



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.

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Part II.—Legal and Judicial.

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NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 1,805. In the matter of the insolvency of Seena Parido, of No. 8, Wekanda, Slave Island in Colombo.

NOTICE is hereby given that a public sitting of this court will be held on December 13, 1894, for the allowance to the insolvent of his certificate of conformity.

By order of court,
J. B. Misso,
Secretary.

Colombo, November 17, 1894.

No. 1,812. In the matter of the insolvency of Marcellus Perera, of Skinner's road south, in Colombo.

NOTICE is hereby given that a public sitting of this court will be held on December 13, 1894, for the

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allowance to the insolvent of his certificate of conformity.

By order of court,
J. B. Misso,
Secretary.

Colombo, November 17, 1894.

No. 1,813. In the matter of the insolvency of Yar Mohamed, of Slave Island, Colombo.

NOTICE is hereby given that a public sitting of this court will be held on December 13, 1894, for the allowance to the insolvent of his certificate of conformity.

By order of court,
J. B. Misso,
Secretary.

Colombo, November 17, 1894.

No. 1,803. In the matter of the insolvency of Kadar Kenny Rawter Pichey, of No. 79, Grandpass road, Colombo.

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 17, 1895, to submit a proposal of the assignee to sell the property No. 68, Layard's Broadway, Colombo, belonging to the estate of the insolvent, and to submit conditions of sale of the said property for the approval of the court and creditors.

By order of court,

J. B. Misso,
Secretary.

Colombo, November 26, 1894.

No. 1,815. In the matter of the insolvency of Alfred Buse Scott, of Colombo.

NOTICE is hereby given that a public sitting of this court will be held on January 17, 1895, for the allowance to the insolvent of his certificate of conformity.

By order of court,

J. B. Misso,
Secretary.

Colombo, November 26, 1894.

No. 1,817. In the matter of the insolvency of Cyril Martin D'Zilva of Urugodawatte, Colombo.

WHEREAS the above-named Cyril Martin D'Zilva, of Urugodawatta, Colombo, was on November 23, 1894, adjudged insolvent by the District Court of Colombo, 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 17 and 31, 1895, 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,

J. B. Misso,
Secretary.

Colombo, November 26, 1894.

In the District Court of Negombo.

No. 51. In the matter of the insolvency of Amarasinhearachige Don David Saperamadu Appuhami, of Katana

WHEREAS A. Don David Saperamadu Appuhami, of Katana, has filed a declaration of insolvency, and a petition from Ltntotage Augustinu Fernando, of Katana, for the sequestration of the estate of the said insolvent under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on January 10, 1895, and February 14, 1895, will take place for the insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

Negombo, November 30, 1894. F. VANDERPUT,
Secretary.

In the District Court of Kandy.

No. 1,348. In the matter of the insolvency of Mookan Kangany.

NOTICE is hereby given that a public sitting of this court will be held on January 18, 1895, for the allowance to the insolvent of his certificate of conformity.

By order of court,

Kandy, December 4, 1894. A. SANTIAGO,
Secretary.

PASSED ORDINANCES.

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

No. 5 of 1894.

An Ordinance to repeal the Ordinance No. 5 of 1879, and to make certain offences against the Indian Act No. X. of 1887 punishable in Ceylon.

A. E. HAVELOCK.

Preamble.

WHEREAS by the Ordinance No. 5 of 1879, intituled "An Ordinance to repeal the Ordinance No. 10 of 1862, and to make certain offences against the Indian Act No. VIII. of 1876 punishable in Ceylon," certain offences against the said last mentioned Act are made punishable in Ceylon: And whereas the said Indian Act No. VIII. of 1876 has been repealed by the Indian Act No. X. of 1887, intituled "An Act to consolidate and amend the Law relating to Native Passenger Ships," which said last mentioned Act came into force in India by notification in the *Gazette of India* dated the 26th day of May, 1887: And whereas it is expedient to make punishable in Ceylon certain of the acts and defaults made punishable by the said Indian Act No. X. of 1887: It is therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows:—

Repeal of Ordinance No. 5 of 1879.

1 The said Ordinance No. 5 of 1879 is hereby repealed.

Interpretation clause: "Ship." "Master."

2 In this Ordinance the word "ship" means any vessel to which the said Indian Act No. X. of 1887 applies.

The word "master" includes every person (other than a pilot) having command or charge of a ship.

Penalty on master bringing passengers without certificates required by Indian Act or from unauthorized port.

3 The master of any ship who shall bring any passengers to Ceylon, without the certificates required by the said Indian Act No. X. of 1887, or who shall bring to Ceylon any passengers from any port or place within British India other than such ports or places as the Indian local Government having jurisdiction in respect thereof shall appoint in that behalf, shall be guilty of an offence and liable to a fine not exceeding one hundred rupees for every passenger conveyed in such ship, or to imprisonment not exceeding one month, or to both.

Penalty on owner or master failing to post up copy of certificates.

4 Any owner or master of a ship bringing passengers to Ceylon which shall not have a copy of each of the certificates required by the said Indian Act No. X. of 1887 posted up in a conspicuous part thereof so as to be visible to persons on board, shall be guilty of an offence and liable to a fine not exceeding two hundred rupees, or to imprisonment for any term not exceeding one month, or to both.

Penalty on master failing to comply with sections 22, 23, and 24 of Indian Act.

5 Any master of any ship arriving in Ceylon who shall fail to produce to the principal officer of customs at the port of arrival the statement of passengers required by section 22 of the said Indian Act No. X. of 1887, and the additional statements (if any) required by section 24 of the said Act, with the deaths of the passengers duly noted, as required by section 23 of the said Act, shall be guilty of an offence and liable to a fine not exceeding five hundred rupees, or to imprisonment for a term not exceeding three months, or to both.

Penalty for failing to supply passengers with prescribed provisions.

6 Any master of a ship arriving with passengers at any port of Ceylon who shall have wilfully and without satisfactory excuse omitted to supply to any passenger during the voyage the allowance of food, fuel, and water prescribed by any rule made under the said Indian Act No. X. of 1887, and for the time being in force, shall be liable to a fine not exceeding twenty rupees for every passenger who has sustained detriment by such omission.

Penalty for excess of number specified in certificate.

7 If any ship has on board any number of passengers which is greater than the number allowed by the certificate required by the said Indian Act No. X. of 1887, or if arriving from a port where no certificate could be procured has on board a number of passengers exceeding the number allowed by the said Indian Act, the owner and master shall for every passenger over and above the number allowed by the certificate or by the said Act, as the case may be, be each liable to a fine not exceeding twenty rupees.

Penalty for landing passenger at a place other than that at which he has contracted to land.

8 If the master of any ship lands any passenger at any port or place other than the port or place at which he may have contracted to land, unless with his previous consent, or unless such landing is made necessary by perils of the sea or by unavoidable accident, the master shall for every such offence be liable to a penalty not exceeding two hundred rupees, or to imprisonment for any term not exceeding one month, or to both.

Principal officer of customs empowered to enter and inspect ships. Penalty for obstructing officer of customs.

9 The principal officer of customs at the port at which any ship shall arrive in Ceylon carrying passengers from India, or any person authorized by him in writing, shall be at liberty at all times to enter and inspect any such ship and the fittings, provisions, and stores therein; and any person impeding or refusing to allow such entry or inspection shall be guilty of an offence and liable to a fine not exceeding five hundred rupees, or to imprisonment for a term not exceeding three months, or to both.

Ship may be detained until penalties paid.

10 Any ship whose owner or master shall have become liable to a penalty under this Ordinance may, if found within two years in any port of Ceylon, be seized and detained by the principal officer of customs of the port, or any person authorized by him in writing in that behalf, until all such penalties have been adjudicated and the payment thereof with all costs has been enforced.

Offences punishable by the police court.

11 All offences against this Ordinance, wherever committed, may be tried by the police court of the district in which the offender is found; and such police court shall have power to sentence the offender to the full amount of the penalty or punishment prescribed by this Ordinance for his offence, notwithstanding that such penalty or punishment may be beyond the ordinary jurisdiction of such police court.

Ship may be seized for payment of fine.

12 If the owner or master of any ship who has been sentenced to pay any fine shall fail to pay the same within the time and in the manner prescribed by the sentence, the police magistrate may, in addition to the means otherwise prescribed by law for enforcing payment of fines or penalties, direct by warrant the amount remaining unpaid to be levied by seizure and sale of the ship, her tackle, furniture, and apparel or any part thereof.

Application of penalties.

13 Any police magistrate imposing any penalties under this Ordinance may, if he thinks fit, direct the whole or any part thereof to be applied in compensation to any person for any detriment which he may have sustained by the act or default in respect of which such penalty is imposed, or in or towards payment of the expenses of the prosecution.

Proof of certificates and statements.

14 Every document which shall purport to be an official copy of any certificate or statement required by the said Indian Act No. X. of 1887, and shall purport to be certified as correct by the collector of sea customs at the port of departure of the ship to which such statement or certificate refers, shall, if accompanied by a certificate purporting to be made by the Principal Collector of Customs of this island that such copy has been received from the said port of departure, be admissible, without further proof, as evidence of such certificate or statement and of the contents thereof; and it shall not be necessary to prove that the person so certifying to the correctness of such copy was such collector of sea customs at the said port of departure.

Proof of rules.

15 Any rules published in the *Government Gazette* by the authority of the Governor, and purporting to be rules made by the Governor-General of India in Council under section 53 of the said Act No. X. of 1887, shall, without further proof, be taken to be the rules in force made by the said Governor-General in Council under the said 53rd section of the said Act.

Schedule contains true copy of Indian Act.

16 The Act set out in the schedule hereto shall be taken as a true copy of the said Indian Act No. X. of 1887, and shall be admissible in evidence for all purposes connected with or relating to this Ordinance, without proof.

SCHEDULE.

Act No. X. of 1887.

PASSED BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

Received the Assent of the Governor-General on the 24th February, 1887.

An Act to consolidate and amend the Laws relating to Native Passenger Ships.

WHEREAS it is expedient to consolidate and amend the law relating to native passenger ships: It is hereby enacted as follows:

CHAPTER I.

Preliminary.

- | | |
|-------------------------|--|
| Title. | 1 This Act may be called the Native Passenger Ships Act, 1887. |
| Extent and application. | 2 (1) It extends to the whole of British India, and applies—
(a) To all subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty;
(b) To all native Indian subjects of Her Majesty without and beyond British India; and
(c) Subject to the exceptions mentioned in sub-section (2), to ships carrying as passengers more than thirty natives of Asia or Africa.
(2) But it does not apply—
(i.) To any ship-of-war, troopship, transport, or other ship belonging to the Royal Navy or Her Majesty's Indian Marine Service; or
(ii.) To any other ship for the time being in the service of Her Majesty; or
(iii.) To any ship-of-war belonging to any Foreign Prince or State; or
(iv.) To any steamship not carrying as passengers more than sixty natives of Asia or Africa; or
(v.) To any ship not intended to carry natives of Asia or Africa as passengers to or from any port in British India.
(3) Notwithstanding anything in sub-sections 1. and 2, the Local Government may, with the previous sanction of the Governor-General in Council, declare all or any of the provisions of this Act to apply to sailing ships, or any class of sailing ships, carrying as passengers more than fifteen natives of Asia or Africa, and to steamships, or any class of steamships, carrying as passengers more than thirty such natives. |
| Commencement. | 3 This Act shall come into force on such day as the Governor-General in Council, by notification in the <i>Gazette of India</i> , appoints. |
| Repeal. | 4 (1) On and from that day the enactments mentioned in the schedule shall be repealed to the extent specified in the third column thereof.
(2) But all ports, places, and officers appointed, rules, declarations, and exemptions made, bonds executed, directions given, and certificates granted under any of those enactments shall, so far as may be, be deemed to be respectively appointed, made, executed, given, and granted under this Act; and
(3) Any enactment or document referring to any enactment hereby repealed shall be construed to refer to this Act or to the corresponding portion thereof. |
| Definitions. | 5 In this Act, unless there is something repugnant in the subject or context—
(1) "Ship" means a ship to which this Act applies;
(2) "Passenger" means a passenger by a ship who is a native of Asia or Africa of the age of twelve years or upwards and is not on the articles of the ship as one of the crew; but it does not include either a passenger in attendance on a person who is not a native of |

Asia or Africa, or a child under one year of age ; and, in the computation of passengers for any of the purposes of this Act, two persons of the age of one year or upwards and under the age of twelve years shall be reckoned as one passenger ;

(3) "Long voyage" means, subject to the provisions of this Act, any voyage during which the ship performing it will in ordinary circumstances be one hundred and twenty hours or upwards continuously out of port ;

(4) "Short voyage" means, subject to the provisions of this Act, any voyage during which the ship performing it will not in ordinary circumstances be one hundred and twenty hours continuously out of port ;

(5) "Voyage," when used without the prefix "long" or "short," means the whole distance between the ship's port or place of departure and her final port or place of arrival ;

(6) "Chief customs officer" means the chief executive officer of sea-customs in any port or place to which this Act applies ; and

(7) "Magistrate" means a person exercising powers not inferior to those of a magistrate of the second class.

CHAPTER II.

Rules for all Voyages.

Ships to sail only from places appointed by the Government.

6 (1) A ship carrying passengers shall not depart or proceed from, or discharge passengers at, any port or place within British India other than a port or place appointed in this behalf by the Local Government.

(2) After a ship has departed or proceeded on a voyage from a port or place so appointed, a person shall not be received on board as a passenger except at some other port or place so appointed.

Notice to be given of day of sailing.

7 (1) The master, owner, or agent of a ship so departing or proceeding shall give notice to an officer appointed in this behalf by the Local Government that the ship is to carry passengers, and of her destination, and of the proposed time of sailing.

(2) The notice shall be given not less than twenty-four hours before that time.

Power to enter on and inspect ship.

8 After receiving the notice, the officer aforesaid or a person authorized by him shall be at liberty at all times to enter on the ship and inspect her and her fittings and the provisions and stores in her.

Ship not to sail without two certificates.

9 (1) A ship intended to carry passengers shall not commence a voyage from a port or place appointed under this Act, unless the master holds two certificates to the effect mentioned in the two next following sections.

(2) The officer whose duty it is to grant a port-clearance for the ship shall not grant it unless the master holds those certificates.

Contents of certificate A.

10 The first of the certificates (hereinafter called "certificate A") shall state that the ship is seaworthy and properly equipped, fitted, and ventilated, and the number of passengers which she is capable of carrying.

Contents of certificate B.

11 The second of the certificates (hereinafter called "certificate B") shall state—

(a) The voyage which the ship is to make, and the intermediate ports, if any, at which she is to touch ;

(b) That she has the proper complement of officers and seamen ;

(c) That food, fuel, and pure water over and above what is necessary for the crew, and the other things, if any, prescribed for the ship by the rules under this Act, have been placed on board, of the quality prescribed by the rules, properly packed, and sufficient to supply the passengers on board during the voyage which the ship is to make (including such detention in quarantine as may be probable) according to the scale for the time being prescribed by those rules ;

(d) That the master holds certificate A ;

(e) If the ship is to make a short voyage in a season of foul weather, and to carry upper-deck passengers, that she is furnished with substantial bulwarks and a double awning, or with other sufficient protection against the weather ;

(f) If she is to carry passengers to any port in the Red Sea, that she is propelled principally by steam, and, if she is to carry more than one hundred passengers to any such port, that she has on board a medical officer licensed in accordance with the rules under this Act ; and

(g) Such other particulars, if any, as may be prescribed by those rules.

- Grant of certificates.** 12 The person by whom certificate A and certificate B are to be granted shall be the officer appointed under section 7.
- Substitute for certificate A.** 13 Where the master of a ship produces to that officer either of the following certificates, namely—
 (a) A valid certificate granted by the Board of Trade or by a British Colonial Government; or
 (b) A certificate granted under the authority of a British Indian Government, on a date not more than one year before the proposed day of sailing, and in force and applicable to the voyage on which the ship is to proceed, or the service on which she is about to be employed,
 the officer may, if the particulars required by section 10 are certified thereby, take the certificate as evidence of those particulars, and it shall then be deemed to be a certificate A for the purposes of this Act.
- Survey of ship.** 14 (1) After receiving the notice required by section 7, the officer appointed under that section may, if he thinks fit, cause the ship to be surveyed at the expense of the master or owner by competent surveyors, who shall report to him whether the ship is, in their opinion, seaworthy and properly equipped, fitted, and ventilated for the voyage which she is to make:
 Provided that he shall not cause a ship holding a certificate mentioned in section 13, clause (a) or clause (b), to be surveyed, unless, by reason of the ship having met with damage or having undergone alterations, or on other reasonable ground, he considers it likely that she may be found unseaworthy or not properly equipped, fitted, or ventilated for the voyage.
 (2) If the officer causes a survey to be made of a ship holding any such certificate, and the surveyors report that the ship is seaworthy and properly equipped, fitted, and ventilated for the voyage, and that there was no reasonable ground why the officer should have thought it likely that she would be found unseaworthy or not properly equipped, fitted, or ventilated for the voyage, the expense of the survey shall be paid by the Local Government.
- Discretion as to grant of certificate.** 15 (1) The officer authorized to grant a certificate under this Act in respect of a ship shall not grant it unless he is satisfied that she has not on board any cargo likely from its quality, quantity, or mode of stowage to prejudice the health or safety of the passengers.
 (2) But, save as aforesaid, and subject to the provisions of subsection (3), it shall be in the discretion of the officer to grant or withhold the certificate.
 (3) In the exercise of that discretion that officer shall be subject to the control of the Local Government, and of any intermediate authority which that Government appoints in this behalf.
- Copy of certificates to be exhibited.** 16 The master or owner shall post up in a conspicuous part of the ship, so as to be visible to persons on board thereof, a copy of each of the certificates granted under this Act in respect of the ship, and shall keep those copies so posted up throughout the voyage.
- Supply by passengers of their own food.** 17 If an officer appointed in this behalf by the Local Government is satisfied that a passenger has brought on board a ship for his own use food of the quality and in the quantity for the time being prescribed by the rules under this Act, the requirements of this Act respecting the supply of food for passengers shall not apply so far as regards the supply of food for that passenger.

CHAPTER III.

Rules for Short Voyages.

- Space to be available for passengers.** 18 (1) For seasons of fair weather, a ship performing a short voyage shall, subject to the provisions of this Act, contain in the between-decks at least six superficial feet and thirty-six cubic feet of space available for every between-decks passenger, and on the upper deck at least four superficial feet available for each such passenger and six superficial feet available for each upper-deck passenger.
 (2) For seasons of foul weather, a ship propelled by sails and performing a short voyage shall, subject as aforesaid, contain in the between-decks at least twelve superficial feet and seventy-two cubic feet of space available for every between-decks passenger, and on the upper deck at least four superficial feet available for each such passenger and twelve superficial feet available for each upper-deck passenger.
 (3) For seasons of foul weather, a ship propelled by steam, or partly by steam and partly by sails, and performing a short voyage, shall, subject as aforesaid, contain in the between-decks at least nine superficial feet and fifty-four cubic feet of space available for every between-decks passenger, and on the upper deck at least four superficial feet available for each such passenger and nine superficial feet available for each upper-deck passenger.
 (4) But in seasons of foul weather a ship shall not carry upper-deck passengers unless she is furnished with substantial bulwarks and a double awning, or with other sufficient protection against the weather.

Ship taking additional passengers at intermediate place.

9 If a ship performing a short voyage takes additional passengers on board at an intermediate port or place, the master shall obtain from the officer appointed at that port or place under section 7 a supplementary certificate stating—

- (a) The number of passengers so taken on board ; and
- (b) That food, fuel, and pure water over and above what is necessary for the crew, and the other things, if any, prescribed for the ship by the rules under this Act, have been placed on board, of the quality prescribed by the rules, properly packed, and sufficient to supply the passengers on board during the voyage which the ship is to make (including such detention in quarantine as may be probable) according to the scale for the time being prescribed by those rules :

Provided that, if the certificate B held by the master of the ship states that food, fuel, and pure water over and above what is necessary for the crew, and the other things, if any, prescribed for her by the rules under this Act, have been placed on board, of the quality prescribed by the rules, properly packed, and sufficient, to supply the full number of passengers which she is capable of carrying, the master shall not be bound to obtain any such supplementary certificate.

Deaths on voyage.

20 When the ship reaches her final port or place of arrival, the master shall notify to such officer as the Governor-General in Council appoints in this behalf the date and supposed cause of death of every passenger dying on the voyage.

CHAPTER IV.

Rules for Long Voyages.

Space to be available for passengers.

21 (1) A ship propelled by sails and performing a long voyage shall, subject to the provisions of this Act, contain in the between-decks at least twelve superficial feet and seventy-two cubic feet of space available for every passenger.

(2) A ship propelled by steam, or partly by steam and partly by sails, and performing a long voyage, shall, subject as aforesaid, contain in the between-decks at least nine superficial feet and fifty-four cubic feet of space available for every passenger.

Statements concerning passengers.

22 The master of a ship departing or proceeding on a long voyage from any port or place in British India shall sign two statements, specifying the number and the respective sexes of all the passengers, and the number of the crew, and shall deliver them to the officer appointed under section 7, who shall thereupon, after having first satisfied himself that the numbers are correct, countersign and return to the master one of the statements.

Deaths on voyage.

23 The master shall note in writing on the statement returned to him, and on any additional statement to be made under the next following section, the date and supposed cause of death of any passenger who may die on the voyage, and shall, when the ship arrives at her port or place of destination, or at any port or place at which it may be intended to land passengers, and before any passengers leave the ship, produce the statement, with any additions thereto made, to a person lawfully exercising consular authority on behalf of Her Majesty at the port or place or to the chief customs officer thereat or the officer (if any) appointed there under section 7.

Ship taking additional passengers at intermediate place.

24 (1) In either of the following cases, namely—

- (a) If after the ship has departed or proceeded on a long voyage any additional passengers are taken on board at a port or place within British India appointed under this Act for the embarkation of passengers ; or
- (b) If the ship upon her voyage touches or arrives at any such port or place, having previously received on board additional passengers at any place beyond British India,

the master shall obtain a fresh certificate to the effect of certificate B from the officer appointed at that port or place under section 7, and shall make additional statements specifying the number and the respective sexes of all the additional passengers.

(2) All the foregoing provisions of this Act with respect to certificate B and statements concerning passengers shall be applicable to any certificate granted or statement made under this section.

Certain ships to be propelled by steam.

25 A ship carrying passengers from or to any port in British India to or from any port in the Red Sea shall be propelled principally by steam.

Certain ships to carry medical officer.

26 A ship carrying more than one hundred passengers from or to any port in British India to or from any port in the Red Sea shall have on board a medical officer licensed in accordance with the rules under this Act.

Ships carrying passengers to or from port in Red Sea to touch at Aden.

27 A ship carrying passengers from or to any port in British India other than Aden to or from any port in the Red Sea shall touch at Aden, and shall not leave that port without having obtained from the proper authority a clean bill of health.

Bill of health at Aden.

28 The authority at Aden empowered to grant the bill of health shall refuse to grant it if the ship has on board a greater number of passengers than the number allowed for the ship by or under this Act, and may refuse to grant it if the requirements of any rule under this Act are not complied with on board the ship.

Bond where ship clears for port in Red Sea.

29 In the case of a ship carrying passengers from any port in British India other than Aden to any port in the Red Sea, the officer whose duty it is to grant a port clearance for the ship shall not grant the clearance unless and until the master, owner, or agent of the ship and two sureties resident in British India have executed in favour of the Secretary of State for India in Council a joint and several bond for the sum of five thousand rupees, conditioned—

- (a) That the ship shall touch at Aden on the outward voyage and there obtain a clean bill of health, and shall do the same on the homeward voyage if the ship continues to carry more than sixty passengers; and
- (b) That the master and medical officer (if any) of the ship shall comply with, on the outward voyage, and also on the homeward voyage if the ship continues to carry more than sixty passengers, the provisions of this Act and of such rules relating to ships carrying passengers between ports in British India and ports in the Red Sea as the Governor-General in Council may make under this Act.

Power for Local Government to direct medical inspection of passengers.

30 (1) The Local Government may direct that no passengers shall be received on board any ship or any ship of a specified class carrying passengers from any port in British India to any port in the Red Sea unless and until the passenger has been inspected, at such time and place, and in such manner, as the Local Government may fix in this behalf, by a medical officer to be appointed by that Government for the purpose.

(2) If in the opinion of the officer making an inspection under this section a passenger is suffering from any dangerously infectious or contagious disease, the passenger shall not be permitted to embark.

CHAPTER V.

Penalties.

Penalty for ship unlawfully departing or receiving passengers on board.

31 If a ship departs or proceeds on a voyage from, or discharges passengers at, any port or place within British India in contravention of the provisions of section 6, sub-section (1), or section 9, or if a person is received as a passenger on board a ship in contravention of the provisions of section 6, sub-section (2), the master or owner shall, for every passenger carried in the ship, or for every passenger so discharged or received on board, be punished with fine which may extend to one hundred rupees, or with imprisonment for a term which may extend to one month, or with both, and the ship, if found within two years in any port or place within British India, may be seized and detained by a chief customs officer until the penalties incurred under this Act by her master or owner have been adjudicated, and the payment of the fines imposed on him under this Act, with all costs, has been enforced, under the provisions of this Act:

Provided that the aggregate term of imprisonment awarded under this section shall not exceed one year.

Penalty for opposing entry on or inspection of ships.

32 If a person impedes or refuses to allow the entry or inspection authorized by or under this Act, he shall be punished with fine which may extend to five hundred rupees for each offence, or with imprisonment for a term which may extend to three months, or with both.

Penalty for not exhibiting copy of certificates.

33 If a master or owner without reasonable excuse, the burden of proving which shall lie upon him, fails to comply with the requirements of section 16 with respect to the posting of copies of certificates, he shall be punished with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to one month, or with both.

Penalty for not complying with requirements as to statements concerning passengers and certain other matters.

34 If a master fails to comply with any of the requirements of section 22 or section 23, as to the statements concerning passengers, or wilfully makes any false entry or note in or any such statement, or without reasonable excuse, the burden of proving which shall lie upon him, fails to obtain any such supplementary certificate as is mentioned in section 19, or to report deaths as required by section 20, or to obtain any such fresh certificate, or to make any such statement of the number of additional passengers as is mentioned in section 24, he shall be punished with fine which may extend to five hundred rupees for every such offence, or with imprisonment for a term which may extend to three months, or with both.

Penalty for fraudulent alteration in ship after certificate obtained.

35 If a master, after having obtained any of the certificates mentioned in section 9, section 19, or section 24, fraudulently does or suffers to be done anything whereby the certificate becomes inapplicable to the altered state of the ship, her passengers, or other matters to which the certificate relates, he shall be punished with fine which may extend to two thousand rupees, or with imprisonment for a term which may extend to six months, or with both.

- Penalty for failing to supply passengers with prescribed provisions. 36 If a master without reasonable excuse, the burden of proving which shall lie upon him, omits to supply to any passenger the allowance of food, fuel, and water prescribed by the rules under this Act, he shall be punished with fine which may extend to twenty rupees for every passenger who has sustained detriment by the omission.
- Penalty for having excessive number of passengers on board. 37 (1) If a ship carrying passengers to or from any port or place in British India has on board a number of passengers which is greater than the number allowed for the ship by or under this Act, the master and owner shall, for every passenger over and above that number, be each punished with fine which may extend to twenty rupees, and the master shall further be liable to imprisonment for a term which may extend to one week in respect of each such passenger :
Provided that the aggregate term of imprisonment awarded under this section shall not exceed six months.
(2) Any officer authorized in this behalf by the Local Government may cause all passengers over and above the number allowed by or under this Act to disembark, and may forward them to any port at which they may have contracted to land, and recover the cost of so forwarding them from the master or owner of the ship as if the cost were a fine imposed under this Act, and a certificate under the hand of that officer shall be conclusive proof of the amount of the cost aforesaid.
- Penalty for bringing passengers from foreign port in excess of authorized number. 38 If a ship carrying passengers from any port or place beyond British India to any port or place in British India has on board a number of passengers greater either than the number allowed for the ship by or under this Act or than the number allowed by the license or certificate, if any, granted in respect of the ship at her port or place of departure, the master and owner shall, for every passenger in excess of that number, be each punished with fine which may extend to twenty rupees.
- Penalty for landing passenger at a place other than that at which he has contracted to land. 39 If the master of a ship lands any passenger at any port or place other than the port or place at which the passenger may have contracted to land, unless with his previous consent, or unless the landing is made necessary by perils of the sea or other unavoidable accident, the master shall, for every such offence, be punished with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to one month, or with both.
- Penalty for making voyage in contravention of contract with passengers. 40 If a ship, otherwise than by reason of perils of the sea or other unavoidable accident, touches at any port or place in contravention of any express or implied contract or engagement with the passengers with respect to the voyage which the ship was to make and the time which that voyage was to occupy, whether the contract or engagement was made by public advertisement or otherwise, the master and owner shall each be punished with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.
- Penalty on master and owner of certain ships not propelled by steam. 41 If a ship carrying passengers from or to any port in British India to or from any port in the Red Sea is not propelled principally by steam as required by section 25, the master and owner shall each be punished with fine which may extend to five hundred rupees, or with imprisonment which may extend to three months, or with both.
- Penalty on master of certain ships sailing without medical officer. 42 If a ship carrying more than one hundred passengers from or to any port in British India to or from any port in the Red Sea has not on board a medical officer as required by section 26, the master of the ship shall be punished with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.
- Penalty for not obtaining bill of health at Aden. 43 If in the case of a ship to which section 27 applies the master without reasonable excuse, the burden of proving which shall lie upon him, fails to touch at Aden, or leaves that port without having obtained a bill of health under that section; he shall, for every such offence, be punished with fine which may extend to two thousand rupees, or with imprisonment for a term which may extend to six months, or with both.
- Penalty on master or medical officer of certain ships disobeying rules. 44 If in the case of any such ship as is referred to in the last foregoing section the master or the medical officer, if any, of the ship, without reasonable excuse, the burden of proving which shall lie upon him, breaks, or omits, or neglects to obey, any rule under this Act applicable to the ship, he shall be punished with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.
- Penalty on master receiving passenger in contravention of section 30. 45 If the master of a ship to which a direction under section 30 applies knowingly receives on board the ship any person in contravention of that section, he shall be punished with fine which may extend to five hundred rupees for each person so received, or with imprisonment which may extend to three months, or with both.

Procedure.

- Adjudication of offences, and levy of fine by distress on ship.** 46 (1) Offences against this Act shall be punishable by a magistrate.
- (2) If the person on whom a fine is imposed under this Act is the master or owner of a ship, and the fine is not paid at the time and in the manner prescribed by the order of payment, the magistrate may, in addition to the ordinary means prescribed by law for enforcing payment, direct by warrant the amount remaining unpaid to be levied by distress and sale of the ship, her tackle, furniture, and apparel.
- Jurisdiction.** 47 For the purpose of the adjudication of penalties under this Act every offence against its provisions shall be deemed to have been committed within the limits of the jurisdiction of the magistrate of the place where the offender is found.
- Authority to institute proceedings for penalties.** 48 The penalties to which masters and owners of ships are made liable by this Act shall be enforced only on information laid at the instance of officers appointed to grant certificates under this Act, or at any port or place where there is no such officer, at the instance of the chief customs officer.
- Application of fines.** 49 A magistrate imposing a fine under this Act may, if he thinks fit, direct the whole or any part thereof to be applied in compensating any person for any detriment which he may have sustained by the act or default in respect of which the fine is imposed, or in or towards payment of the expenses of the prosecution.
- Depositions of absent witnesses.** 50 (1) Whenever in the course of any legal proceeding under this Act the testimony of a witness is required in relation to the subject-matter of the proceeding, any deposition which he may have previously made in relation to the same subject-matter before any justice or magistrate in Her Majesty's dominions (including all parts of India other than those subject to the same Local Government as the port or place where the proceeding is instituted), or before any British consular officer elsewhere, shall be admissible in evidence on proof that the witness cannot be found within the jurisdiction of the court in which the proceeding is instituted:
- Provided that the deposition shall not be admissible unless—
- (a) It is authenticated by the signature of the justice, magistrate, or consular officer;
 - (b) It was made in the presence of the person accused; and
 - (c) The fact that it was so made is certified by the justice, magistrate, or consular officer.
- (2) It shall not be necessary in any case to prove the signature or official character of the person appearing to have signed any such deposition; and in any criminal proceeding such certificate as aforesaid shall, unless the contrary is proved, be sufficient evidence of the accused having been present in manner thereby certified.

CHAPTER VI.

Supplemental Provisions.

- Information to be sent to ports of embarkation and discharge.** 51 (1) The chief customs officer, or other officer, if any, appointed by the Local Government in this behalf, at any port or place within British India at which a ship carrying passengers touches or arrives, shall, with advertence to the provisions of this Act, send any particulars which he may deem important respecting the ship, and the passengers carried therein, to the officer at the port or place from which the ship commenced her voyage, and to the officer at any other port or place within British India where the passengers or any of them embarked or are to be discharged.
- (2) The chief customs officer, or other officer, if any, appointed by the Local Government in this behalf, at any port or place in British India at which a ship to which this Act applies touches or arrives, may enter on the ship and inspect her in order to ascertain whether the provisions of this Act as to the number of passengers and other matters have been complied with.
- Report of consul.** 52 In any proceeding for the adjudication of any penalty incurred under this Act any document purporting to be a report of such particulars as are referred to in sub-section (1) of the last foregoing section, or a copy of the proceedings of any court of justice duly authenticated, and also any like document purporting to be made and signed by any person lawfully exercising consular authority on behalf of Her Majesty in any foreign port, shall be received in evidence, if it appears to have been officially transmitted to any officer at or near the place where the proceeding under this Act is had.
- Power for Governor-General in Council and Local Government to make rules.** 53 (1) The Governor-General in Council may make rules consistent with this Act to regulate, in the case of any ship or class of ships, all or any of the following matters:
- (a) The scale on which food, fuel, and water are to be supplied to the passengers or to any class or classes of passengers, and the quality of the food, fuel, and water;
 - (b) The medical stores and other appliances and fittings to be provided on board for maintaining health, cleanliness, and decency;

- (c) The licensing and appointment of medical officers in cases where they are required by this Act to be carried;
- (d) The boats, anchors, and cables to be provided on board;
- (e) The instruments for purposes of navigation to be supplied;
- (f) The apparatus for the purpose of extinguishing fires on board and the precautions to be taken to prevent such fires;
- (g) The provision of appliances for saving life and of means for making signals of distress, and the supply of lights inextinguishable in water and fitted for attachment to life-buoys;
- (h) The functions of the master, medical officer (if any), and other officers of the ship during the voyage;
- (i) The access of between-decks passengers to the upper deck; and
- (j) Generally to carry out the purposes of this Act.

(2) The Local Government may, with the previous sanction of the Governor-General in Council, make rules consistent with this Act to regulate, in the case of any ship or class of ships—

- (a) The local limits within which, and the time and mode at and in which, passengers are to be embarked or discharged at any port or place appointed under this Act in that behalf; and
- (b) The time within which the ship or any ship of the class is to depart or proceed on her voyage after commencing to take passengers on board.

(3) In making a rule under this section the authority making it may direct that a breach of it shall be punishable with fine which may extend to two hundred rupees, and when the breach is a continuing breach with a further fine, which may extend to twenty rupees for every day after the first during which the breach continues.

(4) The power to make rules under this section is subject to the condition of the rules being made after previous publication.

Appointment of officers.

54 The Local Government shall appoint such persons as it thinks fit to exercise and perform the powers and duties which are conferred and imposed by this Act or may be conferred and imposed thereunder.

Power to declare what shall be deemed "seasons of fair weather" and "long voyages."

55 The Governor-General in Council may declare, by notification in the *Gazette of India*, what shall be deemed to be, for the purposes of this Act, "seasons of fair weather" and "seasons of foul weather," and, for sailing-ships and steamships respectively, a "long voyage" and a "short voyage."

Power to prescribe space to be available for passengers.

56 The Governor-General in Council may by order prescribe in the case of any ship or class of ships and for all or any voyages the number of superficial or of cubic feet of space to be available for passengers; and the order shall be alternative to, or override, as the Governor-General in Council may direct, the provisions of sections 18 and 21 so far as they apply to that ship or class of ships.

Power to exempt ship from provisions of Act.

57 (1) The Local Government, with the previous sanction of the Governor-General in Council, may, subject to such conditions as it thinks fit, exempt any ship or class of ships from any provision of this Act.

(2) In imposing a condition under this section the Local Government may direct that a breach of it shall be punishable with fine which may extend to two hundred rupees, and when the breach is a continuing breach with a further fine which may extend to twenty rupees for every day after the first during which the breach continues.

SCHEDULE.

(See Section 4.)

Enactments Repealed.

Number and Year.	Title.	Extent of Repeal.
VIII. of 1876 ...	Native Passenger Ships Act, 1876	The whole
XVII. of 1883 ...	Native Passenger Ships Act, 1883	The whole
VII. of 1884 ...	Indian Steamships Act, 1884 ...	Section 41

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

H. WHITE,
Acting Clerk to the Council.

Assented to by His Excellency the Governor the Third day of December, One thousand Eight hundred and Ninety-four.

E. NOEL WALKER,
Colonial Secretary.

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

No. 6 of 1894.

An Ordinance to enable the Postmaster-General to detain any
Postal Packet containing or bearing any fictitious
Postage Stamp.

A. E. HAVELOCK.

Preamble.

WHEREAS it is expedient to make provision enabling the Postmaster-General to detain (if necessary) any postal packet found in the post containing or bearing any fictitious postage stamp: 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.
To be read as one
with Ordinance
No. 13 of 1892.

1 This Ordinance may be cited for all purposes as "The Ceylon Postal and Telegraph Amendment Ordinance, 1894," and shall be read as one with "The Ceylon Postal and Telegraph Ordinance, 1892."

Postal officer
authorized to
detain postal
packets
containing or
bearing fictitious
postage stamps.

2 The Postmaster-General or any postmaster may detain (if necessary) any postal packet found in the post containing or bearing any fictitious postage stamp, that is to say, any facsimile, or imitation, or representation of any stamp for denoting any rate or duty of postage, including any stamp for denoting a rate or duty of postage of the United Kingdom, of any of Her Majesty's colonies, or of any foreign country; or purporting to be prepaid with any postage stamp which has been previously used to prepay any other postal packet.

Postal packets
when detained to
be dealt with as
authorized by the
Postmaster-
General.

3 Any postal packet detained under the provisions of section 2 may be either returned or given up to the sender thereof, or dealt with or disposed of in such other manner as may be authorized by the Postmaster-General.

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

H. WHITE,
Acting Clerk to the Council.

Assented to by His Excellency the Governor the Third day of December, One thousand Eight hundred and Ninety-four.

E. NOEL WALKER,
Colonial Secretary.

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

No. 7 of 1894.

An Ordinance to incorporate the Board of Directors of the
Jaffna College.

A. E. HAVELOCK.

Preamble.

WHEREAS several of the inhabitants of the Northern Province have established an institution called and known as "The Jaffna College," at Batticotta, in the district of Jaffna, and it is found desirable to constitute certain persons one body politic and corporate for the purpose of effectually transacting all affairs connected with the said college according to the constitution agreed to by its founders: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Incorporated
under the name
of "The Board of
Directors of the
Jaffna College."

1 The persons named in the schedule A hereto, being the present directors of the said college, and such persons as may hereafter be appointed from time to time directors of the said college, as declared and set forth in the schedule B hereto, shall be one body politic and corporate by the

name of "The Board of Directors of the Jaffna College," and by the said name they shall have perpetual succession, and shall and may use a common seal, with power to change and alter the same at their pleasure.

Corporation may sue and be sued, &c.

2 They and their successors by the same name may sue and be sued, implead and be impleaded, answer and be answered unto, defend and be defended, in all and any courts whatsoever, and before any judge, magistrate, or judicial officer within this island in all manner of actions, suits, complaints, matters, and causes whatsoever.

May hold movable and immovable property.

3 They and their successors by the name aforesaid shall be able and capable in law of holding all such estate, movable and immovable, as hath been already acquired by them, and of having, taking, and holding for ever hereafter other estate, movable and immovable, either by purchase, gift, devise, or legacy, to and for the use and benefit of the said college; and of selling, disposing of, or exchanging the same.

Power to sell lands.

All securities for money in the name of trustees of the said college vested in the corporation.

4 And all mortgages and other securities for money, lands, and tenements held in the island in the name of any persons as trustees of the said college shall be and the same are hereby declared to be transferred and vested in the said "Board of Directors of the Jaffna College" and their successors in the corporate name, as fully as if the same had been assigned and transferred by the trustees in whose names the same are now held to the said corporation. And the said corporation shall have full power to assign, transfer, and dispose of all such mortgages and other securities to which they shall be entitled as the said corporation shall think proper.

Short title.

5 This Ordinance shall be called "The Ordinance for incorporating the Board of Directors of the Jaffna College," and may be cited as such for all purposes.

SCHEDULE A.

The Board of Directors of the Jaffna College.

W. C. Twynam, Esq., C.M.G.	...	Government Agent, Northern Province
Rev. S. W. Howland, D.D. ...	...	American Missionary
Rev. T. S. Smith, M.A. ...	...	do.
Rev. R. C. Hastings ...	...	do.
Rev. J. J. Pickford ...	...	C. M. S. Missionary
Rev. George Champion ...	...	Native Minister
Rev. B. H. Rice ...	...	do.
Rev. T. P. Hunt ...	...	do.
C. W. Cathiravalupilly, Esq.	...	Police Magistrate
T. M. Tampoo, Esq. ...	...	Proctor
A. Hensman, Esq. ...	...	do.
T. C. Changarapilly, Esq. ...	...	do.
J. P. Cooke, Esq. ...	...	Teacher
L. S. Strong, Mudaliyár ...	...	Medical Practitioner
W. Paul, Esq. ...	...	do.

SCHEDULE B.

Constitution agreed to by the Founders of the Jaffna College.

I.—The institution shall be called "The Jaffna College."

II.—It shall be conducted as a Christian college, whose directors and instructors shall be members of any denomination of Protestant Christians.

III.—The object shall be to give all pupils admitted into the college a thorough general education and daily Bible instruction.

IV.—The general government and direction of the college shall be vested in a board of directors, not more than eighteen and not less than fifteen in number, distributed (for purposes of retirement and election of directors as in article VI. provided) into three sections, designated as sections A, B, and C, each section not exceeding six in number.

V.—The board of directors of the college shall, upon enactment of this constitution, consist of the following directors, distributed for such purposes as aforesaid into the following sections, viz.:—

Section A.

J. J. Pickford, C.M.S.	T. C. Changarapilli, Esq., Proctor
Geo. Champion, Native Minister	J. P. Cooke, Esq., Teacher
T. M. Tampoo, Esq., Proctor	

Section B.

T. S. Smith, American Missionary	L. S. Strong, Mudaliyár, Medical Practitioner
S. W. Holland, do.	William Paul, Esq., do.
B. H. Rice, Native Minister	

Section C.

W. C. Twynam, Esq., C.M.G.	C. W. Cathiravalupilly, Esq., Magistrate
R. C. Hastings, American Missionary	A. Hensman, Esq., Proctor
T. P. Hunt, Native Minister	

The directors named in section A and their substitutes elected as in article VIII. hereof is provided may hold office until the first election of directors as in article VI. hereof provided; and those named in section B and their substitutes until the second election; and those named in section C and their substitutes until the third election respectively as hereinafter provided.

VI.—The first election of directors shall be held at the first annual general meeting to be holden under this constitution as in article IX. hereof provided, and at the said election the directors then forming section A shall retire from office, but shall be eligible for re-election.

The directors then forming sections B and C shall elect directors (not exceeding six in number) to form section A of the directorate body for the period of three years next ensuing.

The second and third election of directors shall in like manner be held at the second and third annual general meetings respectively, which shall be holden under this constitution, the directors then forming section B retiring at the second, and those forming section C at the third annual general meeting, but in each case being eligible for re-election; and this rotation of retirement of each of the three sections successively with like eligibility for re-election shall be observed in the elections to be holden in each successive year thereafter.

VII.—At each such election every Protestant Christian, who shall then be resident in the peninsula of Jaffna, and willing to interest himself in the working of the college, shall be eligible for election as a director, whether by race he is a native of Ceylon or a foreigner of any other nationality, provided always that the number of foreigners so elected shall never at any one time exceed a moiety of the members of the directorate.

VIII.—A director shall vacate his office by death, or resignation, or by ceasing to reside within the peninsula of Jaffna for a period of six months consecutively. Whenever any such vacancy shall occur the directors may elect as substitute for such director in the section to which he belonged any person who, under the requirements of article VII., would be eligible to be elected as a director at an annual general meeting, and such substitute shall be and officiate as a director until the section into which he shall be so elected shall retire from office, or he himself shall vacate his office in any manner before-mentioned.

IX.—The annual general meeting of the board of directors shall be held at such time shortly after the close of each collegiate year, when defined as in article XIV. hereof provided, and at such place as the directors for the time being shall determine, notice whereof in writing shall be posted or given by the secretary to each director seven days previously thereto; and at each such meeting shall be presented by the principal a full report of the operations and condition of the institution, and by the treasurer a statement of accounts properly audited by the auditor, showing all moneys received and disbursed during the year then lately ended.

X.—A meeting of the board of directors shall be held at least once in every year upon such date or dates and at such place or places as the board of directors shall from time to time determine, and at such other times as on the requisition in writing of six directors or of the standing committee (as in article XVI. provided) shall be by the secretary notified to each director.

XI.—At any meeting of the board duly convened and holden nine directors shall form a quorum.

XII.—The officers of the board of directors shall consist of a president, auditor, treasurer, and secretary, each of whom shall be elected out of the body of directors by the members of the board present at the meeting of directors, held immediately after the

election of a new section of the board as provided in article VI., and shall continue to hold office until the close of the annual general meeting which shall be held next thereafter. Should any office be vacated at any time other than at the annual general meeting, the directors may at any subsequent meeting in like manner appoint another director thereto.

XIII.—The board of directors may from time to time make by-laws and rules to define the duties of its several officers and to regulate the manner in which its meetings shall be convened, held, and adjourned, and for the conduct of its proceedings. Such by-laws and rules when made shall not be revoked or altered save at a meeting of the said board duly convened by notice to all the directors for the time being specifying the proposed alteration.

XIV.—The board of directors shall have power to make and enforce such laws and regulations as may be necessary for the conduct and management of the institution : to elect the principal and to appoint all other instructors and officers, and at their discretion to remove any of them ; to decide upon the conditions of admission of students ; to prescribe the general course of study ; to determine the general arrangement of terms and the limits of the collegiate year ; and to assign its respective duties to any department of education or management for which the board of directors may arrange.

XV.—The board of directors may in their discretion from time to time appoint a standing committee, to be composed of the principal of the college as an *ex-officio* member, and of not less than five nor more than seven members of their own directorate body, and may make rules for the conduct of business by the said standing committee, and (subject to the provisions herein contained) define the duties to be by them discharged.

XVI.—The standing committee when so appointed shall have power to consider and decide all questions pertaining to the management of the institution which may arise in the intervals between any meetings of the board of directors, but shall submit each such decision to the said board at its next meeting, thereafter to be by the directors then confirmed or disallowed both in relation to the occasion in which it originated (so far as action thereon has been deferred or may thereafter yet be taken) and in regard to all like questions which may in the future arise, and for this purpose the standing committee shall have power to convene special meetings of the board of directors whenever to it shall seem expedient.

XVII.—The board of directors shall be responsible for the safe keeping and disposition of all funds received by them for the college from whatever source.

XVIII.—The principal and professors or teachers of the college for the time being shall constitute its faculty.

XIX.—Any person of any race or creed may be admitted by the faculty as student of the college, who bears a good moral character and satisfies the requirements prescribed from time to time by the directors or the faculty as conditions for their admission, and undertakes to conform to the rules and regulations for the conduct and management of the institution.

XX.—Any articles of this constitution may be by the directors repealed or amended, and a new provision in lieu thereof may be substituted for or added to the then existing articles ; provided, first, that such change shall be voted by two-thirds of the directors for the time being present at any meeting at which, with due notice to all the directors, the alteration shall have been proposed and discussed ; and secondly, that the general purpose for which the institution was founded shall be respected ; and thirdly, that such change shall be approved by His Excellency the Governor, acting with the advice of the Executive Council.

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

H. WHITE,
Acting Clerk to the Council.

Assented to by His Excellency the Governor the Third day of December, One thousand Eight hundred and Ninety-four.

E. NOEL WALKER,
Colonial Secretary.

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

No. 8 of 1894.

An Ordinance to abolish the Import Duty on certain kinds of Metals.

A. E. HAVELOCK.

Preamble.

WHEREAS it is expedient to abolish the import duty on metals intended for use in local manufactures, levied under the Ordinance No. 17 of 1869: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Abolition of customs duty on certain metals.

1 From the date of the passing of this Ordinance there shall cease to be levied the several duties of Customs respectively set forth in figures against the different classes of metals specified in the schedule hereto annexed, anything in the Ordinance No. 17 of 1869 to the contrary notwithstanding.

SCHEDULE.

	Per cwt.
	Rs. c.
Brass, sheets	3 0
Iron, angle, and Swedish bar	0 25
Iron, bar, flat, square, bolt or round, rod, and nail rod	0 20
Iron, pig	0 12½
Iron, plates and sheets (not galvanized)	0 25
Lead, sheet, pipe, and pig	0 50
Tin and Zinc in cake or slab	0 50
Steel, blister	0 50
Steel, cast	0 62½
Tin plates	0 75

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

H. WHITE,

Acting Clerk to the Council.

Assented to by His Excellency the Governor the Third day of December, One thousand Eight hundred and Ninety-four.

E. NOEL WALKER,
Colonial Secretary.

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

No. 9 of 1894.

An Ordinance to amend "The Village Communities' Ordinance, 1889."

A. E. HAVELOCK.

Preamble.

WHEREAS doubts have arisen as to whether the inhabitants of any subdivision which has been brought within the operation of "The Village Communities' Ordinance, 1889," hereafter referred to as "the principal Ordinance," have power to enforce a contribution in labour towards any of the purposes mentioned in section 6 of the said Ordinance, and it is expedient to remove such doubts: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Amendment of section 6 of the

1 In section 6 of the principal Ordinance, after sub-section 17 and before sub-section 18, the following sub-sections

principal Ordinance as to imposing labour.

shall be inserted and numbered respectively (17a), (17b), and (17c), namely :

“For imposing and enforcing an annual tax payable in labour in respect of all or any of the purposes mentioned in sub-sections (1), (2), (13), (16), and (17), upon the inhabitants of the subdivision, provided that no inhabitant shall be liable to perform more than ten days’ labour in any one year.”

“For determining the number of days’ labour to be imposed in respect of any one or more of such purposes.”

“For calling out and compelling the performance of such labour.”

Commencement of Ordinance.

2 This Ordinance shall commence and come into operation on the First day of January, 1895, and its provisions shall apply to the inhabitants of any subdivision which has been or shall hereafter be brought within the operation of the principal Ordinance.

Short title.

3 This Ordinance may be cited as “The Village Communities’ Ordinance, 1894,” and this Ordinance and the principal Ordinance may be cited collectively as “The Village Communities’ Ordinances, 1889 and 1894.”

Passed in Council the Twenty-first day of November, One thousand Eight hundred and Ninety-four.

H. WHITE,
Acting Clerk to the Council.

Assented to by His Excellency the Governor the Third day of December, One thousand Eight hundred and Ninety-four.

E. NOEL WALKER,
Colonial Secretary.

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

No. 10 of 1894.

An Ordinance to amend “The Gemming Ordinance, 1890.”

A. E. HAVELOCK.

Preamble.

WHEREAS it is expedient to amend “The Gemming Ordinance, 1890,” hereinafter called “the principal Ordinance:” Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Amendment of section 2 of the Ordinance No. 5 of 1890.

1 In section 2 of the principal Ordinance, for the definition “mine” shall be substituted the following :

“Mine” includes one or more mines opened, worked, or used in any land in respect of which a license has been issued under section 4 for the purpose of searching for or obtaining gold, silver, gems, or precious stones, and includes all shafts, levels, planes, works, machinery, tramways, and sidings both below and above ground, which may be sunk, driven, erected, or constructed in and adjacent to such mine or mines.

Section 4, sub-sections (1) and (2), amended.

2 In section 4, sub-section (1), of the principal Ordinance, the words “on condition that the licensee shall, in commutation of the share due to Her Majesty and her successors of the gold, silver, gems, or precious stones which may be obtained from such mine, pay in advance the fees provided for in section 8,” shall be repealed.

And in sub-section (2), for the words “five rupees” there shall be substituted “one rupee.”

- Section 8, as to permit and license fees thereon, repealed.
Section 9 amended.
- 3 Section 8 of the principal Ordinance is hereby repealed.
- Section 10, sub-section (1), amended.
- 4 In section 9 of the principal Ordinance, the words "and the permit required by section 8 for every person employed in or about any mine" are hereby repealed.
- Section 11, as to penalties, amended.
- 5 In section 10 of the principal Ordinance, sub-section (a) is hereby repealed.
- 6 For section 11 of the principal Ordinance shall be substituted the following :
- "11 Any person who shall open, work, or use, or cause or suffer to be opened, worked, or used, any mine in breach of, or in any way contrary to, the provisions of this Ordinance, or of any rules made under section 10, or otherwise than in strict accordance with the license in that behalf granted, or after such license shall have been revoked, or who shall refuse to produce any license whenever required to do so, shall be guilty of an offence, and be liable on a first conviction to a fine not exceeding fifty rupees, or to rigorous imprisonment not exceeding three months, or both, and on every subsequent conviction to a fine not exceeding one hundred rupees, or to rigorous imprisonment not exceeding six months, or both."
- Section 13 amended.
- 7 In section 13 of the principal Ordinance, the words "or for having been employed, or for having employed another in or about a mine without a permit" in the third, fourth, and fifth lines thereof; and the words "or permit, as the case may be," between the words "holds a license" and "shall lie on the party accused;" and the words "or permit" after the words "deemed to have no license," are hereby repealed.
- Form of license amended.
- 8 For the form of license set out in the schedule to the principal Ordinance shall be substituted the following form :
- In terms of section 4 of the Ordinance No. 5 of 1890, I, _____, do hereby license _____ to open, work, and use one or more mines for the purpose of searching for or obtaining (gold or silver or gems, as the case may be) in the land called _____, situated at _____, bounded on the north, &c. (state the boundaries of the land), subject to the following conditions (state conditions, if any).
- Given at _____, this _____ day of _____, 189—.
- Government Agent.
- Commencement.
- 9 This Ordinance shall come into operation on the First day of December, 1894, and shall be read as one with the principal Ordinance.
- Passed in Council the Twenty-first day of November, One thousand Eight hundred and Ninety-four.
- H. WHITE,
Acting Clerk to the Council.
- Assented to by His Excellency the Governor the Third day of December, One thousand Eight hundred and Ninety-four.
- E. NOEL WALKER,
Colonial Secretary.

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

No. 11 of 1894.

An Ordinance to suppress Intermeddlers with Suitors in Courts of Justice.

A. E. HAVELOCK.

Preamble.

WHEREAS it is expedient to provide against the mischief caused by touts and vagrants meddling with parties who seek redress in courts of justice: Be it therefore

enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Interpretation clause.

1 In this Ordinance, unless there be something repugnant in the subject or context—

“Legal practitioner.”

“Legal practitioner” means an advocate or proctor or any person authorized by any law for the time being to practise in any court of this island.

“Court.”

“Court” means the Supreme Court, any district court, court of requests, police court, or court of a municipal magistrate.

Non-summary offences under this Ordinance.

2 Any person who—

(a) Solicits or receives from any legal practitioner any gratification in consideration of procuring or having procured him employment as such legal practitioner;

(b) Retains any gratification, or withholds without just cause a portion, out of remuneration entrusted to be paid to any legal practitioner for such employment;

(c) Not being authorized under any law to practise in any court, solicits or receives from any person any gratification in consideration of procuring or having procured the employment of a legal practitioner as such;

(d) Being a legal practitioner, tenders or gives any gratification, or consents to the retention of any gratification, for procuring or having procured the employment as such practitioner of himself or any other legal practitioner;

shall be guilty of an offence, and shall on conviction be punished with a fine not exceeding five hundred rupees.

Legal practitioner convicted under this Ordinance liable to be removed from office.

3 Any legal practitioner who shall be convicted of any offence under this Ordinance shall be liable to be removed or suspended from office by the judges of the Supreme Court, on the motion of the Attorney-General or Solicitor-General.

Proceedings in court in regard to non-summary offences.

4 It shall be competent to any person to prefer to a police court a complaint or report that an offence under section 2 of this Ordinance has been committed within the territorial jurisdiction of such court, when such court shall proceed with the inquiry as provided in chapter XVI. of the Criminal Procedure Code, and shall in due course forward the proceedings taken in the case to the Attorney-General, whereupon the Attorney-General may, in his discretion, direct the accused to be either discharged or committed for trial before any district court having jurisdiction, or may make any other order as provided in chapter XX. of the Criminal Procedure Code.

Persons without lawful excuse accosting suitors by words or signs triable summarily.

5 Any person who, without lawful excuse, accosts, or attempts by words, signs, or otherwise, to meddle with any suitor or other person having business in any court, shall be guilty of an offence, and be liable on conviction to be punished with a fine not exceeding one hundred rupees.

Accused may give evidence on his own behalf.

6 Any person charged with any offence under this Ordinance may, if he thinks fit, tender himself to be examined on his own behalf, and thereupon may give evidence in the same manner and with the like effect and consequences as any other witness.

Passed in Council the Twenty-eighth day of November, One thousand Eight hundred and Ninety-four.

H. WHITE,
Acting Clerk to the Council.

Assented to by His Excellency the Governor the Fifth day of December, One thousand Eight hundred and Ninety-four.

E. NOEL WALKER,
Colonial Secretary.

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to amend the Ordinance No. 5 of 1891, relating to the Incorporation of the Public Service Mutual Provident Association.

Preamble.

WHEREAS it is expedient to amend the Ordinance No. 5 of 1891, intituled "An Ordinance to incorporate the Public Service Mutual Provident Association": Be it therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows :

Section 13 amended.

1 For section 13 of the Ordinance of No. 5 of 1891 the following section shall be substituted :—

"It shall be lawful for the corporation, by resolutions passed at any general meeting, to remunerate the services of any member or members of the committee of management and of the auditor or auditors to be elected under section 16, sub-section 2, and from time to time to fix the amount of such remuneration, and to require such security from such member or members of the committee of management so remunerated as may be deemed sufficient."

To be read as one with No. 5 of 1891.

2 This Ordinance shall be read as one with the Ordinance No. 5 of 1891.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, November 30, 1894.

E. NOEL WALKER,
Colonial Secretary.

NOTICES IN TESTAMENTARY ACTIONS.

Order Nisi.

In the District Court of Colombo.

Testamentary Jurisdiction. } In the Matter of Goods and Chattels of Muttukutige Peduru Perera, of 1st Division, Maradana, in Colombo, deceased. No. C/525.

THIS matter coming on for disposal before Joseph Grenier, Esq., Acting District Judge of Colombo, on the 29th day of November, 1894, in the presence of J. R. V. de Livera, Proctor, on the part of the petitioner, Daluattage Cecilia Perera, of 1st Division, Maradana, in Colombo; and the affidavit of the said Daluattage Cecilia Perera, dated 14th November, 1894, having been read: It is ordered that the said Daluattage Cecilia Perera be and she is hereby declared entitled to have letters of administration to the estate of Muttukutige Peduru Perera, deceased, issued to her as widow of the said deceased, unless the respondent, Muttukutige Gabriel Perera, of 1st Division, Maradana, in Colombo, shall, on or before 20th day of December, 1894, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,
Acting District Judge.

The 29th day of November, 1894.

Order Nisi.

In the District Court of Colombo.

Testamentary Jurisdiction. } In the Matter of the Estate, Goods and Chattels, and Rights and Credits of Gurunnanselage Dona Dominga Gunatilleke Hamine, late of Wattala, in the Ragam pattu of the Alutkuru korale, deceased. No. C/528.

THIS matter coming on for disposal before Joseph Grenier, Esq., Acting District Judge of Colombo, on the 29th day of November, 1894, in the presence of E. W. Perera, Proctor, on the part of the petitioner Abeyesinghe Arachchige Hendrick Perera, of Pettia, goda, in the Adikari pattu of the Siyane korale; and the affidavit of the said Abeyesinghe Arachchige Hendrick Perera, dated 7th November, 1894, having been read: It is ordered that the said Abeyesinghe Arachchige Hendrick Perera be and he is hereby declared entitled to have letters of administration to the estate of Gurunnanselage Dona Dominga Gunatilleke Hamine, deceased, issued to him, as the husband of the said deceased, unless the respondent, Wickrame Arachchige Wellon Perera, of Nadungomuwa, in Siyane korale, shall, on the 20th day of December, 1894, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,
Acting District Judge

The 29th day of November, 1894.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the late Nawanage Don Juan Appuhamy, of Pinnameda, in the Adikari pattu of the Siyane korale, deceased.

THIS matter coming on for disposal before P. W. Conolly, Esq., Acting District Judge of Colombo, on the 14th day of November, 1894, in the presence of E. W. Perera, Proctor, on the part of the petitioner Nawanage Don Cornelis Vel-vidane, of Pinnameda, in the Adikari pattu of Siyane korale, and the affidavit of the said Nawanage Don Cornelis Vel-vidane, dated 12th November, 1894, having been read: It is ordered that the said Nawanage Don Cornelis Vel-vidane, be and he is hereby declared entitled to have letters of administration to the estate of Nawanage Don Juan Appuhamy, deceased, issued to him, as one of the heirs of the said deceased, unless the respondents—1, Kiriellagurunnanselage Menchy Silva Hamine, of Pinnameda in the Adikari pattu of the Siyane korale; 2, Nawanage Don Brumpy Appuhamy, of Dalupitiya in the Adikari pattu of the Siyane korale; 3, Nawanage Dona Johanna Hamine, of Arembepola, in the district of Kandy; 4, Nawanage Dona Kay Hamine and her husband; 5, Welgamage Joronis Dias, both of Pinnameda in the Adikari pattu of the Siyane korale; 6, Nawanage Don Hendrick Appuhamy, of Dalupitiya in the Adikari pattu of the Siyane korale; 7, Nawanage Don Abraham Appuhamy, of Dalupitiya in the Adikari pattu of the Siyane korale; and 8, Nawanage Don Podi Singho Appuhamy, of Pinnameda in the Adikari pattu of the Siyane korale—shall, on or before the 20th day of December, 1894, show sufficient cause to the satisfaction of this court to the contrary.

P. W. CONOLLY,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary. } In the Matter of the Estate, Goods and Chattels, and Rights and Credits of Bergerge Abraham de Samiel, late of Nawagamuwa in the Palle pattu of the Hewagam korale, deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., Acting District Judge of Colombo, on the 20th day of November, 1894, in the presence of E. W. Perera, Proctor, on the part of the petitioner Bergerge Arnoldus de Samiel, of Nawagamuwa in the Palle pattu of the Hewagam korale, and the affidavit of the said Bergerge Arnoldus de Samiel, dated 29th October, 1894, having been read: It is ordered that the said Bergerge Arnoldus de Samiel, be and he is hereby declared entitled to have letters of administration to the estate of Bergerge Abraham de Samiel, deceased, issued to him as one of the heirs of the said deceased, unless the respondents—1, B. Johana de Samiel, of Barendiawatta in Sedawatta in the Adikari pattu of the Hewagam korale, widow of Nawalage Joti Coorey, deceased; 2, Bergerge Philippa de Samiel and her husband; 3, Wickremeachchige Harmanis Appuhamy, both of Bomeria in the Palle pattu of the Hewagam korale; 4, Bergerge Carlina de Samiel and her husband; 5, Wickremeachchige Joronis Appuhamy, both of Bomeria, aforesaid; 6, Bergerge Egonis de Samiel, of Nawagamuwa, aforesaid; 7, Bergerge Selestina de Samiel, and her husband; and 8, Morawakege Dawith Perera, of Depanama in Salpiti korale—shall, on or before the 20th day of December, 1894, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,
Acting District Judge.

The 20th day of November, 1894.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate and effects of Magudum Natchia, widow of Seyedo Meera Lebbe, late of Messenger street in Colombo, deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., Acting District Judge of Colombo, on the 22nd day of November, 1894, in the presence of Mr. Arthur Alvis, Proctor, on the part of the petitioner Meera Lebbe Marikar Noor Mohamado Marikar, of Messenger street in Colombo, and the affidavit of the said Meera Lebbe Marikar Noor Mohamado Marikar, dated 20th November, 1894, having been read: It is ordered that the said Meera Lebbe Marikar Noor Mohamado Marikar, be and he is hereby declared entitled to have letters of administration to the estate of Magudum Natchia, widow of Seyedo Meera Lebbe Slema Lebbe, deceased, issued to him as the husband of one of the two heirs of the said deceased, unless the respondents (1) Sella Umma of No. 103, Messenger street, in Colombo, wife of Meera Lebbe Marikar Noor Mohamado Marikar; and (2) Noor Umma, wife of Seyedo Mohomado Lebbe Tamby Marikar of No. 104, Messenger street, in Colombo, shall on or before the 20th day of December, 1894, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,
Acting District Judge.

The 22nd day of November, 1894.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of William Plunkett, late of Colombo deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., Acting District Judge of Colombo, on the 29th day of November, 1894, in the presence of Walwin La Brooy, Proctor, on the part of the petitioner Laura Plunkett, of Wellawatta in Colombo, and the affidavit of the said Laura Plunkett, dated 29th November, 1894, having been read: It is ordered that the said Laura Plunkett, be and she is hereby declared entitled to have letters of administration to the estate of William Plunkett, deceased, issued to her as widow and heir of the said deceased, unless the respondents (1) John James Plunkett, of Slave Island in Colombo; and (2) Sarah Martinus, of Grandpass in Colombo, shall, on or before the 20th day of December, 1894, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,
Acting District Judge.

The 29th day of November, 1894.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Goods and Chattels of the late Dona Peternella Jayasooriya Gunawardene Hamine, of Yatawaka, deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., Acting District Judge of Colombo, on the 29th day of November, 1894, in the presence of J. H. de Livera, Proctor, on the part of the petitioner Wickramachchiappuhamilage Don William Appuhami of Yatawaka in the Udugaha pattu of Siyane korale, and the affidavit of the said Wickramachchiappuhamilage Don William Appuhami, dated 27th November, 1894,

having been read : It is ordered that the said Wickrama-
 achiappuhamilage Don William Appuhami be, and he
 is hereby declared entitled to have letters of administra-
 tion to the estate of Dona Peternella Jayasooriya Guna-
 wardene Hamine, deceased, issued to him as the husband
 of the said deceased, unless the respondents—1, Wic-
 kramaachiappuhamilage Don Solomon, of Yatawaka
 in the Udugaha pattu of Siyane korale ; and 2, Don
 Jocolis Jayasooriya Gunawardene, Notary Public, of
 Attanagalla in the Udugaha pattu of Siyane korale—shall,
 on or before the 20th day of December, 1894, show
 sufficient cause to the satisfaction of this court to the
 contrary.

JOSEPH GRENIER,
 Acting District Judge.

The 29th November, 1894.

In the District Court of Kandy.

Order Nisi.

Testamentary } In the Matter of the Estate of Daula-
 Jurisdiction } gala *alias* Kiribathkumbure Bud-
 Class I. } darakita Unnanse, of Hendeniya
 No. 1,857. } in Udunuwara, deceased.

Eladette Sooriadaas Brahmanerallage Kiri
 Banda, Arachchi Petitioner

And

1, Suriadaas Brahmanerallage Ran Menika ;
 2, Pallegedera Dingiri Banda ; 3, Palle-
 gedera Dingiri Mudianse ; 4, Pallegedera
 Dingiri Lekumenika ; and 5, Pallegedera
 Dingiri Punchimenika—3rd, 4th, and 5th
 by their guardian *ad litem* Pallegedera
 Dingiri Banda..... Respondents.

THIS matter coming on for disposal before John
 Henricus de Saram, Esq., District Judge of Kandy,
 on the 19th day of November, 1894, in the presence of
 Mr. Vanderwall, Proctor, on the part of the petitioner
 Eladette Sooriadaas Brahmanerallage Kiri Banda, Arachchi,
 and the affidavit of the said petitioner dated the 30th day
 of October, 1894, having been read :

It is declared that the said Eladette Sooriadaas Brah-
 manerallage Kiri Banda, Arachchi, is a brother of Daula-
 gaha *alias* Kiribathkumbura Buddarakita Unnanse, of
 Hendeniya, deceased, and as such is entitled to have
 letters of administration to the estate of Daulagala *alias*
 Kiribathkumbura Buddarakita Unnanse, deceased, issued
 to him, unless the respondents above-named shall, on or
 before the 14th day of December, 1894, show sufficient
 cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,
 District Judge.

The 19th day of November, 1894.

In the District Court of Batticaloa.

Order Nisi.

Testamentary } In the Matter of the Last Will and
 Jurisdiction. } Testament of Anne Carey, of Batti-
 No. 266. } caloa, deceased.

THIS matter coming on for disposal before G. C.
 Roosmalecocq, Esq., District Judge of Batticaloa,
 on the 15th day of November, 1894, in the presence of
 Mr. P. J. G. Toussaint, Proctor, on the part of the
 petitioners, John Edward Carey and William Thomas
 Wambeck, and the affidavits of the said John Edward
 Carey having been read : It is ordered that the will of
 Anne Carey, deceased, dated 21st August, 1893, and now
 deposited in this court, be and the same is hereby de-
 clared proved, unless any person shall, on or before the
 4th December, 1894, show sufficient cause to the satis-
 faction of this court to the contrary.

It is further declared that the said John Edward Carey
 and William Thomas Wambeck are the executors named
 in the said will, and that they are entitled to have pro-
 bate of the same issued to them accordingly, unless any
 person shall, on or before the 4th day of December, 1894,
 show sufficient cause to the satisfaction of this court to
 the contrary.

G. C. ROOSMALECOCC,
 District Judge.

This 15th November, 1894.

In the District Court of Trincomalee.

Order Nisi.

Testamentary } In the Matter of the Estate of Aslam-
 Jurisdiction. } khan Athamkhan, late of Trincomalee,
 No. 29/148. } deceased.

THIS matter of the application of Seyathu Sashwar, of
 Trincomalee, to be appointed administrator of the
 estate of the late Aslamkhan Athamkhan, coming on for
 disposal before G. M. Cookson, Esq., Additional District
 Judge of Trincomalee, on the 26th day of September,
 1894, in the presence of Mr. C. Candappa, Proctor, on the
 part of the petitioner Seyathu Sashwar ; and the two
 affidavits of the petitioner, dated 30th day of October,
 1893, having been read : It is declared that the petitioner
 is a creditor of the said late Aslamkhan Athamkhan, and
 as such he is entitled to have letters of administration
 issued to him, to the estate of the said late Aslamkhan
 Athamkhan, deceased, unless any one shall, on or before
 the 12th day of December, 1894, show good and sufficient
 cause to the satisfaction of this court to the contrary.

G. M. COOKSON,
 Additional District Judge.

Dated, 26th September, 1894.

Order Nisi.

In the District Court of Kegalla.

Testamentary } In the Matter of the Intestate Estate
 Jurisdiction. } of the late Lekamalagedara Siatu
 No. 17. } Kapurula, of Alutnuwara.

Lekamalagedara Appuhamy, of Talewature... Petitioner.
 Against

1, Lekamalagedara Joti Hamy, of Alutnuwara ;
 2, Lekamalagedara Pinchi Amma of Palli-
 poruwa ; 3, Lekamalagedara Mohotti Appu
alias Wanaratna Unnanse, of Illadorapan-
 sala..... Respondents.

THIS matter coming on for disposal before L. W.
 Booth, Esq., District Judge of Kegalla, on the 17th
 day of November, 1894, in the presence of Mr. Peires,
 Proctor, and the affidavit of Lekamalagedara Appuhamy,
 of Talewature, dated the 30th day of October, 1894,
 having been read : It is ordered that the petitioner afore-
 said, Lekamalagedara Appuhamy, of Talewature, be and
 he is hereby declared entitled to have letters of adminis-
 tration to the intestate estate of the deceased Lekama-
 lagedara Siatu Kapurula as brother of the said deceased,
 and that he be declared administrator thereof, unless the
 respondents—1, Lekamalagedara Joty Hamy, of Alut-
 nuwara ; 2, Lekamalagedara Punchi Amma, of Palli-
 poruwa ; 3, Lekamalagedara Mohotti Appu *alias* Waneratne
 Unnanse, of Illadorepansala,—show sufficient cause, on or
 before the 17th day of December, 1894, to the satisfaction
 of this court to the contrary.

L. W. BOOTH,
 District Judge.

The 19th day of November, 1894.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Avisawella, by the labourers of Ruanwella estate, against the proprietor of the said estate, to recover the sum of Rs. 47.50, due to them as wages.

Court of Requests,
Avisawella, November 29, 1894.

J. W. DIAS,
Chief Clerk.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Louisa Dorothea Robertson, of Nuwara Eliya.....Plaintiff.
No. 4,281/C. Vs.
Henry Watkins Green, of Colombo.....Defendant.

NOTICE is hereby given that on Friday, January 4, 1895, at 12 o'clock noon, will be sold by public auction at this office the following mortgaged property, viz. :—

The policy of assurance bearing No. 511, dated 28th day of November, 1884, for the sum of Rs. 10,000, payable on the death of the defendant by the Positive Government Security Life Assurance Company, Limited, together with the sum of Rs. 10,000 secured thereby.

Fiscal's Office, W. F. H. DE SARAM,
Colombo, December 5, 1894. Deputy Fiscal.

In the District Court of Colombo.

Moona Roona Pana Lana Muttu Carpen
Chetty, of Colombo..... Plaintiff.
No. 5,893/C. Vs.

T. Murugeser, of Haarlem house, Cinnamon
Gardens, Colombo..... Defendant.

NOTICE is hereby given that on Saturday, December 29, 1894, at 1 P.M., will be sold by public auction at the defendant's residence, known as "Haarlem House," Cinnamon Gardens, Colombo, the following property, viz. :—

Two satinwood easy chairs with cushions, two nadoonwood loungers with cushions, two satinwood oval chairs with cushions, six ladies' satinwood chairs with cushions, two satinwood tea tables, two satinwood teapots, four canary birds and cages, one kerosine oil lamp, two English sofas with cushions, six satinwood chairs with cushions, two rattan chairs with cushions, two ebony loungers, one pair wall lamps with mirrors, one piano, one nadoonwood card table, one satinwood sideboard, three pieces of a dining table, four highback chairs, one satinwood round table, two bay horses, one brougham, one wagonette, one pair double harness, two sets single harness, four carriage lanterns, one hundred and sixty flower pots, two kerosine oil lamps, and two chandeliers.

W. F. H. DE SARAM,
Deputy Fiscal.

Fiscal's Office,
Colombo, December 5, 1894.

In the District Court of Negombo.

Kotikawattage Don Bartholomeus Appuhami....Plaintiff.
No. 1,273. Vs.

Hettiarachchige Jornis Tissera Appuhami.....Defendant.

NOTICE is hereby given that on December 29, 1894, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, viz. :—

An undivided $\frac{1}{2}$ of Marandegahalandewatta, situate at Etgala, in the Dunagaha pattu of the Alutkuru korale; the entire land is bounded on the north by lands belonging to defendant and others, on the east by lands belonging to Catherinahami and others, on the south by land belonging to Adrian waduraha, and on the west by land belonging to Bastian Fernando Philippu Pulle, containing in extent 6 acres more or less.

2. A land called Nugegahawatta *alias* Munamalgahawatta and the cadjan thatched house standing thereon, situate at do., and bounded on the north by the land of Peduru Fernando Sinna Tambi and others, on the east by the garden belonging to the heirs of the late Ramasami, on the south by the garden belonging to the defendant and others, and on the west by the garden belonging to Anthoni Peries Juan Pulle and others, containing in extent 16 acres more or less.

Amount to be levied. Rs. 186.16, with interest on Rs. 100 at 12 $\frac{1}{2}$ per cent. per annum from June 14, 1893.

Deputy Fiscal's Office, J. P. LEWIS,
Negombo, November 30, 1894. Deputy Fiscal.

In the District Court of Negombo.

Sembukuttiarachchige Gabriel Silva Appuhamy.....Plaintiff.
No. 1,559. Vs.

Ranamukege Fransiscu Peries.....Defendant.

NOTICE is hereby given that on December 29, 1894, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property, viz. :—

Two-third portions of the land called Marandemukulana, situate at Katana in the Dunagaha pattu of the Alutkuru korale, and bounded on the north and south by the ditch separating this land from that which formerly belonged to Mr. Nicholas John Peries and at present of Lintottage Siman Fernando and others, on the east by the ditch of the other one-third portion given to the planters for their planting trouble, and on the west by the old road, containing in extent 4 acres 2 roods and 12 perches more or less; specially mortgaged by bond No. 16,776, dated October 3, 1891, and declared specially bound and executable for the decree entered in the

above case, and the right, title, and interest of the defendant in and to the same at the date of the mortgage.

Amount to be levied Rs. 5,167-50, and interest on Rs. 5,000 at 16 per cent. per annum from October 3, 1891.

Deputy Fiscal's Office, J. P. LEWIS,
Negombo, November 30, 1894. Deputy Fiscal.

In the District Court of Colombo.

Kariyakarawanage Cornelis Fernando, of
Rawatawatta in Moratuwa in the Palle
pattu of Salpiti korale Plaintiff.

No. 5,670/C. Vs.

Mahamarakkalage Abraham Fernando, of
Rawatawatta in Moratuwa in the Palle
pattu of Salpiti korale..... Defendant.

NOTICE is hereby given that on Saturday, January 5, 1895, at 12 o'clock noon, will be sold by public auction at the spot the following property mortgaged and decreed to be sold under the the decree entered in the above case, viz. :—

All that allotment of land called Katuvilekele, with the plantations and buildings standing thereon, situated at Koratota in the Palle pattu of Hewagam korale, in the district of Colombo, Western Province; and bounded on the north by lands described in plans Nos. 130,414 and 58,043, land claimed by H. Yohanis Perera, land said to belong to the Crown, and the property of R. Telenis Appu; on the east by lands purchased by H. Don Daniel Appu and another and M. Abraham, land said to belong to the Crown, and reservation along the road; on the south-east and south by lands claimed by Advocate Alwis upon plan 45,652 and Don Abraham Proponent and others, on the south-west by lands claimed by Don Abraham Proponent and others and Peter Peduru, on the west by land described in plan 130,415, and on the north-west by land claimed by A. Yohanis Perera and lands purchased by M. Siman and others and R. Cornelis Perera and another, containing in extent 51 acres 3 roods and 29 perches.

JOHN A. ABEYESEKERE,
Deputy Fiscal's Office, Deputy Fiscal.
Talangama, November 30, 1894.

In the District Court of Colombo.

A. R. M. A. M. V. R. Palaniappa Chetty,
of Colombo Plaintiff.

No. 6,094/C. Vs.

1, Suraweera Muhandirange Don Philip Heradus Henry Gunetilleke Samaraniyeke Appuhamy; 2, Richard Ferdinando; and 3, Carder Mohideen Rawter Ahamado Pulle..... Defendants.

NOTICE is hereby given that on December 28, 1894, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the following properties specially mortgaged and hypothecated and decreed to be sold under the decree entered in the above case, viz. :—

1. A moiety of Bandiawatta, with the plantations standing thereon, situated at Petiagoda in the Adikari pattu of the Siyane korale; and bounded on the north by the garden of Ablino Arachchige Lorenzo Perera, on the east by the other portion of this garden, on the south by the garden of Suraweera Muhandirange Don Abraham and Abeyasinghe Arachchige Levis Perera, and on the west by the garden of Pillehewadewa Arachchige Silvester Perera and Hendrick Perera, and containing in extent 1 acre 2 square roods and 7½ square perches.

2. A moiety of Talgahawatta, with the buildings standing thereon, situated at Petiagoda aforesaid; bounded on the north by the road to Kelaniya, on the east by the garden of Ablino Arachchi and Bastian Perera Vidane-muhandiram, on the south by the field of Waragodakankanamaiage, and on the west by the other part

belonging to Abeyasinhearachchige Simeon Perera, containing in extent 3 roods and 20½ square perches.

3. A moiety of all that field called Millegahakumbura, situated at Petiagoda aforesaid; bounded on the north by the field called Muttettuwakumbura belonging to John Abraham Perera, Governor's Gate Muhandiram, on the east by the field called Ambagahakumbura, belonging to Don Andris, Registrar, on the south by the garden of Weligamage Bastian Dias and others, and on the west by the field called Maharawelakumbura belonging to Don Andris, Registrar, containing in extent 2 acres 1 rood and 9 perches.

4. A moiety of all that field called Ambagahakumbura and the high land attached thereto, situated at Petiagoda aforesaid; bounded on the north by the field called Muttettuwakumbura belonging to Don Abraham Perera, Governor's Gate Muhandiram, on the east by the field Rukathanakumbura belonging to Don Abraham, on the south by the garden of Waragodakankanamalage Don Abraham and by the garden called Nitulgahawatta and Hickgahawatta, and on the west by the field of Ambagahakumbura and Irrawallakumbura belonging to Don Andris, Registrar, containing in extent 2 acres more or less, according to the figure of survey dated August 27, 1892, made by Fred. Bartholomuesz, surveyor.

H. W. D. BANDARANAYEKE,
Deputy Fiscal's Office, Deputy Fiscal.
Heneratgoda, December 1, 1894.

Central Province.

In the District Court of Kandy.

K. N. N. Narayanan Chetty, of Kandy.....Plaintiff.

No. 8,561. Vs.

H. Charles Appu, of Matale.....Defendant.

NOTICE is hereby given that on December 31, 1894, commencing at 12 o'clock noon, will be sold by public auction at the premises the following property of the defendant :—

All those two allotments of land adjoining each other, bearing assessment Nos. 13 and 35, containing in extent of about three seers of kurakkan in extent, together with the plantations and the tiled houses bearing assessment Nos. 14, 15, 16, 17, 18, 488, 489, 490, 491, 492, 493, 494, 495, 496, and the thatched cattle shed standing thereon, situate in the town of Matale; and bounded on the east by Trincomalee road, south by the fence of the property of Abanchi Appu and Mr. J. C. Amarasekera, west by King street, and on the north by Brodie street.

Amount of writ, Rs. 1,581-87½.

Fiscal's Office, C. R. CUMBERLAND,
Kandy, December 3, 1894. Fiscal.

Northern Province.

In the District Court of Jaffna.

Sinnatamby Nagamuttu, of IrupalaiPlaintiff.

Ramalingam Kunanayagam, of Kokkuwil.....First Substituted Plaintiff.

Kanapatiyar Muthalitamby, of Alaveddy.....Second Substituted Plaintiff.

No. 19,441. • Vs.

1, Mutatamby Appaturai and wife (dead)
2, Nakamuna, of Navaly, administrator and administratrix of the estate of the late Kathiresar Vayramuttu, of Navaly.....Defendants.

NOTICE is hereby given that on Friday, December 28, 1894, commencing at about 10 o'clock in the forenoon, will be sold by public auction on the land

hereinafter described the right, title, and interest of the said late Kathiresar Vayramuttu in the following property, for the recovery of Rs. 750, and charges :—

In a piece of land situated at Mallakam, called Nattu-vayal, containing or reputed to contain in extent 26 lachams paddy culture, with well bounded or reputed to be bounded on the east by the property of Sinnachchi, north by channel, west by tank, and on the south by the property of Chinnatambu and others.

Fiscal's Office, G. A. VAN HOUTEN,
Jaffna, November 28, 1894. for Fiscal

Southern Province.

In the District Court of Galle.

Liana Pedrick Mendis Wickramasinha,
Arachchi, of Ratgama.....Plaintiff.
No. 3,146. Vs.

Dinapurna Erappu, of Gammaddegoda, in
Ratgama.....Defendant.

NOTICE is hereby given that on Monday, December 31, 1894, commencing at 4 o'clock in the afternoon, will be sold by public auction at the spot the following property, viz. :—

1. An undivided one-half part of the fruit trees of the second plantation of the portion of the garden called Timbirigahawatta and four-seventh parts of the soil and of the remaining trees of the said portion of the extent of 3 roods and 26·46 perches, situate at Gammaddegoda; property mortgaged by the writing obligatory dated March 8, 1893, and declared executable under the judgment entered in the above case.

2. Additional property not mortgaged :—

Another undivided one-seventh part of the soil and soil share trees of the garden Timbirigahawatta and the entire three new houses standing on the said land, and also the planter's share of the third plantation thereof.

This writ is issued to levy a sum of Rs. 404.

Fiscal's Office, H. J. WOUTERSZ,
Galle, December 3, 1894. Deputy Fiscal.

In the District Court of Galle.

1, Ukwatthewage Dotcho ; 2, Manikpurage
Adrian ; 3, Menikpurage Siyadoris,—all
of Dangedara.....Plaintiffs.

Nos. 3,232, 3,232, 3,232.

1, Carimjee Jaferjee ; 2, Mohamad Bay
Abdul Ally ; 3 Saibudore Charles ; and 4,
Luckerjee Matharjee, all of Galle Bazaar...Defendants.

NOTICE is hereby given that on Monday, January 7, 1895, at 12 o'clock noon, will be sold by public auction at the spot the right, title, and interest of the said plaintiffs in the following property, viz. :—

An undivided $\frac{1}{4}$ part of an allotment of land called Puwakgahahena, in extent of about 20 acres and 20 perches, situate at Diviture.

These writs are issued to levy the sums of Rs. 392·2 $\frac{1}{2}$, Rs. 258·19, and Rs. 313·80 $\frac{1}{2}$, in favour of the 1st and 2nd defendants, 3rd defendant and 4th defendant, respectively.

Fiscal's Office, H. J. WOUTERSZ,
Galle, December 3, 1894. Deputy Fiscal.

In the District Court of Galle.

Manawaduge Tamby Hamy, of Galupiyadda.....Plaintiff.
No. 2,278. Vs.

1, Kottigoda Kankanage Dancho Hamy, of
Gintota, widow of Hikkaduwe Liana
Bandige Seadoris ; 2, Manawaduge Dines
Hamy, of Pitiwella.....Defendants

NOTICE is hereby given that on Saturday, December 29, 1894, commencing at 1 o'clock in the afternoon, will be sold by public auction at the spot the following property, viz. :—

1. All the soil and fruit trees of an undivided half of seven-twelfth parts (exclusive of the planter's share of the fourth plantation of the northern portion) of the garden called Atchariyawatta situate at Gintota Welipitimodera, in extent 1 acre 2 roods and 1·73 perches.

2. All the fruit trees and soil of an undivided half of five-eighth parts of the garden called Panaduregewatta, together with half of the tiled house standing thereon, situate at Gintota Welipitimodera, in extent about 2 $\frac{1}{2}$ acres.

3. All the soil and fruit trees of an undivided half and one-fourth part of the garden called Semagewatta, at do., in extent about 4 acres.

4. All the soil and fruit trees of half part of the defined portion No. 14 of the garden called Kurunduwatta, situate at do. ; properties mortgaged upon the writing obligatory dated June 18, 1892, bearing No. 4,508 and declared executable under the judgment entered in the above case.

The right, title, and interest of the defendants in the following property, viz. :—

5. An undivided half of two-third parts, exclusive of the planter's share of the second plantation of a portion of the garden called Delgahawatta *alias* Dadallegodawatta, Dowanpadinchi Kebella, at Gintota Welipitimodera.

6. An undivided half of one-seventh part of the soil and soil share trees and one-sixth part of the planter's share of the garden called Meegahawatta, together with half of 7 cubits house standing thereon, situate at do.

7. An undivided half of five-seventh parts of a portion of Tembiligahawatta, at do.

8. An undivided half of one-fourth part of the soil and trees of a portion of Wannigewatta, situate at do.

This writ is issued to levy a sum of Rs. 2,108·72 $\frac{1}{2}$, with interest on Rs. 1,500 at 18 per cent. per annum from September 18, 1893.

Fiscal's Office, H. J. WOUTERSZ,
Galle, December 3, 1894. Deputy Fiscal.

North-Western Province.

In the District Court of Kurunegala.

James Patrick Thomson, of Nahavena estate,
Rakwana.....Plaintiff.
No. 585, M/397. Vs.

W. D. Holland, Dikmookalana estate.....Defendant.

NOTICE is hereby given that on the 29th day of December, 1894, at 12 o'clock noon, will be sold by public auction at the Fiscal's Office, Ratnapura, the right, title, and interest of the said defendant in the following property, viz. :—

An undivided $\frac{1}{3}$ share of the estate called and known as Dikmookalana, containing in extent 200 acres more or less, being the north-western portion of lot 47,187 $\frac{1}{2}$, situate at Balangoda ; bounded on the west by Kondurugala and Crown land, on the east by Hopewell, and on all other sides by Crown land.

Fiscal's Office, H. WACE,
Ratnapura, December 3, 1894. Fiscal.

