



# Ceylon Government Gazette

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

**PART II.**—Legal and Judicial.

**PART III.**—Provincial Administration.

**PART IV.**—Marine and Mercantile.

**PART V.**—Municipal and Local.

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

## Part II.—Legal and Judicial.

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## NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Batticaloa.

*Order Nisi.*

Testamentary } In the Matter of the Last Will and  
Jurisdiction. } Testament of J. B. A. Swaminader,  
No. 274. } of Puliyantivu, deceased.

**T**HIS matter coming on for disposal before Hugh Nevill, Esq., District Judge of Batticaloa, on the 6th day of November, 1895, in the presence of Mr. P. J. G. Toussaint, Proctor, on the part of the petitioner Mary Swaminader ; and the affidavits of the said Mary Swaminader and Mr. P. J. G. Toussaint, Notary Public, having been read : It is ordered that the will of J. B. A. Swaminader, deceased, dated 5th October, 1893, and now deposited in this court, be and the same is hereby declared proved, unless any person shall, on or before the 13th day of December, 1895, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Mary Swaminader is the executrix named in the said will, and that she is entitled to have probate of the same issued to her accordingly, unless any person shall, on or before the 13th day of December, 1895, show sufficient cause to the satisfaction of this court to the contrary.

H. NEVILL,  
District Judge.

This 6th November, 1895.

PART II.—Page 589

In the District Court of Batticaloa.

*Order Nisi.*

Testamentary } In the Matter of the Intestate Estate  
Jurisdiction. } of the late Sinnatampi Kumaravelu,  
No. 275. } of Kalladi, deceased.

Francis Vanderput, Secretary of the District Court of Batticaloa.....Petitioner.

And

1, Sinnatampi Velupillai ; 2, Sinnatampi Valiammai, of Kalladi ..... Respondents.

**T**HIS matter coming on for disposal before Hugh Nevill, Esq., District Judge of Batticaloa, on this 7th day of November, 1895, in the presence of Mr. P. J. G. Toussaint, Proctor, on the part of the petitioner ; and the affidavit of Kantappan James Kateramalai Vanniya, dated 27th September, 1895, having been read : It is ordered that the petitioner, Francis Vanderput, as Secretary of the District Court of Batticaloa, is entitled to have letters of administration of the estate of Sinnatampi Kumaravelu granted to him, unless the respondents shall, on or before the 13th day of December, 1895, show sufficient cause to the satisfaction of this court to the contrary.

H. NEVILL,  
District Judge.

This 7th November, 1895.

B 1

In the District Court of Jaffna.

*Order Nisi.*

Testamentary } In the Matter of the Estate of the late  
Jurisdiction. } Catholicam, wife of Santiappulle,  
No. 693. } of Mirisuvil, deceased.

Markoe Santiappulle, of Chandampokkatty.....Petitioner.  
Vs.

1, Brasspulle. Santiappulle, of Mirisuvil ;  
2, Pavilappulle, widow of Mariampulle, of  
Mirisuvil ..... Respondents.

THIS matter of the petition of Markoe Santiappulle, of Chandampokkatty, praying for letters of administration to the estate of the above-named deceased Catholicam, wife of Brasspulle Santiappulle, of Mirisuvil, coming on for disposal before F. J. de Livera, Esq., District Judge, on the 31st day of October, 1895, in the presence of Mr. B. Satiagoepulle, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated 30th day of October, 1895, having been read: It is declared that the petitioner, as one interested in the administration of the estate of the said intestate, is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before the 10th day of December, 1895, show sufficient cause to the satisfaction of this court to the contrary.

F. J. DE LIVERA,  
District Judge.

Signed this 31st day of October, 1895.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary } In the Matter of the Estate of the  
Jurisdiction. } late Sinnattamby Sithamparapilly, of  
No. 697. } Karadive East, deceased.

Sithamparapillai Sinniah, of Karadive East...Petitioner.

1, Kanthar Murukasoo; and his daughter 2,  
Ponnamma, a minor living under the care of  
her father, the first respondent, both of  
Karativu East..... Respondents.

THIS matter of the petition of Sithamparapillai Sinniah, of Karadive East, praying for letters of administration to the estate of the above-named deceased Sinnattamby Sithampurapillai, late of Karativu, coming on for disposal before F. J. de Livera, Esq., District Judge, on the 12th day of November, 1895, in the presence of Mr. V. Tampoo, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated the 29th day of October, 1895, having been read: It is declared that the petitioner is the son and heir of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before the 12th day of December, 1895, show sufficient cause to the satisfaction of this court to the contrary.

F. J. DE LIVERA,  
District Judge.

Signed this 12th day of November, 1895.

## NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 1,822. In the matter of the insolvency of Dr.  
Hayman Thornhill, of 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 December 12, 1895, for the purpose of appointing an auditor in terms of section 113 of the Ordinance No. 7 of 1853.

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

Colombo, November 25, 1895.

No. 1,828. In the matter of the insolvency of  
Robert Smith, of the Australia Hotel,  
Colombo.

WHEREAS Robert Smith, of the Anstralia Hotel, Colombo, has filed a declaration of insolvency and a petition for the sequestration of his estate under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Robert Smith, of the Australia Hotel, insolvent accordingly; and that

two public sittings of the court, to wit, on January 9 and on January 23, 1896, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

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

Colombo, November 26, 1895.

In the District Court of Galle.

No. 266. In the matter of the insolvency of Jacob  
Gabriel de Silva, of, Kaluwella in  
Galle.

NOTICE is hereby given that a certificate of conformity as of the third class was this day allowed to the above-named insolvent.

By order of court,  
JAMES KRAUSE,  
Secretary.

Galle, November 22, 1895.

## DRAFT ORDINANCES.

## MINUTE.

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

An Ordinance for making provision for the Supplementary Contingent Charges for the year 1895.

Preamble.

WHEREAS by Ordinance No. 16 of 1894 it was enacted that a sum not exceeding Fourteen million and Four thousand Six hundred and Forty-six rupees should be charged upon the revenue of this island for the Contingent Service of the year One thousand Eight hundred and Ninety-five, and it has become necessary to make further provision for the service of the said year: It is enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Rs.1,198,954.38 to be charged upon the revenue of this island for the Supplementary Contingent Charges for the year 1895.

1 That a sum not exceeding One million One hundred and ninety-eight thousand Nine hundred and Fifty-four rupees and Thirty-eight cents shall be, and the same is hereby charged upon the revenue of this island for the services hereinafter mentioned; and the said expenditure shall be in conformity with the details of the estimates specified in the schedule A hereunto annexed, whereof the following is an abstract:

	Rs.	c.
1. Charges on account of Public Debt .....	115	13
2. Pensions .....	23,000	0
3. His Excellency the Governor .....	100	0
4. Secretariat .....	10,103	90
5. Audit Office .....	3,844	0
6. Treasury .....	8,223	96
7. Provincial Administration .....	106,070	44
8. Survey Department .....	9,684	80
9. Customs Department .....	8,263	25
10. Port and Marine Department, Colombo:—		
Master Attendant, Colombo.....	7,756	0
Engineer, Harbour Works .....	37	50
Principal Collector of Customs .....	950	0
Inspector-General of Police.....	11,212	48
Principal Civil Medical Officer .....	40	0
11. Port and Marine Department other than Colombo...	2,964	96
12. Botanic Gardens .....	528	0
13. Colombo Museum.....	324	82
14. Legal Departments:—		
Supreme Court .....	915	0
Attorney-General .....	2,378	25
Solicitor-General .....	155	0
District Courts .....	10,938	55
Courts of Requests and Police Courts .....	9,707	85
Fiscals .....	5,643	0
Registration of Lands .....	14,664	0
Loan Board .....	310	0
15. Police .....	24,103	11
16. Prisons .....	8,572	49
17. Medical Department .....	10,531	0
18. Hospitals and Dispensaries .....	36,164	0
19. Ecclesiastical .....	120	0
20. Education .....	57,125	41
21. Transport .....	2,000	0
24. Military Expenditure .....	2,096	16
25. Miscellaneous Services .....	126,288	21
26. Colonial Store .....	8,205	0
27. Forest Department .....	2,784	0
28. Post Office and Telegraphs .....	76,970	15
29. Railway Department .....	250,925	33
30. Public Works Department .....	8,297	44
31. Public Works Annually Recurrent .....	145,091	90
32. Public Works Extraordinary .....	201,749	29
Total ...	1,198,954	38

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

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

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

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

## SCHEDULE A.

	Personal	Other	Rs. c.	Total.
	Emoluments.	Charges.		Rs. c.
	Rs. c.	Rs. c.	Rs. c.	Rs. c.
<b>No. 1.—CHARGES ON ACCOUNT OF PUBLIC DEBT.</b>				
Crown Agents ... ..	—	—	115 13	115 13
<b>No. 2.—PENSIONS.</b>				
Treasurer ... ..	—	—	23000 0	23000 0
<b>No. 3.—HIS EXCELLENCY THE GOVERNOR.</b>				
His Excellency the Governor ... ..	100 0	—	—	100 0
<b>No. 4.—SECRETARIAT.</b>				
Colonial Secretary ... ..	4663 90	5440 0	—	10103 90
<b>No. 5.—AUDIT OFFICE.</b>				
Auditor-General ... ..	3794 0	50 0	—	3844 0
<b>No. 6.—TREASURY.</b>				
Treasurer ... ..	2,98 96	5425 0	—	8223 96
<b>No. 7.—PROVINCIAL ADMINISTRATION.</b>				
Government Agents ... ..	33524 74	72545 70	—	106070 44
<b>8.—SURVEY DEPARTMENT.</b>				
Surveyor-General ... ..	7434 80	2250 0	—	9684 80
<b>No. 9.—CUSTOMS DEPARTMENT.</b>				
Principal Collector of Customs ... ..	8072 0	191 25	—	8263 25
<b>No. 10.—PORT AND MARINE DEPARTMENT COLOMBO.</b>				
Master Attendant, Colombo ... ..	1506 0	6250 0	—	7756 0
Engineer, Harbour Works ... ..	—	37 50	—	37 50
Principal Collector of Customs ... ..	300 0	650 0	—	950 0
Inspector-General of Police ... ..	3742 66	7469 82	—	11212 48
Principal Civil Medical Officer ... ..	40 0	—	—	40 0
<b>No. 11.—PORT AND MARINE DEPARTMENT OTHER THAN COLOMBO.</b>				
Master Attendant ... ..	780 96	2184 0	—	2964 96
<b>No. 12.—BOTANIC GARDENS.</b>				
Director ... ..	478 0	50 0	—	528 0
<b>No. 13.—COLOMBO MUSEUM.</b>				
Director ... ..	312 32	12 50	—	324 82
<b>No. 14.—LEGAL DEPARTMENTS.</b>				
Supreme Court ... ..	900 0	15 0	—	915 0
Attorney-General ... ..	557 0	1821 25	—	2378 25
Solicitor-General ... ..	130 0	25 0	—	155 0
District Judges, &c. ... ..	9019 30	1919 25	—	10938 55
Commissioners of Requests and Police Magistrates ... ..	7004 69	2703 16	—	9707 85
Fiscals ... ..	5041 0	602 0	—	5643 0
Registrar-General of Lands ... ..	8749 0	5915 0	—	14664 0
Loan Board ... ..	295 0	15 0	—	310 0
<b>No. 15.—POLICE.</b>				
Inspector-General ... ..	12964 68	11138 43	—	24103 11
<b>No. 16.—PRISONS.</b>				
Inspector-General ... ..	8437 49	135 0	—	8572 49
Carried forward...	120646 50	126844 86	23115 13	270606 49

	Personal Emoluments.		Other Charges.		Total.			
	Rs.	c.	Rs.	c.	Rs.	c.		
Brought forward...	120646	50	126844	86	23115	13	270606	49
<b>No. 17.—MEDICAL DEPARTMENT.</b>								
Principal Civil Medical Officer ...	4291	0	6240	0	—		10531	0
<b>No. 18.—HOSPITALS AND DISPENSARIES.</b>								
Principal Civil Medical Officer ...	2567	0	33597	0	—		36164	0
<b>No. 19.—ECCLESIASTICAL</b>								
... ..	120	0	—		—		120	0
<b>No. 20.—EDUCATION.</b>								
Director of Public Instruction ...	9265	0	47860	41	—		57125	41
<b>No. 21.—TRANSPORT</b>								
... ..	—		—		2000	0	2000	0
<b>No. 24.—MILITARY EXPENDITURE.</b>								
Treasurer ...	—		—		2096	16	2096	16
<b>No. 25.—MISCELLANEOUS SERVICES.</b>								
Treasurer ...	—		—		11720	79		
Commissioner of Stamps ...	—		—		12000	0		
Crown Agents ...	—		—		2092	0		
Master Attendant, Colombo ...	—		—		475	42		
							126288	21
<b>No. 26.—COLONIAL STORE.</b>								
Colonial Storekeeper ...	1700	0	6505	0	—		8205	0
<b>No. 27.—FOREST DEPARTMENT</b>								
... ..	2559	0	225	0	—		2784	0
<b>No. 28.—POST OFFICE AND TELEGRAPHS.</b>								
Postmaster-General and Director of Telegraphs ...	22851	82	54118	33	—		76970	15
<b>No. 29.—RAILWAY DEPARTMENT.</b>								
General Manager ...	39916	0	211009	33	—		250925	33
<b>No. 30.—PUBLIC WORKS DEPARTMENT.</b>								
Director, Public Works ...	8297	44	—		—		8297	44
	212213	76	486399	93	153499	50		

Carried forward... 852,113 19

	Rs.	c.	Rs.	c.
Brought forward...	—		852,113	19
<b>No. 31.—PUBLIC WORKS ANNUALLY RECURRENT.</b>				
<b>Maintenance of Roads.</b>				
<i>Western Province.</i>				
Maintenance of the road from Grāndpass to Dandugama	1,742	0		
<i>Central Province.</i>				
Tolls on grant-in-aid roads	240	0		
<i>Southern Province.</i>				
Maintenance of the road from Hakmana to Beliatta	600	0		
Toll grant, minor roads	750	0		
<i>North-Western Province.</i>				
Toll grant, minor roads	1,438	0		
<i>Province of Uva.</i>				
Maintenance of the approach roads to railway stations	700	0		
<b>Repairs to Buildings.</b>				
<i>Western Province.</i>				
Upkeep of the Customs Wharf jetties and cranes (re-vote)	167	92		
<b>Irrigation.</b>				
Surveys	14,107	59		
Salaries	118,788	96		
Maintenance				
	132,896	55		
<b>Miscellaneous.</b>				
Road rollers	3,600	0		
Repair of surveying instruments	702	43		
Postage	1,500	0		
<i>Central Province.</i>				
Survey of road from Nānu-oya to Nuwara Eliya	330	0		
<i>Province of Uva.</i>				
Making a section along the Ela-Hindagalla road	150	0		
<i>Province of Sabaragamuwa.</i>				
Survey of the proposed branch road from the Government cart road at Givilipitiya to Hatgampola	275	0		
	6,557	43		
Total Public Works Annually Recurrent	—		145,091	90
<b>No. 32.—PUBLIC WORKS EXTRAORDINARY.</b>				
<b>New Works and Buildings.</b>				
<i>Western Province.</i>				
Completing the new General Post Office and Telegraph Office, Colombo	20,023	12		
<i>Central Province.</i>				
Completing the medical officer's quarters at Rangalla	834	0		
<i>Southern Province.</i>				
Completion of the converting of the old Malay hospital into quarters for native constables (re-vote)	1,114	21		
Completion of the erection of a new passenger jetty, Galle (re-vote)	555	48		
<i>Province of Uva.</i>				
Haputale hospital (on account)	7,500	0		
	30,026	81		
Carried over...	—		997,205	9

		Rs.	c.	Rs.	c.
Brought forward...				997,205	9
<b>No. 32.—PUBLIC WORKS EXTRAORDINARY—contd.</b>					
<b>Alterations and Additions to Buildings.</b>					
<i>Western Province.</i>					
Cart gate, &c., in boundary wall, Kotahena police station	...	210	0		
Laying brick drains, &c.; at Kotahena police barracks	...	137	0		
Completion of improvements to Kotahena police barracks	...	2,875	92		
Venetian shutters to windows, &c., of Cinnamon Gardens police station	...	570	0		
Strengthening back wall of military stables, Colombo	...	954	50		
Alterations and additions to ground floor of old Post Office to be appropriated to the Colombo Library	...	1,450	0		
<i>Central Province.</i>					
Certain necessary works to the Matale kacheheri	...	244	75		
Completion of the additions and improvements to Deltota hospital (re-vote)	...	2,602	1		
Constructing a portico in front of the Post and Telegraph Offices, Nuwara Eliya (re-vote of Rs. 1,057)	...	1,450	0		
<i>Province of Uva.</i>					
Record shelves, Badulla courts	...	570	65		
				11,064	83
<b>Special Repairs to Buildings.</b>					
<i>Central Province.</i>					
Building and strengthening block A, police buildings, Kandy	...	1,784	0		
<i>Northern Province.</i>					
Completing the works on estimate No. 371 of 1894, for repairs to Police Magistrate's quarters, Point Pedro	...		13	39	
<i>Southern Province.</i>					
Completing the repairs to the Customs beach store, Galle	...	1,094	64		
				2,892	3
<b>Additions and Improvements to Roads.</b>					
<i>Western Province.</i>					
Widening Queen's street opposite the New Post Office	...	2,203	0		
Widening the Queen's street, Colombo	...	2,650	0		
<i>Eastern Province.</i>					
Improvement of three miles of North Coast road, Trincomalee District (re-vote)	...	5,000	0		
<i>Province of Uva.</i>					
Rebuilding a culvert, 14th mile, Badulla-Batticaloa road	...	616	0		
Retaining wall at the slip, 24th mile, Badulla-Halpe road	...	680	0		
				11,149	0
<b>Irrigation.</b>					
<i>North-Western Province.</i>					
Deduru-oya irrigation scheme (re-vote)	...	120,000	0		
<b>New Bridges.</b>					
<i>Western Province.</i>					
Rebuilding timber bridge on the 3rd mile, Pasyala road	...	1,300	0		
<i>Central Province.</i>					
Completing the bridge over the Situlu-ganga	...	1,751	48		
<i>Southern Province.</i>					
Completion of the erection of a new bridge near Hikkaduwa (re-vote)	...	469	90		
				3,521	38
Carried forward...				997,205	9



		Rs.	c.	Rs.	c.
Brought forward...				997,205	9
<b>Repair of Bridges.</b>					
<i>Eastern Province.</i>					
Repairing the Kankanianodai bridge	...	8,823	40		
Repairing the roadway and shoring up the girders of the Koddaimunai bridge	...	1,366	0		
<b>Lands and Buildings to be acquired.</b>		10,189	40		
<i>Eastern Province.</i>					
Acquisition of land for isolating Trincomalee jail	...	1,670	6		
<i>North-Western Province.</i>					
Acquisition of land in connection with the construction of the Lunuoya bridge	...	2,868	46		
<i>Province of Uva.</i>					
Acquisition of land for deviation of Haputalé-Halpe road	...	1,194	27		
		5,732	79		
<b>Miscellaneous.</b>					
<i>Western Province.</i>					
Payment of premium on security bond of Mr. H. Ewart	...	50	0		
Settling a surcharge on estimate No. 315 of 1893 (re-vote)	...	58	5		
Settling a surcharge on estimate No. 1,195 of 1892	...	2,000	0		
Payment of premium on the security bonds of Messrs. Campbell and Gibson	...	12	0		
Over-expenditure on estimates Nos. 186, 189, and 190 of 1894	...	492	0		
Netting for Maligakanda reservoir	...	379	0		
<i>Southern Province.</i>					
Repairing two buoys in Galle	...	2,900	0		
<i>Province of Uva.</i>					
Repairs to further damages to the bridge on the 11th mile, Badulla-Batticaloa road	...	462	0		
Rebuilding the damaged retaining wall, 108½ miles, Haldumnulla-Wellawaya road	...	825	0		
		7,173	5		
Total Public Works Extraordinary		—	—	201,749	29
<b>GRAND TOTAL</b>		—	—	1,198,954	38

By His Excellency's command,

W. T. TAYLOR,  
Acting Colonial Secretary.Colonial Secretary's Office,  
Colombo, November 21, 1895.

## PASSED ORDINANCES.

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

No. 10 of 1895.

An Ordinance to incorporate the Ceylon Chamber of Commerce.

E. NOEL WALKER.

Preamble.

WHEREAS an association of merchants called and known as "The Ceylon Chamber of Commerce" has heretofore been established at Colombo for the purpose of effectually carrying out and transacting all matters connected with the said chamber according to the rules agreed to by its members :

And whereas the said association has heretofore successfully carried out and transacted the several objects and matters for which it was established, and has applied to be incorporated, and it will be for the public advantage to grant the application :

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

Incorporation of  
Chamber of  
Commerce.

1 From and after the passing of this Ordinance the present chairman, vice-chairman, and members of the committee of the said Chamber of Commerce, and such and so many persons as now are members of the said Chamber of Commerce or shall hereafter be admitted members of the corporation hereby constituted, whose names shall be inscribed in the register mentioned in section 4, shall be and become a corporation with liability limited in manner provided in section 12, with continuance for ever, under the style and name of "The Ceylon Chamber of Commerce," and by that name shall and may sue and be sued in all courts, with full power and authority to have and use a common seal and to change and alter the same at their pleasure.

General objects  
of the  
corporation.

2 The general objects for which the corporation is constituted are hereby declared to be to promote, foster, and protect the commerce of Ceylon, by collecting and classifying all information bearing on its wants and interests, and obtaining by every means in its power the redress of acknowledged grievances and the removal of pernicious restrictions; to decide differences on matters of local custom and usage, and to form a court of reconciliation and of arbitration to parties willing to abide by its decisions; to communicate with the public authorities, with similar associations in other places, and with individuals on matters of trade; and, finally, by recording its proceedings and decisions, to form a code of practice by which the transactions of business may be simplified and facilitated.

Board of  
directors.

3 (1) The affairs of the corporation shall, subject to the rules for the time being of the corporation as hereinafter provided, be administered by a board of directors consisting of the chairman and vice-chairman respectively of the corporation and five members of the corporation, to be elected respectively in accordance with the rules for the time being of the corporation.

(2) All members of the corporation shall be subject to the rules for the time being of the corporation.

(3) The first board of directors shall be Frank Mitchell Mackwood, William Henry Figg, Hon. William Wilson Mitchell, C.M.G., Adalbert Theodor Schulze, Percy Bois, Garlich William Suhren, and Edward Booth, being respectively the present chairman, vice-chairman, and members of the committee of the said chamber.

The register.

4 (1) The board of directors shall cause a register to be kept, in which every person who at the date of the passing of this Ordinance is a member of the said association, and every person thereafter duly admitted a member of the corporation hereby constituted shall have his name inscribed.

- (2) The register shall contain the following particulars :
- (a) The name, address, and occupation of each member.
  - (b) The date at which the name of any person was inscribed in the register as a member.
  - (c) The date at which any person ceased to be a member.

Power to make rules.

5 It shall be lawful for the corporation from time to time, at any general meeting of the members, and by a majority of votes to make rules for the admission, withdrawal, or expulsion of members ; for the imposition of fines and forfeitures for breaches of rules ; for the conduct of the duties of the board of directors and of the various officers, agents, and servants of the corporation ; for the procedure in the transaction of business ; and otherwise generally for the management of the affairs of the corporation and the accomplishment of its objects. Such rules when made may, at a like meeting, be altered, added to, amended, or cancelled, subject, however, to the requirements of section 7.

The rules in schedule to be the rules of the corporation.

6 Subject to the provisions in the preceding section contained, the rules set forth in the schedule hereto shall for all purposes be the rules of the corporation. Provided, however, that nothing in this section contained shall be held or construed to prevent the corporation at all times hereafter from making fresh rules, or from altering, amending, adding to, or cancelling any of the rules in the schedule hereto or to be hereafter made by the corporation.

Amendment of rules.

7 No rule in the schedule hereto, nor any rule hereafter passed at a general meeting, and no decision come to by the corporation in general meeting, shall be altered, added to, amended, or cancelled, except by a majority of the members present and voting at any subsequent general meeting.

Property vested in corporation.

8 On the coming into operation of this Ordinance all and every the property belonging to the said Chamber of Commerce, whether held in the name of the said Chamber of Commerce or in the name or names of any person or persons in trust for the said Chamber of Commerce, shall be and the same are hereby vested in the corporation hereby constituted, and the same, together with all after-acquired property, movable and immovable, and all subscriptions, contributions, donations, fines, amounts of loans and advances received or to be received, shall be held by the said corporation for the purposes of this Ordinance and subject to the rules for the time being of the said corporation.

Debts due by and payable to the corporation.

9 All debts and liabilities of the said Chamber of Commerce existing at the time of the coming into operation of this Ordinance shall be paid by the corporation hereby constituted, and all debts due to, and subscriptions, contributions, and fines payable to the said Chamber of Commerce shall be paid to the said corporation for the purposes of this Ordinance.

The seal of the corporation to be affixed.

10 The seal of the corporation shall not be affixed to any instrument whatsoever except in the presence of two of the members of the board of directors, who shall sign their names to the instrument in token of their presence, and such signing shall be independent of the signing of any person as a witness.

Corporation may hold property movable and immovable.

11 The corporation shall be able and capable in law to take and hold any property, movable or immovable, which may become vested in it by virtue of any purchase, grant, gift, testamentary disposition, or otherwise, and all such property shall be held by the corporation for the purposes of this Ordinance and subject to the rules for the time being of the said corporation, with the full power to sell mortgage, lease, exchange, or otherwise dispose of the same.

Limit of  
liability of  
members.

12 The liability of each member of the corporation under this Ordinance shall be limited to the transactions of the corporation which shall have occurred during the period his membership has lasted or may last, and to the sum of one hundred and fifty rupees over and above such annual subscription or subscriptions as may be due from such member to the corporation. Provided, however, that such limitation of liability shall be exclusive of any contribution that such member may be called upon to make under the rules of the corporation to meet any deficit in the annual expenses of the corporation.

Short title.

13 This Ordinance may be cited for all purposes as "The Chamber of Commerce Ordinance, 1895."

#### SCHEDULE.

1. That this corporation be styled "The Ceylon Chamber of Commerce."

2. All firms and persons engaged in the general trade of Ceylon and willing to aid in carrying into effect the objects of the corporation shall be admissible as members.

3. Every person or firm desirous of joining the corporation shall be proposed by one member, seconded by another, and shall be ballotted for by the whole corporation in the following manner:

Within one week from the receipt of the proposal the secretary shall send in a closed envelope to each member of the corporation a slip of paper, on which shall appear the name and profession of the candidate, and the names of his proposer and seconder, with spaces for recording the vote for or against. These slips shall be returned to the secretary in closed envelopes within one week, and shall be opened by the board of directors at their next meeting thereafter. One adverse vote in five to exclude.

4. The corporation reserves to itself the right to expel any member in case of need, to be decided at a general meeting on ten days' previous notice by a majority of three-fourths of the members present.

5. The board shall appoint one of their number as treasurer to receive fees, subscriptions, and fines, and to make such payments as shall be authorized by the board.

6. The treasurer shall receive and keep accounts of all the moneys and funds belonging to the corporation, and shall pay all claims, loans, advances, and expenses authorized by the board of directors. He shall also prepare and submit quarterly to the said board an account of the transactions of the corporation.

7. The board shall meet for the despatch of business once a week or oftener as occasion may require, when summoned by the chairman or on the requisition of two members of the board. The business to be brought before them in each of such latter cases shall be intimated in the notice convening such meeting. Two members of the board, exclusive of the secretary, to form a quorum.

8. All questions before the board shall be decided by a majority, the chairman having the deciding or casting vote; and in all cases where three of the board dissent, they shall have the privilege of referring the question to the decision of the Chamber of Commerce at a general meeting.

9. The board shall have the power of disposing of all matters not specially referred to a general meeting.

10. On the death or absence for more than two months from the colony of any of the members of the board of directors, or in the event of such member ceasing to be a member of the corporation, it shall be lawful for the remaining members of the board to elect any member of the corporation as his successor; and the member so elected shall continue in office until the half-yearly general meeting of the corporation next following his election.

11. It shall be lawful for the corporation, by resolution passed at any general meeting, to remunerate the services of any member or members of the board of directors, and from time to time to fix the amount of such remuneration, and to require such security from such member or members so remunerated as may be deemed sufficient.

12. A secretary shall be appointed annually by a general meeting to take charge of the correspondence and records of the corporation, and perform such other duties as the board may direct. The secretary shall be entitled to draw such salary as may be fixed upon from time to time by a general meeting.

13. The secretary upon the request of the board of directors, or upon the written requisition of six or more members of the corporation, shall call a general meeting. Such general meeting shall be held within ten days after the receipt of such requisition.

14. No general meeting shall be held unless a quorum consisting of one-third of the members resident in Colombo be present, and unless at least ten days' notice specifying the time and place of such meeting and the purpose for which it is to be held has been given to the members of the corporation, by posting such notice to the address of each member; and no business shall be brought before or transacted at such meeting other than the business specified in such notice, or the business of which any member desirous of bringing forward by motion shall have entered a notice of the same in a book to be kept for the purpose at least seven days before the date of such meeting.

15. A general meeting of the members of the corporation shall be held half-yearly during the months of January and July in each year, or as soon thereafter as may be convenient in view of the business to be prepared. At every half-yearly meeting the minutes of the proceedings of the board and an account of receipts and disbursements during the previous half-year prepared by the treasurer and duly audited shall be submitted to the said corporation.

16. The election of the chairman and vice-chairman shall take place at the general meetings held pursuant to rule No. 15, at which time also two directors shall be elected to serve on the board in the place of two directors who shall retire by rotation. The chairman, vice-chairman, and directors may be elected for twelve or six months as may be decided by the general meeting. Should it become necessary to appoint a chairman or vice-chairman at any other time, a special general meeting shall be called for the purpose.

17. Members whose place of business is beyond the municipal limits of Colombo may vote at general meetings of the chamber on any question by proxy, such proxy to be given only to a member of the corporation.

18. A half-yearly report prepared by the secretary shall be printed and circulated for information of members.

19. The board shall determine what may be published and what not in connection with the proceedings of the corporation.

20. No books, papers, or documents of any kind whatever shall be removed from the offices of the corporation without the sanction of the secretary, or, in his absence, of the chairman or of a member of the board.

21. The minute books of the corporation and the other documents connected with the meetings shall be kept under lock and key in charge of the clerk, to whom applications must be made by members of the corporation who wish to inspect them.

22. The result of the discussions of the board according to the minutes shall be considered public; all other statements confidential.

23. No information shall be given to non-members, except by or with the sanction of the chairman, secretary, or a member of the board.

#### *Funds of the Corporation.*

24. To provide suitable establishment and to defray current expenses a fund shall be raised by entrance and other fees, quarterly subscriptions, and fines, and also by the rents and annual income of the property of the corporation.

25. The entrance fee for each member or firm shall be fixed at seventy-five rupees, and the quarterly subscription for all members at eighteen rupees and seventy-five cents; payable in advance, to be collected by the treasurer and carried to the general funds of the corporation, with the amount of such fines and fees as shall hereafter be provided.

26. One subscription for any one firm shall be sufficient, and shall afford admission to the rooms of the chamber to all members of that firm, whether partners or representatives; but where only one entrance fee and subscription has been paid by a firm, such firm shall be entitled to only one vote. Provided that when there is a change in the style of a firm, such firm shall be required to be proposed again as members, and shall, if required to do so by the Directors at their discretion, pay a new entrance fee.

#### *Duties of Members.*

27. No vote shall be allowed to a member whose subscription has been in arrear for three months.

28. Any firm or person suspending payment shall thereupon cease to be a member of the corporation.

29. Any member of the corporation may resign his membership on giving to the secretary of the corporation notice in writing to that effect; but if such notice be not received before January 1 of any year, such member shall be liable for the subscription for that year, and for such further liability as may accrue under clause 12 of "The Chamber of Commerce Ordinance, 1895." Any member of the corporation whose subscription shall be six months in arrear shall cease to be a member, and his name shall be removed by the board of directors from the list of members after one month's notice of such default.

30. It shall be imperative on members to serve on the board when elected, subject to a fine on refusal equal to the amount of the yearly

subscription; and any member not attending the board when duly summoned shall be fined five rupees, unless in either case reasons be assigned to the satisfaction of the other members of the board; and any member of the board failing to attend four times consecutively shall be reported to the next general meeting, in view of appointing a more willing member instead. Provided, however, that a member having served on the board for a period of twelve months consecutively shall not be compelled to serve again until after the lapse of one year.

31. No two members of the same firm shall be eligible to be elected as a director of the board at one and the same time.

32. Any person holding a power of procuration from any firm (such firm being a member of the corporation) shall be eligible to serve as a member of the board.

*Powers of Directors.*

33. The board of directors shall have power to purchase and (or) take on lease any lands or buildings for and on behalf of the corporation, at or for such price or prices, and (or) for such rent or rents, and under such title and upon such terms and conditions as the board shall think fit and proper, and also to erect and construct any building or buildings on any land or lands purchased or to be purchased as aforesaid. They shall also have power, with the consent of the majority of the members of the corporation present in person or by proxy at any general meeting, to sell the whole or any part or parts of the property of the corporation, whether movable or immovable.

34. The board of directors shall also have power to lease any lands or buildings or any parts or portions thereof respectively belonging to the corporation for such periods, and at such rents, and upon such terms and conditions as they shall think fit and proper.

35. The board of directors shall pay out of the funds of the corporation all costs and expenses paid or incurred in and about the incorporation of the said Chamber of Commerce, the purchase and erection of the said lands and buildings, and otherwise in or about the working and business of the corporation.

36. The board shall have power to make, and may make, rules or regulations for the management of the property of the corporation; and for that purpose and for the administration of the affairs and business of the corporation the board may appoint officers, clerks, and servants, with such remuneration and at such salaries as they may consider advisable, and may pay the expenses occasioned thereby as well as the current expenses for periodicals, house rent, or otherwise, out of the funds of the corporation; and should such expenses exceed the amount of the annual income of the corporation, the deficit shall be borne by the members of the corporation in equal proportions. Provided that the contribution of each member towards such deficit shall not exceed the sum of one hundred rupees in any one year, every such contribution being exclusive of the liability of each member of the corporation under section 12 of Ordinance No. 10 of 1895. The board may also from time to time remove or suspend all or any of the officers (save and except the secretary), clerks, or servants for such reasons as they may think proper and advisable and without assigning any cause. Provided that the said board shall not exercise any powers which are by Ordinance No. 10 of 1895, or by any rule or rules for the time being of the corporation declared to be exercisable by the corporation in general meeting.

37. The board shall also have power to open from time to time on behalf of the corporation any account or accounts with such bank or banks as they may select or appoint, and also by such signatures as they shall appoint to draw, accept, make, endorse, sign, and enter into cheques, bills of exchange, promissory notes, bonds, mortgages, appointments to any proctor or proctors, contracts, or agreements on behalf and for the purposes of the corporation. They shall also have power to place the whole or any part of the funds of the corporation in fixed deposit in one or more of the local banks, or to invest the same in Ceylon or India Government securities or securities of the Government of the United Kingdom, or by way of loan or loans to any public company or public companies registered in Ceylon as they may think fit.

38. The board of directors shall exercise in the name and on behalf of the corporation all such powers of the corporation as are not expressly required to be exercised by the corporation in general meeting.

39. The board of directors shall have power to place the rooms of the corporation at the disposal of other meetings, or to hire them for the purpose of public sales at times when they are not required for the use of the corporation.

40. The board of directors shall have power from time to time, at their discretion, to borrow money for the purposes of the corporation, to such extent, in such manner, and upon such terms and conditions as they may think fit, and for such purposes to grant bonds, promissory notes, bills, debentures, interest warrants, bonds for cash credit, trust deeds or other documents, to issue letters of credit, and to grant mortgages or other deeds or instruments of security over all or any of the lands, buildings, and property and assets of the corporation.

41. In furtherance and not in limitation of and without prejudice to the general powers conferred by these rules, it is hereby expressly

declared that the board of directors shall have the powers following, that is to say :

- (a) To institute, conduct, defend, compromise, settle, or abandon any legal proceedings on behalf of the corporation, and also to compound and allow time for payment or satisfaction of any debts due to or from the corporation, and any claims or demands by or against the corporation.
- (b) To refer any claims or demands by or against the corporation to arbitration, and observe and perform the awards.
- (c) To make and give receipts, releases, and other discharges for money payable to the corporation and for claims and demands by the corporation.
- (d) To act on behalf of the corporation in all matters relating to bankrupts and insolvents.

42. A resolution of the board in writing signed by all the directors shall be as valid and effectual as if it had been passed at a meeting of the directors duly called and constituted.

#### *Meetings.*

43. The chairman, or in his absence the vice-chairman, shall preside over the meetings of the board of directors; but if the chairman or vice-chairman be not present at the time appointed for holding the same, the directors present shall choose some one of their number to be chairman of such meeting.

44. All acts done by any meeting of the board of directors, or by any person acting as director shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of any such director or person acting as aforesaid on that day, or that they or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a director.

45. The board shall cause minutes to be made in a book or books to be provided for and used solely for that purpose—

- (1) Of all appointments of officers made by directors;
- (2) Of all the names of directors present at each meeting of the directors;
- (3) Of all orders made by the directors; and
- (4) Of all resolutions and proceedings of meetings of the corporation and of the directors.

And any such minute as aforesaid, if signed by any person purporting to be the chairman of any meeting of the board, shall be receivable in evidence without any further proof.

46. In the absence of the chairman the vice-chairman shall preside over the general meetings; and if the chairman and vice-chairman be both absent, the members present shall choose one of their number to be chairman of such meeting.

47. The chairman may, with the consent of the meeting, adjourn any meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. At any general meeting, unless a poll is demanded by at least two members, a declaration by the chairman that a resolution has been carried and an entry to that effect in the book of proceedings of the corporation shall be sufficient evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against such resolution.

48. If a poll is demanded the same shall be taken in such manner as the chairman directs, and the result of such poll shall be deemed to be the resolution of the corporation in general meeting. In case of an equality of votes at any meeting of the corporation the chairman of the meeting shall have a casting vote.

#### *Miscellaneous.*

49. The tonnage scale of Ceylon shall be that detailed in appendix A.

50. The rate of exchange at which freight "payable in sterling," or its equivalent in Ceylon at the "rate of exchange of the day," or "as customary," shall be payable is the currency equivalent at the bank selling rate for a demand draft on London on the date of payment of freight.

51. In all cases of reference submitted to the board of directors for their decision the board is empowered to determine the fees and the party or parties by whom the same shall be paid.

52. No reference to the board of directors shall be entertained unless the points at issue are first submitted in writing; and it shall be entirely a matter for the decision of the board with reference to the circumstances of each case whether they receive *vivá voce* statements and verbal evidence or not.

53. The conditions of sale for articles of produce shall be those detailed in appendices B, C, D, E.

54. The rates of commission and agency charges approved by the corporation are those detailed in appendix F.

55. Arbitration awards and survey reports will be certified by the corporation on the conditions and terms indicated in appendix G.

56. The corporation may from time to time at any time hereafter, at a general meeting, cancel, alter, add to, or amend any of the appendices A, B, C, D, E, F, and G hereto as occasion may require.

57. In case any doubt or ambiguity shall arise, or any controversy shall take place among the members of the corporation or of the board of directors on the subject of the interpretation of this Ordinance, or as to the powers of the board of directors, the same shall be referred to the Attorney-General for the time being, or, should he decline to act, to such person or persons as the corporation at a general meeting or the board of directors, as the case may be, shall determine; and the decision of the Attorney-General or of such person or persons shall be final and conclusive.

## APPENDIX.

## A.—Tonnage Scale.

Articles.	Colombo.	
	Ship.	Steamer.
	To the Ton.	To the Ton.
Annatto, in bags ...	16 cwt. D	16 cwt. D
Apparel, in boxes ...	50 ft. D	50 ft. D
Arecanuts, in bags ...	16 cwt. D	16 cwt. D
Arrack ...	210-250 gals. D	210-250 gals. D
Arroyroot, in bags ...	—	16 cwt. D
Betelnuts, in bags ...	16 cwt. D	16 cwt. D
Cardamoms, in bags ...	12 cwt. D	12 cwt. D
Cardamoms, in boxes ...	50 ft. D	50 ft. D
Cinchona bark and chips, in bags ...	800 lb. D	800 lb. D
Cinchona bark and chips, in pressed bales ...	50 ft. S	50 ft. S
Cinnamon, in bales ...	1,200 lb. S	1,200 lb. S
Cinnamon, in cases or machine-pressed bales ...	50 ft. S	50 ft. S
Cinnamon, in bags or unpressed bales ...	800 lb. D	800 lb. D
Cacao, in bags or casks ...	12 cwt. D	14 cwt. D
Cacao, in cases ...	50 ft. D	50 ft. D
Cocoonut oil, in casks ...	17 cwt. S	14 cwt. S
Cocoonut, desiccated, in cases ...	50 ft. D	50 ft. D
Coffee, in bags ...	18 cwt. D	16 cwt. D
Coffee, in casks ...	16 cwt. D	14 cwt. D
Coir, in pressed bales ...	50 ft. S	50 ft. S
*Coir, in bundles or loose ballots, dholls ...	12 cwt. D	6 cwt. D
Coir rope, in coils ...	12 cwt. D	8 cwt. D
Coir yarn and fibre, screwed bales ...	50 ft. D	50 ft. S
*Coir yarn and fibre, in bundles or ballots ...	12 cwt. D	6 cwt. D
*Coir, bristle fibre, in ballots ...	10 cwt. D	10 cwt. D
Copperah, in bags, cut ...	10 cwt. D	12 cwt. S
Copperah, in bags, in bulk ...	12 cwt. D	As agreed S
Copperah, in pressed bales ...	50 ft. S	50 ft. S
Cotton, in pressed bales ...	50 ft. S	50 ft. S
Croton seed, in bags ...	16 cwt. D	16 cwt. D
Cowries, in bags ...	20 cwt. D	20 cwt. D
Hides and skins, in pressed bales ...	50 ft. S	50 ft. S
*Hides and skins, loose and in small bundles ...	14 cwt. D	14 cwt. D
Horns, deer, buffalo, and cow, in bundles ...	16 cwt. D	16 cwt. D
Measurement goods, in bales ...	50 ft. S	50 ft. S
Measurement good, in cases ...	50 ft. D	50 ft. D
Myrabolams, in bags ...	16 cwt. D	16 cwt. D
Nux vomica ...	16 cwt. S	16 cwt. S
Orchilla weed, in bags or bundles ...	12 cwt. D	12 cwt. D
Orchilla weed, in pressed bales ...	50 ft. S	50 ft. S
Plumbago, in bags or barrels ...	20 cwt. D	20 cwt. D
Poonac or oil*cake, in casks, barrels, or bags ...	17 cwt. D	17 cwt. D
Pepper, in bags ...	16 cwt. D	16 cwt. D
Palmirah fibre, in bundles or rolls ...	10 cwt. D	10 cwt. D
Shells, oyster, rough, in bags ...	16 cwt. D	16 cwt. D
Sapanwood ...	10 cwt. D	10 cwt. D
Tea, in chests ...	50 ft. D	50 ft. D
Timber, squares, planks ...	50 ft. S	50 ft. S
Woods, ebony, satin ...	20 cwt. D	20 cwt. D
All other articles not enumerated, in pressed bales ...	50 ft. S	50 ft. S
All other articles not enumerated, in cases ...	50 ft. D	50 ft. D

The standard ton of Colombo for ships and steamers for measurement of goods is 50 cubic feet.

\* As broken stowage.

D signifies net delivered. S signifies net shipped.



## B.—Conditions of Sale of Tea.

1. The highest bidder to be the purchaser; and any dispute that may arise to be settled by the selling broker, who is to declare the name of the bidder before the lot is knocked down.  
No mistake in the bidding can be rectified after the fall of the hammer.
2. Lots to be sold by the pound. No less advance than one cent to be made on any previous bid.
3. A deposit of ten per cent. to be made, if required, at the moment the lot is knocked down, otherwise it will be put up again and re-sold immediately.
4. Payment to be made on delivery in cash, without discount, and delivery to be taken at seller's stores within three days from date of sale, Sundays and public holidays excepted.
5. Should payment not be made on or before prompt day, the seller to have the liberty, on giving notice in writing to the buyer, of re-selling the lot or lots at buyer's risk, who will be liable for all loss resulting from such re-sale.
6. All objections as to quality, description, and (or) packing must be made on or before delivery, and no objection whatever can be admitted subsequent to prompt.
7. The selling broker to open, inspect, and sample ten per cent., taken indiscriminately, of each break of tea bulked on the estate and so marked, but in no case less than three packages of each description to be inspected and sampled. . . Provided the samples so drawn are found similar and of equal quality, such sampling to be considered sufficient; but should the quality be found to vary, every package to be opened and sampled.  
Of teas not bulked on the estate every package to be opened and sampled. Trade samples in all cases to be drawn accordingly.
8. All teas to be paid for on sale weights, but buyers subsequently to have the privilege (on giving notice within three days from date of sale) of having the actual net weights ascertained.  
To ascertain actual net weights ten per cent. of each break, but not less than three packages, to be turned out and weighed, and the average result taken as representing the actual net weight of the tea in each package of the break.  
Fractions of half a pound and under to be disregarded; fractions over half a pound to be taken as a full pound.  
Any difference between sale and actual weights to be paid or allowed for, as the case may be.
9. The tea to be at seller's risk until and inclusive of the whole of prompt day, unless previously removed from seller's stores. After prompt day tea remaining in seller's stores to be at buyer's risk.
10. Brokers purchasing to declare in writing their principals immediately after the sale, or otherwise to be held responsible as principals and obliged to pay for any teas so bought.
11. Should any dispute arise between buyer and seller in the matter of quality, description, and (or) packing, the same to be referred to arbitration.
12. That a 1-lb. allowance be made by the seller to the buyer on all single packages bought at auction.
13. All packages of tea containing more than 60 lb. to be hooped by the seller.
14. Seller shall furnish the buyer with an invoice showing the gross and net weight of each package sold. Should the gross weights of the packages differ from the invoice weights, it shall be competent to the buyer to require that the net weight of each package shall be ascertained. All costs incurred to be borne by the seller.
15. Additions or alterations to the above rules may be made from time to time, as occasion arises, at a general meeting called for such purpose, of which at least a week's previous notice must be given in two of the local newspapers.

## C.—Conditions of Sale of Parchment Coffee.

1. The buyer of parchment coffee, in the absence of any stipulation to the contrary, is not to be required to take delivery of what is tendered in execution of a contract unless the same is in good merchantable condition, by which is meant dried to a degree fit for keeping, not heated, free from fungus beans, and the quantity of light and pulper cut beans not to exceed 5 per cent.
2. In the case of f. o. b. contract for prepared coffee, it is understood that the seller do not guarantee either the outturn or the proportion of triage, but merely that the coffee shall be what it professes to be, the outturn of first parchment or otherwise according to the contract.
3. When a crop is sold as consisting of a certain number of bushels more or less, the estimate being a *bonâ fide* one, the seller shall not be bound to make up any deficiency in the yield.
4. When a certain number of bushels are sold as part of a crop, the seller is bound to deliver that quantity, no stipulation to the contrary having been made.

5. When a crop is sold in two or more lots, delivery to be according to date of sale, the first sold to be first delivered.

6. When the crop sold exceeds the estimate, the buyer is to have the option either of receiving or refusing the quantity in excess.

7. The delivery shall be at buyer's store.

8. The days for delivery are to be mentioned in the contract, and the coffee shall be tendered at buyer's store by 10 o'clock A.M. on any one of the days named for delivery. The buyer shall be bound to receive it and grant receipt on the same day. Should the buyer fail to receive the coffee tendered in accordance with the foregoing condition, it shall be competent to the seller to return the coffee to his store, and the buyer shall pay the cost of cart hire and loading.

9. That until paid for the coffee shall in every case be held by the buyer for account of the seller insured against the risk of fire. On payment of the purchase-money the coffee shall vest in the buyer.

#### D.—Conditions of Sale of Cinchona Bark.

1. Delivery shall be at buyer's store within three days from date of contract, Sundays and public holidays excepted.

2. The buyer shall give notice to the seller of the day or days on which he is prepared to receive the bark purchased, and provided that it be tendered at buyer's store at 10 o'clock A.M. on the day or days named in the notice. Buyer shall be bound to receive it and grant receipt for the quantity on the same day.

3. Should the buyer fail to receive the bark tendered in accordance with the foregoing condition, it shall be competent to the seller to return the bark to his store, and the buyer shall pay the cart hire and loading.

4. That until paid for the bark shall in every case be held by the buyer for account of the seller insured against risk of fire. On payment of the purchase-money the bark shall vest in the buyer.

#### Conditions of Sale of Cacao, Cardamoms.

The same as for parchment coffee in so far as they apply, except sales f. o. b., when they come under the rules for all f. o. b. contracts.

#### E.—Conditions of Sale of F. O. B. contracts generally.

1. F. o. b. shall mean free on board the ship, export duty, and harbour dues paid by the seller, risk of craft from shore to ship to be borne by the buyers.

2. When produce of any kind has been sold f. o. b., it shall be inspected by the purchaser at the seller's stores before shipment, due facilities being given by the seller for that purpose.

After being passed by the buyer the quality and condition shall be deemed to be in accordance with the contract, and no claim in respect thereto shall afterwards lie against the seller.

3. Payment shall be made on buyer giving orders for shipment of the produce or within three days of tender of delivery.

#### F.—Rates of Agency and Commission.

##### *Purchases, Sales, and Shipments.*

	Per cent.
On the sale, purchase, or shipment of specie or bullion ...	1
On the sale or purchase of opium, diamonds, pearls, precious stones, and jewellery of all descriptions ...	2½
On the sale and purchase of live stock ...	5
On the sale or purchase of goods or produce made with the proceeds of goods on which a commission of 5 per cent. has been previously charged ...	2½
On the sale or purchase of bank or joint stock shares ...	2½
On goods or produce entrusted to an agent for sale or shipment and afterwards withdrawn... ..	2½
On goods or produce shipped only, or on delivery of the same to order ... ..	2½
On the sale or purchase (including shipment if required) of all other goods or produce not enumerated above ...	5
On sale or purchase of ships, houses, or lands ...	2½

##### *Del Credere.*

On guaranteeing sales, bills, bonds, contracts, or other engagements ... ..	2½
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##### *Bottomry and Respondentia.*

On procuring money on bottomry and (or) respondentia ...	5
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##### *On Accounts Dr. Cr.*

On the total sum of the debit or credit side of an account at the option of the agent, excepting items on which a commission of 5 per cent. is chargeable ... ..	1
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<i>Freight and Charter.</i>	Per cent.
On ship's disbursements ...	2½
For procuring freight for United Kingdom on the amount of freight whether the same passed through the agents hands or not ...	7½
Do. do. for all other ports ...	5
Do. do. for procuring passengers on the amount of passage money ...	5
On collecting freight inward or outward ...	5
On executing orders to charter or engage tonnage ...	2½
Return commission to shippers on the amount of freight to United Kingdom ...	5
<i>(Commission on freight applies to steamers as well as sailing vessels.)</i>	
Commission to agents of steamers consigned inward from Europe, when the entire cargo is discharged in Colombo, to be 50 cents per net register ton, but the charge not to exceed Rs. 500; and on steamers partially discharged, 50 cents per ton for every ton discharged, but the charge in no case to be less than Rs. 150.	
Commission to agents of steamers consigned inward from other than European ports, on the total amount of freight	2½
<i>Insurance.</i>	
On procuring settlement of insurance, losses, whether partial or total, also on procuring return of premium, on the amount recovered ...	2½
On settling insurance as agents for the underwriters or insurance companies ...	2½
On effecting life or fire insurance, on the premium ...	2½
<i>Receiving and Delivering Goods and Live Stock.</i>	
On attending the delivery of contract, goods, or on receiving and delivering goods or live stock, on the value thereof ...	2½
<i>Specie.</i>	
On landing, clearing, and delivering specie from steamers or other vessels when above Rs. 10,000 ...	¼
Do. do. if under Rs. 10,000 ...	½
<i>Remittances, Bills of Exchange, and Letters of Credit.</i>	
On effecting remittances where no charge has been made for collection, or on purchasing, selling, or negotiating bills of exchange ...	1
On granting or cashing letters of credit ...	2½
On sale and purchase of private bills of exchange ...	1
On bills of exchange returned, noted, or protested ...	1
Interest on overdue promissory notes or bills of exchange ...	9
<i>Administering Estate and Recovering Debts by Law or otherwise.</i>	
On managing the affairs of an estate for an executor or an administrator ...	5
On all debts collected or secured whether by or without process of law or arbitration ...	5
<i>Transfer of Property, Mortgage, and Collecting Rents, &amp;c.</i>	
On executing the transfer of immovable property ...	1
On procuring money on mortgage ...	1
On investing money on mortgage ...	1
For discharging mortgages as an attorney ...	1
On collecting rents ...	5
On collecting interest ...	5
<i>Shipwrecked Cargo.</i>	
On landing and reshipping goods, except as under, from any vessel in distress, stranded, or wrecked, or on landing or selling by auction damaged goods from any such vessel, and acting as agent for the master on behalf of all concerned, on the declared value of all such goods as may be reshipped, and on net proceeds of all such goods as may be publicly sold ...	5
If opium, indigo, raw silk, or silk goods ...	2½
If treasure, precious stones, or jewellery ...	1

#### G.—Survey Reports and Arbitration Awards.

Whereas it has been represented to the Ceylon Chamber of Commerce that in order to give to survey reports and arbitration awards an official character that they have not at present, and which circumstances have proved to be necessary, it is desirable that such reports and awards should be sealed and certified by the Chamber of Commerce

The Chamber of Commerce hereby nominate the following gentlemen as an official committee, from whom the surveyors, arbitrators, and their umpires must be selected, the chamber reserving itself the right to be exercised by the standing committee to add to, or cancel, the present and all future appointments :—

Aitken, E., Esq.	...	of Messrs. Aitken, Spence & Co.
Bois, F. W., Esq.	...	J. M. Robertson & Co.
Brown, R. L. M., Esq.	...	Lewis Brown & Co.
Creasy, E. B., Esq.	...	—
Davies, E. C., Esq.	...	of the Government Factory.
Forbes, J., Esq.	...	—
Forsyth, A., Esq.	...	of Messrs. Delmege, Forsyth & Co.
Gepp, A. M., Esq.	...	—
Goodwyn, H., Esq.	...	Skrine & Co.
Hamilton, W., Esq.	...	Cargill & Co.
John, E., Esq.	...	—
Mackwood, F. M., Esq.	...	Mackwood & Co.
Macindoe, F., Esq.	...	Carson & Co.
Mann, J. A., Esq.	...	Mann & Co.
Mitchell, Hon. W. W., C.M.G.	...	Darley, Butler & Co.
Renton, J. H., Esq.	...	Bosanquet & Co.
Sandeman, W. C., Esq.	...	—
Schulze, A., Esq.	...	Schulze Bros. & Co.
Symons, C. E. H., Esq.	...	—
Thompson, A. H., Esq.	...	A. H. Thompson & Co.
Tetley, C. G., Esq.	...	Freudenberg & Co.
Walker, E., Esq.	...	Walker, Sons & Co., Ltd.

Survey reports or arbitration awards made by gentlemen, all of whom have been selected from the official committee, shall, on payment of a fee of ten rupees and fifty cents to the Chamber, be entitled to receive the stamp of the Chamber attested by the secretary, and on the payment of a further fee of ten rupees and fifty cents the chairman or vice-chairman of the Chamber may be called upon to certify on the report or award that the surveyors or arbitrators have been selected from the official committee appointed by the Chamber of Commerce.

A copy of the award or report stamped or certified is, in every case, to be deposited with the Chamber as a record.

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

H. L. CRAWFORD,  
Clerk to the Council.

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

W. T. TAYLOR,  
Acting Colonial Secretary.

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

No. 11 of 1895.

An Ordinance to amend in some respects Ordinance No. 2 of  
1883, intituled "The Ceylon Penal Code."

E. NOEL WALKER.

Preamble.

WHEREAS it is expedient to amend in some respects  
"The Ceylon Penal Code" and to make provision  
for the punishment of offences relating to marriage: Be it  
therefore enacted by the Governor of Ceylon, by and with  
the advice and consent of the Legislative Council thereof,  
as follows:

Insertion of sections  
362 (a), 362 (b), 362  
(c), and 362 (d).

Cohabitation  
caused by a man  
deceitfully  
inducing a belief  
of lawful  
marriage.

Marrying again  
during the life-  
time of husband  
or wife.

1 After section 362 of the said Code the following sections  
shall be inserted and numbered respectively:

362 (a) Every man, who by deceit causes any woman  
who is not lawfully married to him, to believe that she is  
lawfully married to him, and to cohabit or have sexual  
intercourse with him in that belief, shall be punished  
with imprisonment of either description for a term which  
may extend to ten years, and shall also be liable to fine.

362 (b) Whoever, having a husband or wife living,  
marries in any case in which such marriage is void by  
reason of its taking place during the life of such husband  
or wife, shall be punished with imprisonment of either  
description for a term which may extend to seven years,  
and shall also be liable to fine.

*Exception.*—This section does not extend to any person  
whose marriage with such husband or wife has been  
declared void by a court of competent jurisdiction, nor to  
any person who contracts a marriage during the life of a  
former husband or wife, if such husband or wife, at the  
time of the subsequent marriage, shall have been continually  
absent from such person for the space of seven years, and  
shall not have been heard of by such person as being alive  
within that time, provided the person contracting such  
subsequent marriage shall, before such marriage takes place,  
inform the person with whom such marriage is contracted,  
of the real state of facts, as far as the same are within his or  
her knowledge.

Same offence with  
concealment of the  
former marriage  
from the person  
with whom  
subsequent marriage  
is contracted.

362 (c) Whoever commits the offence defined in the last  
preceding section, having concealed from the person  
with whom the subsequent marriage is contracted the  
fact of the former marriage, shall be punished with  
imprisonment of either description for a term which  
may extend to ten years, and shall also be liable to fine.

Marriage  
ceremony gone  
through with  
fraudulent  
intent without  
lawful marriage.

362 (d) Whoever dishonestly or with a fraudulent in-  
tention goes through the ceremony of being married,  
knowing that he is not thereby lawfully married, shall  
be punished with imprisonment of either description  
for a term which may extend to seven years, and shall  
also be liable to fine.

Short title.

2 This Ordinance, which may be cited as "The Ceylon  
Penal Code Amendment Ordinance, 1895," and Ordinance  
No. 2 of 1883, intituled "The Ceylon Penal Code," shall be  
read together as one Ordinance.

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

H. L. CRAWFORD,  
Clerk to the Council.

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

W. T. TAYLOR,  
Acting Colonial Secretary.

## NOTICES OF FISCALS' SALES.

## Western Province.

In the District Court of Kalutara.

Menerigamagey Siman Perera, of Desastra Kalutara.....Plaintiff.  
No. 956. Vs.

Sarohamy, widow of the late Habakkalekankanange Don Brampy Appuhamy, of Desastra Kalutara, and seventeen others....Defendants.

NOTICE is hereby given that on Monday, December 23, 1895, commencing at 11 o'clock in the forenoon, will be sold by public auction the following property for the recovery of Rs. 497-87.

1. The garden called Induruwegewatta, situated at Desastra Kalutara; bounded on the north by the road leading to the old road, east by the residing garden of Walgampolage Dingyhami, south by the residing garden of Ambalangodage Paulu Naide, and west by a portion of the same garden wherein Hena Arachchige Carolis Rodrigo resides.

2. The land called Pellewatta, at do.; bounded on the north by a portion of the same garden, east by Malekorakagahawatta, south and west by a portion of the same garden.

3. One-third part of the tiled house standing on the garden Bogahawatta, at do.; bounded on the north by Uswatta and Apa-ammagewatta, east by a portion of the same garden, south by the portion wherein Babagurunnanse resides, and west by Bogahawatta.

4. The entire soil and trees of the land called Poodarapattiwatta, together with the tiled house standing thereon, at do.; bounded on the north by Elangahawatta and Deniyawatta, east by the canal, south by Kadakkuttia-watta, and west by the old road; originally mortgaged by the deceased Habakkalakananage Don David Appuhamy and Agampody Arnolis Soysa, the 18th defendant, with Mr. F. C. Scharenguivel by bond No. 30,254, dated June 20, 1893, be and the same are hereby declared bound and executable for the decree in the above case.

Deputy Fiscal's Office,  
Kalutara, November 25, 1895.

T. DE. NEISE,  
Deputy Fiscal.

## Central Province.

In the District Court of Colombo.

Kana Sinnaiyah Pulle, of Sea street, Colombo..Plaintiff.  
No. C/8,058. Vs.  
Hettihewage Siman Appu, of Trincomalee street in Matale.....Defendant.

NOTICE is hereby given that on December 21, 1895, commencing at 12 o'clock noon, will be sold by public auction at the premises the following property of the defendant, viz. :-

1. The houses, rooms, and ground bearing assessment Nos. 115, 116, and 117; bounded on the east by the property bearing No. 114, south by the Crown property, west by the house bearing No. 118, and on the north by Colombo street, situated in Colombo street in Kandy.

2. The house and ground bearing No. 146; bounded on the east by the house bearing No. 147, south by Colombo street, west by the house bearing No. 145, and on the north by Siman Fernando's land, situated as aforesaid.

3. The houses and ground bearing present assessment Nos. 142 and 143; bounded on the east by the land bearing No. 144, south by Colombo street, west by the house bearing No. 141, and on the north by the property of Siman Fernando's situated as aforesaid.  
Amount of writ, Rs. 4,060.

Fiscal's Office,  
Kandy, November 25, 1895.

J. B. SIEBEL,  
Acting Fiscal.

## North-Western Province.

In the District Court of Puttalam.

Aloysius Mt. Carmel Casie Chetty .....Plaintiff.  
No. 809. Vs.

Jeronimus Henry de Rosairo.....Defendant.

NOTICE is hereby given that on Monday, December 30, 1895, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :-

1. An undivided one-fourth share of the cocoanut garden called Ottapanaitottam, otherwise known as Ithiadipirivu, Mudumarapirivu, Vangaladipirivu, and Vayaladipirivu, situated at Peria Ottapane in Akkarapattu in Puttalam; and bounded or reputed to be bounded on the north by the partition fence of the garden belonging to Savari Achchi, widow of Swokino Lingappa, on the east by high road, on the south by the partition fence of the garden called Mavaditottam belonging to the heirs of Davidupulle Manuel Pulle, Police headman, and by the partition limit of the land belonging to the plaintiff and others, and on the west by the partition limit of the land of defendant and others.

2. The cocoanut garden called Solaikattutottam, situate at the above place; and bounded or reputed to be bounded on the north and south by the partition fences of the garden belonging to the defendant, on the east by the tree called salambemaram, and on the west by the partition fence of the garden belonging to Ambalavi Sammatty and others.

3. An undivided half share of the portion of land of 30 acres in extent, situated at the above place; and bounded or reputed to be bounded on the north by the partition fence of the garden belonging to the plaintiff and another, on the east by the partition fence of the garden belonging to the plaintiff and another and by the partition fence of the garden belonging to Savari Achi, widow of Swokino Lingappa, on the south by the partition fence of the garden belonging to the defendant and others, and on the west by land of the Crown.

4. The four portions of garden called Veetaditottam, Illuppaiditottam, Palayaveetaditottam, and Sinnatottam; together with the buildings standing thereon, situate at Kattakadu in Akkarapattu; and bounded on the north by the drain called Kadayanchenaivaikal, on the east by the partition fence of the garden belonging to the heirs of Lingappa Nayeker Anthony Pulle and by the partition fence of the garden belonging to the defendant, on the south by the partition fence of the garden belonging to Savari Paulu Kurera Annavi and others, and on the west by the partition fence of the garden belonging to Mamu Naina Pulle and others.

5. The cocoanut garden called Pungalaetottam alias Manalmoolaitottam, situated at Kattakadu in Akkarapattu; and bounded or reputed to be bounded on the north by the partition fence of the garden belonging to the defendant, on the east by the drain called Kadayanchenaivaikal, on the south by the partition fence of the garden belonging to the estate of Elévattamby Casi Meydin and by the partition fence of the garden of Savary Paulu Kurera Annavi and others, and on the west by the partition fence of the garden belonging to Savari Paulu Kurera Annavi and others.

Deputy Fiscal's Office, G. A. BAUMGARTNER,  
Puttalam, November 25, 1895. Deputy Fiscal.

In the District Court of Puttalam.

Aloysius Mt. Carmel Casie Chetty .....Plaintiff.  
No. 833. Vs.  
Longenis Anthony de Rosairo.....Defendant.

NOTICE is hereby given that on Saturday, December 28, 1895, at 1 o'clock in the afternoon, will be sold

by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

1. An undivided one-fourth share of the cocoanut garden called Ottapanatottam, otherwise known as Ithi-adipirivu, Mudumarapiyivu, Vangaladipirivu, and Vayaladipirivu, situated at Peria Ottapane in Akkara-pattu; and bounded or reputed to be bounded on the north by the partition fence of the garden belonging to Savari Achchi, widow of the Swokino Lingappa, on the east by high road, on the south by the partition fence of the garden called Mavadiottam belonging to the heirs of Davidupulle Manuel Palle, Police Headman, and by the partition limit of the land belonging to the plaintiff and others, and on the west by the partition limit of the land belonging to the defendant and others.

2. An undivided half share of the portion of land of 30 acres in extent more or less in the whole, situated at Peria Ottapane; and bounded or reputed to be bounded on the north by the partition fence of the garden belonging to the plaintiff and another, on the east by the partition fence of the garden belonging to the plaintiff and another and by the partition fence of the garden belonging to Savari Achchi, widow of Swokino Lingappa, on the south by the partition fence of the garden belonging to the defendant and others, and on the west by land belonging to the Crown.

G. A. BAUMGARTNER,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Puttalam, November 25, 1895.

In the District Court of Chilaw.

Suna Pana Kana Nana Supparamanian  
Chetty, of Negombo.....Plaintiff.  
No. 1,124. Vs.

M. Eteven Fernando Annavirala and others,  
of Nainamadama .....Defendants.

NOTICE is hereby given that on Friday, December 20, 1895, and the day following, commencing each day at 10 o'clock in the morning, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

1. The garden called Kongahawatta, situated at Nainamadam in Kammal pattu of the Pitigal korale south, Chilaw District, and the building standing thereon.

2. The garden called Divilgahawatta, situated at Nainamadam aforesaid.

3. The garden called Millagahawatta, situated at Nainamadam aforesaid.

4. An undivided half-share from Karagahaowita, situated at Nainamadam aforesaid.

5. Half-share from the land called Mahakarachchan, situated at Nainamadam aforesaid.

6. Half-share from the garden called Embillagahawatta, situated at Nainamadam aforesaid.

7. The garden called Kongahawatta, situated at Nainamadam aforesaid.

8. The garden called Talgahawatta, situated at Nainamadam aforesaid.

9. The garden called Ambagahawatta, situated at Nainamadam aforesaid.

10. The garden called Kosghawatta, situated at Nainamadam aforesaid.

11. An undivided half-share from Karagahaowita, situated at Nainamadam aforesaid.

12. Half-share from the land called Marakkachchan, situated at Nainamadam aforesaid.

13. An undivided half-share from the garden called Embillagahawatta, situated at Nainamadam aforesaid.

14. The garden called Kajugahawatta, situated at Rangamulla.

15. The land called Veliowita, situated at Rangamulla aforesaid.

16. The garden called Divulgahawatta, situated at Rangamulla aforesaid.

Amount recoverable Rs. 5,257-28, and interest on Rs. 2,500, at 45 per cent. per annum from March 4, 1895.

Deputy Fiscal's Office,  
Chilaw, November 26, 1895.

J. P. LEWIS,  
Deputy Fiscal.

In the District Court of Negombo.

Kana Nana Lena Koneppen Chetty, of  
Negombo.....Plaintiff.  
No. 2,087. Vs.

N. S. Don Juakino Appuhami and another,  
of Ulhetiyawa.....Defendant.

NOTICE is hereby given that on Monday, December 23, 1895, at 10 o'clock in the morning, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

(1) An undivided half share from the garden called Madangahawatta, situated at Nainamadam in Kammal pattu of the Pitigal korale south, Chilaw District.

(2) An undivided half share from the garden called Daminnagahawatta, situated at Nainamadam aforesaid.

(3) The garden called Talgahawatta, situated at Nainamadam aforesaid, and the buildings standing thereon.

(4) An undivided three-sevenths share from the garden called Nugagaha alias Talgahawatta, situated at Nainamadam aforesaid.

(5) The garden called Telambughawatta, situated at Nainamadam aforesaid.

(6) The garden called Kosghawatta, situated at Nainamadam aforesaid.

(7) An undivided one-eighth share from the garden called Talgahawatta, situated at Nainamadam aforesaid. About 400 cocoanut trees plantable extent.

Amount recoverable Rs. 1,612-75, and interest on Rs. 1,500 at 30 per cent. per annum from March 1, 1894.

J. P. LEWIS,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Chilaw, November 26, 1895.