



# Ceylon Government Gazette

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

PART II.—Legal and Judicial.

PART III.—Provincial Administration

PART IV.—Marine and Mercantile.

PART V.—Municipal and Local.

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

## Part II.—Legal and Judicial.

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## DRAFT ORDINANCES.

### MINUTE.

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

An Ordinance for making final provision for the Supplementary Contingent Charges for the year 1898.

Preamble.

WHEREAS by an Ordinance No. 18 of 1898 it was enacted that a sum of Rs. 1,296,855·07 should be charged upon the revenue of this island for the Supplementary Contingent Services of the year One thousand Eight hundred and Ninety-eight, in addition to the sum of Rs. 16,588,042 provided by the Ordinance No. 14 of 1897: And whereas an expenditure of Rs. 46,744·03 was incurred and brought to account for the Contingent Services of the year 1898, for which provision is not made by the aforesaid Ordinances: It is enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows:

Rs. 46,744.03 charged upon the revenue of this island of the year 1898 for the final Supplementary Contingent Service of that year.

1 That a sum not exceeding Forty-six thousand Seven hundred and Forty-four rupees and Three cents shall be and the same is hereby charged upon the revenue of this island of the said year 1898, for the services hereinafter mentioned; the said expenditure being in conformity with the schedule hereunto annexed, whereof the following is an abstract:

	Rs.	c.
Pensions ... ..	17,777	32
His Excellency the Governor ...	494	40
Medical Department ...	486	45
Colonial Store ...	188	84
Miscellaneous Services ...	27,797	2
Total ...	<u>46,744</u>	<u>3</u>

## SCHEDULE.

	Rs.	c.
<b>PENSIONS.</b>		
Crown Agents, London ...	17,678	42
Government and Agents in India ...	98	90
	<u>17,777</u>	<u>32</u>
<b>HIS EXCELLENCY THE GOVERNOR.</b>		
Other Charges ...	—	494 40
<b>MEDICAL DEPARTMENT.</b>		
Other Charges ...	—	486 45
<b>COLONIAL STORE.</b>		
Other Charges ...	—	188 84
<b>MISCELLANEOUS SERVICES.</b>		
Treasurer ...	25,832	70
Crown Agents ...	1,404	74
Government and Agents in India ...	559	58
	<u>27,797</u>	<u>2</u>
Total ...	—	<u>46,744 3</u>

By His Excellency's command,

W. T. TAYLOR,  
Acting Colonial Secretary.

Colonial Secretary's Office,  
Colombo, November 23, 1899.

## MINUTE.

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

An Ordinance to declare certain By-laws to be in force within the Municipality of Colombo.

Preamble.

WHEREAS the by-laws contained in Schedule A to Ordinance No. 16 of 1881 for the Municipal Council of Colombo have, with few exceptions, been altered, and it is expedient that the by-laws aforesaid be repealed, and that the by-laws set forth in the schedule hereto be declared to be in force within the municipal limits of the town of Colombo : Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Application.

1 This Ordinance shall be in force within the municipal limits of the town and harbour of Colombo, and shall be read as one with the Municipal Councils' Ordinances, 1887, 1890, and 1896.

Repeal of Ordinance No. 16 of 1881.

2 So much of Ordinance No. 16 of 1881, including the whole of the by-laws contained in Schedule A thereto, as has not been heretofore repealed, is hereby repealed, provided that such repeal shall not affect—

- (a) The past operation of the said by-laws hereby repealed ; nor
- (b) Any right, privilege, obligation, or liability acquired, accrued, or incurred thereunder ; nor
- (c) Any penalty or forfeiture incurred in respect of any breach of the provisions of the said by-laws hereby repealed ; nor
- (d) Any legal proceeding or remedy in respect of such right, privilege, obligation, liability, penalty, or forfeiture as aforesaid.

Repeal of subsequent by-laws and legalization of by-laws in schedule.

3 The by-laws of the Municipal Council of Colombo framed after the passing of Ordinance No. 16 of 1881 are hereby repealed, and the by-laws set forth in the schedule hereto shall be in force within the municipal limits of the town and harbour of Colombo : Provided, however, that nothing herein contained shall be held or construed to prevent the making, approval, and publication in respect of the Municipality of Colombo of further substantive by-laws, or by-laws in amendment, repeal of, or in addition to such by-laws, or the by-laws herein contained in the same and the like manner as is empowered to be done by the provisions of the said Municipal Councils' Ordinances, 1887, 1890, and 1896, or any other Ordinance.

Service of notices.

4 When any notice is required by this Ordinance to be given to the owner or to the occupier of any house, building, or land, such notice addressed to the owner or occupier, as the case may require, may be served on the occupier of such house, building, or land, or left with some adult member or servant of his family ; or if the notice cannot be so served, or if there be no occupier, may be put up on some conspicuous part of such house, building, or land ; and it shall not be necessary in any such notice to name the occupier or the owner. Provided always that when the owner and his residence are known to the chairman, it shall be his duty, if such owner be residing within the municipality, to cause every notice to be given to the owner, and if he be not resident within the town, the chairman shall send every such notice by post addressed to his residence.

Penalty for unnecessary violence by an officer.

5 Every person acting under the authority of this Ordinance who shall, under pretence of performing any act under the authority of this Ordinance, use any unnecessary violence or give any uncalled for and vexatious annoyance, shall be guilty of an offence, and be liable on conviction thereof to a fine not exceeding twenty rupees.

Penalty for obstructing officers.

6 Every person who shall resist, obstruct, hinder, or molest any officer of the municipal council acting under the authority of any by-law hereby enacted, or of any by-law hereafter lawfully made in the discharge of any duty, or the performance of any act which such officer shall be authorized or required to perform by any such by-law, shall be guilty of an offence, and be liable on conviction to be punished with simple or rigorous imprisonment for a term which may extend to three months or with fine which may extend to one hundred rupees, or with both.

Penalty for breach of by-laws.

7 Whoever shall commit a breach of any of the by-laws hereby enacted, or of any by-laws hereafter lawfully made, by doing any act prohibited or declared to be an offence by any such by-laws, or by neglecting to do any act directed to be done by any such by-laws, or in anywise howsoever, shall on conviction be liable to a penalty not exceeding twenty rupees; and in case of a continued breach to a further penalty not exceeding ten rupees a day for every day after notice from the chairman of such breach: Provided that no complaint shall be preferred in any court for any breach of any by-law except with the previous sanction of the chairman.

#### SCHEDULE.

##### CHAPTER I.

###### *Establishment.*

Offices and salaries.

1. It shall be lawful for the council from time to time, by resolution, to create offices, and to assign to each office so created such salary as it shall deem right.

Nothing herein contained shall prevent the chairman from employing, with the consent of the standing committee, such other officers as may be required in case of any emergency, on such salary as the standing committee shall deem fit.

Duties of officers.

2. The secretary and other officers and servants of the council shall perform such duties during such hours as the chairman shall from time to time direct.

Establishments.

3. The following offices are hereby created:—

The office of Secretary to the Municipal Council.  
The office of Sanitary Officer.  
The office of Municipal Engineer.

##### CHAPTER II.

###### *Conduct of Business.*

Precedence of councillors.

4. For all purposes connected with the council, the precedence and seniority of councillors shall be regulated as follows:—

After the chairman shall rank the councillors in the order of the priority of their nomination or election, and in the case of former councillors re-elected or re-nominated, of the priority of their continuous membership of council.

Duties of chairman.

5. The chairman shall preserve order and shall decide on all points of order.

Adjourned meetings.

6. Notice in writing of the date, time, and place of every adjourned meeting shall be transmitted to each member of the council by the secretary, and delivered to each member or left at his residence twenty-four hours before the time fixed for such adjourned meeting—excepting when such meeting is to be held in pursuance of an adjournment from the preceding day.

Municipal office.

7. The Municipal office shall be in the place where the meetings of the municipal council are ordinarily held. The hours of business at the municipal office shall be from 10 to 5 daily.

Orders of business.	8. The business of the council at its meetings shall be taken in the following order, viz. :—
Minutes.	(a) The minutes of the previous meeting shall be read, and (if need be) corrected, and confirmed.
Memorials, petitions, &c.	(b) Memorials, petitions, complaints, and communications addressed to the council, of which due notice has been given by a councillor, shall be laid before the council.
Questions.	(c) Questions.
Motions.	(d) Motions.
Reports of committees.	(e) Reports of committees.
Statements.	(f) Monthly statement of receipts and disbursements, progress reports of revenue collected and of works, return of work by the municipal magistrate, the sanitary officer's report, reports and diaries of other municipal officers, and such other documents as are required, shall be submitted to the council.
Other business of the day.	(g) Any other matter set down in the notice of meeting shall be proceeded with, provided that the council may, if it see fit, deviate from the order herein prescribed.
Committee of council.	9. The council may at any time resolve themselves into a committee of the whole council ; and on their resuming, the result of their deliberations shall be dealt with by the council.
Contents of petitions, &c.	10. A ny councillor presenting a petition or other communication will be held responsible for its contents being throughout respectful.
Presenting petitions, &c.	11. When a petition or other communication is presented, the purport thereof shall be concisely stated. On the motion of any councillor, duly seconded, the question shall be put whether the documents shall be read.
Hearing petitioners.	12. In any case wherein individual rights or interests may be affected by any act, order, or proceeding of council, all parties so affected may be heard, upon petition, before the council when in committee, either in person or by counsel.
List of witnesses.	13. When it is intended to examine any witnesses, the petitioner or councillor requiring such witnesses shall deliver to the secretary, three days at least before the day appointed for their examination, a list containing the names, residences, and occupation of such witnesses.
Summoning witnesses.	14. The secretary shall thereupon, under the sanction of the chairman, issue to each of the witnesses a summons in the Form A in the appendix hereto, and such summons shall be served by some person appointed in that behalf by the chairman, either by delivery thereof to the witness or by leaving it at his residence, forty-eight hours at least before the time appointed for his attendance. Every witness summoned shall be bound to obey such summons, if any person so summoned fails to comply with such summons the council in committee may order him to pay a penalty not exceeding one hundred rupees, provided no such penalty shall be inflicted if the person so failing has a lawful excuse for such failure.
Evidence on petitions.	15. The evidence of every witness shall be given on oath or affirmation, and shall be recorded by the secretary and read over to the witness, who may then desire any correction or addition to be made ; and in case no such correction or addition is made, the evidence shall stand as recorded and shall not be altered thereafter. The chairman shall have the power to administer such oath or affirmation.
Asking questions.	16. When a question is asked, no argument or opinion shall be offered, nor any fact stated, except in so far as may be necessary to explain such question : and no councillor may debate the matter to which the question refers.
Putting the questions.	17. When a motion has been made and seconded, and the debate thereon concluded, the question thereupon shall be put to the vote by the chairman.
Motion not seconded.	18. Any motion not seconded may not be debated, and no entry thereof shall be made in the minutes.
Withdrawing motions.	19. A councillor who has made a motion may withdraw the same by leave of the council.
Rules of debate.	20. Every councillor, while speaking, shall address the chair, and shall stand while so doing.
Two members rising to speak.	21. The councillor who first rises has the right to be heard. If two or more councillors rise to speak at the same time, the chairman shall call on the person entitled in his opinion to pre-audience.
Members to speak once only on motion except on explanation.	22. In discussing any motion, no councillor shall be at liberty to speak more than once, except in explanation or when any matter is under discussion in committee. But a reply shall be allowed to a councillor who has made a substantive motion, not being an amendment.

- No imputations of improper motives.
23. All imputations of improper motives shall be considered as being highly disorderly, and such conduct shall be recorded in the minutes, if it shall appear to a majority of the council to be necessary.
- Adjournment of discussion.
24. An adjournment of the discussion of any question may be moved by a councillor at any time, and, if seconded, shall be forthwith put to the vote.
- Motions and amendments in writing.
25. Every motion or amendment shall be reduced to writing and handed to the secretary by the councillor proposing the same.
- No amendment on amendment.
26. No amendment shall be proposed upon an amendment under discussion; but so soon as the amendment shall have become a substantive motion, a subsequent amendment may be moved and, if seconded, discussed.
- Members bound to vote.
27. On any question being put every councillor present shall be bound to give his vote, beginning with the junior councillor present, the secretary minuting each vote, after which the chairman shall declare the number of votes for and against the motion.
- Member in minority may record dissent.
28. It shall be competent for any councillor who is in the minority to record the reasons of his dissent from the opinion of the majority, and such written dissent shall be sent to the secretary within one week, and the same shall be entered by the secretary at the end of his minutes of the proceedings.

### CHAPTER III.

#### *Committees.*

- Quorum of committees.
29. In every special committee the quorum thereof shall be three, unless otherwise specially fixed.
- Meetings of committees.
30. In case of the absence of the chairman at a meeting of any special committee, or if he be not a member of such committee, the members present shall choose one of them to preside, who shall for that meeting have all the powers of the chairman.
- Proceedings of committee.
31. When a special committee shall have agreed to a report, the same shall be signed by the members, and shall, together with the minutes of proceedings, be submitted to the council.
- Division in committees.
32. In the event of any division taking place in a special committee it shall be entered in the minutes, together with the motion or resolution proposed, the name of the proposer, and the respective votes of the members present, and such minutes shall be submitted to the council with the report of such committee.
- Power of committees respecting witnesses.
33. The standing committee and all special committees shall exercise all the powers conferred on the council in committee under the by-laws 14 and 15 hereinbefore provided.

### CHAPTER IV.

#### *Tax Returns.*

- Returns under section 138.
34. The return to be furnished by the owners or occupiers of houses, buildings, or lands under section 138 of "The Municipal Councils' Ordinance, 1887," shall be in a form which shall be supplied by the council, and shall be filled up and returned by the person to whom it is addressed.
- Returns under section 146.
35. The schedule required to be filled up under section 146 of the said Ordinance shall be in the Form B in the appendix hereto, or to the like effect.
- Special notice required from persons acquiring further vehicles and animals.
36. If any person, after having filled up and returned the schedule referred to in the preceding by-law, shall acquire, keep, or use any vehicle, horse, pony, mule, bullock, or ass not mentioned in such schedule, he shall be bound, within one month of acquiring any such vehicle or animal, to send written notice thereof to the secretary containing true and correct information in respect of every such vehicle or animal so acquired, kept, or used. Whoever fails or neglects to send to the secretary a true and correct notice as herein required, or furnish in writing any information called for by the chairman within one week from the receipt thereof respecting the vehicle or animals so acquired, kept, or used, shall be liable to a fine not exceeding fifty rupees.
- Tax on vehicles, &c., payable.
37. After the completion of the list of taxpayers mentioned in 145 of Ordinance 7 of 1887, the secretary shall cause a notice, in the Form C hereunto annexed, to be served on each of the persons therein mentioned, in the manner provided by section 269 of the Ordinance. And such notice shall contain a list of the vehicles and animals in respect of which the tax is payable, and the amount of the tax; and

- shall also state the time and proportion in which the chairman shall have directed the tax to be paid. And any person desirous of objecting to the list shall be entitled to do so at any time between 10 A.M. and 5 P.M. within the ten days following the service of the notice, after which no objection shall be entertained against the same.
- Objections.** 38. All objections to the list of taxpayers shall be made in writing and left with the secretary, to be disposed of by the standing committee.
- Returns by notaries.** 39. The secretary shall from time to time, whenever directed by the chairman, cause a copy of the Form D in the appendix hereto to be served on every advocate, proctor, and notary within the municipality, in order to ascertain whether any, and, if any, how many clerks have been articulated under him during the current year, or any previous year subsequent to the establishment of the council, the date of the articles, and the period of their services. Every advocate, proctor, and notary shall, within fifteen days from the service of such form, fill up the same correctly with the information thereby required and return it to the secretary.

## CHAPTER V.

*Tax on Dogs.*

- Occupiers of houses to furnish returns when necessary.** 40. It shall be lawful for the council from time to time to require every occupier of a house to fill up a schedule in the Form E in the appendix hereto, showing the number and description of dogs kept in such house or premises attached thereto; and every such occupier shall be bound to accept, duly fill in with correct information, and return such schedule within one week from receipt thereof. The occupier of any house or premises which is the ordinary place of resort of any dog shall be deemed and held to keep such dog.
- Dogs to be licensed.** 41. It shall not be lawful for any person to keep any dog within the municipality without a license from the municipal council, and such license shall be obtained on or before the first day of February every year, or within twenty-one days of acquiring such dog, and shall be issued on payment of the tax leviable thereon, and cease to be in force on the thirty-first day of December every year. A person is said to keep a dog when it is found in his premises and he is unable to prove who is the actual owner thereof, or is unwilling to surrender the dog for seizure and removal.
- Stray dogs without stamped collar liable to seizure.** 42. All dogs found in any street or public place without a collar bearing the stamp of the municipal council shall be liable to seizure by the police or any person authorized thereunto by the chairman of the municipal council, and to be conveyed to the municipal pound, and may be destroyed or sold unless redeemed and furnished with such collar within forty-eight hours of the time of seizure.
- Stamping fee.** 43. Collars of a uniform kind will be issued by the municipality without charge, except for stamping; a fee of eight cents will be charged for stamping.
- Fee for redeeming captured dogs.** 44. A fee of fifty cents shall be charged for any dog redeemed as aforesaid, and no collar shall be issued except on payment of the tax due and the stamping fee.

## CHAPTER VI.

*Cart and Hackery Licenses.*

- Cart or hackery to bear metal plates.** 45. Every cart or hackery kept or used within the municipality shall, besides any other plates that may be required by law, after the first day of February in every year, have a metal plate, which shall be furnished by the council at the owner's expense, affixed in such a manner as shall be directed by the chairman on such cart or hackery. Such plate shall bear the design of the letter C with figures representing the year and a number corresponding with the number assigned to such cart or hackery in the register kept in the municipal office.
- Cart or hackery without plates may be seized** 46. No person shall keep or use any cart or hackery within the municipality without the plate required by the preceding clause affixed to it as aforesaid; and every cart or hackery kept or used without such plate affixed to it as aforesaid shall be liable to be detained by any municipal inspector or police officer until such plate shall be, after payment of any tax due, obtained and affixed as aforesaid to such cart or hackery.
- Age of driver.** 47. No person shall be permitted to drive a cart or hackery unless he is of the age of fourteen years or upwards.  
No person driving a single or double bullock cart used for carrying goods shall sit in the cart or on the yoke while so driving.
- Every bicycle, &c., to have one light.** 48. Every bicycle, tricycle, or other form of velocipede shall carry one light in front of the handle-bar between the hours of 6.30 P.M. and 5.30 A.M.

## CHAPTER VII.

*Carriages.*

- Carriage to be first or second class.
- 49 All carriages licensed under the Ordinance No. 17 of 1873 to ply for hire shall be classed either as first or second class carriages.
- Chairman to determine class and number of passengers. Class and number to be painted on carriage.
50. The chairman of the municipal council or any officer of the council thereunto authorized by the chairman shall determine the class of and the number of passengers to be carried in every such carriage submitted for classification prior to obtaining the license required by law for that purpose, and such class and the registered number of the carriage shall be painted in a conspicuous part (to be determined by the chairman) of such carriage, and shall be at all times plainly and distinctly visible and legible, provided, however, that such painting may be dispensed with at the discretion of the chairman; and no license shall issue unless the requirements of this by-law are first complied with. An infant carried in arms or on the lap, or one child not so carried but under eight years of age, shall not be deemed a passenger; but two children under eight years of age not so carried shall be considered an adult passenger, and so on in the same proportion for any number of children. No person to whom any license shall have been granted shall refuse to carry the full number so determined, or shall carry more than the said number.
- Every carriage to have two lamps.
51. Every carriage shall have and carry two good and sufficient lamps, one on either side of the driver, ready for lighting, and the same shall be lighted if the carriage be used between the hours of 6.30 P.M. and 5.30 A.M.
- Licensed carriages to be kept in good order.
52. The owner of every licensed carriage shall keep the same clean and in good repair, and shall not permit it to be used if the said carriage or any part of it, or the horse drawing the same or the harness, is in any way unfit for use.
- Carriages, &c., to be seized when used in an unfit state.
53. It shall be lawful for any municipal inspector or officer of police to seize any carriage which he shall find being used, while the carriage, or horse, or harness is not in a fit state to be used, and thereafter produce the same as soon as possible before the municipal magistrate.
- Carriages to be produced for inspection.
54. The owner of every licensed carriage shall, for the purpose of inspection, produce or cause to be produced at the municipal office or some other place to be approved by the chairman on such days and between such hours as the chairman shall appoint, the said carriage with the horse described in the license harnessed thereto.
- Notice of change of horse.
55. The owner of any licensed carriage who desires to use a horse other than that described in the license issued in respect of such carriage shall forward his license to the municipal office for alteration, and at the same time send the horse for inspection by an officer authorized by the chairman to inspect the same on such day and at such time as may be appointed by the chairman.
- License not transferable.
56. It shall not be lawful for the proprietor of any licensed carriage to transfer the license to any other person. Should he sell or transfer to another person any carriage which shall have been licensed, he shall give notice to the chairman of such sale or transfer and return to the municipal office the license granted to him in respect of such carriage.
- Chairman to appoint stands.
57. The chairman may from time to time appoint places as public stands for licensed carriages, and may at any time, by notice, abolish or alter the situation of any such public stand.
- Position to be taken by carriage at stand.
58. Every carriage on its arrival at a public stand shall be drawn up at the end, and be last in the line of carriages already occupying such stand; and at every such stand all carriages shall be arranged in single rank only.
- Driver of licensed carriage not to loiter in street.
59. The driver of a licensed carriage shall not at any time suffer the same to stand in any street (except for the purpose of setting down or taking up the passengers), or to loiter in any street, nor shall he obstruct the driver of any other carriage in taking up or setting down any person, or wilfully, wrongfully, or forcibly prevent or endeavour to prevent the driver of any other licensed carriage from taking a fare.
- Driver to wear a coat, &c., and carry a badge bearing number of license.
60. The driver of every licensed carriage shall be cleanly dressed, and shall wear a coat, pair of trousers, and badge, such badge shall be provided by the council (at the cost of the owner of such carriage), and shall be worn on the left arm, so that number shall always be seen, and shall bear a number corresponding with the number of the license granted in respect of such carriage. The owner of every licensed carriage shall be held responsible for the acts of any driver in his employ.
- Owner or driver of carriage bound to let same on hire.
61. The owner or driver of any licensed carriage shall be bound at all times to let such carriage for hire, if the same be on a public stand or road, to any person applying for the same, and to carry such person from any one place to another on any carriage road within the



municipality, unless the said carriage shall have been previously engaged, or unless he has some other reasonable cause for refusing. Provided that the proof that there was reasonable cause for refusing shall lie on the owner or driver; and that any person so applying for such carriage shall, upon demand being thereto made, immediately, and before such carriage is used, pay to the owner or driver fare authorized by law; and provided further that no licensed carriage shall be compelled to carry passengers more than ten miles during any period of twelve hours.

Fares.

62. The following shall be the rates and fares:—

## CARRIAGES.

*First Class.*

For a first class carriage drawn by one horse:—				Rs. c.
From 6 A.M. to 7 P.M.	...	...	...	4 50
For any six consecutive hours between 6 A.M. and 7 P.M.	...	...	...	2 50
For half an hour	...	...	...	0 50
For one hour	...	...	...	1 0
For every subsequent hour or portion thereof	...	...	...	0 50

*Second Class.*

For a second class carriage drawn by one horse:—				
From 6 A.M. to 7 P.M.	...	...	...	3 0
For any six consecutive hours between 6 A.M. and 7 P.M.	...	...	...	1 50
For half an hour	...	...	...	0 40
For one hour	...	...	...	0 75
For every subsequent hour or portion thereof	...	...	...	0 30

For a first or second class carriage drawn by two horses:—

The rates as for a first or second class carriage drawn by one horse to be increased respectively by one-half.

## HACKERIES.

*First Class.*

For a wagonette or basket hackery drawn by a bullock:—				
From 6 A.M. to 7 P.M.	...	...	...	2 0
From 6 A.M. to noon or noon to 7 P.M.	...	...	...	1 0
For the first half hour	...	...	...	0 25
For the first hour	...	...	...	0 50
For every subsequent hour or portion of an hour	...	...	...	0 15

*Second Class.*

For a second class hackery drawn by a bullock:—				
From 6 A.M. to 7 P.M.	...	...	...	1 50
From 6 A.M. to noon or noon to 7 P.M.	...	...	...	0 75
For the first half hour	...	...	...	0 15
For the first hour	...	...	...	0 30
For every subsequent hour or portion of an hour	...	...	...	0 10

## JINRICKSHAS.

For each quarter of an hour or portion of a quarter of an hour	0 10
For detention at any place for each half hour	0 10

Rates chargeable for carriages, hackeries, and jinrickshas between 7 P.M. and 6 A.M. to be one-third more than the above charges.

It shall be lawful for the council from time to time to alter the above rates of fares, and such altered rates shall, after publication in the *Government Gazette*, become payable instead of the above.

Table of fares to be affixed inside carriages.

63. The table of fares in force at the time, printed or inscribed on a card or plate, shall be fixed on some conspicuous part of every carriage plying for hire, and such card or plate shall be left so affixed and legible and undefaced during all the time the carriage shall ply or used for hire.

Property found in carriages.

64. In case of any property being left in any such carriage by any person who may have hired or used the same, the owner or driver of such carriage shall, within six hours after such property shall have been found in such carriage, take the same, or cause it to be taken in the state in which it was found, to the municipal office or the nearest police station, and there deliver the same to the secretary or the person in charge of such police station; and the owner or driver delivering such property shall be entitled to such remuneration as the chairman shall direct, payable by the owner of such property before the same shall be allowed to be removed. If the property so found on any such carriage shall not be claimed and removed by the true owner thereof within one month, the property shall be sold by public auction, after due notice of such intended sale, and the proceeds of such sale, deducting the expenses incurred in and about the publication of such sale and the remuneration awarded to the finder, shall go to the municipal fund.

Form of license.

65. The license issued to the owner of any carriage to be let for hire shall be in the form F in the appendix, and such license shall not be transferable. Provided that it shall be lawful for the chairman to grant, at his discretion and on such conditions as to him may seem fit, a special license in respect of any carriage intended to be let for hire by private agreement only, and to exempt the owner and driver of any such carriage from the operation of any of the preceding by-laws of this chapter. Such specially licensed carriage shall not be admitted to a public stand.

Power of chairman to refuse license and recall license which may have been granted.

66. It shall be lawful for the chairman at any time to refuse the grant of a license when applied for by any person, and also to cancel and recall any license which may have been issued, on account of any misconduct on the part of the owner or driver, or should such owner or driver commit a breach of any of the by-laws in this chapter, or of the conditions upon which the license has been granted.

Interpretation.

67. Wherever in this chapter the following words are used they shall have the meaning here assigned to them, viz. :—

“Licensed” shall mean licensed under the provisions of “The Carriage Ordinance, 1873.”

“Carriage” shall mean carriage, cart, other than those referred to under the Carriers’ Ordinance, 1865, hackery, jinricksha, or other vehicle used for the conveyance of passengers.

“Driver” shall mean the person driving or in charge of a carriage, and shall include the person drawing a jinricksha.

Proprietor applying for license to deliver a schedule.

68. Every proprietor applying for a license for a jinricksha, in addition to the declaration of ownership required under the Carriage Ordinance, 1873, shall deliver or cause to be delivered at the office of the municipal council a schedule in the Form G in the appendix hereto.

Power of chairman to revoke license.

69. It shall be lawful for the chairman to revoke a license after the same shall have been issued if the proprietor of a licensed jinricksha shall permit or suffer the same to be drawn by any person who shall be deemed by the chairman unfit or unable to draw the same.

## CHAPTER VIII.

### *Prevention of Nuisances.*

Removal of contents of privies.

70. It shall be lawful for the chairman at any time and as often as may appear to him necessary to require the owner or occupier of any house, outhouse, building, enclosure, or premises within the limits of the municipality, by notice in writing, to remove or cause to be removed the contents of any latrine, privy, pit, or water-closet in or belonging to such house, building, enclosure, or premises, to such place or places, and within such time and in such manner as shall be set forth in the said notice. Should such owner or occupier fail to comply with the requirements of such notice within three days from the time when such notice shall have been served on him, the chairman may cause the necessary work to be done, and for that purpose shall have power to authorize the entering into and upon any such house, outhouse, building, enclosure, or premises of such labourers, as may be required with all necessary implements, and the expenses incurred shall be paid by the owner or occupier, and shall be ascertained and determined and recovered in the manner provided by sections 281 and 282 of “The Municipal Councils’ Ordinance, 1887,” as if the same were expenses directed to be paid by the said Ordinance.

Burying contents of privy within one hundred feet of a dwelling-house prohibited.

71. No person shall bury or cause to be buried, or deposit or cause to be deposited, the contents of any latrine, privy, pit, or water-closet within any house, building, or premises, or in or on any land or place within one hundred feet of any dwelling-house, well, pond, lake, canal, drain, sewer, stream, or water-course. Upon receiving notice he shall at once remove the same in such a manner to such place and within such time as the chairman shall direct. In default of compliance with such notice within the time appointed, the chairman and any officers or workmen authorized by him may enter upon such house, building, or premises, and cause the necessary work to be done, and the expenses thereby incurred shall be paid by the person in default, and shall be ascertained and determined and recovered in the manner provided by sections 281 and 282 of “The Municipal Councils’ Ordinance, 1887,” as if the same were expenses directed by the said Ordinance to be paid.

Closing and filling up of cesspools and privies.

72. Any person who shall by any works or by any structural alteration of any premises render the further use of a cesspit or privy unnecessary, and the owner of any premises on which shall be situated a disused cesspit or privy, or a cesspit or privy which has become unnecessary, shall completely empty such cesspit or privy of all faecal or offensive matter which it may contain, and shall completely remove so much of the floor, walls, and roof of such privy or cesspit as can

safely be removed, and all pipes and drains leading thereto or therefrom, or connected therewith, and any earth or other material contaminated by such faecal or offensive matter. He shall completely close and fill up the cesspit with good concrete or with suitable dry clean earth, dry clean brick rubbish, or other dry clean material, and where the walls of such cesspit shall not have been completely removed, he shall cover the surface of the space so filled up with earth, rubbish, or material, with a layer of good concrete six inches thick.

Every person who shall propose to close or fill up any cesspit or privy shall, before commencing any works for such purpose, give to the chairman not less than seven days' notice in writing, exclusive of public holidays, specifying the hour at which he will commence the closing and filling up of such cesspit or privy, and during the progress of any such work shall afford any officer of the municipal council free access to the premises for the purpose of inspecting the same.

Owners and occupiers to employ only licensed persons.

73. The owner or occupier of any house or land within the municipality who is desirous of removing, or who has been required as provided in by-law 70 to remove the contents of any latrine, privy, pit, or water-closet on the said house or land, shall give notice to the chairman of the day and hour in which he intends to have the work done, upon which the chairman shall grant a permit to such owner or occupier to have the work done, under the supervision of a municipal officer, and upon such terms and conditions as shall be stated in such permit by a person licensed as hereinafter provided; and no such owner or occupier shall employ on such work persons other than those so licensed by the chairman.

No private person to remove night soil without license.

74. It shall not be lawful for any person to remove night soil from any house or land within the municipality, unless he shall have registered his name and address at the office of the municipal council and obtained a license from the chairman of the council, which license it shall be in the discretion of the chairman to grant or refuse.

No person to remove night soil whose services have been discontinued by the chairman.

75. It shall not be lawful for any person or officer or servant of the municipal council whose services have been discontinued by the chairman to remove night soil from any house or land within the municipality either under any person licensed as aforesaid or under any officer of the municipal council authorized by the chairman without his written sanction thereto.

Licensed person to obey and comply with conditions, &c., on back of license.

76. Every person licensed as aforesaid shall obey and comply with the conditions, rules, and regulations endorsed on the back of his license; and upon an infringement by him of any of such conditions, rules, and regulations, the chairman may revoke his license.

Duration of license.

77. All licenses issued under these by-laws shall be in force to the end of the year in which they were issued.

Licensee to furnish particulars relating to houses, &c., served.

78. All persons licensed as aforesaid shall from time to time give such particulars as the chairman may require as to the houses or lands from which night soil is to be removed, or as to the time at which and manner in which the work is done.

Use of carts and buckets required.

79. No night soil shall be removed except in carts or buckets of a pattern and construction approved by the chairman, which may be obtained on application at the municipal office, and such carts and buckets shall be at all times whole, sound, and watertight, with the lid properly closed.

Inspection.

80. Such carts and buckets shall be subject to inspection whenever ordered by the Chairman, and when the use of any cart or bucket is condemned, the licensee shall not use the same from the date of such condemnation.

Register of licensed carts to be kept.

81. A register shall be kept of all carts licensed for the conveyance of night soil. Such carts shall be consecutively numbered, and the words "Latrine Cart" and the number in the register shall be painted on such carts at the municipal office at the expense of the licensee.

Chairman may suspend or revoke license.

82. It shall be lawful to the chairman at any time to revoke or suspend any license granted under these by-laws.

Scavenger removing night soil not to loiter.

83. No person carrying night soil through the street shall loiter, or deposit any vessel containing or intended to contain night soil on or by the side of any public road or street.

Carriage or cart removing night soil not to stand about.

84. No person in charge of a cart, wagon, or carriage used for the purpose of receiving and removing night soil, sewage, or other matter from any cesspool, privy, pit, or receptacle shall suffer such cart, wagon, or carriage to stand or remain in any public street, passage, highway, or thoroughfare for any longer time than shall be necessary for the loading thereof.

Removal of night soil.

85. Night soil shall be removed by such routes only as the chairman shall appoint from time to time.

- Depôts.** 86. Night soil shall be removed only to authorized places to be there buried or otherwise disposed of at the expense of the licensee in such a manner as may be ordered by the chairman.
- Removal of night soil from houses.** 87. The night soil in every house, building, land, and tenement assessed for municipal rates, in which the dry-earth system of disposing of night soil is in use, shall be removed or caused to be removed from such house, building, land, or tenement at least once a day by the person bound so to do, unless such house, building, land, or tenement is exempted by writing under the hand of the chairman from the operation of this by-law. The person bound so to do shall be, in the case of any such house, building, land, or tenement comprising more than one dwelling or occupied by more than one household under separate contracts of tenancy, the owner of such house, building, land, or tenement as defined in section 3 of the Ordinance No. 7 of 1887; and in the case of any other house, building, land, or tenement, the occupier thereof.
- On a dispute chairman's decision to be final.** In case of a dispute arising between the owner and the occupier of any such house, building, land, or tenement, as to which of them is the person so bound, the decision of the chairman shall be final.
- To employ an officer of the council or a licensed person for the removal of night soil.** 88. Such person shall employ for the purpose of such removal from his premises either an officer of the municipal council duly authorized by the chairman or the holder of a license from the chairman of the municipal council granted under by-law No. 74, and shall forthwith furnish in writing to the said council the names and addresses of himself and of the officer or licensee so employed by him, and all night soil from the premises of such person shall be removed if the same be in one or more standard buckets, and such person shall provide and maintain in connection with such building, land, or tenement privy accommodation in the proportion of not less than one standard bucket for every ten persons.
- Size of standard bucket.** 89. Each standard bucket shall be made of galvanized sheet iron, and shall not exceed 10 lb. in weight and the following dimensions; that is to say: height, 11 inches; diameter at the mouth, 12 inches; diameter at the base, 9 inches.
- Sums payable for the removal of night soil for each standard bucket.** 90. Every person so employing a municipal officer for the removal of night soil shall pay to the said municipal council in advance the sum of two rupees per mensem for each standard bucket in which night soil is deposited on his premises for removal by such officer; provided that in the case of any house, building, land, or tenement assessed for municipal rates at the annual value of less than Rs. 400 the sum payable per standard bucket shall be one rupee only per mensem.
- Sum to be paid on or before the tenth of the month.** The sum so payable shall be paid on or before the tenth day of the month in respect of which it is due, and shall be recovered as herein-after provided.
- If not duly paid to be reported to the magistrate.** 91. Any sum payable to the said council under the foregoing by-laws may, if not duly paid, be reported to the police magistrate or municipal magistrate, and if after summary inquiry such sum appears to be due, such magistrate shall order the same to be paid by the person liable therefor, and the same shall be recovered as if it were a fine imposed by such magistrate.
- Free access to privies to be given to the servants of the municipality.** 92. Every occupier of a house, land, or premises shall give free access to the servants of the municipal council to his privy for the removal of night soil within such hours as may have been fixed by the chairman.
- Night soil, &c., to be deposited only in places provided.** 93. No person shall deposit any night soil, dung, or other filth, dust, dirt, ashes, rubbish, or refuse in or upon any place except such places as are provided under section 172 of the Ordinance No. 7 of 1887.
- Digging pits, &c., permission to be obtained.** 94. No person shall dig or allow to be dug any cesspool, tank, well or pit, or any excavation for the purpose of taking earth therefrom, or for storing offensive matters or rubbish therein, without the permission in writing of the chairman.
- Householder to deposit rubbish in proper receptacles.** 95. Any person who is desirous that ashes, sweepings, refuse, or other rubbish (other than trade refuse) from his premises shall be removed by the scavengers of the council, shall deposit the same on the curb-stones or edge of footpaths in covered tubs, boxes, or other like receptacles of such shape and size (as shall be approved in writing by the chairman) outside his premises at such hours daily as the chairman shall from time to time appoint by notice duly given; and shall remove the said tubs, boxes, or other like receptacles within half an hour after the emptying of such tubs, boxes, or other like receptacles by the scavengers. No person shall place any ashes, sweepings, refuse, or other rubbish on any street, except in covered tubs, boxes, or other receptacles as aforesaid, or except at such hours as aforesaid.
- Removal of trade refuse.** 96. Trade refuse will be removed by the municipal council on application to the chairman at such rates as may from time to time be fixed by him.

- Owner of alleys to supply receptacles.
97. The owner of any building let in apartments, flats, or portions shall provide the occupier of every separate tenement or portion of such building with covered tubs, boxes, or other receptacles for the deposit of sweepings, refuse, or other rubbish.
- Picketing animals, &c., forbidden.
98. No person shall picket animals or collect carts, or form an encampment upon any public ground within the municipality, or on any ground or place belonging to or in charge of the municipal council, without the written permission of the chairman.
- Use of public ground.
99. No public ground or place within the municipality, or ground or place belonging to or in charge of the municipal council, shall without the written permission of the chairman be used for any purpose prohibited by the chairman by public notice.
- Against committing disturbance. Hours during which grounds are open.
100. No person using any public or recreation ground belonging to or in charge of the municipal council shall commit a disturbance there, or behave so as to annoy other persons lawfully using the ground. Such grounds will be open to the public generally during the hours of daylight, and until the gates are closed for the night, subject to the condition of good behaviour and conformity to the rules laid down by the municipal council.
- Tanks in any public or recreation ground not to be used for bathing in or commit any nuisance, and not to pluck plants or flowers.
101. No person using any public or recreation ground belonging to or in charge of the municipal council with a tank in it shall bathe in such tank, or do any other act tending to foul the water thereof, or commit any nuisance therein, or pluck plants or flowers without the leave of the chairman, or do any injury to the trees and shrubs in the ground.
- Stabling in verandahs, &c., forbidden.
102. No person shall make use of the verandah of his house, or of any place not properly adapted for the purpose, in front of his house, or by the side of any street, as a stable or stall for keeping a horse, cattle, or any other animal, or for any purpose whatsoever after the chairman by notice shall prohibit.
- Horses, &c., not to be groomed on street.
103. No person shall wash or groom, or permit or cause to be washed or groomed, any vehicle or animal in or on any pavement or street.
- Interment of carcasses of animals.
104. The occupier of any house or premises within or upon which any cattle, horse, sheep, goat, or pig may die shall, within four hours after its death, or if death occurs at night, within four hours after daylight, either remove the carcass at his own expense to such place as may be appointed by the chairman for that purpose, or report its death to the municipal inspector of the division in which such premises may be situated, and in such latter case shall pay the inspector the expense of removing or burying the carcass at such rate as the chairman shall determine.
- Owner or occupier to repair, cut, or trim fences to a certain height.
105. The chairman may give notice in writing to the owner or occupier of any land or premises to maintain and repair sufficient fences for, or cut or trim the fences or hedges or lower the boundary wall of, such land or premises, so that they may not exceed such height from the base of the adjoining roadway as the chairman may from time to time determine, and to cut and trim all fences and trees over such height, or which by overhanging any public road or street obstruct the passage or cause damage thereto.
- Removal of dangerous trees.
106. Whenever any tree, or branch, or fruit of a tree, within the limits of the municipality, shall be deemed by the chairman to be likely to fall upon any house or building and injure the occupiers thereof, or whenever the same shall overhang any street, it shall be lawful for the chairman to cause notice in writing to be given to the owner or to the occupier of the ground upon which such tree stands to cut down or remove the said tree or branch or fruit; and if such owner or occupier shall not cut down or remove the same within twenty-four hours after such notice, the chairman or any officer or workmen authorized by him may enter upon such ground and cause the work to be done, and the expenses thereby incurred shall be paid by such owner or occupier, and shall be ascertained and determined and recovered in the manner provided by sections 281 and 282 of "The Municipal Councils' Ordinance, 1887," as if such expenses were expenses directed to be paid by the said Ordinance.
- Prohibitions.
107. It shall not be lawful for any person to do any of the following acts :—
- (1) To remove timber or other substance of more than twenty feet in length in any cart without having one end thereof secured to another or sling cart.
- (2) To carry timber or other substance of more than twenty feet in length without one end being carried by another person.
- (3) To remove iron bars in any cart without duly fastening each end of the said bars so as to prevent the noise they would otherwise make.
- Timber of 20 ft. length to be removed in double or sling cart.
- Front bars to be fastened.

- Firewood carts. (4) To load firewood, casks, or any other articles in carts to any height exceeding six feet above the platform of such cart.
- Timber, &c., not to project laterally. (5) To load on any cart or vehicle any timber, firewood, casks, straw, or other goods of any description whatsoever so as to project laterally beyond the wheels of the said cart or vehicles.
- Carts improperly loaded may be detained. 108. It shall be lawful for any municipal or police officer, and they are hereby required to detain any cart in which any timber or other article aforesaid has been loaded or is being conveyed contrary to the provisions of the preceding by-law, until such timber or other article has been so loaded or arranged that it can be conveyed in a manner not prohibited by the said by-law.
- Carts carrying materials in insecure or careless manner. 109. No person shall convey in carts, hackeries, or other vehicles any dirt, rubbish, bricks, cabook, stone, ballast, granite, chunam, or other articles or materials whatsoever in so careless or insecure a manner as shall lead to any annoyance or obstruction of any road, street, or thoroughfare within the municipality, or without properly securing the same therein so as to prevent any part of same from falling into the street.
- Heavy carts not to be taken along certain streets. 110. No person, except with the written permission of the chairman, shall drive any cart or vehicle constructed to carry goods or heavy articles along such street or streets as the chairman shall have notified in the *Ceylon Government Gazette* as reserved from goods or heavy traffic.
- Carriages and vehicles not to use pavements. 111. No person shall push, draw, or drive any vehicle of any description on any footpath or pavement intended or made for foot passengers by the side or sides of any street, nor shall any person use or cause to be used any such footpath or pavement, or any part or parts thereof, or any part of any street, for location, either permanently or temporarily, of any stall, table, or platform for the sale of any article or articles of any description whatsoever, or for any purpose calculated to cause inconvenience or obstruction to foot passengers or vehicles.
- Cattle not to be driven on footpath. 112. It shall not be lawful for any person to ride any animal, or to drive any cattle, or to ride any bicycle, tricycle, or other similar vehicle on any footpath or pavement or path set apart for the exclusive use of foot passengers.
- External walls of houses adjoining streets. 113. The external walls of houses and yards adjoining the public streets shall be kept clean and in proper repair.
- Hanging mats, &c. 114. No person shall hang up or otherwise expose any mats, cloths, or other materials or substances on or at the side of any street.
- Posters only to be put up on authorized places. 115. It shall not be lawful for any person to attach or affix any posters, placards, handbills, or other notices to or on any wall, building, house, premises, tree, or other place, save and except in any place which the chairman may at any time appoint.
- Seizure of animals trespassing. 116. It shall be lawful for any person thereto authorized by the chairman to seize any ox, horse, sheep, goat, or other animal which he may find tied, tethered, straying, improperly driven, or tended upon any thoroughfare within the municipality, or cause the same to be seized, unless any such animal belong to any cart to which it is tied or tethered whilst the same is being loaded or unloaded: provided that every such animal seized by him as aforesaid shall be forthwith delivered into the custody of an officer of the police in charge of the nearest police station; and every such officer seizing or receiving any such animal as aforesaid shall forthwith report such seizure to the chairman, and the chairman shall, if at the time of such report no claim be made to such animal, direct such officer to take the necessary steps for the safe custody and maintenance thereof, and to publish such seizure in the usual manner, and no such animal seized as aforesaid shall be delivered to the owner thereof unless upon payment to such chairman of the sum of one rupee for the use of the person by whom the same shall have been seized, and of a further sum of twelve cents for each day during which the same shall have been kept in the custody of the said officer for the use of such officer; and if no person shall claim such animal, or pay such dues as aforesaid within ten days after the animal shall have been so seized, it shall be lawful for such officer, and he is hereby required, to sell the same by public auction, and after payment of one rupee to the person by whom the same may have been seized and of the sum due to himself for the custody and maintenance thereof, to pay the remainder of the produce of such sale, if any, to the chairman of the municipal Council.

## CHAPTER IX.

*Public Bathing Places.*

- Public bathing places; wells to be walled. 117. Every well, the water of which is used for bathing purposes and is open to the public, shall have a protecting wall of the height of not less than two feet, and be cemented outside the said wall for a depth of two feet below the surface of the ground.

- and drained.
118. The ground immediately surrounding every such public well shall be so sloped as to allow the water to run down into a built drain leading to a proper outlet.
- Place of bathing set apart for persons of either sex.
119. No person of one sex shall bathe, wash, or in any way use the water at any such public well or at any place set apart by the council as a bathing place for the use of persons of the other sex.
- Tubs to be painted.
120. The tubs used for bathing at such public wells as aforesaid shall be painted at least once every year, and daily cleansed.
- No diseased persons to bathe thereat.
121. No person suffering from scabies (itch) or any other infectious or contagious disease, or who has recently recovered therefrom, shall bathe, wash, or in any way use the water at any such public well, or at any place set apart by the council as a bathing place.
- Washing of animals, &c., not allowed on places set apart as a bathing place.
122. It shall not be lawful for any person to wash or cause to be washed any cattle, horse, goat, pig, sheep, dog, or any other animal, or any clothes, mats, or other thing at or near any such public well or at any place set apart as a bathing place, or to lead, drive, or take any such animal into any such bathing place for any purpose whatsoever.
- Committing nuisance near a well or bathing place.
123. No person shall commit a nuisance by obeying a call of nature at or near any such public well, or at any place set apart by the council as a bathing place.
- Penalty on lessee for failure to observe regulations.
124. The owner or lessee of any such public well shall himself comply with the requirements of the foregoing by-laws, and shall not permit any infringement of the same.

## CHAPTER X.

*Regulations of Factories and Trades.*

- License required for manure depôt.
125. No person shall keep or deposit, or cause to be kept or deposited, for sale or storage, any guano, bone dust, or any manure or substance whatsoever from which noxious or offensive smells arise, in any place or depôt within the limits of the municipality, unless such place or depôt be licensed therefor by the chairman, which license shall be in the Form H in the appendix hereto, and shall be in force from the date of issue until the thirty-first day of December then next ensuing.
- License may be refused or revoked.
126. It shall be lawful for the chairman to refuse to grant such license as last aforesaid, or to revoke such license as may have been granted.
- Factory, &c., not to be newly established without permission of the chairman.
127. (1) No person shall newly establish in any premises any factory, workshop, or workplace in which it is intended that steam, water, or other mechanical power shall be employed, without the previous written permission of the chairman.
- (2) The chairman may refuse to give such permission, if he shall be of opinion that the establishment of such factory, workshop, or workplace in the proposed position is objectionable by reason of the density of the population in the neighbourhood thereof or will be a nuisance to the inhabitants of the neighbourhood.
- Smoke-producing or dangerous not to be erected without sanction.
128. No person shall erect on any site not approved of by the chairman any machinery or steam boiler by the use of which smoke is produced or danger is likely to arise to the inhabitants of the neighbourhood, and all chimneys in connection with any steam boiler shall be constructed of such height and dimensions as shall be approved by the chairman.
- Furnaces used in trade or manufacture to consume their own smoke.
129. (1) No person shall—
- (a) Use or permit to be used any furnace employed for the purpose of any trade or manufacture, which does not, as far as practicable, consume its own smoke; or
- (b) So negligently use or permit to be used any such furnace as that it shall not, as far as practicable, consume its own smoke.
- (2) Nothing in this section shall be deemed to apply to a locomotive engine used for the purpose of traffic upon any railway or for the repair of streets.
- Sanitary regulation of factories, bakehouses, &c.
130. (1) Whenever it shall appear to the chairman that any factory, bakehouse, workshop, workplace, or any building or place in which steam, water, or other mechanical power is employed, is not kept in a cleanly state and free from effluvia arising from any drain, privy, or other nuisance, or is not ventilated in such a manner as to render harmless, as far as practicable, any gas, vapour, dust, or other impurity generated in the course of the work carried on therein, which is a nuisance,
- or is so overcrowded while work is carried on as to be dangerous or injurious to the health of the persons employed therein,
- or that any engine, mill-gearing, hoist, or other machinery therein is so affixed or so insecurely fenced as to be dangerous to life or limb,

the chairman may, by written notice, require the owner of such factory, bakehouse, workshop, workplace, or other building or place to take such order for putting and maintaining the same in a cleanly state, or for ventilating the same, or for preventing the same from being overcrowded, or for preventing danger to life or limb from any engine, mill-gearing, hoist, or other machinery therein, as he shall think fit.

Nothing in this section shall be deemed to affect any provision of any Ordinance now in force or which may hereafter be enacted.

Prohibition of use of steam whistle or steam trumpet without permission of the chairman. †

131. (1) No person shall, without the written permission of the chairman, use or employ in any factory or other place any steam whistle or steam trumpet for the purpose of summoning or dismissing workmen or persons employed.

(2) The chairman may at any time revoke any permission which he has given for the use of any such instrument as aforesaid, on giving one month's notice to the person using the same.

(3) Provided that nothing in section 131 (2) shall be deemed to require one month's notice to be given by the chairman, if he suspends or revokes any such permission for any infringement of the conditions thereof.

Prohibition of corruption of water by chemicals, &c.

132. (1) No person engaged in any trade or manufacture shall—

(a) Wilfully cause or suffer to be brought, or to flow into any lake, canal, tank, reservoir, cistern, well, duct, or other place for water belonging to or vested in or in charge of the council, or into any drain or pipe communicating therewith, any washing or other substance produced in the course of any such trade or manufacture as aforesaid ;

(b) Wilfully do any act connected with any such trade or manufacture as aforesaid, whereby the water in any such lake, canal, tank, reservoir, cistern, well, duct, or other place for water is fouled or corrupted.

(2) The chairman may, after giving not less than twenty-four hours' previous notice in writing to the owner or to the person who has the management or control of any works, pipes, or conduits connected with any such manufacture or trade as aforesaid, lay open and examine the said works, pipes, or conduits ;

and if upon such examination it appears that section 132 has been contravened by reason of anything contained in or proceeding from the said works, pipes, or conduits, the expenses of such laying open and examination, and of any measure which the chairman shall, in his discretion, require to be adopted for the discontinuance of the cause of such contravention, shall be paid by the owner of the said works, pipes, or conduits, or by the person who has the management or control thereof, or through whose neglect or fault the said section has been contravened ;

but if it appear that there has been no contravention of the said section, the said expenses and compensation for any damage occasioned by the said laying open and examination shall be paid by the chairman.

Fee.

133. It shall be lawful for the chairman to demand and recover a fee of twenty rupees for every license granted by him under the provision of section 259 of Ordinance No. 7 of 1887.

## CHAPTER XI.

### *Bakeries.*

License.

134. No place shall be used as a bakery without an annual license from the chairman.

Walls to be plastered, floor cemented, and drainage provided.

135. The walls of every bakery shall be plastered with chunam and whitewashed, floor cemented, and drainage sufficiently provided.

No bakery to be within thirty feet of cesspit or latrine.

136. No bakery shall be within thirty feet of any cesspit or latrine, nor in a position where bad odours wafted therefrom shall reach it.

No bakery to be used for other purpose.

137. No place used as a bakery shall be used for any other purpose whatsoever.

Utensils to be kept clean.

138. All utensils and other furniture shall be kept clean.

Materials used to be wholesome.

139. The flour, water, and other materials used in the manufacture of bread shall be good and wholesome.

Removal of refuse and flushing of drains.

140. All refuse and dirt in and about the premises shall be swept off, and the drains well flushed.

Persons suffering from loathsome or contagious disease not to be employed in bakery.

141. No person suffering from a contagious or loathsome disease, or who has recently been in attendance on such person, or who is unwashed or otherwise unclean, shall be employed in a bakery.



## CHAPTER XII.

*Slaughter Houses.*

- Place of slaughter. 142. No licensed butcher shall slaughter any cattle, sheep, goats, or pigs but at the place appointed by the council or at any public slaughter-house.
- Exposure of cattle for twenty-four hours. 143. No licensed butcher shall slaughter any cattle unless he shall have previously exposed the same to public view in the exposing shed appointed by the council for a period of not less than twenty-four hours.
- Permits. 144. No licensed butcher shall slaughter any cattle, sheep, goats, or pigs unless he shall have obtained from superintendent of the slaughter-house a printed permit in the form authorized by the municipal council. This permit shall be duly filled in by superintendent of the slaughter-house, and shall be signed by him and by the butcher who brings the animal for slaughter.
- Sale of animals not removed, &c. 145. In default of removing within a reasonable time any animal which has been rejected under by-law 146 of this chapter, or for the slaughter of which a permit has been issued, but which has not been slaughtered, or in respect of which any fee due under these by-laws has not been paid, the chairman may, after two days' notice by beat of tom-tom, sell such animal by public auction, and out of the proceeds retain the amount of the fees due and the reasonable expenses attending the sale, and shall pay over surplus, on application, to the owner of the animal.
- Superintendent to reject animals unfit. 146. The superintendent of the slaughter-house (or any other person authorized by the chairman) shall inspect the animals so brought, and shall reject all cows in calf and ewes and she-goats in kid, as well as any other animal that may appear to him, for any reason, to be unfit to be slaughtered for human food. Any animal so rejected shall be forthwith removed by the owner.
- And to issue permit for slaughter of approved animals. 147. All animals which have been approved by such superintendent or other authorized person as fit to be slaughtered for human food shall be secured in the exposing shed until the expiration of the period of twenty-four hours.
- Permit valid for seven days. 148. A permit for slaughter shall only be valid for seven days after the date of issue.
- Permits not to be issued. 149. The permit for slaughter shall not be issued unless the butcher produces a printed certificate in his favour in the form authorized by the proper authority under Ordinance No. 9 of 1893, or unless the person wishing to sell the animals appears with the butcher before the superintendent of the slaughter-house and produce a similar certificate in his favour.
- Diseased animals to be destroyed. 150. It shall be lawful for the chairman or any other person authorized by him to seize or cause to be seized all unhealthy or diseased animals exposed for slaughter, and to have the same destroyed or otherwise disposed of as to him may think fit.
- Hours of admission and slaughter. 151. No animal shall be introduced into or removed from the slaughter yard between 6 P.M. and 5.30 A.M., nor shall any animal be slaughtered within that time.
- Butchers' monthly returns. 152. Every licensed butcher shall, on the first Monday in every month, register in the municipal office a true and accurate report (as nearly as possible) of the age, sex, colour, marks, and description of all cattle slaughtered by him in the preceding month, and the names and places of abode of the persons from whom the same were purchased or obtained, which said report shall be in the form authorized by the municipal council.
- Special license. 153. It shall not be lawful for any person who is not a licensed butcher within the municipality to slaughter any cattle, unless he shall have obtained a special license from the chairman, and any person obtaining such special license shall not slaughter except at the place named in such license or under any conditions therein set forth. The application for such special license shall contain information with reference to the animal similar to that required of butchers by by-law 152, and shall be accompanied by a report from a police or municipal officer or headman of the applicant's district, certifying that the animal belongs to the applicant. For this special license a fee of one rupee shall be charged.
- Slaughter-house to be washed twice a day. 154. Every slaughter-house shall be thoroughly washed and swept, twice at least daily, at such times as the chairman may fix.
- To be lime-washed every three months. 155. Every slaughter-house shall be limewashed, both within and without, once at least in every three months.
- To be paved with stone, &c. 156. Every slaughter-house shall be paved with granite stones or flat paving bricks or tiles, or asphalt, and the joints fresh pointed with mortar, once at least annually.
- Animals found to be diseased not to be slaughtered. 157. It shall be lawful for the superintendent of the slaughter-house (or other person authorized by the Chairman) to refuse permission to slaughter for human food any animal, notwithstanding it has

Disposal of diseased meat.

been approved as aforesaid, if it should before slaughter be found diseased or otherwise unfit to be slaughtered for human food.

158. If on any animal which has been approved as aforesaid being slaughtered, the carcass shall appear diseased or otherwise unfit for human food, the said superintendent or other person authorized by the chairman shall cause the said meat to be then and there destroyed or so disposed of as to prevent its being exposed for sale or used for human food. Should it be denied that the meat is unfit for human food, the said superintendent or other authorized person shall forthwith call upon the veterinary surgeon or sanitary officer to proceed with him to the slaughter-house and there inspect the said meat; and should it be decided by the said veterinary surgeon or sanitary officer, whose decision in the matter shall be final, that the meat is unfit for human food, it shall be lawful for such superintendent or other authorized person thereafter to destroy or dispose of the same as hereinbefore provided in this by-law.

Butchers & other persons shall have a license and a ticket.

159. Butchers or other persons intending to avail themselves of the slaughter-houses shall apply to the chairman for a license and a ticket for each of their assistants. Such licenses and tickets shall not be transferable.

Production of license or ticket.

160. Every butcher and his assistant is bound to produce his license or ticket when called on by the superintendent to do so.

No admittance at the time of slaughtering.

161. None but the butchers, their assistants, and the municipal officers attached to the slaughter-houses, and those authorized, shall be admitted within the premises during the process of slaughtering, skinning, or cutting up the carcasses.

Place for slaughter assigned by Superintendent.

162. Proper places for slaughtering animals shall be assigned by the superintendent to the butchers or other individuals.

Time for slaughter.

163. Butchers shall only be permitted to slaughter cattle at such hours as may from time to time be fixed by the chairman, by a notification to be signed by the superintendent, and fixed in some conspicuous place in the slaughter-house.

Animals to be properly secured.

164. All animals brought to the slaughter-houses shall be properly secured with ropes to prevent their escaping.

Diseased cattle not admitted.

165. No diseased cattle shall be brought to the slaughter-houses.

Animals affected with contagious diseases to be conducted to appointed places.

166. Animals affected with contagious diseases, when brought to the slaughter-houses, shall be seized and conducted to such place or places as the chairman shall from time to time appoint, to be there destroyed and disposed of as the chairman shall think proper.

Dead cattle not admitted into slaughter-houses

167. No dying or dead cattle shall be admitted into the slaughter-houses, and any such cattle brought to the slaughter-houses shall be seized and treated like animals affected with contagious diseases.

Cattle injured by accident are excepted from above by-law.

168. Cattle, which may have met with an accident rendering them unfit for further work, are excepted from the above by-law, but they must be brought to the slaughter-house immediately after the accident.

Surplus cattle kept in the pens.

169. All surplus cattle shall be kept in the pens attached to the slaughter-houses until required for slaughtering, and no cattle shall be brought within the precincts of the slaughtering yards except those intended for immediate slaughter.

Skins, offal, &c. shall be collected in places set apart.

170. The skins, entrails, and offal of slaughtered cattle shall be collected in places set apart therefor, there to be washed and cleaned before their removal.

Offal, entrails, &c., left by butchers as common offal.

171. All the offal, entrails, or other refuse left at the slaughter-houses by the butchers or their assistants shall be disposed of as common offal.

Skins, offal, &c., left after fixed hour become property of council.

172. Skins, offal, entrails, or other refuse left at the slaughter-houses after the hour fixed by the superintendent, without this officer's sanction, shall be considered as abandoned, and shall become the property of the municipal council, who may dispose of them as they shall think fit.

Butchers or other persons are responsible for any damage done to the slaughter-houses by them or their servants.

173. Butchers or other individuals using the slaughter-houses shall be responsible for any damage done to the slaughter-houses, either by their own act or the act of their servants; and any butcher or other person using the slaughter-houses refusing to pay for such damage done to the property of the municipal council, shall have his slaughtering license cancelled, and the amount of such damage shall be recoverable as if it were a fine.

No person affected with leprosy, &c., is admitted in the slaughter-houses. Dogs are not admitted in the slaughter-houses.

174. No person affected with leprosy, sores, or other diseases of the skin shall be permitted to enter the slaughter-houses.

No one to make noise or fight in the slaughter-houses.

175. No dogs shall be admitted into the slaughter-houses. All dogs found there shall be made over to the police to be dealt with as stray dogs.

176. Any person working in the slaughter-houses is forbidden to make any noise, to fight, or quarrel, or use insulting, abusive, or obscene language, and any person contravening this by-law shall be turned out of the slaughter-houses by the superintendent or his assistants.

- Meat of animal slaughtered beyond municipal limits.**  
**Cattle, &c., slaughtered outside the municipality.**
177. No meat or offal of any cattle, sheep, or goat not slaughtered at a municipal slaughter-house shall be brought into the municipality without a special license from the chairman.
178. It shall not be lawful for any person to sell or expose for sale, within the municipality, any meat or offal of any animal slaughtered outside the municipality, without the same having been previously inspected and passed as fit for human food by an officer appointed thereto by the chairman, and for every such inspection a fee not exceeding four cents a pound shall be charged.
- For removal of meat from slaughter-house a pass necessary.**
179. No person shall remove any meat or offal of any animal slaughtered at a municipal slaughter-house, or inspected as in the preceding by-law provided, without a pass in the form authorized by the municipal council, signed by the superintendent of the slaughter-house or other officer appointed to issue such passes; and it shall be lawful for any municipal officer or any police officer to demand the production of such passes from any person conveying meat or offal as aforesaid, and on failure of production to seize any meat or offal conveyed without such pass or contrary to the tenor thereof, and to remove the same to the municipal office or to a police station to be disposed of as may be directed by the chairman.
- Meat to be conveyed in covered carts.**
180. No person shall remove, or permit, or cause to be removed any meat of any animal in any quantity exceeding twenty pounds in weight from a municipal slaughter-house or any other place of slaughter to the market or other place within the municipality, unless the same shall be conveyed in a cart, so constructed as to protect the said meat effectually from sun, dust, and rain, and screen it from public view and licensed by the chairman. And no person shall expose or cause to be exposed to public view any raw skin or skins or raw hides during carriage from place to place.
- Carts to be washed and cleaned daily.**
181. Every such cart used for conveying meat, offal, skins, or hides shall be produced daily for inspection to the superintendent of the slaughter-houses, and shall be thoroughly washed and cleansed to the satisfaction of the said superintendent.
- Superintendent to keep register of cattle.**
182. The superintendent of the slaughter-house or other person authorized as aforesaid shall keep a register of all cattle inspected by him, giving a description of the cattle and their brandmarks, and the other particulars set forth in such form as shall be authorized by the municipal council. Such register shall be accessible to the public at the office of the slaughter-house between the hours of 1 P.M. and 4 P.M., except on Sundays and public holidays.
- Owner shall produce proof of ownership.**
183. Such superintendent of the slaughter-house or other authorized person shall require the owner of each head of cattle brought for inspection to produce a certificate or voucher in the form approved by the chairman; and such certificates or vouchers shall be forwarded to the municipal office daily with the register prescribed by the preceding by-law.
- Persons claiming animals.**
184. Should any person claim any animal while exposed as aforesaid, or while in a municipal slaughter-house previous to slaughter, the superintendent of the slaughter-house or other authorized person is hereby required to cause the slaughtering of the said animal to be stayed, and to call upon the claimant to furnish him in writing within twenty-four hours with the particulars of his claim, together with his address, and with such other information as to the said superintendent of the slaughter-house or other authorized person shall seem necessary.
- Animal claimed to be taken before magistrate.**
185. The superintendent of the slaughter-house or other authorized person shall, as soon as such particulars and information have been furnished, cause the said animal to be produced before the municipal magistrate, who shall thereupon summarily investigate and adjudicate upon the claim. Should, however, the claimant fail to furnish the particulars of his claim or the information required, it shall be lawful for the superintendent of the slaughter-house or other authorized person, at the expiration of the twenty-four hours, to permit the animal to be slaughtered.
- Fees to be charged.**
186. The following fees shall be paid :—
- |  | Cents. |
|--|--------|
| For a permit to slaughter each head of cattle  | 50     |
| For a permit to slaughter each sheep or goat   | 15     |
| For a permit to slaughter each pig   | 25     |
| For housing and feeding each head of cattle—for every twenty-four hours or any part of twenty-four hours | 25     |
| For housing and feeding each sheep or goat—for every twenty-four hours or any part of twenty-four hours  | 10     |
| For housing and feeding each pig—for every twenty-four hours or any part of twenty-four hours            | 10     |

It shall be lawful for the council to alter the above fees from time to time, and such altered fees shall, after publication in the *Government Gazette*, become payable instead of the above.

Fee for special license.

187. It shall not be lawful for any person who is not a licensed butcher to slaughter any sheep, goat, or pig without a special license from the chairman, or contrary to the tenor of such license; and a fee of twenty-five cents shall be levied for every such license.

### CHAPTER XIII.

#### *Markets.*

Lease of stall rents.

188. It shall be lawful for the council to demise or let to farm, for any term not exceeding twelve months, all or any of the rents, tolls, and fees from time to time payable in any public market under section 227 of "The Municipal Councils' Ordinance, 1887."

Obstruction of authorized agents.

189. Every person who shall resist, obstruct, hinder, or molest any person appointed by the chairman to superintend any public market, or to collect the tolls, rents, and fees thereof, or to enforce order and cleanliness therein, whilst in the execution of his duty, shall be guilty of an offence.

Certain acts forbidden.

190. It shall not be lawful for any person to do any of the following acts:—

Causing vexatious annoyances or delay.

(a) Being a person holding a license or ticket for a stall or space in a public market, or being a servant or agent of any such person to subject any person resorting to such market to unnecessary and vexatious annoyance or delay.

Cooking in public market.

(b) To carry on any cooking in a public market.

Recovering or demanding fee in excess of that authorized.

(c) Being a market-keeper or lessee of a public market or any person employed under him, to demand or receive a greater rent, toll, or fee than that authorized to be received, or to give any unnecessary or vexatious annoyance to any person under pretence of performing any duty or exercising any authority imposed or conferred upon him.

Behaving in disorderly manner

(d) To behave in a disorderly manner, or beg or commit any nuisance in any public market or the premises appertaining thereto.

Vagrants.

(e) To remain in a public market, or to loiter about such market after the place is closed for business at 9.30 P.M. without being able to give a satisfactory account of himself.

Damage to market and pollution of water.

(f) To damage, or in anywise deface, any portion of the buildings, stalls, lamps, or any property of the council in or about a public market, or defile or pollute in any way the water provided for use in such public market.

No person suffering from infectious diseases to occupy market, stall, or space.

(g) Being a person affected with any loathsome or contagious or infectious disease, to occupy any stall, seat, or space in any public or private market, or expose or carry about for sale in such market or in any street within the municipality any article whatsoever. And no person shall employ in any capacity in any public or private market any person affected with any such disease, and no person so affected shall enter any market; any such person may be expelled from the market premises.

No one to make noise or fight in the market.

(h) To make any noise, to fight or quarrel, or use insulting, abusive, or obscene language, within any public market or the premises appertaining thereto. Any person contravening this by-law shall be turned out by the market-keeper or his assistant or other person authorized thereto.

Recovery of rents.

191. The several tolls, rents, or fees payable in respect of any public market shall be paid from time to time on demand to the council or their lessee, or other person authorized by council or their lessee to receive the same.

Greater rent than authorized cannot be recovered. Recovery by distress.

192. Every person who shall demand or receive a greater rent, tolls, or fee than that authorized to be levied by the council, shall be guilty of an offence.

193. If any person liable to the payment of any rent, tolls, or fee authorized as aforesaid do not pay the same when demanded, the council or their lessee, or any person authorized by the council or their lessee to collect the same, may levy the same by distress of all or any of the articles in the market belonging to the person liable to pay such rent, tolls, or fee.

Disputes to be settled by chairman.

194. If any dispute arise concerning any stall, rent, or fee, it shall be competent for the chairman to determine the same, and make such order thereon as to him may seem proper.

List of rents.

195. The council or their lessee shall from time to time cause to be set up conspicuously in every public market a list of the several tolls, rents, and fees from time to time payable in such market.

- Sale of meat, &c., in places other than a public market forbidden, 196. No person shall sell, or expose, or hawk about for sale any fish or beef, mutton, or other meat or offal in any place or street within the municipality (except at a public market provided by the council) without a special license from the council, or contrary to the tenor of such license; but no such license shall be granted for any place within a radius of one mile from a public market.
- Stall or bench or space to be daily cleansed, &c. 197. The occupant of a stall or spaces in a public market, and every licensee of a private market, shall cause every stall or bench or space on which articles of food or drink are kept or exposed for sale to be thoroughly cleansed daily, and every board or place on which meat or fish is kept to be scraped.
- Licensee of private markets to obtain water connection, &c. 198. Every person to whom a license has been or may be granted by the chairman under by-law 196 to keep open a private market shall cause or procure to be laid into the premises a water connection from the water-main, and shall cause such connection and all fittings thereof to be kept at all times in proper order and efficient action so as to provide for use on the premises a sufficient supply of water for the purpose of thoroughly washing and cleansing the premises.
- To cause filth, garbage, &c., to be promptly removed to receptacle, &c. He shall cause all filth, garbage, and refuse which may be produced or may accumulate in any part of such market to be promptly removed in such a manner and with such precautions as not to create a nuisance in the process of removal, to such public receptacle, depôt, or place, as may, for the time being, be provided or appointed by the chairman for the temporary deposit thereof.
- Market to be swept and cleaned and washed. He shall cause such market to be thoroughly swept and cleaned to the satisfaction of the chairman each morning and evening, and to be washed down every evening.
- Inspector may seize meat, &c., improperly exposed for sale. 199. It shall be lawful for any municipal inspector or police officer to seize any such fish or beef, mutton, or other meat, or offal exposed or hawked about for sale contrary to the provisions of the by-law 196, and to remove the same to the municipal office or to a police station to be disposed of as may be ordered by the chairman or the magistrate.
- Fee for special license. 200. It shall be lawful for the chairman to levy a fee not exceeding five rupees for every special license mentioned in by-laws of this chapter.
- Sold in market specified in license. 201. No person shall keep or sell in a public market any article or thing other than what is specified in his license or ticket. No person shall sell or expose for sale any meat or offal either in a public market or in a place specially licensed there, or without a pass issued to him under section 179. And it shall be lawful for any municipal officer to demand the production of such passes from any person selling or exposing meat for sale, and on failure of production to seize any meat in such market without such pass, or contrary to the terms thereof, and to remove the same to the municipal office or to a police station to be disposed of as may be directed by the chairman.
- Public market not to be occupied without license. 202. No person shall hold, use, or occupy a seat or stall in any public market without a license (which license shall be in the Form I. in appendix hereto annexed, and shall be signed by the secretary), nor shall he contravene any of the conditions of the license.
- Spaces for sale of vegetable, fruits, &c. 203. Spaces properly marked and numbered shall be set apart in every public market for the sale of vegetables, fruits, and other articles by persons paying such daily fee as the chairman may from time to time determine. No person shall occupy any such space without having obtained a ticket, or sell or expose for sale any vegetables, fruits, or other articles not specified in his ticket. A ticket signed by any person authorized thereto in writing by the chairman shall be issued to each person who pays such fee.
- No person to enclose space. 204. No person shall enclose any such space or any part thereof, or erect any screen or fixture thereon, or have any box or erection thereon without the permission of the chairman. No person shall leave any article on any such space after the hour fixed for the closing of the market.
- Hours of business. 205. Every public market shall be open for use daily from 5 A.M. to 9 P.M.
- License not transferable. 206. No person shall transfer to any other person a license or ticket issued to him for any stall or space in a public market, or shall sub-let any such stall or space or any part thereof, and no person shall use, or hold, or occupy any stall or space or any part thereof under any alleged transfer without the permission of the chairman.
- No other than licensee to sell. 207. No person other than the person holding a license, or his agent or servant whose name shall be duly registered as such in the municipal office, shall use or occupy any stall or any part thereof in a market or sell goods therein.
- Only ticket-holders to sell goods. 208. No person holding a ticket for any space in any public market shall under any pretence whatsoever suffer or permit any other person to use or occupy such space or any part thereof, or to sell or expose for sale any goods, articles, or things of any description whatsoever.

- Only license and ticket-holders and registered agents permitted to sell goods in stalls.
209. No person holding a license or ticket for any stall or space in the public market shall under any pretence whatsoever suffer or permit any other person (excepting a person authorized as provided for in the preceding by-law) to use or occupy such stall or space or any part thereof, or to sell or expose for sale any goods, articles, or things of any description whatsoever without the authority of the chairman.
- Tickets to be returned.
210. Every ticket-holder each day on his quitting his stall or space return his ticket to the person authorized by the chairman to receive the same.
- Occupants of grounds beyond limits prohibited.
211. No person holding a license or ticket for any stall or space in a public market shall use, or occupy, or permit, or allow, any person acting on his behalf to use or occupy, and no agent or servant of a person holding such license or ticket shall use or occupy any ground beyond the limits of the stalls or space rented by him.
- Receptacles.
212. Every person holding a license for a stall in a public market shall keep on or near such stall a receptacle to be approved by the chairman, in which such person shall deposit all rubbish and refuse matter.
- Throwing rubbish.
213. No person shall throw any rubbish, refuse, bones, skins of animals, or such like on or upon any public market or its premises, except into a receptacle provided for such purpose.
- Stall to be swept daily.
214. Every person holding a license for a stall in a public market shall sweep his stall daily and keep the same clean, and also any unoccupied space opposite his stall.
- No meat not slaughtered at municipal slaughter-house to be brought into market.
215. Except as hereinafter provided, no carcase of any animal (or any portion thereof) not slaughtered at a municipal slaughter-house shall be brought into a public or private market, or to any place specially licensed as provided in by-law 196 of this chapter, or sold or exposed for sale in any public or private market or in such specially licensed place. The provision of this by-law shall not apply to meat, game, or fish imported into the Island. Meat, game, or fish so imported shall be sold in any place specially licensed therefor.
- Stalls to be kept open for service of public.
216. Every person having a license to hold or occupy a stall in any market, or holding a special license to sell meat, fish, or other article in any place of business other than a public market, and for which such special license may be lawfully issued under the provisions of this chapter, shall be bound to keep such stall or place of business open to the public daily between the hours of 6 A.M. and 9 P.M.; and any person who shall close such stall or place of business, or shall wilfully neglect or refuse to serve the public during two consecutive days, without the written leave of the chairman, shall be guilty of an offence, and it shall be lawful for the chairman to suspend or revoke the license of any person convicted as aforesaid, and to refuse thereafter to grant any such license to any such person.
- Dogs not to be brought into a market.
217. No person shall bring a dog into a market.
- Occupation of stall or space beyond line prohibited.
218. The occupant of any stall or space in a market shall not cause or allow any goods or articles to be deposited or exposed for sale in or upon such stall or space, so that such goods or articles or any part thereof shall project beyond the line of such stall or space.
- Thoroughfares not to be obstructed.
219. No stall-holder, owner, or occupier, or lessee of any market within the said limits, or of any portion thereof, shall in any way obstruct, or allow to be obstructed, any of the lanes, walks, gangways, passages, or other thoroughfares, within such market or bazaar, by exposing for sale or accumulating or allowing to be exposed for sale, or accumulated in any such lane, walk, gangway, passages, or thoroughfare, any package, or any other materials whatever.
- Prohibition against sale or exposure of offensive articles of food.
220. No owner, occupier, or lessee of, or vendor in, any market or shop shall sell, or expose, or permit to be exposed for sale or admit into, or permit to remain in, any such market or shop any noxious or unwholesome meat, offal, or fish, or decomposed vegetable matter, but such owner, occupier, or lessee shall, without any delay, cause such meat, offal, fish, or vegetable matter to be at once removed to a place to be notified to him by the chairman.
- Fire and lights.
221. Every tenant or occupier or servant of a tenant or occupier of any building or stall in the market shall extinguish or cause to be extinguished every fire or light in such building or stall before leaving it, and no fire or light shall be permitted which is dangerous to the safety of the building or stall.
- Expulsion from market of disorderly persons.
222. The market-keeper or any officer authorized by the chairman may expel from the market premises any person who is found drunk or begging, or loitering, or who misconducts himself, or is a lunatic, and if such person is a tenant or a tenant's servant may (subject to the approval of the chairman) prevent him from further carrying on any trade or business in the market, or occupying any shop or stall therein.

A vendor guilty of assault may be expelled from the market and prevented from further carrying on any trade or business, or occupying any shop or stall in the market.

License to be applied for to keep stables, cart stand yard for cattle, &c.

Chairman may grant or refuse.

Penalty for using place without license.

Government place exempted.

License-holder, if required, to furnish names of all owners of animals stabled.

Dung not to be deposited so as to pollute water.

Floors to be paved so as to prevent soakage.

Receptacles for dung to be provided.

With floor not lower than surface of adjoining ground. To be so constructed as to prevent escape, or soakage of contents. To be furnished with cover.

Paved space for washing cattle to be provided.

Drainage to be maintained in good order.

Premises to be thoroughly cleansed daily.

Conditions for erection of stables.

223. The owner or occupier of any of the following places, viz., livery or hack stable, horse lines, veterinary infirmary, cart stand, cattle shed, or yard in which twenty sheep or goats or ten cattle are kept or allowed to be together, or, in the populous parts of the municipality, unless it be specially exempted by the chairman, any yard in which six or more sheep or goats or two or more cattle are kept for purposes of profit, shall, in the first month of every year, or in the case of any such place newly opened, then within one month after the opening of the same, apply to the chairman for a license for the use of such place for any of the purposes aforesaid.

The chairman may, as he in his discretion and under such restrictions and regulations as he think fit, grant or refuse, and may at any time cancel or suspend, such license. Every order refusing, cancelling, or suspending such license shall be in writing, and shall state the grounds on which it proceeds.

Whoever, without such license, or after a license has been refused, cancelled, or suspended by the chairman, uses any place for any of the said purposes, or infringes any of the conditions under which such license is granted, shall be liable to a fine not exceeding fifty rupees, and to a further fine not exceeding ten rupees for every day after conviction for such offence during which the offence is continued.

Provided that this section shall not apply to any of the above-mentioned places in the occupation or under the control of the Government.

224. Every person who may have obtained from the chairman a license for the use of any premises for the purpose of keeping horses, cattle, or other four-footed animals for sale or hire, or for sale of the produce thereof, shall from time to time, whenever required by the chairman, furnish a statement in writing, containing the name of each of the persons who owns any of the horses, cattle, or other four-footed animals for the time being kept in the said premises, and the number or respective numbers of each class of animals so owned by him or them.

225. He shall not cause or suffer the dung of any horses, cattle, or other four-footed animals kept on the said premises to be deposited in such a situation or in such a manner as to pollute any water supplied for use, or used, or likely to be used by man, for drinking or domestic purposes, or any water used or likely to be used by milch cattle or horses or other four-footed animals, or in any dairy, or for cleansing or washing vessels used or intended for milk.

226. He shall cause the floor of every building used, or to be used for stabling horses or cattle, to be paved or made, with suitable material and sloped to the satisfaction of the chairman, so as to prevent any soakage into the ground of urine or other filth.

227. He shall provide upon, or in some convenient place in the immediate neighbourhood of the said premises, a suitable receptacle or receptacles to the satisfaction of the chairman, for dung, manure, soil, filth, or other offensive or noxious matter which may from time to time be produced in the keeping of any such horses, cattle, or other four-footed animals as aforesaid upon the premises.

He shall cause such receptacle or receptacles to be constructed so that the bottom or floor thereof shall not in any case be lower than the surface of the ground adjoining such receptacle.

He shall also cause such receptacle or receptacles to be constructed in such a manner and of such materials, and to be maintained at all times in such a condition as to prevent any escape of the contents thereof, or any soakage therefrom, into the ground or into the wall of any building.

He shall cause such receptacle or receptacles to be furnished with a suitable cover.

228. He shall also provide upon, or in connection with, the said premises, if used for keeping horses or cattle, a paved space to the satisfaction of the chairman, on which such horses or cattle can be washed.

229. He shall cause every drain or means of drainage upon, or in connection with, the said premises to be maintained at all times in good order and efficient action to the satisfaction of the chairman.

230. He shall once at least in every day cause the said premises to be thoroughly cleansed and flushed, and shall cause to be removed from the receptacle or receptacles provided in accordance with the requirements of by-law 227, all dung, manure, soil, filth, urine, other offensive or noxious matter produced in or upon the said premises, and placed or accumulated in such receptacle, and shall cause the same to be deposited in such place or places as the chairman shall from time to time direct.

231. Stables for horses or cattle shall not be less than twelve feet in height, measuring from the floor to the wall plate; and if for one row for animals the breadth shall not be less than twelve feet, measuring from the outside of the manger to the opposite wall; and if for a double

row of animals not less than twenty-five feet, measuring from one manger to the other ; if the mangers are placed against the external walls, and not less than twenty-four feet in breadth, measuring from the external walls ; if the mangers are placed in the centre of the stable, and the space to be allowed to each horse shall not be less than seven feet in width ; and for each bullock, cow, or buffalo not less than three and half feet in breadth.

#### CHAPTER XIV.

##### *Seizure of Articles unfit for Food.*

Proceedings upon the seizure of articles unfit for food.

232. It shall be lawful for a municipal inspector, upon the seizure by him as unwholesome or unfit for human food of any meat, poultry, fish, game, flesh, vegetable, fruit, or other article of food introduced into or exposed for sale within the municipality, to convey the same to the sanitary officer or, in his absence, to the municipal magistrate; and if it appear to such sanitary officer or municipal magistrate that such meat, poultry, fish, vegetable, fruit, or other provisions are unfit for human food, he shall order the same to be destroyed, or to be so disposed of as to prevent it being exposed for sale or used for such food.

Prohibition of the mixing of injurious ingredients and of selling the same.

233. No person shall mix, colour, stain, or powder, or order, or permit any other person to mix, colour, stain, or powder, any article of food with any ingredient or material so as to render the article injurious to health, with intent that the same may be sold in that state, and no person shall sell any such article so mixed, coloured, stained, or powdered.

Adulterated milk.

234. It shall not be lawful for any person to hawk about or expose for sale any cow's milk or buffaloes' milk which has been adulterated with water or any foreign substance whatever.

Inspection of milk.

235. It shall be lawful for any person authorized by the chairman to inspect any milk which is hawked about or exposed for sale in any place within the municipality, and to seize any milk which is found to be adulterated and all vessel which may contain the same.

#### CHAPTER XV.

##### *Overcrowding of Tenements.*

Overcrowded buildings.

236. Whenever there shall be found at any time to be in any building a larger number of persons than should in the opinion of the chairman be found to be dwelling there, it shall be lawful for such chairman to order the departure from such building of the number of persons in excess of the number which in the opinion of such chairman should be found dwelling there ; and if at any time after the giving of such order there shall be found in any such building any number of persons in excess of the number who should be found dwelling there, the owner of such building shall be guilty of an offence.

237. (1) If it shall appear to the chairman that any building used as a dwelling is so overcrowded as to endanger the health of the inmates thereof, he may apply to the municipal magistrate to prevent such overcrowding ; and the said magistrate, after such inquiry as he thinks fit to make, may, by written order, require the owner of the building, within a reasonable time not exceeding six weeks, to be prescribed in the said order, to abate the overcrowding thereof, by reducing the number of lodgers, tenants, or other inmates of the said building, or may pass such other order as he shall deem just and proper.

(2) If the owner of the said building shall have sub-let the same, the landlord of the lodgers, tenants, or other actual inmates of the same shall, for the purposes of this section, be deemed to be the owner of the building.

(3) It shall be incumbent on every tenant, lodger, or other inmate of the building to vacate on being required by the owner so to do in pursuance of any such requisition.

#### CHAPTER XVI.

##### *Common Lodging Houses.*

Register.

238. A register of all common lodging-houses shall be kept by the chairman of the municipal council in the form of Schedule J appended.

Registration of houses.

239. Before a house can be registered as a common lodging-house, an application must be made to the chairman in the form of the Schedule K hereunto appended, setting forth the situation of the house, the number of the rooms to be set apart for lodgers, and the cubic capacity of each room so set apart, and for this purpose the schedule or form will be furnished by the chairman.

Registration of houses.

240. Any house to be registered as a common lodging-house must be substantially built and in a good state of repair, the floors must be paved with tiles or cement concrete or with lime concrete rendered



with one inch of Portland cement, and all the rooms which are to be used as sleeping rooms must be on all sides above the level of the ground immediately surrounding the house. The house drains must be in good order, and constructed in accordance with the by-laws regulating house drainage, there must be adequate kitchen, ablution, privy, urinal, and ash-bin accommodation to the satisfaction of the chairman; and unless when the supply of water is constant, there must be a proper cistern for the storage of water.

- Licensing of keepers.** 241. Before any person can be licensed as a keeper of a common lodging-house, an application must be made to the chairman, and such application must be accompanied by a certificate of character from three or more householders—to be approved of by the chairman,—who shall give security for the carrying out of the regulations by the licensed keeper.
- Licensing of keepers.** 242. When the chairman is satisfied with the character of an applicant for a license to keep a common lodging-house, he may issue a license to such applicant accordingly.
- Reduction of the number of lodgers.** 243. The keeper of a common lodging-house shall reduce the number of lodgers in any room of his common lodging-house upon receiving notice in writing from the chairman stating the cause for making such reduction, and the period for which it shall continue in force.
- Affixing signboards, &c.** 244. The keeper of a common lodging-house shall affix and keep in a conspicuous position on the outside of his common lodging-house a board having painted on it in English, Sinhalese, and Tamil in legible white letters and characters not less than two inches long, on a black ground, the words “Licensed Lodging House.” He shall also affix and keep in a conspicuous place at the entrance to each room a board having painted on it in English, Sinhalese, and Tamil the number of persons the room is registered to accommodate.
- Separation of sexes.** 245. The keeper of a common lodging-house shall not permit males and females above ten years of age respectively to occupy the same sleeping apartment except in the cases of husband and wife, and parents and children, and he shall not allow any person to occupy his house for immoral purposes.
- Good order.** 246. The keeper of a common lodging-house shall not knowingly permit persons of bad character to lodge in his house, and he shall maintain and enforce good order and decorum therein; and he shall also keep a register of the name, occupation, and native place of each lodger.
- Ventilation.** 247. The keeper of a common lodging-house shall cause the windows of each of the sleeping rooms to be kept open to their full width for at least four hours each day, unless prevented by inclement weather.
- Cleansing and limewashing.** 248. The keeper of a common lodging-house shall cause the internal walls and ceilings of every part of his house to be thoroughly cleansed and limewashed during the third, sixth, ninth, and twelfth months of the year.
- Cleanliness, &c.** 249. The keeper of a common lodging-house shall at all times keep his premises in a clean and wholesome condition, and the fittings of the sleeping rooms shall be maintained by him in a thorough state of repair. He shall cause every room, passage, and stair to be thoroughly swept at least once a day.
- Cleanliness, &c.** 250. The keeper of a common lodging-house shall cause all filth and house refuse or other offensive matter to be removed from his premises daily.
- Infectious, contagious, and communicable diseases.** 251. If any person in common lodging-house becomes ill from any infectious, contagious, or communicable disease, the keeper of such common lodging-house shall forthwith give notice thereof to the municipal inspector in whose ward the lodging-house is situated, or to the nearest police station, or to the chairman; and the keeper of such common lodging-house shall cause the house to be vacated, and shall allow the bedding, clothing, and other articles used by the infected person to be destroyed or disinfected, and the house to be fumigated, disinfected, and limewashed at the public expense in such manner as the chairman may direct.
- The keeper of such lodging-house shall not receive any lodger until the premises shall have been inspected and certified by the municipal sanitary officer as free from infection.
- Privy accommodation.** 252. Privy accommodation in the premises shall be under the dry-earth system, and if the chairman deems necessary a day cooly will be specially attached thereto. There shall be one standard bucket at least for every ten lodgers.
- Water service.** 253. The premises should be provided with water service (Labugama supply).
- Inspection.** 254. The premises shall be subject to inspection at all hours during day or night by municipal officers or by police officers not below the rank of inspector.

## Definitions.

255. A common lodging-house is any house or part thereof where persons not being members of the same family—to the number of ten and upwards—are housed.

Any permanent structure in which employers of labour house their employes other than domestic servants or shopmen.

The keeper of a common lodging-house is any person licensed to keep a common lodging-house.

## CHAPTER XVII.

*Relating to Burials and Burial Grounds.*

## Burial and cremation where allowed.

256. No person shall without special leave of the council bury or cremate, or assist in burying or cremating, any dead body in any place except in a cemetery duly proclaimed under Ordinance No. 12 of 1862, or in premises specially registered in the office of the council (under Ordinance No. 2 of 1894) as a burial ground or cremation ground.

## Burial and cremation grounds to be registered and keeper named.

257. Any person entitled to the possession of a burial or cremation ground shall apply in writing to the chairman to have the same registered as such, stating the name of the keeper of the ground, and annexing to his application a figure of survey of the premises certified by the Surveyor-General or a duly licensed surveyor. And the person named as keeper in such application shall subscribe the same in acknowledgment of his acceptance of the office and duties of such keeper.

## Who is to be the keeper if no keeper named.

258. If no keeper be named, or if the keeper so named shall not have signed the application in manner aforesaid, then the person who shall have made the application for the registration of a burial or cremation ground shall be held to be the keeper of that ground, and shall be responsible for any breach of regulations in respect thereto.

## In case of death, &amp;c., of keeper, fresh registration required.

259. In the event of the death, or inability from any cause to fulfil his duties, of the keeper of a burial or cremation ground, application to have the same registered shall be made as provided in by-law 257 of this chapter, and no burial or cremation shall take place in such ground until registration on such application has been effected, except on the special license of the chairman or, in his absence, of the sanitary officer.

## Certificate of death to be produced to keeper before burial, &amp;c.

260. No burial or cremation shall take place unless the certificate of death required by law has been produced to the keeper of the burial or cremation ground, or without a certificate from an inspector of police or a municipal inspector that he has reason to believe that application for such certificate has been duly made.

## Keeper to keep register of burials, &amp;c.; copy to be delivered to municipal office and Registrar-General.

261. It shall be the duty of the keeper of any burial or cremation ground to keep a register of all burials or cremations carried out on the premises of which he is keeper, in the form prescribed by the chairman, and to cause to be delivered a copy of this register to the municipal office and to the office of the Registrar-General every day.

## Person authorized to visit grounds.

262. It shall be lawful for the Chairman of the Municipal Council, the Inspector-General of Police, the Registrar-General, or any person authorized in writing by one of them for the purpose to visit and inspect at any time any burial or cremation ground, and to have access to all books or documents relating thereto.

## Keeper to keep ground in order.

263. It shall be the duty of every keeper of a burial or cremation ground to keep the same clean and in good order to the satisfaction of the chairman, municipal council.

## Tables of fees to be approved by chairman.

264. A table of fees for burial and cremation shall be submitted by the keeper of every burial and cremation ground for the approval of the chairman of the municipal council, and only such fees as are approved by the chairman shall be charged.

## Ground to be enclosed by walls. Consent of chairman to erect.

265. Every burial or cremation ground shall be enclosed by a substantial wall approved by the chairman, municipal council.

266. It shall not be lawful for any person to erect any wall, barrier, or structure within a burial ground or cremation ground without the written consent of the chairman.

## Annual account to be made up and a copy transmitted to the secretary.

267. Where any portion of a cemetery is set apart for the special or exclusive use of any religious denomination under section 12 of Ordinance No. 12 of 1862, and trustees are appointed in respect of that portion as a board of management, such board or the members comprising the same shall every year cause an account to be prepared, showing the total receipts of all moneys levied by virtue of Ordinances No. 12 of 1862 or No. 17 of 1886, or any other Ordinance in force empowering them to levy any fees or charges in respect of the portion of such cemetery for the year ending on the thirty-first day of December in each year, under the several distinct heads of receipts and expenditure, with a statement of the balance, if any, of such accounts, certified by such board or the members thereof and duly audited, and shall send

a copy of the said account free of charge to the secretary of the municipal council on or before the expiration of one month from the day on which such accounts end.

It shall be lawful for the chairman at any time to require the said board of management or members thereof by notice in writing to do or execute any works or repairs which he shall think necessary should be done towards the proper upkeep and maintenance of such portion of the cemetery. In default of compliance with such notice within the time appointed, the chairman and any officers or workmen authorized by him may enter upon such portion of the cemetery and cause the necessary work to be done, and the expense thereby incurred shall be paid by the members of the said board of management in default, and shall be ascertained and determined and recovered in the manner provided by sections 281 and 282 of "The Municipal Councils' Ordinance, 1887," as if the same were expenses directed by the said Ordinance to be paid.

## CHAPTER XVIII.

### *Registration of Mortgages.*

Mortgagee may register mortgage.

268. It shall be lawful for every mortgagee of any immovable property situate within the municipality, or for his heirs, or any one of them, or for the legal representative of such mortgagee if deceased, to cause any such mortgage to be registered at the office of the council, and every person holding any such mortgage, and desiring to have it registered, shall either by himself or by his agent furnish the council with his name and address and with the name and address of the owner or mortgagor of the property so mortgaged, together with any other particulars connected with its description or otherwise necessary for the proper identification of the property; and thereupon, and upon the payment of a fee of fifty cents to be paid by such person, the council shall cause the aforesaid particulars to be entered in a book kept for that purpose in the office of the council.

Register open to inspection.

269. Every such register shall at all times, during the office hours of the council, be open to the inspection of any person desiring to have such inspection, on payment of a fee of twenty-five cents to the council.

Council to give notice to mortgagee of seizure.

270. In the event of any property concerning which any such mortgage shall have been registered as provided in by-law 268 of this chapter being seized in execution under section 149 of "The Municipal Councils' Ordinance, 1887," the council shall, at least fourteen days before advertising such property for sale under section 151 of the said Ordinance, post or deliver to the party who shall have registered such mortgage notice in writing of the said seizure and of the amount of arrears of taxes, for the realization of which such property shall have been seized.

Mortgagee may pay arrears of tax.

271. It shall be lawful for any such mortgagee, or for his heirs or any one of them, or for his legal representative, to pay to the council, at any time before the sale of any property seized as aforesaid, all arrears of taxes, or the arrears in respect of which the seizure shall have been made, due by the owner or mortgagor of such property, and upon such payment being made the property shall be released from seizure.

## CHAPTER XIX.

### *Guides.*

Guide to wear coat and badge.

272. Every licensed guide appointed under the provisions of the Ordinance No. 15 of 1887 shall wear a dark blue serge coat with green facings with the badge required by the 5th section of the said Ordinance worn upon the left breast, the coat to be supplied by the municipal council, free of charge, and to be returned to the council on the termination of the license, or before the issue of a new coat.

Guide to ply for hire from central office.

273. No licensed guide shall ply for hire or offer or attempt to offer himself as a guide at or from any place other than the central office for guides provided by the municipal council without an express written authority of the chairman empowering him to do so.

Guide to carry pocket register.

274. Every licensed guide who plies for hire shall carry about him a pocket register to be produced when called for by any one who hires him, or by any police officer or officer of the municipal council; the pocket register shall be provided by the municipal council at the time the guide receives his license, and shall be kept in a form to be prescribed by the chairman.

Fees.

275. The following fees may be lawfully demanded by every licensed guide from any person who may engage the services of such guide :—

	Rs.	c.
For the first hour or portion thereof	0	50
For every additional hour or portion thereof	0	25

## CHAPTER XX.

*Estimates.*

Estimates.

276. All votes of money for public works, whether to be done on contract or by the officers of the municipality, shall be made on detailed estimates previously prepared and laid on the table. Every such estimate shall include every known item of charge, and shall be submitted to the standing committee before being laid on the table.

## CHAPTER XXI.

*Execution of Works.*

Persons authorized by chairman empowered to enter upon lands for repairs &c., of roads within the municipality.

277. It shall be lawful for any person or persons thereunto authorized in writing by the chairman, at all reasonable times, with all necessary and proper servants, labourers, workmen, carriages, and animals, and other means, to enter upon any land adjacent or near to any existing or intended street within the limits of the municipality, and there severally to do and perform all acts, matters, and things necessary for the purposes of tracing, measuring, making, working, opening, altering, turning, repairing, clearing, improving, or fencing any such street, or for building, excavating, repairing, clearing, or improving any bridge, fence, drain, dam, or ditch thereupon or in any way connected therewith, or for performing any act, matters, or thing under the provisions of "The Municipal Councils' Ordinance."

And to take materials.

And it shall be lawful for any such person or persons authorized as aforesaid, with the servants, workmen, and labourers employed by or under him, at all reasonable times, and with all necessary and proper carriages, animals, and other means, to search for, dig, cut, take, and carry away any water, timber, brushwood, stone, gravel, clay, or any other material whatsoever for the purpose of tracing, measuring, making, working, opening, altering, turning, repairing, clearing, improving, or fencing, or in any way assisting in the tracing, measuring, making, working, opening, altering, turning, repairing, clearing, improving, or fencing, any existing or intended street, or of building, excavating, repairing, clearing, or improving any bridge, fence, drain, dam, or ditch thereupon, or repairing any lines, or any buildings whatsoever required on or near any such thoroughfare for the use of any officer of the council employed on any work connected with such street, or any workmen, carriages, persons, or things employed in his service, in and from any land adjacent or near to any such street, and carry away the same through the ground of any person without being deemed a trespasser; provided that no such materials shall be dug for, cut, or taken away upon or from any yard, avenue, to a house or lawn, or any enclosed garden, plantation, field, or wood, without the consent of the owner thereof, unless sufficient materials cannot conveniently be obtained from the neighbouring waste lands, or common or abandoned grounds, in which case the person or persons authorized as aforesaid may take any of such materials where they can be conveniently procured; provided also that reasonable compensation for all materials so taken, and for the damages done by the getting and carrying away the same, shall be made to the owner thereof; and provided further that such person or persons shall rail or fence off any quarries or pits from which any such materials shall be taken, so that the same shall not be dangerous to any person or animal.

And to throw rubbish on adjacent lands.

278. In the tracing, measuring, making, working, opening, altering, turning, repairing, clearing, or improving any existing or intended street, or building, excavating, repairing, or improving any bridge, fence, drain, dam, or ditch thereupon, or in any way connected therewith, it shall and may be lawful for the person or persons authorized as aforesaid to throw upon any lands adjacent or near thereto such earth, rubbish, or materials as it shall or may be necessary to remove from the place of any such work; provided that such earth, rubbish, and materials shall be removed within a reasonable time.

And make temporary roads.

279. It shall be lawful for any person or persons authorized as aforesaid to make a road through the grounds adjacent or near to any existing or intended street during the execution of any work thereupon or in any way connected therewith; provided that such road shall not run over any ground whereon any building stands, or over an enclosed garden or yard.

And cut trees.

280. It shall be lawful for the person or persons authorized as aforesaid to cut and remove and place upon any ground adjacent or near thereto all trees, bushes, or shrubs, and all leaves or branches or roots of trees that grow in or overhang any street within the limits of the municipality, or cause any obstruction therein, and for that purpose to enter upon any lands or premises with such persons, animals, and instruments as may be necessary for the cutting, lopping, or removing of such trees, bushes, shrubs, leaves, branches, or roots.

And put up fences.

281. It shall be lawful for any person or persons authorized as aforesaid to put up or make fences, hedges, ditches, drains, or banks by the side of any street whenever it shall appear to him or them

necessary, and the owner or occupiers of lands adjoining such fences, hedges, ditches, drains, or banks shall and are hereby required to keep the same in good substantial repair and order.

And to make  
and keep open  
ditches, &c.,  
and to lay  
trunks.

282. It shall be lawful for any person or persons authorized in writing by the chairman to make, scour, cleanse, and keep open all ditches, gutters, and drains or water-courses, and also to make and lay such trunks, tunnels, plats, or bridges as he or they shall deem necessary for the protection, preservation, improvement, repair, or construction of any street or road or canal in and through any lands or grounds adjoining or lying near to such street or road or canal or intended street or road or canal.

And to lay  
stones, &c.,  
on roads.

283. It shall be lawful for any person or persons authorized as aforesaid to lay any heap of stone or gravel, or any log of wood, or any other matter or thing whatsoever upon any street or road, and to allow the same to remain there during the time such street or road is under repair, and for such time before the repairs are commenced, and after the repairs are completed, as may be necessary for facilitating the making of such repairs, or for preventing damage to such recently-repaired street or road; but he or they shall take due and reasonable precaution for preventing danger or injury to persons passing along the road.

Fencing:  
bar, &c.,  
fixed across or in  
any street not to  
be taken down or  
altered.

284. No person shall take down, alter, or remove any fencing, bar, chain, or post, or extinguish or remove any lights placed or fixed across or in any street for purposes of public safety, and to prevent the passage of carts, cattle, carriages, and horses, or other animals while those streets are under repairs, or while works are being carried on in them by the chairman.

Powers of  
council to  
recover expenses  
of extraordinary  
weight or traffic.

285. Where by a certificate of the municipal engineer it appears to the council that having regard to the average expense of repairing streets extraordinary expenses have been incurred by the council in repairing any street or streets by reason of the damage caused by excessive weight passing along the same or extraordinary traffic thereon, the council may recover in a summary manner from any person by whose order of or for whose benefit such weight or traffic has been conducted the amount of such expenses so certified to have been incurred by reason of the damage arising from such weight or traffic as aforesaid.

Provided that any person against whom expenses are or may be recoverable under this section may enter into an agreement with the council to pay a composition in respect of such weight or traffic, and thereupon the person so paying the same shall not be subject to any proceedings under this section.

Compensation  
for damages.

286. Every person who shall sustain any loss or damage by reason of the exercise of any of the powers and authorities conferred by the by-laws in this chapter upon the person or persons authorized by the chairman shall be entitled to receive compensation for the same, provided that application shall be made in that behalf to the chairman at any time before the expiration of three months after the act, matter, or thing in respect of which such damage is claimed, is alleged to have been done, setting forth fully the nature of his claim, and furnishing such details as the chairman may call for. If such application shall not have been made within the aforesaid period, the claim to compensation for the alleged injury shall be disallowed, and he shall be barred from recovering the same, notwithstanding any provision contained to the contrary in Ordinance No. 22 of 1871. The amount of compensation, if the same cannot be agreed to, may be decided by arbitration, the chairman naming one arbitrator and the person claiming compensation another. If the two arbitrators cannot agree, they shall appoint an umpire, and the award of the arbitrators or umpire to be given in terms of the reference to be agreed to by the parties shall be final.

## CHAPTER XXII.

### *Construction of Drains and Buildings.*

Householders to  
build proper  
approaches over  
road drains.

287. The owner or occupier of any house, land, or premises adjoining any street, by the side of which a drain shall have been made or excavated, shall not construct or place over any such drain any bridge, platform, building, or structure of any kind, except by and with the written permission of the chairman, and subject to such condition as the chairman shall deem necessary to impose, and in such manner as he shall direct. And such owner or occupier shall maintain such bridge, platform, building, or structure of any kind in good order to the satisfaction of the chairman; and it shall be lawful for the chairman, if it shall come to his knowledge, that any parties have access to any house, land, or premises so situated without such bridge, platform, building, or structure as aforesaid, or by some bridge, platform, building, or structure not constructed or placed as aforesaid, to give notice to the owner or occupier thereof forthwith to construct, or place, or alter the same, or in the event of his failing to maintain

in good order such bridge, platform, building, or structure, or the drain thereunder, to give notice to the said owner or occupier, to put the same in good order; and if he shall fail to fulfil the requirements of any notice so given within fourteen days from the service of the said notice, the chairman may cause the work to be done, and the costs and expenses thereof shall be paid by such owner or occupier.

Chairman may require yard or alley to be drained.

288. It shall be lawful for the chairman, should he deem it necessary to require, by notice in writing the owner or owners of any yard or ground adjoining a building, or the owner or owners of any alley, road, or path between buildings or ranges of buildings, to have such yard, ground, alley, road, or path paved in such manner as the chairman shall direct, and to lay sufficient drains or pipes to the nearest municipal sewer or drain, for the purpose of draining such yard, ground, alley, road, or path. Such drains or pipes shall be of such materials, of such size, or such level, and with such fall, and shall be carried to such point of junction with the said municipal sewer or drains as the chairman shall appoint, provided that the chairman shall supply to such owner on application, at cost price, the materials necessary for the drains or pipes which he is required to lay. If such owner shall fail to comply with the requirements of such notice within the time appointed, the chairman or any officers or workmen authorized by him may enter upon the premises and cause the required work to be done, and the costs thereof shall be paid by the owner.

And private sewers to be ventilated.

289. It shall be lawful for the chairman to require, by notice in writing, the owner of any private sewer or drain, whether under or outside his building, to fix such pipes as the chairman may consider necessary for the proper ventilation of such private sewer or drain. Such ventilation pipes shall be of such size and materials, and shall be carried up to such height as the chairman shall direct. If such owner shall fail to comply with the requirements of such notice within the time appointed, the chairman or any officers and workmen authorized by him may enter upon the premises and cause the required work to be done, and the costs thereof shall be paid by such owner.

Construction of a drain through land intervening between land to be drained and public drain or sewer.

290. When it shall be found necessary under section 195 of Ordinance No. 7 of 1887 to construct or lay a covered drain or pipe communicating with some sewer or drain, and it is requisite for the construction or laying of such drain or pipe to carry the same through any land or lands intervening between the building or premises required to be drained and a public drain or sewer, it shall be lawful for the chairman, or for an officer of the municipality acting under his written authority in that behalf, to enter into or upon such intervening land or lands and to carry on and complete the construction or laying of such drain or pipe, after giving two days' notice to the owner or occupiers of such intervening land or lands of the chairman's intention to do so.

Owners of new buildings, &c., to give notice to chairman of completion thereof.

291. Any person or persons erecting, re-erecting, or enlarging any building, renewing, or repairing, or altering the frontage of the same, or any person or persons who may build any drain or bridge, platform or structure over a drain, or any privy, or cesspool, or any person or persons who may be required by the chairman, by virtue of powers conferred on him by law, to build, alter, or repair any building, drain, privy, or cesspool, shall give notice in writing of the completion of the work to the chairman within fourteen days after completion thereof.

Conditions for erection of buildings.

292. It shall not be lawful for any person to erect a house or hut for the purposes of a dwelling-place, or permit the same to be occupied as a dwelling-place, except under the following conditions:—

The walls shall in no case be built of cadjan, but of mud and wattle or other suitable material, to allow of being properly plastered and whitewashed.

Every such house or hut or any room therein to be used for human habitation shall not be less than 120 superficial feet in area, and not less than ten feet in height, and the eaves at least six feet from the ground.

Every room to be used for human habitation shall have at least one door not less than six feet by three feet, and at least one window not less than three feet by two feet.

The floor shall always be higher than one foot from the ground, provided the council shall be at liberty to require a higher standard according to situation. Between any two ranges or blocks of huts there shall be a clear space of at least fifteen feet.

It shall be lawful for the council to cause any house or hut erected contrary to the provisions of this by-law to be taken down at the expense of the owner, if within one month after written notice to him to alter or take down the same he shall fail or neglect to do so.

293. Any person who shall, without the sanction of the chairman, build, renew, or cause to be renewed any building within the limits of the municipality, shall be guilty of an offence, and be liable on conviction to a fine not exceeding ten rupees, and to a further fine of not

exceeding ten rupees for every day after notice or conviction during which such building is kept standing, and it shall be further lawful for the chairman to take down such building at the expense of the owner and to sell the materials thereof, if necessary, to defray such expenses.

Buildings unfit for human habitation.

294. (1) If for any reason any building intended for or used as a dwelling shall appear to the chairman to be unfit for human habitation, he shall cause any municipal officer to apply to the municipal magistrate to prohibit the further use of such building for such purpose; and the said magistrate, after such inquiry as he think fit to make, may, by written order, make a prohibition as aforesaid, or may pass such other order as he shall deem just and proper.

(2) When any such prohibition has been made, no owner or occupier of such building shall use or suffer the same to be used for human habitation until the chairman certifies in writing that the causes rendering it unfit for human habitation have been removed to his satisfaction or the municipal magistrate, by a written order, withdraws the prohibition aforesaid.

Insanitary hut and sheds.

295. If the chairman is of opinion that any building, or range of buildings used either as a dwelling or as a stable or for any other purpose, is likely, by reason of its being built with a sufficient height, or without proper means of drainage, or on account of the impracticability of scavenging, or owing to the manner in which it and other huts or sheds are crowded together, to cause risk of disease to the inmates thereof or to the inhabitants of the neighbourhood, or is for any reason likely to endanger the public health or safety;

he may, by written notice, which shall be affixed to some conspicuous part of such hut or shed, require the owner or occupier thereof, or the owner of the land on which such hut or shed stands, to remove or alter such hut or shed, or to take such order for the improvement thereof as the chairman shall deem necessary.

## CHAPTER XXIII.

### *Obstructions and Encroachments.*

Council may in certain cases demand production of title deeds.

296. Whenever it shall appear to the chairman that any building, enclosure, obstruction, or encroachment has been raised or made in any street, on any waste or other ground or place within the limits of the municipality, or that the line of any street within any line of building has been altered without proper authority, it shall be lawful for the chairman to demand in writing of the person claiming to be the owner of the land or premises on which such building, enclosure, obstruction, or encroachment shall have been raised or made, or through or over which such alteration of the line of a street has been made, the production of every deed, document, and instrument upon which such person founds such claim, and of the plan, if any, of such premises. If the occupier of such land or premises be not himself the owner, he shall be bound to give full information respecting the name and residence of such owner upon being requested so to do by the chairman, and such alleged owner shall be bound to produce, within ten days after being requested so to do, every deed, document, and instrument upon which he founds his claim to the said land or premises, with the plan, if any, of such land or premises, and which shall be in his possession, or if any such deed, document, instrument, or plan shall not be in his possession, shall inform the chairman in whose possession they are, and every person having in his possession any such deed, document, instrument, or plan shall be bound to produce the same within ten days after having been requested so to do in writing by the chairman.

Demand of production of deed to include power of examination.

297. The deeds, documents, instruments, and plan in the preceding clause mentioned shall be produced on the premises to which the same may relate, or at such other place as the chairman may require, and the power of demanding the production thereof in the preceding clause given shall be deemed and taken to include the power to make such examination of such deeds, documents, instruments, and plans as shall be necessary, and to take copies; and every person concerned shall permit such examination of every such deed, document, instrument, or plan, and the taking of copies thereof by the chairman.

Chairman may authorize survey.

298. It shall be lawful for the chairman or any person authorized by him in writing, after reasonable notice to the occupier, to enter upon any land, place, or premises upon which any such building, enclosure, encroachment, or alteration of the line of a street as is mentioned in by-law No. 290 shall have been raised or made as aforesaid, and upon any other land or premises whatsoever which the chairman may think necessary to inspect or survey, and to make such inspection and survey of all such land, place, or premises as may be necessary to enable the chairman to ascertain whether such building, enclosure, obstruction, or encroachment is an encroachment upon any street or upon any land or place vested in or in the charge of the council, or whether the line of the street has been actually altered.

Survey by proper officer to be conclusive evidence.

299. If any plan or survey made by the authority of the chairman shall be proved in evidence in any proceeding under this chapter, such plan or survey shall be deemed and taken to be conclusive proof of the facts exhibited therein, in so far as the claim of the municipal council is concerned, unless satisfactory proof to the contrary shall be established by the party contesting such claim.

Proof of right to apparent encroachment to rest upon the owner.

300. Should it appear to the chairman after such survey that the building, enclosure, or obstruction aforesaid is an encroachment upon the street, or any place vested in or in charge of the council, or that the line of the street has been altered without proper authority, the chairman shall give notice in writing to the occupier of the land or premises upon which such building, enclosure, obstruction, encroachment, or alteration of the line of the street or other places as aforesaid shall have been raised or made, that a survey of the premises or place has been made by the authority of the chairman and is open to the inspection of such occupier at a place to be therein mentioned, and that unless within one month from the service of such notice he or the person under whom he holds or claims shall take legal proceedings for establishing his title to such land or premises, and for preventing the removal of any such building, enclosure, obstruction, or encroachment, or the restoration of the former line of the street unlawfully altered, the said chairman will proceed with the removal or restoration thereof. If no such legal proceedings are taken within the time specified, or being taken are not duly prosecuted, the chairman shall cause any such building, enclosure, obstruction, or encroachment to be forthwith removed, or such altered street to be restored to its former line. And it shall be lawful for the chairman, or any person thereto authorized in writing by the chairman, to enter into any house, building, garden, enclosure, or other premises, and to cause to enter therein such persons with such instruments and things as may be necessary to effect such removal or restoration. And the expenses thereby incurred shall be paid by the person who claimed to be the owner of the land or premises on which the building, obstruction, encroachment, or alteration of the line of street was raised or made, and shall be ascertained and determined and recovered in the manner provided by sections 281 and 282 of "The Municipal Councils' Ordinance, 1887," as if they were expenses directed to be paid by the said Ordinance. When legal proceedings are taken as aforesaid, it shall be incumbent on the claimant to prove his title to the land or premises or place on which the said building, enclosure, obstruction, encroachment, or alteration of line of street was raised or made.

#### CHAPTER XXIV.

##### *Weights and Measures.*

Weights and measures to be tested every twelve months.

301. Any person within the municipality buying, selling, or receiving by weight or measure who shall use, or in whose store, shop, boutique, house, or standing place shall be found any weight or measure representing or intended to represent or be used as any of the weights or measures mentioned as the standards established under section 9 of Ordinance No. 8 of 1876, unless the same has been tested by an officer authorized by the chairman, and shall bear such a mark or stamp or plate as shall be put or placed by such officer in such manner as is directed by the chairman, anything in section 9 of Ordinance No. 8 of 1876 to the contrary notwithstanding, shall be guilty of an offence.

Such testifying, marking, stamping, and affixing the plate as aforesaid shall be procured by such person as aforesaid once in every twelve months from the last date of such testing, marking, stamping, or affixing of plate as aforesaid.

And every such instrument for weighing, measuring, or any weight or measure of length or capacity kept or used without bearing such stamp or plate affixed to it, shall be liable to be seized and removed to the nearest police station by any municipal inspector or police officer to be dealt with according to law.

Proviso.

302. Provided always that any order or decision made by the chairman in the exercise of any power vested in him under the foregoing by-laws shall be open to revision by the municipal council.

#### CHAPTER XXV.

##### *Penalties.*

Certain offences punishable with fine.

303. Whoever contravenes any provision of any of the sections, sub-sections, and clauses of the Municipal Councils' Ordinance or this Ordinance herein-below in this section mentioned, or of any regulation made thereunder, or fails to comply with any requisition lawfully made upon him under any of the said sections, sub-sections, or clauses, shall



be punished, for each such offence, with fine which may extend to the amount herein-below in this section specified as the maximum amount of fine to be inflicted in respect of offences against the said sections, sub-sections, and clauses, respectively, namely :—

Sections.	Maximum of Amount of Fine that may be inflicted.
40, 45, 46, 47, 48, 50, 51, 52, 54, 55, 56, 58, 59, 60, 61, 63, 64, 65, 68, 72, 73, 74, 75, 76, 78, 79, 80, 83, 84, 85, 86, 87, 88, 92, 93, 94, 95, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 109, 110, 111, 112, 113, 114, 115, 117, 118, 119, 120, 121, 122, 123, 124, 125, 127, 128, 129, 130, 131, 132, 134, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 149, 151, 152, 153, 159, 160, 161, 162, 163, 164, 165, 169, 170, 173, 174, 175, 176, 177, 178, 179, 180, 181, 183, 186, 187, 189, 190, 191, 192, 196, 197, 198, 201, 202, 203, 204, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 223, 224, 225, 226, 227, 228, 229, 230, 231, 233, 234, 235, 236, 237, 241, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 256, 257, 259, 260, 261, 263, 264, 265, 266, 267, 272, 273, 274, 284, 285, 287, 288, 289, 290, 291, 292, 294, 295, 296, 297, 301	Twenty Rupees

Continuing offences to be punished after a first conviction with a daily fine.

304. Whoever, after having been convicted of contravening any provision of any of the sections, sub-sections, or clauses of the Municipal Councils' Ordinance or this Ordinance herein-below in this section mentioned, or of any regulations made thereunder, or of failing to comply with any requisition lawfully made upon him under any of the said sections, sub-sections, or clauses, continues to contravene the said provision or to neglect to comply with the said requisition, as the case may be, shall be punished, for each day that he continues so to offend, with fine which may extend to the amount hereinbelow in this section specified as the maximum amount of daily fine to be inflicted in respect of offences against the said sections, sub-sections, and clauses, respectively, namely :—

Sections.	Maximum of Amount of Daily Fine that may be inflicted.
40, 45, 46, 52, 54, 72, 74, 75, 78, 80, 88, 92, 93, 94, 97, 98, 99, 100, 101, 102, 105, 106, 114, 115, 120, 123, 125, 127, 128, 129, 130, 131, 132, 134, 137, 138, 139, 140, 141, 152, 159, 160, 161, 163, 174, 177, 178, 181, 190, 197, 198, 201, 202, 203, 204, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 218, 219, 220, 221, 223, 224, 225, 226, 227, 228, 229, 230, 233, 234, 236, 237, 243, 244, 245, 247, 248, 249, 250, 251, 252, 253, 267, 284, 285, 287, 288, 289, 290, 291, 292, 294, 295, 296, 297, 301	Ten Rupees

## APPENDIX.

## Form A (Chapter II., By-law 14).

## Form of Summons.

## MUNICIPALITY OF COLOMBO.

In the matter of \_\_\_\_\_  
To \_\_\_\_\_.

You are required to appear before this Council (or a committee of this Council, as the case may be) at \_\_\_\_\_ (here insert place of meeting) at \_\_\_\_\_ o'clock \_\_\_\_\_, to give evidence touching the above matter.

By order of the Chairman,

Date : \_\_\_\_\_.

A. B.,  
Secretary.

*Form B (Chapter IV., By-law 35).*

Schedule required by Section 146 of the Municipal Councils' Ordinance, No. 7 of 1887.

Occupants : \_\_\_\_\_ Street.  
 House No. : \_\_\_\_\_  
 Number of carriages of whatever description other than a cart, hackery, or jinricksha : \_\_\_\_\_  
 Number of carts or hackeries of whatever description : \_\_\_\_\_  
 Number of jinrickshas : \_\_\_\_\_  
 Number of vehicles of whatever description other than carriages, inrickshas, carts, or hackeries : \_\_\_\_\_  
 Number of horses, ponies, or mules : \_\_\_\_\_  
 Number of bullocks or asses : \_\_\_\_\_  
 Number of children's carriages, wheels whereof exceed twenty-four inches in diameter : \_\_\_\_\_  
 Remarks : \_\_\_\_\_  
 \_\_\_\_\_  
 Signature of Occupant.  
 Colombo, \_\_\_\_\_, 189 \_\_\_\_\_

*Form C (Chapter IV., By-law 37).*

Form of Notice to Taxpayers.

MUNICIPALITY OF COLOMBO.

The Municipal Office,  
 Colombo, \_\_\_\_\_, 189 \_\_\_\_\_

To \_\_\_\_\_.

Take notice that by virtue of "The Municipal Councils' Ordinance, 1887," the Municipal Council of Colombo have ordered you to be assessed in respect of the under-mentioned vehicles and animals for the year 189 \_\_\_\_\_, and the following sums are due thereon :

Description of Vehicle or Animal.	Number.	Rate.	Amount Payable.	Time of Payment.
Carriages	...			On the First February, 189— and on the First August, 189 —.
Carts	...			
Hackeries	...			
Horses	...			
Ponies	...			
Mules	...			
Bullocks	...			
Asses	...			

You are hereby required to pay the amount of the above taxes into this office on or before the dates above-mentioned, in failure whereof a warrant will be issued by the Council for the recovery thereof with costs.

Date of service : \_\_\_\_\_ Secretary.

*Form D (Chapter IV., By-law 39).*

Name of Notary.	No. of Clerks Articled.	Names of Clerks.	Date of Articles.	Periods of Service of Articled Clerks.

The above-named \_\_\_\_\_ is hereby required to fill up and return this form within fifteen days.

The Municipal Office,  
 Colombo, \_\_\_\_\_, 189 \_\_\_\_\_

By order of the Chairman,  
 \_\_\_\_\_  
 Secretary.

*Form E (Chapter V., By-law 40).*Return required by Section 40 of the By-laws relating to  
Taxes on Dogs.No. : ———.  
House No. : ———.  
Street : ———.  
Occupier's name : ———.

No. of Dogs kept.	Description.			
	Breed.	Sex.	Colour.	Remarks.
1				
2				
3				
4				
5				
6				

Date of service : ———, 189—.

Colombo, ———, 189—.

Signature of Occupier.

*By-law relating to Tax on Dogs.*

40. It shall be lawful for the council from time to time to require every occupier of a house to fill up a schedule in the Form E in the appendix hereto, showing the number and description of dogs kept in such house, and to whom they respectively belong; and every such occupier shall be bound to accept, duly fill in with correct information, and return such schedule within one week from receipt thereof.

The occupier of any house or premises which is the ordinary place of resort of any dog shall be deemed and held to keep such dog.

The above-named ——— is hereby required to fill up and return the above schedule within one week.

By order of the Council,

The Municipal Office,  
Colombo, ——— 189 —.

Secretary.

*Form F (Chapter VII., By-law 65).*

Carriage License (not transferable).

No. : ———, Colombo, the ——— day of ———, 189 —.

Whereas ———, occupying premises No. ——— in ——— street in Colombo, has applied for a license under the Ordinance No. 17 of 1873, and made and signed the declaration of ownership thereby required, license is hereby granted to him to keep the said ——— bearing No. ———, for the purpose of letting the same for hire from the date hereof until the Thirty-first day of December next, subject to the by-laws of the Council.

Such ——— shall not carry more than ——— persons, excluding the driver.

Given under my hand the day and year first above written.

Entered : ———, Chairman, Municipal Council.

Description of the Horse to be used in drawing the above Carriage.

*Form G (Chapter VII., By-law 68).*

Date of purchase of Jinricksha.	Name and Age of the Person drawing Jinricksha.	Number of License, if any, issued in the previous Year.

*Form H (Chapter X., By-law 125).*

——— has permission to store ——— at ———.

This license shall be in force till Thirty-first December, 189 —.

*Form I (Chapter XIII., By-law 202).*

Market Stall License.

No. : ———.

———— is hereby authorized to occupy the stall No. ——— in the public market for the sale of ———, on payment by him of a monthly rent of Rs. ———, subject to the conditions stated on the back of this license.

This license to be in force during the pleasure of the Municipal Council.

Dated at Colombo, this ——— day of ———, 189 —.

Secretary, Municipal Council.

*Conditions on which License is issued.*

1. A sum of Rs. ——— shall be deposited as security; the amount to be forfeited should the rent not be paid in accordance with these conditions.
  2. The monthly rent shall be paid regularly in advance.
  3. The license is not transferable.
  4. The licensee shall conform to the market rules and regulations contained in Chapter XIII. of the by-laws.
- I agree to the several conditions.

Colombo, ———, 189 —.

Signature of Licensee.

*Form J (Chapter XVI., By-law 238).*

Form of Common Lodging-house Register.

Date.	Register No.	Situation of Lodging-house and Street No. thereof.	No. of Sleeping Rooms.	No. of Kitchens.	No. of Closets.	Nature of Water Supply.	Maximum No. of Lodgers which can be received.	Name of Keepers.	Signature of Registering Officer.

*Form K (Chapter XVI., By-law 239).*

Application for a House to be registered as a Common Lodging-house.

I, the undersigned, hereby make application to have the under-mentioned premises registered as a common lodging-house under Ordinance No. 3 of 1897.

Signature of Applicant : ———.

Address : ———.

Colombo, ———, 189 —.

Situation of premises sought to be registered as a common lodging-house } ———.  
 ... }  
 The number of floors to be used as a common lodging-house ... } ———.  
 The number of the rooms set apart for lodgers : ———.  
 Cubic capacity of room No. 1 : ——— cubic feet.  
 Do. do. No. 2 : ——— do.  
 Do. do. No. 3 : ——— do.  
 Do. do. No. 4 : ——— do.  
 Do. do. No. 5 : ——— do.  
 Do. do. No. 6 : ——— do.

To the Chairman, Municipal Council of Colombo.

By His Excellency's command,

W. T. TAYLOR,  
 Colonial Secretary's Office, Acting Colonial Secretary.  
 Colombo, November 17, 1899.

## PASSED ORDINANCES.

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

## No. 7 of 1899.

An Ordinance relating to Habitual Criminals and to Convicts licensed to be at large.

E. NOEL WALKER.

Preamble.

WHEREAS it is expedient to consolidate and amend the laws relating to the identification and supervision of habitual criminals and their more effective punishment, and also to provide for enlarging convicts upon licenses and controlling them when at large: 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

1 This Ordinance may be cited for all purposes as "The Habitual Criminals' and Licensed Convicts' Ordinance, 1899."

Repeal.

2 The Ordinances No. 17 of 1894 and No. 11 of 1897 are hereby repealed, provided that the repeal shall not affect—

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

Definitions.

3 For the purposes of this Ordinance—

"Crime" shall mean a breach of any one of the sections of the Penal Code included in the Schedule A hereto;

"Habitual criminal" shall mean a person convicted of a crime against whom a previous conviction of a crime is proved, or a person liable under section 83 of "The Criminal Procedure Code, 1898," to be ordered to execute a bond with sureties for his good behaviour;

"Measurement" includes every method of identification sanctioned by the Governor in terms of section 4 hereof;

"Superintendent of police" shall include additional superintendent of police, assistant superintendent of police, and the chief headman of the district.

Rules to be made by Governor.

4 The Governor, with the advice of the Executive Council, may from time to time make rules (1) prescribing the methods of identifying habitual criminals or persons suspected of having been previously convicted; (2) regulating the supervision of habitual criminals; and (3) prescribing the conditions under which convicts may be at large and under the supervision of the police; and all such rules with the like advice revoke, annul, alter, or amend as occasion may require.

All rules so made, revoked, annulled, altered, or amended as hereinafter provided shall be published in the *Government Gazette*, and shall have the force of law. Provided, however, that all such rules shall be laid before the Legislative Council if in session within one month of such publication, and if not in session within one month of the commencement of the session next ensuing, and in either case shall lie on the table during four sittings at least of the Council, and any rule which has been disapproved by resolution of the Council shall cease to have any force or effect.

Power to remand persons charged, for purposes of identification.

5 When a person charged with a crime, upon *prima facie* evidence led, is suspected of having been previously convicted of a crime, it shall be lawful for the complainant or a police officer to apply to the police magistrate before whom such person stands charged for an order of remand to cause inquiries to be made, and to have the measurement of such person taken for purposes of identification; and the police magistrate, if satisfied that it is a proper case, shall remand such person from time to time for such period as to the police magistrate shall seem necessary, provided that no person shall be remanded at any one time for a longer period than three weeks or more often than three times for such purpose.

Criminals previously convicted, before what courts to be tried.

6 If the person charged as aforesaid appears to the police magistrate to have been previously twice or oftener convicted of a crime, and to have been sentenced to undergo terms of rigorous imprisonment exceeding in the aggregate six months, it shall not be lawful for such police magistrate to try such person summarily, but he shall deal with the case as a non-summary case under chapter XVI. of the Criminal Procedure Code and forward the same to the Attorney-General for instructions, anything in the said Code to the contrary notwithstanding.

And if such person is committed for trial before a district court and is convicted by it, such court shall have jurisdiction, anything in "The Criminal Procedure Code, 1898," or any other Ordinance to the contrary notwithstanding, to sentence him to rigorous imprisonment for a period not exceeding four years in addition to any punishment other than imprisonment to which he may be liable.

Power of court to direct supervision of habitual criminals after discharge from jail.

7 When a person is convicted of a crime and a previous conviction of a crime is proved against him, the court of trial may, in addition to any other punishment which it may award to him, direct that he shall be subject to the supervision of the police for a period not exceeding seven years, commencing immediately after his discharge from jail.

Duty of habitual criminal to report himself.

8 Every person made subject as aforesaid to the supervision of the police shall, before discharge from jail, notify the place where he intends to reside to the superintendent of the prison in which he is detained, and such place shall be deemed to be the place where he resides until he shall notify a change of residence as hereinafter provided, and within seven days of his release, and thereafter once in every month, he shall report himself to the superintendent of police of the district in which he resides, and shall, whenever he changes such residence within such district, notify each change to the said superintendent within forty-eight hours of such change; and whenever he changes his residence from one district to another, he shall forty-eight hours before so changing his residence notify such change to the superintendent of police of the district which he is leaving, and to the superintendent of police of the district in which he is going to reside, to whom he shall report himself within forty-eight hours of his arrival in such district.

Punishment for neglect of such duty.

9 If any person subject to the supervision of the police as aforesaid remains in any place for more than seven days after his release from jail without reporting himself to the superintendent of police in charge of the district in which he resides, or fails to report himself thereafter once in every month to the superintendent of police of the district in which he resides, or fails to notify his change of residence or to report himself after such change in manner provided in section 8, he shall in every such case, unless he satisfies the court that he did his best to act in conformity with the provisions of section 8, be guilty of an offence under this Ordinance, and be liable on conviction to rigorous imprisonment for any period not exceeding six months.

Mode of proving previous conviction

10 A previous conviction may be proved against any person by the production of a true extract of the substance and effect only of the charge and conviction under the hand of the chief clerk, secretary, or registrar of the court in

which such person was convicted, and by proof of identity of the person against whom the conviction is sought to be proved with the person named in the true extract; and such extract shall be admissible in evidence without proof of the signature or official character of the person who appears to have signed the same.

Grant of licenses to convicts to be at large.

11 It shall be lawful for the Governor, with the advice of the Executive Council, by an order in writing, to grant to any convict undergoing sentence of imprisonment in any prison in this colony a license, in the form set forth in the Schedule B hereto, to be at large in the colony or in any part thereof during such portion of his period of imprisonment, and upon such conditions, as to the Governor shall seem fit. The Governor may revoke or alter such license with the advice of the Executive Council.

Reasons involving forfeiture of licenses.

12 If any holder of a license granted as aforesaid is convicted of any crime, his license shall be forthwith forfeited by virtue of such conviction.

Non-production of license, or breach of any conditions of license, declared an offence.

13 If any holder of a license granted as aforesaid—

- (1) Fails to produce his license when required to do so by any judge or police magistrate before whom he may be brought charged with any offence, or by any constable or officer of the police in whose custody he may be, and fails to make any reasonable excuse for not producing the same; or
- (2) Breaks any of the other conditions of his license that are not of themselves punishable either upon indictment or upon summary conviction;

he shall be guilty of an offence and be liable on conviction to imprisonment, either rigorous or simple, for any period not exceeding six months.

Arrest of license holder on suspicion.

14 Any constable or police officer may without warrant take into custody any holder of a license granted as aforesaid whom he may reasonably suspect of having committed any offence, or having broken any of the conditions of his license, and may detain him in custody until he can be taken before a competent magistrate and dealt with according to law.

Duty of magistrate to report conviction to Governor.

15 When any holder of a license granted as aforesaid is convicted of an offence punishable under section 13, the magistrate convicting the prisoner shall report such conviction to the Governor, whereupon it shall be competent to the Governor to revoke the license of such prisoner.

Consequences of forfeiture or revocation.

16 When any license granted as aforesaid is forfeited in terms of section 12, or is revoked in pursuance of a conviction under section 13, a person whose license is so forfeited or revoked shall, after undergoing any other punishment to which he may be sentenced for the offence in consequence of which his license is forfeited or revoked, further undergo a term of imprisonment equal to the portion of his term of imprisonment that remained unexpired at the time of the grant of the license.

SCHEDULE A.  
(Sections 3.)

Section of Penal Code.	Nature of Offence.
From 226 to 256 (inclusive) ...	Offences relating to coin and Government stamps.
296, 297, 300, 301 ...	Culpable homicide, &c.
From 315 to 324 (inclusive) ...	Voluntarily causing hurt by dangerous weapons, &c.
From 367 to 371 (inclusive) ...	Theft, theft of cattle, &c.
From 373 to 378 (inclusive) ...	Extortion, &c.
From 380 to 385 (inclusive) ...	Robbery, &c.
387 ...	Criminal misappropriation.
From 389 to 392 (inclusive) ...	Criminal breach of trust.
From 394 to 397 (inclusive) ...	Dishonestly receiving stolen property.
From 400 to 403 (inclusive) ...	Cheating.
From 411 to 426 (inclusive) ...	Mischief, &c.
From 433 to 451 (inclusive) ...	Lurking house-trespass, house-breaking, &c.
From 452 to 466 (inclusive) ...	Forgery, &c.
101 and 490 ...	Abetting or attempting the breach of any of the sections above specified in this schedule.

## SCHEDULE B.

(Section 11.)

## Order of License to a Convict.

We, \_\_\_\_\_, Governor of Ceylon, hereby grant to \_\_\_\_\_, who was convicted of the offence of \_\_\_\_\_ in the \_\_\_\_\_ Court of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 189—, and was then and there sentenced to \_\_\_\_\_ imprisonment for the term of \_\_\_\_\_, and is now confined in \_\_\_\_\_, a License to be at large from the \_\_\_\_\_ day of \_\_\_\_\_, 189—, during the remaining portion of his said term of imprisonment, unless the said \_\_\_\_\_ shall, before the expiration of the said term, be convicted of any crime set forth in the Schedule A to the Ordinance No. 7 of 1899, in which event this License shall be forthwith forfeited, or unless it shall please Us sooner to revoke or alter this License.

This License is given subject to the conditions endorsed upon the same, upon the breach of any of which it shall be liable to be revoked, whether such breach is followed by conviction or not.

Given under Our hand this \_\_\_\_\_ day of \_\_\_\_\_, One thousand Eight hundred and Ninety \_\_\_\_\_.

\_\_\_\_\_  
Governor.

Passed in Council the Eighth day of November, One thousand Eight hundred and Ninety-nine.

J. J. THORBURN,  
Clerk to the Council.

Assented to by His Excellency the Lieutenant-Governor the Sixteenth day of November, One thousand Eight hundred and Ninety-nine.

W. T. TAYLOR,  
Acting Colonial Secretary.

## NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

*Order Nisi.*

Testamentary } In the Matter of the Estate and Effects  
Jurisdiction. } of Alima Umma *alias* Zeynamboo  
No. C 284. } Umma, deceased.

Tamby Markar Umar Neina Marikar...Original Petitioner.

And

Neyna Marikar Abubakker Lebbe.....Petitioner.

Vs.

1, Umma Kanny Umma ; 2, Mohamado

Tofash ; 3, Sheul Hameed.....Respondents.

THIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 16th day of November, 1899, in the presence of Mr. Charles Perera, Proctor, on the part of the petitioner Neyna Marikar Abubakker Lebbe, of No. 79, Old Moor street ; and the affidavit, dated the 16th day of November, 1899, of the said petitioner having been read : It is ordered that Neyna Marikar Abubakker Lebbe, the petitioner aforesaid, be declared entitled to have letters of administration to the estate of the deceased Alima Umma *alias* Zeynamboo Umma issued to him, as widower and heir of the said deceased, unless the respondents above-named shall, on or before the 7th day of December, 1899, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,  
Additional District Judge.

The 16th day of November, 1899.

In the District Court of Colombo.

*Order Nisi declaring Will proved.*

Testamentary } In the Matter of the Last Will and  
Jurisdiction. } Testament of Vidanalage Ceciliana  
No. C 1,250. } de Alwis Hamine, deceased, of  
Talawatuhempita.

THIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 23rd day of November, 1899, in the presence of Mr. W. P. Ranesinghe, Proctor, on the part of the petitioner Harankaha Arachchige Carolis Perera Ratnayaka, of Bambalapitiya ; and the affidavit of the said petitioner, dated 16th November, 1899, having been read :

It is ordered that the will of Vidanalage Ceciliana de Alwis Hamine, deceased, dated 6th January, 1899, and now deposited in this court, be and the same is hereby declared proved, unless any person interested shall, on or before the 7th day of December, 1899, 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 7th day of December, 1899, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,  
Additional District Judge.

The 23rd day of November, 1899.



In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate and Effects of George Zancarol, Physician and Surgeon in the City of Alexandria in Egypt, deceased.  
No. C 1,251. }

Archibald James Farquharson, of Agra estate, Lindula ..... Petitioner.

And

1, Julia Zancarol; 2, Irene Valassopoulo; 3, Aristides Valassopoulo, all of Alexandria, Greek subjects..... Respondents.

THIS matter coming on for disposal before F. R. Dias Esq., Additional District Judge of Colombo, on the 23rd day of November, 1899, in the presence of Messrs. F. J. and R. F. de Saram, Proctors, on the part of the petitioner Archibald James Farquharson, of Agra estate, Lindula; and the affidavit of the said petitioner, dated the 16th day of November, 1899, having been read: It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased George Zancarol, Physician and Surgeon in the City of Alexandria, Egypt, issued to him, as attorney of Irene Valassopoulo, daughter of the said deceased, unless the respondents above-named shall, on or before the 14th day of December, 1899, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,  
Additional District Judge.

The 23rd day of November, 1899.

In the District Court of Kalutara.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Kindelpitiagey Odris Appu, deceased, of Uduva.  
No. 234. }

THIS matter coming on for disposal before G. C. Roosmalecocq, Esq., District Judge of Kalutara, on the 10th day of November, 1899, in the presence of Mr. P. A. Gooneratne, Proctor, on the part of the petitioner Kindelpitiagey Don Agris, Vel-vidane of Kahatapitia; and the affidavit of the said Kindelpitiagey Don Agris, Vel-vidane, dated 10th November, 1899, having been read:

It is ordered that Kindelpitiagey Don Agris, Vel-vidane, be, and he is hereby declared entitled to have letters of administration to the estate of Kindelpitiagey Odris Appu, deceased, issued to him, as brother of the said deceased, unless the respondents Kindelpitiagey Siman Appu and Kandegey Micho Hamy, both of Kahatapitia, shall, on or before the 14th day of December, 1899, show sufficient cause to the satisfaction of this court to the contrary.

G. C. ROOSMALECOQC,  
District Judge.

The 10th day of November, 1899.

In the District Court of Kandy.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Tankam, wife of Kathiravalu Karthikesar, late of Gallaha estate in Kandy, deceased.  
No. 2,110. }

THIS matter coming on for disposal before John Henricus de Saram, Esq., District Judge of Kandy, on the 21st day of August, 1899, in the presence of Mr. E. Grebe on the part of the petitioner Kathiravalu Karthikesar, of Jaffna, now of Gallaha estate in Kandy; and the affidavit of the said petitioner, dated 18th August, 1899, having been read:

It is ordered that the petitioner Kathiravalu Karthikesar be and is hereby declared entitled to administer the estate of Tankam, deceased, of Gallaha estate in Kandy, as the husband of the said deceased, and that letters of administration to her estate be issued to him accordingly, unless Letchimi Pillay, Elaiya Tamby Chellathurai, and Elaiya Tamby Kantiyah, all of Vannarponnai, Jaffna, shall, on or

before the 25th day of September, 1899, show sufficient cause to the satisfaction of this court to the contrary.

August 21, 1899. — J. H. DE SARAM,  
District Judge.

The date for showing cause against this *Order Nisi* is extended to 8th December, 1899.

November 10, 1899. J. H. DE SARAM,  
District Judge.

In the District Court of Kandy.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of Nawanna Nawanna Sidemberam Chetty, deceased, of Ashbourne estate in Gampola.  
No. 2,117 }

THIS matter coming on for disposal before John Henricus de Saram, Esq., District Judge of Kandy, on the 7th day of November, 1899, in the presence of Mr. C. Vanderwall on the part of the petitioner Muttayee, of Ashbourne estate in Gampola; and the affidavits of the said petitioner and of Suna Pana Nagappa Chetty, of Ashbourne estate in Gampola, dated respectively 12th and 14th October, 1899, having been read:

It is ordered that the petitioner above-named be, and she is hereby declared entitled to letters of administration to the estate of Nawanna Nawanna Sidemberam Chetty, deceased, of Ashbourne estate in Gampola, as the mother of the said deceased, and that such letters of administration be issued to her accordingly, unless Seeday, Unamale, and Meenatchy, all of Ashbourne estate in Gampola, shall, on or before the 8th day of December, 1899, show sufficient cause to the satisfaction of this court to the contrary.

The 7th day of November, 1899 J. H. DE SARAM,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Sapathippillai Kantaiyapillai, of Puloly west, deceased.  
No. 1,023. }

Murukkappar Chuppiramaniam, of Puloly west..... Petitioner.  
Vs.

Ponnamma, widow of Kantaiyapillai, of Puloly west ..... Respondent.

THIS matter of the petition of Murukkappar Chuppiramaniam, of Puloly west, praying for letters of administration to the estate of the above-named deceased Sapathippillai Kantaiyapillai, of Puloly west, coming on for disposal before C. Eardley-Wilmot, Esq., District Judge, on the 6th day of November, 1899, in the presence of Messrs. Casippillai and Cathiravelu, Proctors, on the part of the petitioner; and affidavit of the petitioner, dated the 30th day of October, 1899, having been read: It is declared that the petitioner is the father of the widow 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 the 15th day of December, 1899, show sufficient cause to the satisfaction of this court to the contrary.

This 6th day of November, 1899. C. EARDLEY-WILMOT,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Kanapatippillai Veluppillai, of Mulai, deceased.  
No. 1,024. }

Chanmukam Katiraveluppillai, of Mulai..... Petitioner.  
Vs.

1, Teywanaippillai, wife of Chanmukam Katiraveluppillai; 2, Chwaminatar Katiraveluppillai, Railway Timekeeper, Serendah, Selangore; his wife 3, Chivakamippillai, of Mulai; 4, Ramanatar Kanapatippillai, of do.; 5, Chittampalam Kovindar and his wife 6, Katirasippillai, of do. .... Respondents.

THIS matter of the petition of Chanmukam Katiraveluppillai praying for letters of administration to

the estate of the above-named deceased Kanapatippillai Veluppillai coming on for disposal before C. E. Wilmot, Esq., District Judge, on the 11th day of November, 1899, in the presence of Mr. T. C. Changarapillai, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated the 8th day of November, 1899, having been read: It is declared that the petitioner is the husband of one of the heirs of the said intestate, and as such 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 18th day of December, 1899, show sufficient cause to the satisfaction of this court to the contrary.

C. E. WILMOT,  
District Judge.

This 11th day of November, 1899.

In the District Court of Chilaw.

*Order Nisi.*

Testamentary  
Jurisdiction.  
No. 578.

In the matter of the Intestate Estate of Kawralage Appuhami and his wife Weerasingha Mudiyanseelage Kiri Etana, both of Maiyaw.

THIS matter coming on for disposal before W. E. Thorpe, Esq., District Judge of Chilaw, on the 31st day of October, 1899; and the affidavit and petition of Weerasingha Mudiyanseelage Karanis Appuhami, of Maiyaw, having been read: It is ordered that the said Karanis Appu be declared entitled to administer the above-named estate, and that the letters of administration be issued to him accordingly, unless sufficient cause be shown to the contrary on the 4th day of December, 1899.

W. E. THORPE,  
District Judge.

## NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 1,954. In the matter of the insolvency of Lindamullege Gabriel de Silva.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of the court on January 18, 1900, for the purpose of granting a certificate of conformity to the above-named insolvent.

By order of court,

J. B. MISSE,  
Secretary.

Colombo, November 23, 1899.

No. 1,974. In the matter of the insolvency of Hendahandige George de Silva.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 18, 1900, for the purpose of granting a certificate of conformity to the above-named insolvent.

By order of court,

J. B. MISSE,  
Secretary.

Colombo, November 23, 1899.

In the District Court of Kandy.

No. 1,418. In the matter of the insolvency of Arulandoo Cangany, of Cholankande estate, Nawalapitiya.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take

place at the sitting of this court on January 26, 1900, for the allowance of the certificate of conformity to the above-named insolvent.

By order of court,

A. SANTIAGO,  
Secretary.

Kandy, November 27, 1899.

In the District of Jaffna.

No. 46. In the matter of the insolvency of Kattikechar Arumkam, of Vannarponnai east.

WHEREAS the above-named Kattikechar Arumkam was on November 16, 1899, adjudged insolvent by the District Court of Jaffna, and an order has been made by the said court placing the estate of the said insolvent under sequestration in the hands of the Fiscal: 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 January 11 and 26, 1900, 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,

R. KANTAIYAH,  
Secretary.

Jaffna, November 16, 1899.

## NOTICES OF FISCALS' SALES.

## Western Province.

In the District Court of Colombo.

The Hon. Mr. F. R. Ellis, Government Agent,  
Western Province.....Plaintiff.  
No. 2,132. Vs.

1 J. D. S. Wijeratna, of St. Joseph street,  
Grandpass; and 2, G. W. Gauder, of  
Wellawatta.....Claimants.

NOTICE is hereby given that on Friday, December 22, 1899, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said, first claimant in the following property, for the recovery of the sum of Rs. 604.12, being plaintiff's taxed costs, viz.:-

All that land, with the buildings standing thereon, bearing assessment No. 84, situated at St. Joseph street, within the gravets of Colombo; bounded on the north by the property of Don Philip Muhandiram and the canal, on the east by the property of Robert de Silva Wijeratna, on the south by a lane, and on the west by the properties of Bastian Annavi and others and the high road; containing in extent one acre more or less.

Fiscal's Office, W. N. S. ASERAPPA,  
Colombo, November 29, 1899. Deputy Fiscal.

In the District of Colombo.

Mututanrige James Fernando, of Horatuduwa,  
in Panadure.....Plaintiff.  
No. C 10,128. Vs.

Jacob de Silva Wijeyeratna, of St. Joseph  
street.....Defendant.

NOTICE is hereby given that on Friday, December 22, 1899, at 12 o'clock noon, will be sold by public auction at the respective premises the following property specially mortgaged and decreed to be sold by the decree entered in the above case, for the recovery of the sum of Rs. 5,433.33, together with interest thereon at 9 per cent. per annum from June 30, 1897, until payment in full, and costs of action, viz.:-

1. All that part of the garden called Suwarisgewatta, with the buildings standing thereon, bearing assessment No. 181, situated at Mutwal in Colombo; and bounded on the north by land of Konganige Migel Anthony, on the east by the other portion of this land, on the south by the land of Bawa Saibo Mawade Mohamado, and on the west by the high road; containing in extent 18.50 square perches more or less.

On the same day, at 2 P.M.

2. All those lands and buildings situated at Grandpass in Colombo, bearing assessment No. 84; and bounded on the north by Nakalagam street and the properties of Don Soesa Wickramasinha Basnaika Neila Arachchi, Daniel Candappa, and Tantrige Don Hendrick, now of T. Bastian, on the east by the properties of T. Don Cornelis, now of T. Don Philip, and the canal; on the south by the other part of this property, now said to belong to R. D. S. Wijeyeratna; and on the west by a small road; containing in extent 3 roods and 36.84 square perches according to the figure of survey dated June 26, 1857, made by Mr. H. F. de Silva; excluding therefrom a portion towards the south, in extent 18.32 square perches.

Fiscal's Office, W. N. S. ASERAPPA,  
Colombo, November 29, 1899. Deputy Fiscal.

In the District Court of Colombo.

Koona Moona Roona Rawanna Mana Raman  
Chetty, of Sea street, Colombo.....Plaintiff.

No. C 11,660. Vs.

1, Balapuwaduge Pedro Mendis; 2, Mahamarakkalakurakulasuriyapatabendige David Perera; 3, Balapuwaduge Isaac Mendis; 4, Balapuwaduge Carlina Mendis, all of Rawatawatta in Moratuwa.....Defendants.

Balapuwaduge Pawistina Mendis and Kurakulasuriyapatabendige Salamon Perera, both of Rawatawatta in Moratuwa, the legal representative of the estate of Mahamarakkalakurakulasuriyapatabendige David Perera, deceased.....Second Defendant.

NOTICE is hereby given that on January 6, 1900, and at the hours specified below, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff:—

At 12 o'clock noon.

1. All that defined portion of the garden called Rawatawatta, situated at Rawatawatta in Moratuwa in the Pallepattu of Salpiti korale; bounded on the north by the garden of Pedru Peris, on the east by the garden of Domingu Mendis, on the south by a portion of the same garden, and on the west by Gorakagahawatta; containing in extent 34 square perches more or less.

2. All that defined portion being  $\frac{2}{3}$  of the garden called Indikadullewatta, situated at Rawatawatta aforesaid; bounded on the north by the remaining  $\frac{1}{3}$  portion of the same garden belonging to Dehiwalage Prolentina Costa and Selestina Costa, on the east by the garden of Lindamulage Pedru Silva, on the south by the garden of Balapuwaduge Silvestri Mendis, and on the west by the garden of Weerahennedige Ana Maria Fernando; containing in extent 10 $\frac{1}{16}$  square perches more or less.

Commencing at 2 o'clock in the afternoon.

3. All that defined portion of the garden Rawatawatta, with the buildings standing thereon, situated at Rawatawatta aforesaid; bounded on the north by the garden of Balapuwaduge Silvestri Mendis, on the east by the garden of Wannakuwattemitiwaduge Jasentu Fernando, on the south by the garden of Madawanage Juwan Fernando and others, and on the west by the garden of Hanwedige Siman Peris; containing in extent 26.64 square perches more or less.

4. All that defined southern half part of the garden called Rawatawatta, situated at Rawatawatta aforesaid; bounded on the north by the other half part of the same land, on the east by the property of T. Arnolis Peris, on the south by Gorakagahawatta of B. Isaac Mendis and others, and on the west by the property of the heirs of H. Siman Peris; containing in extent 38 $\frac{1}{2}$  perches more or less.

At 4 o'clock in the afternoon.

5. A part of the garden called Rawatawatta, situated at Rawatawatta aforesaid; bounded on the north by a portion of the same land of T. Jusey Peris, on the east by the land of T. Arnolis Peris, on the south by the property of Pedru Mendis and David Perera, and on the west by the property of the heirs of Siman Peris; containing in extent 28 square perches more or less.

Deputy Fiscal's Office, P. PERERA,  
Moratuwa, November 29, 1899. Deputy Fiscal.

### Central Province.

In the Court of Requests of Gampola.

Herbert Henry Capper and Frank Capper,  
carrying on business in partnership as  
Capper & Sons, Colombo.....Plaintiffs.

No. 4,203. Vs.

John Walker, of Athlone estate, Gampola.....Defendant.

NOTICE is hereby given that on December 23, 1899, commencing 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.:-

The tea estate called Athlone estate, containing in extent of about 40 acres in extent, with everything thereon, situate at Wegiriya in Medapalata of Udu-nuwara; and bounded on the east by the Gan-ima of Lunugama, south by the Gan-ima of Udalpalata, west by the Gan-ima of Kandupalata and Crown lands, and on the north by lands belonging to Wegiriya Dewale.

Amount of writ, Rs. 142-08.

Fiscal's Office, Kandy, November 27, 1899. F. J. SMITH,  
Deputy Fiscal.

In the District Court of Kandy.

1, S. M. R. M. Caruppen Chetty; and 2, M.  
R. P. Lana Perianen Chetty ..... Plaintiffs.

No. 13,114. Vs.

Bawa Saibo Samsudeen Saibo *alias* U.  
Samsudeen Saibo ..... Defendant.

NOTICE is hereby given that on December 21, 1899, commencing at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, to wit:-

All those tannery buildings, cooly lines and premises, and surrounding land and plantations thereon, known as Tholkedangu, situate at Gangawata of Yatinuwera in the District of Kandy; and bounded on the east by Mr. Brown's estate and stream, south by Mr. Brown's land and schoolmaster Perera's land, west by Saibo Idroos Lebbe Marikar's property and Andris Appuhamy's land, and on the north by Hal-o-ya; comprising the following allotments of land, namely :-

1. Half share of Tanayanwatta of about one pela in extent; bounded on the east by ela, Attalayagekumbura, south by the fence, west by stream, and on the north by fence, situate at Huduhumpola as aforesaid.

2. One-fourth share out of the eastern one pela of the western half share and a half share of the eastern half share of Thanayanwatta of two amunams of paddy sowing in extent; and bounded on the east by the stone fence of Meda-ange, on the south by Seena-ange-ela, west by ditch of Thanayanwatta, and on the north by Hal-o-ya, situate at Deyannewela of Yatinuwara.

3. Two portions of Thanayanwatta lying on the eastern and western sides of the eastern portion sold to Pettan Kangani, one portion 30 ft. in length and 52 ft. in breadth; bounded on the east by the portion purchased for the tannery, south by Seena-ange-ela, west by another portion of Thanayanwatta, and on the north by ela of Atalaha, situate at Deyannewela as aforesaid.

4. The other portion 8 ft. in breadth; bounded on the north-east by the fence of another portion of Thanayanwatta, south by Seena-ange-ela, west by portion purchased for the tannery, and on the north by ela of Atalaha, situate at Deyannewela as aforesaid.

5. The garden called Pihillagawawatta of about 4 acres 1 rood and 32 perches in extent, situate at Huduhumpola as aforesaid; and bounded on the east and north by stream and Mr. Brown's land, west by Andris Appuhamy's land, according to the deed No. 804, dated February 29, 1896, and attested by Edwin Beven of Kandy, Notary Public.

6. An allotment of land called Kellagodella, of one acre in extent, together with the buildings and tannery pits thereon, and all the tools and implements and every-

thing belonging thereto, situate at Deyannewela as aforesaid; and bounded on the east and south by Binduwa Duraya's land, west by Alawalakumbura, and on the north by Meda-ela.

Amount of writ, Rs. 35,877-50.

Fiscal's Office, Kandy, November 28, 1899. F. J. SMITH,  
Deputy Fiscal.

### Southern Province.

In the District Court of Matara.

D. M. Wickremesekera Rajapaksa Wimala-guneratne.....Plaintiff.

No. 2,032. Vs.

1, Francis Disanaik, of Babarenda; and  
2, Don Samel Wijesekera Disanaik, of  
Dodampahala.....Defendants.

NOTICE is hereby given that on Friday, December 29, 1899, at 12 o'clock noon, will be sold by public auction at the spot the following, property specially mortgaged with the plaintiff, for the recovery of Rs. 1,377, with interest at 12 per cent. per annum from November 15, 1897, viz.:-

1. Four-ninth parts of the adjoining fields called Pallewagura, Baddewela, Paspela, Pattiyekumbura, Kiridenakumbura, Ihalamawatakumbura, Bogahakumbura, Paragahakumbura, Kongetekumbura, Delikanmulla, Pahalamawatakumbura Ihalaradawakumbura, Ihalabaddiwela, Miattekumbura, Harasmuttettuwa, Pahalaradawakumbura, and Ellangawa; whole in extent 30 amunams and 8 kurunies of paddy, situated at Raluwa.

On Friday, December 29, 1899, at 1 P.M.

2. One-half part of Daluwakgodaralagemulana, in extent 12 amunams of paddy, situated at Kinchigune, Medagama.

On Saturday, December 30, 1899, at 12 A.M.

3. The field called Galaboda Wilaboda panguwa, in extent 4 amunams of paddy, situated at Kadiragoda in Ranna division.

Deputy Fiscal's Office, Tangalla, November 24, 1899. J. A. DUNUWILLE,  
Deputy Fiscal.

### North-Western Province.

In the District Court of Puttalam.

Omergatta Marakar Mohamado Tamby Marakar.....Plaintiff.

No. 1,363. Vs.

Uduma Lebbe Marakar Mohamadali Marakar...Defendant.

NOTICE is hereby given that on Thursday, December 21, 1899, at 2 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz.:-

1. An undivided half share of a cocoanut garden called Periatottam, situated at Kandaikuly in Kalpitiya; bounded on the north by drain called Kaialai, south by the garden of M. Kader Saibo Marakar and others, east by the garden of Uduma Lebbe Marakar Seynedin Marakar and others, and west by the garden of M. Kader Saibo Marakar and others.

2. An undivided half share of the garden called Puliaditottam, situated at the above place; bounded on the north and west by the gardens of Uduma Lebbe Marakar Seynedin Marakar and others, east by Crown land called Santhy, and south by the garden of U. K. Mohamado Seynedin Uduma Lebbe Marakar.

Amount to be levied, Rs. 4,826-62 and poundage.

Deputy Fiscal's Office, Puttalam, November 27, 1899. F. A. WIJESEKERA,  
Deputy Fiscal.

## In the District Court of Chilaw.

Kuna Pena Ana Palaniappa Chetty, by his attorney K. P. A. Suparamanian Chetty, of Madampe.....Plaintiff.

No. 1,918. Vs.

Abraham Wijesinghe Jayawardana, of Madampe .....Defendant.

NOTICE is hereby given that on Saturday, December 23, 1899, 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. :—

The soil and plantations of three-tenth shares of the land situate at Mugunuwatawana in Yagam pattu, Chilaw District, which is of the extent of 25 acres 2 roods and  $33\frac{3}{8}$  perches ; bounded on the north by land of Mr. Joseph Panditasekera, east by Horatale, south by land of Mr. Abayaratne, Mudaliyar, and on the west by Kaludiya-ela.

Amount recoverable, Rs. 1,840.62, with interest on Rs. 1,500 at  $1\frac{1}{2}$  per cent. per mensem from March 2, 1899, up to June 8, 1899, and further interest on the aggregate sum at 9 per cent. per annum from June 8, 1899, and poundage.

W. E. THORPE,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Chilaw, November 27, 1899.

## Province of Sabaragamuwa.

## In the District Court of Ratnapura.

Shena Pana Shona Sokkalingam Chetty, by his attorney Muttaiah Chetty, of Balangoda...Plaintiff.

No. 903. Vs.

Mahawaduge Abraham Perera, of Panadure...Defendant.

NOTICE is hereby given that on December 29, 1899, at 11 o'clock in the forenoon, 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 allotment of land called Hitulantennamukalana, situate at Boltumbe in the Uduwaggam pattu of Kadamatu korale ; bounded on the north by land described in plan 72,422, by Ilukkandura, and Boltumbe-oya, on the north-east by land described in plan 72,422 and by Ilukkandura, and on all other sides by land belonging to the Crown ; containing in extent 195 acres.

2. An allotment of land called Hitulantennamukalana, adjoining the above and now forming one property ; bounded on the north and west by lands said to belong to the Crown, north-east by land said to belong to the Crown and by Boltumbe-oya, east by Boltumbe-oya, south by Ilukkandura and by land described in plan 72,421, and on the south-west by land described in plan 72,421 and by land said to belong to the Crown ; containing in extent 172 acres.

Amount to be levied, Rs. 522.88, with legal interest thereon from May 29, 1899, till payment.

C. R. P. JAYAWARDANA,  
Fiscal's Office, Deputy Fiscal.  
Ratnapura, November 27, 1899.

## DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that the Badulla-Haldummulla Circuit Court Sessions for December, 1899, will be holden as follows :—

At Bandarawela on the 18th, 19th, 20th, 21st, and 22nd December, 1899, and no sessions will be held at Haldummulla in December, 1899.

R. B. HELLINGS,  
Police Magistrate.

Badulla-Haldummulla Circuit Court,  
Badulla Office, November 28, 1899.

NOTICE is hereby given that a suit has been instituted in the Court of Requests, Kandy, by six labourers of Little Valley estate against the proprietor thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 494.50.

D. B. WICKRAMASINGHE,  
Chief Clerk.

Court of Requests,  
Kandy, November 22, 1899.