the time and place fixed under sub-section (1) or sub-section (2) for the examination and verification of weights and measures and strikers and weighing and measuring instruments shall be given by the Superintendent for the District or area or the Chairman of the local authority, as the case may be, in such manner and at such times as may be prescribed.

(4) Every Inspector shall at the time and place fixed under this section for examination by him, attend with the working standards provided for his use and shall—

- (a) examine in the prescribed manner every weight or measure which is produced to him for the purpose and compare it with a working standard of that weight or measure; and
- (b) examine and test in the prescribed manner every weighing or measuring instrument and any striker which is produced to him for the purpose.

(5) Nothing in sub-section (1) or sub-section (2) shall be deemed to prevent an Inspector from examining, comparing or testing any weight or measure or striker or weighing or measuring instrument which is produced to him for examination at any time or place other than a time or place fixed under this section.

(6) No Inspector shall examine any weight or measure or weighing or measuring instrument under this section, except upon payment of the prescribed fee for such examination

33. (1) An Inspector who, upon examination under section 32, finds any weight or measure or weighing or measuring instrument to be just, and otherwise in all respects to comply

Stamping of mark of verification.

with the provisions of this Ordinance and of the regulations made thereunder, shall stamp such weight, measure or instrument in the prescribed manner with the prescribed mark of verification.

(2) No Inspector shall stamp with a mark of verification any weight or measure or weighing or measuring instrument which is not just or which does not comply with any provisions of this Ordinance or any regulation which is applicable in the case of such weight, measure or instrument, as the case may be.

(3) No Inspector shall stamp any weight or measure with a mark of verification—

- (a) unless such weight or measure is of an authorised denomination ; or
- (b) unless he has tested it by comparison with a working standard of that weight or measure.

Weights etc., stamped by Inspectors to be legal weights etc., in Ceylon.

34. Every weight or measure or weighing or measuring instrument which has been duly stamped by an Inspector under this Ordinance with the prescribed mark of verification shall unless it is found thereafter to be false or unjust, be a legal weight measure or instrument, as the case may be, in any part of Ceylon.

Power of Inspectors to enter premises and inspect weights etc.,

35. Any Inspector may at any reasonable time enter any factory, shop, store, godown, shed, land or premises which is in his inspectoral area or in the area of the local authority by which he was appointed, as the case may be, and in which any weight or measure or striker or weighing or measuring instrument is or is suspected to be kept or used for the purpose of any trade, and may—

- (a) search for, or require the person for the time being in charge thereof to produce for inspection, all or any of the weights and measures and strikers and weighing and measuring instruments kept therein ;
- (b) inspect any weight or measure which is found therein or produced for examination, and compare it with a working standard of that weight or measure ;
- (c) inspect and test any weighing or measuring instrument or any striker which is found therein or produced for examination ; and
- (d) seize and detain for the purpose of a prosecution for an offence under this Ordinance, any weight or measure or striker or weighing or measuring instrument which is found upon such comparison or test to be unjust, or which appears to the Inspectors to have been or to be likely to be used in contravention of any provision of this Ordinance.

Use of unstamped standards etc., by Inspectors.

36. (1) No Inspector shall use any working standard for the purposes of testing any weight or measure at any time after the expiry of a period of two years from the date on which that standard was last stamped as correct by the Examiner under section 19.

(2) No Inspector shall use for the purposes of this Ordinance any weighing or measuring instrument which is provided for his use unless that instrument has been verified in the prescribed manner by the Examiner.

Inspectors not to derive profit from making or selling weights etc.,

37. (1) No Inspector shall derive any profit from or be employed in the making or selling of weights or measures or weighing or measuring instruments.

(2) Subject as hereinafter provided, no Inspector shall repair, alter or adjust any weight or measure or weighing or measuring instrument :

Provided, however, that where the Warden is satisfied that it is desirable that an Inspector should be allowed to adjust weights and measures and weighing and measuring instruments within the area of any local authority or in his inspectoral area, as the case may be, the Warden may, if he thinks fit, authorise that Inspector to act in that area as an adjuster of weights and measures and weighing and measuring instruments.

(3) No Inspector who is authorised under sub-section (2) to act as an adjuster of weights and measures and weighing and measuring instruments shall adjust any weight or measure or weighing or measuring instrument except upon payment of the prescribed fee for such adjustment.

Disposal of fees.

38. (1) All fees paid under this Part to any Inspector appointed by the Warden shall be credited to general revenue.

(2) All fees paid under this Part to any Inspector appointed by a local authority shall be credited to the funds of that authority.

Registers to be kept by Inspectors.

39. Every Inspector shall keep a register in the prescribed form in which he shall enter such particulars as may be prescribed relating to the performance of his duties under this Ordinance, and shall at such times as may be prescribed transmit the register to the Warden for examination.

Provided that in the case of an Inspector appointed by a local authority such register shall be submitted to the Chairman of that authority for transmission to the Warden in accordance with the provisions of this section.

40. (1) Every person appointed to be an Inspector shall forthwith on his appointment give security in such sum as may be prescribed for the due discharge of the duties of his office, for the due payment of all fees received by him under this Ordinance and for the safety of the working standards and stamps and other appliances entrusted to him for the purposes of this Ordinance.

(2) Where an Inspector is appointed by the Warden, the security required under sub-section (1) to be given by that Inspector shall be given under the Public Officers (Security) Ordinance, and the provisions of that Ordinance shall apply accordingly.

(3) Where an Inspector is appointed by a local authority, the security required under sub-section (1) to be given by that Inspector shall be given to the local authority, and shall be of such nature or description, and subject to such terms and conditions, as may be prescribed.

Inspectors to give security.

Cap. 251.

PART VI.

Offences and Penalties, etc.

41. Any person who—

- (a) sells or exposes for sale any weight or measure or weighing or measuring instrument which has not been stamped by an Inspector with the prescribed mark of verification; or
- (b) in any place or area in which a Proclamation under section 29 is in force, at any time uses for the purpose of any trade or has in his possession for use in any trade, any weight or measure or weighing or measuring instrument which has not, in the period of twelve months immediately preceding such time, been stamped by an Inspector with the prescribed mark of verification,

shall be guilty of an offence and shall be liable to a fine not exceeding one hundred rupees and to imprisonment of either description for a term not exceeding three months or to both such fine and imprisonment.

42. Any person who—

- (a) forges or counterfeits any stamp or mark provided under this Ordinance for the use of Inspectors in stamping weights or measures or weighing or measuring instruments; or
- (b) uses, sells, exposes for sale, utters or otherwise disposes of any weight or measure or weighing or measuring instrument bearing any stamp or mark which he knows to be forged or counterfeited; or
- (c) removes any mark which has been stamped by an Inspector on any weight or measure or weighing or measuring instrument and inserts such mark on any other weight, measure or instrument; or
- (d) wilfully increases or diminishes a weight or measure which has been stamped by an Inspector under this Ordinance, or uses, sells, exposes for sale, utters or otherwise disposes of any weight or measure which he knows to be so increased or diminished,

shall be guilty of an offence and shall be liable on conviction after summary trial before a Magistrate to a fine not exceeding five hundred rupees or to imprisonment of either description for a term not exceeding one year or to both such fine and imprisonment.

43. Any person who—

- (a) except under the authority of a licence issued in that behalf under this Ordinance, manufactures or repairs any weight or measure or striker or weighing or measuring instrument; or
- (b) being the holder of such licence, commits a breach of any condition lawfully inserted in the licence,

shall be guilty of an offence and shall on conviction after summary trial before a Magistrate be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a term which may extend to six months or to both fine and imprisonment.

44. Any person who refuses to produce any weight or measure or striker or weighing or measuring instrument when required to do so by an Inspector under section 35, or who resists or obstructs an Inspector in the exercise of the powers conferred upon him by that section shall be guilty of an offence and shall on conviction after summary trial before a Magistrate

Sale, use and possession of unstamped weights, etc.

Forgery of stamp or mark used by Inspectors.

Manufacture of weights, etc., without licence.

Refusal to produce weights etc., for inspection.

Breach by Inspectors.	be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a term not exceeding six months, or to both such fine and imprisonment.
General penalty.	45. Any Inspector who commits a breach of any provision of Part V., or of any regulation relating to the examination, verification or stamping of weights or measures or striker or weighing or measuring instruments, shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a term not exceeding one year or to both such fine and imprisonment.
Forfeiture of weights, etc.,	46. Any person who commits a breach of any provision of this Ordinance or of any regulation shall, where no punishment is expressly provided for such breach, be guilty of an offence and liable to a fine not exceeding one hundred rupees.
Evidence of possession.	47. Any court may on the conviction of any person of an offence under this Ordinance relating to any weight or measure or striker or weighing or measuring instrument, make order declaring that such weight or measure or striker or weighing or measuring instrument shall be forfeited to His Majesty; and every weight or measure or striker or weighing or measuring instrument which is so forfeited shall be disposed of in such manner as may be prescribed.
Sanction for prosecution.	48. For the purposes of this Ordinance, any weight or measure or striker or weighing or measuring instrument which is found in the possession of any person who carries on any trade, or on any premises used by any person for the purposes of any trade, shall be deemed, until the contrary is proved, to be in the possession of that person for use in trade.
Payment of fines to local authorities.	49. No prosecution shall be instituted against any person for any offence under this Ordinance except by or with the written sanction of the Superintendent for the District or area within which such offence is alleged to have been committed: Provided, however, that any prosecution in respect of any offence alleged to have been committed in the area within the administrative limits of any local authority may be instituted with the written sanction of the Chairman of that authority.
Saving for Chapter XIII. of the Penal Code. Cap. 15.	50. Where any person is convicted of any offence under this Ordinance committed within the administrative limits of a local authority, the court convicting such person may direct that the whole or part of any fine imposed for that offence shall be paid to that authority; and any sum so paid shall be credited to the funds of that authority.
Local inquiries by Superintendent.	51. The provisions of this Part shall be in addition to and not in substitution of the provisions of Chapter XIII of the Penal Code.

PART VII.

Supplementary.

Local inquiries by Superintendent.	52. (1) The Warden may from time to time direct any Superintendent to hold an inquiry with respect to the administration of this Ordinance in any area in Ceylon. (2) Where any Superintendent is under sub-section (1) directed to hold an inquiry in any area, he shall— (a) inspect the working standards and weighing and measuring instruments provided for use by the Inspectors appointed for such area; (b) inquire into the procedure observed in the inspection and verification of weights and measures and strikers and weighing and measuring instruments in that area; and (c) make such other investigations as the Warden may direct. (3) For the purposes of any inquiry authorised to be held in any area, the Superintendent who is directed under sub-section (1) to hold such inquiry shall have and may exercise all the powers conferred on an Inspector by or under this Ordinance.
Settlement of disputes.	53. If any dispute arises between an Inspector and any other person as to the meaning or construction of any regulation or as to the methods to be adopted in testing any weight, measure or striker or weighing or measuring instrument, such dispute shall, at the request of such Inspector or of such other person, be determined by the Warden, and the decision of the Warden on any such dispute shall be final and conclusive.
	54. (1) The Governor may by Proclamation published in the <i>Gazette</i> authorise the use in any place or area specified in the Proclamation of any local measure either generally or for the purpose of trade in any article so specified.

(2) Where the use of any local measure in any place or area is authorised by Proclamation under sub-section (1) no person shall be deemed to have acted in contravention of any provision of this Ordinance by reason only of—

- (a) the possession, in that place or area, of any such local measure ; or
- (b) the use, in that place or area, of any such measure for any purpose authorised by such Proclamation.

(3) Nothing in this Ordinance shall be deemed to require any local measure to be stamped or verified by an Inspector, or to have its denomination stamped thereon.

(4) Nothing in this Ordinance shall be deemed to prohibit or restrict the use of any measure other than an authorised measure for the purpose of the measurement of the length or extent of any land.

(5) Nothing in this section shall be deemed to restrict the power of the Governor, under section 13, to declare any local measure to be an authorised measure for the purposes of this Ordinance.

55. (1) The Executive Committee of Labour, Industry and Commerce may, after consultation with the Executive Committee of Local Administration, make regulations for the purpose of carrying out or giving effect to the principles and provisions of this Ordinance.

Regulations.

(2) In particular and without prejudice to the generality of the powers conferred by sub-section (1), such regulations may be made for or in respect of all or any of the following matters :—

- (a) all matters stated or required in this Ordinance to be prescribed or for which it is provided in this Ordinance that regulations may be made ;
- (b) the tests required to be passed by applicants for certificates under section 4 (3) ;
- (c) the custody and preservation of the Ceylon standards and the secondary standards ;
- (d) the manner in which secondary standards shall be authenticated and verified ;
- (e) the composition, weight, length, form and specification of working standards and the manner in which such standards shall be kept and preserved ;
- (f) the procedure for the examination and stamping of working standards, and the periodical verification of weighing and measuring instruments provided for use by Inspectors ;
- (g) the requirements as to the composition, weight, length, form and specification of weights and measures and strikers and the prohibition of the manufacture or use of weights and measures and strikers which do not conform to such requirements ;
- (h) the inspection, verification and stamping by Inspectors of weights, of measures and strikers and weighing and measuring instruments, the tests to be applied for the purpose of ascertaining the accuracy and efficiency of weights and measures and strikers the form and design of stamps to be used by Inspectors, the manner in which such stamps shall be used and the circumstances in which such stamping shall be prohibited ;
- (i) the limits of error to be allowed on verification and to be tolerated on inspection of weights, measures and weighing and measuring instruments, either generally or as respects any trade ;
- (j) the circumstances and conditions under which, the persons by whom, and the manner in which, marks of verification may be obliterated or defaced ;
- (k) the fees to be charged by Inspectors for the examination, verification and adjustment of weights, measures and weighing and measuring instruments and the manner in which such fees shall be paid ;
- (l) the amount of the security to be given by Inspectors, and, in the case of Inspectors appointed by local authorities, the manner in which, and the terms and conditions upon which, such security shall be given ;
- (m) the form of registers to be kept by Inspectors, the particulars to be entered therein and the times at which such registers shall be transmitted to the Warden for inspection ;
- (n) the form of licences under section 31, the fees payable therefor and the conditions subject to which such licences shall be issued ;
- (o) the disposal of weights, measures strikers and weighing and measuring instruments declared to be forfeited under this Ordinance ; and
- (p) all matters incidental to or connected with the matters or subjects specifically referred to in this sub-section.

(3) No regulation shall have effect unless it is approved by the State Council and ratified by the Governor, and until notification of such approval and ratification has been published in the *Gazette*.

(4) Upon the publication in the *Gazette* of a notification to the effect that a regulation has been approved by the State Council and ratified by the Governor, that regulation shall be as valid and effectual as if it were herein enacted.

Interpretation.

56. (1) In this Ordinance, unless the context otherwise admits—

- “Examiner” means the Examiner of the Standards appointed under section 2;
- “Executive Committee” means the Executive Committee of Labour, Industry and Commerce;
- “gallon” means a measure of capacity equal to the gallon as defined in the Weights and Measures Act, 1878, of the Imperial Parliament;
- “Inspector” means an Inspector of Weights and Measures appointed under section 4;
- “local authority” means any Municipal Council, Urban Council, Local Board, Sanitary Board, or Village Committee which has been declared by a Proclamation under section 3 for the time being in force to be a local authority for the purposes of this Ordinance, the village area for which such Village Committee is established being deemed for this purpose to be the area within the administrative limits of such Committee;
- “measuring instrument” includes any instrument for the measurement of length, capacity, surface or volume;
- “pound avoirdupois” means a weight equal to the imperial standard pound as defined in the Weights and Measures Act, 1878, of the Imperial Parliament;
- “prescribed” means prescribed by regulation;
- “regulation” means a regulation made by the Executive Committee under this Ordinance;
- “square yard” means an area equal to the area contained in a square, each of the sides of which is one yard in length;
- “Superintendent” means a Superintendent of Weights and Measures appointed under section 2;
- “trade” means any contract, bargain, sale or dealing referred to in section 22 (1);
- “Urban Council” means an Urban Council constituted under the Urban Councils Ordinance, No. 61 of 1939;
- “Warden” means the Warden of the Standards appointed under section 2;
- “weighing instrument” includes scales with the weights belonging thereto, scale beams, balances, spring balances, steelyards, weighing machines, instruments constructed to calculate the price in money of articles weighed thereon, and other instruments for weighing;
- “yard” means a measure of length equivalent to the imperial standard yard as defined in the Weights and Measures Act, 1878, of the Imperial Parliament.

(2) For the purposes of this Ordinance, a weight or measure shall be deemed to be just—

- (a) upon verification, if it is in accordance with a working standard of that weight or measure or has not a greater limit of error than the prescribed limit of error to be allowed on verification; or
- (b) upon inspection, if it is in accordance with a working standard of that weight or measure or has not a greater limit of error than the prescribed limit of error to be tolerated on inspection.

(3) Any reference in this Ordinance to the Chairman of a local authority shall, in the case of a local authority which is a Municipal Council, be deemed to be a reference to the person for the time being appointed by that Council to be or to act as Municipal Commissioner.

Application of Ordinance.

57. Nothing in this Ordinance shall apply—

- (a) to any gas meter or any other machine used for measuring gas; or
- (b) to any instrument used for the measurement or determination of electrical quantities.

Repeal of Chapter 127.

58. The Weights and Measures Ordinance is hereby repealed.

59. Notwithstanding the repeal of the Weights and Measures Ordinance—

- (a) every copy of a standard weight or measure which, having been provided by Government under section 3 of that Ordinance, is on the day immediately preceding the appointed date, preserved at any office or Kachcheri in accordance with the provision of that section, shall on and after the appointed date, be deemed to be a working standard of that weight or measure, and the provisions of this Ordinance shall apply accordingly in like manner as if such standard were a working standard procured and provided under this Ordinance.
- (b) every weight or measure which has before the appointed date been stamped by an examiner or other authorised person in accordance with the provisions of section 12 of that Ordinance, shall be deemed for a period of one year from the appointed date to be a weight or measure, as the case may be, duly stamped with the prescribed mark of verification by an Inspector appointed under this Ordinance, and the provisions of this Ordinance shall apply accordingly.

60. The Ordinances mentioned in the first column of the Ninth Schedule are hereby amended in the manner and to the extent specified in the corresponding entries in the second column of that Schedule.

Amendments
of other written
law. Ninth
Schedule.

FIRST SCHEDULE.

(Section 5.)

Avoirdupois Weight

First Column. Denomination	Second Column. Multiple or part of a pound avoirdupois.
Ton	2240
Hundred-weight	112
Quarter	28
Stone	14
Pound	1
Ounce	$\frac{1}{16}$
Dram	$\frac{1}{256}$
Penny-weight	$\frac{24}{7000}$
Grain	$\frac{1}{7000}$

SECOND SCHEDULE.

(Section 6.)

Apothecaries Weight.

First Column. Denomination	Second Column. Multiple or part of a pound avoirdupois
Ounce	$\frac{480}{7000}$
Drachm	$\frac{60}{7000}$
Scruple	$\frac{20}{7000}$
Grain	$\frac{1}{7000}$

THIRD SCHEDULE.

(Section 7.)

Troy Weight.

First Column. Denomination.	Second Column. Multiple or part of a pound avoirdupois
Ounce troy	$\frac{480}{7000}$

FOURTH SCHEDULE.

(Section 8.)

Juwellers Weight

First Column. Denomination.	Second Column. Multiple or part of a carat.
Carat	1
Point	$\frac{1}{100}$

FIFTH SCHEDULE.

(Section 9.)

Measures of Length

First Column. Denomination.	Second Column. Multiple or part of a yard
Mile	1760
Furlong	220
Chain of 100 links	22
Rod, pole or perch	$\frac{11}{2}$
Yard	1
Foot	$\frac{1}{3}$
Inch	$\frac{1}{36}$

SIXTH SCHEDULE.

(Section 10.)

Measures of Surface.

First Column. Denomination.	Second Column. Multiple or part of a square yard.
Acre	4840
Rood	1210
Square pole, rod or perch	$\frac{121}{4}$
Square yard	1
Square foot	$\frac{1}{9}$
Square inch	$\frac{1}{1296}$

SEVENTH SCHEDULE.

(Section 11.)

Measures of Capacity.

First Column. Denomination.	Second Column. Multiple or part of a gallon
<i>1.—Dry Measures.</i>	
Bushel	8
Peck	2
Gallon	1
Quart	$\frac{1}{4}$
Pint	$\frac{1}{8}$
Gill	$\frac{1}{32}$
<i>2.—Liquid Measures.</i>	
Gallon	1
Quart	$\frac{1}{4}$
Bottle	$\frac{1}{8}$
Pint	$\frac{1}{16}$
Gill	$\frac{1}{32}$

EIGHTH SCHEDULE.

(Section 12.)

Apothecaries Measures.

First Column. Denomination.	Second Column. Multiple or part of a gallon.
Fluid ounce	1
Fluid drachm	$\frac{1}{160}$
Minim	$\frac{1}{1280}$
	$\frac{1}{76800}$

NINTH SCHEDULE.

(Section 13.)

Amendments of other written law.

First Column. Ordinance.	Second Column. Manner and extent of amendment.
1. The Penal Code (Cap. 15).	In sections 257, 259, and 260 for the words "instrument for weighing" where they occur collectively in each of those sections, there shall be substituted the words "weighing or measuring instrument".
2. The Criminal Procedure Code (Cap. 16) Assistance to Inspectors of Weights and Measures.	For section 119 there shall be substituted the following section :— "119. It shall be the duty of every peace officer to give immediate information to an Inspector of Weights and Measures of any breach of any provision of any Ordinance for the time being in force relating to Weights and Measures, and at the request of any such Inspector to assist him in carrying out the provisions of any such Ordinance."

First Column.	Second Column.
3. The Municipal Councils Ordinance (Cap. 193)	Sub-section (8) (a) of section 110 shall be omitted.
4. The Local Boards Ordinance (Cap. 196)	Paragraph (d) of section 56 shall be omitted.
5. The Urban Councils Ordinance, No. 61 of 1939.	Sub-section (15) of section 170 shall be omitted.

Objects and Reasons.

The object of this Bill is to amend and consolidate the law relating to weights and measures, and weighing and measuring instruments and to secure better control and greater efficiency in the administration and enforcement of the law.

2. The provisions of the new law will be administered under the central control of an officer who will be designated "Warden of the Standards"; he will be assisted by Superintendents appointed for specified Districts or areas.

The Governor will be empowered to declare any Municipal or Urban Council or Local Board to be, in the area within its administrative limits, the local authority for the purposes of the new law and every such authority will appoint Inspectors to carry out the duties imposed by the new law. The Inspectors for other areas will be directly appointed by the Warden (Clauses 3 and 4).

3. The weights and measures specified in the First to the Eighth Schedules will be authorised weights and measures, and subject to the exceptions set out in Clause 54, it will be unlawful to use for the purpose of trade any but the authorised weights or measures. The only authorised denominations of these weights and measures will be the denominations specified in those Schedules. Clause 13 will empower the Governor by Proclamation to declare other weights and measures, whether local or not, to be authorised weights or measures.

Under Clause 54, the use of specified local measures for the purpose of specified trades can be permitted where necessary and special provision is made to permit the use of local measures for the measurement of the length or extent of land.

4. Provision is made empowering the Governor to procure Ceylon standards of weights and measures which when brought into use in Ceylon will be conclusively presumed to be true and accurate. Copies of these standards, which will be known as secondary standards, will be used by the Warden and the Superintendent for the purposes of testing the correctness of the weights and measures used by the Inspectors in the course of the performance of their duties. The law will also require that weighing and measuring instruments must be provided for the use of Inspectors.

5. Where the Governor is satisfied that sufficient facilities are provided for the verification and stamping by Inspectors of weights and measures and weighing and measuring instruments, used in any place or area, he may by Proclamation prohibit the use of such weights, measures or instruments which have not been stamped by an Inspector with the prescribed mark of verification (Clause 29). Where a Proclamation under this section is in force in any area, it will be unlawful, to use or possess any weight or measures for purposes of trade, unless it has within the preceding year been stamped by an Inspector with the prescribed mark of verification. Clause 31 contains provision prohibiting the sale, manufacture or repair of weights or measures except under the authority of licences issued by the Warden.

6. Part V. deals with the duties and functions of Inspectors. Periodical inspections and examination of weights and measures will be made at times fixed by the Warden or by the Chairmen of local authorities; and weights or measures which are found after examination to be just will be stamped with the prescribed mark of verification. Inspectors will also be given the power to enter premises and to search for and inspect weights, measures and weighing and measuring instruments.

The fees paid to an Inspector appointed by a local authority will be credited to the funds of the authority, and fees paid to other Inspectors will be credited to general revenue.

7. Part VI. deals with offences and penalties and includes provision for the forfeiture of weights, measures or weighing or measuring instruments in respect of which offences are committed.

Prosecution for offences may only be instituted with the written sanction of the Superintendent or of the Chairman of a local authority.

The Executive Committee will be empowered to make regulations for the purposes of the new law. Detailed provisions as to the procedure to be followed in the examination

and verification of the standards of weight or measure and of weights, measures and weighing or measuring instruments will be included in the regulations.

The provisions of the Ordinance will not apply to gas meters or to instruments used for the measurement or determination of electrical quantities. The Gas Meter Ordinance (Cap. 160) already contains provision for the testing and stamping of gas meters.

8. The Weights and Measures Ordinance (Cap. 127) will be repealed, but the copies of standard weights and measures provided under section 3 of that Ordinance will be deemed to be working standards for the purposes of the new law, and weights or measures which have been stamped by examiners under section 12 of that Ordinance will be deemed for a period of one year to have been stamped with the prescribed mark of verification by an Inspector appointed under the new law.

Clause 60 and the Ninth Schedule provide for amendments of other written law. The most important are the amendments of section 257, 259, and 260 of the Penal Code (Cap. 15). Those sections will, as amended, apply to measuring instruments in the same manner as they now apply to weighing instruments.

The provisions of the Municipal Councils Ordinance, the Urban Councils Ordinance, and the Local Boards Ordinance, which at present confer the power to make by laws as to weights and measures, will be repealed.

G. C. S. COREA,

Minister for Labour, Industry and Commerce.

Colombo, March 5, 1945.

MINUTE.

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

L. D.—O. 6/45.

1941 Supplement. (Vol. II., page 480).

An Ordinance to amend the Bank of Ceylon Ordinance, No. 53 of 1938.

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

Short title.

1. This Ordinance may be cited as the Bank of Ceylon (Amendment) Ordinance, No. of 1945.

Amendment of section 63 of Ordinance No. 53 of 1938.

2. Section 63 of the Bank of Ceylon Ordinance, No. 53 of 1938, is hereby amended, in sub-section (1), by the substitution, for the words "firm of auditors:" of the words—

"firm of auditors:

Provided also that—

- (i) where no auditor is so elected to audit the accounts of any year or where neither of the auditors so elected is able to audit such accounts, the accounts shall be audited by the Auditor-General; and
- (ii) where only one auditor is so elected to audit the accounts of any year or where only one of the auditors so elected is able to audit such accounts, the accounts shall be audited by that auditor and by the Auditor-General."

Objects and Reasons.

Under section 63 of the Bank of Ceylon Ordinance, No. 53 of 1938, the accounts of the Bank of Ceylon are to be audited by two qualified auditors elected by the bank in general meeting. That section, however, does not provide for the case where the bank is unable or has failed to elect one or both of the necessary auditors or where one or both of the auditors who are elected cannot for any reason carry out the audit. The object of this Bill is to amend that section, so as to provide that in such a situation the accounts of the bank will be audited by the Auditor-General, or by the Auditor-General and the one auditor elected at such meeting, as the case may be.

G. C. S. COREA,

Minister for Labour, Industry and Commerce.

Colombo, 6th March, 1945.