



Ceylon Government Gazette

Published by Authority.

NO. 5,833—FRIDAY, FEBRUARY 14, 1902.

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

PART III.—Provincial Administration.
PART IV.—Marine and Mercantile.
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Separate paging is given to each Part in order that it may be filed separately.

Part II.—Legal and Judicial.

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BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Jaffna will be holden at the District Court-house at Jaffna on Monday, February 17, 1902, at 10 o'clock of the morning of the said day.

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

Fiscal's Office,
Jaffna, February 6, 1902.

JOHN RUDD,
for Fiscal.

இலங்கைத்தீவின் சங்கைபோந்த சுப்பிரீம்கோட் டாரது கட்டளையின் படி நாம் பிரதித்தப்படுத்தவதாவது: யாழ்ப்பாணம் மஸ்திரிக் கோட்டு நியாயத்தலை

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திலே மேற்சொல்லிய சுப்பிரீம்கோட்டாரால் யாழ்ப்பாணம் மஸ்திரிக் கோட்டைச் சேர்ந்த கிரிம்னெல் வழக்கு விசாரணை, 1902 ம் ஆண்டு மார்ச்சுமாதம் 17 ந்திகத்யாசிய திங்கட்கிழமை காலமே 10 மணி தொடங்கி அன்றம் அதற்கடுத்த நாட்களிலும் நடத்தப்படும்.

ஆதலால் அவ்விசாரணையிற் காரியகருமமுள்ளவர்களெல்லோரும் சொல்லப்பட்ட நேரத்திலே சொல்லப்பட்ட இடத்திலே வெளிபட்டு அவ்விடத்தினின்றும் உத்தரவின்றி நீர்காத்துக் கங்கடவர்கள்.

இந்தம்,

கோன் றட்,
வடமாகாண பிஸ்காலுக்கர்.

யாழ்ப்பாணம் பிஸ்கால் கந்தோர்,
1902 ம் மார்ச்சுமாதம் 6 ந்து.

B 1

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance for the prevention of Accidents by Explosives.

Preamble.

WHEREAS it is expedient to amend the law relating to the prevention of accidents by explosives: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Preliminary.

Short title.
Commencement.

1 This Ordinance may be cited as "The Explosives Ordinance, 1902," and shall come into operation at such time as the Governor shall by Proclamation in the *Government Gazette* appoint.

Repeal.

2 From and after the date on which this Ordinance shall come into operation, the Ordinance No. 18 of 1894, intituled "An Ordinance for the prevention of Accidents by Gunpowder and other Explosives," and the Ordinance No. 13 of 1895, intituled "An Ordinance to amend the Explosives Ordinance, 1894," shall be repealed.

Provided that such repeal shall not affect the past operation of, or any liability, penalty, forfeiture, or punishment under, the Ordinance hereby repealed, or any rules passed thereunder, or any investigation or legal proceeding in respect of any liability, penalty, forfeiture, or punishment as aforesaid.

Definition

3 In this Ordinance—
The term "explosive"—

Explosive.

- (1) Means gunpowder, nitro-glycerine, dynamite, gun-cotton, blasting powder, fulminate of mercury or of other metals, and every other substance or mixture, whether similar to those above-mentioned or not, used or manufactured with a view to produce a practical effect by explosion or a pyrotechnic effect; and
- (2) Includes fog signals, fireworks, fuzes, rockets, percussion caps, detonators, cartridges, ammunition of all descriptions, and every adaptation or preparation of an explosive as above defined ; and
- (3) Shall extend to any substance which may appear to the Governor in Executive Council to be specially dangerous to life or property, by reason of its explosive properties or of any process in the manufacture thereof being liable to explosion.

Occupier.

The term "occupier" means proprietor, licensee, or other person in charge.

Safety cartridges.

The expression "safety cartridges" means cartridges for small arms of which the case can be extracted from the small-arm after firing, and which are so closed as to prevent any explosion in one cartridge being communicated to other cartridges.

Small-arm
nitro-compound.

The term "small-arm nitro-compound" means Schultz gunpowder, E. C. sporting powder, E. C. rifle powder, or other nitro-compound adapted and intended exclusively for use in cartridges for small arms only, and otherwise designated small-arm nitro-compound, or of cartridges exclusively for small arms made with such small-arm nitro-compound.

Weight of an explosive.

The term "weight of an explosive" means not only the weight of the explosive matter contained therein, but the gross weight of the whole explosive; thus, the weight of a firework includes the weight of the whole article, paper, clay, &c., complete; and the weight of a detonator includes the weight of the copper capsule. In the case of safety cartridges, however, the weight allowed is expressed as meaning that of the "explosive contained in" such cartridges.

Table of equivalents.

4 For the purposes of this Ordinance, except where expressly stated otherwise, the equivalents of other explosives to gunpowder shall be in accordance with the following table:—

- One pound Schultz powder shall equal one pound gunpowder.
- One pound E. C. powder shall equal one pound gunpowder.
- One pound small-arm nitro-compound shall equal one pound gunpowder.
- Five pounds safety cartridges filled with gunpowder or small-arm nitro shall equal one pound gunpowder.
- For the purposes of packing for conveyance and exposure for sale five pounds manufactured fireworks shall equal one pound gunpowder.
- For all other purposes two pounds of manufactured fireworks, shall equal one pound gunpowder.
- Five pounds safety fuze shall equal one pound gunpowder.
- Five pounds railway fog signals shall equal one pound gunpowder.
- Five pounds percussion caps shall equal one pound gunpowder.
- Of any explosive other than those named above half a pound shall equal one pound gunpowder.

Governor may make general rules for stores and registered premises.

5 The Governor may from time to time, with the advice of the Executive Council, make general rules—

- (a) To be observed in stores for explosives.
- (b) To be observed in premises registered by the government agent for the retail sale of explosives.

In the event of any breach (by act or default) of the general rules in any store or registered premises—

- (a) All or any part of the explosives in respect to which the offence was committed may be forfeited; and
- (b) The occupier shall be liable to a penalty not exceeding one hundred rupees, and in addition (in the case of a second offence) one hundred rupees for every day during which such breach continues.

Governor to have power to make rules for altering or adding to the general rules contained in this Ordinance.

6 The Governor in Executive Council may from time to time make, and when made repeal, alter, and add to rules for the purpose of rescinding, altering, or adding to the general rules contained in this Ordinance, and the rules so made by the Governor in Executive Council shall have the same effect as if they were enacted in this section.

Governor may make regulations.

7 The Governor in Executive Council may from time to time make, and when made repeal, alter, or add to regulations—

- (1) To regulate the construction, materials, and fittings of stores for explosive; and
- (2) To prescribe the buildings and works from which stores for explosive are to be separated, and the distance by which they are to be separated.
- (3) To prescribe the maximum amount of explosive, not exceeding two tons, to be kept in store, graduated according to their construction and situation, and their distance from the said buildings and works.
- (4) For the purpose of empowering and authorizing the search for and seizure and detention of explosives; and

- (5) For regulating the conveyance, loading, and unloading of explosives, and the description and construction of carriages, ships, or boats to be used in the conveyance of the same; and
- (6) For regulating the mode of storing and keeping of explosives for conveyance, and of giving notice by boards, labels, or otherwise of the nature of the package containing any explosive; and
- (7) For prohibiting or subjecting to conditions and restrictions the conveyance of explosives; and
- (8) For fixing the places and times at which explosives are to be loaded or unloaded, and the quantity of any explosive to be loaded or unloaded or conveyed at one time or in one carriage, ship, or boat; and
- (9) For determining the precautions to be observed in conveying explosives, and in loading and in unloading the carriages, ships, and boats used in such conveyance, and the time during which the explosives may be kept during such conveyance, loading, and unloading; and
- (10) For every other purpose which may be deemed necessary for carrying out the provisions of this Ordinance.

Rules and regulations when to have force of law.

8 All rules, general rules, and regulations, and all alterations and additions thereto made by the Governor in Executive Council, under the provisions of this Ordinance, shall be published in the *Government Gazette*, and shall thereupon become as legal and valid as if the same had been inserted herein.

Penalty for acts in contravention of by-laws.

9 The breach of any of the regulations made under the provisions of this Ordinance shall constitute an offence punishable, on conviction, by a fine not exceeding two hundred rupees, and the explosives in respect of which such breach is committed, or being in the carriage, ship, or boat, or train of carriages, ships, or boats in respect of which such breach of by-law has taken place, may be forfeited.

Definition and classification of explosives by the Governor.

10 It shall be lawful for the Governor, in Executive Council, to define, for the purposes of this Ordinance, the composition, quality, and character of any explosive, and to classify explosives. Where the composition, quality, or character of any explosive has been defined under the provisions of this section, any article alleged to be such explosive which differs from the said explosive, as defined, in composition, quality, or character, whether by reason of deterioration or otherwise, shall not be deemed for the purposes of this or the principal Ordinance to be the explosive so defined.

Appointment of inspectors.

11 The Governor may from time to time appoint, remove, and re-appoint any fit and competent persons to be inspectors of explosives for the purposes of this Ordinance, and assign them their duties.

Every order appointing an inspector shall be published in the *Government Gazette*.

Powers of inspectors.

12 An inspector of explosives shall have power to make such examination and inquiry as may be necessary to ascertain whether this Ordinance is complied with, and for that purpose—

- (1) He may enter, inspect, and examine any magazine or store of any explosive, and every part thereof, at all times by day and night, but so as not to unnecessarily impede or obstruct the work in such magazine or store, and may make inquiries as to the observance of this Ordinance, and all matters and things relating to the safety of the public or of the persons employed in or about such magazine or store; and

- (2) He may enter, inspect, and examine any premises registered under this Ordinance, and every part thereof in which any explosive is kept, or is reasonably supposed by him to be kept, at all reasonable times by day; and if he find any such premises or anything, or practice therein or connected therewith, to be unnecessarily dangerous or defective so as in his opinion to tend to endanger the public safety or the bodily safety of any person, the inspector may require the occupier of such premises to abate the danger or supply the deficiency; and
- (3) He may require the occupier of any magazine, store, or premises which he is entitled under this section to enter, or a person employed by such occupier therein, to give him samples of any explosive or ingredients of an explosive therein, or of any substance therein the keeping of which is restricted or regulated by this Ordinance, or of any substance therein which the inspector believes to be an explosive, or such ingredients or substance.

The occupier of every such magazine, store, and registered premises, his agents and servants, shall furnish the means required by the inspector as necessary for every such entry, inspection, examination, and inquiry.

Any person who fails to permit an inspector to enter, inspect, examine, or make inquiries in pursuance of this section, or to comply with any requisition of such inspector in pursuance of this section, or who in any manner obstructs such inspector in the execution of his duties under this Ordinance, shall be liable to a penalty not exceeding one thousand rupees for each offence.

13 Every offence under this Ordinance shall be cognizable and bailable, and may be inquired into, tried, and determined by a court of competent jurisdiction, and it shall be lawful for such court to declare and adjudge all explosives and ingredients liable to forfeiture under this Ordinance to be forfeited, and to condemn the same, whatever may be the amount or value thereof, anything in "The Criminal Procedure Code, 1898," to the contrary notwithstanding.

14 This Ordinance shall not apply to any store, premises, wharf, place, or explosive under the control of the military, navy, or volunteers, or other department of Government, or otherwise held for the service of the Crown or of the Government, or for the use of His Majesty's army, navy, or volunteers.

15 If any person manufactures any explosive, or carries on any process of such manufacture at any place in this island, except with the license of the Governor and in accordance with any rules duly made as hereinafter provided, all or any part of such articles or the ingredients thereof which may be found either in or about such place may be forfeited; and the person so manufacturing shall be liable to a penalty not exceeding one thousand rupees a day for every day during which he so manufactures or carries on any process of manufacture.

Provided that nothing in this section shall apply to the making of a small quantity of explosives for the purpose of chemical experiment, and not for practical or general use or for sale.

Provided also that it shall be competent to the Governor to exempt by Proclamation from the operation of this Ordinance or any clause thereof any kind of manufactured fireworks, or any explosive or explosives, in such quantities as may appear to him reasonable.

16 The Governor shall have power to prohibit entirely or regulate the manufacture of explosives in the island, and for purposes of such regulation it shall be competent for the Governor in Executive Council—

- (1) To grant licenses for the establishment of factories for the manufacture of explosives, upon payment of such fee as to him shall seem suitable, provided

Offences under this Ordinance to be cognizable and bailable and triable in police courts.

Ordinance not to apply to stores or explosives held for the use of the Crown.

Explosives not to be manufactured except with the license of the Governor

Governor may exempt fireworks or explosives from the operation of this Ordinance.

Governor empowered to prohibit or regulate manufacture of explosive.

the fee due upon any such license shall not exceed ten rupees ;

- (2) To prescribe the terms and conditions under which such licenses shall be granted, and such factories established, maintained, and conducted ; and
- (3) To make and publish all rules necessary for such purposes.

Place for keeping explosive.

17 Explosives shall not be kept in any place except as follows ; that is to say,

- (1) Except in a store for explosive either lawfully existing or licensed under this Ordinance for keeping such explosives ; or
- (2) Except in premises registered under this Ordinance for keeping such explosive.

Provided that this section shall not apply—

- (1) To a person keeping for his private use and not for sale gunpowder to an amount not exceeding on the same premises thirty pounds, or of other explosive the equivalent of thirty pounds of gunpowder according to the table given in section 4 of this Ordinance ; or
- (2) To the keeping of any explosive by a carrier or other person for the purpose of conveyance, when the same is being conveyed or kept in accordance with the provisions of this Ordinance with respect to the conveyance of such explosive.

Any explosive kept in any place other than as above in this section mentioned shall be deemed to be kept in an unauthorized place.

Where any explosive is kept in any unauthorized place—

- (1) All or any part of the explosive found in such place may be forfeited ; and
- (2) The occupier of such place, and also the owner of or other person guilty of keeping the explosive, shall each be liable to a penalty not exceeding one rupee for every pound of explosive so kept.

License for storage.

18 Any person may apply for a license for a store for explosive to the government agent of the province in which the store is situated stating his name, address, and calling, the proposed site and construction of the store, and the amount and description of explosive he proposes to store therein ; and the government agent shall, as soon as practicable, if the proposed site, construction of the store, and amount of such explosive are in accordance with the regulations made by the Governor, grant to the applicant, on payment of a stamp duty of two rupees and fifty cents, the license applied for.

The government agent may reject the application if the applicant is not, in his opinion, a fit person to keep explosive, and on such rejection it shall be the duty of the government agent to furnish to the applicant in writing the reasons of such rejection. Thereupon the applicant may appeal to the Governor in Executive Council, who, after such inquiry, local or other, as he may think necessary, may refuse or order the issue of the license applied for with or without conditions.

Non-transferability, renewal, and forms of store licenses.

19 A store license shall be valid only for the person named in it, and shall annually, unless the circumstances have so changed that the grant of a new license would not be authorized by this Ordinance, on application by post or otherwise, and payment of a stamp duty of fifty cents, be renewed by the government agent by endorsement or otherwise for that year, and unless so renewed shall expire.

Store licenses shall be in the form from time to time directed by the Governor.

Special rules for regulation of workmen in stores.

20 Every occupier of a store may, with the sanction of the Governor, make, and when made may, with the like sanction, repeal, alter, or add to, special rules for the regulation of the persons managing or employed in or about such store, with a view to secure the observance of this Ordinance therein, and the safety and proper discipline of the said persons and the safety of the public.

There may be annexed to any breach of special rules made in pursuance of this section such penalties not exceeding twenty rupees for each offence as may be deemed just.

Existing store to be continued upon certificate of government agent.

21 An existing store for explosive shall not be deemed to be a lawfully existing store, unless, on application made to the government agent, it is certified by him that such store may be continued.

The occupier of the store desirous of obtaining a continuing certificate shall, before the expiration of three months after the date when this Ordinance shall come into operation, submit an application for such certificate to the government agent stating his name, address, and calling, and the situation and construction of the store, and accompanied by such particulars respecting the store as may be necessary to enable the government agent to make out the certificate.

The government agent shall, as soon as practicable, on payment of a stamp duty of two rupees and fifty cents, grant the continuing certificate, inserting therein such particulars as may appear to him to be sufficient to identify the store, and the maximum quantity and description of explosive which the store may hold.

Registration of premises by the government agent for purposes of retail sale.

22 A person desirous of having his premises registered for the keeping of explosives for purposes of retail sale shall apply to the government agent stating his name and calling, the situation of the said premises, and the quantity and description of explosive which he is desirous of so keeping, and the government agent, if satisfied that such premises may be registered, shall cause the same to be registered, and shall issue a certificate to that effect on payment of a stamp duty of fifty cents. Such registration shall not be taken to justify any person other than the person named in the certificate to keep such explosive in such premises, and shall be annually renewed on payment of a like duty of fifty cents.

Restriction on sale in highways, &c.

23 Explosive shall not be hawked, sold, or exposed for sale upon any highway, street, public thoroughfare, or public place.

If any explosive is hawked, sold, or exposed for sale in contravention of this section—

- (1) The person hawking, selling, or exposing for sale the same shall be liable to a penalty not exceeding twenty rupees; and
- (2) All or any part of the explosive which is so hawked or exposed for sale, or is found in the possession of any person convicted under this section, may be forfeited.

Penalty for sale to children.

24 Explosive shall not be sold to any child apparently under the age of thirteen years; and any person selling explosive in contravention of this section shall be liable to a penalty not exceeding fifty rupees.

To be exposed for sale in substantial case, &c.

25 The amount of explosive exposed for sale or sold otherwise than in a substantial case, canister, or other receptacle made and closed so as to prevent any explosive from escaping, shall not exceed one pound, provided (a) that in the case of safety cartridges the amount may be a quantity containing of gunpowder or of small-arm nitro-compound not more than five pounds, and (b) in the case of manufactured fireworks the amount shall not exceed five pounds; and except when the same is sold to any person employed by or

on the property occupied by the vendor for immediate use in the service of the vendor or on such property, the outermost receptacle containing such explosive shall have affixed the word "explosive" and the name of such explosive in conspicuous characters by means of a band or securely attached label or other mark.

If any explosive is sold or exposed for sale in contravention of this section—

- (1) The person selling or exposing for sale the same shall be liable to a penalty not exceeding twenty rupees;
- (2) All or any part of the explosive so exposed for sale may be forfeited.

Explosive not to be sold without license.

26 It shall not be lawful for any person to sell any explosive in this colony unless such person shall have previously obtained a license from the government agent of the province, or the assistant government agent of the district, within which such person proposes to sell such explosive.

Every such license, which shall be in force for one year from the date of issue, shall be substantially in the form A in the schedule to this Ordinance annexed, and shall bear a stamp duty of five rupees, and every annual renewal of such license shall bear a stamp duty of one rupee. Provided that it shall be lawful for a government agent or assistant government agent to refuse to issue a license if he shall consider that a sufficient number of licenses have been issued in the neighbourhood, or that the applicant is not a fit person, or that he has not provided registered premises for the keeping of explosive; and the government agent or assistant government agent may at any time recall and cancel such license should he see fit to do so.

Importation of explosive.

27 With respect to the importation of explosive from any place out of the colony the following provisions shall have effect; that is to say,

- (a) The owner and master of any ship having on board any such explosive shall not permit the same to be unloaded and delivered to any person who does not hold a license to import the same from the Governor in Executive Council, and any transshipment shall, for the purpose of this section, be deemed to be delivery; and
- (b) The Governor in Executive Council may grant an importation license for any such explosive, and may annex thereto any prohibitions and restrictions with respect to the composition and quality of the explosive, and the unloading, landing, delivery, and conveyance thereof, and such further provisions and restrictions as he may think fit for the protection of the public from danger; and
- (c) The license shall be of such duration as the Governor in Executive Council may fix, and shall be available only for the person or persons named in the license; and
- (d) In the event of any breach by any act or default of the provisions of this section with respect to the importation of an explosive, or of the provisions of any importation license, or of any further provision or restriction made by the Governor in Executive Council under the provisions of subsection (b) of this section, all or any part of the explosive with respect to which such breach is committed, or being in any ship or boat in connection with which such breach is committed, may be forfeited, and the owner and master of such ship or boat, and the licensee or person to whom the explosive is delivered, shall each be liable to a penalty not exceeding one thousand rupees, and to a further penalty not exceeding one rupee for every pound of such explosive; and

(e) The customs officers shall have the same power with respect to any such explosive and the ship containing the same as they have for the time being with respect to any article on the importation of which restrictions are for the time being imposed by the law relating to the customs and the ship containing the same; and the enactments for the time being in force relating to the customs or any such article or ship shall apply accordingly.

Ordinance not to apply to the filling or conveying for private use of safety cartridges.

28 Nothing in this Ordinance shall apply to the filling or conveying for private use, and not for sale, of any safety cartridges to the amount allowed by this Ordinance to be kept for private use.

Governor may prohibit absolutely or conditionally keeping, importing, &c., of any dangerous explosive.

29 Notwithstanding anything in this Ordinance, the Governor, with the advice of the Executive Council, from time to time by special order, may prohibit, either absolutely or subject to conditions, the keeping, importing from any place out of the colony, conveying, and selling of any dangerous explosive.

Provided that such order shall not absolutely prohibit anything which may be lawfully done in pursuance of any continuing certificate under this Ordinance.

If any explosive is kept, imported, or sold in contravention of any such order—

- (1) All or any part of such explosives may be forfeited; and
- (2) The owner or master of the ship in which it was imported shall be liable to a penalty not exceeding five rupees for every pound of such explosive brought in the ship; and
- (3) The person to whom it was delivered, and the person selling the same, shall be liable to a penalty not exceeding five rupees for every pound of such explosive delivered or sold or found in his possession.

Powers of customs officers to deal with prohibited explosive, &c., imported.

30 The customs officers shall have the same power with respect to any such prohibited explosive and the ship containing the same as they have with respect to any article prohibited to be imported by the law relating to customs and the ship containing the same; and the enactments for the time being in force relating to customs and any such article and ship shall apply accordingly.

SCHEDULE.

Form A.

I, *A. B.*, Government Agent of the ——— Province (or Assistant Government Agent of the District in the ——— Province, *as the case may be*), hereby license *C. D.* to sell the explosives mentioned in the schedule hereto attached under the provisions of Ordinance No. —, entitled "An Ordinance for the prevention of Accidents by Explosives." (*Here insert the conditions, if any, to which the license shall be made subject.*)

(Signed) *A. B.*

The ——— day of ———, 19 —.

Schedule.

Name of Explosive.

By His Excellency's command,

EVERARD IM THURN,
Colonial Secretary.

Colonial Secretary's Office,
Colombo, January 31, 1902.

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, H, C, and D traffic, 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, 1902 ;" 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 personal effects as are conveyed free of charge in the luggage vans of passenger trains, and any such additional personal effects 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, pigs, calves, sheep, goats, and every other animal or vehicle of any 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 A., 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 A. 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 a station master, 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 A., 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 vehicle upon the railway, while such vehicle is in motion; or who shall assist or cause any person to enter or quit any vehicle upon the railway, while such vehicle is in motion, or who shall ride or attempt to ride upon the railway on the steps or any other part of a vehicle, 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 or any other substance 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 brakeman 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 trains 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, H, C, and D traffic, luggage, 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 under construction, 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 damage, wilful or negligent.

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, or shall fell timber 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 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 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 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 wilful act or omission endangering a passenger.

29 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.

Penalty for an act not wilful.

30 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.

31 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.

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 a 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 across the road instead of across the railway, 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 whether such minor crossing shall be closed by gates or not, and such Proclamation to alter, vary, or repeal.

(2) 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.

(3) Any person desiring to use a minor crossing closed by gates 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.

(4) 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.

(5) Cattle passing over a minor crossing shall not be driven but led by a suitable and properly secured halter.

(6) Any person using or attempting to use a minor crossing closed by gates without such notice as aforesaid, and any person causing cattle to cross any minor crossing 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.

(7) 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.

(8) And it shall be the duty of the General Manager to provide and maintain at all minor crossings declared by such Proclamation to be closed by gates 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 the crossing gates and the adjacent fences, together with the approaches thereto within the railway boundaries in good and proper order, but he shall be entitled to recover from the person for whom such occupation crossing is provided the cost of repairing such damage as may be caused to the crossing gates and the adjacent fences through the negligence of the said person or his servants.

(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 A.

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.

Reductions to be made for children, pioneers and coolies of any nationality, 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.

Special rates shall be charged for H, C, and D traffic, luggage, and parcels.

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 25 cents per ton per mile.
4th class from 10	cents to 20 cents per ton per mile.
5th class from 8	cents to 20 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, insurance on valuable articles, warehouse, loading, and like charges shall be made in addition to the above rates, which apply only to the carriage of goods.

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 unmanufactured cotton, 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, firewood, and liquid fuel.

As respects passenger and goods traffic, 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,

EVERARD IM THURN,

Colonial Secretary's Office, Colonial Secretary.
Colombo, February 14, 1902.

DISTRICT AND MINOR COURTS NOTICES.

List of Uncertificated Insolvents in the District Court of Jaffna for the Half-year ended December 31, 1901.

Nil.

District Court,
Jaffna, January 16, 1902.

W. R. B. SANDERS,
District Judge.

Return of all Moneys recovered and paid on account of Estates under Official Administration for the Half-year ended December 31, 1901.

Nil.

District Court,
Jaffna, January 16, 1902.

W. R. B. SANDERS,
District Judge.

Fees drawn by Official Administrators during the Year 1901.

District Court,
Jaffna, February 5, 1902.

Nil.

W. R. B. SANDERS,
District Judge.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Hettige Catherina Rodrigo, deceased,
No. 1,508. } of Dematagoda.

THIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 9th day of January, 1902, in the presence of Mr. Van Cuylenburg, Proctor, on the part of the petitioner Eleperumaga Dona Maria of Dematagoda; and the affidavit of the said petitioner, dated 28th May, 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 Hettige Catherina Rodrigo issued to her, as mother of the said deceased, unless the respondent Hettige Margaret Rodrigo, by her guardian Nawala Adrian Cooray of Hyde Park Corner, Slave Island, Colombo, shall, on or before the — day of February, 1902, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
Additional District Judge.

The 9th day of January, 1902.

N.B.—The date for showing cause against the above *Order Nisi* is extended to 20th February, 1902.

D. F. BROWNE,
District Judge.

In the District Court of Colombo.

Order Nisi declaring Will Proved, &c.

Testamentary } In the Matter of the Last Will and
Jurisdiction. } Testament of Mohamado Raya Idroos
No. C 1,616. } Lebbe Marikkar, deceased, of Hulftsdorp, Colombo.

THIS matter coming on for disposal before D. F. Browne, Esq., District Judge of Colombo, on the 30th day of January, 1902, in the presence of Mr. Alvis, Proctor, on the part of the petitioner Idroos Lebbe Marikkar Abdul Cader of New Moor street in Colombo; and the affidavit of the said petitioner, dated 23rd January, 1902, having been read:

It is ordered that the will of Mohamado Raya Idroos Lebbe Marikkar, deceased, dated 18th August, 1901, and now deposited in this court, be and the same is hereby declared proved, unless any person interested shall, on or before the 20th day of February, 1902, 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 20th day of February, 1902, show sufficient cause to the satisfaction of this court to the contrary.

D. F. BROWNE,
District Judge.

The 30th day of January, 1902.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary } In the Matter of the Last Will and
Jurisdiction. } Testament of Cecil Ernest Schok-
No. C 1,620. } man, deceased, of Dikoya.

THIS matter coming on for disposal before D. F. Browne, Esq., District Judge of Colombo, on the 5th day of February, 1902, in the presence of Mr. W. A. S. de Vos, Proctor, on the part of the petitioner Edward Wales Schokman of Dikoya; and the affidavit of the said petitioner, dated 4th February, 1902, having been read: It is ordered that the will of Cecil Ernest Schokman, deceased, dated 15th August, 1899, and now

deposited in this court, be and the same is hereby declared proved, unless any person interested shall, on or before the 20th day of February, 1902, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is one of the executors 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 20th day of February, 1902, show sufficient cause to the satisfaction of this court to the contrary.

D. F. BROWNE,
District Judge.

The 5th day of February, 1902.

In the District Court of Kandy.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Rawanna Mana Kirishnaswamy
No. 2,218. } Pulle, deceased, of Mount Vernon
estate, Kotagala.

THIS matter coming on for disposal before John Henricus de Saram, Companion of the Most Distinguished Order of Saint Michael and Saint George, District Judge of Kandy, on the 27th day of January, 1902, in the presence of Mr. H. P. Borrett on the part of the petitioner Veera Makalay, daughter of Supramania Thaver, of Mount Vernon estate, Kotagala; and the affidavit of the said petitioner, dated 23rd January, 1902, having been read:

It is ordered that the petitioner Veera Makalay, daughter of Supramania Thaver, of Mount Vernon estate, Kotagala, be and she is hereby declared entitled to letters of administration to the estate of the late Rawanna Mana Kirishnaswamy Pulle, deceased, of Mount Vernon estate, Kotagala, as widow of the said deceased, unless (1) Ramaya, (2) Kamalam, (3) Kali Amma, and (4) Veerai, by their guardian *ad litem* Arumogam Kangany of Mount Vernon estate, Kotagala, and (5) Kamalam, widow of Suppiah, deceased, of Mount Vernon estate, Kotagala, (6) Poochy, wife of Kathamuttu of Sirivandam, South India, (7) Nakoo of Mount Vernon estate, Kotagala, and (8) Kamachy of Mount Vernon estate, Kotagala, shall, on or before the 24th day of February, 1902, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,
District Judge.
The 27th day of January, 1902.

In the District Court of Kandy.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Pakeer Tamby Constable's daughter
No. 2,219. } Jayanambu Natchia, deceased, of
Gampola.

THIS matter coming on for disposal before John Henricus de Saram, Companion of the Most Distinguished Order of Saint Michael and Saint George, District Judge of Kandy, on the 3rd day of February, 1902, in the presence of Mr. H. P. Borrett on the part of the petitioner Peria Tamby Madar Lebbe of 239, Dematagoda, Colombo; and the affidavit of the said petitioner, dated 31st January, 1902, having been read:

It is ordered that the petitioner Peria Tamby Madar Lebbe of 239, Dematagoda, Colombo, be and he is hereby declared entitled to letters of administration to the estate of the late Pakeer Tamby Constable's daughter Jayanambu Natchia, deceased, of Gampola, as the son of the said deceased, unless (1) Casie Lebbe Slema Lebbe and (2) Slema Lebbe Ahamadu Lebbe, both of Gampola, shall, on or before the 28th day of February, 1902, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,
District Judge.

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In the District Court of Jaffna.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Valampa, wife of Sevasithamparam
No. 1,219. } Cheddiar Muttaiya Cheddiar, of Van-
narponnai east, deceased.

Chevasithamparam Cheddiar Arumukam
Cheddiar of Vannarponnai east.....Petitioner.

Vs.

1, Chevasithamparam Cheddiar Muttaiya
Cheddiar of Vannarponnai east; 2, Cheva-
kamasuntaram Cheddiar Suppiramaniam
Cheddiar and his wife 3, Vairupillai
of Vannarponnai east.....Respondents.

THIS matter of the petition of Chevasithamparam Cheddiar Arumukam Cheddiar of Vannarponnai east praying for letters of administration to the estate of the above-named deceased Valampa, wife of Sevasithamparam Cheddiar Muttaiya Cheddiar, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 9th day of January, 1902, in the presence of Mr. T. C. Changarapillai, Proctor, on the part of the petitioner; and affidavit of the petitioner, dated the 8th day of January, 1902, having been read: It is declared that the petitioner is the next of kin of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before the 27th day of February, 1902, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,
District Judge.

This 9th day of January, 1902.

In the District Court of Jaffna

Order Nisi.

Testamentary } In the Matter of the Last Will of
Jurisdiction. } the late Cecil Sophia Margaret
No. 1,221. } Geddes of Jaffna, deceased.
Class XI. }

Between

Melville Alfred Gordon Geddes of Pallai Petitioner.

And

1, Edgar Robert Earnest Geddes of Mora-
wak korale, Galle; 2, C. H. Wilkinson of
Paumben and his wife 3, Florence Con-
stance Clara Wilkinson of do.; 4, C. R. E.
Yates of Mirzapore, in the North-Western
Province, India, and his wife 5, Louisa
Caroline Yates of do.; 6, C. L. Tranchell
of Colombo and his wife 7, Esther Ellen
Maud Tranchell of do.; and 8, Arthur
Edwin Geddes of Jaffna Respondents.

THIS matter of the petition of the above-named petitioner Melville Alfred Gordon Geddes of Pallai praying for grant of probate of the last will of the late Cecil Sophia Margaret Geddes of Jaffna coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 14th day of January, 1902, in the presence of Messrs. Casippillai & Cathiravelu, Proctors, on the part of the petitioner; and the affidavits of the petitioner and of the witnesses to the last will, which are dated the 14th day of January, 1902, having been read: It is ordered that the will of the late Cecil Sophia Margaret Geddes, dated the 4th day of March, 1901, now deposited in this court, be and the same is hereby declared proved, unless the above-named respondents or any other person shall, on or before the 24th day of March, 1902, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Melville Alfred Gordon Geddes is the executor named in the said will, and that he is entitled to have probate of the said will issued to him accordingly.

W. R. B. SANDERS,
District Judge.

The 14th day of January, 1902.

In the District Court of Jaffna.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Emily, wife of Anthony Philips, of
No. 1,222. } Jaffna, deceased.

Boison Alexander K. Philips of Jaffna.....Petitioner.
Vs.

1, James Nicholas Thiruchelvam of Jaffna,
now of Taiping, and his wife 2, Mary
of Jaffna Town.....Respondents.

THIS matter of the petition of Boison Alexander K. Philips of Jaffna praying for letters of administration to the estate of the above-named deceased Emily, wife of Anthony Philips, of Jaffna, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 14th day of January, 1902, in the presence of Mr. Tambiah S. Cooke, Proctor, on the part of the petitioner; and affidavit of the petitioner, dated the 10th day of January, 1902, having been read: It is declared that the petitioner is the son and one of the heirs of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before the 20th day of February, 1902, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,
District Judge.

This 14th day of January, 1902.

In the District Court of Jaffna.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Sinnatamby Iampooraner of Manipai
No. 1,224. } deceased.

Veeragatty Kathiravelu of Araly south.....Petitioner.

1, Henry V. Hoisington of Mylitty; 2, Veloe-
pillai Veeravagoe of Araly south; 3, Velan-
thar Murukesar and wife 4, Chinnapillai
of Araly west.....Respondents.

THIS matter of the petition of Veeragatty Kathiravelu of Araly south praying for letters of administration to the estate of the above-named deceased Sinnatamby Iampooraner of Manipai coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 16th day of January, 1902, in the presence of Mr. Tambiah S. Cooke, Proctor, on the part of the petitioner, and affidavit of the petitioner, dated the 14th day of January, 1902, having been read: It is declared that the petitioner is the next of kin and one of the heirs of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before the 24th day of February, 1902, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,
District Judge.

This 16th day of January, 1902.

In the District Court of Jaffna.

Order Nisi.

Testamentary } In the Matter of the Estate of
Jurisdiction. } the late Chinnathangam, wife
No. 1,236. } of Chinnyah Ponnampalam, of
Meesalai, deceased.

Chinnyah Ponnampalam of Meesalai.....Petitioner.

Valoopillai Somasundarampillai and
wife 2, Chithamparam of Kodi-
kamam.....Respondents.

THIS matter of the petition of Chinnyah Ponnampalam of Meesalai praying for letters of administration to the estate of the above-named deceased

Chinnathangam, wife of Chinnyah Ponnampalam, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 3rd day of February, 1902, in the presence of Mr. V. Apparswami, Proctor, on the part of the petitioner; and affidavit of the petitioner, dated the 3rd day of February, 1902, having been read: It is declared that the petitioner is the husband of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before 6th day of March, 1902, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,
District Judge.

This 3rd day of February, 1902.

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Ruanpura Thediris de Silva, deceased, of Ratgama.
No. 3,381.

THIS matter coming on for disposal before J. D. Mason, Esq., District Judge of Galle, on the 28th day of November, 1901, in the presence of Mr. W. P. Amarasinghe, Proctor, on the part of the petitioner Ruanpura Sandoris de Silva of Welitara; and the affidavit of Ruanpura Sandoris de Silva of Welitara, dated the 20th day of November, 1901, having been read:

It is declared that the said Ruanpura Sandoris de Silva is one of the brothers of the said deceased, and that he is as such entitled to have letters of administration of the estate of the deceased issued to him accordingly, unless the respondent Ruanpura Sarohamy of Ratgama, by her guardian *ad litem* Ruanpura Andoris de Silva of Watugama, shall, on or before the 9th day of January, 1902, show sufficient cause to the satisfaction of this court to the contrary.

J. D. MASON,
District Judge.

The 2nd day of December, 1901.

It is ordered that the above *Order Nisi* be and the same is hereby extended to 18th February, 1902, for the purpose of publishing the same in the *Gazette* and the *Standard*.

J. D. MASON,
District Judge.

January 9, 1902.

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Don Mathes de Silva Wickremetilleke and his wife Wedikandege Nonchohami, both deceased, of Pedinnoruwa.
No. 3,386.

THIS matter coming on for disposal before J. D. Mason, Esq., District Judge of Galle, on the 17th day of January, 1902, in the presence of Mr. Jayasundere, Proctor, on the part of the petitioner Pindoris de Silva Wickremetilleke of Pedinnoruwa; and the affidavit of Pindoris de Silva Wickremetilleke, dated 15th January, 1902, having been read:

It is declared that the said Pindoris de Silva Wickremetilleke of Pedinnoruwa is an heir of the deceased, and that he is as such entitled to have letters of administration of the above estate issued to him accordingly, unless the respondents—(1) Carolis de Silva Wickremetilleke, (2) Adriyan de Silva Wickremetilleke, (3) Hendrick de Silva Wickremetilleke, all of Pedinnoruwa, (4) Gimarah Wickremetilleke and husband (5) Uluwitikegamage Pedrishami, both of Uluvitika—shall, on or before the 27th day of February, 1902, show sufficient cause to the satisfaction of this court to the contrary.

J. D. MASON,
District Judge.

The 17th day of January, 1902.

In the District Court of Kurunegala.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Intestate Estate of the late Konara Mudianselage Kiri Banda of Kohandewelipota, deceased.
No. 691.

Ratnayake Mudianselage Ukku Menica of Kahandewelipota.....Petitioner.

And

1, Ratnayake Mudianselage Ukku Banda;
2, Ratnayake Mudianselage Kalu Banda;
3, Ratnayake Mudianselage Appuhami,
all of Kahandewelipota in Gandahe korale.....Respondents.

THIS matter coming on for disposal before G. A. Baumgartner, Esq., District Judge, Kurunegala, on the 4th day of February, 1902, in the presence of Mr. Markus on the part of the petitioner; and the affidavit of the said petitioner, dated the 24th day of January, 1902, having been read: It is ordered that the said Ratnayake Mudianselage Ukku Menica of Kahandewelipota, as widow of the said intestate, be declared to have letters of administration of the estate of the late Konara Mudianselage Kiri Banda of Kahandewelipota issued to her accordingly, unless the respondents shall, on or before the 28th day of February, 1902, show sufficient cause to the satisfaction of this court to the contrary.

G. A. BAUMGARTNER,
District Judge.

The 4th day of February, 1902.

In the District Court of Anuradhapura.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Intestate Estate and Effects of the late Harriet Ponnammah Joseph of Anuradhapura, deceased.
No. 80.

Henry Joseph of Anuradhapura.....Petitioner.

Vs.

1, James Joseph Tisseverasinghe and his wife 2, Helen Thankakuddi Tisseverasinghe, both of Jaffna; 3, George Washington Tambur of Jaffna; 4, James Rasiah Tambur of No. 61, Jampettah street, Colombo; 5, Cecil Muttammah Tambur of Jaffna; and 6, John Muttiah Tambur of the Railway Department, Rambukkana.....Respondents.

THIS matter coming on for disposal before T. B. Russell, Esq., Additional District Judge of Anuradhapura, on the 4th day of February, 1902, in the presence of Mr. S. N. Aseerwatham, Proctor, on the part of the petitioner Henry Joseph of Anuradhapura; and the affidavit of the said petitioner, dated the 3rd day of February, 1902, having been read:

It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Harriet Ponnammah Joseph issued to him, as husband of the said deceased, unless the said respondents above-named or any person interested shall, on or before the 26th day of March, 1902, show sufficient cause to the satisfaction of this court to the contrary.

T. B. RUSSELL,
Additional District Judge.

The 4/10th day of February, 1902.

NOTICES OF INSOLVENCY.

In the District Court of Kalutara.

No. 108. In the matter of the insolvency of Minna Marikar Mestriar Segu Usoof Lebbe Marikar of Alutgama.

WHEREAS the above-named Minna Marikar Mestriar Segu Usoof Lebbe Marikar was on February 5, 1902, adjudged insolvent by the District Court of Kalutara, and an order has been made by the said court placing the estate of the said insolvent under requestration in the hands of the Fiscal, Western Province: Notice thereof is hereby given to all concerned, and notice is also hereby given that the said court has appointed that two public sittings of the court will be held, to wit, on March 21, 1902, and April 4, 1902, for the said insolvent to surrender and conform, and for such other proceedings in the said matter as may then be competent under the Ordinance No. 7 of 1853, intituled "An Ordinance for the due Collection, Administration, and Distribution of Insolvent Estates."

By order of court,

H. E. DE SILVA,
Secretary.

Kalutara, February 8, 1902.

In the District Court of Galle.

No. 317. In the matter of the insolvency of Marukkuwadura Suwaris Fernando of Kumbalwella.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 10, 1902, to consider the question of the grant of a certificate of conformity to the said insolvent.

By order of court,

D. M. JANSZ,
Secretary.

Galle, February 10, 1902.

In the District Court of Kurunegala.

No. 67. In the matter of the insolvency of Don Adrian David Nanayakare of Mawatagama.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 17, 1902, for further proof of claims, and for the appointment of an assignee.

By order of court,

R. SOLOMONS,
Secretary.

Kurunegala, February 11, 1902.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

1, P. R. P. L. R. M. Ramen Chetty; and
2, P. R. V. R. Tennappa Chetty, both of
Sea street in Colombo, now in South
India.....Plaintiffs.

No. 15,505 C. Vs.

Lindamulage Jacob de Silva of St. Joseph
street in Colombo.....Defendant.

NOTICE is hereby given that on Wednesday, March 12, 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. 4,140, with interest on Rs. 3,000 at 24 per cent. per annum from August 13, 1901, to September 28, 1901, and with interest on the aggregate amount of the decree at the rate of 9 per cent. per annum from September 28, 1901, until payment in full, viz. :-

All that part of garden and annexed paddy field called and known as Mahaedandewatta, with the buildings constructed thereon, bearing the present assessment No. 48, situated at Pass Nakalagam in Vander Mydens Polder, within the gravets of Colombo, Western Province (now St. Joseph street, within the Municipality of Colombo); and bounded on the north-east by the other part of this garden, on the south-east by the Pass Nakalagam street, on the south-west by the field and garden of Mrs. De Breard, and on the north-west by the field of Coorowe Mudaliyar; containing in extent 1 rood and 1.59 square perch.

Fiscal's Office,
Colombo, February 11, 1902.

E. ONDATJE,
Deputy Fiscal.

In the District Court of Colombo.

S. P. R. M. Ramen Chetty of Sea street
in Colombo.....Plaintiff.
No. 15,840. Vs.

L. T. Rahim of Church street, Slave Island,
in Colombo.....Defendant.

NOTICE is hereby given that on Tuesday, March 11, 1902, at 1.30 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. 794, with interest thereon at 30 per cent. per annum from September 7, 1901, to November 11, 1901, and thereafter at 9 per cent. per annum until payment in full, and costs, viz. :-

1. All that house and ground bearing assessment No. 50, situated at Church street in Slave Island, within the Municipality of Colombo; bounded on the north by the property of Sergeant Kitchilan, on the east by the house of Sihe Haniffa, on the south by the high road, and on the west by the footpath; containing in extent 7½ square perches.

2. All that house and ground situated at Church street in Slave Island aforesaid, bearing assessment No. 51; bounded on the north by Church street, on the east by the house and ground of Mayon Palli, on the south by the property of Cachan, and on the west by the house and ground of Sergeant Cachan; and containing in extent 4.6 perches, which said two properties adjoin each other and now form one property, bearing assessment Nos. 50 and 51, Church street, Slave Island; and is bounded on the north by the Church street, on the east by a footpath, on the south by the property of Chappon, and on the west by the property of Suan Muhadeen, bearing assessment No. 52; containing in extent 11.68 perches, together with the house and buildings standing thereon.

Fiscal's Office,
Colombo, February 11, 1902.

E. ONDATJE,
Deputy Fiscal.

In the District Court of Colombo.

Meyna Rawenna Mana Ana Ramen Chetty of
Sea street, Colombo.....Plaintiff.

No. 16,169 C. Vs.

Mahamadu Lebbe Marikar Sinna Lebbe
Marikar Hadjar of No. 18A, Main street,
in Pettah, Colombo.....Defendant.

NOTICE is hereby given that commencing on Thursday, March 6, 1902, at 3 o'clock in the afternoon, will be sold by public auction at No. 18A, Main street, in Pettah, Colombo, the following property mortgaged and hypothecated with the plaintiff, and decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 15,280, with interest thereon at the rate of 9 per cent. per annum from December 16, 1901, until payment in full and costs of action, less a sum of Rs. 5,090 recovered by sale, viz. :—

All and singular the goods, stock-in-trade, wares, merchandise consisting chiefly of travelling trunks, looking-glasses, lamps, flannel, tweed, Cannanore, hats, caps, shirts, flower vases, straw hats, broadcloth, merino, stockings, table cloths, collars, bags, brushes, perfumery, blankets, corsets, shoes, chintz, laces, ribbons, silk thread, silk, shawls, hat stands, and all the fittings, furniture, effects, and things whatsoever that are lying in the premises No. 18A, Main street, in Pettah, Colombo.

These are mortgaged and hypothecated as a primary mortgage.

Fiscal's Office,
Colombo, February 11, 1902.

E. ONDATJE,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Peter Frederick Toussaint of Kandy.....Plaintiff.

No. 14,807. Vs.

James Silva Schokman of Kandy.....Defendant.

NOTICE is hereby given that on March 11, 1902, at 12 o'clock noon, will be sold by public auction at the premises the following property, mortgaged to plaintiff and decreed to be sold by the judgment entered in the above case, viz. :—

All that house and ground bearing assessment No. 75 and situate at Trincomalee street, within the town and Municipality of Kandy, of about 6.10 square perches; bounded on the east by Pavilion ground, south by house belonging to Girihagama, on the west by Trincomalee street, and on the north by house belonging to the late Rambukwella, Proctor.

Amount of writ, Rs. 1,221.50.

Fiscal's Office,
Kandy, February 11, 1902.

R. A. G. FESTING,
Deputy Fiscal.

Southern Province.

In the District Court of Galle.

N. K. M. Karpen Chetty of Galle.....Plaintiff.

No. 6,390. Vs.

D. P. S. Weerasuriya of Kataluwa.....Defendant.

NOTICE is hereby given that on Saturday, March 15, 1902, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

1. An undivided $\frac{1}{2}$ part of Heendeniyewatta, situate at Kataluwa.

2. An undivided $\frac{1}{3}$ part of Gallegewatta, situate at do.

3. An undivided $\frac{1}{2}$ part of Yaddhigewatta, situate at do.

4. All that land wherein D. P. S. Weerasooriya resides and the house standing thereon, situate at do.

Writ amount Rs 875.70, with interest on Rs. 800 at 18 per cent. per annum from June 15, 1900.

Fiscal's Office,
Galle, February 11, 1902.

C. T. LEEMBRUGGEN,
for Fiscal.

Eastern Province.

In the District Court of Batticaloa.

1, Alice Maria Nakaretnam Suppramaniam
alias A. M. N. Thuraiappah, husband 2,
Murugappa Chettiar Marcus Clement
Thuraiappah, of Batticaloa, now at Galle.....Plaintiffs.

No. 2,264. Vs.

1, Mary Swaminader, now Mary Benjamin ;
and 2, Samuel J. Benjamin of Batticaloa.....Defendants.

NOTICE is hereby given that on Saturday, March 15, 1902, and on the following days, commencing at about 9 o'clock in the morning, will be sold by public auction at the spot the right, title, and interest of the said defendants in the following properties, viz. :—

On Saturday, March 15, 1902, at about 9 o'clock A.M.

1. A garden called Neypoothanvalavu, situated at Puliyanтиву in Manmunai pattu ; bounded on the south by road, on the north by the garden of Akkapillay, on the east by lane, on the west by the garden of Velupillay ; in extent from north to south-eastern side six fathoms, western side six fathoms, east to west northern side seven fathoms, southern side seven fathoms, with all rights.

At about 11 A.M.

2. An undivided one-half share of the residing house and garden of the defendants, situated at Puliyanтиву in Manmunai pattu ; bounded on the north by road, south and west by the gardens of Mr. S. A. Crowther, on the east by lane ; in extent from east to west southern side thirty fathoms and one cubit, east to west northern side forty-six fathoms, north to south eastern side forty-three fathoms, western side twenty-five fathoms, with house, well, and produce.

At about 1 P.M.

3. An undivided one-half share of the garden called Stouer Mudaliyar Valavu, situated at Syngalavady in Puliyanтиву in Manmunai pattu ; bounded on the north by road, on the east by the garden of Mr. S. A. Crowther, on the west by road, on the south by the garden of Sinnatamby ; in extent north to south eastern side thirty-six fathoms, western side thirty-nine fathoms, east to west northern side twenty-one fathoms, southern side nineteen fathoms, with house, well, produce, plantations, and all rights.

At about 3 P.M.

4. The life interest of the defendants in the Mattaikiddanki and garden, situated at the main road in Puliyanтиву ; bounded on the east and south by road, on the west by the garden called Thavaranaivalavu belonging to S. N. G. Eliatamby, Mudaliyar, on the north by the godown of Charles Ponniah, Mudaliyar ; in extent from east to west northern side twelve fathoms, southern side twelve fathoms, north to south eastern side two fathoms and one cubit, north to south western side one fathom and two and a quarter cubits, with all rights.

On Monday, March 17, 1902, at about 9 A.M.

5. The life interest of Mary Benjamin, the first defendant, in the garden called Mutaliyarvalavu, situated at Koddamunai in Manmunai north ; bounded on the north and east by Crown land, on the south and west by road ; in extent north-eastern side fifty-seven fathoms and two feet, southern side thirty-two fathoms and three cubits, western side eighty-two fathoms, with house, well, and produce.

At about 2 P.M.

6. The life interest of Mary Benjamin, the first defendant, in the estate called Sinne Hyderabad, situated at Satturukondam in Manmunai north ; bounded on the north by the field called Satturukondamvayal, south by the estate called Puliyanitudotam, east by seashore, on the west by the estate of Mr. Atherton ; in extent more or less fifteen acres.

At about 4 P.M.

7. The life interest of Mary Benjamin, the first defendant, in the undivided half share of the estate called Puliyaaditotam, situated at Kalmunai in Manmunai north; bounded on the north by the Crown land, on the south by Hyderabad estate, on the east by seashore, on the west by Satturukondan tank; in extent more or less three hundred and seventy-five acres.

On Tuesday, March 18, 1902, at about 9 A.M.

8. The life interest of the defendants in a cocoanut estate, situated at Vantarumoolai in Eravur pattu; bounded on the north by the lands of the villagers, south by lane, east by road, on the west by the gardens of Anthiraso and Santiapillay.

At about 2 P.M.

9. The life interest of the defendants in a paddy field, situated at Pankudavelly in Eravur pattu; bounded on the north by the land of Karuvelpillay and others, on the south by Tillodaiyvelly, on the east by the land of V. V. Gnanamuttu and others, on the west by Cheddikudachenai; in extent forty-five acres.

On Wednesday, March 19, 1902, at about 9 A.M.

10. A paddy field called Karadipuvelly, situated at Karadipuvel in Manmunai north-west; bounded on the east by the dowry land of Mr. J. H. Casinader, west by the land of Konamalayar's heirs Santhiapillay and by Crown land, on the north by the land of Notary G. Kandappa, and on the south by the land of Santiapillay and others; in extent fourteen acres and two roods with all its rights.

On Saturday, March 22, 1902, at about 9 A.M.

11. A garden called Thiddyvalavu, situated at Koddamunai in Manmunai north; and bounded on the north by the garden of Thamoatham Vyramuttu and others, on the south by the dowry garden of Seeney Elyan and wife and others, on the east by the garden of the Batticaloa Trading Company, on the west by lane; in extent on the northern side forty-eight fathoms, southern side twenty-five and a half fathoms, eastern side twenty fathoms and one cubit, western side twenty-seven fathoms, with cocoanut trees and produce.

At about 2 P.M.

12. A garden called Sinnavalavu or Mavadyvalavu, situated at Kallady in Manmunai east; bounded on the north by the garden of Joseph Andrase, on the south by the garden of Sapapathy, on the east by Crown land, on the west by Upparu; in extent north to south fifty fathoms, east to west forty fathoms, with house, well, and produce.

On Monday, March 24, 1902, at about 9 A.M.

13. An undivided one-half share of a house and garden, situated at Kalmunai in Karavagu pattu; bounded on the east and west by roads, on the north by the garden of Mr. Crowther, on the south by the garden of Notary Mootatampy; in extent from north to south twenty-five fathoms, east to west on the northern side eighteen fathoms and three cubits, on the southern side eight fathoms, in the middle thirteen fathoms and three cubits, with house, well, and produce.

At about 2 P.M.

14. A paddy field called Puthuvayal, situated at Sevukapattukandom in Samanturai pattu; bounded on the north by Kurukuvayal, on the south by Naduvelly, on the east by Vannia pattu, and on the west by Savadipannikkenvalay; in extent thirty-six acres, with all water rights.

On Thursday, March 27, 1902, at about 9 A.M.

15. A garden called Sinnandyvalavu, situated at Kiran in Koralai pattu; bounded on the east by the garden of

Mr. S. A. Crowther and others, on the west by lane, on the north by the garden of V. Nakatten and others, on the south by the garden of N. T. Sinnepillay and others; in extent east to west forty fathoms, north to south twenty fathoms, with produce.

Amount to be levied, Rs. 1,584.

T. SINNATAMBY,
Deputy Fiscal.

Fiscal's Office,
Batticaloa, February 6, 1902.

North-Western Province.

In the District Court of Kurunegala.

Suna Pana Welleyappa Chetty of Kurunegala Plaintiff.
No. 2,109. Vs.
Sona Ramen Chetty of Kurunegala.....Defendant.

NOTICE is hereby given that on Saturday, March 8, 1902, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

1. All that land called Wadiyawatta of ten yards in length along the high road and 15 yards in breadth, and Wadiyawatta in extent about one kuruni of kurakkan, with the buildings and plantations thereon, situated at Illuppegedara *alias* Pallewalpola in Tiragandahe korale of the Weudawili hatpattu.

2. An undivided two-third shares of the land called Wadiyawatta bearing assessment No. 91A; containing in extent about 20 perches, situated at Illuppegedara *alias* Pallewalpola aforesaid.

Amount to be levied is Rs. 1,650, with interest and poundage.

N. S. CASSIM,
for Fiscal.
Fiscal's Office,
Kurunegala, February 11, 1902.

In the District Court of Chilaw.

Angampolage Bastian Fernando, Police
Headman, of Marawila.....Plaintiff.
No. 2,389. Vs.

Balasuriya Mudiyanseelage Hitihamy, Police
Headman, of Kudawewa Defendant.

NOTICE is hereby given that on Thursday, March 13, 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, viz. :—

1. Half share of the field called Mahapahalawela, situate Kalimaduwa, which is of the extent of about 15 parras paddy sowing soil; bounded on the north by Habakumbura of Heratham, Police Headman, and others, east by pillewa belonging to defendant and others, south by field of Baba Heneya and others, west by pillewa belonging to defendant and others.

2. The soil and productive trees of the garden called Bangalawewatta, situate at Kudawewa, which is of the extent of about 3½ acres; bounded on the north by garden of Nonababa and others, east by garden belonging to Appu Naide and others, south by cart road, west by garden belonging to Appu Sinno and others.

Amount recoverable, Rs. 702-50, with interest on Rs. 600 at 9 per cent. per annum from June 21, 1901, and poundage.

J. H. LEAK,
Deputy Fiscal.
Deputy Fiscal's Office,
Chilaw, February 11, 1902.