



Ceylon Government Gazette

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PART I.—General: Minutes, Proclamations, Appointments,
and General Government Notifications.
PART II.—Legal and Judicial.

PART III.—Provincial Administration.
PART IV.—Marine and Mercantile.
PART V.—Municipal and Local.

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

Part II.—Legal and Judicial.

	PAGE		PAGE
Passed Ordinances	805	Notices in Testamentary Actions	818
Draft Ordinances	817	Notices in Insolvency Cases	821
Notices from Supreme Court Registry	—	Notices of Fiscals' Sales	821
Notices from Council of Legal Education	—	Notices from District and Minor Courts	823
Notifications of Criminal Sessions of Supreme Court	—	List of Articled Clerks	—
Lists of Jurors and Assessors	—		

PASSED ORDINANCES.

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

No. 21 of 1901.

An Ordinance for defining the meaning of certain terms and for shortening the Language used in Ordinances and other Written Laws and for other purposes.

WEST RIDGEWAY.

Preamble.

WHEREAS it is expedient to define more precisely the meaning of certain terms and to shorten the language used in Ordinances and other written Laws and to make certain provisions relating to the same: Be it therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited for all purposes as "The Interpretation Ordinance, 1901."

Repeal of Ordinances
No. 1 of 1852 and
No. 23 of 1884.

2 The Ordinances No. 1 of 1852 and No. 23 of 1884 are hereby repealed.

Interpretation
clause.

3 In this Ordinance and in every written Law, whether made before or after the commencement of this Ordinance, unless there be something repugnant in the subject or context—

- (1) "Abet" with its grammatical variations and cognate expressions shall have the same meaning as in the Penal Code.
- (2) "Chapter," "part," "section," and "schedule" shall denote respectively a chapter, part, and section of, and schedule to, the Ordinance in which the word occurs, and "sub-section" shall denote a sub-section of the section in which the word occurs.
- (3) "Commencement" used with reference to an Ordinance shall mean the day on which the Ordinance comes into force.
- (4) "Gazette" or "Government Gazette" shall mean the *Gazette* published by the order of the Government of the island of Ceylon, and shall include any *Extraordinary Gazette* so published.
- (5) "The Government" shall mean the Governor.
- (6) "Governor" shall mean the Governor of this island, and shall include the officer for the time being administering the government of this island.
- (7) "Governor with the advice and consent of the Executive Council," "Governor with the advice of the Executive Council," "Governor in Council," or "Governor in Executive Council" shall mean the Governor acting with the advice of the Executive Council of the island of Ceylon, but not necessarily acting in such council assembled, nor necessarily in accordance with such advice."
- (8) "His Majesty" and "Her Majesty" shall include the heirs and successors to the Crown according to law.
- (9) "Imperial Parliament" and "Parliament" shall mean the Parliament of the United Kingdom.
- (10) The expressions "rigorous imprisonment," "simple imprisonment," and "imprisonment of either description" shall have the same meaning as in the Penal Code, and "imprisonment" shall mean simple imprisonment.
- (11) "Master" used with reference to a ship shall mean any person (except a pilot) having for the time being control or charge of a ship.
- (12) "Month" shall mean a calendar month, unless words be added showing lunar month to be intended.
- (13) "Ordinance" shall mean an Ordinance made by the Legislative Council of this island, whether before or after the commencement of this Ordinance.
- (14) "Prescribed" shall mean prescribed by the Ordinance in which the word occurs, or by any rules duly made thereunder.
- (15) "Public holiday" shall mean any day which under the provisions of "The Holidays Ordinance, 1886," is to be observed as a public holiday.
- (16) "Registered" used with reference to a document shall mean registered under the provisions of the law for the time being applicable to the registration of such document.
- (17) "Sign" with its grammatical variations and cognate expressions shall, with reference to a person who is unable to write his name, include "mark" with its grammatical variations and cognate expressions.
- (18) The words "this island," "this colony," and "the island of Ceylon" shall be held to mean the island of Ceylon and the dependencies thereof.
- (19) "Oath" and "affidavit" shall, in the case of persons for the time being allowed by law to affirm or declare instead of swearing, include affirmation and declaration, and "swear" shall, in the like case, include affirm and declare.

- (20) "Value" used with reference to a suit shall mean the amount or value of the subject-matter of the suit.
- (21) "Will" shall include a codicil.
- (22) Words importing the masculine gender shall be taken to include females.
- (23) Words in the singular number shall include the plural, and *vice versa*.
- (24) "Written law" shall mean and include all Ordinances of the Legislative Council of the island of Ceylon, and all orders, proclamations, letters patent, rules, by-laws, regulations, warrants, and process of every kind made or issued by any body or person having authority under any statutory or other enactment to make or issue the same in and for the island of Ceylon or any part thereof, but it shall not include any imperial statute extending expressly or by necessary implication to the island of Ceylon, nor any order of the King in Council, royal charter, or royal letters patent.

Powers to be exercisable from time to time.

4 Any power conferred by any Ordinance on the Governor, or on the Governor with the advice and consent of the Executive Council, or on the Governor in Council, or on the Governor in Executive Council may be exercised from time to time as occasion requires.

Effect of repeals.

5 (1) Whenever any written law repealing either in whole or part a former written law is itself repealed, such repeal shall not, in the absence of any express provision to that effect, revive or be deemed to have revived the repealed written law, or any right, office, privilege, matter, or thing not in force or existing when the repealing written law comes into operation.

(2) Whenever any written law repeals in whole or part a former written law and substitutes therefor some new provision, such repeal shall not take effect until such substituted provision comes into operation.

(3) Whenever any written law repeals either in whole or part a former written law, such repeal shall not, in the absence of any express provision to that effect, affect or be deemed to have affected—

- (a) The past operation of or anything duly done or suffered under the repealed written law ;
- (b) Any offence committed, any right, liberty, or penalty acquired or incurred under the repealed written law ;
- (c) Any action, proceeding, or thing pending or incomplete when the repealing written law comes into operation, but every such action, proceeding, or thing may be carried on and completed as if there had been no such repeal.

(4) This section shall apply to written laws made as well before as after the commencement of this Ordinance.

Making of rules in interval between passing and commencement of Ordinance.

6 Where by any Ordinance which is not to come into force immediately on the passing thereof a power is conferred on the Governor, or the Governor with the advice and consent of the Executive Council, or the Governor in Council, or the Governor in Executive Council, or any other body or person to make rules or to issue orders with respect to the application of such Ordinance, or with respect to the establishment of any office or the appointment of any officer thereunder, or with respect to the person by whom, or the time when, or the place where, or the manner in which, or the fees for which anything is to be done under such Ordinance, the power may be exercised at any time after the passing of such Ordinance, but rules or orders so made or issued shall not take effect till the commencement of such Ordinance.

Computation of time.

7 (1) Where a limited time from any date or from the happening of any event is appointed or allowed by any written law for the doing of any act or the taking of any proceeding in a court or office, and the last day of the limited time is a day on which the court or office is closed, then the

act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day thereafter on which the court or office is open.

(2) Where by any written law any act or proceeding is directed or allowed to be done or taken in a court or office on a certain day, then if the court or office is closed on that day the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day thereafter on which the court or office is open.

(3) Where a limited time not exceeding six days from any date or from the happening of any event is appointed or allowed by any written law for the doing of any act or the taking of any proceeding in a court or office, every intervening Sunday or public holiday shall be excluded from the computation of such time.

(4) Where by any written law a day is named for the doing or taking of any act or proceeding not being an act or proceeding to be done or taken in a court or office or for the happening of any event, and that day falls upon a Sunday or public holiday, such written law shall be read as if the first lawful day next succeeding such Sunday or public holiday had been named.

(5) This section shall apply to written laws made as well before as after the commencement of this Ordinance.

Provisions as to offences under two or more laws.

8 Where any act or omission constitutes an offence, under two or more laws, whether either or any of such laws came into force before or after the commencement of this Ordinance, the offender shall, unless the contrary intention appears, be liable to be prosecuted and punished under either or any of those laws, but shall not be liable to be punished twice for the same offence.

9 In all Ordinances—

Commencement of time.

(1) For the purpose of excluding the first in a series of days or any period of time, it shall be deemed to have been and to be sufficient to use the word "from ;"

Termination of time.

(2) For the purpose of including the last in a series of days or any period of time, it shall be deemed to have been and to be sufficient to use the word "to ;"

Official chiefs and subordinates.

(3) For the purpose of expressing that a law relative to the chief or superior of an office shall apply to the deputies or subordinates lawfully executing the duties of such office in place of such chief or superior it shall be deemed to have been and to be sufficient to prescribe the duty of such chief or superior ;

Successors.

(4) For the purpose of indicating the relation of a law to the successors of any functionaries or corporations having perpetual succession, it shall be deemed to have been and to be sufficient to express its relation to the functionaries or corporations ; and

Substitution of functionaries.

(5) For the purpose of indicating the application of a law to every person or number of persons for the time being executing the functions of an office, it shall be deemed to have been and to be sufficient to mention the official title of the officer executing such functions at the time of the passing of the Ordinance.

Reference to repealed enactments.

10 (1) Where in any written law or document reference is made to any written law which is subsequently repealed, such reference shall be deemed to be made to the written law by which the repeal is effected or to the corresponding portion thereof.

(2) This section shall apply to written laws and documents made as well before as after the commencement of this Ordinance.

General provisions with respect to power given to any authority to make rules.

11 (1) Where any Ordinance, whether passed before or after the commencement of this Ordinance, confers power on any authority to make rules, the following provisions shall, unless the contrary intention appears, have effect with reference to the making and operation of such rules :

(a) Any rule may be at any time amended, varied, rescinded, or revoked by the same authority and in the same manner by and in which it was made ;

- (b) There may be attached to the breach of any rule such penalty not exceeding fifty rupees as the authority making the rule may think fit, and any such penalty may be recovered in the same manner as a fine imposed by a police court;
- (c) No rule shall be inconsistent with the provisions of any enactment;
- (d) All rules shall be published in the *Gazette* and shall have the force of law; and
- (e) The production of a copy of the *Gazette* containing any rule, or of any copy of any rule purporting to be printed by the Government Printer, shall be *prima facie* evidence in all courts and for all purposes whatsoever, of the due making and tenor of such rule.

(2) In this section the expression "rules" includes rules and regulations, regulations, and by-laws.

Acts done under rules, &c., to be deemed done under Ordinance by which rules authorized.

12 An act shall be deemed to be done under any Ordinance, or by virtue of powers conferred by any Ordinance, or in pursuance or execution of the powers of or under the authority of any Ordinance if it is done under or by virtue of or in pursuance of any rule, order, or by-law or regulation made under any power contained in such Ordinance.

Imperial Acts to be read with necessary modification.

13 Whenever by any Ordinance any Act of the Imperial Parliament is extended to this island, such Act shall be read with such formal alterations as to names, localities, courts, offices, persons, moneys, penalties, and otherwise as may be necessary to make the same applicable to the circumstances of this island.

Saving of rights of the Crown.

14 No enactment shall in any manner affect the right of the Crown unless it is therein expressly stated, or unless it appears by necessary implication, that the Crown is bound thereby.

Passed in Council the Twenty-seventh day of November, One thousand Nine hundred and One

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Third day of December, One thousand Nine hundred and One.

R. W. IEVERS,
Acting Colonial Secretary.

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

No. 22 of 1901.

An Ordinance for making provision for the Supplementary Contingent Charges for the Year 1901.

WEST RIDGEWAY.

Preamble.

WHEREAS by Ordinance No. 17 of 1900 it was enacted that a sum not exceeding Twenty-two million Five hundred and Forty thousand One hundred and Ninety-one rupees should be charged upon the revenue of this island for the contingent service of the year One thousand Nine hundred and One, and it has become necessary to make further provision for the service of the said year: It is enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Rs. 2,461,608'95 to be charged upon the revenue of the island for the Supplementary Contingent Charges for the Year 1901.

1 That a sum not exceeding Two million Four hundred and Sixty-one thousand Six hundred and Eight rupees and Ninety-five cents shall be and the same is hereby charged upon the revenue of this island and other funds of the Colony for the services hereinafter mentioned; and the said expenditure shall be in conformity with the details of the estimates specified in the Schedule A hereunto annexed, whereof the following is an abstract:

	Rs.	c.
2. Pensions	57,500	0
3. His Excellency the Governor.....	6,325	0
3a. The Civil Service	3,981	16
4. Secretariat	38,375	0
5. Audit Office.....	400	0
6. Treasury	1,150	0
7. Provincial Administration	92,141	42
8. Survey Department	33,238	6
9. Customs	700	0
10. Port and Marine Department, Colombo :—		
Master Attendant, Colombo.....	25,736	50
Principal Civil Medical Officer	636	9
Government Agent, Colombo	5,449	60
Engineer, Harbour Works	14,500	0
11. Port and Marine Department other than Colombo...	2,396	38
12. Botanic Gardens	490	0
14. Legal Departments :—		
Supreme Court.....	29,422	32
Attorney-General.....	4,139	68
District Courts	8,854	67
Courts of Requests and Police Courts	9,577	96
Registration Department	5,150	0
Fiscals	38,370	0
15. Police	4,349	31
16. Prisons	9,630	0
17. Medical Department	13,515	0
18. Hospitals and Dispensaries	61,980	83
19. Ecclesiastical.....	54	16
20. Education	11,351	66
23. Military Expenditure	304,489	48
25. Miscellaneous Services	228,139	93
26. Government Stores.....	4,598	0
27. Forest Department	123	33
28. Post Office	14,593	89
29. Railway Department	1,167,494	5
30a. Public Works Department	4,457	32
30b. Irrigation Department	7,173	92
31. Public Works Annually Recurrent	19,200	53
32. Public Works Extraordinary	231,918	70
Total ...	2,461,608	95

Treasurer to pay the above at such times as the Governor by warrant shall order.

And to receive credit in his accounts for the payments made in pursuance thereof.

2 The Treasurer of the said island shall issue and pay the said several sums to such persons, for the purposes hereinbefore mentioned, upon such days and in such proportions as the Governor for the time being, by any warrant or order in writing to be signed by him, shall from time to time order and direct; and the payments so to be made shall be charged upon and payable out of the revenues of the said island.

3 The said Treasurer shall in his accounts from time to time be allowed credit for any sum or sums of money paid by him in pursuance of such warrant or order in writing as aforesaid; and the receipt or receipts of the respective persons to whom the same shall be so paid shall be a full and valid discharge to the said Treasurer in passing his said accounts for any such sum or sums as shall be therein mentioned; and he shall and may receive credit for the same accordingly.

SCHEDULE A.

	Personal Emoluments.		Other Charges.		Total.	
	Rs.	c.	Rs.	c.	Rs.	c.
No. 2.—PENSIONS.						
Treasurer ...	—		—		57500	0
No. 3.—HIS EXCELLENCY THE GOVERNOR.						
His Excellency the Governor ...	875	0	5450	0	—	6325 0
No. 3a.—THE CIVIL SERVICE.	3981	16	—	—	—	3981 16
No. 4.—SECRETARIAT.						
Colonial Secretary ...	1275	0	37100	0	—	38375 0
No. 5.—AUDIT OFFICE.						
Auditor-General ...	400	0	—	—	—	400 0
No. 6.—TREASURY.						
Treasurer ...	—		1150	0	—	1150 0
No. 7.—PROVINCIAL ADMINISTRATION.						
Government Agents ...	893	15	91248	27	—	92141 2
No. 8.—SURVEY DEPARTMENT.						
Surveyor-General ...	—		33238	6	—	33238 6
No. 9.—CUSTOMS.						
Principal Collector of Customs ...	—		700	0	—	700 0
No. 10.—PORT AND MARINE DEPARTMENT, COLOMBO.						
Master Attendant, Colombo ...	8986	50	16750	0	—	25736 50
Government Agent, Colombo ...	412	0	5037	60	—	5449 60
Principal Civil Medical Officer ...	—		636	9	—	636 9
Engineer, Harbour Works ...	—		14500	0	—	14500 0
No. 11.—PORT AND MARINE DEPARTMENT OTHER THAN COLOMBO.						
Masters Attendant ...	90	0	2306	38	—	2396 38
No. 12.—BOTANIC GARDENS.						
Director ...	—		490	0	—	490 0
No. 14.—LEGAL DEPARTMENTS.						
Supreme Court ...	15128	99	14293	33	—	29422 32
Attorney-General ...	489	68	3650	0	—	4139 68
District Judges, &c. ...	1813	6	7041	61	—	8854 67
Commissioners of Requests and Police Magistrates ...	235	0	9342	96	—	9577 96
Registrar-General ...	—		5150	0	—	5150 0
Fiscals ...	240	0	38130	0	—	38370 0
No. 15.—POLICE.						
Inspector-General ...	174	58	4174	73	—	4349 31
No. 16.—PRISONS.						
Inspector-General ...	—		9630	0	—	9630 0
No. 17.—MEDICAL DEPARTMENT.						
Principal Civil Medical Officer ...	—		13515	0	—	13515 0
No. 18.—HOSPITALS AND DISPENSARIES.						
Principal Civil Medical Officer ...	838	33	61142	50	—	61980 83
No. 19.—ECCLESIASTICAL						
... ..	—		54	16	—	54 16
No. 20.—EDUCATION.						
Director of Public Instruction ...	390	16	10961	50	—	11351 66
Carried forward ...	36222	61	385692	19	57500	0 479414 80

	Personal Emoluments.		Other Charges.		Total.		
	Rs.	c.	Rs.	c.	Rs.	c.	
Brought forward...	36222	61	385692	19	57500	0	479414 80
No. 23.—MILITARY EXPENDITURE ...	—	—	—	—	304489	48	304489 48
No. 25.—MISCELLANEOUS SERVICES.							
Treasurer ...	—	—	—	—	228139	98	228139 98
No. 26.—GOVERNMENT STORES.							
Controller of Government Stores ...	78	0	4520	0	—	—	4598 0
No. 27.—FOREST DEPARTMENT ...	128	33	—	—	—	—	128 33
No. 28.—POST AND TELEGRAPH.							
Postmaster-General and Director of Telegraphs ...	796	87	13797	2	—	—	14593 89
No. 29.—RAILWAY DEPARTMENT.							
General Manager ...	5485	36	1162008	69	—	—	1167494 5
No. 30A.—PUBLIC WORKS DEPARTMENT.							
Director of Public Works ...	4457	32	—	—	—	—	4457 32
No. 30B.—IRRIGATION DEPARTMENT.							
Director of Irrigation ...	7037	26	136	66	—	—	7173 92
	54205	75	1566154	56	590129	41	

Carried forward ... 2210489 72

No. 31.—PUBLIC WORKS ANNUALLY RECURRENT.

	Rs.	c.	Rs.	c.
Brought forward ...	—		2,210,489	72
Maintenance of Roads.				
<i>Southern Province.</i>				
Maintenance of road, Matara to Akuressa ...	5,200	0		
<i>Toll Grants on Minor Roads.</i>				
To Provincial Road Committee, North-Western Province ...	985	0		
Total Maintenance of Roads ...	6,185	0		
Repairs to Buildings.				
Maintenance of electric light installation for half-year 1901 ...	2,473	0		
Repairs to electric fittings, Queen's House ...	511	53		
Maintenance of jetties, Kochchikada, Colombo ...	3,942	0		
<i>For Repairs to Government Hospitals and Dispensaries.</i>				
Western Province (re-cadjaning Infectious Diseases Hospital, Kanatta) ...	975	0		
Province of Sabaragamuwa ...	1,525	0		
Total Repairs to Buildings ...	9,426	53		
Miscellaneous.				
For accommodation, plant and tools, and stores for telephone repairs Station allowance to draughtsman, Badulla ...	3,527	0		
	62	0		
Total Miscellaneous ...	3,589	0		
Total Public Works Annually Recurrent...	—		19,200	53

No. 32.—PUBLIC WORKS EXTRAORDINARY.

New Works and Buildings.*Western Province.*

Completing new female ward and building latrines, Lunatic Asylum, Colombo (re-vote) ...	1,542	15
Police barracks, Negombo (re-vote) ...	2,268	22
Fumigatorium, Kochchikada, Colombo ...	1,330	0
Completing general magazine, Welikada ...	820	0

To Master Attendant, Colombo.

Mast for harbour light, Colombo ...	613	0
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Central Province.

Hospital, Dimbula (re-vote) ...	391	85
Completing hospital, Dimbula ...	5,600	0

Northern Province.

Clerks' quarters, Mannar (re-vote) ...	120	0
Dispenser's quarters and dispensary, Mankulam, North road (re-vote) ...	403	59
House for lighthouse-keeper, new beacon, Point Pedro (re-vote) ...	55	88
General cemetery, Mullaittivu (re-vote) ...	2,362	90
Provincial Registrar's Office, Jaffna (re-vote) ...	10	0

Carried forward ..	15,517	59	2,229,690	25
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No. 32.—PUBLIC WORKS EXTRAORDINARY— <i>contd.</i>	Rs.	c.	Rs.	c.
Brought forward ...	15,517	59	2,229,690	25
New Works and Buildings—<i>contd.</i>				
<i>Southern Province.</i>				
New Kachcheri, Hambantota (re-vote) ...	4,613	18		
Completing new Kachcheri, Hambantota ...	3,074	0		
<i>Eastern Province.</i>				
Completing Field Hospital, Maha-oya ...	600	0		
<i>North-Western Province.</i>				
Public Works Office, Chilaw (re-vote) ...	2,251	33		
Public Works Store, Chilaw (re-vote) ...	1,750	36		
District Engineer's quarters, Chilaw (re-vote) ...	1,702	59		
<i>Province of Uva.</i>				
<i>To Government Agent.</i>				
Completing bungalow at Kataragama (re-vote) ...	850	0		
Total New Works and Buildings ...	30,359	5		
Alterations and Additions to Buildings.				
<i>Western Province.</i>				
Fencing Welikada Magazine ...	1,035	0		
Alterations, Mounted Orderlies' stables (Galle Buck) ...	516	0		
Semi-circular counter, General Post Office, Colombo ...	1,950	0		
Improvements, District Court, Colombo ...	428	0		
Temporary cadjan sheds to male diarrhoea wards, Civil Hospital, Colombo ...	4,435	0		
New boundary wall and repairs to Galle Face cemetery ...	349	0		
Stables and lines, Galle Buck ...	2,955	0		
Treadmill, Welikada jail ...	90	0		
Additional sorting division to mail room, General Post Office ...	133	0		
Boundary wall, Liveramentu cemetery (re-vote) ...	110	0		
Rakes for Magazine, Welikada ...	1,024	0		
Improvements, Medical Officer's quarters, Lunatic Asylum, Colombo ...	1,320	0		
<i>Central Province.</i>				
Improvements, Uda Pussellawa hospital (re-vote) ...	1,299	14		
Extra fittings, electric light, Pavilion, Kandy ...	363	0		
Improvements to Herbarium, Botanic Gardens, Peradeniya ...	980	0		
Pussellawa hospital (re-vote) ...	1,518	14		
<i>Northern Province.</i>				
Office Assistant's quarters, Jaffna ...	386	0		
Improvements to Jaffna jail ...	92	80		
Witness sheds, &c., District Court, Jaffna ...	23	20		
<i>Eastern Province.</i>				
Improvements, Assistant Government Agent's bungalow, Trincomalee ...	470	0		
<i>North-Western Province.</i>				
Salt Inspector's quarters, Puttalam (re-vote) ...	119	95		
Old Treasury, Puttalam (re-vote) ...	13	52		
Completing alterations to old Treasury, Puttalam ...	120	0		
Total Alterations and Additions to Buildings ...	19,730	75		
Special Repairs to Buildings.				
<i>Western Province.</i>				
Store and office, Maligakanda reservoir (re-vote) ...	1,100	0		
Repairs to Key barracks, Slave Island ...	4,650	0		
<i>Central Province.</i>				
Repairs to Police Station, Nuwara Eliya ...	1,040	0		
Repairs to gutters of roof, Kandy Kachcheri ...	500	0		
<i>Province of Uva.</i>				
Repairs to dispensary at Haldummulla and to lock-up (re-vote) ...	199	59		
Total Special Repairs to Buildings ...	7,489	59		
Carried forward ...	—		2,229,690	25

No. 32.—PUBLIC WORKS EXTRAORDINARY—*contd.*

	Rs.	c.	Rs.	c.
Brought forward ..	—		2,229,690	25
New Roads.				
<i>Western Province.</i>				
Constructing gravelled roads round Havelock Park, Colombo ...	9,100	0		
<i>Eastern Province.</i>				
Completing Muttur ferry road and jetty ...	2,400	0		
<i>Province of Sabaragamuwa.</i>				
Constructing Ratnapura-Malwala road ...	8,450	0		
Constructing a cart road from Polatagama to Ardross (on account) ...	5,000	0		
<i>To Chairman, Provincial Road Committee.</i>				
Compensation, Glenalla-Havilland branch road (Government moiety)	1,345	63		
Do. do.	1,034	91		
Total New Roads ...	27,330	54		
Additions and Improvements to Roads.				
<i>Western Province.</i>				
Horana to Alutgama ...	6,921	35		
<i>Central Province.</i>				
Lindula to Agra (Government moiety) ...	2,000	0		
<i>North-Western Province.</i>				
Extension of Coast road north of Puttalam (re-vote) ...	329	85		
<i>North-Central Province.</i>				
Mirisgoni-oya to Galkandamadu (re-vote) ...	1	84		
Maradankadawela-Habarana road (re-vote) ...	155	99		
<i>Province of Uva.</i>				
Wellawaya-Tanamalwila road (re-vote) ...	806	89		
Acquisition of land, Badulla-Bandarawela road (re-vote) ...	179	41		
Total Additions and Improvements to Roads ...	10,411	33		
New Bridges.				
<i>Northern Province.</i>				
Construction of a bridge on the Jaffna-Point Pedro road ...	675	0		
<i>Eastern Province.</i>				
Bridge and causeway, 63rd mile, South Coast road, Kalmunai District	2,000	0		
<i>North-Western Province.</i>				
Completing 50 ft. bridge at Palavi ...	660	0		
Iron bridge over Battulu-oya (re-vote) ...	6,600	0		
<i>Province of Uva.</i>				
Horse bridge over Kumbukkan-oya at Nakkala (re-vote) ...	940	74		
Completing bridge over Kumbukkan-oya at Nakkala ...	4,100	0		
<i>Province of Sabaragamuwa.</i>				
Bridge over Hulundu-oya, Madampe-Hambautota road (re-vote) ...	546	98		
Total New Bridges ...	15,522	72		
Repairs of Bridges.				
<i>Province of Sabaragamuwa.</i>				
Bridge, 71st mile, Pelmadulla-Gilgarron road ...	130	0		
Total Repairs of Bridges ...	130	0		
Carried forward ...			2,229,690	25

	Rs.	c.	Rs.	c.
No. 32.—PUBLIC WORKS EXTRAORDINARY— <i>contd.</i>				
Brought forward	—		2,229,690	25
Lands and Buildings to be acquired.				
<i>Western Province.</i>				
Quarries, 10th milepost, Colombo-Avisawella road...	600	0		
<i>Central Province.</i>				
Compensation for land acquired for improving the sanitation of Nuwara Eliya ...	25	0		
<i>To Government Agent, Central Province.</i>				
Purchase of Grand Hotel, Kandy...	85,000	0		
<i>North-Western Province.</i>				
Acquisition of land for Land Registry, Kurunegala	596	87		
<i>To Government Agent, Uva.</i>				
Purchase of Badulla Post Office ...	9,000	0		
Total Lands and Buildings to be acquired	95,221	87		
Miscellaneous.				
<i>Western Province.</i>				
Money stolen from Mr. Bucknall, District Engineer	1,922	96		
<i>Central Province.</i>				
Surveying, &c., proposed road from Alagalla to Kadugannawa (re-vote)	877	50		
Electric light, Lodge, Kandy ...	2,950	0		
Improvements, Nuwara Eliya lake ...	3,000	0		
Flood damages, Nugatenna-Kobonella branch road (Government moiety) ...	175	0		
Metalling carriage drive, Queen's Cottage, Nuwara Eliya	1,250	0		
<i>To Commandant, Ceylon Volunteers.</i>				
Removing rocks at the rifle range, Matale ...	200	0		
<i>Northern Province.</i>				
Survey of road, Paranthan to Mullaittivu (re-vote)	337	50		
<i>Southern Province.</i>				
Bridges and culverts, Mamodala-Liyangahatota road (re-vote)	1,447	63		
<i>Eastern Province.</i>				
Working dredger, Batticaloa lake (re-vote) ...	2,665	41		
Surveying, &c., proposed road, Paddiruppu-Devilanai ...	213	38		
Sinking four wells on the South Coast road, Kalmunai District	2,600	0		
<i>To Government Agent.</i>				
Wells ...	1,000	0		
<i>To Chairman, District Road Committee.</i>				
For surveys ...	250	0		
<i>North-Central Province.</i>				
Roadside drains, Madawachchiya bazaars, Mihintale District (re-vote)	224	70		
Repairs, Gal-oya well (re-vote) ...	182	68		
Completing roadside drains at Madawachchiya ...	910	30		
<i>To Government Agent.</i>				
Completing well at Yakalla, North-Central Province (re-vote)	260	0		
<i>Province of Uva.</i>				
Conserving the springs, Bandarawela (re-vote) ...	1,097	33		
<i>To Chairman, District Road Committee.</i>				
For the erection of culverts and bridges on the Diyatalawa-Bandarawela road ...	3,559	0		
<i>Province of Sabaragamuwa.</i>				
Piling and filling up sides of road at 18½ miles, Rambukkana-Dolosbage road (re-vote) ...	345	46		
Converting two bridges on the Pelmadulla-Gilgarron road into iron ones ...	254	0		
Total Miscellaneous	25,722	85		
Total Public Works Extraordinary	—		231,918	70
GRAND TOTAL	—		2,461,608	95

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

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Second day of December, One thousand Nine hundred and One.

DRAFT ORDINANCE.

MINUTE.

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

An Ordinance to provide for the Registration of Written Authorities and Powers of Attorney.

Short title.

1 This Ordinance may be cited for all purposes as "The Powers of Attorney Ordinance, 1902," and shall come into operation on such date as the Governor by Proclamation to be published in the *Government Gazette* shall appoint.

Date of operation

Interpretation clause.

2 For the purposes of this Ordinance, and unless there be anything in the subject or context repugnant to such construction, "power of attorney" shall include any written power or authority other than that given to a proctor or law agent, given by one person to another to perform any work, do any act, or carry on any trade or business, and "attorney" shall include every person holding such power of attorney. "Registrar-General" shall include an acting registrar-general.

Power of attorney may be registered by the Registrar-General.

3 Any attorney desiring to have his power of attorney registered under this Ordinance shall be entitled to have the same so registered, and shall for that purpose produce the same to the Registrar-General, together with a copy thereof certified by a notary public to be a true copy, and shall make an affidavit to the effect that to the best of his knowledge and belief such power of attorney is genuine and still in force. And the Registrar-General, after satisfying himself of the correctness of such copy, shall file the same and register the power of attorney, endorsing upon it a certificate signed by him stating the fact of such registration and the date thereof, together with a reference to the volume and folio wherein such registration is recorded and such copy is filed, and shall return such power of attorney to the person producing the same. Such registration shall be recorded in a book to be kept in the form prescribed in schedule A hereto.

Registration to be recorded.

Registrar-General shall file documents.

4 The Registrar-General shall carefully file and preserve all copies of powers of attorney received by him, together with the affidavits relating thereto, with convenient lists and indexes thereof.

Inspection of documents.

All such records shall be open to inspection on an application in writing to be made to the Registrar-General for that purpose.

Copies of registered powers of attorney.

5 The Registrar-General shall, at the request of any person applying in writing for the same, issue a copy, certified by him to be a true copy, of any copy of a power of attorney filed in his office under section 3. To such certified copy shall be added a certificate signed by the Registrar-General stating the date of registration of the power of attorney and by whom the power of attorney was produced for such registration.

Issue a copy certified by him to be a true copy of any copy of a power of attorney filed in his office under section 3.

Copies issued by Registrar-General to be received in evidence.

6 In any judicial proceeding every certified copy issued by the Registrar-General as provided in section 5 of this Ordinance shall be received as *prima facie* evidence of the execution by the person by whom it purports to have been executed of the original power of attorney and of the contents of such original power of attorney, notwithstanding that the original power of attorney be not produced or its absence accounted for.

7 The following fees shall be payable to the Registrar-General under this Ordinance, and shall be paid in stamps to be affixed, in the case of the registration of any power of attorney to the copy filed by the Registrar-General, and in all other cases to the document in respect of which they are payable :—

For the registration of any power of attorney	...	Rs. 2.50
For every application to inspect the records	...	Re. 1
For every application for a certified copy of a registered power of attorney	...	Re. 1
For every certified copy issued under section 5, per folio of 120 words	...	25 cents

SCHEDULE A.

Serial No.	Date of Re-registration.	Description of Power of Attorney (whether Notarial Deed, Letter, Telegram, &c.).	Grantor	Grantee.	Date of Powers.	By whom produced for Registration.	Volume and Folio where Copy is filed.

By His Excellency's command,

R. W. IEVERS,
Acting Colonial Secretary.

Colonial Secretary's Office,
Colombo, December 12, 1901.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the late
No. C 1,523. } Gurunanselage Don Cornelius Wijeyesinghe, deceased, of Telengapatha in Alutkuru korale.

THIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 10th day of July, 1901, in the presence of Mr. W. P. Gunawardana, Proctor, on the part of the petitioner Wellambegey Paul Perera of Dematagoda; and the affidavit of the said petitioner, dated 9th July, 1901, having been read :

It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Gurunanselage Don Cornelius Wijeyesinghe issued to him, as brother-in-law of the said deceased, unless the respondents—(1) Gurunanselage Dona Cecilia Wijeyesinghe, wife of (2) Don Simon Rupesinghe, both of Telengapatha, (3) Gurunanselage Dona Isabella Wijeyesinghe, wife of (4) Don Andris Seneviratne, Muhandiram, both of Gangodawila, (5) Gurunanselage Dona Lubertina Wijeyesinghe of Telengapatha, (6) Gurunanselage Mary

Elizabeth Wijeyesinghe, (7) Gurunanselage Don Gemarat Wijeyesinghe, (8) Gurunanselage Don David Wijeyesinghe, all of Telengapatha—shall, on or before the 22nd day of August, 1901, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
Additional District Judge.

The 10th day of July, 1901.

The date for showing cause against the above *Order Nisi* is extended till 3rd October, 1901.

FELIX R. DIAS,
Additional District Judge.

August 22, 1901.

The date for showing cause against the above *Order Nisi* is extended till 19th December, 1901.

FELIX R. DIAS,
Additional District Judge.

November 7, 1901.

In the District Court of Colombo.

Order Nisi.

Testamentary
Jurisdiction,
No. 1,583.

In the Matter of the Last Will and Testament of Casie Lebbe Maricar Sinne Lebbe Maricar, deceased, of 2nd Division, Maradana, Colombo.

THIS matter coming on for disposal before D. F. Browne, Esq., District Judge of Colombo, on the 27th day of November, 1901, in the presence of Mr. E. G. Jayewardene, Proctor, on the part of the petitioners Sinne Lebbe Maricar Abdul Carim and Meera Saiboe Abubacker Lebbe Maricar, both of Maradana; and the affidavit of Sinne Lebbe Maricar Abdul Carim, dated 18th day of October, 1901, having been read:

It is ordered that the will of Casie Lebbe Maricar Sinne Lebbe Maricar, deceased, dated 29th January, 1901, be and the same is hereby declared proved, unless any person interested shall, on or before the 19th day of December, 1901, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioners are the executors named in the said will, and that they are entitled to have probate of the same issued to them accordingly, unless any person interested shall, on or before the 19th day of December, 1901, show sufficient cause to the satisfaction of this court to the contrary.

D. F. BROWNE,
District Judge.

The 27th day of November, 1901.

In the District Court of Colombo.

Order Nisi.

Testamentary
Jurisdiction.
No. C. 1,597.

In the Matter of the Estate of the late Kuppay Tamby Warusa Mohamado *alias* Kuppay Natamai and his wife Amnia Umma, deceased, of Wolfendhal street, Colombo.

THIS matter coming on for disposal before D. F. Browne, Esq., District Judge of Colombo, on the 5th day of December, 1901, in the presence of Mr. E. F. Perera, Proctor, on the part of the petitioner Ibrahim Natchiya of Siripina lane, Colombo; and the affidavit of the said petitioner, dated 17th September, 1901, having been read:

It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of Kuppay Tamby Warusay Mohamado *alias* Kuppay Natamai and his wife Amnia Umma, deceased, issued to her, as daughter of the deceased person, unless the respondents—(1) Davido Umma of Tondi, widow of Mohamado Naina of Tondi, deceased; (2) Sereha Umma of New Bazaar, Colombo, wife of (3) Udumal of New Bazaar; (4) Mohamado Mohideen of Siripina lane; and (5) Mahimoon Umma of Siripina lane, all of Colombo—shall, on or before the 19th day of December, 1901, show sufficient cause to the satisfaction of this court to the contrary.

D. F. BROWNE,
District Judge.

The 5th day of December, 1901.

In the District Court of Colombo.

Order Nisi.

Testamentary
Jurisdiction.
No. C 1,599.

In the Matter of the Estate of the late Wanigesoorige Don Andris Appuhamy, deceased, of Kittampahuwa in Ambatalenpahala of Alutkuru korale south.

THIS matter coming on for disposal before D. F. Browne, Esq., District Judge of Colombo, on the 10th day of December, 1901, in the presence of Mr. D. E. Wanigesooria, Proctor, on the part of the petitioner Wanigesurige Don Carolis Appuhamy of Sedawatta in Ambatalenpahala; and the affidavit of the said petitioner, dated 10th December, 1901, having been read: It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Wanigesoorige Don Andris Appuhamy issued to him, as eldest son of the said deceased, unless the respondents—1, Naulage Helena Silva of Kittampahuwa; 2 Wanigesurige Dona Isabella Hamine of Sedawatta;

3, Wanigesurige Dona Caroline Hamine and her husband 4, Don James Alexander Jayawardena, Registrar of Births, Deaths, and Marriages of Butgamuwa; 5, Wanigesoorige Don Nicholas Appuhamy of Kittampahuwa; 6, Dona Elizabeth Wanigesooria and her husband 7, John Edward Kannangara, both of Kittampahuwa in Ambatalenpahala—shall, on or before the 19th day of December, 1901, show sufficient cause to the satisfaction of this court to the contrary.

D. F. BROWNE,
District Judge.

The 10th day of December, 1901.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary
Jurisdiction }
No. 1,600.

In the Matter of the Last Will and Testament of Vidanelage Rodo Nona Sosa, deceased, of Mutwal, Colombo.

THIS matter coming on for disposal before D. F. Browne, Esq., District Judge of Colombo, on the 11th day of December, 1901, in the presence of Mr. J. P. Salgadoe, Proctor, on the part of the petitioner Nugeduge William de Silva of Mutwal; and the affidavit of the said petitioner, dated 10th December, 1901, having been read:

It is ordered that the will of Vidanelage Rodo Nona Sosa, deceased, dated 4th November, 1901, and now deposited in this court, be and the same is hereby declared proved, unless any person interested shall, on or before the 19th day of December, 1901, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner 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 interested shall, on or before the 19th day of December, 1901, show sufficient cause to the satisfaction of this court to the contrary.

D. F. BROWNE,
District Judge.

The 11th day of December, 1901.

In the District Court of Mannar.

Order Nisi.

Testamentary
Jurisdiction }
No. 104.

In the Matter of the Estate, Goods, and Chattels of Kantharkathiramar of Madduvil, late of Meryanavetkulum, deceased.

Velauthar Sinnatampi of Madduvil in Madduvil south in the District of Jaffna, now at Adampan in Mantai north.....Petitioner.

Vs.

1, Kanthar Sinnatamby; 2, Kanthar Vayiravy; 3, Vinasitamby Sinnakuddy and wife 4, Mootapillai; 5, Vinasitamby Kanapathipillai, and wife 6, Sinnappillai; 7, Mootapillai widow of Eliavy; 8, Eliavy Nagamuttu; 9, Eliavy Sinnamma; 10, Phavy Chelliah, minors by their guardian *ad litem* the 7th respondent, all of Madduvil in Madduvil south in the District of Jaffna... Respondents.

THIS matter coming on for disposal before B. Constantine, Esq., District Judge of Mannar, on the 19th day of September, 1901, in the presence of Mr. A. L. Savunuranayagam, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated the 17th day of September, 1901, having been read:

It is ordered that the petitioner Velauthar Sinnatampi of Madduvil, now at Adampan in Mantai north, be and he is hereby declared entitled to have letters of administration to the estate of the deceased Kanthar Kathiramar issued to him, as the nephew of the said deceased, unless the respondents above-named or any other person shall, on or before the 28th day of December, 1901, show sufficient cause to the satisfaction of this court to the contrary.

And it is further ordered that the respondents do pay to the petitioner his costs of and occasioned by this application.

B. CONSTANTINE,
District Judge.

The 19th day of September, 1901.

In the District Court of Kurunegala.

Order Nisi.

Testamentary } In the Matter of the Intestate Estate of
Jurisdiction. } the late Wijekon Herat Mudianselage
No. 687. } Ungurula of Baburugoma, deceased.

Wijekon Herat Mudianselage Appuhamy of
BaburugomaPetitioner.

And

1, Aratchilagedara Kiri Banda Menika of
Baburugoma; 2, Wijekon Herat Mudianse-
lage Mudalihal, Vidane of Ganangumuwa in
Yatikaha korale; 3, Wijekon Herat Mudi-
anselage Dingiri Menika of Baburugoma in
Dambadeni Udukaha korale west; 4, Wijekon
Herat Mudianselage Dingiri Banda, Aratchi
of Nakkawatta in Yatikaha korale.....Respondents.

THIS matter coming on for disposal before G. A.
Baumgartner, Esq., District Judge of Kurunegala,
on the 11th day of November, 1901, in the presence of
Mr. F. N. Daniels on the part of the petitioner Wije-
kon Herat Mudianselage Appuhami of Baburugoma; and
the affidavit, dated 23rd October, and the petition dated
the 11th November, 1901, of the said Appuhami, having
read: It is ordered that the said petitioner Wijekon Herat
Mudianselage Appuhami, as the eldest son of the deceased
Wijekon Herat Mudianselage Ungurula, is entitled to have
letters of administration to the estate of the said Ungurula
issued to him, unless the respondents or any person shall,
on or before the 20th day of December, 1901, show
sufficient cause to the contrary.

G. A. BAUMGARTNER,
District Judge.

The 13th November, 1901.

In the District Court of Kurunegala.

No. 689. In the Matter of the Intestate Estate of the
Late Hettiarachchillage Saraneris Sinho
of Kapuwarala, deceased.

Dahanayeka Achchillage Dingiri Menika of
Kapuwarala.....Petitioner.

And

Hettiarachchillage Hendrick Appuhamy of
Kapuwarala in Dambadeni Udukaha korale
east.....Respondent.

THIS matter coming on for final disposal before G. A.
Baumgartner, Esq., District Judge of Kurunegala,

on the 30th day of November, 1901, in the presence of
Mr. Markus on the part of the petitioner Dahanayeka
Achchillage Dingiri Menika; and the petition and affidavit
of the said Dingiri Menika, dated the 28th November
and 30th day of October, 1901, having been read: It is
ordered that the said Dahanayeka Achchillage Dingiri
Menika, as widow of the late Hettiarachchillage Saraneris
Sinho of Kapuwarala, be and she is hereby declared
entitled to have letters of administration to the estate
of the late Hettiarachchillage Saraneris Sinho issued to
her, unless the respondent or any other person shall, on
or before the 17th day of January, 1902, show sufficient
cause to the satisfaction of this court to the contrary.

G. A. BAUMGARTNER,
District Judge.

The 30th November, 1901.

In the District Court of Batticaloa.

Order Nisi.

Testamentary } In the Matter of the Estate of Seeni-
Jurisdiction. } tamby Nanthiapper Saravanamuttu
No. 349. } of Puliyantivu, deceased.

Between

Katheramalai Vanniah Tangappillai of Puli-
yantivu.....Petitioner.

And

1, Kathiramer Tambiappa; 2, Kathiramer Kana-
pathy; 3, Kathiramer Sinnatangam and
husband 4, Murakappar Veluppillai of
Puliyantivu.....Respondents.

THIS matter coming on for disposal before C. S.
Vaughan, Esq., District Judge of Batticaloa, on this
3rd day of December, 1901, in the presence of Mr. Kad-
ramatamby, Proctor, on the part of the petitioner
Katheramalai Vanniah Tangappillai; and the affidavit
of the said petitioner, dated 25th November, 1901, having
been read:

It is ordered that the petitioner aforesaid be declared
entitled to have letters of administration to the estate
of the deceased Seenytamby Nanthiapper Saravanamuttu
issued to her, as widow of the said deceased, unless the
respondents shall, on or before the 7th day of January,
1902, show sufficient cause to the satisfaction of this court
to the contrary.

C. S. VAUGHAN,
District Judge.

This 3rd December, 1901.

In the District Court of Colombo.

In the matter of the Grant dated the 24th day of October, 1888, to Alfred Brown of the sole and exclusive
privilege for making, selling, and using in Ceylon the invention for improvements in machinery for rolling
tea, described in his specification No. 286, dated the 28th September, 1888.

And

In the matter of section 13 of the Inventions Ordinance, No. 16 of 1892.

WHEREAS the said Alfred Brown has on the 2nd day of November, 1901, petitioned His Excellency the
Governor in Executive Council for an extension of the privilege so granted to him as above-mentioned for
a further term of fourteen years:

And whereas His Excellency the Governor in Executive Council has on the 28th day of November, 1901, been
pleased, under the provisions of clause 2 of the said 13th section of the Inventions Ordinance, No. 16 of 1892, to
refer the said petition to this court for report:

All persons claiming to have any interest in the said reference are hereby cited to appear before this court at
11 o'clock in the forenoon on Friday, the 20th day of December, 1901, being the day on which the said reference
will be considered, or on any day to which the consideration thereof may be adjourned, and to make with respect
thereto any representations which they may see fit concerning the nature and merits of the invention in relation to—

(a) The public.

(b) The profits made thereby.

(c) All the circumstances of the case being the matters to which this court is required by clause 3 of the
said section to have regard in making its report.

Any person so claiming to have an interest as aforesaid, and intending to make such representations to the
court concerning the nature and merits of the invention in the above respects that the court shall report adversely
to the above petition, is hereby required to notify to the court by a proctor duly appointed by him on that behalf on
or before Monday, the 16th day of December, 1901, his said intention, together with a statement of the grounds of his
opposition to the grant of an extension of the privilege.

District Court,
Colombo, December 5, 1901.

D. F. BROWNE,
District Judge.

NOTICES OF INSOLVENCY.

In the District Court of Kandy.

No. 1,443. In the matter of the insolvency of Awana Ahamadu Saibu and Ena Kader Assen Saibu, members of the firm of E. K. Ahamadu Saibu & Co. of Kandy.

WHEREAS Muna Pana Lana Arumogam Chetty of Kandy has filed a declaration of insolvency, and a petition for the sequestration of the estate of Awana Ahamadu Saibu and Ena Kader Assen Saibu of Kandy, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Awana Ahamadu Saibu and Ena Kader Assen Saibu of Kandy insolvents accordingly, and that two public sittings of the court, to wit, on January 17 and 31, 1902, will take place for the said insolvents 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. SA-NTIAGO,
Secretary.

Kandy, December 3, 1901.

In the District Court of Kegalla.

No. 28. In the matter of the insolvency of Palamandadige Andris Pieris of Ampe.

WHEREAS Pattinihennedige Pieris Harmanis Rodrigo of Ampe has filed a declaration of insolvency, and a petition for the sequestration of the estate of the said Andris Pieris has also been filed under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Andris Pieris insolvent accordingly, and that two public sittings of the court, to wit, on November 20, 1901, and December 5, 1901, already appointed, have been re-fixed for January 23, 1902, and February 11, 1902, 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,
C. P. W. GUNASEKERE,
Secretary.

Kegalla, December 5, 1901.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Miss Florence Maxfield of Colombo.....Plaintiff.
No. 15,530. C. Vs.

Tillekununi Manuel Silva of Mutwal.....Defendant.

NOTICE is hereby given that on Tuesday, January 7, 1902, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property, decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 2,116'66, with further interest on Rs. 2,000 at 10 per cent. per annum from August 15, 1901, till September 6, 1901, and thereafter at the rate of 9 per cent. per annum till payment in full, and costs Rs. 178, viz. :—

All that part of the house and garden bearing assessment No. 283, new No. 241, situated at Modara in Colombo; and bounded on the north (north-east) by the properties of W. Fernando and T. Valentine Silva, on the east (south-east) by the property of Srema Lebbe, on the west (north-west) by the property of Ossen Cakka, and on the south (south-west) by Madampitiya road; containing in extent about 1 rood, or containing in extent 1 rood and 2 perches.

Fiscal's Office, E. ONDATJE,
Colombo, December 11, 1901. Deputy Fiscal.

In the District Court of Colombo.

S. K. M. Somasundaram Chetty of Sea street
in Colombo.....Plaintiff.

No. 15,676 C. Vs.

John H. Mendis of Borella in Colombo.....Defendant.

NOTICE is hereby given that on Monday, January 6, 1902, 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, for the recovery of the sum of Rs. 403'25, with interest thereon at the rate of 9 per cent. per annum from September 9, 1901, till payment in full, and costs of suit, viz. :—

An undivided half share or part of the land and buildings thereon called and known as Pennon Lodge, being the northern moiety of the land described in title plan No. 108,152, situated in Maradana, Cinnamon Gardens, in Kollupitiya Ward No. 9 of the Municipality of Colombo; and bounded on the north by a public road and reservation called Horton place, on the east by land shown in plan No. 90,965 called Ponklaar, the property of Mr. P. Arunachalam, on the south by the southern moiety of the said allotment of land described in the said title plan No. 108,152, and on the west by a public road and reservation called Maitland crescent; containing in extent 1 acre and 3 perches more or less.

That on the same day, at 2 o'clock in the afternoon, will be sold by public auction at the premises the following property, viz. :—

An undivided half share or part of the land with the buildings and plantations thereon called The Bower, situated at Kotte road, Welikada, within the Municipality of Colombo, Western Province; and bounded on the north by land described in title plan No. 84,974, on the east by reservation for a road, on the south by reservation along the road called Kotte road, and on the west by reservation for a road; containing in extent 3 roods and 10 square perches according to the figure of survey thereof dated February 29, 1872, duly authenticated by Captain A. B. Fyers, R.E., Surveyor-General.

That on the same day, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property, viz. :—

An undivided half part or share of the allotment of land bearing assessment No. 70, with the buildings and

plantations standing thereon, situated at Temple road, within the Municipality of Colombo; and bounded on the north by the Temple road, on the east by the road leading to Cinnamon Gardens, on the south by the ditch of the Cinnamon Gardens, and on the west by the property of Simau de Silva and others; containing in extent 1 rood 16 perches according to the survey thereof dated July 28, 1892, made by Mr. Charles Schwalie, Surveyor.

Fiscal's Office,
Colombo, December 11, 1901.

E. ONDATJE,
Deputy Fiscal.

In the District Court of Colombo.

Max Rosenberg of Hotel de Europe,
Colombo Plaintiff.

No. 15,573. Vs.

Dorai Majeed of Lilly street, Union place,
Slave Island, Colombo..... Defendant.

NOTICE is hereby given that on Wednesday, January 8, 1902, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property, decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 12,300, with further interest on Rs. 12,000 at 10 per cent. per annum from August 22 to October 4, 1901, and thereafter at 9 per cent. per annum until payment in full, and costs of suit Rs. 224-81, viz. :—

All that divided portion of land marked letter A in the plan dated October 29, 1898, with all and singular, the buildings standing thereon bearing assessment No. 1, situated at Lilly street, Union place, Slave Island in Colombo; bounded on the north by the properties belonging to Settie Azisha and Settie Rahamanuz and others, on the east by a road now called Lilly street, on the south by the other part of the same land marked letter B in the said plan, and on the west by lot No. 17, now the property of Saibo Sultan; containing in extent rood 28-43 perches.

Fiscal's Office,
Colombo, December 11, 1901.

E. ONDATJE,
Deputy Fiscal.

In the District Court of Kalutara.

Tusecuremohottigurunnanselage Caithan Kure-
appu of Beruwala Plaintiff.

No. 2,265. Vs.

1, Packier Lebbe Wappu Markar; 2, Amona
Umma; and 3, Sanda Umma Natchia, all of
Deenagoda in Beruwala Defendants.

NOTICE is hereby given that on Thursday, January 23, 1902, commencing at 11 o'clock in the forenoon, will be sold by public auction at Katukurunda in Deenagoda in Beruwala and at Deenagoda the following property, for the recovery of the sum of Rs. 1,118-31, viz. :—

1. $\frac{1}{4}$ and $\frac{1}{16}$ parts of the soil and of the trees excluding the planter's half share of the trees of a portion of the garden called Kitulgahawatta and the tiled house in length about 37 cubits standing thereon, wherein the defendants reside, situate at Katukurunda in Deenagoda in Beruwala; and bounded on the north by a portion of Kitulgahawatta, east also by a portion of the same garden, south by Odayatoppuwewatta, and on the west by Hendrikkawatta.

2. One-fourth part of the soil and of the trees of the garden called Bastianpade, situated at Deenagoda in Beruwala; and bounded on the north by Bastianpadi-tottam, east by Cosatoppuwewatta, south by Mutu-kuttiawatta, and on the west by Arambetottam.

Mortgaged with the plaintiff by bond No. 16,015, dated December 22, 1894, and declared bound and executable for the decree in the said case.

The sales will be held at the respective premises.

Deputy Fiscal's Office,
Kalutara, December 11, 1901.

H. O. Fox,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Migel Kellaart of Bowwagama Plaintiff.
No. 14,380. Vs.

Artigalage Dona Selestinu Perera Hamine
and Don Johanis Annawa Defendants.

NOTICE is hereby given that on January 7, 1902, at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

The tea estate called and known as Deniyahena *alias* Deniwatta of three allotments of land, and containing in extent 15 acres 3 roods and 10 perches with the tea plantations thereon, situate at Bopitiya Rambukpitiya in Pasbage korale of Uda Bulatgama; bounded on the east by the property of Ahamat Sergeant, on the south by field belonging to Rantilekegedara Sirimala and bank of Kira's field, on the west by properties of Siriya, Suppremanian Chetty, and B. D. Silva, and on the north by demata tree, kahata tree, and stone of the Crown land.

Amount of writ, Rs. 1,213-30.

Fiscal's Office,
Kandy December 11, 1901.

R. A. G. FESTING,
Deputy Fiscal.

North-Western Province.

In the District Court of Kurunegala.

Kalumarakkalage Gordiano Fernando of
Nainamadama Plaintiff.

No. 1,873. Vs.

Imiyamudiyanselage Kusalhamy of Wala-
kumburumulla Defendant.

NOTICE is hereby given that on Saturday, January 4, 1902, 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. The field called Wetiyewewakumbura of one pela of paddy sowing extent and the adjoining garden called Talwetiyawatta with the plantations thereon of about 8 lahas of kurakkan sowing extent, situated at Wala-kumburumulla in Meda pattu korale of the Katugampola hatpattu.

2. The field called Erawellikumbura of about 5 lahas of paddy sowing extent and the adjoining garden called Migahamulawatta with the plantations thereon of about 1 laha of kurakkan sowing extent, situated at Wala-kumburumulla aforesaid.

3. The field called Welipitiyekumbura of 15 lahas of paddy sowing extent and the adjoining garden called Kalatagahamulawatta with the plantations thereon of about 4 lahas of kurakkan sowing extent, situated at Walakumburumulla aforesaid.

4. The garden called Higgahamulawatta with the plantations thereon of about 4 lahas of kurakkan sowing extent, situated at Walakumburumulla aforesaid.

Amount to be levied is Rs. 919-75 and poundage.

Fiscal's Office,
Kurunegala, December 9, 1901.

N. S. CASSIM,
for Fiscal.

In the District Court of Puttalam.
John Frederick Vanni Tamby and his wife
Johanna Vanni Tamby, both of Puttalam....Plaintiffs.
No. 1,476. Vs.

Bartholomeusz Navaratne, administrator of
the intestate estate of Russian Fonseka.....Defendant.

NOTICE is hereby given that on Saturday, January 4, 1902, at 1 o'clock in the afternoon, will be sold by public auction at the spot the right, title, interest of the said estate in the following property, viz.:-

A portion of land on the eastern side of the land called Thammana Villu Walawo, situate at Chenakudiruppu in Puttalam, in the District of Puttalam; bounded on the north by the land belonging to the estate of Abdul Azis Magudu Naina Marakar and to the estate of Nalla Ibrahim Seyadu and others, east by the land belonging to Mary Navaratne, south by Anuradhapura road, and west by a fence erected at a distance of 20 ft. from the western wall of the house built by Mary Navaratne and Russian Fonseka.

J. ARTHUR DE SILVA,
Deputy Fiscal.
Fiscal's Office,
Puttalam, December 9, 1901.

In the District Court of Chilaw.

N. N. Muttiah Chetty.....Plaintiff.
No. 2,125. Vs.

W. Don Marsal Perera, Peace Officer of Marawila, and anotherDefendants.

NOTICE is hereby given that on Tuesday, January 7, 1902, 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, subject to mortgage in the following property, viz.:-

The defendant's residing garden, with the house standing thereon, situate at Marawila; bounded on the north by garden of Karanis Tawarera, east by garden of W. Savarial Fernando, south by garden of W. Tambine Vedarala, west by garden of Mr. Rowel, Mudaliyar.

Amount recoverable Rs. 430, with interest on Rs. 260 at 1 $\frac{3}{4}$ per cent. per mensem from February 21, 1900, and poundage.

Deputy Fiscal's Office,
Chilaw, December 4, 1901.

J. H. LEAK,
Deputy Fiscal.

DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that a suit (No. 2,408) has been instituted in the Court of Requests of Avisawella by the labourers of Mahabage estate against the proprietor of the same, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 45.

The 29th November, 1901.

ALFRED PRONK,
Chief Clerk.

NOTICE is hereby given that a suit (No. 2,409) has been instituted in the Court of Requests of Avisawella by the labourers of Twickenham estate against

the proprietor of the same, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 1,147-07.

The 29th November, 1901.

ALFRED PRONK,
Chief Clerk.

NOTICE is hereby given that a suit (No. 2,410) has been instituted in the Court of Requests of Avisawella by the labourers of Vincit estate against the proprietor of the same, for the recovery of their wages amounting to Rs. 250.

The 29th November, 1901.

ALFRED PRONK,
Chief Clerk.

DRAFT ORDINANCE.

(Continued from page 818.)

MINUTE.

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

An Ordinance relating to the Ceylon Railways.

Preamble.

WHEREAS it is expedient to amend the law relating to the Ceylon railways and to the conveyance thereby of passengers, passengers' luggage, parcels, goods, and live stock : Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Short title.
Commencement.

1 This Ordinance may be cited as "The Ceylon Railways Ordinance, 1901;" and it shall come into operation at such time as the Governor shall by Proclamation, to be published in the *Government Gazette*, appoint.

Repeal of
Ordinances.

2 The Ordinance No. 26 of 1885 is hereby repealed, provided that such repeal shall not affect—

- (a) The past operation of the enactment hereby repealed ;
- (b) Any right, privilege, obligation, or liability acquired, accrued, or incurred under such enactment ;
- (c) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against such enactment ; nor
- (d) Any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid ; and any such investigation, legal proceeding, and remedy may be carried on as if this Ordinance had not passed.

Interpretation
clause :
"Railway."

3 "Railway" shall include all railways already constructed, or in the course of construction, or to be hereafter constructed, by or on behalf of the Ceylon Government.

"Railway
official."

"Railway official" shall include the General Manager, the Assistant Manager, Traffic Superintendent, Locomotive Engineer, Engineer of Ways and Works, Accountant, and all such officers, servants, agents, and other persons as shall be from time to time employed to do any act upon the railway.

"Passenger."

"Passenger" shall mean any person in or upon the railway being in possession of a ticket duly issued according to the conditions provided therefor.

"Passengers'
luggage."

"Passengers' luggage" shall mean such articles or personal effects as are conveyed free of charge in the luggage vans of passenger trains, and any such additional articles as may be paid for as excess luggage.

"Parcels."

"Parcels" shall mean all parcels, packages, bicycles, fish, fruit, poultry, and every other article, matter, or thing conveyed at parcels rates by passenger trains and subject to the conditions provided therefor.

"H, C, and D
traffic."

"H, C, and D traffic" shall mean all horses, carriages, dogs, bulls, cows, oxen, elk, spotted deer, pigs, calves, sheep, goats, and every other domestic or tame animal, and all vehicles of every sort accepted for conveyance in horse boxes, carriage trucks, or brake vans, by passenger trains, and charged for at mileage rates.

"Goods."

"Goods" shall mean all merchandise, machinery, bales, boxes, casks, crates, and every article or thing comprised in the classification of goods which may be accepted for conveyance in goods wagons upon goods or mixed trains,

under the terms and conditions of the contract contained in the consignment note made and entered into by the sender or his agent.

"Live stock."

"Live stock" shall mean all horses, ponies, donkeys, dogs, buffaloes, bulls, cows, oxen, calves, sheep, goats, pigs, or wild animals conveyed in cattle or goods trucks under the terms and conditions of the contract contained in the consignment note made and entered into by the sender or his agent.

General and assistant managers, clerks, and other officers.

4 The Governor may appoint a fit and proper person to execute the duties and powers hereinafter mentioned, who shall be called "the General Manager," and one or more persons, as he may deem necessary, to assist the General Manager in the execution of the said duties and powers who shall be called "assistant managers," and such other officers and clerks as to him may appear necessary. And all duties and powers hereinafter required to be performed and exercised by the General Manager shall and may be performed and exercised by any assistant manager.

Rules.

5 The Governor may from time to time, with the advice of the Executive Council, make (and when made, revoke, or add to, or alter) rules regarding the conveyance of passengers, passengers' luggage, parcels, H, C, and D traffic, goods, live stock, and all and every article, animal, person, or thing to be conveyed by railway, for the classification of goods, the goods that are to be charged for at special rates, the charges to be made for the conveyance of passengers and goods by the railway, and all other matters not specially enacted by this Ordinance, which may be necessary to provide for the management and due and profitable working of the railway, provided that the charges for the conveyance of passengers, parcels, and goods at rates other than special shall not exceed the rates specified in schedule X., unless in any detailed classification of goods sanctioned by the Governor, with the advice aforesaid, special provision be made for any articles which are deemed exceptional, in which case such provision shall prevail and be of force, anything in the schedule X. to the contrary notwithstanding.

Rules to be affixed publicly at railway stations, and persons using the railway legally presumed to be acquainted with them.

6 A copy of any rule or rules made under the authority of this Ordinance shall be hung up and affixed to the front or other conspicuous part of every railway station, and knowledge of the contents of such rule or rules shall be presumed as against any person using the railway, upon proof that such copy was hanging up and affixed as herein required; but the non-exhibition of this Ordinance, or the rules, or the time tables, or the tariff of charges at any station either in English or in the vernacular, shall not invalidate the provisions of this Ordinance, nor the rules and tariff or other such order made by the Governor in Executive Council.

Existing rules to continue in force until superseded.

7 All rules which are in force at the coming into operation of this Ordinance, and which are not inconsistent with any of its provisions, shall continue to be in force until revoked, added to, or altered in manner hereinbefore provided.

Fares to be prepaid.

8 No person shall enter any carriage used on the railway, for the purpose of travelling therein, without having a pass or having first paid his fare and obtained a ticket. Every person desirous of travelling on the railway shall, upon payment of his fare, be furnished with a ticket specifying the class of carriage for, and the station from, and the station to, which the fare has been paid, and shall, when required, show his ticket to any railway official duly authorized to examine the same, and shall deliver up such ticket upon demand to any of the railway officials duly authorized to collect tickets. Any person not producing or delivering up his ticket as aforesaid shall be liable to pay the fare from

Passenger tickets to be given up on demand.

the place whence the train originally started, unless he can prove that he has travelled a less distance only, in which case he shall be liable to pay the fare only from the place whence he has travelled.

Fare to be accepted conditionally.

9 The fare paid for the conveyance of passengers shall be deemed to be accepted only upon condition that there be room in the train. In case there shall not be room for all the passengers, those passengers who shall have obtained tickets for the longest distance shall have the preference, and those who shall have obtained tickets for the same distance shall have the preference according to class and to the order in which they shall have received their tickets, provided that all officers and troops of His Majesty on duty, and other persons travelling on the business of Government, shall be entitled to be conveyed on the railway in preference to, or in priority over, the public, without reference to the distance for which, or the order in which, they shall have received their tickets.

Penalty for certain offences.

10 Any person who shall travel or attempt to travel upon the railway without having previously paid his fare, or with a ticket out of date, or ride in or upon a carriage of a higher class than that for which he shall have paid his fare, or continue his journey in or upon any carriage beyond the station for which he shall have paid his fare, without having previously either paid the fare for the additional distance, or obtained the sanction of the station master or guard of the train, or who shall knowingly and wilfully refuse or neglect, on arriving at the station to which he shall have paid his fare, to quit the train and the railway premises, or who shall transfer the return half of any ticket obtained by him, or who shall in any manner whatever attempt to evade the payment of his fare, shall be guilty of an offence, and liable to a fine not exceeding fifty rupees for each such offence.

Enforcing payment of fare by passenger not producing ticket.

11 If any passenger shall fail to pay on demand any sum due for fares not prepaid, or for excess fares for over-riding, or riding with a ticket out of date, or in a higher class of carriage than that for which he shall have paid his fare, or for the occupation of sleeping berths, or any other special accommodation provided for the use of passengers, it shall be lawful for the General Manager to detain all or any part of such passenger's luggage until the claim be satisfied, or, if the same shall have been removed from the premises appertaining to the railway, any other property of such passenger which shall then be on the railway premises or shall thereafter come into such Manager's possession; and, after reasonable notice to such passenger, to sell by public auction so much of such property as such Manager shall think fit, and out of the proceeds realized by such sale to retain any sum due as aforesaid, and all charges and expenses of such detention and sale, and to return the balance, if any, of the money arising by such sale and such of the property as shall remain unsold to the passenger entitled thereto, or the General Manager may recover any such sum by action at law.

Penalty for false certificate.

12 Every person who shall give a false or untrue certificate as to coolies forming gangs, with intent to defraud or to entitle them to the low rate of fare allowed to gangs of coolies by the schedule X., shall be guilty of an offence, and liable to a fine not exceeding one hundred rupees.

Fine for entering carriage in motion or riding on the steps.

13 Any passenger who shall get into or upon, or attempt to get into or upon, or shall quit or attempt to quit any carriage upon the railway, while such carriage is in motion; or who shall ride or attempt to ride upon the railway on the steps or any other part of a carriage, except on those parts which are intended for the accommodation of passengers, shall be guilty of an offence, and liable to a fine not exceeding twenty rupees for each such offence.

Smoking, &c.,
and chewing of
betel prohibited.

14 If any person shall smoke, or shall chew betel, bhang, tobacco, opium, or other like substance, to the annoyance of any other person, passenger, or official; or shall commit a nuisance by expectorating either on the premises or in or upon any of the carriages belonging to the railway, except in places which may be specially provided for the purpose, or shall deface or injure by smearing with chunam any railway building, carriage, or other property, he shall be guilty of an offence, and liable to a fine not exceeding twenty rupees for each such offence; and if any person persist in infringing this regulation after being warned to desist by any of the railway officials or passengers, such person, in addition to incurring the liability above-mentioned, may be removed by any such official from any such carriage and from the premises appertaining to the railway, and shall forfeit his fare.

Persons afflicted
with smallpox,
&c., not allowed
to travel.

15 If any person afflicted with smallpox or other contagious disease shall travel by the railway, he shall be guilty of an offence, and liable to a fine not exceeding fifty rupees; and if any person whilst travelling be discovered to be so afflicted, it shall be lawful for any railway official to remove him from the carriage and from the railway premises at the first opportunity.

Penalty for
intoxication or
nuisance.

16 Any person who shall be in a state of intoxication, or be insufficiently or indecently clad, or who shall commit any nuisance or act of indecency in any railway carriage, or upon any part of the premises appertaining to the railway, or who shall wilfully and without lawful excuse interfere with the comfort of any passenger on the railway, shall be guilty of an offence, and liable to a fine not exceeding fifty rupees, or to imprisonment of either description, for any term not exceeding three months, or to both; and, in addition to such liability, the offender may be removed by any of the railway officials from any such carriage, and also from the premises appertaining to the railway, and shall forfeit his fare.

Penalty for
entering private
room or carriage.

17 If any special carriage or portion of a carriage or any private room or apartment shall be provided for the exclusive use of females, any male person who, without lawful excuse, shall enter such carriage, or portion of a carriage, or any such room or apartment, knowing the same to be exclusively appropriated as aforesaid, or shall remain therein after having been informed of its exclusive appropriation, or if any passenger shall knowingly and wilfully enter or refuse or neglect to leave reserved carriages or compartments, or shall enter and refuse to leave rooms or places or seats set apart for passengers of higher classes, he shall be guilty of an offence and liable to a fine not exceeding one hundred rupees, and may be removed therefrom, and also from the premises appertaining to the railway, by any of the railway officials, and shall forfeit his fare.

Fine for riding
on engine,
tender, or
luggage van.

18 Any person other than the engineman and fireman and assistant fireman, if any, who, without the special leave of the General Manager or Locomotive Engineer, shall ride or attempt to ride upon any locomotive engine or tender upon the railway; and any person other than the guard or brakesman who, without special permission of the General Manager or Traffic Superintendent, shall ride or attempt to ride upon the railway in or upon any luggage van or goods van or other vehicle not appropriated to the carriage of passengers, shall be guilty of an offence, and liable to a fine not exceeding fifty rupees for each offence.

Liability for
goods lost,
destroyed, or
injured.

19 (a) The Government shall in no case be liable for loss or injury to any goods, parcels, passengers' luggage, or any other article carried by the railway, unless such loss or injury shall have been caused by negligence or misconduct on the part of their agents or servants, and unless the articles or goods in respect of which compensation is claimed shall have been clearly and legibly addressed and booked

and paid for or labelled and loaded in conformity with this Ordinance, or the rules and regulations in that behalf provided.

(b) The liability of the Government shall not extend beyond the actual value at the time and place of despatch of any goods, parcels, passengers' luggage, or other article in respect to which compensation is claimed.

(c) The onus of proof of the value of any article or thing in respect to which compensation is claimed shall lie with the claimant.

Goods accepted conditionally.

20 The Government shall not be bound to despatch by the first or any specified train any goods, parcels, passengers' luggage, bicycles, live stock, horses, carriages, or any other article or thing tendered for conveyance, but freight shall be deemed to be accepted only upon condition that there is room in the train and suitable space or vehicle available, and sufficient time and opportunity for loading, invoicing, and all other matters and works necessary to and connected with the despatch thereof.

Carriage of goods of a dangerous nature.

21 No person shall carry upon the railway any dangerous article, or be entitled to require any railway official to carry upon the railway any article which, in the judgment of any of the railway officials, shall be of a dangerous nature, or which it would be unsafe for the railway to convey, and if any person shall carry upon the railway any dangerous article, or shall deliver to such railway official any such article for the purpose of being carried upon the railway, without distinctly marking their nature on the outside of the package containing the same, and likewise giving notice in writing of the nature thereof to the station master or other principal railway official to whom the same shall be delivered for the purpose of being so carried, he shall be guilty of an offence, and liable to a fine not exceeding two hundred rupees for every such offence, and it shall be lawful for the railway officials to refuse to carry any goods, luggage, or parcel that they may suspect to contain articles of a dangerous nature, and to require the same to be opened to ascertain the fact previously to carrying the same; and in case any such goods, luggage, or parcel shall be received by the railway officials for the purpose of being carried on the railway, it shall be lawful for any railway official to stop the transit thereof until he shall be satisfied as to the nature of the contents of the goods luggage or parcel.

Written account of goods to be given on demand.

22 The consignor, owner, or person having the care of any goods, package, or parcel which shall have been carried upon the railway, or shall be brought to the premises appertaining to the railway for the purpose of being carried on the railway, shall, on demand by any railway official, deliver to such official an exact account in writing signed by him of the number, quantity, value, and description of such goods.

Penalty for giving no account, or false account.

23 If any such owner or person as aforesaid shall, on demand by any such railway official as aforesaid, fail to give such account to such railway official, or if he shall wilfully give a false account thereof, he shall be guilty of an offence, and for every such offence be liable to a fine not exceeding fifty rupees for every ton of goods, and to a fine not exceeding twenty rupees for any quantity of goods less than a ton.

Remedy for non-payment of the fare for carriage of goods.

24 If any person shall fail to pay on demand any sum due for the conveyance of any live stock, goods, horses, carriages, or parcels, it shall be lawful for the General Manager to detain all or any part of such property, or, if the same shall have been removed from the premises appertaining to the railway, any other property of such person which shall then be on such premises, or shall thereafter come into the possession of such manager; and, after reasonable notice to such person, to sell by public auction so much of such property as such manager shall think fit, and out of the proceeds realized by such sale to retain any sum due as

aforesaid, and all charges and expenses of such detention and sale, and to return the balance, if any, of the money arising by such sale and such of the property as shall remain unsold to the said person entitled thereto, or the General Manager may recover any such sum by action at law.

Penalty for removing stakes, or pegs, or defacing marks.

25 Any person who shall remove any stakes, or pegs, or other marks placed by any railway official or by any surveyor or his servants along the line of any railway already constructed, or any other line which may be hereafter undertaken with the sanction of the Government, or contiguous thereto, for the purpose of setting out, tracing, or showing such line, shall be guilty of an offence, and liable to a fine not exceeding fifty rupees.

Penalty for injury to carriage, &c.

26 (a) Any person who shall wilfully or negligently damage or injure any carriage, engine, wagon, truck, station, warehouse, bridge, tunnel, culvert, building, machine, rail points, or any other matter or thing belonging to the railway, or who shall remove sand or stone or earth or any other matter or thing from banks, bridges, culverts, retaining walls, or permanent way within railway limits, shall be guilty of an offence, and be liable to corporal punishment not exceeding fifty lashes, or fine not exceeding one thousand rupees, or imprisonment of either description for any period not exceeding twenty years, or to any two or more of these punishments.

(b) Any person who shall tie up the wires of wire fencing, break down or destroy any fencing or hedges, or do or cause to be done any act that shall damage or be likely to damage any fence or hedge appertaining to the railway, or shall fell timber in the proximity of the railway in a manner likely to endanger the safety of passing trains or of any person in or upon such trains, or to cause damage to the permanent way, shall be guilty of an offence, and be liable to a fine not exceeding fifty rupees.

(c) Any person who shall wilfully divert any stream or drain, or by any means cause water to flow on to the railway, or cause damage to the railway in any way by water, shall be guilty of an offence, and be liable to a fine not exceeding one hundred rupees.

(d) Any person who having any contract for the supply of bricks, ballast, timber, fuel, or any other material to the railway, or being employed in connection with the supply to the railway of such material, shall negligently place or stack the said material in an unsafe or careless manner, or at less than the prescribed distance from the rails, so that the safety of passing trains or of any person in or upon such trains shall be endangered, shall be guilty of an offence, and be liable to a fine not exceeding fifty rupees; and any person who shall throw or cause to be thrown, either by hand or otherwise, any tree or fuel upon the line in such a manner as to cause damage to the permanent way shall be liable to a fine of fifty rupees for every such offence, and shall be chargeable with the cost of the repairs consequent thereon.

Penalty for removing documents or notices.

27 Any person who shall remove, deface, or in any way injure any document exhibited by the railway authorities as required by section 6, or any notice, document, or advertisement posted by them at the station or anywhere upon the railway, shall be guilty of an offence, and be liable to a fine not exceeding fifty rupees, or to imprisonment of either description for a period not exceeding three months.

Obstructing engine or carriages, or endangering safety of passengers.

28 If any person shall wilfully and maliciously put, place, cast, or throw upon or across the railway any wood, stone, or matter or thing, or shall wilfully and maliciously take up, remove, or displace any signal wire, pulley, or stake, or any number, plate, milepost, gradient post, rail, sleeper, or matter or thing belonging to the railway, or shall wilfully and maliciously turn, move, or divert any points or other machinery belonging to the railway, or shall wilfully and maliciously make or show, hide, remove, alter, or imitate

any signal or light upon or near the railway, or shall wilfully or maliciously do or cause to be done any other matter or thing with intent, in any of the cases aforesaid, to upset, obstruct, overthrow, injure or destroy any engine, tender, carriage or truck used upon the railway, or to endanger the safety of any persons travelling or being upon the railway, or cast, or throw, or cause to fall or strike against, into, or upon any engine, tender, carriage, or truck used upon the railway, any wood, stone, or other matter or thing, with intent to endanger the safety of any person being in or upon such engine, tender, carriage, or truck, every such offender shall be guilty of an offence, and be liable to corporal punishment not exceeding fifty lashes, or fine not exceeding one thousand rupees, or imprisonment of either description for any period not exceeding twenty years, or to any two or more of these punishments.

Penalty for an act not wilful.

29 If any person shall rashly or negligently and without lawful excuse do any act which shall be likely to endanger his own safety or that of any person travelling or being upon the railway, he shall be guilty of an offence, and liable to imprisonment of either description for a term not exceeding six months, or to fine not exceeding one hundred rupees, or to both.

Penalty for drunkenness or breach of duty by railway officials.

30 Any railway official who shall be in a state of intoxication whilst actually employed upon the railway, or any of the works connected therewith, in the discharge of any duty, and any railway official who negligently shall omit to perform his duty, or shall perform the same in an improper manner, shall be liable to a fine not exceeding fifty rupees; and if the duty in any of the cases in this section above mentioned be such that the omission or negligent performance thereof would be likely to endanger the safety of any person travelling or being upon the railway, such official shall be guilty of an offence, and liable to imprisonment of either description for a term not exceeding one year, or to fine not exceeding two hundred rupees, or to both.

Penalty for wilful act or omission endangering a passenger.

31 Whoever shall wilfully do any act, or shall wilfully omit to do what he is legally bound to do, intending by such act or omission to cause, or knowing that he is thereby likely to cause, the safety of any person travelling or being upon the railway to be endangered, shall be guilty of an offence, and liable to corporal punishment not exceeding twenty lashes, or fine not exceeding two hundred rupees, or to imprisonment of either description for any term not exceeding seven years, or to any two or more of those punishments.

Breach of rules.

32 If any person shall wilfully do any act contrary to the provisions of the rules sanctioned by the Governor, with the advice of the Executive Council, as already provided, or wilfully omit to do any act thereby prescribed, he shall be guilty of an offence, and liable to a fine not exceeding twenty rupees.

Penalty for trespass.

33 Any person who shall trespass upon the railway, or upon any of the lands, stations, or other premises appertaining to the railway, shall be guilty of an offence, and liable to a fine not exceeding twenty rupees; and if any such person shall refuse to leave the railway or premises on being requested to do so by any railway official or by any other person on behalf of a railway official, he shall be guilty of an offence, and liable to a fine not exceeding fifty rupees, and may be immediately removed from the railway or premises by such railway official or other person as aforesaid.

Precaution if the railway cross road.

34 If the railway cross any public carriage road on a level, at a place not declared to be a "minor crossing" or an "occupation crossing" as hereinafter provided, the General Manager shall, before the line is opened for traffic, cause to be erected and afterwards maintained good and efficient gates closing across the railway, and such gates shall be kept closed, except when engines or vehicles passing along the railway shall have occasion to cross the road, and shall be of such

Proviso.

dimensions, and so constructed as when opened to fence off the railway from the road and prevent persons, cattle, or carriages from crossing the railway line. Provided that it shall be lawful for the Governor in any case to order that the gates shall close instead of across the railway across the road, and in such case the gates shall be erected, maintained, and closed accordingly.

If the General Manager shall wilfully fail to comply with the provisions of this section, he shall be guilty of an offence, and liable to a fine not exceeding two hundred rupees for each offence; and any police magistrate may, in case any such gates be not erected or maintained, order the General Manager to cause the same to be erected and maintained within a time to be specified in the order; and in case of wilful failure on his part to comply with such order, he shall be guilty of an offence, and liable to a fine not exceeding two hundred rupees for every day that he shall wilfully fail so to do.

Minor crossings.

35 (1) It shall be lawful for the Governor from time to time to declare by Proclamation any road or path which the railway may cross to be a "minor crossing," and such Proclamation to alter, vary, or repeal. The gates of minor crossings shall close across the road and not across the railway, and shall be kept locked by means of padlocks, the keys of which shall be kept by a person authorized thereunto by the General Manager of the Railway.

(2) Any person desiring to use the same shall give such notice of his intention to do so to such authorized person, as will allow of arrangements being made for the opening of the gates with safety to the public.

(3) The General Manager shall provide such authorized person with a copy of the current time table applicable to the district in which such minor crossing shall be situated for his guidance as to the time at which such crossing gates may be opened, but the person authorized shall always satisfy himself before opening such gate that no train, special or ordinary, is within sight or hearing.

(4) Cattle passing over a minor crossing in respect of which no dispensation has been granted by His Excellency the Governor under the provisions of shall not be driven but led by a suitable and properly secured halter.

(5) Any person using or attempting to use a minor crossing in respect of which no dispensation has been granted by His Excellency the Governor under the provisions of without such notice as aforesaid, and any person causing cattle to cross without such halter as aforesaid, shall be guilty of an offence, and liable to a fine not exceeding fifty rupees, or to imprisonment of either description for a period not exceeding three months.

(6) Any person authorized by the General Manager to keep the keys of any minor crossing who fails to keep the gates closed across the road and securely locked with padlocks, except at such times as the gates may require to be opened for the passage of vehicles or animals across the railway, shall be guilty of an offence, and liable to a fine not exceeding fifty rupees for every such offence.

(7) And it shall be the duty of the General Manager to provide and maintain at all minor crossings in respect of which no dispensation has been granted by His Excellency the Governor under the provisions of separate gates or styles of convenient dimensions and pattern for the use of foot passengers crossing the railway.

Occupation crossings.

36 (1) "Occupation crossings" are crossings provided and maintained for the sole use of private owners whose roads may at the time of the construction of any railway be intersected by such railway. The gates of such occupation crossings shall close across the road and not across the railway, and shall be kept closed and locked except at such times as with due and proper precaution they may be opened for the passage of cattle or vehicles, and the keys shall be

retained in the custody of the person for whom such occupation crossing is provided.

(2) The person for whom any such occupation crossing is provided shall be bound to keep the gates closed across the road at all times of the day and night, except when with due and proper precaution they are opened for the passage of any person, animal, or vehicle, and if the person for whom any such occupation crossing is provided shall leave open any such occupation crossing gate he shall be guilty of an offence, and liable to a fine not exceeding fifty rupees.

(3) The Government shall not be responsible for any loss or damage arising from the use of any such crossing.

(4) The General Manager shall provide and maintain crossing gate and the adjacent fences, together with the approaches thereto within the railway boundaries in good and proper order.

(5) Occupation crossings may be sanctioned and opened upon any existing line at the discretion of and upon conditions imposed by the General Manager, the first cost of construction and an annual rent for maintenance being payable by the person for whom such crossing may be constructed.

(6) All crossings which at the time of the publication of this Ordinance shall be deemed and proclaimed to be occupation crossings shall, upon due and proper notice being given to the occupier thereof, become subject to the conditions provided by this Ordinance for the regulation and conduct of occupation crossings.

(7) It shall be at all times within the power and discretion of the General Manager to close any occupation crossing; or, in the event of the neglect of the owner or occupier to comply with the conditions imposed, to appoint and maintain at such crossing an officer of the railway at the expense of the owner or occupier, and such expense shall be payable in addition to any other sums recoverable under this Ordinance.

Penalty for driving an animal upon or across the railway.

37 (1) Any person who shall wilfully ride, lead, or drive upon or across the railway any animal (except in directly crossing the railway at a road or place appointed for that purpose and at a time at which he shall be lawfully authorized so to do) shall be guilty of an offence, and liable to a fine not exceeding fifty rupees for each offence.

Penalty for opening gates.

(2) And any person who shall open any gate or pass, or attempt to pass, or drive or attempt to drive any cattle, carriage, or other animal or thing across the railway at a time when any engine or train approaching along the same shall be within sight or hearing, or when it shall be due, or who shall forcibly open any gate which has been closed across the road by any authorized gateman or person in charge of such gates, or who shall in any way impede or interfere with any such gateman or person while in the execution of his duty, shall be guilty of an offence, and liable to a fine not exceeding one hundred rupees.

Rules for the construction of the Ordinance.

38 In the construction to be placed upon this Ordinance, every railway official shall be deemed to be legally bound to do everything necessary for, or conducive to, the safety of the public, which he shall be required to do by this Ordinance, or by any rule which shall be made by the Governor, with the advice of the Executive Council, and of which rule such official shall have had notice; and every such official shall be deemed to be legally prohibited from doing every act which shall be likely to cause danger.

Apprehension of offenders.

39 Every person who shall commit any offence mentioned in this Ordinance may be lawfully apprehended, without any warrant or written authority, by any railway official, or by any other person whom such railway official shall call to his aid, or by any police officer, anything in "The Criminal Procedure Code, 1898," to the contrary notwithstanding; and every person so apprehended shall, with all convenient despatch, be taken before a police magistrate to be dealt with according to law.

Jurisdiction of magistrates.

40 For the purposes of this Ordinance the police magistrates of Colombo, Kandy, Matale, Gampola, Nuwara Eliya, Hatton, Badulla, Haldummulla, Panadure, Kalutara, Balapitiya, Galle, Matara, and also any other police magistrate who may hereafter be specially authorized thereto by Proclamation issued by the Governor, with the advice of the Executive Council, shall each have jurisdiction over all offences, acts, matters, and things cognizable by police courts, although such magistrates may otherwise have no jurisdiction in the place where the offence was committed, or where the act, matter, or thing took place.

Cases may be tried before police courts, though otherwise out of their jurisdiction.

41 And whereas the punishments assigned to certain offences under this Ordinance are beyond the jurisdiction of police courts, but it would be frequently more advantageous that such offences should be brought for trial before such courts in order that the punishment of offenders may be more prompt, even though it should be less severe: It is therefore enacted that in case of any person committing an offence under this Ordinance, which would not otherwise be cognizable by a police court by reason of the punishment to which the same is subject, and a certificate shall be presented to any police court signed by the Attorney-General to the effect that such offence or act may be prosecuted before such court, it shall be competent to such court to take cognizance of such offence or act, and to award in respect thereof so much of the punishment assigned thereto as police courts are empowered by law to award.

Punishment of children for breach of Ordinance.

42 And whereas many of the offences declared punishable by this Ordinance may be committed by children whom it would not be expedient to punish in manner herein provided: It is therefore enacted that it shall be competent to any police magistrate before whom any person under the age of sixteen years shall be convicted of an offence to order the moderate chastisement of such person instead of subjecting him to the punishment prescribed by this Ordinance, and such chastisement shall be inflicted immediately if the magistrate shall so direct.

A copy and translation of Ordinance to be shown at railway stations.

43 A copy of this Ordinance and of the rules, time tables, and tariff of charges, which shall from time to time be duly made and published, shall be exhibited in some conspicuous place at each station of the railway, so that they may be easily seen and read; and all such documents shall be so exhibited in English and in the vernacular languages of the district in which the station is situated, and in such other language, if any, as shall be required by order of the Governor; but the non-exhibition of this Ordinance, or the rules, or the time tables, or the tariff of charges at any station either in English or in the vernacular shall not invalidate the provisions of this Ordinance, nor the rules and tariff or other such order made by the Governor in Executive Council.

Rebate to be granted on freight.

44 It shall be lawful for the Governor, with the advice of the Executive Council, to grant to any company or person conveying by railway goods the freight on which shall exceed an average amount to be fixed from time to time by the Governor, with the advice aforesaid, such rebate as to him shall appear reasonable.

SCHEDULE X.

Rate of Railway Fares.

Passengers.

- 1st class, not exceeding 17 cents per mile.
- 2nd class, not exceeding 8 cents per mile.
- 3rd class, not exceeding 3 cents per mile.

Detachments of pioneers of any nationality, or gangs of coolies of not less than 6 in number, each pioneer or cooly $\frac{1}{4}$ cent per mile. Provided that no detachment or gang shall be conveyed at the rate

aforesaid unless upon the production of a certificate on the authorized form from the importer of such coolies, or from the manager of the estate or work from or to which they are going, that such pioneer or coolies have been employed, or are about to be employed, on the said estate or work. Children of pioneers or coolies in gangs to be charged as adults. The minimum fare of pioneers and coolies' gangs shall be twenty-five cents each.

Reductions to be made for children and for return or periodical tickets. The right of reduction in the case of children must be determinable either by age or height, as shall from time to time be provided for by the rules.

Special trains or reserved accommodation shall be charged for at special rates.

Goods.

- 1st class from 24 cents to 59 cents per ton per mile.
- 2nd class from 16 cents to 44 cents per ton per mile.
- 3rd class from 12½ cents to 27 cents per ton per mile.
- 4th class from 10 cents to 20 cents per ton per mile.
- 5th class from 8 cents to 16 cents per ton per mile.
- 6th class from 4 cents to 16 cents per ton per mile.

Special rates to be charged for live stock, corpses, specie, plate, carriages, and for articles exceeding 3 tons in weight or measuring more than 200 cubic feet in bulk, or 14 feet in length, and gunpowder, kerosine oil and other volatile oils, vitriol, lucifer matches, and other articles which, in the judgment of any of the railway officials, may be of a dangerous nature.

As respects goods, the fractional part of half a hundredweight shall be reckoned as half a hundredweight.

Articles not herein enumerated to be charged according to any of the above classes, or at special rates, according to the provisions to be made from time to time in the rules and regulations.

The minimum distance on which a mileage charge shall be made is ten miles.

Goods of the 6th class in quantities less than 4 tons to be charged as 4 tons, or at 3rd class rate on actual weight, whichever is lower.

The minimum charge for a consignment of goods is 25 cents.

Demurrage on Wagons.—(a) All wagons loaded with bulky articles, &c., which are not unloaded within twenty-four hours after their arrival at the station of delivery, will be liable to a demurrage charge of Rs. 4 per each four-wheel wagon per diem, exclusive of Sundays (see special condition 44 (c) *re* demurrage on account of dangerous articles).

(b) Wagons loaded with sixth class goods will not be unloaded until the consignee has supplied a cart or other conveyance into which the goods can be at once transferred, and if delivery is not taken within the prescribed time, the demurrage charge of Rs. 4 per four-wheel truck per diem (exclusive of Sundays) will be made instead of a charge for warehouse rent, as the Government do not supply warehouse accommodation for goods in the sixth class.

(c) The Government, however, reserve to themselves the right of unloading trucks at any time after the expiration of the twenty-four hours at the expense of the consignees, and in every such case warehouse rent or wharfage will be charged.

Definition of Classes.

- CLASS 1.—Acids, gunpowder and other dangerous articles, pianos or other musical instruments, and plate glass.
- CLASS 2.—Furniture, wine or other liquors in bottle, groceries, oilmanstores, millinery, textile fabrics, glassware, crockery, and unpacked machinery.
- CLASS 3.—Rice, grain of all kinds in bags or packages or in bulk, oil, wine, or other liquor in casks, jute, horns, jaggery, sugar, cinnamon, plants, seed, refined salt or saltpetre, bales of cotton, unmanufactured cordage, machinery packed in cases, manufactured metals, coir matting, castings, soap, hardware, tools, and agricultural implements.
- CLASS 4.—Tea, coffee, cacao, cocoanut palm produce, country-grown grain, fibre, and timber wrought.
- CLASS 5.—Fruit, vegetables, and unwrought timber.
- CLASS 6.—Coke, coal, minerals, bricks, lime, tiles and stone, unworked metals, manure, and firewood.

As respects passengers and goods, the fractional part of a cent will be charged as a cent, and the fractional part of a mile will be charged as a mile.

By His Excellency's command,

R. W. IEVERS,
Acting Colonial Secretary.

Colonial Secretary's Office,
Colombo, December 13, 1901.

MINUTE.

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

An Ordinance to amend "The Vehicles Ordinance, 1901."

Preamble.

WHEREAS it is expedient to amend the Ordinance No. 9 of 1901 in the manner hereinafter mentioned: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

To be read as one with Ordinance No. 9 of 1901.

1 This Ordinance and the Ordinance No. 9 of 1901 hereinafter referred to as "the principal Ordinance" shall be read and construed as one Ordinance.

Amendment of section 8.

2 To section 8 of the principal Ordinance there shall be added the following proviso :—

Proviso.

Provided that if any license already granted shall extend to and include any portion of the time for which a license may be granted for the first year after this Ordinance shall come into operation, a proportionate reduction in the stamp duty may be made in the license for such first year.

Amendment of section 19.

3 After section 19 of the principal Ordinance the following section shall be inserted and numbered 19A, namely :

Rates and fares in respect of tramways constructed under agreement with Municipal Council of Colombo to be regulated by that agreement.

The rates and fares to be charged for carrying passengers and goods on the cars and carriages running on the tramway or tramways constructed or to be constructed in pursuance of the agreement entered into on the twenty-sixth day of November, one thousand eight hundred and ninety-six, between the Municipal Council of Colombo of the one part and Messieurs Boustead Brothers of the other part shall continue to be fixed in manner provided by clause 21 of the said agreement, and not by the by-laws made under the last preceding section.

By His Excellency's command,

R. W. LEVERS,
Acting Colonial Secretary.

Colonial Secretary's Office,
Colombo, December 13, 1901.