

*Chamber of Commerce.***No. 10 of 1895.****An Ordinance to incorporate the Ceylon Chamber of Commerce.***(As amended by No. 2 of 1912.*)*

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 :

Preamble.

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 :

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.

Incorporation of Chamber of Commerce.

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.

General objects of the corporation.

3 (1) *The affairs of the corporation shall be administered, subject to the rules for the time being of the corporation as hereinafter provided, by a Board of Directors consisting of the*

Board of Directors.
[§ 4, 2 of 1912.]

* Proclaimed from June 19, 1912, by Proclamation of June 19, 1912, in *Government Gazette* No. 6,509 of June 21, 1912.—Edd.

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Chairman and Vice-Chairman respectively of the corporation and not less than five nor more than ten 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, the 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

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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.

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.

Debts due by and payable to the corporation.

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.

The seal of the corporation to be affixed.

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.

Corporation may hold property, movable and immovable.

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.

Limit of liability of members.

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

Short title.

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.

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3. Every person or firm desirous of joining the corporation shall be proposed by one member, seconded by another, and shall be balloted 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 *as often** as occasion may require, or* 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. *Four** 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 *at which his predecessor would under rule 16 retire by rotation.**

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.

* As amended by the general meeting of August 16, 1912.—*Edd.*

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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 *fifteen** days after the receipt of such requisition.

14. No general meeting shall be held unless a quorum consisting of *fifteen members*† 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, *the Board of Directors may proceed to do so subject to confirmation at the next general meeting.**

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 the 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 application 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.

* As amended by the general meeting of August 16, 1912.—*Edd.*
† As amended by the general meeting of February 15, 1912.—*Edd.*

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Funds of the Corporation.

24. To provide a 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 a 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 Directors 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

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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 Indian 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.

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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.

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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.

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APPENDIX.

A.—Tonnage Scale. (Colombo.)

Articles.	Ship.		Steamer.	
	<i>To the Ton.</i>		<i>To the Ton.</i>	
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
Arrowroot, in bags ..	—		16 cwt.	D
Betel nuts, 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
Ditto 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
Coconut oil, in casks ..	17 cwt.	S	14 cwt.	S
Coconut, 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, bundles or ballots ..	12 cwt.	D	6 cwt.	D
*Coir, bristle fibre, in ballots ..	10 cwt.	D	10 cwt.	D
Copra, in bags, cut ..	10 cwt.	D	12 cwt.	S
Copra, in bags, in bulk ..	12 cwt.	D	As agreed	S
Copra, 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, cow, in bundles ..	16 cwt.	D	16 cwt.	D
Measurement goods, in bales..	50 ft.	S	50 ft.	S
Measurement goods, 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

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*.

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Articles.	Ship.		Steamer.	
	<i>To the Ton.</i>		<i>To the Ton.</i>	
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
Palmyra 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
Ditto in cases	50 ft.	D	50 ft.	D

*B.—By-laws and Conditions of Sale of Tea.***By-laws.*

1. Sales shall be held weekly on Tuesdays, commencing at 11 a.m., at the Chamber of Commerce Sale Rooms, unless otherwise specially arranged by the Committee of the Colombo Tea Traders' Association.

2. Prices realized for individual lots at such sales shall not be published.

3. No teas shall be catalogued until they have arrived, and catalogues shall be closed by 5 p.m. on the Wednesday previous to the sale, unless otherwise specially arranged by the Committee of the Colombo Tea Traders' Association.

Samples and catalogues for Tuesday's sale shall be delivered to buyers not later than 10 a.m. on the previous Friday.

4. No teas shall be catalogued for sale except through members of the Colombo Tea Traders' Association as principals, or provided that they are guaranteed by the selling broker as first-hand teas on garden account, or that they are first bulked and re-packed in the store of a member of the association and remain there pending delivery.

5. 1,000 lb. of tea and upwards shall constitute a large break, a lesser quantity being regarded as a small break.

Conditions of Sale.

1. The highest bidder shall be the purchaser; and any dispute that may arise shall be settled by the selling broker, who shall not declare the name of the buyer until after the lot is knocked down, unless in his opinion there shall be any uncertainty as to the actual bidder. The seller of the tea or any agent employed by him shall have the right to bid.

2. All teas shall be sold by the lot at so much per pound, no less advance than one cent per pound to be made on any previous bid. When a bid is registered by the selling broker, the bidder shall have the right to claim the tea at any advance in price, such bids to be binding until 1 p.m. of the day following sale.

* As adopted at the half-yearly general meeting held on February 25, 1913, with effect from the first sale in April, 1913.—*Edd.*

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3. A deposit of 10 per cent. shall be made if required at the moment a lot is knocked down, failing which it shall be immediately put up for re-sale.

4. All teas shall be paid for on catalogued weights (less 4 lb. sample allowance on large breaks and 3 lb. on small breaks) on or before prompt day, which shall be five days from date of sale, Sundays and bank holidays excepted. On receipt of payment the seller shall issue a delivery order in favour of the buyer, who shall thereupon take delivery at seller's stores. Should payment not be made before noon on prompt day the seller shall have the right, on giving notice in writing to the buyer, to re-sell the lot or lots at the risk of the buyer, who shall be liable for any loss resulting from such re-sale. The tea, notwithstanding the fact that it may have already been paid for, shall be at seller's risk to the amount of the contract value only, for two clear working days after prompt day, unless previously delivered, and thereafter at buyer's risk, except in the case of any dispute or disagreement arising, in which event it shall remain at seller's risk pending settlement of such dispute or disagreement.

5. If required by the purchaser two separate delivery orders shall be granted for any parcel of tea consisting of or over 20 chests or 35 half chests.

6. The selling broker shall open, inspect, and sample the tea. The sample in the case of a large break shall consist of 4 lb. and a small break 3 lb. Four packages of a large break and three packages of a small break shall be sampled, 1 lb. exactly being drawn from each package. Where there are only two packages, 1½ lb. shall be drawn from each package. All packages sampled shall be marked accordingly by prominently stencilling the letter "S" thereon. Provided the samples so drawn are found to be similar and of equal quality, such sampling as aforesaid shall be considered sufficient, but should there be any variation in quality every package shall be sampled, an equal quantity of tea being drawn from each package. No sampling whatsoever shall be done unless the entire lot shall have arrived at seller's stores. Catalogues shall state whether or not teas are bulked and hooped, and in the case of teas not bulked every package shall be sampled, an equal quantity being drawn from each package.

7. All teas offered for sale shall be packed in good merchantable packages, and the selling broker shall declare in his catalogue whether such packages are "momi," "native wood," "patent," or "metal." All teas in packages over 28 lb. gross packed with lead under 4 oz. shall be so declared.

8. (a) All packages shall have the gross and net weights marked thereon previous to being offered for sale, and in the event of a shortage in weight being proved to the satisfaction of the seller, he shall be liable for such shortage, and also for the cost of weighing, which shall not exceed 12½ cents per package.

(b) All objections as to quality, description, packing, or weights must be made on or before the tenth day after date of sale, Sundays and bank holidays excepted.

9. Brokers buying or selling tea shall declare in writing their principals immediately after the sale, otherwise they themselves shall be held responsible as principals.

10. Should any dispute or disagreement arise between buyer and seller, the same shall be referred to the arbitration of one arbitrator to be appointed by both parties, or, if the parties cannot agree as to an arbitrator, to the arbitration of two arbitrators, one to be appointed by each party. The arbitrator shall before proceeding with the business of the arbitration appoint an umpire, to the arbitration of whom shall be referred all questions on which the arbitrators are

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unable to agree. The award of such arbitrator, arbitrators, or umpire (as the case may be) shall be final, conclusive, and binding on all parties. If either party shall refuse or neglect to appoint an arbitrator within three days after the other party shall have appointed an arbitrator on his part, and shall have served or posted under registered cover written notice requiring him to make such appointment, then the arbitrator appointed as aforesaid shall, at the request of the party appointing him, proceed to arbitrate on the matter in dispute as if he were an arbitrator appointed by both parties for that purpose.

N.B.—Additions or alterations to the foregoing rules and (or) by-laws may be made from time to time as occasion arises at a general meeting of the Colombo Tea Traders' Association to be called for such purpose in accordance with the rules of the association.

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 does not guarantee either the outturn or the proportion of driage, 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 *bona 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.

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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.—(a) Rates of Agency and Commission.*

<i>Purchases, Sales, and Shipments.</i>	<i>Per cent.</i>
<i>On the sale, purchase, or shipment of specie or bullion ..</i>	<i>1</i>
<i>On the sale or purchase of opium, diamonds, pearls, precious stones, and jewellery of all descriptions ..</i>	<i>2½</i>
<i>On the sale and purchase of live stock ..</i>	<i>5</i>
<i>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 ..</i>	<i>2½</i>
<i>On the sale or purchase of bank or joint stock shares or Government securities ..</i>	<i>1</i>
<i>On goods or produce entrusted to an agent for sale or shipment and afterwards withdrawn ..</i>	<i>1</i>
<i>On goods or produce shipped only, or on delivery of the same to order ..</i>	<i>2½</i>
<i>On the sale or purchase (including shipment if required) of all other goods or produce not enumerated above ..</i>	<i>2½</i>
<i>On the sale or purchase of ships, houses, or lands ..</i>	<i>2½</i>

Del Credere.

<i>On guaranteeing sales, bills, bonds, contracts, or other engagements ..</i>	<i>2½</i>
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* As adopted at the half-yearly general meeting held on February 25, 1913.—*Edd.*

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Bottomry and Respondentia.

	<i>Per cent.</i>
On procuring money on bottomry and (or) respondentia ..	5

Freight and Charter.

On ship's disbursements ..	2½
For procuring freight for United Kingdom on the amount of freight, whether the same passed through the agent's hands or not ..	5
Do. do. for all other ports ..	5
For procuring passengers, on the amount of passage money ..	5
On collecting freight inward or outward ..	2½
On executing orders to charter or engage tonnage ..	2½
Commission to agents of steamers consigned inward on the total amount of freight (but the charge in no case to be less than Rs. 150) ..	2½

Insurance.

On procuring settlement of insurance losses, whether partial or total, on behalf of the insured, on the amount recovered ..	2½
On settling insurance claims as agents for the underwriters or insurance companies ..	2½
On certifying vouchers or claims against companies on policies (marine) payable out of Ceylon, Rs. 21·50.	
On drawing up average adjustments, 5 per cent. of damage or ½ per cent. of insured value of goods.	
On refund of deposits of general average contribution, 2½ per cent. (minimum Rs. 21·50).	

Receiving and Delivering Goods and Live Stock.

On attending the delivery of contracts, goods, or on receiving and delivering goods or live stock, on the value thereof ..	2½
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Remittances, Bills of Exchange, and Letters of Credit.

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 ..	1
On bills of exchange returned, noted, or protested ..	1
Interest on overdue promissory notes or bills of exchange ..	9

Administering Estate and Recovering Debts by Law or otherwise.

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

Transfer of Property, Mortgage, and Collecting Rents, &c.

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 or interest ..	2½
On collecting dividends and remitting ..	1

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<i>Shipwrecked Cargo.</i>	<i>Per cent.</i>
<i>On landing and re-shipping 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</i>	5
<i>If opium, indigo, raw silk, or silk goods</i>	2
<i>If treasure, precious stones, or jewellery</i>	1

(b) Rates of Brokerage.

1. <i>On effecting loans, mortgages or sales of land, estates, and property</i>	2½
2. <i>On sale of tea, plumbago, and other general produce not here enumerated</i>	1
3. <i>On sale of rubber on invoices of up to and including 1,000 lb.</i>	1
<i>On invoices of over 1,000 lb.</i>	½
4. <i>On sale of coconut oil f. o. b., Re. 1·25 per ton. Naked, Re. 1 per ton.</i>	
5. <i>On sale of bills of exchange</i>	¼
6. <i>On amount of freight obtained (at exchange 1s. 4d.) .. .</i>	1
7. <i>On the sale of bank or joint stock shares</i>	1
8. <i>The seller shall pay the brokerage, except in the case of Government stock, when ½ per cent. is to be charged to the buyer and ½ per cent. to seller.</i>	

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 nominates 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.*

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.

19th November, 1895.

* The list of names in the original Ordinance is omitted as obsolete. Revised lists are issued from time to time by the Chamber of Commerce.
—Edd.