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DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to consolidate and amend the Law relating to the Post Office in Ceylon.

Preamble.	WHEREAS it is expedient to consolidate and amend the law relating to the post office in Ceylon: 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 (1) This Ordinance may be cited for all purposes as "The Ceylon Post Office Ordinance, 1907."
Extent.	(2) It applies to Ceylon and to any dependency of Ceylon to which the Governor in Council may hereafter, by Proclamation in the <i>Government Gazette</i> , extend its application.
Date of operation.	2 This Ordinance shall come into operation on such date as the Governor shall, by Proclamation published in the <i>Government Gazette</i> , appoint.
Repeal.	3 The Ordinances specified in the first column of the schedule hereto shall be severally repealed to the extent mentioned in the third column thereof.

Definitions.

4 In this Ordinance, unless there is anything repugnant in the subject or context,—

- (a) The expression "Postmaster-General" means the Postmaster-General of Ceylon, and includes the Assistant Postmaster-General.
- (b) The expression "inland" used in relation to a postal article means posted in Ceylon or in any dependency of Ceylon to which this Ordinance shall have been extended, and addressed to any place in Ceylon or in such dependency.
- (c) The expression "mail bag" includes a bag, box, parcel, or any other envelope or covering in which postal articles in course of transmission by post are conveyed, whether it does or does not contain any such article.
- (d) The expression "mail ship" means a ship employed for carrying mails, pursuant to contract or continuing arrangements by the Government of Ceylon or His Majesty's Government or the Government of any British possession or foreign country.
- (e) The expression "master of a vessel" means the person for the time being having or taking the charge or command of a vessel, but does not include the pilot.
- (f) The expression "officer of the post office" includes any person employed in any business of the post office or on behalf of the post office.
- (g) The expression "postage" means the duty chargeable for the transmission by post of postal articles.
- (h) The expression "postage stamp" means any stamp provided by the Governor for denoting postage or other fees or sums payable in respect of postal articles under this Ordinance, and includes adhesive postage stamps and envelopes, cards, wrappers, and other articles on which postage stamps are printed, embossed, impressed, or otherwise indicated.
- (i) The expression "post office" includes every house, building, room, carriage, or place used for the purposes of the post office, and every letter-box provided by the post office for the reception of postal articles.
- (j) The expression "postal article" includes a letter, post card, newspaper, parcel, and every article or thing transmissible by post.
- (k) The expression "the post office" means the department presided over by the Postmaster-General.

Presumptions as to delivery of postal articles.

5 For the purposes of this Ordinance—

- (a) A postal article shall be deemed to be in course of transmission by post from the time of its being delivered to a post office to the time of its being delivered to the addressee, or of its being returned to the sender, or otherwise disposed of under section 39.
- (b) The delivery of a postal article of any description to an officer of the post office authorized to receive postal articles of that description for the post shall be deemed to be a delivery to a post office; and
- (c) The delivery of a postal article at the house or office of the addressee, or to the addressee or his servant or agent or other person considered to be authorized to receive the article according to the usual manner of delivering postal articles to the addressee, shall be deemed to be delivery to the addressee.

Privilege and Protection of the Government.

Establishment of post offices.

6 (1) The Governor may establish post offices at such places as he may deem expedient and discontinue any post office.

(2) Whenever posts or postal communications are established by the Governor the Government shall have the exclusive privilege of conveying by post, from one place to another, all

letters, except in the following cases, and shall also have the exclusive privilege of performing all the incidental services of receiving, collecting, sending, despatching, and delivering all letters, except in the following cases ; that is to say :

- (a) Letters sent by a private friend in his way, journey, or travel, to be delivered by him to the person to whom they are directed, without hire, reward, or other profit or advantage for receiving, carrying, or delivering them ;
- (b) Letters solely concerning the affairs of the sender or receiver thereof, sent by a messenger on purpose ; and
- (c) Letters solely concerning goods or property, sent either by sea or by land to be delivered with the goods or property which the letters concern, without hire, reward, or other profit or advantage for receiving, carrying, or delivering them.

Provided that nothing in this section shall authorize any person to make a collection of letters excepted as aforesaid for the purpose of sending them otherwise than by post.

(3) For the purposes of this section and section 7 the expression " letters " includes post cards.

Monopoly of carriage of letters.

7 Wherever posts or postal communications are established by the Governor, the following persons are expressly forbidden to collect, carry, tender, or deliver letters or to receive letters for the purpose of carrying or delivering them, although they obtain no hire, reward, or other profit or advantage for so doing ; that is to say :

- (a) Common carriers of passengers or goods and their servants or agents, except as regards letters solely concerning goods in their carts or carriages ; and
- (b) Owners and masters of vessels sailing or passing on any river or canal in Ceylon or between any ports or places in Ceylon and their servants or agents, except as regards letters solely concerning goods on board, and except as regards postal articles received for conveyance under section 45.

Government protected from liability for losses not caused by wilful act or default.

8 The Government shall not incur any liability by reason of the loss, misdelivery, or delay of, or damage to, any postal article in course of transmission by post, except in so far as such liability may in express terms be undertaken by the Governor in Council as hereinafter provided ; and no officer of the post office shall incur any liability by reason of any such loss, misdelivery, delay, or damage, unless he has caused the same fraudulently or by his wilful act or default.

Postage.

The Governor in Council to fix rates of postage.

9 (1) The Governor in Council may, by notification in the *Government Gazette*, fix the rates of postage and other sums to be charged in respect of postal articles sent by the inland post under this Ordinance.

(2) Unless and until such notification as aforesaid is issued, the rates in force at the date of the passing of this Ordinance shall be the rates chargeable thereunder.

The Governor, with the advice of the Executive Council, to make rules.

10 (1) The Governor in Executive Council may by rule -

- (a) Require the prepayment of postage on inland postal articles or any class of inland postal articles, and prescribe the manner in which prepayment should be made ;
- (b) Prescribe the postage to be charged on inland postal articles when the postage is not prepaid or insufficiently prepaid ;
- (c) Provide for the re-direction of postal articles and the transmission by post of articles so re-directed either free of charge or subject to such further charge as may be specified in the rules ;

- (d) Provide for the franking of postal articles by officers of the public service under such limitations as may from time to time be deemed expedient ; and
- (e) Prescribe the scale of weights, terms, and conditions subject to which the rates fixed for postage shall be charged.

Power to make rules for transmission of registered newspapers.

11 (1) The Governor in Executive Council may make rules providing for the registration of newspapers for transmission by inland post as registered newspapers.

(2) For the purpose of such registration every publication consisting wholly or in great part of political or other news or of articles relating thereto or to other current topics, with or without advertisements, shall be deemed a newspaper, subject to the following conditions, namely :

- (a) That it is published in numbers at intervals of not more than thirty-one days ; and
- (b) That it has a *bona fide* list of subscribers.

(3) An extra or supplement to a newspaper, bearing the same date as the newspaper and transmitted therewith, shall be deemed to be part of the newspaper.

Provided that no such extra or supplement shall be so deemed unless it consists wholly or in great part of matter like that of the newspaper, and has the title and date of publication of the newspaper printed at the top of each page.

Explanation.—Nothing in this section or in the rules made thereunder shall be construed to render it compulsory to send newspapers by post.

Arrangements with Great Britain and other countries for the transmission of mails.

12 (1) The Governor in Executive Council may from time to time authorize the Postmaster-General to make arrangements with the postal authority of the United Kingdom, or of any British possession or foreign country, for all or any of the following purposes, namely :

- (a) For the establishment of mail communication and the transmission of mails between Ceylon and the United Kingdom or any British possession or foreign country, or through Ceylon or the United Kingdom or any British possession or foreign country, to or from any part of the world, as the case may be, and for the payment of the expenses thereof, not exceeding such sums as from time to time are appropriated for the purpose by the Legislative Council.
- (b) For the fixing and collection of postage or other dues upon postal articles transmitted as aforesaid.
- (c) For the prepayment in full, or otherwise, of the postage due on any such postal articles.
- (d) For the transmission of registered, insured, and value-payable postal articles, and the rates to be charged therefor.
- (e) For the interchange of money orders and postal orders ; the manner in which and the conditions subject to which such orders may be issued and paid ; and the rates of commission to be charged thereon.
- (f) For the division and the mutual accounting for and payment of the money collected under any such arrangement.
- (g) For the granting of compensation for the loss of postal articles or their contents or for any damage caused to them in course of transmission by post ; and the conditions and limitations subject to which such compensation may be granted.

(2) The rates and regulations existing under any such arrangement now in force shall continue until altered as herein provided.

(3) Where any arrangement under this section is in force, the Governor in Executive Council may, in conformity with the provisions of such arrangement, make rules for any of the purposes specified in sub-section (1) of this section.

Payment of surcharged postage on insufficiently stamped articles.

13 (1) The addressee of a postal article on which postage or any other sum chargeable under this Ordinance is due shall be bound to pay the postage or sum so chargeable on his accepting delivery of the postal article, unless he forthwith returns it unopened. Provided that, if any such postal article appears to the satisfaction of the Postmaster-General to have been maliciously sent for the purpose of annoying the addressee he may remit the postage.

(2) If any postal article on which postage or any other sum chargeable under this Ordinance is due is refused or returned as aforesaid, or if the addressee is dead or cannot be found, then the sender shall be bound to pay the postage or sum due thereon under this Ordinance.

Enforcement of payment of postage.

14 If any person refuses to pay any postage or other sum due from him under this Ordinance in respect of any postal article, the sum so due may, on application made by an officer of the post office authorized in this behalf by the written order of the Postmaster-General, be recovered for the use of the post office from the person so refusing, as if it were a fine imposed under this Ordinance by any Magistrate having jurisdiction where that person may for the time being be resident; and the Postmaster-General may further direct that any other postal article, not being on His Majesty's service, addressed to that person shall be withheld from him until the sum so due is paid or recovered as aforesaid.

Recovery of customs duty by the post office.

15 When a postal article, on which any duty of customs is payable, has been received by post from any place beyond seas, the amount of the duty shall be recoverable as if it were postage due under this Ordinance.

Certain rules of evidence.

16 In every proceeding for the recovery of any postage or other sum alleged to be due under this Ordinance in respect of a postal article—

- (a) The production of a postal article, having thereon the official mark of the post office denoting that the article has been refused, or that the addressee is dead or cannot be found, shall be *prima facie* evidence of the fact so denoted; and
- (b) The person from whom the postal article purports to have come shall, until the contrary is proved, be deemed to be the sender thereof.

Further rules of evidence.

17 The official mark on a postal article denoting that any postage or other sum is due in respect thereof to the post office of Ceylon or to the post office of the United Kingdom or of any British possession or foreign country shall be *prima facie* evidence that the sum denoted as aforesaid is so due.

Postage Stamps.

Provision of postage stamps, and power to make rules as to them.

18 (1) The Governor shall cause postage stamps to be provided of such kinds and denoting such values as he may think necessary for the purposes of this Ordinance.

(2) The Governor in Executive Council may make rules as to the supply, sale, and use of postage stamps.

(3) In particular and without prejudice to the generality of the foregoing power such rules may—

- (a) Fix the price at which postage stamps shall be sold;
- (b) Declare the classes of postal articles in respect of which postage stamps shall be used for the payment of postage or other sums chargeable under this Ordinance;
- (c) Prescribe the conditions with regard to perforation, defacement, and all other matters subject to which postage stamps may be accepted or refused in payment of postage or other sums;
- (d) Regulate the custody, supply, and sale of postage stamps;
- (e) Declare the persons by whom, and the terms and conditions subject to which, postage stamps may be sold; and
- (f) Prescribe the duties and remuneration of persons selling postage stamps.

(4) The provisions of "The Stamp Ordinance, 1890," with regard to licensed dealers in stamps, shall not be applicable to persons selling postage stamps in accordance with rules made under this section.

Postage stamps deemed to be revenue stamps.

19 Postage stamps provided under section 18 shall be deemed to be stamps issued by Government for the purpose of revenue within the meaning of the Ceylon Penal Code, and, subject to the other provisions of this Ordinance, shall be used for the prepayment of postage or other sums chargeable under this Ordinance in respect of postal articles, except where the Governor in Executive Council directs that prepayment shall be made in some other way.

Conditions of Transmission and Delivery of Postal Articles.

Re-delivery to sender of postal article in course of transmission by post.

20 (1) The Governor in Executive Council may by rule provide for the re-delivery to the sender, without reference to the consent of the addressee and subject to such conditions (if any) as may be deemed fit, of any postal article in course of transmission by post.

(2) Save as provided by rules made under sub-section (1), the sender shall not be entitled to recall a postal article in course of transmission by post.

Transmission by post of injurious, filthy, and noxious articles prohibited.

21 (1) No person shall send by post any article or thing which is likely to injure postal articles in course of transmission by post or any officer of the post office.

(2) Except as otherwise provided by rule, and subject to such conditions as may be prescribed thereby, no person shall send by post any explosive, dangerous, filthy, noxious, or deleterious substance, any sharp instrument, or any living creature.

Transmission by post of anything indecent, &c., prohibited.

22 No person shall send by post—

(a) Any indecent or obscene printing, painting, photograph, lithograph, engraving, book, or card, or any other indecent or obscene article; or

(b) Any postal article having thereon, or on the cover thereof, any words, marks, or designs of an indecent, obscene, seditious, scurrilous, threatening, or grossly offensive character.

(c) Any proposal, circular, or ticket relating to lotteries whether promoted in Ceylon or elsewhere.

Power to make rules as to transmission by post and delivery of postal articles.

23 (1) The Governor in Executive Council may make rules as to the transmission by post and the delivery of postal articles.

(2) In particular and without prejudice to the generality of the foregoing power such rules may—

(a) Provide for the granting of receipts for, and the granting and obtaining certificates of, posting and delivery of postal articles and the sums to be paid in addition to any other postage for such receipts and certificates;

(b) Regulate covers, form, dimensions, maximum weight, and enclosures, and the use of postal articles other than letters for making communications; and

(c) Prescribe the fees to be charged for locked bags, locked boxes, and postal or tappal books, and the additional postage (if any) to be paid on articles posted in contravention of the provisions of this Ordinance.

(3) Postal articles shall be posted and delivered at such times and in such manner as the Postmaster-General may, by order, from time to time appoint.

Delivery of letters to take precedence over delivery of other postal articles.

24 (1) Where the despatch or delivery from a post office of letters would be delayed by the despatch or delivery therefrom at the same time of other postal articles, such postal articles or any of them may, subject to such rules as the Postmaster-General may make in this behalf, be detained so long as may be necessary.

(2) Where separate parcel posts are established, parcels may be forwarded and conveyed by them, being detained, if necessary, for that purpose.

Power to deal with articles posted in contravention of this Ordinance.

25 (1) Any postal article sent by post in contravention of any of the provisions of this Ordinance may be detained and either returned to the sender or forwarded to destination, in each case charged with such additional postage (if any) as the Governor may by rule direct.

(2) Any officer of the post office in charge of a post office or authorized by the Postmaster-General in this behalf may open or unfasten any postal article other than a closed letter or parcel which he suspects to have been sent by post in contravention of any of the provisions of this Ordinance.

(3) Notwithstanding anything in sub-section (1)—

(a) Any postal article sent by post which is suspected to contravene the provisions of section 21 may, under the authority of the Postmaster-General, be detained and opened and if necessary destroyed.

(b) Whenever the Postmaster-General has reason to suspect that any postal article other than a closed letter contains anything in contravention of the provisions of section 22, he may cause such postal article to be detained and opened, and if it is found to contain any such matter he shall cause it to be destroyed.

Examination of foreign postal articles for the purpose of customs duties.

26 (1) Every postal article received from beyond seas shall be liable to examination for the purpose of enforcing the provisions of the Customs Ordinance.

(2) Any such postal article, except a letter, may be opened at any post office by an officer of the post office nominated by the Postmaster-General in the presence of an officer of the customs nominated by the Principal Collector of Customs.

(3) If the value of the contents of the postal article is found to have been truly declared, they shall be re-packed by the officer of the post office in the presence of the officer of the customs and shall be forwarded to their destination in a suitable cover secured with a seal or seals bearing the inscription "Opened by His Majesty's Customs."

(4) If the value of the contents is, in the opinion of the officer of the customs, undervalued, the postal article with its contents shall be delivered to the Principal Collector of Customs to be dealt with as provided by the Customs Ordinance.

(5) If any letter received from beyond seas is suspected to contain dutiable articles, it shall be delivered to the Principal Collector of Customs to be dealt with under the Customs Ordinance, and the Postmaster-General shall cause notice in writing to be forthwith sent to the addressee advising him of the arrival of the letter and of its transmission to the Principal Collector of Customs, and requesting him to clear it personally or by agent.

(6) The procedure hereinbefore prescribed shall be carried out without any avoidable delay, but no person shall have any right to compensation or otherwise, nor shall any liability be imposed on the Government or on the Postmaster-General by reason of the opening or detention of any postal article dealt with under the provisions of this section.

In public emergencies the Governor may direct the interception of any postal article.

27 (1) On the occurrence of any public emergency, or in the interest of the public safety or tranquillity, the Governor, or any officer specially authorized in this behalf by the Governor, may by order in writing direct that any postal article or class or description of postal articles in course of transmission by post shall be intercepted or detained, or shall be delivered to the Government or to an officer thereof mentioned in the order, to be disposed of in such manner as the Governor may direct.

(2) If any doubt arises as to the existence of a public emergency, or as to whether any act done under sub-section (1) was in the interest of the public safety or tranquillity, a certificate signed by the Colonial Secretary shall be conclusive proof on the point.

Use of fictitious and previously used stamps prohibited.

28 (1) Where a postal article is received by post at any post office—

- (a) Bearing a fictitious postage stamp, that is to say, any facsimile or imitation or representation of a postage stamp; or
- (b) Purporting to be prepaid with any postage stamp which has been previously used to prepay any other postal article—

the officer in charge of such post office shall send a notice to the addressee inviting him to attend, either in person or by agent, within a specified time, at the post office to receive delivery of the postal article.

(2) If the addressee or his agent attends at the post office within the time specified in the notice and consents to make known to the officer in charge of the post office the name and address of the sender of the postal article and to re-deliver to the officer aforesaid the portion of the postal article which bears the address and the fictitious or previously used postage stamp, or the entire postal article if it is inseparable from the stamp, then the postal article shall be delivered to the addressee or his agent.

(3) If the addressee or his agent fails to attend at the post office within the time specified in the notice, or, having attended within that time, refuses to make known the name and address of the sender or to re-deliver the postal article or portion thereof as required by sub-section (2), the postal article shall not be delivered to him, but shall be disposed of in such manner as the Governor may direct.

(4) For the purposes of this section the expression "postage stamp" includes any postage stamp for denoting any rate or duty of postage of any part of His Majesty's dominions, or of the territory of any native prince or chief in India, or of any foreign country.

Registration, Insurance, and Value-Payable Post.

Of the registration of postal articles.

29 The sender of a postal article may, subject to the other provisions of this Ordinance, have such article registered at the post office at which it is posted, and require a receipt therefor; and the Governor may, by notification in the *Government Gazette*, direct that, in addition to any postage chargeable under this Ordinance, such further fee as may be fixed by the notification shall be paid on account of the registration of postal articles.

Power to make rules as to registration.

30 (1) The Governor in Executive Council may make rules as to the registration of postal articles.

(2) In particular and without prejudice to the generality of the foregoing power such rules may—

- (a) Declare in what cases registration shall be required;
- (b) Prescribe the manner in which the fees for registration shall be paid; and
- (c) Direct that twice the fee for registration shall be levied on the delivery of a postal article required to be registered on which the fee for registration has not been prepaid.

(3) Postal articles made over to the post office for the purpose of being registered shall be delivered, when registered, at such times and in such manner as the Postmaster-General may by order from time to time appoint.

Of the insurance of postal articles.

31 The Governor in Executive Council may, by notification in the *Government Gazette*, direct—

- (a) That any postal article may, subject to the other provisions of this Ordinance, be insured at the post office at which it is posted against the risk of loss or damage in course of transmission by post, and that a receipt therefor shall be granted to the person posting it; and

- (b) That, in addition to any postage and fees for registration chargeable under this Ordinance, such further fee as may be fixed by the notification shall be paid on account of the insurance of postal articles.

Insurance when to be compulsory.

32 The Governor in Executive Council may, by notification in the *Government Gazette*, declare in what cases insurance shall be required, and direct that any postal article containing anything required to be insured, which has been posted without being insured, shall be returned to the sender or shall be delivered to the addressee, subject to the payment of such special fee as may be fixed by the notification. Provided that the levy of such special fee as aforesaid shall not impose any liability upon the Government in respect of the postal article.

Power to make rules as to insurance.

33 (1) The Governor in Executive Council may make rules as to the insurance of postal articles.

(2) In particular and without prejudice to the generality of the foregoing power such rules may—

- (a) Declare what classes of postal articles may be insured under section 31 ;
- (b) Fix the limit of the amount for which postal articles may be insured ; and
- (c) Prescribe the manner in which the fees for insurance shall be paid.

(3) Postal articles made over to the post office for the purpose of being insured shall be delivered, when insured, at such places and times and in such manner as the Postmaster-General may by order from time to time appoint.

Government to be liable for the amount insured.

34 Subject to such conditions and restrictions as may be by rule prescribed, the Government shall be liable to pay compensation, not exceeding the amount for which a postal article has been insured, to the sender thereof for the loss of the postal article or its contents, or for any damage caused to it in course of transmission by post. Provided that the compensation so payable shall in no case exceed the value of the article lost or the amount of the damage caused.

Compensation may be paid on uninsured articles.

35 The Governor may, by notification in the *Government Gazette*, permit of the payment of compensation for loss or damage to uninsured registered postal articles, and may prescribe the conditions under which such compensation may be paid, and the limit of the amount of such compensation.

Combined rates for postage, registration, and insurance.

36 The Governor may, by notification in the *Government Gazette*, prescribe combined rates for postage, registration, and insurance.

Value-payable postal articles.

37 The Governor may, by notification in the *Government Gazette*, direct that, subject to the other provisions of this Ordinance and to the payment of fees at such rates as may be fixed by the notification, a sum of money specified in writing at the time of posting by the sender of a postal article shall be recoverable on the delivery thereof from the addressee, and that the sum so recovered shall be paid to the sender. Provided that the Government shall not incur any liability in respect of the sum specified for recovery, unless and until at sum has been received from the addressee.

Explanation.—Postal articles sent in accordance with the provisions of this section may be described as “value-payable” postal articles.

Power to make rules as to registered, insured, and value-payable postal articles.

38 (1) The Governor in Executive Council may make rules as to the transmission by post of value-payable postal articles.

(2) In particular and without prejudice to the generality of the foregoing power such rules may—

- (a) Declare what classes of postal articles may be sent as value-payable postal articles ;
- (b) Limit the value to be recovered on the delivery of any value-payable postal article ; and

(c) Prescribe the form of declaration to be made by the senders of value-payable postal articles and the time and manner of the payment of fees.

(3) Postal articles made over to the post office for the purpose of being sent as "value-payable," shall be delivered, when so sent, at such times and in such manner as the Postmaster-General may by order from time to time appoint.

Undelivered Postal Articles.

Power to make rules as to undelivered postal articles.

39 (1) The Governor in Executive Council may make rules as to the disposal of postal articles which for any reason cannot be delivered (hereinafter referred to as "undelivered postal articles").

(2) In particular and without prejudice to the generality of the foregoing power such rules may—

- (a) Prescribe the period during which undelivered postal articles at a post office shall remain in that office.
- (b) Provide for the publication of lists of undelivered postal articles, or of any class of undelivered postal articles.
- (c) Provide for the manner in which undelivered postal articles shall be finally dealt with or disposed of.

The Postmaster-General to have control of letters directed to shipping offices and lodging-houses.

40 Every postal article addressed to any person at any premises licensed under "The Licensing Ordinance, 1891," or at any shipping office or public or private lodging-house, and delivered to or received by the licensee of such premises, or the person apparently in charge of such office or lodging-house, or any one acting as the servant or agent of such licensee or person, shall be deemed to be under the control of the Postmaster-General until delivered to the person to whom the same is addressed.

Such letters if not delivered to addressees to be returned to nearest post office.

41 (1) If the postal article is not so delivered within one month after the receipt thereof by or on behalf of such licensee or other person as aforesaid, and if instructions to the contrary have not been received from the addressee, the licensee or other person as aforesaid shall return the postal article to the nearest post office with his reasons for doing so.

(2) Every such postal article shall on return to the nearest post office be dealt with as provided by rules made under section 39.

Ship Letters.

Master to deliver mail bags to post office of the port.

42 (1) The master of a ship arriving at any port in Ceylon shall without delay cause every postal article or mail bag on board which is directed to that port and is within the exclusive privilege conferred on the Government by section 6 to be delivered either at the post office at that port, or to some officer of the post office authorized in this behalf by the Postmaster-General.

(2) If there is on board any postal article or mail bag which is directed to any other place within Ceylon and is within the exclusive privilege aforesaid, the master shall without delay report the fact to the officer in charge of the post office at the port of arrival and act according to the directions he may receive from such officer, and the receipt of such officer shall discharge him from all further responsibility in respect of the postal article or mail bag.

Customs officer may seize mail bags in respect of which the law has been infringed

43 It shall be lawful for any officer of customs at any port or place in Ceylon, who in the due execution of his duty as a revenue officer shall discover on board any vessel in any port or place whatever any mail bags or postal articles in respect of which any of the provisions of this Ordinance have been infringed, to seize and forward the same to the nearest post office with a report of the circumstances of such seizure.

Master to give notice of his intended departure.

44 The master or agent of every vessel which is about to proceed from the port of Colombo to any port beyond seas—

- (a) Shall give at the General Post Office at least twenty-four hours' previous notice in writing of the intended departure of such vessel ; and
- (b) Shall give timely written notice at the General Post Office of any alteration in the time of such departure.

Of the shipping of mails.

45 The master of a ship, not being a mail ship, about to depart from any port in Ceylon to any port within or any port or place beyond Ceylon shall receive on board any mail bag tendered to him by any officer of the post office for conveyance, granting a receipt therefor in such form as the Governor in Executive Council shall prescribe, and shall without delay deliver the same at the port or place of destination.

Gratuities to be given for the conveyance of mails.

46 The Governor in Executive Council may, by notification in the *Government Gazette*, declare what gratuities shall be allowed to masters of ships, not being mail ships, in respect of postal articles received by them for conveyance on behalf of the post office ; and the master of a ship, not being a mail ship, about to leave any port in Ceylon as aforesaid shall, if he receives on board a mail bag for conveyance, be entitled to demand and obtain immediately the amount of the gratuity payable under this section in respect of the mail bag and its contents.

Money and Postal Orders.

Of the issue of money orders.

47 (1) The Governor in Executive Council may provide for the remitting of money through the post office by means of money orders, and may make rules as to the issue and payment of such money orders.

(2) In particular and without prejudice to the generality of the foregoing power such rules may—

- (a) Prescribe the limit of amount for which money orders may be issued.
- (b) Prescribe the period during which money orders shall be made current.
- (c) Prescribe the rates of commission of fees to be charged on money orders or in respect thereof.
- (d) Prohibit the issue and payment of money and postal orders in connection with lotteries whether promoted in Ceylon or elsewhere.

Power for remitter to recall money order or alter name of payee.

48 (1) Subject to such conditions as the Governor in Executive Council may by rules made under section 47 prescribe in respect of the levy of additional rates of commission or fees or any other matters, a person remitting money through the post office by means of a money order may require that the amount of the order, if not paid to the payee, be repaid to him, or be paid to such person other than the original payee as he may direct.

(2) If neither the payee nor the remitter of a money order can be found, and if within the period of one year from the date of the issue of the order no claim is made by such payee or remitter, the amount of such order shall not be claimable from the Government.

Of the issue of postal orders.

49 The Governor in Executive Council may authorize the issue, in such form as may be suitable, of money orders, to be called postal orders, or by such other designation as may be deemed appropriate, for certain fixed amounts, and may make rules as to the rates of commission to be charged thereon, and the manner in which and conditions subject to which they may be issued, paid, and cancelled ; provided that no such order shall be issued for an amount in excess of twenty rupees.

Moneys paid
in error may
be recovered.

50 If any person, without reasonable excuse, the burden of proving which shall lie on him, neglects or refuses to refund—

- (a) Any amount paid to him in respect of a money or postal order by an officer of the post office in excess of what ought to have been paid to him in respect thereof; or
- (b) The amount of a money or postal order paid by an officer of the post office to him instead of to some other person to whom it ought to have been paid—

such amount may on application made by an officer of the post office authorized in this behalf by the written order of the Postmaster-General be recovered for the use of the post office from the person so refusing as if it were a fine imposed under this Ordinance by any police magistrate having jurisdiction where that person may for the time being be resident; and such amount may be so recovered notwithstanding it may exceed the amount of fine which a police magistrate may in his ordinary jurisdiction impose.

Liability of
Government
and post office
as regards
money and
postal orders.

51 No suit or other legal proceeding shall be instituted against the Government or any officer of the post office in respect of—

- (a) Anything done under any rule made under the provisions of sections 47 and 49.
- (b) The wrong payment of a money or postal order.
- (c) Any loss or injury occasioned by delay in payment of a money or postal order.
- (d) Any other irregularity in connection with a money or postal order.

Money and
postal orders to
be deemed
valuable
securities.

52 A money order or postal order shall be deemed to be a document and a valuable security within the meaning of the Ceylon Penal Code.

Post Office Savings Banks

Of the
appointment
of post office
savings banks.

53 (1) The post office savings bank and all offices thereof subsisting at the time when this Ordinance comes into operation shall be deemed to be constituted and appointed under this Ordinance.

(2) The Governor in Executive Council may make rules for the management and regulation of the post office savings bank.

(3) In particular and without prejudice to the generality of the foregoing power such rules may—

- (a) Prescribe the limit of the amount which may be deposited in the post office savings bank and the rate of interest to be allowed on such deposits.
- (b) Prescribe the conditions of sale or disposal of securities or investments.
- (c) Regulate deposits by minors and trustees.
- (d) Prescribe conditions for the withdrawal of moneys by minors and trustees.
- (e) Prescribe the conditions of payment from the post office savings bank.

The Postmaster-
General may
appoint post office
savings banks.

54 The Postmaster-General may from time to time appoint post offices to be offices of the post office savings bank.

Investment of
moneys
deposited in
saving bank.

55 The several sums which shall have been or shall from time to time be deposited in the said savings bank shall be invested at interest in securities of the Government of the United Kingdom or of the Government of India or of this island, or of such other British colony or protectorate as may be approved of by the Governor in Council, and all sums so invested and the securities thereof may be called up, sold, or otherwise disposed of from time to time under such rules as shall be made under section 53 of this Ordinance.

Moneys in name of married women.

56 Any deposit made in the name of a married woman, or in the name of a woman who shall marry after such deposit, shall be deemed to be the separate property of such woman, and shall be accounted for and paid to her as if she were an unmarried woman. Provided that nothing herein contained shall, as against the creditors of a husband, give protection to any deposit made by him in fraud of such creditors, and that any moneys so deposited may be followed as if this Ordinance had not passed.

Of the payment of deposits by deceased persons.

57 If any depositor in the post office savings bank shall die leaving a sum of money to his credit in the bank, it shall be lawful for the person or persons authorized to make payments by rules made under this Ordinance, if he or they shall be satisfied that the depositor died intestate and that letters of administration are not required by law, to pay the said sum of money according to the aforesaid rules, or if no rule has been made in that behalf, to pay the said sum of money to the person or persons who appear to be legally entitled thereto.

Payment of deposits of deceased persons.

58 Whenever any sum of money standing to the credit of a deceased depositor shall have been paid to any person or persons who at the time of such payment appeared to be entitled to the same according to the rules of the post office savings bank or according to law, the payment of such sum of money shall be valid and effectual with respect to any demand of any other person or persons whatsoever against the said bank and its officers or against the Government.

Penalties and Procedure; Offences by Officers of the Post Office.

Offences by persons in employ of post office.

59 Whoever, being employed to carry or deliver any mail bag or any postal article in course of transmission by post—

- (a) Is in a state of intoxication while so employed ; or
- (b) Is guilty of carelessness or other misconduct, whereby the safety of any such mail bag or postal article as aforesaid is endangered ; or
- (c) Loiters or makes delay in the conveyance or delivery of any such mail bag or postal article as aforesaid ; or
- (d) Does not use due care and diligence safely to convey or deliver any such mail bag or postal article as aforesaid—

shall be punishable with fine which may extend to fifty rupees, and in default of payment with imprisonment of either description not exceeding three months.

Employé not to withdraw from his duties.

60 Whoever, being employed to carry or deliver any mail bag or any postal article in course of transmission by post, voluntarily withdraws from the duties of his office without permission or without having given one month's previous notice in writing, shall be punishable with imprisonment of either description which may extend to one month, or with fine which may extend to fifty rupees, or with both.

Postmen prohibited from making false entries.

61 Whoever, being employed to carry or deliver any postal article in course of transmission by post and required while so employed to keep any register, makes or causes or suffers to be made any false entry in the register with intent to induce the belief that he has visited a place, or delivered a postal article, which he has not visited or delivered, shall be punishable with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one hundred rupees, or with both.

Of thefts by post officers.

62 Whoever, being an officer of the post office, commits theft in respect of, or dishonestly misappropriates, or for any purpose whatsoever secretes, destroys, or throws away, any postal article in course of transmission by post or anything contained therein, shall be punishable with imprisonment of either description for a term which may extend to seven years, and shall also be punishable with fine.

Unlawful opening and detention of postal articles by post officers.

63 Whoever, being an officer of the post office, contrary to his duty, opens or causes or suffers to be opened any postal article in course of transmission by post, or wilfully detains or delays, or causes or suffers to be detained or delayed, any such postal article, shall be punishable with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Provided that nothing in this section shall extend to the opening, detaining, or delaying of any postal article under the authority of this Ordinance, or in obedience to the order in writing of the Governor, or the direction of a competent court.

Postal marks may not be removed or altered.

64 Whoever, being an officer of the post office—

(a) Fraudulently puts any wrong official mark on a postal article ; or

(b) Fraudulently alters, removes, or causes to disappear any official mark which is on a postal article ; or

(c) Being entrusted with the delivery of any postal article, knowingly demands or receives any sum of money in respect of the postage thereof which is not chargeable under this Ordinance—

shall be punishable with imprisonment of either description for a term which may extend to two years, and shall also be punishable with fine.

Fraudulently altering or destroying a document.

65 Whoever, being an officer of the post office, entrusted with the preparing or keeping of any document, fraudulently prepares the document incorrectly, or alters or secretes or destroys the document, shall be punishable with imprisonment of either description for a term which may extend to two years, and shall also be punishable with fine.

Issuing a postal order previously paid

66 Whoever, being an officer of the post office, reissues a postal order previously paid shall be deemed to have issued such order with intent to defraud, and shall be punishable with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Defrauding Government of postage.

67 Whoever, being an officer of the post office, sends by post or puts into any mail bag any postal article upon which postage has not been paid or charged in the manner prescribed by this Ordinance, intending thereby to defraud the Government of the postage on such postal article, shall be punishable with imprisonment of either description for a term which may extend to two years, and shall also be punishable with fine.

Other Offences.

Other offences.

68 (1) Whoever—

(a) Conveys, otherwise than by post, a letter within the exclusive privilege conferred on the Government by section 6 ; or

(b) Performs any service incidental to conveying otherwise than by post any letter within the exclusive privilege aforesaid ; or

(c) Sends or tenders or delivers in order to be sent, otherwise than by post, a letter within the exclusive privilege aforesaid ; or

(d) Makes a collection of letters excepted from the exclusive privilege aforesaid for the purpose of sending them otherwise than by post—

shall be punishable with fine which may extend to fifty rupees for every such letter, and in default of payment with imprisonment of either description not exceeding three months.

Enhanced punishment on person previously convicted.

69 Whoever, having already been convicted of an offence under the preceding section, is again convicted thereunder, shall, on every such subsequent conviction, be punishable with fine which may extend to five hundred rupees, and in default of payment with imprisonment of either description not exceeding six months.

Offences by unauthorized persons conveying or delivering postal articles.

70 (1) Whoever, in contravention of the provisions of section 7, carries, receives, tenders, or delivers letters or collects letters, shall be punishable with fine which may extend to fifty rupees for every such letter, and in default of payment with imprisonment of either description which may extend to three months.

(2) Whoever, having already been convicted of an offence under this section, is again convicted thereunder shall, on every such subsequent conviction, be punishable with fine which may extend to five hundred rupees, and in default of payment with imprisonment of either description which may extend to six months.

Offences by vendors of postage stamps and for breaches of rules.

71 Whoever, being appointed to sell postage stamps—

(a) Takes from any purchaser for any postage stamp or quantity of postage stamps a price higher than that fixed by any rule made under section 18 (3) (a) shall be punishable with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one hundred rupees, or with both; or

(b) Commits a breach of any other rule made under section 18 shall be punishable with fine which may extend to one hundred rupees, and in default of payment with imprisonment of either description which may extend to six months.

Punishment for offences in contravention of sections 21 and 22.

72 (1) Whoever, in contravention of the provisions of section 21 or section 22, sends or tenders or makes over in order to be sent by post any postal article or anything, shall be punishable with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

(2) The detention in the post office of any postal article on the ground of its having been sent in contravention of the provisions of section 21 or section 22 shall not exempt the sender from any proceedings which might have been taken if the postal article had been delivered in due course of post. Provided that no prosecution for a contravention of section 22 (c) shall be instituted without the previous sanction of the Attorney-General.

Offences relating to letter-boxes.

73 Whoever places in or against any letter-box provided by the post office for the reception of postal articles any fire, match, or light, any explosive, dangerous, filthy, noxious, or deleterious substance, or any fluid, or commits a nuisance in or against any such letter-box, or does anything likely to injure any such letter-box or its appurtenances or contents, shall be punishable with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

Punishment for disfiguring of a post office or letter-box.

74 Whoever, without due authority, affixes any placard, advertisement, notice, list, document, board, or other thing in or on, or paints, tars, or in any way disfigures, any post office or any letter-box provided by the post office for the reception of postal articles, shall be punishable with fine which may extend to fifty rupees, and in default of payment with imprisonment of either description which may extend to three months.

Punishment for making of false declarations.

75 Whoever, being required by this Ordinance to make a declaration in respect of any postal article to be sent by post or the contents or value thereof, makes in his declaration any statement which he knows or has reason to believe to be false, or does not believe to be true, shall be punishable with fine which may extend to two hundred rupees, and in default of payment with imprisonment of either description which may extend to three months, and if the false declaration is made for the purpose of defrauding the Government, with fine which may extend to five hundred rupees, and in default of payment with imprisonment of either description which may extend to six months.

Offences by masters of ships.

76 Whoever, being the master of a ship—

- (a) Fails to comply with the provisions of section 45 ; or
 (b) Without reasonable excuse, the burden of proving which shall lie on him, fails to deliver any postal article or mail bag, or to make a report to, or to comply with the directions of, the officer in charge of the post office at a port of arrival as required by section 42—

shall be punishable with fine which may extend to five hundred rupees.

Punishment of master for retaining postal articles.

77 (1) Whoever, being either the master of a ship arriving at any port in Ceylon or any one on board, knowingly has in his baggage or in his possession or custody, after the postal articles on board or any of them have been sent to the post office at the port of arrival, any postal articles within the exclusive privilege conferred on the Government by section 6, shall be punishable with fine which may extend to fifty rupees for every such postal article as aforesaid.

(2) Whoever, being such master or other person as aforesaid, detains any such postal article as aforesaid after demand made for it by an officer of the post office, shall be punishable with fine which may extend to one hundred rupees for every such postal article.

Punishment for wrongful detention of mails.

78 Whoever, except under the authority of this Ordinance or in obedience to the order in writing of the Governor or the direction of a competent court, detains the mails or any postal article in course of transmission by post, or on any pretence opens a mail bag in course of transmission by post, shall be punishable with fine which may extend to two hundred rupees, and in default of payment with imprisonment of either description which may extend to three months. Provided that nothing in this section shall prevent the detention of an officer of the post office carrying the mails or any postal article in course of transmission by post on a charge of having committed an offence declared to be cognizable by the Code of Criminal Procedure, or any other law for the time being in force. Provided further that any mail bag may be detained or opened under the written authority of the Postmaster-General.

Punishment for fraudulent retention or refusal to deliver postal articles.

79 Whoever fraudulently retains, or wilfully secretes or makes away with, or keeps or detains, or when required by an officer of the post office neglects or refuses to deliver up, any postal article in course of transmission by post which ought to have been delivered to any other person, or a mail bag containing a postal article, shall be punishable with imprisonment of either description for a term which may extend to two years, and shall also be punishable with fine.

Offences by licensees or hotel-keepers.

80 Any licensee or other person referred to in section 40 who omits or fails to return any postal article as required by section 41 shall be liable to a penalty not exceeding fifty rupees, and in default of payment to imprisonment of either description which may extend to three months.

Punishment for unlawfully opening letters.

81 Whoever, not being an officer of the post office, wilfully and maliciously, with intent to injure any person, either opens or causes to be opened any letter which ought to have been delivered, or does any act whereby the due delivery of a letter to any person is prevented or impeded, shall be punishable with imprisonment of either description for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both. Provided that nothing in this section shall apply to a person who does any act to which the section applies, if he is a parent, or in the position of a parent or guardian, of the addressee, and the addressee is a minor or a ward.

- Punishment for unlawfully disclosing contents of a postal article. 82 Whoever reveals, discloses, or in any way makes known the contents of any postal article opened under the authority of this Ordinance, except so far as may be necessary for the purpose of returning the same or so far as may be authorized by the Postmaster-General in writing, shall be liable to a fine not exceeding two hundred rupees, or to imprisonment of either description not exceeding twelve months, or to both.
- Power of Postmaster-General to compound certain offences. 83 Whenever any person shall be guilty of an offence under this Ordinance, the punishment of which is a fine not exceeding two hundred rupees, it shall be lawful for the Postmaster-General to accept payment on behalf of His Majesty from such offender of such sum of money as may to the Postmaster-General seem fit not exceeding the highest amount of fine to which such offender would have been liable on conviction, and no person having made such payment shall be thereafter prosecuted for the same offence.
- Reward to informer. 84 It shall be lawful for any court before which an offender is convicted under this Ordinance to direct that any share, not exceeding one-half, of any fine actually recovered shall be paid to the informer.
- Punishment of abetment of offences. 85 Whoever abets the commission of any offence punishable under this Ordinance, or attempts to commit any offence so punishable, shall be punishable with the punishment provided for that offence.
- Description of postal articles in criminal charges. 86 In every prosecution for an offence in respect of a mail bag or of any postal article sent by post it shall be sufficient for the purpose of the charge to describe the mail bag or postal article as being the property of the post office, and it shall not be necessary to prove that the mail bag or postal article was of any value.
- Penalty for breach of rules. 87 Whoever does any act in contravention of, or fails to comply with, any rule made under this Ordinance, for the breach of which no penalty is specially provided, shall be punishable with fine which may extend to fifty rupees, and in default of payment with imprisonment of either description which may extend to one month.
- Trial of offences. 88 (1) Offences under this Ordinance which, by reason of the amount of the penalties with which they are punishable, are not within the summary jurisdiction of a Police Court, may be tried in a District Court, and such courts, in cases where the punishment assigned to such offences exceeds the ordinary jurisdiction of a District Court, may award in respect of such offences so much of the punishment assigned thereto as District Courts are by law empowered to award.
Provided that if the Attorney-General certifies that any such offence may be prosecuted before a Police Court, it shall be competent for such court to take cognizance of the offence and to award in respect thereof so much of the punishment assigned thereto as Police Courts are empowered by law to award.
(2) No court shall take cognizance of an offence punishable under any of the provisions of sections 61, 63, 64, clauses (a) and (b), 65, 66, 67, 68, 69, 70, 72, 75, 76, 77, 78, and 87 of this Ordinance, unless upon complaint made by order of, or under authority from, the Postmaster-General.
- Officers of post office to be exempt from serving on juries. 89 No officer of the post office in receipt of any salary from the revenues of the colony shall be liable to serve on any jury or as an assessor in any criminal or civil proceedings.
- Post officers prohibited from taking postal contracts and from collecting postage stamps. 90 No officer of the post office in receipt of any salary from the revenues of the colony shall be a contractor, or have any interest in any contract for carrying mails, or act as agent, with or without remuneration, for any contractor or person offering to become a contractor to the post office ;

General.

and no such officer shall collect postage stamps, or have any interest whatever in the collection of postage stamps. Any person acting contrary to the provisions of this section shall be liable to be forthwith dismissed, and to pay to the Postmaster-General on account of the Government all such money as such person may have directly or indirectly realized by means of such contract or agency, or by means of any collection of postage stamps, and any postage stamps collected by such officer shall be forfeited to the Government.

The Governor in Executive Council may delegate certain powers to the Postmaster-General.

91 The Governor in Executive Council may, by notification in the *Government Gazette*, authorize, either absolutely or subject to conditions, the Postmaster-General to exercise any of the powers conferred upon the Governor in Executive Council by this Ordinance other than a power to make rules.

Saving of existing rules, &c.

92 All rules, regulations, and rates or charges made under any of the Ordinances hereby repealed which are in force at the commencement of this Ordinance shall continue in force as if made under this Ordinance, until the same are revoked, varied, or superseded by rules made under this Ordinance.

SCHEDULE.

No. and Date of Enactment.	Title.	Extent of Repeal.
13 of 1892 ..	" An Ordinance to amend and consolidate the law relating to Postal and Telegraphic Communications "	The whole, so far as it relates to postal communications.
10 of 1899 ..	" An Ordinance to amend 'The Ceylon Postal and Telegraph Ordinance, 1892' "	The whole of sections 1 and 2 and so much of section 3 as relates to postal communications.

By His Excellency's command,

G. M. FOWLER,
Acting Colonial Secretary.

Colonial Secretary's Office,
Colombo, August 19, 1907.

Statement of Objects and Reasons.

THE object of the Draft Ordinance is to recast our postal legislation into a more practical form and to bring it into line with modern postal developments.

2. The Draft Ordinance is based upon the Indian Post Office Act of 1898, but some of the provisions are borrowed from the legislation of other colonies.

3. The Ordinance deals only with matters connected with the Post Office, so that the law with regard to the Post Office, which was previously comprised in the same Ordinance as the law relating to telegraphs, is now separated from telegraph legislation.

4. The Draft Ordinance empowers the Governor to introduce, by means of regulation, several important modifications of the existing system. Amongst these may be noticed the payment of compensation for uninsured registered articles, and the extension of the limit up to which postal orders are issued.

5. Provisions have also been inserted with the view of preventing the post office from being used for the circulation of proposals relating to lotteries.

Colombo, May 6, 1907.

ALFRED G. LASCELLES,
Attorney-General.

MINUTE.

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

An Ordinance to amend Ordinance No. 15 of 1889, intituled
“ An Ordinance relating to Land Surveyors, Auctioneers,
and Brokers.”

Preamble.

WHEREAS it is expedient to amend in certain respects Ordinance No. 15 of 1889, intituled “ An Ordinance relating to Land Surveyors, Auctioneers, and Brokers ”: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Construction and title.

1 This Ordinance shall be read and construed as one with Ordinance No. 15 of 1889, hereinafter referred to as “ the principal Ordinance,” and the principal Ordinance and this Ordinance may be cited together as “ The Surveyors, Auctioneers, and Brokers Ordinances, 1889 and 1907.”

Substitution of new section 8 as to cancellation of registration and license.

2 For section 8 of the principal Ordinance there shall be substituted the following section, namely :

8. (1) Whenever it shall be made to appear to any district court within whose jurisdiction any registered or licensed surveyor resides or carries on business that such surveyor has been guilty of gross misconduct in the discharge of his duties as a surveyor, or that he has shown such incompetence or carelessness in the discharge of the said duties that he ought not in the interests of the public to be entrusted therewith, such court may, after a summary investigation of the matter of complaint, which may be preferred by the Surveyor-General or by any aggrieved person, cancel the registration and the license, if any, of such surveyor and award costs as it thinks fit. Every such order of cancellation shall be in the form of an order, which shall be subject to an appeal to the Supreme Court, in like manner as any other order of such district court.

(2) Every such order of cancellation, unless the same be set aside on appeal, shall be communicated by the district court to the Surveyor-General, who shall give effect thereto; and where any license has been cancelled, the licensee shall forthwith return such license to the Surveyor-General.

(3) The Surveyor-General, whenever he considers that there are reasonable grounds for holding an investigation into the conduct of any such surveyor as aforesaid with reference to any survey, may by notice in writing require such surveyor to produce for the inspection of the Surveyor-General, at a time and place named in the notice, any plans, field books, papers, or writings relating to the survey which the Surveyor-General may consider necessary for carrying out such investigation. Any surveyor who having received such notice fails, without reasonable excuse, proof whereof shall lie on him, to comply with the terms of the notice, shall be guilty of an offence, and shall be liable on conviction thereof to a fine not exceeding fifty rupees.

Amendment of section 10 as to penalty for practising without license.

3 In section 10 of the principal Ordinance there shall be inserted after the words “ shall practise or attempt or profess to practise as a surveyor ” the words “ either on his own account or on account of any other surveyor.”

By His Excellency's command,

G. M. FOWLER,
Acting Colonial Secretary.

Colonial Secretary's Office,
Colombo, August 22, 1907.

Statement of Objects and Reasons.

THE object of this Ordinance is to increase the efficiency of the means provided by Ordinance No. 15 of 1889 for protecting the public from dishonest or incompetent surveyors.

2. The Ordinance enables the Surveyor-General to take proceedings of his own initiative for the cancellation of a license, and the wording of section 8 has been amended with the object of making it clear that a license may be cancelled when the surveyor has shown such carelessness or incompetence that he ought not to be entrusted with the duties of his office.

3. The Surveyor-General is also empowered, when there are grounds for inquiry into the conduct of any surveyor, to call for plans, field books, &c.

4. An amendment is also introduced in section 10 of the Ordinance with the object of preventing unlicensed surveyors from practising under shelter of a licensed surveyor.

Attorney-General's Chambers,
Colombo, April 18, 1907.

ALFRED G. LASCELLES,
Attorney-General.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Alutduru Martin Fernando Gunasekera, late of Alutnawata in Colombo, deceased.

Alutduru John Fernando Gunasekera of Alutnawata in Colombo Petitioner.

And

(1) Alutduru Agnes Fernando Gunasekera, wife of (2) Hondamuni Frederick Soysa, (3) Alutduru Ana Fernando Gunasekera, wife of (4) Manuel Fernando, (5) Alutduru Clara Fernando Gunasekera, wife of (6) Peter Silva, (7) Alutduru Edwin Fernando Gunasekera, and (8) Alutduru Austin Fernando Gunasekera, all of Alutnawata in Colombo Respondents.

THIS matter coming on for disposal before Felix R. Dias, Esq., District Judge of Colombo, on the 30th day of July, 1907, in the presence of Mr. E. G. Jayawardene, Proctor, on the part of the petitioner above-named, and the affidavit of the said petitioner, dated 3rd July, 1907, having been read :

It is ordered that the petitioner be and he is hereby declared entitled, as father and an heir of the deceased above-named ; to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above-named or any person interested shall, on or before the 29th day of August, 1907, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
District Judge.

The 30th day of July, 1907.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Hanwedige Sami Joseph Abraham Peiris, late of Moratuwella in Moratuwa, deceased.

Hanwedige Simeon Peiris of Moratuwella in Moratuwa Petitioner.

THIS matter coming on for disposal before Felix R. Dias, Esq., District Judge of Colombo, on the 9th day of August, 1907, in the presence of Messrs.

Silva and Perera, Proctors, on the part of the petitioner above-named ; and the affidavit of the said petitioner, dated 2nd August, 1907, having been read :

It is ordered that the petitioner be and he is hereby declared entitled, as the father and sole heir of the deceased above-named, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless any person interested shall, on or before the 29th day of August, 1907, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
District Judge.

The 9th day of August, 1907.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Francis Xavier Pinto, late of Kotahena, Colombo, deceased.

Joseph Bernard Pinto of Kotahena in Colombo Petitioner.

And

(1) Alvina Pinto of Kotahena, (2) Agnes Catherine Abeysekera, wife of (3) Arthur Abeysekera, both of Mahawatta, (4) Mary Louisa de Silva, wife of (5) Paul de Silva, both of Kotahena, and (6) Lilian Elizabeth Margaret Fernando, appearing by her guardian *ad litem* Diego Sebastian Fernando of Grandpass in Colombo Respondents.

THIS matter coming on for disposal before Felix R. Dias, Esq., District Judge of Colombo, on the 13th day of August, 1907, in the presence of Mr. J. Leopold Perera, Proctor, on the part of the petitioner above-named ; and the affidavit of the said petitioner, dated 8th August, 1907, having been read :

It is ordered that the petitioner be and is hereby declared entitled, as the brother and an heir of the deceased above-named, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above-named or any other person interested shall, on or before the 12th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
District Judge.

The 13th day of August, 1907.

In the District Court of Colombo.
Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Ahamad Lebbe No. 2,881 C. Marikar Slema Lebbe, late of Old Moor street, Colombo, deceased.

THIS matter coming on for disposal before Felix R. Dias, Esq., District Judge of Colombo, on the 15th day of August, 1907, in the presence of Messrs. P. D. & T. D. Mack, Proctors, on the part of the petitioner Cassim Lebbe Marikar Abdul Hamid; and the affidavit (1) of the said petitioner, dated 12th August, 1907, and (2) of Gregory Valentino Jaysinghe, Notary Public, dated 13th August, 1907, having been read:

It is ordered that the will of Ahamado Lebbe Marikar Slema Lebbe, the above-named deceased, dated 2nd August, 1907, and now deposited in the court, be and the same is hereby declared proved, unless any person interested shall, on or before the 12th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Cassim Lebbe Marikar is the sole executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any person interested shall, on or before the 12th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
District Judge.

The 15th day of August, 1907.

In the District Court of Negombo.
Order Nisi.

No. 1,019. In the Matter of the Goods and Chattels of Caroline Letitia Fernando of Negombo, deceased.

Mihidukulasuriya Joseph Benedict Fernando of Chilaw.

Vs.

1, Agnes Cecilia Fernando; 2, Emily Magdalene Fernando; 3, Victor Emmanuel Fernando, all of Negombo, now at Chilaw Respondents.

THIS matter coming for disposal before A. de A. Seneviratne, Esq., District Judge of Negombo, on the 12th day of August, 1907; and the affidavit and petition of Mihidukulasuriya Joseph Benedict Fernando of Chilaw, dated 12th day of August, 1907, having been read:

It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of Caroline Letitia Fernando issued to him, unless the respondents aforesaid shall, on or before the 15th day of October, 1907, show sufficient cause to the satisfaction of this court to the contrary.

A. SENEVIRATNE,
District Judge.

12th August, 1907.

In the District Court of Negombo.
Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Nilappage Rosa Fernando and Warnakulasuriya Pedru Tissera, deceased, of Kurana. No. 1,020.

THIS matter coming on for disposal before A. de A. Seneviratne, Esq., District Judge of Negombo, on the 15th day of August, 1907, in the presence of Mr. J. E. de Zoysa, Proctor, on the part

of the petitioner Warnakulasuriya Rogus Tissera of Kurana; and the affidavit of the said petitioner, dated 14th August, 1907, having been read:

It is ordered that Warnakulasuriya Rogus Tissera of Kurana be declared entitled to have letters of administration of the estate of Nilappage Rosa Fernando and Warnakulasuriya Pedru Tissera issued to him, unless (1) Warnakulasuriya Veronica Tissera assisted by her husband (2) Bammannage Visiderias Fernando, both of Kurana, (3) Mahamalage Romanu Fernando of Talahena, (4) Warnakulasuriya Maria Tissera of Kurana, wife of the petitioner, shall, on or before the 27th day of August, 1907, show sufficient cause to the satisfaction of this court to the contrary.

A. SENEVIRATNE,
District Judge.

15th August, 1907.

In the District Court of Kalutara.
Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Migelhegeway Janis Fernando of Potupitiya, deceased. No. 499.

THIS matter coming on for disposal before P. E. Pieris, Esq., District Judge of Kalutara, on the 14th day of August, 1907, in the presence of Mr. J. K. de Silva, Proctor, on the part of the petitioner Rupaninga Laiso of Potupitiya; and the affidavit of the said petitioner, dated 10th day of July, 1907, having been read:

It is ordered that letters of administration to the estate of the late Migelhegeway Janis Fernando of Potupitiya be issued to Rupaninga Laiso of Potupitiya, as widow of the said deceased, unless the respondents—(1) Migelhegeway Sincho, (2) Migelhegeway Seecho, (3) Migelhegeway Jamis, (4) Migelhegeway Rego, (5) Susewhewage John Fernando, (6) Migelhegeway Ancho, (7) Migelhegeway Pino, (8) Migelhegeway Rosina, all of Potupitiya, 6th, 7th, and 8th minor respondents by their guardian *ad litem* the 3rd respondent—shall, on or before the 4th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

P. E. PIERIS,
District Judge.

The 14th day of August, 1907.

In the District Court of Kandy.
Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate and effects of Ekanayake Mudiannelage Appuhamy, Notary Public of Ampitiya, deceased. No. 2,277.

THIS matter coming on for disposal before John Harvey Templer, Esq., District Judge of Kandy, on the 8th day of August, 1907, in the presence of Mr. Wilfred A. de Silva, Proctor, on the part of the petitioner K. B. Seneviratne of Ampitiya; and the affidavit of the said petitioner, dated 7th August, 1907, having been read:

It is ordered that the petitioner K. B. Seneviratne of Ampitiya be and he is hereby declared entitled to letters of administration to the estate of Ekanayake Mudiannelage Appuhamy, Notary Public of Ampitiya, deceased, as the son-in-law of the said deceased, unless (1) Ram Menika, (2) Bandara Menika, (3) Henry Pussegoda, (4) Percy Pussegoda, all of Ampitiya, the 3rd and 4th respondents by their guardian *ad litem* George Pussegoda, shall, on or before the 30th day of August, 1907, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,
District Judge.

The 8th day of August, 1907.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Erwady Saibo Cader Saibo,
No. 2,576. deceased, of Kandy.

THIS matter coming on for disposal before John Harvey Templer, Esq., District Judge of Kandy, on the 5th day of August, 1907, in the presence of Messrs. Beven & Beven, Proctors, on the part of the petitioner Kader Saibo Wappu Marikar of No. 34, King street, Kandy; and the affidavit of the said petitioner, dated 3rd August, 1907, having been read:

It is ordered that the petitioner Kader Saibo Wappu Marikar of No. 34, King street, Kandy, be and he is hereby declared entitled to letters of administration to the estate of Erwady Saibo Cader Saibo of Kandy, deceased, as the son of the said deceased, unless (1) Kader Saibo Abdul Majeed, (2) Kader Saibo Abdul Rahim by his guardian *ad litem* Kader Saibo Abdul Majeed of No. 17, King street, Kandy, shall, on or before the 30th day of August, 1907, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,
The 5th day of August, 1907. District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Ranasinghe Aratchige *alias*
No. 2,578. Ranawakage Don Mendis Appu-
hamy, deceased, of Trincomalee
street in Kandy.

THIS matter coming on for disposal before John Harvey Templer, Esq., District Judge of Kandy, on the 8th day of August, 1907, in the presence of Messrs. Goonewardene and Wijegoonewardene on the part of the petitioner Ranasinghe Aratchige Don Pieris of Slave Island, Colombo; and the affidavit of the said petitioner, dated 5th July, 1907, having been read: It is ordered that the petitioner Ranasinghe Aratchige Don Pieris of Slave Island, Colombo, be and he is hereby declared entitled to letters of administration to the estate of Ranasinghe Aratchige *alias* Ranawakage Don Mendis Appuhamy of Trincomalee street in Kandy, deceased, as the son of the said deceased, unless 1, Gabadage Dona Kachchi Nona; 2, Ranasinghe Aratchige Don Abraham Pieris; 3, Ranasinghe Aratchige Don Peter; 4, Ranasinghe Aratchige Dona Rosaline; 5, Ranasinghe Aratchige Don Henry Mendis, all of Trincomalee street, Kandy, the 2nd, 3rd, 4th, and 5th respondents by their guardian *ad litem* the above-named 1st respondent; 6, Ranasinghe Aratchige Dona Carolina Mendis and her husband B. P. David Perera both of Katugastota, shall, on or before the 30th day of August, 1907, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,
The 8th day of August, 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 Sitham-
No. 1,917. paranathar of Vannarponnai West,
deceased.

Vairamuttu Sithamparanathar of Van-
narponnai East..... Petitioner.
Vs.

(1) Eliatamby Chelliah of Vannarponnai
West, (2) Chellammah, daughter of
Eliatamby of Vannarponnai West.... Respondents.

THIS matter of the petition of the above-named
petitioner praying for letters of administration

to the estate of the above-named deceased Ponnammah, wife of Sithamparanathar, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 19th day of July, 1907, in the presence of Mr. K. Sivapirakasam, Proctor, on the part of the petitioner; and affidavit of the petitioner, dated the 2nd day of July, 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 respondents or any other person shall, on or before the 29th day of August, 1907, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,
District Judge

This 19th day of July, 1907.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Muttupillai, wife of Pande-
No. 1,922. ram Suppiramaniam of Puloly
East, Jaffna, late of Seramban in
Straits Settlements, deceased.

Suppar Pandaram of Puloly East..... Petitioner.

Vs.

Nagapper Kadiravelu of Puloly East.... Respondent.

THIS matter of the petition of Suppar Pandaram of Puloly East praying for letters of administration to the estate of the above-named deceased Muttupillai, wife of Pandaram Suppiramaniam of Puloly East, Jaffna, aforesaid, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 6th day of August, 1907, in the presence of Mr. S. Subramaniam, Proctor, on the part of the petitioner; and affidavit of petitioner, dated the 29th day of July, 1907, having been read: It is declared that the petitioner is the father of 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 3rd day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,
District Judge.

The 6th day of August, 1907.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Vallipillai, wife of Ramalin-
No. 1,923. gam Kanthiah of Averankal,
deceased.

Ramalingam Kanthiah of Puttoor..... Petitioner.

1, Visuvanathar Mathar of Averankal;
2, Mathar Superamaniam of Averan-
kal; 3, Mappaner Kanthiah and wife
4, Thankachi of Averankal; 5, Chinna-
tampi Kanthiah and wife 6, Ilayapil-
lai of Averankal..... Respondents.

THIS matter of the petition of Ramalingam Kan-
thiah of Puttoor praying for letters of adminis-
tration to the estate of the above-named deceased
Vallipillai, wife of Ramalingam Kanthiah, coming on

for disposal before W. R. B. Sanders, Esq., District Judge, on the 7th day of August, 1907, in the presence of Messrs. Tambiah S. Cooke and P. S. J. Chrysostom, Proctors, on the part of the petitioner; and affidavit of the petitioner, dated the 7th day of August, 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 respondents or any other person shall, on or before the 30th day of August, 1907, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,
District Judge.

This 7th day of August, 1907.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of Wadutantri Endris de Silva,
No. 3,743. late of Batapola, deceased.

THIS matter coming on for disposal before F. H. de Vos, Esq., Acting District Judge of Galle, on the 30th day of July, 1907, in the presence of Mr. F. J. de Vos, Proctor, on the part of the petitioner Rajapakse Puchi Naida Nambi Nona Baba; and the affidavit of the petitioner, dated 29th July, 1907, having been read: It is ordered and declared that the said Rajapakse Puchi Naida Nambi Nona Baba is the widow of the deceased, and that she is as such entitled to have letters of administration issued to her accordingly, unless the respondents—1, Wadutantri Davit; 2, B. Dhammapala Unnanse (Wadutantri William Sinno); 3, Wadutantri Kirtesena; 4, Wadutantri Mango Nona, wife of 5, Waniga Vitarana Arnolis; 6, Wadutantri Mentho Nona; 7, Wadutantri Janso Nona; 8, Koggala Liyanage Bastian; 9, Santiappu Ariyadasa, all of Batapola—shall, on or before the 30th day of August, 1907, show sufficient cause to the satisfaction of this court to the contrary.

K. MACLEOD,
District Judge.

The 30th day of July, 1907.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of Don Adrian de Silva *alias*
No. 3,745. Adrian Appu, late of Koggala,
deceased.

THIS matter coming on for disposal before K. W. B. Macleod, Esq., District Judge of Galle, on the 5th day of August, 1907, in the presence of Mr. F. J. de Vos, Proctor, on the part of the petitioner Piadigamage Podihamy; and the affidavit of the petitioner, dated 2nd August, 1907, having been read:

It is ordered and decreed that the said Piadigamage Podihamy is the widow of the deceased, and that he is as such entitled to have letters of administration issued to her accordingly, unless the respondents—1, Leanage Puchi Nona; 2, Leanage Mendis Appu; 3, Leanage Carolis Appu; 4, Piadigamage Appu Singho, all of Koggala—shall, on or before the 5th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 4th respondent be appointed guardian *ad litem* of the 1st, 2nd, and 3rd respondents, unless the respondents shall, on or before the 5th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

K. MACLEOD,
District Judge.

The 5th day of August, 1907.

In the District Court of Puttalam.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of Kartha Davudu Seyedo Rawter
No. 244. of Kalpitiya, deceased.

Kartha Davudu Mohamado Meera Lebbe
of Kalpitiya.....Applicant.

And

(1) Sewatha Umma of Mallipattanam in
Pattukottai taluka, (2) Mohamado
Meera Saibo of Kalpitiya, guardian
ad litem of the minors Mohamado
Meera Lebbe and Mohamado Davudu,
both of Kalpitiya Respondents.

THIS matter coming on for disposal before Arthur Charles Allnutt, Esq., District Judge of Puttalam, on the 8th day of August, 1907, in the presence of Mr. J. E. Nicholas, Proctor, on the part of the applicant Kartha Davudu Mohamado Meera Lebbe; and his affidavit and application, dated the 8th day of August, 1907, having been read:

It is ordered that the applicant Kartha Davudu Mohamado Meera Lebbe is declared entitled to have letters of administration to the estate of the above-mentioned deceased, unless sufficient cause be shown to the contrary on the 11th day of September, 1907.

A. C. ALLNUTT,
District Judge.

Puttalam, August 14, 1907.

In the District Court of Badulla.

Order Nisi.

No. 300 B. In the Matter of the Intestate Estate
of Basnayeke Mudiyansele Ganeti-
rala late Korala of Badulla,
deceased.

THIS matter coming on for disposal before W. A. G. Hood, Esq., District Judge of Badulla, on the 24th day of July, 1907, in presence of Frederick Taldena, Proctor, on the part of the petitioner Basnayeke Mudiyansele Puchi Banda of Hindagoda, now of Rukatenna; after reading the affidavit of the said petitioner, dated 13th July, 1907, and his petition dated 22nd July, 1907: It is ordered that the said petitioner Basnayeke Mudiyansele Puchi Banda be, and he is hereby declared entitled to have letters of administration to the estate of the deceased Basnayeke Mudiyansele Ganetirala, late Korala of Badulla, issued to him, unless the respondents—(1) Basnayeke Mudiyansele Ukku Banda, (2) Basnayeke Mudiyansele Tikiri Banda, both of Hindagoda, minors by their guardian *ad litem* Ekanayeke Jayasekere Mudiyansele Siribaddana of Pallewela in Yati-palata—shall, on or before the 28th day of August, 1907, show sufficient cause to the satisfaction of this court to the contrary.

W. A. G. HOOD,
District Judge.

The 24th day of July, 1907.

In the District Court of Ratnapura.
 Testamentary Jurisdiction. In the Matter of the Intestate Estate of Galkande Acharige Sellappu Naidelage Kirihamy of Balangoda, deceased.
 No. 551.

Galkande Acharige Sellappu Naidelage Appu Naide, Batgangoda Petitioner.

Vs.

1, Delavidanelage Kiri Nachira; 2, Galkande Acharige Eliashamy; 3, Galkande Acharige Nicholashamy; 4, Galkande Acharige Ranadewa Wimala alias Peerishamy, all of Batgangoda. Respondents.

THIS matter coming on for disposal before K. Balasingham, Esq., District Judge of Ratnapura, on this 29th day of June, 1907, in the presence of

Mr. P. C. F. Goonewardena on the part of the petitioner Galkande Acharige Sellappu Naidelage Appu Naide; and the affidavit of the petitioner, dated the 2nd day of February, 1907, having been read, and the objection of Galkande Naidelage Don Juan having been withdrawn: It is ordered that the said Galkande Acharige Sellappu Naidelage Appu Naide of Balangoda be declared entitled to have letters of administration of the estate of the above-named Galkande Acharige Sellappu Naidelage Kirihamy, deceased, issued to him, as his uterine brother, unless the respondents or any person interested shall, on or before the 6th day of September, 1907, show sufficient cause to the satisfaction of the court to the contrary.

K. BALASINGHAM,
 District Judge.

The 12th August, 1907.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.
 No. 2,258. In the matter of the insolvency of Samsy Lebbe Marikar Aboo Salie of Grandpass 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 September 12, 1907, for proof of further claims.

By order of court,

J. B. Misso,
 Colombo, August 15, 1907. Secretary.

In the District Court of Colombo.
 No. 2,267. In the matter of the insolvency of Louis Leopold Perera Aththanayake Samarasinghe of Messenger 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 September 19, 1907, for the grant of a certificate of conformity to the above-named insolvent.

By order of court,

J. B. Misso,
 Colombo, August 15, 1907. Secretary.

In the District Court of Colombo.
 No. 2,276. In the matter of the insolvency on Naina Mohamado Lebbe Mohamado Salibo of Nagalagam street in Colombo.

WHEREAS the above-named Naina Mohamado Lebbe Mohamado Salibo has filed a declaration of insolvency, and a petition for the sequestration as insolvent of his own estate, under the Ordinance No. 7 of 1853, and it appears that he has been in actual custody within the walls of a prison for more than 21 days: Notice is hereby given that the said court has adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on September 12 and 26, 1907, will take place for the insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

J. B. Misso,
 Colombo, August 14, 1907. Secretary.

In the District Court of Negombo.
 No. 80. In the matter of the insolvency of Mihiduculasooria William Peter Fernando of Negombo.

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 September 25, 1907, for the purpose of allowing a certificate to the above-named insolvent.

By order of court,

N. PARANAVITANE,
 Secretary.

In the District Court of Negombo.
 No. 83. In the matter of the insolvency of Nena Muna Chena Mohamadu Sultan, Nena Muna Chena Sago Davudu, and Nena Muna Chena Imam Saibo of Negombo, trading under the style and firm of Nena Muna Chena.

WHEREAS Nena Muna Chena Mohamadu Sultan, Nena Muna Chena Sago Davudu, and Nena Muna Chena Imam Saibo of Negombo have filed a declaration of insolvency, and a petition for the sequestration of their estate, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Nena Muna Chena Mohamadu Sultan, Nena Muna Chena Imam Saibo, insolvents accordingly, and that two public sittings of the court, to wit, on September 27 and October 24, 1907, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

N. PARANAVITANE,
 Secretary.

In the District Court Kalutara.
 Insolvency Jurisdiction. In the matter of the insolvency of Clement Edward Weerakoon of Kalutara.
 No. 121.

NOTICE is hereby given that the second sitting of this court in the above matter has been fixed for September 9, 1907.

By order of court,

WM. DE SILVA,
 Kalutara, August 19, 1907. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the Court of Requests of Colombo.

Savana Valu Chetty of No. 70, Silver-smith street, Colombo Plaintiff.

No. 1,875. Vs.

(1) J. W. Rodrigo and his wife (2) C. Rodrigo, (3) M. L. Ameresekere and his wife (4) M. L. Ameresekere, all of Wolfendahl, Colombo Defendants.

NOTICE is hereby given that on Tuesday, September 17, 1907, at 2.30 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, for the recovery of the sum of Rs. 290.60, with legal interest thereon from July 18, 1906, till payment in full, and costs of suit Rs. 36.75, viz.:—

An undivided 2/8 of the house and premises bearing assessment No. 32, situated at Wolfendahl within the Municipality of Colombo; and bounded on the east by the property of Mathes Appu, on the north by the property of Caruppen Chetty, on the west by the property of Ahamado Lebbe Baas, and on the south by Wolfendahl street; containing in extent 10 perches more or less.

H. TIRUVILINGAM,
Deputy Fiscal.Fiscal's Office,
Colombo, August 22, 1907.

In the Court of Requests of Colombo.

V. M. K. R. Caruthan Chetty of Colombo Plaintiff.

No. 4,614. Vs.

S. J. Fernando of Muhandiram's road, Kollupitiya, Colombo Defendant.

NOTICE is hereby given that on Monday, September 16, 1907, at 3 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 for the recovery of the sum of Rs. 251.25, with legal interest thereon from February 20, 1907, till payment in full, and costs Rs. 31.75, with poundage, viz.:—

All that house and premises bearing assessment No. 22, situated at Muhandiram's road, Kollupitiya, within the Municipality of Colombo; bounded on the north by the garden of Adotchy Fernando, on the east by the garden of Domingo Fernando, on the south by the road, and on the west by the garden said to belong to Ahamado Lebbe Cuppe Tamby; containing in extent 12 59/100 perches.

H. TIRUVILINGAM,
Deputy Fiscal.Fiscal's Office,
Colombo, August 21, 1907.

In the District Court of Colombo.

Arunasalem Chetty Perumal Chetty Plaintiff.

Sinne Lebbe Marikar Ismail Lebbe Marikar Substituted Plaintiff.

No. 13,469. Vs.

(1) Manatchy Umma, (2) Neyna Marikar Abdul Majid *alias* Maldeen, and (3) Sleyrna Lebbe Uduma Lebbe Marikar, all of Kuruwe street in Colombo Defendants.

NOTICE is hereby given that on Tuesday, September 17, 1907, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the following property, ordered to be sold by the order of court, dated March 8 and 11, 1907, for the recovery of the sum of Rs. 662.10, with interest thereon at the rate of 9 per cent. per annum from April 27, 1900, till payment in full, and costs of suit Rs. 224.50, viz.:—

All that divided northern one-half part marked letter A and shaded pink in the plan out and from all that half part of a house and ground, situated in the street called Alutwediya, now called Kuruwe street at Wolfendahl in Colombo; bounded on the north by the other part of the house and premises belonging to Mustappe Natchia, wife of Soeda Lebbe Marikar, on the east by the road called Kuruwe street, on the south by the other part marked letter B, and on the west by the garden of Isubu Lebbe Neyna Marikar; containing in extent 4 47/50 square perches according to the said figure and survey dated July 7, 1881, made by Mr. Paules Fonseka, Land Surveyor.

H. TIRUVILINGAM,
Deputy Fiscal.Fiscal's Office,
Colombo, August 21, 1907.

In the District Court of Colombo.

Payna Reena Veana Rana Muttucarpen Chetty of Sea street in Colombo Plaintiff.

No. 24,425 C. Vs.

(1) Dona Johanna Gomis Abeyesinghe Weerakoon Lama Ettana, widow of the late Paules Gomis Abeyesinghe Weerakoon, Basnayake Mudaliyar, (2) Charles Emmanuel Pieris, and (3) Annie Johanna Pieris, husband and wife, (4) Peter Leopold Peeris, all of Nagalagam street, Grandpass, in Colombo Defendants.

NOTICE is hereby given that on Wednesday, September 18, 1907, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property, ordered to be sold by the order of court, dated May 6, 1907, and declared bound and executable under the decree entered in the above action for the recovery of the sum of Rs. 9,562.50, with interest on Rs. 9,000 at 18 per cent. per annum from January 10, 1907, till February 15, 1907, and thereafter on the aggregate amount of the

decree at 9 per cent. per annum till payment in full, and costs of suit or realization of the decree, viz. :—

All that garden with buildings thereon, bearing assessment No. 38, situated at St. Joseph's street in Vander Meyden's Polder, within the Municipality of Colombo; and bounded on the north-east by the field and garden of Lieutenant Davy Wentworth, on the south-east by the high road, on the south-west by the garden of Mohamado Kaloema and by the field and garden of Pachir Palle Wapajain, and on the north-west by the paddy fields; containing in extent 2 roods and 31 and 1/10 square perches, and all that estate right, title, interest, claim, and demand of the defendants in, to, upon, or out of the said premises.

H. TIRUVILINGAM,
Deputy Fiscal.

Fiscal's Office,
Colombo, August 21, 1907.

In the District Court of Negombo.

Hettipathirennelagel Don Bastian Gunawardana Appuhamy of Udugampola . . . Plaintiff.

No. 6,768. Vs.

Kumarasinghe Katunayeka Appuhamilage Baba Appuhamy of Pedipola . . . Defendant.

NOTICE is hereby given that on September 21, 1907, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property mortgaged by bond No. 23,529, dated January 29, 1899, and declared liable to be sold by the decree entered in the above case, viz. :—

1. An undivided half share of the portion of the land called Delgahawatta, situate at Pedipola in the Dasiya pattu of Alutkuru korale; bounded on the north by the land of Baba Appuhamy and by the live fence, on the east by the land of Lokukaththotage Siyadoris Appu and others, on the south by the land of Don Peries Appuhamy and others, and on the west by the land of the late Hendappuhamy and others; containing in extent 2 acres more or less.

2. The undivided half share of the land called Delgahawatta, situate at ditto; bounded on the north by the lands of Loose Appu and others, on the east by the live fence of the land of Juwanis Kapurala, on the south by the land of Punchappu and others, and on the west by the land of Sanchi Appu and others; containing in extent 2 acres more or less.

3. The contiguous lands called Dawatagahawatta, Dawatagahawattakebella, the portion of Dawatagahawatta *alias* Marandagahawatta, one-sixth part of Dawatagahalanda, and Dawatagahawatta, situate at ditto; bounded on the north by the land of Don Baron Gunawardana Arachchi and Cornelis Appu, on the east by the land of Geelis Appu and others, on the south by the lands of Sanchy Appuhamy and others, and on the west by the dewata road and by the land of Simon Fernando and Baba Appuhamy; containing in extent 9 acres more or less, and all the right, title, and interest, and claim whatsoever of the defendant in, to, upon, or out of the said several premises mortgaged by the defendant.

Amount to be levied Rs. 1,676.53, with interest on Rs. 1,510.41 at 9 per cent. per annum from May 2, 1907, until payment in full.

FRED G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, August 20, 1907.

In the District Court of Kalutara.

Minuwanpitiyage William Peiris, executor of the estate of the late Minuwanpitiyage Mathes Peiris . . . Plaintiff.

No. 3,210. Vs.

(1) Warusahennedige Lianora Soysa, widow of Mahamandadige Themis Fernando, (2) Mahamandadige Jeremias Fernando, (3) Mahamandadige Charles Fernando, all of Panadure . . . Defendants.

NOTICE is hereby given that on Friday, September 13, 1907, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises for the recovery of Rs. 1,767.87½, with further interest on Rs. 1,000 at 16 per cent. per annum from December 14, 1905, till January 30, 1907, and thereafter at 9 per cent. per annum, the following property, viz. :—

(1) Half of ½ parts of the soil and of the trees of the land called Kekirihenamanane, situate at Meegahatenna; and bounded on the north by the land belonging to W. Juanis Perera and others, on the east and south by Crown land, and on the west by land described in plan No. 99,541; and is of the extent of 1 acre and 25 perches.

(2) Half of ½ parts of the soil and of the trees of another portion of Kekirihenamanane, situate at Meegahatenna; and bounded on the north and north-east by land described in plan No. 99,565, on the south and north-west by Crown land; and is of the extent of 1 acre and 8 perches, specially mortgaged with the plaintiff and declared bound and executable for the decree entered in this case.

B. P. J. GOMES,
Deputy Fiscal.

Deputy Fiscal's Office,
Kalutara, August 19, 1907.

In the District Court of Colombo.

(1) George Smith Brown of Talawakele,
(2) Theodore Cecil van Rooyen of Hatton . . . Plaintiffs.

No. 24,688. Vs.

Michael Joseph Jeroine de Jong of Rosmead Place, Cinnamon Gardens, Colombo . . . Defendant.

NOTICE is hereby given that on Saturday, September 14, 1907, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 1,262.48, with interest thereon at the rate of 9 per cent. per annum from March 11, 1907, till payment in full, and costs of suit, viz. :—

An undivided ½ part of all that estate called Scotland, comprising an allotment of land called Olagandamukalana in Welipenna village, Walallawiti pattuwa, Pasdun Korale West, Kalutara District, Western Province, bounded as follows: on the north by T. P. 206,343, lots D 864 and M 864 in P. P. 2,364; east by lots 8,929, 8,940, 8,941, D 865, G 865, P 865, 8,950, and D 865 in P. P. 2,364 and T. Ps. 206, 342, 207, 596, and 75,234; on the south by lot D 865 in P. P. 2,364, T. Ps. 105,201 and 63,214, and Crown land; on the west by Ps. 63, 214 and 76,796 and lots C 865, W 864, V 864, and 8,931 in P. P. 2,364; containing in extent 122 acres 3 roods and 14 perches.

B. P. J. GOMES,
Deputy Fiscal.

Deputy Fiscal's Office,
Kalutara, August 21, 1907.

Central Province.

In the District Court of Kandy.

(1) Elizabeth Anne Millard, (2) Thomas Henry Millard, both of Nawalapitiya . . Plaintiffs.

No. 17,921. Vs.

Dewasagayam Arnold Samuel of Nawalapitiya Defendant.

NOTICE is hereby given that on September 13, 1907, commencing at 12 noon, will be sold by public auction at the premises the following property mortgaged upon bond No. 5,742, dated 2nd July, 1900, and decreed to be sold by the judgment entered in this case :—

All that estate, plantations, land, and premises, now called and known as "Hopewell estate," comprising the following allotments of land, to wit :—

1. All that land called Alutkaderegewatta, situate at Penituduwa *alias* Karahandugala in Pasbage korale of Uda Bulatgama in the Central Province; bounded on the east by Horatala's field and the garden of Johna Miyanna Cader Saibo, on the south by the portion belonging to Chawanna Shangalingam, on the west by Meepitia-ela, and on the north by Palamaram (tree) and Government road; containing in extent about 10 acres.

2. All that land called Gode-epanellakumbura and watta, situate at Rambukpitiya in Uda Bulatgama aforesaid; and bounded on the east by the property of Mohamado Lebbe and others, on the south by the property of Ratemahatmaya and Mendis, on the west by the property of A. D. L. Mendis, and on the north by Meepitia-ela; containing in extent 2 acres.

3. All that land called Horatalawatta, situate at Rambukpitiya aforesaid; and bounded on the east by the property of Kirihatana, on the south by high road, on the west by Perera's land, and on the north by Kirihatana's land; containing in extent 5 acres.

4. All that land called Kirihatana-gewatta, situate at Rambukpitiya aforesaid; bounded on the east by the property of Babanis Appu and Duraya, on the south by Horatella's property, on the west by the property of D. Perera and Palamaram (tree), and on the north by the property of J. Perera; containing in extent 13 acres.

5. All that land called Gode-epinellawatta of 1 acre and 30 square perches in extent, situate at Meepitiya in Pasbage korale aforesaid; bounded on the east and north by oya, on the south by oya, and on the west by high road to Ambagamuwa.

6. The northern 15 lahas in paddy sowing extent of all that land called and known as Gode-epinella of 3 pelas in the whole, situate at Meepitiya aforesaid; bounded on the east by the limit of Kader's land, on the south by the kahata tree standing on the remaining portion of the same land, on the west by eura of the field belonging to Unga, and on the north by kitul tree.

7. The eastern 1 pela in paddy sowing extent out of the western 1 amunam in extent of the chena land called Gode-epinellhena of 3 amunams in extent in the whole, situate in the village Bodadeniya in Pasbage korale aforesaid; which said eastern 1 pela is bounded on the east by Kottagaha on the land sold by Unga, on the south by the Dangaha and a ditch (ela), on the west by the Kahatagaha standing on the remaining 3 pelas of the land sold by Sirimala to Kader, on the north by the Dangaha standing on Kader's land, which said seven allotments of land above described adjoin each other and now form one property; and are bounded and abutted as follows: on the north-east and east by land claimed by Sarana, land claimed by

Kirihatana, Dingiri Duraya, road to Nawalapitiya, lands claimed by Kadersa, Kaina Muhamadu Lebbe, and Srema Lebbe, on the south and south-west by land claimed by Moganar, on the west by land claimed by Dingiri, road to Nawalapitiya, and land claimed by Coranelis Silva; containing in extent 22 acres 39 perches as per plan dated June, 1897, and made by David Dewapuraratne, Licensed Surveyor, excluding therefrom 2 lands within the said boundaries, viz., the land marked A in the said plan of 1 rood and 28 perches and the other marked B, 3 roods in extent.

Amount of writ Rs. 3,862.86, and interest.

A. V. WOUTERSZ,
Deputy Fiscal.
Fiscal's Office,
Kandy, August 21, 1907.

In the District Court of Kandy.

Arumogan Pulle's daughter Veramah of Polikande estate in Gampola Plaintiff.

No. 18,201. Vs.

(1) Weana Rana Mariappa Asary *alias* Weerappa Asary's son Mariappa Asary, (2) Sundara Amma, (3) Sana Suppen Asary, the 1st of Paranapattiya in Kandupalata, Udunuwara, and the 2nd and 3rd near Railway Station, Kadugannawa Defendants.

NOTICE is hereby given that on September 13, 1907, commencing at 12 noon, will be sold by public auction at the premises the following property mortgaged upon bond No. 7,261, dated November 23, 1905, and decreed to be sold by the judgment entered in this case :—

All that land called Nekatennewatta, with the buildings and plantations standing thereon, situate at Paranapattiya in Kandupalata of Udunuwara in the District of Kandy, Central Province; bounded on the east by nuga tree and field, on the south by the ela or stream of Sinchi Kankany's garden, on the west by the ditch, on which the kaju tree of Polwatta stands, and on the north by the land belonging to the estate of Paranapattiya Appuhamy; containing in extent about 10 acres.

Amount of writ Rs. 886.75, and interest.

A. V. WOUTERSZ,
Deputy Fiscal.
Fiscal's Office,
Kandy, August 21, 1907.

In the District Court of Kandy.

Pena Runa Thewaraya Pilley of Trinco-malee street, Kandy Plaintiff.

No. 18,494. Vs.

Wana Anakutty Pilley of Pattiagama, Deltota Defendant.

NOTICE is hereby given that on September 18, 1907, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

The land called and known as Rodugodella of about 11 acres 2 roods and 30 perches in extent; and bounded on the north-east by the property belonging to natives, on the east by the property of natives and by a road, on the south by the property belonging to natives, and south-west by the property belonging to natives and by a road, situate in the village Puriggala in Kohonsiya pattu of Matale.

Amount of writ Rs. 500 and poundage.

A. V. WOUTERSZ,
Deputy Fiscal.
Fiscal's Office,
Kandy, August 21, 1907.

Northern Province.

In the District Court of Jaffna.

Kanapathippillai Veluppillai of Point Pedro Plaintiff.
No. 4,902. Vs.

Sithamparappillai Arampamoorthy of Point Pedro Defendant.

NOTICE is hereby given that on Wednesday, September 25, 1907, at 10 o'clock in the forenoon, will be sold by public auction at the Karativu ferry the right, title, and interest of the said defendant in the following property for the recovery of Rs. 1,505.54, with interest thereon at 9 per cent. per annum from September 17, 1906, till payment, and costs of suit being Rs. 118.37, and charges, viz. :—

A three-mast native brig called Kānūthadankan Vettevel of 290 tons and its belongings, viz. :—

- (1) Four anchors.
- (2) Two chairs.
- (3) Two jolly boats (Machchuvai).
- (4) Two machines called Onchi and Thavarai used for lifting anchors.
- (5) Two wooden trunks called Pattayam.
- (6) Four casks.
- (7) One wooden box.
- (8) Two benches.
- (9) Twenty-five pieces of iron chain wires.
- (10) Two sounding stones.
- (11) Three stairs.
- (12) Two chairs.
- (13) Two tables.
- (14) Twenty-three masts and the cross beams belonging thereto.
- (15) Thirty-eight iron hinges called Morkadivil used for fixing cross beams to masts and their belongings.
- (16) Fifteen pieces of iron wires.
- (17) One hundred and fifty-four pulleys.
- (18) One hundred and twenty-five ropes.
- (19) Twelve pieces of sails.
- (20) One brass rudder holder and its belongings.
- (21) One bell.
- (22) One kitchen and its belonging, such as grinding-stone, &c.
- (23) Ten lamps.
- (24) Two boxes for lamps.
- (25) Two compasses and their belongings.
- (26) One clock.
- (27) One pump and its belongings.
- (28) One rudder.
- (29) Sixty carpenters' tools, such as axes, crow-bar, &c.
- (30) Thirteen dim puleys.
- (31) Twenty-four iron pieces called Dole.
- (32) Eight trap doors.
- (33) Five pegs for holding jolly boats.
- (34) Few planks.
- (35) Old iron-pieces.
- (36) Two old cross beams to masts.
- (37) Four pieces of pōoga utensils.
- (38) Six brushes.

V. THAMBIPILLAI,
Deputy Fiscal.
Fiscal's Office,
Jaffna, August 14, 1907.

In the District Court of Jaffna.

1, Immanuel Joseph of Jaffna town, now of Colombo; 2, Santhiappillai Soosaipillai of Jaffna town Plaintiffs.
No. 5,130. Vs.

Jacobpillai Pethurupillai of Naranthanai Defendant.

NOTICE is hereby given that on Tuesday, September 24, 1907, at 10 o'clock in the forenoon, will be sold by public auction at the spot the following

property hypothecated to the plaintiff and decreed to be sold by decree entered in the above action for the recovery Rs. 1,070, with interest on Rs. 1,000 at the rate of 12 per cent. per annum from February 20, 1907, until payment in full, and costs of suit being Rs. 123.48, and charges, viz. :—

A piece of land situated at Nāranthanai called Thiddil, containing or reputed to contain in extent 10 lachams of varagu culture with well and one-third share of the well standing on the eastern land called Thiddil belonging to Vaitiampillai Kavurielpillai, together with the right of water-course therefrom; bounded or reputed to be bounded on the east by the property of Philippupillai Manuelpillai, north by the property of Isavalpillai, wife of Santiappillai, west by lane, and south by Crown land.

V. THAMBIPILLAI,
Deputy Fiscal.
Fiscal's Office,
Jaffna, August 14, 1907.

In the District Court of Jaffna.

1, Immanuel Joseph of Jaffna town, now of Colombo; 2, Santhiappillai Soosaipillai of Jaffna town Plaintiffs.
No. 5,130. Vs.

Jacobpillai Pethurupillai of Naranthanai Defendant.

NOTICE is hereby given that on Monday, September 23, 1907, will be sold by public auction at the spot the following property hypothecated to the plaintiff and decreed to be sold by decree entered in the above action for the recovery of Rs. 1,070, with interest on Rs. 1,000 at the rate of 12 per cent. per annum from February 20, 1907, until payment in full, and costs of suit being Rs. 123.48, and charges, viz. :—

At 10 A.M.

1. A piece of land situated at Karampan called Thalikkadu, containing or reputed to contain in extent 36 lachams of paddy culture; bounded or reputed to be bounded on the east by the property of Sinnary, wife of Veeragatty, and shareholders, north by the property of Varonikkam, wife of Vaitiampillai, and shareholders and Chellachy, west by the property of Yakkoppillai Pedroppillai and Vaitiampillai Kavurielpillai, and south by the property of Yakkoppillai Pedroppillai.

2. A piece of land situated at Karampan called Thalikkadu, containing or reputed to contain in extent 18 lachams of paddy culture; bounded or reputed to be bounded on the east by the property of Yakkoppillai Pedroppillai and Vaitiampillai Kavurielpillai, west by channel, and south by the property of Victoria, widow of Manuelpillai, and Yakkoppillai Pedroppillai.

3. A piece of land situated at Karampan called Thalikkadu, containing or reputed to contain in extent 23 lachams of paddy culture; bounded or reputed to be bounded on the east by the property of Yakkoppillai Pedroppillai and Vaitiampillai Kavurielpillai, north by the property of Vaitiampillai Kavurielpillai, west by channel, and south by the property of Vaitiampillai Kavurielpillai and Yakkoppillai Pedroppillai.

At 12 noon.

4. A piece of land situated at Karampan called Thalikkadu, containing or reputed to contain in extent 19 lachams of paddy culture; bounded or reputed to be bounded on the east by the property of Elizabeth, wife of Savurimuttu, and shareholders and Yakkoppillai Pedroppillai, north by the property of Vaitiampillai Savurimuttu and Elizabeth, wife of Savurimuttu, and shareholders, west by the property of Mathesupillai Bastianpillai and Bastianpillai Kavurielpillai, and south by the property of Bastianpillai Kavurielpillai.

5. An undivided half share of a piece of land situated at Karampan called Thalikkadu, containing or reputed to contain in extent 41 lachams of paddy culture; bounded or reputed to be bounded on the east by the property of Muttupillai and shareholders, north by the property of Yakkoppillai Pedroppillai, west by the property of Victoria, widow of Manuelpillai, and south by the property of Vaitiampillai Kavuriappillai and shareholders.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, August 14, 1907.

In the District Court of Jaffna.

Saravanamuttu Suppiramaniam of Colombo, now of Manipayy Plaintiff.
No. 5,318. Vs.

1, Andyapper Muttutamy and wife
(2) Iladchmippillai of Vannarponnai East, (3) Visuvanathar Arumuga Ramalingam of Vannarponnai West. . . . Defendants.

NOTICE is hereby given that on Thursday, September 26, 1907, at 10 o'clock in the forenoon, will be sold by public auction at the spot the following property of the 1st and 2nd defendants, now in possession of the 3rd defendant, decreed to be sold as against all the defendants in the above action for the recovery of Rs. 1,675-62, with interest on Rs. 1,250 at the rate of 9 per cent. per annum from May 31, 1907, until payment in full, and costs of suit being Rs. 103-82, and charges, viz.:-

A piece of land situated at Vannarponnai East called Moolyrakkanvalavu, Neelakuddyvalavu, and Chokkanvalavu, containing or reputed to contain in extent 7½ lachams of varagu culture with houses, well, palmyras, and other plantations; bounded or reputed to be bounded on the east by property of Kathirasy, widow of Saravanamuttu and others, north by the property of Sivaguru Vytilingam and wife Chellammah, west by road, and south by lane.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, August 16, 1907.

Southern Province.

In the District Court of Galle.

Don Andris de Silva Jayasekera Goonewardena of Ampegama Plaintiff.
No. 8,338. Vs.

Henry William Dissanayaka of Ganegama Defendant.

NOTICE is hereby given that on Saturday, September 21, 1907, commencing at 12 noon, will be sold by public auction at the premises the following mortgaged property, viz.:-

1. All that field called Deenamullekumbura, 1 amunam of paddy sowing extent, situate at Ganegama.

2. All that undivided five-sixth parts of all the fruit trees and soil, exclusive of the Government interest, of Deenamullege Uswatta *alias* Deenamullege Divelwatta, about 5 acres in extent, situate at Ganegama.

3. All that land called Berawaowita, 12 kurunies of paddy in extent, situate at Ganegama.

4. All that undivided four-fifth parts of all the fruit trees and soil of Dolegodawatta of the extent of about 2 acres, situate at Ganegama.

5. All that undivided one-twentieth part of the fruit trees and soil of Kudaliyaddaowita, 1½ acre in extent, exclusive of the planters' share; one-twentieth of Moramudaligeliyadda, 12 kurunies in extent; and four-fifths of one-fourth of Deenauteowita, 12 kurunies in extent, which said Kudaliyaddaowita adjoining Moramudaligeliyadda and Deenauteowita, situate at Ganegama.

6. All that undivided one-seventh part of Horangallautekumbura, 24 kurunies of paddy in extent, situate at Ganegama.

7. All that land called Kebellaketiapahalawatta-adderaudumulla *alias* deniya, 3 pelas of paddy sowing extent, situate at Kebellaketi in Baddegama.

8. All that undivided 7 pelas and 5 kurunies of paddy in extent of Hatarempangumahaliyadda, 4 anunams of paddy sowing extent, situate at Baddegama.

Writ amount Rs. 695-69, with legal interest on Rs. 588-74 from December 14, 1906.

C. T. LEEMRUGGEN,
for Fiscal.

Fiscal's Office,
Galle, August 20, 1907.

North-Western Province.

In the District Court of Kurunegala.

Kuna Mana Periya Carpen Chetty, by his attorney Muna Ramen Chetty of Kurunegala. . . . Plaintiff.
No. 2,952. Vs.

(1) Ena Mana Abdul Hamido, (2) Ana Mohammado Cassim, both of Kurunegala. . . . Defendants.

NOTICE is hereby given that on Saturday, September 21, 1907, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, at the risk of the original purchaser, viz.:-

1. An undivided 7/32 shares of the land called Dalupotakumburawatta bearing assessment No. 32 of 7 16/100 square perches in extent; bounded on the east and north-east by land of Hendrick Perera and Meera, north-west by land of Muttuweeran, west and south-west by remaining portion of the land in question, south-east by Bazaar street with the building standing thereon, situate on the Bazaar street, Kurunegala.

2. An undivided 7/32 shares of the allotment of land bearing assessment No. 70 of about 12 perches in extent; bounded on the north by Bazaar street, east by land of Leccim Hetti, south by Circuit lane, west by land of Ibrahim, Notary, with the building standing thereon, situate on the Bazaar street, Kurunegala.

3. An undivided 7/32 shares of the allotment of land bearing assessment Nos. 96 and 96A of 4 perches in extent; bounded on the north-east by land of villagers, south-east by land No. 50,969 shown in the plan, south-west by a road, north-west by a drain adjoining to Bazaar street, Kurunegala, with the building standing thereon, situate on the Bazaar street, Kurunegala.

4. An undivided 7/32 shares of the allotment of land bearing assessment No. 36 of 1 rood 2 4/24 perches in extent; bounded on the north and north-east by land and house of Mr. Felsingar, east by land of Don William Appuharay, land of Pitche Tamby and house of the same person, and land of Magudo Mohammado and Migel Appu, south by land of Thomas Silva, west by Bazaar street, with the buildings standing thereon, situate on the Bazaar street, Kurunegala.

5. An undivided 7/32 shares of the allotment of land bearing assessment Nos. 71 and 71A of 12 21,920/1,000,000 in extent; bounded on the north by Bazaar street, east by land of Lewis Arachchi, south by narrow lane, west by land of M. M. Ibrahim, with the building standing thereon, situate on the Bazaar street, Kurunegala.

Amount to be levied Rs. 1,150.40, with interest and poundage.

C. V. REBEIRA,
Deputy Fiscal.

Fiscal's Office,
Kurunegala, August 20, 1907.

In the District Court of Kurunegala.

(1) Suna Pana Ana Welleappa Chetty, by his attorney Suna Pana Ana Veyna Kanappa Chetty; (2) Pana Lana Kana Nana Kanappa Chetty, by his attorney Pana Lana Kana Nana Sekappa Chetty of Kurunegala. Plaintiffs.

No. 3,045. Vs.

Jemima Agneta Ferdinand, wife of Charles Edgar Ferdinand of Chilaw. Defendant.

NOTICE is hereby given that on Tuesday, September 17, 1907, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premise the right, title, and interest of the defendant in the following property mortgaged as primary and secondary mortgage by mortgage bond No. 136 dated 12th June, 1900, and mortgage bond No. 141 dated 29th June, 1900, respectively:—

1. An undivided one-third share of all that land known as Tank Circular estate, with the buildings and plantations standing thereon; containing in extent 211 acres 2 roods 1 perch, described as and comprising the lots 2,107, 88,061, 75,842, 87,627, 87,160, and 80,262 in preliminary plan No. 169, dated 13th November, 1884, situate at Bamunugedera in Kudagalboda korale of the Weudawili hatpattu; and bounded on the north by Patanekanda, east by lands belonging to villagers and Mr. Schokman, south by the Kurunegala tank, and west by the property of John Clovis de Silva.

Amount to be levied Rs. 31,915.23, with interest on Rs. 20,425.75 at the rate of 15 per cent. per annum from 21st September, 1906, till date of decree, and thereafter at 9 per cent. per annum on the aggregate amount from 16th January, 1907, with costs of suit and poundage.

C. V. REBEIRA,
Deputy Fiscal.

Fiscal's Office,
Kurunegala, August 19, 1907.

In the District Court of Negombo.

Edwin Beven of Kandy Plaintiff.

No. 6,611. Vs.

(1) Nathaniel Paranawitana, official administrator of the estate of James Benedict Fernando, deceased, of the District Court of Negombo, (2) Agnes Cicilia Fernando, (3) Caroline Lititia Fernando, (4) Emily Magdeline Fernando, (5) Victor Emmanuel Fernando, all of 2nd Division, Hunupitiya, in Negombo, by their guardian *ad litem* Agnes Cicilia Fernando, the 2nd defendant, (6) Mihiduulasuria Joseph Peter Fernando of Chilaw, (7) Rawana Mana Muna Vena Venethethan Chetty of Madampe in Chilaw District. Defendants.

NOTICE is hereby given that on Saturday, September 14, 1907, at 1 o'clock in the afternoon will be sold by public auction at the Fiscal's Office,

Kurunegala, instead of on the spot the right, title, and interest of the said defendants in the following property mortgaged by bond No. 788, dated 5th day of April, 1904, and attested by Mr. M. G. Willenberg, Notary Public, viz:—

1. Three allotments of lands called Kahatagahahena and Weralugahamukalana of 11 acres 2 roods and 11 perches in extent, situate in the village Pannala in the Medapattu of Katugampola hatpattu in the District of Kurunegala; bounded on the north-east by the reservation along the road and Maraka-agaradeniya claimed by Tamby, east and south by land described in plan No. 138,385, west by a road, in extent, exclusive of the road and reservation passing through the land as stated above, 11 acres 2 roods and 11 perches.

2. All that land called Kahatagahamukalana, situate at Etadombe-agare in the aforesaid pattu and korale; bounded on the east by Kahata tree on the limit of the chena of Amaris Naide and others, south by a cart road, west by the land of James Benedict Fernando, and on the north by the land of Amaris Naide and others, about 8 lahas of kurakkan sowing or 4 acres 2 roods and 11 perches in extent, according to survey dated 5th, 6th, and 7th March, 1896, made by J. Tissera, Licensed Surveyor.

3. All that land called Kahatagahahena, situate at Pannala aforesaid; bounded on the east by the chena of Davit Peeris, south by the cart road leading to Etadombeagara, west by the garden of Tamby Gurunnehe, and on the north by Godakela or high land jungle, about 4 lahas of kurakkan sowing or 3 acres and 12 perches in extent according to the said survey.

4. An allotment of land called Weralukelamukalana, situate at Elabodagama in the aforesaid pattu; bounded on the north by Crown land, Kosgahakelakanatta claimed by E. Dina Appu, and Delgahamullehena claimed by S. Punchi Appuhamy, east by Kahatagahamulahena claimed by Kaluhamy, south by Horagahahena claimed by Arachchi Naide, Crown land called Delgahapitiya, Hadawakamukalana or Mahayayemukalana and reservation for a road, west by Crown lands called Weralukelewatta and Weralukelemukalana, in extent 23 acres 2 rood and 20 perches. The above allotments of land adjoin each other and form one property, and is registered in C 130/75.

5. An allotment of land called Kendakalana-kelawa, situate at Etadomba-agara aforesaid; bounded on the north by Deegahamullanahena claimed by S. Punchi Appuhamy and Meegahamullahena claimed by H. Mohotty Appuhamy, east by Meegahamullahena claimed by H. Mohotty Appuhamy, Pahallawellahena claimed by E. S. Naide, and Iriagahamullahena claimed by E. Arachehi Naide, south by Iriyaghamulahena claimed by E. Arachehi Naide and Delgahamulahena claimed by S. Punchi Appuhamy, west by Delgahamulahena claimed by S. Punchi Appuhamy, in extent 10 acres 3 roods 36 perches.

6. All that land called Talahenakanatta, situate at Pannala aforesaid; bounded on the north by the limit of the village Tippapotta, east by the land of James Benedict Fernando and others, south by the land of James Benedict Fernando, and west by the land of Packeer Lebbe Gurunnehe, 1 pela kurakkan in extent or 10 acres and 2 roods.

Amount to be levied Rs. 5,559.87½, with interest on Rs. 5,000 at 8 per cent. per annum from October 6, 1905, till payment in full and poundage.

C. V. REBEIRA,
Deputy Fiscal.

Fiscal's Office,
Kurunegala, August 19, 1907.

In the District Court of Chilaw.

F. Don Cornelis Peries Arthanayeka
Appuhamy of Dummaladeniya.....Plaintiff.
No. 3,087. Vs.

W. Weerakuttige Moises Fernando and
others of Ihala Katuneria.....Defendant.

NOTICE is hereby given that on Monday, September 16, 1907, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said plaintiff in the following property, viz. :—

1. The land called Madangahawatta *alias* Ambagahawatta of about 3 roods in extent with the tiled building standing thereon, situated at Dummaladeniya in Kammal pattu of Pitigal Korale South in the District of Chilaw ; and bounded on the north by

the land of Kelimenti Fernando and Dingira Peries, east by land of Juanis Appu, Vel-Vidanarala, south by land of Christinahamy and others, and west by high road.

2. The land called Ambagahawatta of about 3 roods in extent with the cadjan thatched boutique standing thereon, situated at Dummaladeniya ; and bounded on the north by the land of Clementi Fernando and others, east by land of Cornelis Appu and now belonging to Gabriel Appuhamy, south by half share of the land belonging to William Peries, and west by high road.

Amount to be levied Rs. 738.80.

E. LAWSON KOCH,
Deputy Fiscal's Office, Deputy Fiscal.
Chilaw, August 20, 1907.

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 Galle will be holden at the Court-house at Galle on Monday, the 14th day of October, 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.

Fiscal's Office,
Galle, August 20, 1907.

C. T. LEEBRUGGEN,
for Fiscal.