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

PART II.—Legal and Judicial.

PART III.—Provincial Administration.

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DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to provide for the Employment of duly qualified Tindals and Engineers on Launches.

Preamble:

WHEREAS it is expedient to make provision for the employment of duly qualified tindals and engineers on launches: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be for all purposes cited as "The Launches Ordinance, 1907."

Definition.

2 In this Ordinance, unless the context otherwise requires—

(1) The term "launch" includes any boat of less than fifty tons burden propelled by steam, electric, or other motor power which ordinarily plies in any port in Ceylon, or in any canal, river, lake, or other inland water in Ceylon.

- (2) The word "tindal" means any person (except a pilot or harbour master) having for the time being charge or control of a launch.
- (3) The word "voyage" includes also the plying of a launch at or about any port or place.
- (4) The word "prescribed" means prescribed by rule made under this Ordinance by the Master Attendant with the approval of the Governor in Executive Council.

The term "Master Attendant" means the Master Attendant of the port of Colombo.

Appointment of examiners.

3 The Master Attendant may from time to time appoint persons for the purpose of examining the qualifications of persons desirous of obtaining certificates of competency as tindals or as engineers of launches.

Grant of tindals' or engineers' certificates of competency.

4 (1) The Master Attendant shall grant to every person who is reported by the examiners to possess the necessary qualifications a certificate of competency to the effect that he is competent to act as the tindal or as the engineer, as the case may be, of a launch.

(2) Every such certificate shall be in the prescribed form.

Power of Master Attendant to require re-examination or further inquiry.

5 Before granting a certificate under the last foregoing section the Master Attendant may, if he has reason to believe that the report of the examiners regarding any applicant has been improperly made, require a re-examination of the applicant or a further inquiry into his testimonials and character.

Grant of certificate of service.

6 (1) The Master Attendant may in his discretion grant without examination to any person who has served as a tindal or as an engineer of any launch before the First day of January, 1907, a certificate of service to the effect that he may act as a tindal or as an engineer of a launch.

(2) A certificate of service so granted shall have the same effect as a certificate of competency granted under this Ordinance after examination.

Certificate to be made in duplicate.

7 Every certificate of competency or service granted under this Ordinance shall be made in duplicate, and one copy shall be delivered to the person entitled to a certificate and the other shall be kept and recorded in the prescribed form.

Grant of copy of certificate in certain cases.

8 Whenever a tindal or engineer proves to the satisfaction of the Master Attendant that he has without fault on his part lost or been deprived of his original certificate, he shall be entitled, on payment of a fee of two rupees and fifty cents to be paid to the Master Attendant, to a copy of such certificate in lieu of such original.

Nature of certificates necessary for tindals and engineers of steam launches.

9 (1) A launch shall not proceed on any voyage unless she has—

- (a) As her tindal, a person possessing a tindal's certificate granted under this Ordinance, or a master's certificate granted under Ordinance No. 7 of 1863, or a certificate granted by the Board of Trade that he is competent to act as master, or as first, second, or only mate of a foreign-going ship, or as master of a home-trade passenger ship, or a colonial certificate of competency as master or mate to which the provisions of "The Merchant Shipping Act, 1904," relative to certificates have been made applicable by an order of His Majesty in Council under section 102 of the said Act.
- (b) As her engineer, a person possessing an engineer's certificate granted under this Ordinance, or an engineer's certificate granted by the Board of Trade, or a colonial certificate of competency as an engineer to which the provisions of the said Act have been made applicable as aforesaid.

Provided that a launch shall be deemed to have complied with this section if she has as her tindal and engineer a person possessing both a tindal's certificate and an engineer's certificate in accordance with this Ordinance.

(2) If any launch proceeds on a voyage in contravention of this section the owner and the tindal of the launch shall each be guilty of an offence, and be liable on conviction thereof to a fine, which may extend to one thousand rupees.

Power of
Master
Attendant to
make rules.

10 The Master Attendant may make rules to regulate the granting of certificates of competency under this Ordinance, and may by such rules—

- (a) Provide for the conduct of the examination of persons desirous of obtaining certificates of competency as tindals or as engineers under this Ordinance.
- (b) Prescribe the qualification to be respectively required of persons desirous of obtaining such certificate.
- (c) Fix the fees to be paid by applicants for examination.
- (d) Prescribe the form in which certificates shall be given—

and such rules when approved of by the Governor in Executive Council shall be published in the *Government Gazette*.

By His Excellency's command,

G. M. FOWLER,
Acting Colonial Secretary.

Colonial Secretary's Office,
Colombo, January 24, 1907.

Statement of Objects and Reasons.

THE object of the Draft Ordinance is to make provision for the employment of duly qualified tindals and engineers on launches, the term "launch" including boats of less than fifty tons burden, propelled by steam, electric, or other motive power, ordinarily plying in any port or inland water in Ceylon.

2. The power of appointing examiners and of issuing certificates of competency is vested in the Master Attendant of the Port of Colombo, who is also empowered to make rules, subject to the approval of the Governor in Executive Council, for the purposes of the Ordinance.

3. The qualifications which the Draft Ordinance requires are, in the case of tindals, a tindal's certificate under the Draft Ordinance, or a master's certificate under Ordinance No. 7 of 1863, or a Board of Trade certificate of competency as master or as first mate, second, or only mate of a foreign-going ship, or as master of a home trade passenger ship, or a colonial certificate of competency as master or mate. In the case of engineers, the qualifications are a certificate under the Draft Ordinance, an engineer's certificate granted by the Board of Trade, or a colonial certificate of competency as an engineer.

4. The owner and tindal of any launch proceeding on a voyage without a duly qualified tindal and engineer is liable to fine.

ALFRED G. LASCELLES,
Attorney-General.

Attorney-General's Chambers,
Colombo, January 15, 1907.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Estate of
Jurisdiction. the late Brahmanage Marthenis
No. 2,646 C. Perera, deceased, of the Pettah
in Colombo.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 20th day of December, 1906, in the presence of Mr. E. G. Jayawardene, Proctor, on the part of the petitioner Wickreme-aratchige Dona Pesona Hamine of the Pettah in Colombo; and the affidavit of the petitioner, dated the 11th day of September, 1906, having been read:

It is ordered that the aforesaid petitioner be and she is hereby declared entitled to have letters of administration to the estate of her late husband Brahmanage Marthenis Perera, the above-named deceased, unless the respondents—(1) Brahmanage Teresa Perera, wife of (2) Ambrose Henry Abeyeratne, both of Ratnapura, (3) Brahmanage Simon Perera, and (4) Brahmanage Alvin Perera, (5) Brahmanage Mary Perera, (6) Brahmanage James Perera, (7) Brahmanage Catherine Perera, (8) Brahmanage Wilfred Allanson Perera, (9) Brahmanage Raymond Ernest Perera, and (10) Brahmanage Edmund Vernon Perera, by their guardian *ad litem* Brahmanage Simon Perera, all of the Pettah in Colombo—shall, on or before the 31st day of January, 1907, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,
District Judge.

The 20th day of December, 1906.

The date for showing cause against the above *Order Nisi* is extended to the 14th day of February, 1907.

J. R. WEINMAN,
District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and
Jurisdiction. Testament of Meneripitiyage Don
No. 2,714 C. Johannes Karunaratne Appuhami,
late of Mattumagala in the Ragam
pattu of Alutkuru korale, in
Colombo District, deceased.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 16th day of January, 1907, in the presence of Mr. W. P. Ranasinghe, Proctor, on the part of the petitioner Meneripitiyage Don Baron Peries Karunaratne of Mattumagala aforesaid; and the affidavits of the said petitioner dated 11th January 1907, and of four of the subscribing witnesses thereto, namely, (1) Nainanayaka Patirannchelage Daniel, Police Vidane, (2) Jayasekara Mudalige Don James Henry Jayasekara, both of Lolawa, (3) Kashiriratne Tennakon Appuhamillage Suluchi Appuhami, and (4) Erabaddarallage James Appu, both of Erabadda, dated the 11th day of January, 1907, having been read:

It is ordered that the last will and testament of the late Meneripitiyage Don Johannes Karunaratne Appuhami, the deceased above-named, be and the same is hereby declared proved, and that probate thereof do issue to the petitioner above-named, who is the executor in the said last will and testament named, unless

the respondents—(1) Meneripitiyage Don Amarasena Karunaratne, (2) Suraweera Muhandrange Dona Cicilia Suraweera Hamine, and (3) Meneripitiyage Dolly Karunaratne—or any other person interested shall, on or before the 21st day of February, 1907, show sufficient cause to the contrary to the satisfaction of this court.

J. R. WEINMAN,
District Judge.

January 16, 1907.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of Aysa Natchia, late of Second
No. 2,715 C. Division, Maradana, in Colombo,
deceased.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 18th day of January, 1907, in the presence of Mr. D. C. Pedris, Proctor, on the part of the petitioner Sema Lebbe Marikar Ama Lebbe Marikar of Temple road, Maradana; and the affidavit of the said petitioner, dated 11th January, 1907, having been read: It is ordered that the said petitioner be and he is hereby declared entitled, as the husband of the deceased above-named, to administer the estate of the said deceased, and letters of administration be accordingly issued to him, unless the respondents—(1) Packeer Tamby Lebbe Marikar, (2) Sekka Marikar Asia Ummah, (3) Sekka Marikar Kadajah Ummah and her husband (4) Shaik Madar Ally Samsadeen, (5) Sekka Marikar Mariambo Natchia, (6) Sekka Marikar Alima Ummah and her husband (7) Mohamado Lebbe Marikar Tamby Doray, all of Temple road, (8) Sekka Marikar Rahamat Natchia and her husband (9) Packeer Tamby Zainudeen, both of Messenger street—or any other person interested shall, on or before the 21st day of February 1907, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,
District Judge.

January 18, 1907.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Tiriwingadan Coomarsamy,
No. 2,724 C. late of Slave Island, deceased.

THIS acting coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 30th day of January, 1907, in the presence of Mr. W. H. W. Perera, Proctor, on the part of the petitioner Coomarsamy Ponniah of No. 57, Messenger street, Colombo; and the affidavits of the said petitioner, dated the 24th, 26th, and 30th January, 1907, having been read: And it is ordered that the said petitioner be and he is hereby declared entitled, as son of the deceased above-named, to administer the estate of the said deceased, and that the letters of administration be accordingly issued to him, unless Sanmogam Muttu Pulle of No. 57, Messenger street, shall, on or before the 14th day of February, 1907, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,
District Judge.

This 30th January, 1907.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Jayalathkodituwakkuarachchige Dona Ana Weerasekara Hamine, deceased, of 2nd division, Bolawalana.

THIS matter coming on for disposal before A. de A. Seneviratne, Esq., District Judge of Negombo, on the 11th day of January, 1907, in the presence of Mr. J. J. Koertz, Proctor, on the part of the petitioner Theodore Koertz Carron; and the affidavit of the petitioner, dated 9th January, 1907, having been read:

It is declared that the respondents—(1) Don Charles William Abeysekara of 2nd division, Bolawalana; (2) Dor John Peter Abeysekara of Kenakele estate, Pitigal Korale South, Chilaw District; (3) Don Paulus Abeysekara; (4) Don Joseph Stephen Abeysekara, both of 2nd division, Bolawalana—are entitled to have letters of administration of the property of the deceased Jayalathkodituwakkuarachchige Dona Ana Weerasekara Hamine issued to them, as heirs of the said deceased, and in the event of the respondents not coming forward to take out the said letters of administration, the 5th respondent, Mr. Nathaniel Parनावитана, Secretary of this Court, shall be entitled to have such letters of administration issued to him, unless the 1st, 2nd, 3rd, or 4th respondents or any other person shall, on or before the 19th day of February, 1907, show sufficient cause to the satisfaction of this court to the contrary.

A. SENEVIRATNE,
District Judge.

The 11th day of January, 1907.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Mihindukulasuriyawaduge Gabriel Fernando, deceased, of 4th Division, Bolawalana.

THIS matter coming on for disposal before A. Seneviratne, Esq., District Judge of Negombo, on the 30th day of January, 1907, in the presence of Mr. C. V. Siriwardene, Proctor, on the part of the petitioner Mihindukulasuriya Cicilia Vas of Bolawalana; and the affidavit of the said petitioner, dated 26th January 1907, having been read:

It is declared that the said petitioner Mihindukulasuriya Cicilia Vas is entitled to have letters of administration of the same issued to her accordingly, as widow of Mihindukulasuriyawaduge Gabriel Fernando, deceased, unless the respondents Joseph Manuel Fernando and Maria Margeret Fernando shall, on or before the 15th day of February, 1907, show sufficient cause to the satisfaction of this court to the contrary.

A. SENEVIRATNE,
District Judge.

The 30th day of January, 1907.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Mahabadalge Don Dineris of Alubomulla, deceased.

THIS matter coming on for disposal before P. E. Pieris, Esq., District Judge of Kalutara, on the 22nd day of October, 1906, in the presence of Mr. R. H. Wijemanne, Proctor, on the part of the

petitioner Mahabadalge Don Carolis Hamy of Alubomulla; and the affidavit of the said petitioner, dated 17th day of October, 1906, having been read: It is ordered that letters of administration to the estate of the late Mahabadalge Don Dineris of Alubomulla be issued to Mahabadalge Don Carolis Hamy of Alubomulla, as eldest brother of the said deceased, unless the respondents—(1) Talagala-acharige Dona Carlina, (2) Mahabadalge Isohamy, (3) Mahabadalge Punchinona, (4) Modara-acharige Don Luwis, and (5) Alehendra-acharige Saviel Naide—shall, on or before the 21st day of November, 1906, show sufficient cause to the satisfaction of this court to the contrary.

P. E. PIERIS,
District Judge.

The 22nd day of October, 1906.

Extended for the 20th day of February, 1907.

P. E. PIERIS,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Dona Cecilia Jayanetti Hamine, deceased, of Pannila.

THIS matter coming on for disposal before P. E. Peiris, Esq., District Judge of Kalutara, on the 23rd day of January, 1907, in the presence of Mr. S. Goonetilleke, Proctor, on the part of the petitioner William Epa Senewiratne of Pannila; and the affidavit of the said petitioner, dated 20th day of November, 1906, having been read: It is ordered that letters of administration to the estate of the late Dona Cecilia Jayanetti Hamine, deceased, of Pannila, be issued to William Epa Senewiratne of Pannila, as husband of the said deceased, unless the respondents—(1) Lily Epa Senewiratne, (2) Agnes Epa Senewiratne, and (3) Cathaleen Epa Senewiratne, all of Pannila, minors by their guardian *ad litem* Deminachchiatukorallagey Don Johanis Appuhamy of Pannila—shall, on or before the 15th day of February, 1907, show sufficient cause to the satisfaction of this court to the contrary.

P. E. PEIRIS,
District Judge.

The 23rd day of January, 1907.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Maddumage Don Baron of Pahala Naragala, deceased.

THIS matter coming on for disposal before P. E. Pieris, Esq., District Judge of Kalutara, on the 21st day of January, 1907, in the presence of Mr. C. A. L. Orr, Proctor, on the part of the petitioner Ileperuma-aratchige Dona Nonahamy of Pahalanaragala; and the affidavit of the said petitioner, dated the 16th day of November, 1906, having been read:

It is ordered that letters of administration to the estate of the late Maddumage Don Baron of Pahalanaragala, deceased, be issued to Ileperuma-aratchige Dona Nonahamy, as widow of the said deceased, unless the respondents—(1) Maddumage Pedrick Sinno, (2) Maddumage Martin Sinno, (3) Maddumage Podi Nona, and (4) Maddumage Peter Sinno, all minors by their guardian *ad litem* Maddumage Hendrick Vedarala—shall, on or before the 20th day of February, 1907, show sufficient cause to the satisfaction of this court to the contrary.

P. E. PIERIS,
District Judge.

The 21st day of January, 1907.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Kukulagey Salman Perera, deceased, of Wadduwa.
No. 472.

THIS matter coming on for disposal before P. E. Peiris, Esq., District Judge of Kalutara, on the 21st day of January, 1907, in the presence of Mr. S. Goonetilleke, Proctor, on the part of the petitioner Haputantirigey Baby Nona Gunasekera of Wadduwa; and the affidavit of the said petitioner, dated 18th day of January, 1907, having been read:

It is ordered that letters of administration to the estate of the late Kukulagey Salman Perera of Wadduwa, deceased, be issued to Haputantirigey Baby Nona Gunasekera of Wadduwa, unless the respondents—(1) Kukulagey Alles Perera and (2) Dodanwalgoy Francina Perera Jayawardana of Wadduwa,—shall, on or before the 15th day of February, 1907, show sufficient cause to the satisfaction of this court to the contrary.

P. E. PEIRIS,
District Judge.

The 21st day of January, 1907.

In the District Court of Kalutara.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. In the Matter of the Joint Last Will and Testament of the late Weerakondearachchigey Daniel Silva, deceased, of Alutgama.
No. 473.

THIS matter coming on for disposal before P. E. Peiris, Esq., District Judge of Kalutara, on the 23th day of January, 1907, in the presence of Mr. J. Aloysius Fernando, Proctor, on the part of the petitioner Weerakondearachchigey Manuel Silva of Alutgama; and the affidavit of the said petitioner, dated 17th day of January, 1907, having been read:

It is ordered that the joint last will and testament of the late Weerakondearachchigey Daniel Silva of Alutgama, dated 12th November, 1906, and now deposited in this court, be and the same is hereby declared proved, unless any person or persons interested shall, on or before the 20th day of February, 1907, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Weerakondearachchigey Manuel Silva of Alutgama is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any person or persons interested shall, on or before the 20th day of February, 1907, show sufficient cause to the satisfaction of this court to the contrary.

P. E. PEIRIS,
District Judge.

The 23th day of January, 1907.

In the District Court of Kandy.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Yapamudianselayegedara Kiry Hamy, late Arachchi, deceased, of Palle Maoya in Hewawissa korale of Lower Hewaheta.
No. 2,533.

THIS matter coming on for disposal before John Harvey Templer, Esq., District Judge of Kandy, on the 12th day of January, 1907, in the presence of Mr. W. E. Grebe, Proctor, on the part of the petitioner Yapamudianselayegedara Dingiry Menika of Udagama in Gangapalata korale of Lower Hewaheta; and the affidavit of the said petitioner, dated 10th January, 1907, having been read: It is

ordered that the petitioner Yapamudianselayegedara Dingiry Menika of Udagama in Gangapalata korale of Lower Hewaheta be and she is hereby declared entitled to letters of administration to the estate of Yapamudianselayegedara Kiry Hamy, late Arachchi of Palle Maoya in Hewawissa korale of Lower Hewaheta, deceased, as the sister and sole heiress of the said deceased, unless any person shall, on or before the 11th day of February, 1907, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,
District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Giriagama Walauwe Wasala Heratmudianselage Mutumenika *alias* Giriagama Loku Kumarihamy, deceased, of Pilapitiya in Gangapalata in Yatinuwara.
No. 2,536.

THIS matter coming on for disposal before John Harvey Templer, Esq., District Judge of Kandy, on the 28th day of January, 1907, in the presence of Mr. Wilfred A. de Silva on the part of the petitioner Kalwane Abekon Wijesundere Ratnayake Mudianselage Punchi Banda of Pilapitiya in Yatinuwara; and the affidavits of the said petitioner and of Kiribanda of Walgama, dated 21st and 28th January, 1907, respectively, having been read:

It is ordered that the will of Giriagama Walauwe Wasala Heratmudianselage Mutumenika *alias* Giriagama Loku Kumarihamy of Pilapitiya in Gangapalata in Yatinuwara, deceased, dated 30th November, 1906, and now deposited in this court, be and the same is hereby declared proved, unless any person shall, on or before the 11th day of February, 1907, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Kalwane Abekon Wijesundere Ratnayake Mudianselage Punchi Banda of Pilapitiya in Gangapalata in Yatinuwara is the sole legatee named in the said will, and that he is entitled to have letters of administration, with a copy of the will annexed of the same, issued to him accordingly, unless any person shall, on or before the 11th day of February, 1907, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,
District Judge.

The 28th day of January, 1907.

In the District Court of Kandy.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Edward Webb, deceased, of Durrington House, Harlow, in the County of Essex, England.
No. 2,538.

THIS matter coming on for disposal before John Harvey Templer, Esq., District Judge of Kandy, on the 31st day of January, 1907, in the presence of Mr. F. Liesching, Proctor, on the part of the petitioner Harry Arthur Webb of Hindugalla, Peradeniya, in the Central Province; and the affidavit of the said petitioner, dated 28th January, 1907, having been read:

It is ordered that the will of Edward Webb, late of Durrington House, Harlow, in the County of Essex, England, deceased, dated 17th January, 1906, exemplification of which will, under the seal of His

Majesty's High Court of Justice, is now deposited in this court, be and the same is hereby declared proved, unless any person shall, on or before the 25th day of February, 1907, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Harry Arthur Webb is the attorney of the executors named in the said will, and that he is entitled to have letters of administration, with the will annexed, in respect of the property in Ceylon of the said deceased issued to him accordingly, unless any person shall, on or before the 25th day of February, 1907, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,

The 31st day of January, 1907. District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Ponnammah, wife of Kandar
No. 1,828. Sapapathy, of Manipay, deceased.

Kandar Sapapathy of Manipay.....Petitioner.
Vs.

Kanapathiar Vyrampattu of Manipay....Respondent.

THIS matter of the petition of Kandar Sapapathy of Manipay praying for letters of administration to the estate of the above-named deceased Ponnammah, wife of Kandar Sapapathy, of Manipay, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 8th day of January, 1907, in the presence of Messrs. Sivapirakasam and Katiresu, Proctors, on the part of the petitioner; and affidavit of the petitioner, dated the 8th day of January, 1907, having been read: It is declared that the petitioner is the husband of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before the 12th day of February, 1907, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,
District Judge.

The 8th day of January, 1907.

In the District Court of Batticaloa.

Order Nisi.

Testamentary In the Matter of the Estate of Kirid-
Jurisdiction. ner Veeragatty of Karampaik-
No. 486. kurichehy in Varany, late of
Puliyantivu in Batticaloa, deceased.

Meenadchy, widow of Veeragatty, of Ka-
rampaikkuruchy.....Petitioner.

(1) Kathirkamer Arumoogam of Koilvayal and his wife (2) Umayattai of Koilvayal, (3) Katpattai, daughter of Kiridner of Koilvayal, (4) Sinnakuddy, daughter of Kiridner, of Karampaikkurichehy; (5) Kumarar Ampalavanar of Karampaikkurichehy; (6) Kumarar Vatharanar of Puliampokkavai in Karachy; (7) Kumarar Kathirkamer of Karampaikkurichehy; (8) Paramanther Aiyampillai of Ilaikkurichehy and his wife (9) Valliammai of Ilaikkurichehy; (10) Saddanatar Vetharanar of Karampaikkurichehy and his wife (11) Valliammai of Karampaikkurichehy. (12) Suppar Kathirkamer of Varany Idaikkurichehy.... Respondents.

THIS matter of the petition of Meenadchy, widow of Veeragatty, of Karampaikkurichehy, praying for letters of administration to the estate of the above-named deceased Kiridner Veeragatty, coming on

for disposal before G. W. Woodhouse, Esq., District Judge, on the 7th day of December, 1906, in the presence of Mr. C. M. Supiramaniam, Proctor, on the part of the petitioner; and affidavit of the petitioner, dated the 26th day of November, 1906, having been read: It is declared that the petitioner is the lawful widow of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondent or any other person shall, on or before the 24th day of January, 1907, show sufficient cause to the satisfaction of this court to the contrary.

J. N. TISSAVERESINGHE,
District Judge.

This 4th day of January, 1907.

The above *Order Nisi* is extended till 19th February, 1907.

G. W. WOODHOUSE,
District Judge.

In the District Court of Kurunegala.

Order Nisi.

Testamentary In the Matter of the Intestate
Jurisdiction. Estate of the late Caroline Perera
No. 863. of Kurunegala.

Dona Maria Perera Hamine of Kurunegala.....Petitioner.

And

(1) John Charles Christopher Perera, (2) William Elias Christopher Perera, (3) Reginald Perera, (4) Charles Edward Perera, all of Kurunegala..... Respondents.

THIS matter coming on for disposal before B. Hill, Esq., District Judge of Kurunegala, on the 10th day of January, 1907, in the presence of Messrs. C. P. and C. H. Markus on the part of the petitioner; and the affidavit of the petitioner, dated 7th January, 1907, having been read:

It is ordered that Dona Maria Perera Hamine, the said petitioner, be declared entitled to have letters of administration to the estate of the late Caroline Perera of Kurunegala issued to her as the mother of the said intestate, unless the respondents aforesaid or any other person interested shall, on or before the 1st day of March, 1907, show sufficient cause to the satisfaction of this court to the contrary.

BERTRAM HILL,
District Judge.

The 10th day of January, 1907.

In the District Court of Kurunegala.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of the late Carpiah Sandanam
No. 866. of Maraluwawa in Mahagalboda
Megoda korale.

Perumal Nayakar of Maraluwawa.....Petitioner.

Vs.

(1) Sinamma, (2) Menatchy, (3) Ramaiah, all of Maraluwawa in Mahagalboda Megoda korale..... Respondents.

THIS matter coming on for disposal before B. Hill, Esq., District Judge of Kurunegala, on the 31st day of January, 1907, in the presence of Messrs. P. B. and C. W. Palipane on the part of the petitioner; and the affidavit of the petitioner, dated 21st January, 1907, having been read:

It is ordered that Perumal Nayakar of Maraluwawa, the said petitioner, be declared entitled to have letters of administration to the estate of the late Carpiah

Sandanam of Maraluwawa issued to him as the husband and an heir of the said intestate, unless the respondents aforesaid or any other person interested shall, on or before the 4th day of March, 1907, show sufficient cause to the satisfaction of this court to the contrary.

BERTRAM HILL,
District Judge.

The 31st day of January, 1907.

In the District Court of Puttalam.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of Mohidin Kando Hadjiar Nagoor
No. 243. Pitche, late of Puttalam, deceased.

Nagoor Pitche Hamido Ossen of Puttalam..Petitioner.

Vs.

(1) Ahamado Meera Natchia; (2) Mohamado Madar Meera Nachia, wife of Vadakku Maraikar Assen Ossen Ibrahim, (3) Mohamado Balkash Umma, wife of Vadakku Maraikar Mohamado Ali Bawa, all of Puttalam..... Respondents.

THIS matter coming on for disposal before Robert Nieman Thaine, Esq., District Judge of Puttalam, on the 30th day of January, 1907, in the presence of the petitioner; and his affidavit dated the same day having been read: It is ordered that the petitioner be and he is hereby declared entitled to letters of administration to the estate of Mohidin Cando Hadjiar Nagoor Pitche, and that the same will be issued to him accordingly, unless the respondents or any person shall, on or before the 11th day of

February, 1907, show sufficient cause to the satisfaction of this court to the contrary.

R. N. THAINE,
District Judge.

Puttalam, January 30, 1907.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Intestate
Jurisdiction. Estate of Dassanayak Ranasinhe
No. 214. Mudiyansele Herat Ralahamy,
of Ehaliyagoda in Panawal Korale,
deceased.

John Robert Ehaliyagoda, Korala of Panawal Korale West.....Petitioner.

Vs.

Dassanayake Ranasinghe Mudiyansele Jayatilaka Ralahamy of Ehaliyagoda Respondent.

THIS matter coming on for disposal before H. J. V. Ekanayaka, Esq., District Judge of Kegalla, on the 11th day of January, 1907, in the presence of Mr. J. R. Molligode, Proctor, on the part of the petitioner aforesaid; and the petition and affidavit of the said petitioner, dated the 17th day of November, 1906, having been read, it is ordered that letters of administration be issued to the petitioner, unless the respondent aforesaid show sufficient cause to the satisfaction of this court to the contrary on or before the 14th day of February, 1907.

H. J. V. EKANAYAKA,
District Judge.

The 11th day of January, 1907.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,183. In the matter of the insolvency of
Kana Gopalu of No. 68, Norris
road, Pettah, 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 February 28, 1907, to consider the motion to annul the adjudication of insolvency.

By order of court.

J. B. Misso,
Secretary.

Colombo, February 4, 1907.

In the District Court of Colombo.

No. 2,243. In the matter of the insolvency of
P. Don Jeramaes of No 62, Jam-
pettah street in 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 March 14, 1907, for the grant of a certificate of conformity to the above-named insolvent.

By order of court.

J. B. Misso,
Secretary.

Colombo, January 31, 1907.

In the District Court of Colombo.

No 2,255. In the matter of the insolvency of
Edward Andrew Van Dort of
Dematagoda in 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 March 14, 1907, for the grant of a certificate of conformity to the above-named insolvent.

By order of court,

J. B. Misso,
Secretary.

Colombo, January 31, 1907.

In the District Court of Colombo.

No. 2,256. In the matter of the insolvency of
Don Hendrick de Alwis Senewi-
ratne of No. 219, Grandpass road,
Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 21, 1907, for the appointment of an assignee.

By order of court,

J. B. Misso,
Secretary.

Colombo, January 31, 1907.

In the District Court of Badulla.

No. 98. In the matter of the insolvency of
Aiyasamy Kangany of Kumbal-
wela.

NOTICE is hereby given that the meeting of the creditors of the above-named insolvent has been re-fixed for February 28, 1907, for the final examination of the insolvent.

By order of court,

THOS. ABEYWARDENE,
Secretary.

Badulla, January 30, 1907.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Kalubowilage Don Siyadoris Appuhamy
of 3rd division, Maradana, Colombo. . . . Plaintiff.

No. 22,800 C. Vs.

Merennege Don Victoris Appuhamy of
Dematagoda, Colombo, administra-
tor of the estate of the late Merenne-
ge Don Philippu Appuhamy. . . . Defendant.

NOTICE is hereby given that on **Tuesday, March 12, 1907**, will be sold by public auction at the respective premises the following property ordered to be sold by the order of court dated July 25, 1906, for the recovery of the sum of Rs. 4,497.50, with further interest thereon at the rate of 9 per cent. per annum from December 21, 1905, until payment in full, or other realization of the security, together with the costs of the action, Rs. 159, viz. :—

At 12 noon.

1. Thirty-three thirty-sixth and 3,5 of 1/36 or 14/15 of all that 1/9 part of the garden called **Gorakagahawatta**, with all the buildings and plantations thereon, situated at Dematagoda in **Ambatalenpahala** in **Hewagam korale**, now **Alutkuru Korale South**, in the District of Colombo; bounded on the east by the other part of the same land belonging to **Wickrama Arachchige Abanchi Appu**, on the south by the ditch of the cinnamon garden, on the west by the garden of **Mathes Arachchi**, and on the north by the other part belonging to **Sanchi Hamy** and the road; containing in extent 30½ square perches.

At 1 P.M.

2. All that southern divided ¼ part marked letter **D** with the plantations thereon out of 1/9th part of the garden called **Kahatagahawatta alias Halgahawatta**, situated at Dematagoda aforesaid; and bounded on the north by the ¼ part of the same garden marked letter **C** of **Wijayasinghe Arachchige Dona Livina Hamy**, on the east by the other part of the said land of **Cornis Appu**, now of **K. D. A. Dias**, on the south by the garden of **Sinno Appu**, now of **Merennege Don Philippu Appuhamy**, and on the west by the garden of **David Sinno**, now called **Pansalawatta**; containing in extent 7 and 80/100 perches.

At 2 P.M.

3. All that undivided half part or share of an allotment of land called **Kongahawatta** and the tiled house standing thereon marked lot No. 3, situated at Dematagoda within the Municipality of Colombo, now in **Ambatalenpahala** division in **Alutkuru Korale South**, in the District of Colombo; and bounded on the north by the garden of **Domingo Peiris**, on the east by a portion of this garden marked lot No. 4 belonging to **Kalpa Arachchige Dona Engeltina Dias Hamine**, on the south by the old high road leading to **Kolonawa**, and on the west by a portion of this garden marked lot No. 2 belonging to **Kalpa Arachchige Dona Porlentina Dias Hamine**; containing in extent 1 rood and 1 perch.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, February 6, 1907.

In the District Court of Colombo

Anthony Cross Victoriya and Visuvasa Victoriya, both of No. 3, Brassfounder street, in Colombo. . . . Plaintiffs.

No. 22,998. Vs.

Susay Victoria of No. 3, Brassfounder street, in Colombo. . . . Defendant.

NOTICE is hereby given that on **Monday, March 4, 1907**, at 12 noon, will be sold by public auction at this office in the following property, for the recovery of the sum of Rs. 20,000, with interest thereon at 9 per cent. per annum from February 16, 1906, till payment in full, and costs of suit, viz. :—

1. One silver umbrella handle, 2 pairs gold kadukans set with red stones, 2 gold pieces, 1 cash box, 2 small wooden boxes, 2 Japanese boxes, 1 brass ash tray, 1 image, 1 bell, 1 satinwood almirah in two pieces, 11 white lace curtains, 9 pieces coloured curtains, 1 altar cloth, 9 pieces borders, 2 borders, 1 velvet border, 1 piece tinsel cloth, 18 flags.

2. That on **Monday, March 4, 1907**, at 1.30 o'clock in the afternoon, will be sold by public auction at No. 30, Brassfounder street, Colombo, the following property, viz. :—

One ebonywood couch, 1 satinwood couch, 2 jakwood couches, 1 satinwood almirah with table, 9 pictures, 1 clock, 2 ebony brackets, 1 large caldron, 1 small caldron, 1 lot timbers, 2 jakwood sideboards, 1 wall mirror, 12 door frames, 1 cradle, 1 lot tiles, and 1 spittoon.

3. That on **Monday, March 4, 1907**, at 2.30 o'clock in the afternoon, will be sold by public auction at No. 1, Gintupitiya street, Colombo, the following property, viz. :—

One white bull bearing brand mark **D.M.** on the belly and **S.** on the front leg, 1 buggy cart, 1 half bullock cart bearing license No. 2,097.

4. That on **Monday, March 4, 1907**, at 3 o'clock in the afternoon, will be sold by public auction at the Seashore, Kochchikade, Colombo, the following property, viz. :—

One cargo boat bearing license No. 860 (including 2 anchors with chains, 3 oars, and 1 tarpaulin), 1 cargo boat bearing license No. 1,120 (including 2 anchors with chains and 2 oars), 1 canoe bearing license No. 44.

5. That on **Monday, March 4, 1907**, at 3.30 o'clock in the afternoon, will be sold by public auction at No. 52, Kochchikade, Colombo, the following property, viz. :—

Two double bullock carts bearing license No. 998 and 1,952.

6. That on **Monday, March 4, 1907**, at 4.30 o'clock in the afternoon, will be sold by public auction at Nos. 50 and 51, Nagalagam street, Colombo, the following property, viz. :—

One lot metal stones, 1 lot bricks, 1 lot cabooks, and 1 lot red earth.

7. That on **Tuesday, March 5, 1907**, will be sold by public auction at the respective premises, the right, title, and interest of the said defendant in and to the following properties, viz. :—

At 2 P.M.

All those three boutiques and premises bearing Nos. 182, 183, and 184, Nagalagam street, within the Municipality of Colombo; bounded on the north-west by the Pass Nagalagam street, on the north-east by the ground of **Gabriel Francisco**, on the south-east by

Government ground, and on the south-west by the other part; containing in extent 4 56/100 square perches more or less.

At 3 P.M.

8. All those four contiguous allotments of land situated at Victoria road and Nagalagam street, within the Municipality of Colombo; bounded on the north-east by lots B and B apportioned to Budget Silva, on the south-east by Nagalagam street, on the south-west by the land of M. L. Ramanadan, and on the north-west by Bokku-ela *alias* Kimbul-ela; containing in extent 1 acre and 29 50/100 square perches more or less.

At 4 P.M.

9. All that house and ground bearing assessment No. 47, situated at Brassfounder street, within the Municipality of Colombo; bounded on the north by the garden of Wanniapapulle, on the east by the garden of Juan Silva, on the south by the other part belonging to Mathes Appu, and on the west by Brassfounder street; containing in extent 9 14/100 square perches.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, February 6, 1907.

In the District Court of Colombo.

Crawford Hill of West Hall, Kotmalie Plaintiff.
No. 23,501. Vs.

Johanna Catherina Ebert *alias* Jane
Catherine Ebert of Bambalapitiya in
Colombo Defendant.

NOTICE is hereby given that on Friday, March 8, 1907, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises in the following property; decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 8,502.58, with interest on Rs. 8,000 at 12 per cent. per annum from June 1, 1906, till August 6, 1906, and thereafter in the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit less a sum of Rs 500 paid by defendant, viz.:—

All that house and ground bearing assessment No. 30, situated at St. Sebastian street, commonly known as Small Pass, within the Municipality of Colombo in the District of Colombo, Western Province; bounded or reputed to be bounded on the north by the property of Mr. De Run, now the property of Mr. Maas; on the east by the property of Mr. J.H. Douwe, now the property of Mr. P. E. Vanderstraaten; on the south by the property of Leenige Anthonia Perera, now the property of Mr. D. B. Goonetilleke, and by a lane; and on the west by the road known as St. Sebastian street, commonly called Small Pass; containing or reputed to contain in extent 26 and 52/100 square perches, together with all the estate, right, title, interest, claim, and demand of the defendant, in, to, upon, or out of the said premises.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, February 6, 1907.

In the District Court of Colombo.

Mrs. Annie Brown of Aberdeen, Scotland.
widow Plaintiff.
No. 23,597. Vs.

H. A. Jayawardena of Colombo Defendant.

NOTICE is hereby given that on Thursday, March 7, 1907, at 4 o'clock in the afternoon, will be sold by public auction at the premises in the following

property mortgaged with the plaintiff and ordered to be sold by the order of court, dated January 28, 1907, for the recovery of the sum of Rs. 52,893.19, with interest thereon at 9 per cent. per annum from September 11, 1906, till payment in full, and costs of suit Rs. 313.54, viz.:—

All that house and ground called and known as Jayawardena Walauwa, now bearing assessment No. 20, situated at Grandpass road, within the Municipality of Colombo, in the District of Colombo; and bounded on the north and north-east by the properties of the late Jeronis Soysa and Mammala Marikar Srema Lebbe, on the west and north-west by the new road or Layard's Broadway, on the south and south-west by the properties of Don Adrian Perera Jayatileka Kangany and Meera Lebbe Casie Lebbe, and on the east and south-east by Grandpass road, the boundaries as ascertained on survey being on the north-west by the new road or Layard's Broadway, on the north-east by the property of Mammala Marikar Srema Lebbe now belonging to Pathumuttu, widow of J. L. Ibrahim Lebbe, and the property of the late Jeronis Soysa, now belonging to Mrs. Gabriel Fonseka, on the south-east by the property of the late Jeronis Soysa, now belonging to Mrs. Gabriel Fonseka, and Grandpass road, and on the south-west by the property of Don Adrian Perera Jayatileka Kangany, now belonging to Stephen Abayratna, and the property of Meera Lebbe Casie Lebbe, now belonging to L. Bartholomeusz Perera; containing in extent 2 acres more or less, together with all the buildings there standing, and all rights, appurtenances, and privileges whatsoever to the said property and premises belonging or in anywise appertaining or held to belong or the appurtenant thereto, and all the estate, right, title, interest, property, claim, and demand whatsoever of the defendant in, to, upon, or out of the same.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, February 6, 1907.

In the District Court of Negombo.

Nawanna Nawanna Nachchiappa Chetty,
by his attorney Nawanna Nawanna
Supparamanian Chetty of Negombo Plaintiff.
No. 6,535. Vs.

Sinnappa Aiyadore of Sea street, Negombo Defendant.

NOTICE is hereby given that on March 6, 1907, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property, mortgaged by bond No. 16,144 dated February 27, 1905, and declared liable to be sold by the decree entered in the above case, viz.:—

All that land called Talgahawatta, situate at Sea street, within the Gravets of Negombo, and the buildings standing thereon; and bounded on the north by the land belonging in the name of Don David, deceased, to his heirs, on the east by the road, on the south by the land belonging in the name of Juan Perera, deceased, to his heirs, and on the west by the land belonging to the mosque; containing in extent 2 roods and 10 perches more or less.

Amount to be levied Rs. 2,029.45, with interest on Rs. 1,879.50 at 9 per cent. per annum from September 20, 1906, till payment.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, February 5, 1907.

In the District Court of Kalutara.

Mrs. N. D. P. Silva of Colombo, executrix
of the last will and testament of the
late N. D. P. Silva.....Plaintiff.

No. 2,629. Vs.

Lianege Aron Perera Appuhamy of Moli
god.....Defendant.

NOTICE is hereby given that on Saturday, March 2, 1907, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises, to recover a sum of Rs. 3,060·87½, with poundage, minus Rs. 500, the following property, viz:—

1. The entire soil, together with all the trees and plantations standing thereon, of the portion of land Dombegahawatta, of the extent of 1 acre and 16 perches, situate at Molligoda in Waddubadda of Panadure totamuna; and bounded on the north by the land appearing in plan No. 67,868 and Alubogahawatta claimed by L. Carolis Perera, east by Dombegahawatta claimed by L. Covis Appuhamy and others, south by land appearing in plan No. 58,688, and west by land appearing in plan No. 67,868.

2. The entire soil and all the trees and plantations standing thereon of the portion of land Higgahawatta of the extent of 1 rood and 8 perches, situate at ditto; bounded on the north by land appearing in plan No. 160,710, east and south by roads, west by land appearing in plan No. 60,134.

3. The entire soil and all the trees and plantations standing thereon of a portion of Jambogahawatta and Tantrigahawatta of the extent of 3 acres 1 rood and 28 perches, at ditto; bounded on the north by lands appearing in plans Nos. 67,877, 67,869, and 58,687, east by Meegahawatta claimed by H. Pieris, south by Kahatagahawatta claimed by G. Bastian Pieris and lands appearing in plans Nos. 70,152 and 70,149, and west by Kaiwatta claimed by L. P. Gunawardana.

4. The entire soil and all the trees and plantations standing thereon of the three contiguous portions of the land called Korosdoowapaula of the extent of 8 acres 1 rood and 7 perches, situate at Korosdoowa; which three portions are bounded on the north by the lands appearing in plans Nos. 60,128, 68,625, and 68,628, and the property purchased by L. C. Perera, south-east by the land appearing in plan No. 60,128, south by the property of L. C. Perera and lands belonging to L. P. Gunawardana and L. Johannis Perera, and on the west by the *ela*.

5. The entire soil and all the trees and plantations standing thereon of the portion of land called Ketakalagahawatta of the extent of 1 acre 1 rood and 20 perches, situate at Molligoda; and bounded on the north and west by land appearing in plan No. 58,687, east by lands appearing in plans Nos. 67,893 and 67,899, south by lands appearing in plan No. 67,898 and Kahatagahawatta claimed by P. Agris Perera, be and the same are hereby declared bound and executable for the decree entered in this case.

Deputy Fiscal's Office, B. P. J. GOMES,
Kalutara February 4, 1907. Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Seena Thana Ana Lana Alagappa Chetty
of Kandy, and now in IndiaPlaintiff.

No. 17,893. Vs.

Cader Sulaima Lebbe's son Ahamado
Meera Tamby of No. 603, Peradeniya
road, Getambe.....Defendant.

NOTICE is hereby given that on March 4, 1907, commencing at 12 noon, will be sold by

public auction at the premises the following property mortgaged upon bond No. 5,001, dated May 4, 1903, and decreed to be sold by the judgment entered in the above case, namely:—

A piece of land of 90 ft. in breadth along the high road and from the high road up to Mahaweli-ganga, in length towards the south-western directions out of Mawaturadurayalegewatta of 2 pelas and 5 lahas of paddy sowing extent, or 3 roods and 37 perches in extent; bounded on the north-east by the *ima* of the remaining portion of this land and by the house No. 585, south-east by the Peradeniya high road, south-west by the property belonging to Karalīna Hamine, and on the north-west by the Mahaweli-ganga, also together with the tiled seven houses bearing Nos. 578, 579, 580, 581, 582, 583, and 584, and other plantations thereon, situate at Halmahekandura in Gangawata korale of Yatīnuwara.

2. And also a piece of land and buildings marked C called Galgodewatta, situate at Bowala in the said palata; and bounded on the north-east by the portion marked B out of this land, south-east by the property belonging to Railway, and on the north-west by a road containing 6 perches in extent; and also the tiled house No. 515, and the produce and plantations standing thereon.

Amount of writ Rs. 1,428·43 and interest.

A. V. WOUTERSZ,
Deputy Fiscal.

Fiscal's Office,
Kandy, February 6, 1907.

In the District Court of Kandy.

Muna Kana Nana Kannappa Chetty, No.
30, Trincomalee street, KandyPlaintiff.

No. 17,956. Vs.

(1) Stephen of Rathmeewala, (2) Kiri
Saduwa of Mamudewale both of
Kandupalata of Yatīnuwara.....Defendants.

NOTICE is hereby given that on March 7, 1907, commencing at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said first defendant in and to the following lands, namely:—

1. Pallewewelgoda tea garden of 3 acres in extent, situate at Rathmeewala in Kandupalata of Yatīnuwara; bounded on the east by the fence of Alutduragedera tea garden and by the boundary of the chena belonging to Gammudelpedigedera and also by the fence, south by the fence of tea garden belonging to Peelikumbure veda and by agala, west by the fence of Galpottagedera tea garden, and on the north by agala and fence.

2. Hitinagederawatta of 2 amunams of paddy sowing extent, situate at Rathmeewala aforesaid; bounded on the east by now school garden, south by below the agala of Gammudelpedigederawatta and Gansabhawara road, west also by below the agala and by the boundary of Panwatta belonging to Gammudelpedigedera, on the north by ella and weilla, with the tiled house thereon.

3. Siduruange and Hakurudewelakumbura of 3 pelas of paddy sowing extent, situate at Rathmeewala aforesaid; bounded on the east by the boundary of the field belonging to Rajapakse Nethanial, south by ella, west also by ella, and on the north by Nanu-oya.

4. Radawagekumbura and Pussellawaturekumbura of 2 pelas of paddy sowing extent, situate at Rathmeewala aforesaid; bounded on the east by the boundary of the field belonging to Wariapolagedera, south by Gansabhawara road and ella, west by the remaining portion of the field, and on the north by Nanu-oya.

5. Bomuwakeanakumbura of 15 lahas in extent, situate at Ratmeewala aforesaid; bounded on the east by boundary of the field belonging to Cornelis, south by dewellā, west by remaining portion of this field, and on the north by ella.

Amount of writ Rs. 961·02½ and interest.*

A. V. WOUTERSZ,
Deputy Fiscal.

Fiscal's Office,
Kandy, February 6, 1907.

Northern Province.

In the District Court of Jaffna.

(1) Kantar Thambiah and wife (2) Thangamma of Vannarponnai East..... Plaintiffs.

No. 4,459. Vs.

Kantar Vaitilingam of Vannarponnai East Defendant.

NOTICE is hereby given that on Monday, March 4, 1907, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, for the recovery of Rs. 1,610·33, with interest on Rs. 1,000 at the rate of 12 per cent. per annum from October 30, 1905, until payment in full, and costs of suit being Rs. 120·36, and charges, viz. :—

In a piece of land situated at Vannarponnai East called Mudiyanodai Sudalaippiddi and Mavilankakaddaiyadi, containing or reputed to contain in extent 16 lachams varagu culture with its appurtenances, including share of well; bounded or reputed to be bounded on the east by the property of Kasiar Vaitialingam, north by the property of Kantar Thambiah and Kantar Vaitilingam, west by the property of Vaitialingam Ilaiyatamby, and south by road.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, February 1, 1907.

Southern Province.

In the District Court of Galle.

The Mercantile Bank of India, Limited.... Plaintiff.
No. 8,309. Vs.

Uswatte Leanage Juwan de Silva of Magalla Defendant.

NOTICE is hereby given that on Saturday, March 2, 1907, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the following mortgaged property, viz. :—

1. An undivided 1/36 part of all the soil and soils share trees of the land Wellawatta and the tiled house bearing assessment No 319 standing thereon, situate at Galupiadda; containing in extent 25·48 perches.

2. An undivided 1/12 part of all the fruit trees and soil of the portion on which Weerasooriya Gimarah Hamine resided of the land Wellawatta, situate at Galupiadda; in extent 25·48 perches.

3. All that ¼ part of the soil and trees of the land Wellawatta, exclusive of the planter's share of the second plantation thereof, situate at Galupiadda; in extent 25·48 perches.

4. All that 1/72 part and ¼ of 5/36 part of the soil and trees of the lot No. 318 of the land Wellawatta, situate at Galupiadda; in extent 25·48 perches.

Writ amount Rs. 2,343·85½, with interest on Rs. 2,195·28 at 9 per cent. per annum from October 24, 1906.

C. T. LEEBRUGGEN,
Deputy Fiscal.

Fiscal's Office,
Galle, January 29, 1907.

In the District Court of Tangalla.

Tikira Henmedige Samel Appu of Beliatatta Plaintiff.

No. 790. Vs.

Martin de Sa Abesekara of Gandara..... Defendant.

NOTICE is hereby given that on Saturday, March 2, 1907, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, mortgaged with the plaintiff for the recovery of Rs. 830·85, viz. :—

1. The field called Warnakulagekumbura, situated at Tangalla; and bounded on the north by Watawana and Depawella, east by Edandekumbura, south by Walairikonda, and west by Godakumbura.

2. One-half part of the soil and of the fruit trees of the garden called Mahawatta, situated at Tangalla; and bounded on the north by the garden in which Don Hamige Anma was residing, east by Siyambalahawatta, south by the garden belonging to Mr. Gersse and the high road, and west by the high road.

OSWALD C. TILLEKERATNE,
Deputy Fiscal.

Deputy Fiscal's Office,
Tangalla, January 29, 1907.

Eastern Province.

In the District Court of Batticaloa.

Katiramalaippody P. A. Periatamby of Kalmunai Plaintiff.

No. 2,783. Vs.

Meeralevvepody Saviri Tampy of Sampanturai Defendant.

NOTICE is hereby given that on Saturday, March 9, 1907, commencing at 9 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 properties, viz. :—

At 9 A.M.

(a) In the land on the eastern share of lot No. 542 called Manakanvattai in Malukompiddykandom in Samanturai in Batticaloa, of the extent of 13 acres 1 rood and 20 perches, the western share of the paddy land in the centre division, which is bounded on the north by land lot No. 541, east by land of Atamvava, south by land reserved for public works, and west by the other share of this land obtained in gift by Abdul Raderlevvai Alimsaivu, of the extent of 6 acres, with its inlets, outlets, and all rights.

At 12 noon.

(b) In a paddy land called Paduvanpuratualavarai on the western side of the lot No. 542 called Managanvattai the northern share of the paddy sowing land of the extent of 3 acres, with its inlets, outlets, and all rights; and bounded on the north by lot No. 541, east and west by the other share of this land belonging to Tambisavirilevvai, and west by land left for the use of Public Works Department, with rights belonging thereto.

Amount to be levied Rs. 1,454·76, with interest on Rs. 1,345·01 at 9 per cent. per annum from September 22, 1906, till payment.

T. SINNATAMBY,
Deputy Fiscal.

Fiscal's Office,
Batticaloa, January 30, 1907.

North-Western Province.

In the District Court of Chilaw.

Muttu Kuna Pana Palaniappa Chetty
of Madampe Plaintiff.

No. 3,374. Vs.

(1) Marasinhapedige Omeria and another,
both of Koswadia Defendants.

NOTICE is hereby given that on Thursday, March 7, 1907, commencing at 10 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, specially mortgaged by bond No. 6,920, dated September 13, 1899. :—

(1) Two-sixteenth shares of the land called Kosgahawatta and of the plantations standing thereon, situate at Koswadia in Pitigal Korale Central in the District of Chilaw; containing about 8 seers of kurakkan sowing soil or 1½ acre in extent.

(2) Two-sixteenth shares of the land called Kosgahawatta and of the plantations standing, situate at Koswadia as aforesaid; containing about 2 bushels of kurakkan sowing soil, or about 10 acres in extent.

(3) Two-sixteenth shares of the land called Madan-gahawatta and of the plantations standing thereon, situate at Koswadia as aforesaid; containing about ½ bushel of kurakkan sowing soil, or about 3 acres in extent.

(4) Two-sixteenth shares of the land called Kajugahawatta and of the plantations standing thereon, situate at Koswadia as aforesaid; containing 3 seers of kurakkan sowing soil, or about 2 roods in extent.

(5) A portion of land towards the western side containing 36 coconut trees plantable soil out of the land called Kajugahawatta *alias* Kahatagahawatta, situate at Koswadia as aforesaid; containing in extent about 2½ acres.

(6) Three contiguous pieces of land called Tittagollawatta and the adjoining lands called Kahatagahaidamapanguwa, together with all the plantations standing thereon, situate at Koswadia as aforesaid; containing in extent 3 acres 3 roods and 4 perches.

On Thursday, March 7, 1907, at 3 P.M.,
at the premises.(1) 2/224 shares of the field called Talgahakumbura,
situate at Madampe in Pitigal Korale Central in theDistrict of Chilaw; containing about 15 parras of
paddy sowing soil, or about 4 acres in extent.(2) 2/224 shares of the land called Kosgahawatta
and of the plantations standing thereon, situate at
Madampe as aforesaid; containing about 3 parras
of kurakkan sowing soil, or 12 acres in extent.

Amount to be levied Rs. 4,162·50 and poundage.

E. LAWSON KOCH,
Deputy Fiscal.Deputy Fiscal's Office,
Chilaw, January 31, 1907.

In the District Court of Negombo.

Mana Pena Reena Awanna Arumugam
of Negombo Plaintiff.

No. 6,079. Vs.

Mana Ina Rawanna Wana Wairawana-
den of Kochchikade Defendant.

NOTICE is hereby given that on Thursday, February 28, 1907, commencing at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz.:—

The garden called Millagahawatta *alias* defendant residing land, together with the plantations and buildings standing thereon, situate at Morakele in Paluwelgala in Medapalata of Pitigal Korale Central, in the District of Chilaw; and bounded on the north by land of Sebastian Tissera and others, east by minor road, south by land of Christogo Tamel and others, and west by land formerly of Sebastian Tissera, and presently belonging to Samel Soysa; containing in extent about 13 acres.

Amount to be levied Rs. 1,000, with interest thereon at 9 per cent. per annum from July 18, 1905, till payment, and poundage.

E. LAWSON KOCH,
Deputy Fiscal.Deputy Fiscal's Office,
Chilaw, February 5, 1907.**DISTRICT AND MINOR COURTS NOTICES.****List of Testamentary Cases under Official Administration in the District Court of Puttalam for the Half-year ended December 31, 1906.**

No. of Case.	Whose Estate.
129 ..	Peeru Pathumma Natchia, wife of Udumma Lebbe Marikar Naina Lebbe Marikar of Kalpitiya
144 ..	Halaperumage Lucian Fonseka
169 ..	Bastiampillai Manuelpillai of Mampury.

District Court,
Puttalam, January 30, 1907.R. N. THAINE,
District Judge.**List of Uncertificated Insolvents for the Half-year ended December 31, 1906.**

Nil.

District Court,
Puttalam, January 30, 1907.R. N. THAINE,
District Judge.**Return of Fees drawn by Official Administrators in the District Court of Puttalam during the Year 1906.**

Nil.

District Court,
Puttalam, January 30, 1907.R. N. THAINE,
District Judge.

C. R., Avisawella, 5,266.

In the Court of Requests of Avisawella.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Avisawella by three labourers of Ingiriya Magalla estate in Horana against the proprietor or proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 295.

This 5th day of February 1907.

P. E. KALUPAHANA,
Chief Clerk.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Batticaloa will be holden at the Court-house at Batticaloa on Monday, February 25, 1907, at 11 o'clock of the morning of the said day.

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

T. SINNATAMBY,
for Fiscal.

Fiscal's Office,
Batticaloa, February 2, 1907.

BY virtue of a Mandate directed to the Deputy Fiscal of Trincomalee by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the Northern Circuit will be holden at the Court-house at Trincomalee on Tuesday, February 19, 1907, at 11 o'clock of the morning of the said day.

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

E. F. HOPKINS,
Fiscal.

Fiscal's Office,
Batticaloa, February 4, 1907.

LISTS OF JURORS AND ASSESSORS.

THE List of Jurors and Assessors for the Province of Uva appearing in *Government Gazette* No. 6,167 of January 24, 1907, is cancelled.

Fiscal's Office,
Badulla, January 29, 1907.

H. WHITE,
Fiscal.

PROVINCE OF SABARAGAMUWA.

LIST of Persons in the District of Ratnapura qualified to serve as Jurors and Assessors, under the provisions of the Ordinance No. 15 of 1898, for the year 1907.

N.B.—The letter **s** prefixed to a name signifies that the person is qualified to serve both as a Special and an Ordinary English-Speaking Juror.

ENGLISH-SPEAKING JURORS.

s Attygalle, D. L., Shroff Mudaliyar, Woralupe	Ratnapura	s Clark, Patriek Duncan Gourlay, planter, Nivitigala	Ratnapura
Anderson, Gilbert James, planter, Ohiya	Ohiya	Cooper, Arthur Murray, planter Ohiya	Ohiya
Atkinson, Albert Charles Wylde planter, Nonpariel	do.	Curtis, Sidney, planter, Hayes estate	Deniyaya
Asaipillay, R., teamaker, Meddekanda	Balangoda	Coldwell, Grey Hope, planter, Kabaragala	Balangoda
Avery, William Oswald, planter, Depedene	Rakwana	Clark, Charles Edward, planter, Pallewela	Ratnapura
Adams, Thomas Slade, planter, Madabaddara	Ratnapura	Drummond Hay, W. H., planter, Galature	do.
Bird, P. H., planter, Mahawala	do.	Dassanayake, R., landed proprietor, Getahetta	do.
s Bridge, F. W., superintendent, Meddekanda	Balangoda	Davy, George Humphrey Danvers, planter, Galboda	do.
Bridge, Patten S., planter, Kiribatigala	Pelmadulla	s Dell, T., planter, Callander	Ohiya
Baker, Claude Walkins, planter, Ratganga	Ratnapura	s Drummond Hay, Henry Maurice, planter, Galature	Ratnapura
Baker, Leonard Walkins, planter, Ratganga	do.	Durrant, Charles Mongavery, planter, Pannilkanda	Deniyaya
Balsille, Andrew Graham, planter, Hingalagoda	do.	s Dharmadasa, Bulatsinhala Appuhami, superintendent, Gabbela	Ratnapura
s Crabbe, George M., planter, Mahawala	do.	De Jong, Theodore Pledgeworth, conductor, Walawe	Balangoda

Edwards, Percival George, planter. Hope	Rakwana	s Power, J. S. T., planter, Kosgala	Ratnapura
s Ferguson, William, planter, Dehenakanda	Ratnapura	Phillips, H. F. C., planter, Palamcotta	Rakwana
Gardener, Gerald Brosseau, planter, Atlanta	Belihuloya	s Patterson, J. Sheridan, planter, Hapugastenna	Ratnapura
s Grant, Cobban, planter, Uda-veriya	Ohiya	Pieris, T. Paul, planter, Kuruwita	do.
s Hill, John, planter, Keenagahalla	Balangoda	Rann, R. F. H., planter, Palamcotta	Rakwana
s Holland, W. D., planter, Dikmukalana	do.	s Robertson, S. L., planter, Alupola	Balangoda
Ingram, William, planter, Nivitigala	Ratnapura	s Ranawaka, Joseph, planter, Balangoda	do.
s Ingram, Alexander John, planter, Pelmadulla	Pelmadulla	Robertson, D., planter, Wewewatta	do.
s Jayawardana, J. P., head clerk, District Road Committee	Ratnapura	Silva, K. P., second clerk, Kachcheri	Ratnapura
Knocker, A. de B., assistant superintendent, Heramitiyagala	Balangoda	Somasundram, V., clerk, Meddekanda	Balangoda
Lamont, W. T., landed proprietor, Kahangama	Ratnapura	Speid, J. A. M., planter, Palm Garden	Ratnapura
s Low, Hubert Henry, planter, Springwood	Rakwana	Stiven, A. E. B., planter, Dikmukalana	Balangoda
Lewes, Trafford, planter, Maratenna	Bogawantalawa	s Sly, Albert D., planter, Detanagala	Bogawantalawa
s Mahawalatenna, Samuel David, landed proprietor, Mahawalatenna	Balangoda	s Shand, Charles Bertie, planter, Rangwalatenna	Rakwana
s Maddock, Herbert George, planter, Lauderdale	Rakwana	s Stich, Francis Scoben, planter, Walawe	Balangoda
Maitland, Alexander McDonell, planter, Morahela	Balangoda	s Tillakaratna, W. D., Kachcheri Mudaliyar	Ratnapura
s Mackessack, John, planter, Hayes estate	Deniyaya	Warren, O. H., planter, Nagrak	Ohiya
s Miers, Percy Penrose, planter, Denagama	Kotiyagala	Wijesinghe, E. J., land registrar	Ratnapura
s Molyneux-Seel, Henry Thomas Charles Louis, planter, Walawe	Balangoda	Walker, Edmund L., planter, Nivitigala	do.
Perera, K. D., head clerk, Kachcheri	Ratnapura	Winthrop, William Henry, planter, Aighurth	Rakwana
Peris, M. B., landed proprietor, Ratnapura	do.	s Watt, Arthur, manager, Rassagala	Balangoda
Paterson, John, planter, Nivitigala	do.	Warren, D. E., planter, Hiralovah	Haldumunulla
		Wilson, E., engineer, Hapugastenna	Ratnapura
		Walters, W., superintendent, Carney	do.
		Wells, Ronald Sidney Panton, planter, Kandahan	Bogawantalawa

SINHALESE-SPEAKING JURORS.

Appuhami, Kuruppu Mohottallaye landed proprietor, Mudduwa	Ratnapura	Gunatilaka, Cornelis, landed proprietor, Batugedara	Ratnapura
Banda, Wijeratna Basnayaka Mudiyanse, landed proprietor, Emityyagoda	Rakwana	Gunehami, Hewage Arachchige, landed proprietor, Tellopitiya	Pelmadulla
Bimbarahami, N. V., landed proprietor, Kalawana	do.	Gunawardane, T., teamaker, Maratenna	Bogawantalawa
Cooray, M. T., landed proprietor Danawardana Banda, Ganepalle Korallaye, landed proprietor, Kiriella	Ratnapura	Haramanis Appuhami, Habaragoda Arachchillaye, landed proprietor, Kalatuwawa	Ratnapura
Dingirimudiyanse, Kalatuwa-arachchillaye, landed proprietor, Ganegoda	do.	Harmanis Appu, Uyanekumarage, landed proprietor, Teppanawa	do.
Dingirihami, N., landed proprietor	Balangoda	Huratalhami, Mudduwage, landed proprietor	Pelmadulla
Dingiri Mudiyanse, Alahakonmudiyanse, landed proprietor, Werahera	Rakwana	Huratalhami, Miyanawita Gamaetirallaye, landed proprietor, Delwala	Ratnapura
Fernando, Melchendrik, conductor, Dehenakanda	Ratnapura	Jayasinha Banda, Ganepalle Korallaye, landed proprietor, Kiriella	do.
Fernando, Emmanuel, superintendent, Galpottagama	Horana	Jayaweera, E. J., conductor, Old Rassagala	Balangoda
Fernando, M. Romanis, teamaker, Galature	Ratnapura	Jayasooria, Herman Fonseka, planter, Cecilton	Bogawantalawa

Kirimenike, Jawiragamaetirallaye, landed proprietor, Marapona	Ratnapura	Punchimahatmaya, Srinarayana Kapurallaye, landed proprietor, Batugedara	Ratnapura
Kiri Banda, Chandrasekara Mudiyan-selage, landed proprietor, Mudduwa	do.	Podiappuhami, Nugamunnegama-etige, trader, Radella	do.
Kiri Banda, T. D. M., landed proprietor, Opan ike	Balangoda	Punchi Banda, Wijekon Disanayaka Mabarana, landed proprietor	Kolonne
Kiri Banda, Rupasinha Dodampe, landed proprietor	Kolonna	Punchi Banda, W. M., landed proprietor, Makandena	Rakwana
Maddumahami, Gamaetirallaye, landed proprietor, Mudduwa	Ratnapura	Punchimahatmaya, R. L., landed proprietor, Delgoda	Ratnapura
Madduma Banda, Wanigasekaran-wasinha Mudiyan-selage, landed proprietor, Dela	do.	Perera, G. C., teamaker, Palam-cotta	Rakwana
Mohottihami, Wastukankanamalaye, landed proprietor, Dela	do.	Peiris, K. C., teamaker, Kuruwita	Ratnapura
Mudalihami, Rupahirige, landed proprietor, Niriella	do.	Somis Banda, Ekanayaka Mudiyan-selage, landed proprietor, Palle-gama	Rakwana
Mudalimahatmaya, Hidellena Seneviratna, landed proprietor, Ganegoda	do.	Silva, James, superintendent, Patulpana	Ratnapura
Mutu Banda, Ratnayakamudiyan-selage, trader	Pelmadulla	Silva, Galgamage Christophel, conductor, Hope	Rakwana
Mabarana Banda, Wijekoon Disanayaka, landed proprietor	Kolonna	Silinduhami, Amarasinha-arachilaye, landed proprietor, Yatipana	Ratnapura
Madduma Banda, Gunatilaka Alahakoon Mudiyan-selage, landed proprietor, Emitiyagoda	Rakwana	Tennakon, Don Henry Wijewardana, landed proprietor, Mudduwa	do.
Mulgama Punchi Banda, Tennakon Mudiyan-selage, landed proprietor, Meddegama	do.	Tepanis Appuhami, Whalatanirige, landed proprietor, Damahana	Balangoda
Nanonis Appuhami, Beberende Gamage Don, conductor, Gongalla	Deniyaya	Tikiri Banda, Wijeratna Basnayaka Mudiyan-selage, landed proprietor, Emitiyagoda	Rakwana
Peris, H. S., merchant	Ratnapura	Wasanahami, A. M., landed proprietor, Weligepola	Balangoda
Podi Banda, Wellakkattu Mudiyan-selaye, landed proprietor, Marapona	do.	William, Don Johannes, conductor, Nivitigala	Ratnapura
		Weerasuriya, S. R., teamaker, Hapugastenna	do.
		Weerasooriya, A. P., conductor, Ratganga	do.

TAMIL-SPEAKING JURORS

Amala Marikar Ibrahim Lebbe, merchant, Kuruwita	Ratnapura	Ponniah, G., conductor, Maratenna	Bogawantalawa
Alabdeen Marikar, O. L. M., merchant,	do.	Sinnatamby, Awanna, merchant	Ratnapura
Cafoor Marikar, A. A., merchant	do.	Sultan Marikar, P. S., landed proprietor	do.
Curuz, George, conductor, Nivitigala	do.	Spencer, H., teamaker, Mahawela	do.
Christie, H. M. C., teamaker, Naha-weena	Rakwana	Sevacololuntho, V., teamaker, Rassagala	Balangoda
Dawson, M. S., teamaker, Aig-burth	do.	Singalaxana, H., clerk, Hapugas-tenna	Ratnapura
De Phillipsy, William, conductor, Nivitigala	Ratnapura	Sittamparapilly, Samogam, conductor, Hope	Rakwana
Gritton, Sel Gabriel, conductor, Kiribatgala	do.	Shewadanco, James, head kangany, Galpote-gana	Horana
Hanifa, Samsodeen, conductor, Madabaddara	do.	Sarap, H., conductor, Galature	Ratnapura
James. D. D., teamaker, Detanagala	Bogawantalawa	Sinna Lebbe Abdul Lebbe Marikar, tea trader, Karaweke-tiya	Balangoda
Kanagaratnam, V., clerk, Hapugas-tenna	Ratnapura	Thambimuttu, C. V., conductor, Rassagala	do.
Mustapha Lebbe Marikar, A. L. M., merchant	do.	Timothy, William, teamaker, Hayes estate	Deniyaya
Mahamadali, Ana Una Cheua, trader, Tiriwanaketiya	do.	Tuppiah, L. R., head kangany, Maratenna	Bogawantalawa
Martyn, Domenic Gabriel, superintendent, Orange-field	Rakwana	Uduma Lebbe Ibrahim Lebbe, merchant, Kuruwita	Ratnapura
Nagappa Chetty, trader	Balangoda	Udumala Marikkar, M. H. L., merchant	do.
Nagalingam, elerk, Rassagala	do.	Wellupillai, S., landed proprietor, Ellepola	Balangoda
Omaru Lebbe Casim Lebbe, merchant, Kuruwita	Ratnapura	Wasagam, W. S., conductor, Rassagala	do.
Palawasan Kangany, landed proprietor, Ellerawa	Balangoda	Wilson, Samuel, conductor, Massen-na	do.

DRAFT ORDINANCES.

(Continued from page 115.)

MINUTE.

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

An Ordinance to provide for the Destruction of Plant Pests and for the Sanitation of Plants in this Colony.

- Preamble. **W**HEREAS it is expedient to provide for the destruction of plant pests and for the sanitation of plants in this Colony : Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :
- Short title. **1** This Ordinance may be cited as "The Plant Pests Ordinance, 190 ."
- Interpretation. **2** In this Ordinance, unless the context otherwise requires—
- "Plant" includes all members of the vegetable kingdom, - whether living or dead, or any part or parts of such.
- "Pest" means such insects, parasitic plants, or fungi as the Governor in Executive Council shall from time to time declare to be pests for the purposes of this Ordinance.
- "Owner or occupier" means the proprietor, lessee, superintendent, or other person in actual charge of any cultivated or uncultivated land.
- "Officer of the board" means all headmen holding acts or warrants of appointment under the hand of the Governor, or of the government agent of a province, or of the assistant government agent of a district, and any person authorized to act as an officer of the Plant Pests Board, hereinafter constituted, on a warrant signed by the chairman of such board.
- "Committee of agricultural experiments" means the body for the time being appointed by the Governor to be a committee of agricultural experiments.
- Proclamation of pests. **3** The Governor in Executive Council may from time to time publish, by Proclamation in the *Government Gazette*, and may revoke, alter, modify, or add to, schedules specifying—
- (a) The insects, parasitic plants, or fungi which are declared to be pests for the purposes of this Ordinance ; and
- (b) The measures which it shall be within the power of any board, as hereinafter constituted, to require to be taken for the prevention, arrest, or eradication of such pests.
- Establishment of Plant Pest Boards. **4** It shall be lawful for the Governor, after consulting when necessary the Ceylon Planters' Association or the Ceylon Board of Agriculture, to establish for any revenue district a board, to be termed "The Plant Pests Board," to be constituted and appointed in manner following:—The government agent of a province shall be an official member of every such board within his province, and the assistant government agent of the district shall be an official member of the board appointed for his district ; and it shall be lawful for the Governor to appoint not less than four nor more than seven persons as unofficial members of the board, the persons so appointed to hold office for a term of three years. Provided

that of the persons so appointed two at least shall be persons recommended by the local planters' association if any, or if there be more than one planters' association within the district, by all such bodies conjointly; and provided that of the remaining persons so appointed one each at least be selected as a representative of the Burgher, Sinhalese, Tamil, or Mohammedan communities respectively, or of so many of those communities as constitute any considerable proportion of the resident owners or occupiers of land in that district; and the government agent, or in his absence the assistant government agent, within his own district, shall be chairman of the board; and the chairman may appoint a secretary to the board and officers of the board.

Meetings of the board.

5 The board shall meet at such times and in such places as may be directed by the chairman. At least seven days' notice of such meeting shall be given to each member of the board, unless in any case of exceptional urgency the chairman shall deem it necessary to call a meeting at shorter notice. Provided that if any two members shall call upon the chairman, by writing under their hands, to convene a special meeting of such board, it shall be the duty of the chairman to convene such meeting with the least possible delay, giving notice of such meeting to each member forthwith.

Report of existence of pests to chairman.

6 On the existence or suspected existence of any pest being brought to the notice of any member or officer of the board, it shall be his duty to report the same forthwith to the chairman of the board.

Duty of chairman on receipt of information.

7 Upon receipt of such information the chairman shall either at once convene a meeting of the board, or shall, if it appear necessary, depute one or more members of the board or some officer of the board to make inquiries; and upon receipt of the report of such member or members or officer the chairman may convene a meeting of the board.

Power of board to require preventive or remedial measures to be taken.

8 On being satisfied of the existence of any pest, the board may require, by means of a notice served on the owner or occupier of any land affected by such pest, the carrying out, within such time as the board may specify, of such measures for the eradication, arrest, or prevention of the pest in question as may seem to it desirable and have been approved by the Peradeniya Committee of Agricultural Experiments; provided that such measures are in accordance with the requirements laid down in the schedule of such measures in force for the time being as provided in section 3 of this Ordinance.

Offences.

9 (1) If any person on whom a notice has been served under the provisions of the last preceding section wilfully fails or neglects to carry out the requisition of the board contained in such notice within the time specified therein, or if he obstructs or impedes or assists in obstructing or impeding any officer or member of the board in the execution of any duty under this Ordinance, he shall be guilty of an offence.

(2) Every prosecution for an offence under this Ordinance shall be instituted in the police court of the division in which the offence was committed, and such court may impose the full penalties herein prescribed, anything in the Criminal Procedure Code or in any other Ordinance to the contrary notwithstanding.

Enforcement of requisitions of board.
Power of such officer to carry out preventive or remedial measures.

10 In the event of the failure or neglect of the owner or occupier of any land to comply with the notice served on him as aforesaid, it shall be lawful for an officer of the board, acting under the written authority of the chairman, to enter upon any such land and to cause to enter thereon such persons, with such instruments and things as may be necessary, and to proceed to do thereon, or cause to be done, all such things as may be necessary for carrying out the requisition of the board; and upon the chairman of the board certifying to the police court of the district within which such land is situated the costs which have been *bona fide* incurred in carrying out such requisition, such court shall summon the person on account of whose failure or neglect such costs were incurred to appear

Recovery of costs.

before it on a certain day, then and there to make payment of the costs which shall appear to such court to have been properly incurred in that behalf; and if such person shall refuse or fail to make such payment forthwith, or within such time as the court shall appoint, the court shall proceed to recover such payment in the same manner as it would proceed to recover any fine incurred under any sentence of such court.

Powers and procedure of board.

11 All acts whatsoever authorized or required by virtue of this Ordinance to be done by any board may and shall be done and decided by the majority of the members of the said board present at any meeting thereof, such members not being less than three of the whole number of the board, unless where, by any of the provisions of this Ordinance, one member of the said board is expressly empowered to do and decide any act, matter, or thing whatsoever. Provided that when the votes of the members present shall be equally divided, the chairman shall, besides his vote as a member, have a casting vote.

Power to enter on and examine land suspected to be affected by pest.

12 It shall be lawful for the board to authorize any officer or member of the board by writing under the hand of the chairman of the board to enter upon any land reported to be affected by any pest and to inspect and examine any plant or plants on such land; and the owner or occupier of such land shall permit such officer or member of the board at all reasonable times to have access to such land for the purpose of inspecting and examining any plant or plants.

Notices, &c., issued by board to be signed by chairman.

13 Every notice, order, or authority issued under the provisions of this Ordinance by the board or by the chairman of the board shall be in writing under the hand of the chairman; and no person shall enter upon any land for the purposes of this Ordinance without an authority signed by the chairman of the board, wherein shall be stated the purpose for which such person is authorized to enter upon such land.

Service of notice.

14 When any notice is required by this Ordinance to be given to the owner or occupier of any land, such notice addressed to the owner or occupier may be served on the owner or occupier of such land, or left with some adult member or servant of his family, or if the notice cannot be so served, or if there be no known owner or occupier, may be put up on some conspicuous part of such land, and it shall not be necessary in any such notice to name the owner or occupier. Provided always that when the owner or occupier and his residence are known to the chairman of the board, it shall be the duty of the chairman to cause every notice required to be given to the owner or occupier, or to send every such notice by registered post addressed to his residence.

Punishment.

15 If any person is guilty of an offence under this Ordinance, he shall be liable on conviction to imprisonment of either description for a term not exceeding six months, or to a fine not exceeding two hundred and fifty rupees, or to both.

Authorization of prosecutions.

16 No prosecution shall be instituted under this Ordinance except with the authority of the board, and in the name of the chairman of the board.

Payments of compensation.

17 The owner or occupier shall not be entitled to compensation for any damage occasioned by any act done in pursuance of the requisition of the board, but it shall be lawful for the Governor in Executive Council to order that such compensation as he may think fit shall be paid to the owner or occupier of any land who is required to destroy any plant or plants on such land; provided that such owner or occupier shall make his application for compensation through the chairman of the board within three months of the destruction of such plant or plants, and that if he fail to make such application within the aforesaid period he shall have no claim for consideration of his application; and provided further, that in no instance shall the compensation awarded exceed the actual value of the plant or plants at the date of such destruction.

Duty of board to report existence of pest.

18 It shall be the duty of the chairman of the board appointed for any district, whenever the board is satisfied of the existence of any pest within that district, to send notice of the existence of such pest forthwith to the chairman of the boards appointed for the adjoining districts and to the government agent of the province and to the Colonial Secretary and to the chairman of the Committee of Agricultural Experiments.

Vexatious conduct of officer.

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

By His Excellency's command,
Colonial Secretary's Office, G. M. FOWLER,
Colombo, February 7, 1907. Acting Colonial Secretary.

Objects and Reasons.

The circumstances which led to the abandonment of the Agricultural Pests Bill and the substitution of the present Draft Ordinance are explained in the report of the Sub-Committee, which was read in Council on the 6th February.

2. The present Bill is in substance the measure recommended by the Agricultural Society, with some modifications of detail and expression. The principal feature of the Bill is the establishment in the revenue districts to which the Ordinance is applied of permanent boards with powers, whenever the existence of plant disease is brought to their notice, to enforce the adoption of such preventive or remedial measures as have been approved of by the Committee of Agricultural Experiments.

3. With regard to the difficult question of compensation, the Bill confers a discretionary power on the Governor [in Executive Council to payment of compensation to owners who are required to destroy plants, the compensation awarded in no case to exceed the actual value of the plant destroyed.

Colombo, February 8, 1907

ALFRED G. LASCELLES,
Attorney-General.

MINUTE.

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

An Ordinance to amend in certain particulars "The Branch Roads Ordinance, 1896."

Preamble.

WHEREAS it is expedient to amend in certain particulars "The Branch Roads Ordinance, 1896," hereinafter referred to as the principal Ordinance: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

CHAPTER I.

Short title.

1 This Ordinance may be cited as "The Branch Roads (Amendment) Ordinance, 1907."

2 For sections 3 to 21 inclusive of the principal Ordinance there shall be substituted the following sections, namely :

Interpretation.

3. In this Ordinance, unless the context otherwise requires—

"Proprietor" means the sole or any joint owner or lessee of an estate.

"Provincial committee" means the provincial committee constituted and appointed under the provisions of "The Road Ordinance, 1861."

"Cost of acquisition" means the cost of acquiring the land required to be permanently occupied by reason of the construction of a branch road.

“Cost of compensation” means the cost of making compensation for any damage occasioned to adjoining property by or in the course of the construction of a branch road.

“Cost of construction” includes both the cost of acquisition and the cost of compensation, as well as the actual cost of constructing the branch road.

“Estate” means a tract of land exceeding twenty acres, cultivated or uncultivated, belonging to or held by one person or several persons and forming a separate property.

4. Nothing in this Ordinance shall be held to apply to proprietors of paddy lands or lands cultivated with paddy or other grain.

Exemption of proprietor of paddy lands.

CHAPTER II.

CONSTRUCTION OF BRANCH ROADS.

Application for construction of road.

Particulars to be set out in application.

5. The proprietors of any two or more estates situated in the same locality, to which there is no available cart road leading from some convenient principal thoroughfare, may make application in writing to the provincial committee of the province in which such estates are situated, that the provisions of this Ordinance be extended to the said locality, and such application shall set forth, so far as the same may be ascertained, the following particulars :

- (1) The description of the locality ;
- (2) The names of all the estates therein ;
- (3) The names of the proprietors, or, if they be absent from the Island, of the resident manager or superintendent, and of the agents, if any, of each estate ;
- (4) The acreage of each estate, so far as it is known, with the extent of land under cultivation ;
- (5) The estimated length in miles of the road required to be made to connect the said estates with the most convenient principal thoroughfare.

If estates within two provinces, the Governor to choose the province the committee of which shall be empowered to act.

The provincial committee to define limits of district upon day appointed ;

If the estates fall within two provinces, it shall be lawful for the Governor to choose the province the provincial committee of which shall be empowered to act as provided by this Ordinance ; and upon such choice being made and published in the *Government Gazette*, the provincial committee so chosen shall have power to act as hereinafter provided.

or at any adjourned meeting. Committee empowered to vary or alter limits, if occasion arise.

6. On receipt of such application the provincial committee shall, by publication in two consecutive numbers of the *Government Gazette*, and by such other means as it may think necessary, give notice of its intention to define the limits of the district, the estates in which will—if the proposal for the construction of such branch road under the provisions of this Ordinance be assented to by the proprietors of two-thirds of the acreage in such district—be assessed for the construction and maintenance of such road. In such notice the provincial committee shall appoint the time and place at which it will take evidence if necessary, and receive and consider objections, and after making such inquiry as it may deem requisite, and considering any such objection, shall proceed to define the limits of such district ; or, if need be, shall adjourn such meeting as often as it considers necessary to any day or days to be fixed by it, when it shall upon such adjourned meeting define the limits of such district. And it shall be competent to the provincial committee from time to time, if occasion arise, to alter and vary such limits so as to include such estates as may have been newly opened or may have been inadvertently or otherwise excluded, or, if it considers just, to exclude any estate which may have been erroneously included. Provided, however, that the provincial committee shall, by

publication in two consecutive numbers of the *Government Gazette*, and by such other means as it may think necessary, give notice of its intention to alter and vary the limits of any district, and shall in such notice appoint the time and place for hearing objections, if any, in the same manner as is herein provided for in the case of the original definition of a district; and the limits so altered shall thereupon be the limits of such district as if they had been originally defined, and the estates included within such limits, altered as aforesaid, shall become bound and be liable to be assessed for the upkeep and repair of such branch roads as if they had been originally included within such district.

Provided further that it shall be competent to the chairman of the provincial committee to call upon the proprietor or resident manager of any estate other than an estate or part of an estate formed out of land purchased from the Crown after such road shall have been constructed, included within such limits so altered as aforesaid, to pay the sum which he would have been liable to pay had such estate been originally assessed for construction of such road, as well as such sum as may be assessed for the repair and upkeep of such road from such time as such estate began to use such road; and in default of payment of any such sum the same shall be recovered in manner hereinafter provided for the recovery of sums assessed.

Sums assessed for construction to be recovered in manner hereinafter provided.

Proprietors to be called upon to declare whether they desire to bring district under the Ordinance.

If no agent, requisition to be affixed.

Proprietors may express willingness to pay cost of acquiring land.

If proprietors of two-thirds of acreage assent, committee to forward application to Governor with report.

Director of Public Works to report and submit estimates for construction.

7. (1) Upon the limits of the district being defined as aforesaid, the chairman of the provincial committee shall transmit to the proprietor (or, in case of his absence from the island, to the resident manager or superintendent, or if there be no resident manager or superintendent, to the agent if any, in this island, of the proprietor) of every estate within the limits of such district, so defined as aforesaid, a requisition calling upon him to declare in writing within such time as shall be therein specified, whether he desires that the provisions of this Ordinance should be extended to such district for the purpose of the construction therein of a branch road. Such requisition shall be in form A of the schedule to this Ordinance, or as near thereto as may be. If there be no known agent, the chairman shall cause such requisition to be affixed to some conspicuous part of the estate, and published in two consecutive numbers of the *Government Gazette*. If no answer be received at the office of the said committee within the time limited by such requisition, the person to whom the same was forwarded shall be deemed to have assented to the proposal referred to therein.

(2) It shall be lawful for the proprietors, in reply to such requisition, to state that they are prepared to contribute, in addition to the moiety of the cost of making such branch road within such district, the whole cost of acquisition and compensation.

8. If it shall appear to the provincial committee, from the replies to such requisition or otherwise, that the proprietors of at least two-thirds of the acreage in any such district are desirous that the provisions of this Ordinance should extend and be applied to the said district for the purpose of constructing therein a branch road, it shall forthwith forward the application to Government, together with its report as to the necessity for the said road, and as to the direction and terminus which it recommends as best adapted for the general convenience of the district, and thereupon it shall be lawful for the Governor to direct the Director of Public Works to examine the said district and to report to the provincial committee as to the best mode of giving effect to the proposal, and to frame and submit an estimate of the probable cost of properly constructing and metalling the proposed road in such sections as in that behalf provided in section 18.

Provincial
committee to
appoint
assessors.

9. (1) Upon the receipt of the report of the Director of Public Works it shall be lawful for the provincial committee to appoint two assessors by writing under the hand of the chairman. The assessors so appointed shall, upon the receipt of such appointment forthwith issue a notice to the person in charge of each of the estates through which the proposed road will pass, that they will, on a day to be named in such notice, visit such estate and summarily inquire into the value of the land belonging to such estate to be taken over for the construction of the proposed road, and fix the rate per acre at which land required to be permanently occupied for the construction of the road within each estate will be acquired from the proprietor thereof, and also the rate per acre to be paid for land damaged in the course of the construction of the road.

(2) The assessors so appointed shall, when fixing the rate per acre to be paid to any proprietor, at the same time fix and determine the equivalent in money of any benefit which will accrue to such estate by the construction of the proposed road.

(3) The decisions of the assessors as to the rate per acre determined in accordance with sub-section (1) of this section, and as to the amount fixed as the money equivalent of the benefit accruing to any estate by the construction of the proposed road shall be respectively subject to an appeal to the provincial committee, who may affirm or disallow the same respectively, and the provincial committee may, if it thinks fit, send the same back to the assessors to re-assess the same, or it may appoint an additional assessor or fresh assessors for this purpose, and such re-assessment shall be subject to a like appeal, and every such decision not appealed from within the time hereinafter provided, or when affirmed by the provincial committee on appeal, shall be final, and shall bind the proprietor of the estate in respect of which such decision has been made.

(4) The proprietor of an estate or his agent or representative in the colony taking an appeal under the preceding section shall have thirty days from the date on which the assessors shall have posted a copy of their decision to the person in charge of such estate in which to appeal to the provincial committee from such decision.

(5) Whenever a final decision has been come to in manner hereinafter prescribed as to the amount to be paid as cost of acquisition and compensation and the amount of the money equivalent of the benefit accruing to any estate by the construction of the proposed road has been finally determined, any sum fixed as the money equivalent of the benefit accruing to an estate shall be deducted from the sum to be paid to such estate as cost of acquisition and compensation, and the proprietor of such estate shall be entitled to receive the balance, if any. Provided that if the sum to be paid to the estate as compensation is less than the sum fixed as the money equivalent of the benefit accruing to the estate as aforesaid, the proprietor shall not be liable to make good the deficiency.

Governor may
propose a vote
of moiety of cost
out of public
funds: and, if
voted,
proprietors
become liable
for the other
moiety.

10. (1) As soon as the rates per acre payable in respect of the lands required to be permanently occupied for the construction of the road within the several estates have been determined, the provincial committee shall forward to the Colonial Secretary the report and estimate of the Director of Public Works prepared under section 8, and also a report showing—

(a) The rates per acre which the assessors under section 9 (1) or, in the event of an appeal, the provincial committee under section 9 (3) have determined shall be payable in respect of land required to be permanently occupied for the construction of the road.

- (b) The equivalent in money of the benefit which will accrue to the several estates by the construction of the road as determined by the assessors under section 9 (2) or, in the event of an appeal, by the provincial committee under section 9 (3).
- (c) Whether the proprietors of at least two-thirds of the acreage of the district have or have not stated in reply to the requisition served on them under the provisions of section 7 that they are prepared to contribute, in addition to the moiety of the cost of making the branch road, the whole cost of acquisition, together with the whole cost of compensation.

(2) Upon receipt of such report the Governor may, if he thinks fit, propose an estimate in the Legislative Council for an amount equal to a moiety of the cost of constructing the proposed branch road.

(3) When the report of the provincial committee shows that the proprietors of the requisite proportion of the acreage of the district are prepared to contribute, in addition to the moiety of the cost of constructing the proposed branch road, the whole cost of acquisition and compensation, the estimate shall not include any provision of such last-named cost. Upon such estimate being voted by the Legislative Council, the proprietors of all the estates within the limits of the district as defined as aforesaid shall become and be severally liable to contribute, in accordance with the rates to be determined by assessment as hereinafter provided, an amount equal to the other moiety of the cost of constructing the road, together with the whole cost of acquisition and compensation to be ascertained as hereinafter provided.

(4) Where the report shows that the proprietors are not prepared to pay the whole cost of acquisition and compensation, the estimate shall include, in addition to a moiety of the cost of constructing the proposed branch road, such sum as shall be considered sufficient to cover a moiety of the cost of acquisition and compensation.

Upon such estimate being voted by the Legislative Council the proprietors of all the estates within the limits defined as aforesaid shall be and become and be severally bound and liable to contribute in manner aforesaid an amount equal to a moiety of the cost of constructing the proposed road, together with a moiety of the cost of acquisition and compensation to be ascertained as hereinafter provided.

CHAPTER III.

PROVINCIAL ROAD AND LOCAL COMMITTEES.

Chairman to convene meeting for election of local committees.

11. Upon a vote being passed by the Legislative Council (a) for a moiety of the cost of constructing such road or on account of such moiety; or (b) for the moiety of the cost of making such road, excluding the cost of acquisition and the cost of compensation or on account of such moiety, and notice thereof being communicated to the provincial committee, the chairman thereof shall, by notice in two consecutive numbers of the *Government Gazette* and such other means of publication as he may think necessary, convene at some suitable place a general meeting of the proprietors or resident managers of the estates therein to elect a local committee, which shall consist of not less than three nor more than five members, to perform the duties imposed upon such committee by this Ordinance. The general meeting so convened for the election of such committee shall consist of such number of proprietors or resident managers within the district as shall represent not less than one-third of the acreage.

Proceedings at election.

12. At such general meeting it shall be lawful for the proprietors, or their representatives present thereat, to elect the persons who are to act as members of the local committee. The chairman of the provincial committee, if present, or, if

he be absent, such proprietor or resident manager as the meeting shall elect, shall act as chairman at such meeting, and it shall be lawful for the meeting, if need be, to adjourn such meeting to any other time or place. All questions and resolutions shall be determined by a majority of the votes of the proprietors or their representatives as aforesaid. In case of equality of votes the chairman shall have a casting vote in addition to his own vote. And if any question shall arise at such meeting as to the right of any person to vote thereat, or the mode of proceeding for the election of persons to serve as members of the local committee, the chairman shall determine the same, and his decision shall be final and conclusive. The minutes of such meeting shall be transmitted by the chairman to the provincial committee, with the names of the persons elected as members of the local committee, and the provincial committee shall cause such names to be published in the *Government Gazette*.

Members to hold office for two years. Proceedings in case of vacancy.

13. The persons elected to act as members of the local committee shall hold office for two years, and shall be eligible for re-election at the end of that term. In case of any member resigning, dying, or leaving the island, or becoming incapable to act, the other members for the time being may, in the manner provided in section 15, elect another proprietor or resident manager to serve in his place for the remainder of the term for which the member so resigning, dying, or leaving the island, or becoming incapable to act, was elected.

Biennial meeting for election of local committee.

14. At the expiration of every two years from the appointment of the first local committee the chairman of the provincial committee shall convene, in manner provided in section 11, a meeting of proprietors or resident managers for the election of a new local committee. At such meeting the chairman of the provincial committee, if present, or, if he be absent, such proprietor or resident manager as the meeting shall elect, shall act as chairman, and in all other respects the proceedings at such meeting shall be governed by the provisions of section 12.

Appointment of chairman.

15. The local committee so elected shall appoint one of its members as chairman, who shall hold office during the said term of two years; and in case of any vacancy the local committee shall elect another member to act as chairman. And it shall be the duty of the chairman so appointed to convene, by notice in two consecutive numbers of the *Government Gazette*, and by such other means as he may deem necessary, a meeting of the members, whenever required by the Government or by the provincial committee, appointing the time and place for such meeting; the chairman, or, if he be absent, such other member of the local committee as the meeting shall elect, shall preside at every such meeting and shall duly record the proceedings of such meeting and forward the same to the provincial committee.

Majority of members to decide all questions.

16. All acts whatsoever authorized or required to be done by any local committee may and shall be done by the majority of members of such committee present at any meeting convened as aforesaid or at any adjournment of such meeting, three of them to form a quorum. Provided that when the votes of the members present shall be equally divided the chairman shall, beside his vote as a member, have a casting vote.

If members not elected, the provincial committee may nominate a local committee.

17. (1) If the proprietors or resident managers of estates in any district fail to elect a committee for the district at the meeting convened for that purpose or at the adjourned meeting, it shall be competent to the provincial committee to nominate not less than three nor more than five proprietors or resident managers residing within the district to be the local committee. The persons so nominated shall hold office for two years, and a local committee so nominated

may do any of the acts or perform any of the duties which an elected local committee is authorized to do or perform under the provisions of this chapter.

If local committee fail to perform duties imposed on it, provincial committee to act.

(2) If the local committee, whether elected or nominated, shall fail to perform the duties imposed upon it by this Ordinance, the same may be performed by the provincial committee.

Assessment.
Local committee to convene meetings to determine the assessment of estates and report to provincial committee.

18. The local committee shall, so soon thereafter as it may be required so to do by the provincial committee, convene, by notice in two consecutive numbers of the *Government Gazette*, and by such other means as they may deem necessary, a meeting of the proprietors or resident managers of the estates within the district, at some specified time and place within such district, and the local committee shall thereat or at any adjourned meeting after hearing objections, if any, and taking evidence, if necessary, determine, and make report to the provincial committee, on—

- (1) The sections into which the road is to be divided for construction assessments ;
- (2) The sections into which the road is to be divided for upkeep assessments ;
- (3) The estates which in their opinion are interested in and will use each section of the road or of any part thereof ;
- (4) The acreage or reputed acreage of the land belonging to each estate ;
- (5) The names of the proprietors, resident managers, or superintendents, and of the agents.

Provided.

Provided, however, that the sections into which the road is divided for construction assessment shall in no case exceed half a mile in length, that the sections into which the road is divided for upkeep assessment shall in no case exceed one mile in length, and that an estate using any portion of a section shall be assessed for the whole of such section.

Provincial committee to determine objections to assessment proposed by local committee and to determine proportion due by each estate.

19. (1) On receipt of such report the provincial committee shall cause a notice to be published in two consecutive numbers of the *Government Gazette*, and made public by such other means as it may think necessary, appointing time and place for hearing objections, and after hearing such objections, if any, the provincial committee shall adopt, alter, modify, or confirm such report, and shall proceed to assess the proportion due by each estate by dividing by the total number of acres of the estate which, in its opinion, are interested in and will use each section (subject to the exception in section 20 specified), the sum of money equal to (a) where the Government contributes half the cost of acquisition and compensation, a moiety of the total cost of the construction of such section of the proposed road ; and (b) in the absence of such contribution of the Government a moiety of the total cost of making each section, together with the whole cost of acquisition and compensation in respect of such section, and thus apportioning the amount due upon and for each acre, and the rate so assessed by the provincial committee shall (subject to the appeal hereinafter provided) be binding and conclusive on all proprietors of estates in such district. And the chairman of the provincial committee shall thereupon transmit to the proprietor of each estate (or, in case of his absence from the island to the resident manager or superintendent, or, if there be no resident manager or superintendent, to the agent, if any, in this island of the proprietor) a requisition calling upon him to pay into the Colonial Treasury, within such time as shall be therein specified, the amount of the contribution due by him ; provided that in any case in which the Governor, with the advice of the Executive Council, shall order that the amount of the contribution due by the proprietors may be payable in instalments, interest at the rate of four per centum per annum shall be charged on the balance due after payment

of each instalment, and the requisition shall specify the amount of interest payable on each such date.

Provided further that it shall be lawful for the proprietor to pay into the Colonial Treasury at any time the amount of the contribution unpaid, and interest (if any) due by him at such time, and thereupon his liability to make any further payment in respect of interest shall cease.

The requisition under this section shall be in the form B of the schedule to this Ordinance, or as near thereto as may be. If there be no known agent, the chairman shall cause the requisition to be affixed in some conspicuous part of the estate. The chairman shall also cause a notice to be published in two consecutive numbers of the *Government Gazette* and made public by such other means as he may think necessary, specifying the estates which will have to contribute towards the construction of the proposed road, the sum at which each estate is assessed, and the time within which, the instalments by which, and the dates upon which, the several contributions are to be paid into the Colonial Treasury.

(2) Upon the completion of any road undertaken under this Ordinance, the Surveyor-General, upon the requisition of the chairman of the provincial committee, shall prepare a plan showing—

- (a) The land permanently occupied by the road; and
- (b) The several lots of land damaged by the construction of the road.

Such plan shall be conclusive evidence of the area occupied for the purposes of the road, or damaged in the course of constructing the same.

(3) The sums payable to the several proprietors in respect of the lands permanently occupied by the road or damaged in the course of constructing the same shall thereupon be calculated according to the rates fixed under section 9 (1), and the amount thereof, after deducting therefrom the sum, if any, which the assessors under section 9 (2) have fixed and determined as the equivalent of the benefit accruing to the estate by the construction of the road, shall be paid to the persons entitled to receive the same.

(4) The amount payable to the several proprietors in compensation for damage caused to their adjoining land by the construction of the road shall be assessed as nearly as may be, *mutatis mutandis*, in the manner provided by section 9 (1) for the determination of the value of the land taken over for the construction of the road. The amount so determined shall be paid to the persons entitled to receive the same after deducting the balance, if any, which remains to be deducted, after making the deductions provided for by the last preceding section of the equivalent in money, fixed and determined as aforesaid of the benefits accruing to the estate by the construction of the road.

(5) The provincial committee shall proceed to assess the proportion of the moneys paid as aforesaid which is due by each estate in the manner provided by section 19 (1) for the assessment of the cost of constructing the road; and the amounts so assessed shall be recoverable from the proprietors of the several estates in the manner by this Ordinance provided for the recovery of the rates assessed under section 19 (1).

20. If by reason of any estate, or any portion not less than half of the entire extent thereof, being obviously unfit for cultivation, or having been cultivated and abandoned, or from any other cause it shall seem to the provincial committee right to exempt such estate or portion thereof from the assessment, it shall be lawful for such committee to do so, and to proceed in its assessment as if there was no such land in the district. Provided that to entitle a proprietor to such exemption he or some person representing him shall claim the same at the time and place appointed

Assessment of sums payable for land occupied or damaged.

Exemption from assessment of uncultivated and abandoned lands.

Proviso 1: Such exemption to be promptly claimed.

Proviso 2: Such estates to be liable if afterwards cultivated.

Proviso 3: Estates exempted may subsequently be included.

Application of moneys recovered.

by the provincial committee for hearing objections of proprietors or of agents to estates included within the limits of the district, as provided by section 19 (1), and shall at his own cost and expense satisfy the committee, by such proof as it shall call for, that he is entitled to such exemption. Provided further that should the proprietor of any such estate or portion thereof, or any person claiming under him, bring such estate or portion thereof into cultivation afterwards, and use the road for the purpose of, or with a view to such cultivation, it shall be competent for such provincial committee to call upon such proprietor or person to pay the sum which he would have been liable to pay had such estate or portion thereof not been exempted from the original assessment, together with any sums which shall have become due for upkeep and repair since such estate began to use such road, and in default of his paying the same to proceed to recover such sum in the manner herein provided for the recovery of sums assessed. Provided further that should the proprietor of any estate who had claimed and obtained exemption upon the ground of such road not being the proper outlet, or other cause, or any person on his behalf, use such road, it shall be competent for such provincial committee to include such estate within the limits of the district from which it had been excluded by reason of such claim, and to call upon such proprietor, or any person claiming on his behalf, to pay any amount not exceeding double the sum which he would have been liable to pay had such estate not been exempted from the original assessment, and also any sum not exceeding double the amount of all rates and assessments for the upkeep and repair of such road subsequent to the time when such estate began to use such road, and in default of his paying the same to proceed to recover such sum in the manner herein provided for the recovery of sums assessed.

21. Moneys recovered under the preceding section, and moneys recovered from estates added to a district as altered under the provisions of section 6, shall—

- (a) If recovered as construction assessment moneys, be divided amongst the proprietors (at the date of such recovery) of estates which have previously paid construction assessment, in shares proportionate to the sums so previously paid; and
- (b) If recovered as upkeep or repair assessment moneys, be retained by the provincial committee and applied towards the future upkeep and repair of the roads.

By His Excellency's command,

Colonial Secretary's Office, G. M. FOWLER,
Colombo, February 7, 1907. Acting Colonial Secretary.

Statement of Objects and Reasons.

THE object of the draft Ordinance is to remove difficulties which have arisen in the procedure laid down by "The Branch Roads Ordinance, 1896," with regard to the assessment of the amount payable to proprietors for land taken or damaged for the purpose of constructing branch roads.

The difficulties referred to arise from the circumstance that the Ordinance requires the compensation to be assessed at an early stage of the procedure, and before the extent of land required or damaged has been ascertained by survey. This requirement has been found, in some cases, impracticable, and has led to considerable confusion.

2. The general effect of the amendments introduced by the draft Ordinance is that *the rate per acre* to be paid for land occupied or damaged will first be determined by assessors, and the actual amount payable will be determined on the basis of a survey made after the completion of the road.

3. For the sake of clearness, chapters II. and III. of the principal Ordinance have been repealed and re-enacted as amended.

4. The sections in which alterations have been made are 7, 9, 10, 11, and 19.

Colombo, January 18, 1907.

ALFRED G. LASCELLES,
Attorney-General.