



# Ceylon Government Gazette

## EXTRAORDINARY.

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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.

[PARTS I., III., IV., and V. not issued.]

### Part II.—Legal and Judicial.

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

#### DRAFT ORDINANCES.

##### MINUTE.

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

An Ordinance to amend "The Courts Ordinance, 1889."

Preamble.

WHEREAS it is expedient to amend the Ordinance No. 1 of 1889 in the particulars 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:

Ordinance to be read as one with Ordinance No. 1 of 1889.

Short title.

1 This Ordinance shall be read and construed as one with "The Courts Ordinance, 1889," hereinafter referred to as "the principal Ordinance," and the principal Ordinance and this Ordinance may be cited together as "The Courts Ordinances, 1889 and 1901."

Repealing clause.

2 The Ordinance No. 8 of 1900 is hereby repealed, but such repeal shall not prejudice anything done or suffered, or any legal proceeding commenced, or penalty incurred before such repeal takes effect.

Amendment of section 5.

3 For section 5 of the principal Ordinance there shall be substituted the following section :

Division of the island into circuits, districts, and divisions.

*Division of the Island for Judicial Purposes.*

For the purposes of the administration of justice in this colony the island shall be divided into four circuits, to be called respectively the western circuit, the midland circuit, the northern circuit, and the southern circuit; and each circuit shall comprise and be divided into the following districts :

The western circuit shall comprise and be divided into six districts, as follows :—Colombo, Negombo, Kalutara, Ratnapura, Puttalam, and Chilaw.

The midland circuit shall comprise and be divided into five districts, as follows :—Kandy, Kegalla, Kurunegala, Badulla, and Anuradhapura.

The northern circuit shall comprise and be divided into six districts, as follows :—Jaffna, Mannar, Mullaittivu, Trincomalee, and Batticaloa.

The southern circuit shall comprise and be divided into three districts, as follows :—Galle, Matara, and Tangalla.

The several circuits shall be further divided into divisions as follows :—

The western circuit into eight divisions, viz. :—Colombo, Negombo, Panadure, Kalutara, Avisawella, Ratnapura, Chilaw, and Puttalam.

The midland circuit into twelve divisions, viz. :—Anuradhapura, Badulla-Haldummulla, Dumbara, Kurunegala, Kegalla, Gampola, Kandy, Matale, and Nuwara Eliya-Hatton.

The northern circuit into eight divisions, viz. :—Jaffna, Point Pedro, Kayts, Mannar, Mullaittivu, Trincomalee, and Batticaloa.

The southern circuit into five divisions, viz. :—Galle, Balapitiya, Matara, Tangalla, and Hambantota.

Amendment of section 6.

4 For section 6 of the principal Ordinance there shall be substituted the following section :

Limits of districts and divisions.

The limits of each district and division shall be as the same are respectively set out and defined in the second schedule hereto annexed.

Power to alter and amend.

Provided that it shall be lawful for the Governor, with the concurrence of the judges of the Supreme Court, or a major part of them, by Proclamation, from time to time to revoke, alter, or amend the division of the island into circuits; or, with the advice of the Executive Council, and after consultation with the judges of the Supreme Court, by Proclamation, from time to time to revoke, alter, or amend the division of any circuit into districts and divisions, and to alter the limits of any such district or division.

Amendment of section 8.

5 For section 8 of the principal Ordinance there shall be substituted the following section :

To consist of the Chief Justice and three puisne justices.

The Supreme Court shall continue to be the only superior court of record, and shall consist of four judges, namely, one Chief Justice, who shall be called "The Chief Justice of the Island of Ceylon," and three puisne justices, and shall be holden by and before any three judges. But upon the death, resignation, sickness, or incapacity of any judge, or in case of his absence from the island, or his suspension from office, the Supreme Court shall consist of and be holden by and before the three remaining judges until such vacancy shall be duly supplied.

Its competency not affected by a vacancy.

Amendment of section 19.

6 For section 19 of the principal Ordinance there shall be substituted the following section :

Powers of Supreme Court to refuse to admit, and to suspend or remove them.

Whenever the Supreme Court shall refuse to so admit and enrol any person applying to be so admitted and enrolled as such advocate or proctor aforesaid, the judges of the said court shall, if required so to do by the applicant, assign and declare in open court the reasons of refusal.

No person whatsoever not so admitted and enrolled as aforesaid shall be allowed to appear, plead, or act in the Supreme Court or any district court for or on behalf of any other person, being a suitor in such court. Every person so admitted and enrolled as such advocate or proctor as aforesaid, who shall be guilty of any deceit, malpractice, crime, or offence, may be suspended from practice or removed from office by any three judges of the Supreme Court sitting together. Provided, however, that every such advocate or proctor shall be subject to be suspended by any judge of the Supreme Court upon such cause as aforesaid : and that before any such advocate or proctor shall be suspended or removed as herein provided a notice containing a copy of the charge or charges against him, and calling upon him to show cause within a reasonable time why he should not be removed or suspended, as the case may be, shall be personally served on him. If, however, personal service cannot be effected, the Supreme Court may order such substituted service as it may deem fit. And provided further that nothing herein contained shall affect the provisions of Ordinance No. 12 of 1848, intituled "An Ordinance for making provision in certain respects touching the Admission of Advocates and Proctors, and for the annual registration of Practising Proctors," which said provisions, so far as they are not repugnant to or inconsistent with this Ordinance, shall remain in full force and operation.

Amendment of section 29.

Choice of circuits.

Amendment of section 31.

Criminal sessions how to be holden.

Proviso for case to be tried before three judges.

Amendment of section 39.

Appellate jurisdiction where to be exercised.

7 For section 29 of the principal Ordinance there shall be substituted the following section :

The Chief Justice shall first choose the circuit on which he will proceed, and the other judges shall then make their choice according to the priority of their appointment.

8 For section 31 of the principal Ordinance there shall be substituted the following section :

Criminal sessions of the Supreme Court shall be holden before a judge of the Supreme Court and a jury in the manner in the Criminal Procedure Code or any Ordinance amending the same prescribed, and the said court shall at all such sessions inquire of all such crimes and offences, and hear, try, and determine all such prosecutions as by this Ordinance, or by the said Criminal Procedure Code, or Ceylon Penal Code, or any Ordinance empowering or requiring it in that behalf, it is empowered and required to inquire of and hear, try, and determine.

Provided always that in the case of any accused party committed for trial before the Supreme Court, the Chief Justice may in his discretion order and direct that the crime or offence or alleged crime or offence with which such person is charged may be inquired of, and the prosecution instituted against him in respect thereof heard, tried, and determined, before three judges at Colombo with a jury ; and such crime or offence shall be inquired of and such prosecution shall be heard, tried, and determined accordingly.

9 For section 39 of the principal Ordinance there shall be substituted the following section :

*Appellate Jurisdiction.*

The appellate jurisdiction of the Supreme Court shall be exercised at Colombo and at such other place or places from time to time as the Governor, after consultation with the judges, shall appoint. Subject to the provisions in that behalf in the said Criminal Procedure Code or any Ordinance amending the same contained, such jurisdiction shall extend to the correction of all errors in fact or in law which shall be committed by any judge of the Supreme Court sitting alone as hereinafter provided : to the correction of all errors in fact or in law which shall be committed by any district court : to the correction of all errors in fact or in law which shall be committed by any

court of requests in any final judgment or any order having the effect of a final judgment : and to the correction of all errors in fact or in law committed by any police court or by the court of any municipal magistrate. But no judgment, sentence, or order pronounced by any court shall on appeal or revision be reversed, altered, or amended on account of any error, defect, or irregularity which shall not have prejudiced the substantial rights of either party.

Amendment of section 41.

Appeals from single judges of the Supreme Court and from district courts and courts of requests.

10 For section 41 of the principal Ordinance there shall be substituted the following section :

All appeals in civil cases from the decision of a single judge sitting as in the last preceding section provided, and from judgments and orders of the several district courts of the colony, shall be heard before two at least of the judges of the said court. Appeals from judgments in criminal cases pronounced and made by district courts, and all appeals from courts of requests and police courts, may be heard, and all powers given to the Supreme Court in respect of such appeals may be exercised by any one judge of the Supreme Court. In the event of any difference of opinion between such two judges, the decision of the said court shall be suspended until three judges shall be present, and the decision of such two judges when unanimous, or of the majority of such three judges in case of any difference of opinion, shall in all cases be deemed and taken to be the judgment of the Supreme Court. All appeals from the decision of one judge of the Supreme Court sitting as in the last preceding section provided shall be heard by two other judges of the said court, and the decision of such two judges when unanimous shall in all cases be deemed and taken to be the judgment of the Supreme Court therein ; but in case of any difference of opinion the original judgment shall stand affirmed.

Nothing in this section contained shall preclude any judge of the Supreme Court sitting alone in appeal from reserving any appeal for the decision of two or more judges thereof.

Amendment of section 42.

Appeals to Privy Council.

11 For section 42 of the principal Ordinance there shall be substituted the following section :

*Appeal to His Majesty in Council.*

Nothing herein contained shall be held to affect the appeal to His Majesty in his Privy Council graciously granted by the Royal Charter of 1833 to any person or persons being a party or parties to any civil suit or action depending in the Supreme Court against any final judgment, decree, or sentence, or against any rule or order made in any such civil suit or action, and having the effect of a final or definitive sentence, and which said appeal shall continue to be subject to the rules and limitations by the said Charter prescribed and hereinafter set out, as follows :

Case to be first heard by three judges

*First.*—That before any such appeal shall be so brought, such judgment, decree, sentence, rule, or order shall be brought by way of review before three judges of the Supreme Court sitting at Colombo, which judges shall by rules and orders to be by the Supreme Court framed and established in manner herein provided regulate the form and manner of proceeding to be observed in bringing every such judgment, decree, sentence, rule, or order by way of review before them, and shall thereupon pronounce judgment according to law, the judgment of the majority of which judges shall be taken and recorded as the judgment of the said court.

Amount in respect of which appeal may be taken.

*Secondly.*—Every such judgment, decree, sentence, or order in review from which such an appeal shall be submitted to his said Majesty, his heirs, and successors as aforesaid, shall be given or pronounced for or in respect of a sum or matter at issue above the amount or value of

five thousand rupees, or shall involve directly or indirectly the title to property or to some civil right exceeding the value of five thousand rupees.

Application for leave to appeal to be within fourteen days.

*Thirdly.*—The person or persons feeling aggrieved by such judgment, decree, order, or sentence in review shall, within fourteen days next after the same shall have been pronounced, made, or given, apply to the said Supreme Court at Colombo, by petition, for leave to appeal therefrom to his Majesty, his heirs, and successors in his or their Privy Council.

Judgment to be executed on security being given for restitution.

*Fourthly.*—If such leave to appeal shall be prayed by the party or parties who is or are adjudicated to pay any sum of money, or to perform any duty, the Supreme Court shall direct that the judgment, decree, or sentence in review appealed from shall be carried into execution if the party or parties respondent shall give security for the immediate performance of any judgment, decree, or sentence which may be pronounced or made by his said Majesty, his heirs, and successors in his or their Privy Council upon any such appeal; and until such security be given the execution of the judgment, decree, order, or sentence appealed from shall be stayed.

Court may stay execution on appellant giving security.

*Fifthly.*—Provided, nevertheless, that if the said party or parties appellant shall establish to the satisfaction of the Supreme Court that real and substantial justice requires that, pending such appeal, execution should be stayed, it shall be lawful for the said court to order the execution of such judgment, decree, order, or sentence in review to be stayed pending such appeal if the party or parties appellant shall give security for the immediate performance of any judgment, decree, or sentence which may be pronounced or made by his said Majesty, his heirs, or successors in his or their Privy Council upon any such appeal.

Appellant to give security for prosecution of appeal and payment of costs.

*Sixthly.*—In all cases security shall also be given by the party or parties appellant for the prosecution of the appeal and for the payment of all such costs as may be awarded by his said Majesty, his heirs, and successors to the party or parties respondent.

Court to determine security.

*Seventhly.*—The court from which any such appeal as aforesaid shall be brought shall, subject to the conditions hereinafter mentioned, determine the nature, amount, and sufficiency of the several securities so to be taken as aforesaid.

Security when not required in case of immovable property.

*Eighthly.*—Provided, nevertheless, that in any case where the subject of litigation shall consist of immovable property, and the judgment, decree, order, or sentence appealed from shall not change, affect, or relate to the actual occupation thereof, no security shall be demanded, either from the party or parties respondent, or from the party or parties appellant, for the performance of the judgment or sentence to be pronounced or made upon such appeal; but if such judgment, decree, order, or sentence shall change, affect, or relate to the occupation of any such property, then such security shall not be of greater amount than may be necessary to secure the restitution free from all damage or loss of such property or of the intermediate profit which, pending any such appeal, may probably accrue from the intermediate occupation thereof.

Security in case of movable property.

*Ninthly.*—In any case where the subject of litigation shall consist of money or other chattels, or of any personal debt or demand, the security to be demanded, either from the party or parties respondent, or from the party or parties appellant, for the performance of the judgment or sentence to be pronounced or made upon such appeal, shall be either a bond to be entered into in the amount or value of such subject of litigation by one or more sufficient surety or sureties, or such security shall be given by way of mortgage or voluntary condemnation of or upon some immovable property situate and being within this island, and being

of the full value of such subject of litigation over and above the amount of all mortgages and charges of whatever nature upon or affecting the same.

Security for prosecution of appeal not to exceed three thousand rupees.

*Tenthly.*—The security to be given by the party or parties appellant for the prosecution of the appeal and for the payment of costs shall in no case exceed the sum of three thousand rupees, and shall be given either by such surety or sureties or by such mortgage or voluntary condemnation as aforesaid.

Appellant to be allowed three months to enter into securities.

*Eleventhly.*—If the security to be given by the party or parties appellant for the prosecution of the appeal and for the payment of such costs as may be awarded shall in manner aforesaid be completed within three months from the date of the petition for leave to appeal, then, and not otherwise, the Supreme Court shall make an order allowing such appeal; and the party or parties appellant shall be at liberty to prefer and prosecute his, her, or their appeal to his said Majesty, his heirs, and successors in his or their Privy Council in such manner and under such rules as are observed in appeals made to his said Majesty in his Privy Council from his plantations or colonies.

Application against order as to security.

*Twelfthly.*—Provided, nevertheless, that any person or persons feeling aggrieved by any order which may be made by or by any proceedings of the Supreme Court respecting the security to be taken upon any such appeal as aforesaid, shall be and is or are hereby authorized by his, her, or their petition to his said Majesty in his Privy Council to apply for redress in the premises.

Proviso as to right of admitting appeals without reference to these rules.

Provided always, as is also in the said Charter provided, that nothing herein contained shall extend to take away or abridge the undoubted right or authority of his said Majesty, his heirs, and successors to admit and receive any appeal from any judgment, decree, sentence, or order of the Supreme Court, or the humble petition of any person or persons aggrieved thereby, in any case in which, and subject to any conditions or restrictions upon or under which, it may seem meet to his said Majesty, his heirs, and successors so to admit and receive any such appeal.

Amendment of section 53.

12 For section 53 of the principal Ordinance there shall be substituted the following section :

Judges may frame rules.

It shall be lawful for the judges of the Supreme Court or any three of them, of whom the Chief Justice shall be one, from time to time to frame, constitute, and establish such general rules and orders of courts as to them shall seem meet, for regulating all or any of the following matters :

- (1) The form and manner of proceeding to be observed in bringing before the judges of the Supreme Court by way of review any judgment, decree, sentence, rule, or order against which an appeal may by virtue of the provisions in the Royal Charter of 1833, and in section 42 of this Ordinance contained, be preferred to His Majesty in his Privy Council ;
- (2) The form and manner of proceeding to be observed in the Supreme Court at civil and criminal sessions, and in all courts subordinate to it, and the keeping of all books, entries, and accounts to be kept in all such subordinate courts, and for the preparation and transmission of any returns or statements to be prepared and submitted by such courts ;
- (3) The pleading, practice, and procedure where not specially provided for by "The Civil Procedure Code, 1889," or the Criminal Procedure Code, upon all actions, suits, prosecutions, and other matters, civil and criminal, to be brought in the Supreme Court and in all courts subordinate to it ;

- (4) The proceedings of fiscals and other ministerial officers of the said courts, and the process of the said courts and the mode of executing the same ;
- (5) The mode of summoning, empanelling, and challenging of assessors and jurors ;
- (6) Proceedings on arrest in *mesne* process or in execution ;
- (7) The taking of bail ;
- (8) The duties of jailers and others charged with the custody of prisoners in so far as respects the making due returns to the respective judges of the Supreme Court of all prisoners in their custody ;
- (9) The mode of prosecuting appeals ;

and generally to frame, constitute, and establish all such general rules and orders as may be necessary for giving full and complete effect to the provisions of this Ordinance, and for regulating any matters relating to the practice and procedure of the said courts not specially provided for by "The Civil Procedure Code, 1889," or the Criminal Procedure Code, or to the duties of the officers thereof, or to the costs of proceedings therein, and to frame forms for any proceeding in the said courts for which they think a form should be provided ; and all such rules, orders, regulations, and forms to revoke, annul, alter, amend, or renew, as occasion may require : provided always that no such rules, orders, regulations, or forms shall be repugnant to or inconsistent with any of the provisions in this or any other Ordinance contained.

Legislative Council may annul such rules.

All rules, orders, regulations, or forms when so framed, revoked, annulled, altered, amended, or renewed as hereinbefore provided, and all rules, orders, regulations, or forms that may hereafter be framed by the Supreme Court under the provisions of any other Ordinance empowering them in that behalf, and whether or not special provision is made in any such Ordinance for the mode in which sanction is to be given to any such rules, orders, regulations, or forms, shall be laid before the Legislative Council if then in session, and if not then in session then so soon as possible after the commencement of the next ensuing session ; and if within forty days after their being so laid before the Legislative Council any of such rules, orders, regulations, or forms be objected to by the Legislative Council, the said Council may by resolution annul any such rules, orders, regulations, or forms.

Such rules, orders, regulations, and forms as shall not be so annulled by the said Council within the said forty days shall be proclaimed in the *Government Gazette*, and shall come into force upon the publication thereof, or on such other day as may be specified in such Proclamation. Provided always that nothing herein contained shall be deemed in any way to affect the validity of any existing rules, regulations, or forms heretofore duly made and promulgated by the Supreme Court under any authority empowering them in that behalf, except in so far as any such rules, orders, regulations, or forms are by this Ordinance expressly repealed or modified.

Amendment of section 54.

Judges may amend or revoke rules.

13 For section 54 of the principal Ordinance there shall be substituted the following section :

From and after the commencement of this Ordinance the judges of the Supreme Court, or any three of them, of whom the Chief Justice shall be one, may in like manner as in the last preceding section provided with reference to rules, orders, regulations, and forms to be framed and established under such section, revoke, annul, amend, alter, or renew any rules, orders, regulations, or forms heretofore for any of the purposes in such section contemplated, or

for any other purpose framed and established by such judges under the provisions of any previous Ordinance and for the time being in force.

Amendment of  
schedule II.

14 For schedule II. of the principal Ordinance there shall be substituted the schedule hereto annexed.

## SCHEDULE II.

### Limits of Districts and Divisions.

#### DISTRICTS.

##### *Western Circuit.*

District.	Court held at	Limits of Jurisdiction.
Colombo	... Colombo	... The harbour, and the town of Colombo within the Municipal limits, and the revenue district of Colombo, excluding so much of the Alutkuru korale as is situate north of the Jaela-oya and the villages belonging to the Galgomuwa peruwa of the Siyane korale west.
Negombo	... Negombo	... The harbour and town of Negombo, the Alutkuru korale north and the Hapitigam korale Mudaliyars' divisions, the villages belonging to the Galgomuwa peruwa of the Siyane korale west, and so much of the Alutkuru korale south Mudaliyar's division as is situate north of the Jaela-oya.
Kalutara	... Kalutara	... The revenue district of Kalutara.
Ratnapura	... Ratnapura	... The revenue district of Ratnapura.
Chilaw	... Chilaw	... The revenue district of Chilaw.
Puttalam	... Puttalam	... The revenue district of Puttalam.

##### *Midland Circuit.*

Kandy	... Kandy	... The Central Province.
Kegalla	... Kegalla	... The revenue district of Kegalla.
Kurunegala	... Kurunegala	... The Seven Korales.
Badulla	... Badulla	... The Province of Uva.
Anuradhapura	Anuradhapura	... The North-Central Province, which comprises the Nuwaragam, Hurulu, and Kalagam palatas, and district of Tamankaduwa.

##### *Northern Circuit.*

Jaffna	... Jaffna	... The revenue district of Jaffna, excepting the pattus of Tunukkai and Karunavel pattu south, which are hereinafter assigned to the district of Mullaittivu.
Mannar	... Mannar	... The revenue district of Mannar, comprising (1) Mannar east and west; (2) Mantai south and north, Perunkali pattu, Iluppaikadavai, Panankamam, and Metkumalai; (3) Nanadan east and west and Muchali north and south.
Mullaittivu	... Mullaittivu	... The revenue district of Mullaittivu, comprising (1) Karikkaddumulai north and south, Pudukkudiyiruppu, and Mulliavalai; (2) Kilaikkumalai north and south, Chinnacheddikulam east and west, and Naducheddikulam; (3) Melpattu north, south, and east, and Udaiyaur, and the pattus of Tunukkai and Karunavel pattu south belonging to the revenue district of Jaffna.
Trincomalee	... Trincomalee	... The harbour and revenue district of Trincomalee.
Batticaloa	... Batticaloa	... The harbour and revenue district of Batticaloa.

##### *Southern Circuit.*

Galle	... Galle	... The harbour, and the town of Galle within the Municipal limits, and the revenue district of Galle.
Matara	... Matara	... The revenue district of Matara.
Tangalla	... Tangalla	... The revenue district of Hambantota.



## DIVISIONS

Division.	Courts (Police Court and Court of Requests) held at	<i>Western Circuit.</i>	
			Limits of Jurisdiction.
Colombo	... Colombo	...	The judicial district of Colombo as hereinbefore defined, excluding those portions of the Salpiti, Hewagam, and Siyane korales, which are herein-after respectively assigned to the several divisions of Panadure and Avisawella.
Negombo	... Negombo	...	The judicial district of Negombo as hereinbefore described, excluding the Hapitigam korale.
Panadure	... Panadure	...	The Rayigam korale, Panadure totamune, and that portion of the Salpiti korale lying south of the village Angulana and of the road leading from the Wewala ferry to the Lunawa bridge near the 10th milepost on the Galle road, and thence to the Manpe road, and from it to Mattegoda.
Kalutara	... Kalutara	...	The judicial district of Kalutara as hereinbefore defined, excluding the Rayigam korale and Panadure totamune.
Avisawella	... Avisawella	...	The Hapitigam korale, the Udugaha pattu of Siyane korale, and the Udugaha pattu of Hewagam korale; so much of the Gangaboda pattu of the Siyane korale as is situated east of the road from Hanwella to Attanagalla; (concurrently with the Minor Courts of Colombo) the Meda pattu of Hewagam korale; (concurrently with the Minor Courts of Kegalla) the Three Korales and Lower Bulatgama; and (concurrently with the Minor Courts of Ratnapura) the Kurawiti korale.
Ratnapura	... Ratnapura, Rakwana, and Balangoda	...	The judicial district of Ratnapura as hereinbefore defined.
Chilaw	... Chilaw and Marawila	...	The judicial district of Chilaw as hereinbefore defined.
Puttalam	... Puttalam	...	The judicial district of Puttalam as hereinbefore defined.

*Midland Circuit.*

Anuradhapura	Anuradhapura	...	The judicial district of Anuradhapura as hereinbefore defined, which comprises the Nuwaragam, Hurulu, and Kalagam palatas, and district of Tamankaduwa.
Badulla-Haldummulla	Badulla, Bandarawela, and Haldummulla	...	The judicial district of Badulla as hereinbefore defined, except such portions thereof as are herein expressed to be included within the jurisdiction of the Police Court and Court of Requests of Nuwara Eliya.
Dumbara	... Panwila and Urugala	...	The revenue division of Uda Dumbara, and so much of the Pata Dumbara division as is not herein expressed to be included within the jurisdiction of the Police Court and Court of Requests, Kandy.
Kurunegala	... Kurunegala	...	The judicial district of Kurunegala as hereinbefore defined.
Kegalla	... Kegalla	...	The judicial district of Kegalla as hereinbefore defined. (The jurisdiction of these courts over the Three Korales and Lower Bulatgama is concurrent with that of the courts at Avisawella, and over certain villages and estates in Paranakuru korale with the Gampola court.)
Gampola	... Gampola and Pussellawa	...	The revenue division of Udapalata (excepting the villages Hindagala, Payingamuwa, and Kalugamuwa, the Vedehette estate, the Nilambe estate, and all other estates in Udapalata lying north of the Nilambe-oya between Nilambe and Peradeniya), the Kandupalata korale of Udunuwara, and (concurrently with the Police Court and Court of Requests of Kegalla) the villages of Deyyanwela, Aranayaka, Arama Salawa, Dumbuluwawa, Kehelpannala, and Balatgamuwa, the estates of Gadadessa, Roslin, Kekuneboda, Wakketenna, and Bukanda in the revenue division of Four Korales in the District of Kegalla.

Division.	Courts (Police Court and Court of Requests) held at	Limits of Jurisdiction.
Kandy	... Kandy and Galagedara	The Medapalata and Gangapalata korales of the revenue division of Udunuwara; the revenue divisions of Yatinuwara, Tumpane, Harispattu; so much of the Pallegampaha korale of the division of Lower Dumbara as comprises the villages of Kahalla, Mahagama Megodagama, and Mahagama Egodagama, with so much of the village of Polgoilla of the same korale as lies between the road from Katugastota to Madawela and the Mahaweli-ganga, as well as that portion of the Udagampaha korale of the said revenue division of Lower Dumbara as is comprised within the following boundaries:— <i>North-west</i> by the road from Katugastota to Madawala; <i>North and North-east</i> by the road from Madawela to Upper Rajawela; <i>East</i> by road from Upper Rajawela to Rajawela ferry; and <i>South, South-west, and West</i> by the Mahaweli-ganga; the Diyatilaka, Gannewa, Gangapalata, and Kohoka korales of the revenue division of Uda Hewaheta. The revenue division of Pata Hewaheta and the villages Hindagala, Payingamuwa, and Kalugamuwa in the revenue division of Udapalata, the Vedehette estate, the Nilambe estate, and all other estates in the said division of Udapalata lying north of the Nilambe-oya between Nilambe and Peradeniya.
Matale	... Matale	... The revenue district of Matale, and (concurrently with the Police Court at Kandy) the estates known as Pendleton, Syston, Duncrest, Lallagaha Ella, Barton, Vellana, Upper Pansalatenne, Ancoombra, Kepitigalle, in the Harispattu division of the revenue district of Kandy.
Nuwara Eliya-Hatton	Nuwara Eliya, Hatton and Nawalapitiya	The revenue divisions of Uda Bulatgama, Uda Hewaheta (excepting the Diyatilaka, Gannewa, Gangapalata, and Kohoka korales), Walapane, Kotriale, and those parts of Udapalata and Yatilapalata of the division of Udukinda which are contained within the boundaries set out below:— <i>South-west and South.</i> —Maha Eliya ridge between Calsay and Kelly Hill estates, the eastern boundary of Kelly Hill to its junction with the Dombagastalawa-oya, the Dombagastalawa-oya to the Railway Gorge, thence along the Sudugala ridge and the Totapola ridge to the Narabutgala trigonometrical station. <i>East.</i> —A straight line from the Narabutgala trigonometrical station to the Idampolakota trigonometrical station, and a straight line from thence to the 26th milepost on the road from Badulla to Nuwara Eliya. <i>North-east and East.</i> —The Nuwara Eliya to Badulla road to the boundary of the Nuwara Eliya revenue district, thence along this boundary to the eastern boundary of Walapane.

## Northern Circuit.

Jaffna	... Jaffna and Mallakam	The revenue divisions of Jaffna, Valikamam north, east, and west, and Punakari. (The Police Court of Jaffna has concurrent jurisdiction with those of Point Pedro and Kayts.)
Point Pedro	... Point Pedro and Chavakachcheri	The revenue divisions of Vadimirachchi east, Vadimirachchi west, Tenmirachchi, Pachchilipallai, and Karaichchi.
Kayts	... Kayts	... The islands within the judicial district of Jaffna as hereinbefore defined.
Mannar	... Mannar	... The judicial district of Mannar as hereinbefore defined.
Mullaittivu	... Mullaittivu Vavuniya	and The judicial district of Mullaittivu as hereinbefore defined.
Trincomalee	... Trincomalee	... The revenue district of Trincomalee within the limits of—north, Northern Province; east, the sea; south, Verugal river; west, the Northern and North-Central Provinces.

Division.	Courts (Police Court and Court of Requests) held at	Limits of Jurisdiction.
Batticaloa	... Batticaloa	... The revenue district of Batticaloa within the limits of—north, Verugal river; east, the sea; south, Kumbukkan river; west, the North-Central, Central, and Uva Provinces.
<i>Southern Circuit.</i>		
Galle	... Galle	... The judicial district of Galle as hereinbefore defined, excluding such portion thereof as is hereinafter expressed to be included within the jurisdiction of the Minor Courts at Balapitiya.
Balapitiya	... Balapitiya	... Bentota-Walalawiti korale and the northern division of the Wellaboda pattu of Galle, being that bounded on the south and east by the Hikkaduwa river, the Gonapinuwela canal, and the principal road to Halpatota.
Matara	... Matara	... The judicial district of Matara as hereinbefore defined.
Tangalla	... Tangalla	... Giruwa pattu east and Giruwa pattu west.
Hambantota	... Hambantota	... Magam pattu.

By His Excellency's command,

Colonial Secretary's Office,  
Colombo, November 25, 1901.

R. W. IEVERS,  
Acting Colonial Secretary.

### MINUTE.

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

An Ordinance to amend "The Civil Procedure Code, 1889."

Preamble.

WHEREAS it is expedient to amend the Ordinance No. 2 of 1889 in the particulars hereinafter mentioned: Be it therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows:

Ordinance to be read as one with Ordinance No. 2 of 1889.

1 This Ordinance shall be read and construed as one with "The Civil Procedure Code, 1889," hereinafter referred to as "the principal Ordinance."

Amendment of section 775.

2 For section 775 of the principal Ordinance there shall be substituted the following section:

When appeal may be re-heard.

When the bench hearing the appeal is composed of two judges, and the judges composing the bench do not agree as to the decree which should be passed by the court on the appeal, then the appeal shall be re-heard by three judges of the said Court on a day specially appointed for the purpose, of which notice shall be given to the parties or their counsel. And after such re-hearing any judge dissenting from the decree, which the majority consider ought to be passed on appeal, shall state in writing the decree which he thinks ought to be made; and shall state his reasons for the same. Provided that in the case of appeals from the decision of a judge of the Supreme Court sitting alone, as in "The Courts Ordinance, 1889," provided, when the two judges hearing the appeal do not agree, the original judgment shall stand affirmed.

When all the judges of which the bench hearing the appeal is composed are unanimous in regard to the decree which ought to be passed, the judges shall pronounce the judgments in order of seniority, commencing with the judge who is senior in rank, but, if otherwise, they shall pronounce their judgments in the reverse order.

Amendment  
of section 780.

Application to  
be made to  
Supreme Court.

3 For section 780 of the principal Ordinance there shall be substituted the following section :

Whoever desires to appeal under this chapter to His Majesty in Council must apply by petition to the Supreme Court to have the judgment, decree, sentence, rule, or order, against which he is desirous so to appeal, brought before three judges of the Supreme Court by way of review ; and shall also give security for the payment of all costs of such hearing in review, which may be awarded to the respondent.

Such application must be made within two calendar months from the date of the judgment, decree, sentence, rule, or order complained of.

Amendment of  
section 782.

When certificate  
granted court to  
hold hearing in  
review.

4 For section 782 of the principal Ordinance there shall be substituted the following section :

If such certificate is refused, the petition shall be dismissed.

If the certificate is granted, then the court shall fix a day for hearing the case in review before three judges of the court sitting at Colombo ; and seven days' notice of such day shall be given by the registrar to all parties.

The judgment, decree, order, or sentence of the Supreme Court after such hearing in review shall be pronounced, made, or passed, in accordance with the rules hereinbefore prescribed for the judgment and decree on appeal.

By His Excellency's command,

R. W. IEVERS,  
Acting Colonial Secretary.

Colonial Secretary's Office,  
Colombo, November 25, 1901.