



# Ceylon Government Gazette

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

**PART II.**—Legal and Judicial.

**PART III.**—Provincial Administration.

**PART IV.**—Land Settlement.

**PART V.**—Mercantile, Marine, Municipal, Local, &c.

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## Part II.—Legal and Judicial.

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## PASSED ORDINANCES.

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

No. 17 of 1906.

An Ordinance to make better provision for the protection of the Pearl Fisheries of Ceylon.

HENRY A. BLAKE.

Preamble.

WHEREAS it is expedient to make better provision for the protection of the pearl fisheries of 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 This Ordinance may be cited as "The Pearl Fishery Ordinance, 1906."

Interpretation.

2 In this Ordinance the term "pearl oyster" means pearl-bearing oysters of all descriptions, and includes the mollusc commonly called the "window oyster" or "the Tampalakam pearl oyster," and scientifically known as *Placuna placenta*, as well as any other pearl-producing molluscs which may be introduced or laid down in the territorial waters of the island.

Exclusive right of Crown in pearl fisheries.

3 The exclusive right of fishing for and taking pearl oysters off the coasts of Ceylon and in all bays and inland waters of the island is vested in the Crown.

Prohibition of fishing for pearl oysters.

4 (1) The Governor in Council may from time to time by Proclamation declare that it shall be unlawful for any person within the limits named in the Proclamation to fish or dive for, or to collect, or to use or employ any boat, canoe, raft, or vessel whatsoever for collecting pearl oysters or any specified kind of pearl oysters without having first obtained a license in that behalf from the government agent or from some person duly authorized by him to grant licenses.

(2) The Governor in Council may rescind or vary any Proclamation under this section.

Penalty.

5 Any person who, within the limits named in such Proclamation, fishes or dives for or collects or uses or employs any boat, canoe, raft, or vessel whatsoever for collecting pearl oysters of the kind specified in the Proclamation without having first obtained a license in that behalf in accordance with the last preceding section, or contrary to the terms of such license, shall be guilty of an offence, and shall, on conviction thereof, be liable to a fine not exceeding fifty rupees, or to simple or rigorous imprisonment for a term not exceeding three months, or to both such punishments; and any boat, canoe, raft, or vessel whereby such offence was committed, together with all its appurtenances and contents and all pearl oysters unlawfully collected, shall be forfeited.

Powers of police and peace officers.

6 It shall be lawful for any police officer or peace officer or for any fishery guard appointed under any regulation hereunder or for any officer of Customs to demand of any person found fishing for or attempting to collect pearl oysters, or having them in his possession, the production of the license required by this Ordinance; and if such license is not produced, or is not deemed satisfactory, to take such person before the police magistrate and detain in safe custody any boat, canoe, raft, or other vessel employed in contravention of this Ordinance, together with all its appurtenances and contents, until he shall have received the directions of the police magistrate for their disposal.

Reward to informers.

7 It shall be lawful for any police magistrate before whom any person shall be convicted of any offence under this Ordinance to direct a portion of the fine actually recovered and realized, not exceeding one-half, to be paid to the informer.

Power to make regulations.

8 (1) It shall be lawful for the Governor in Council from time to time to make, and when made to vary, amend, or revoke, regulations for the management, control, development, and improvement of the pearl fisheries off the coasts of Ceylon or off any part of such coasts or in any bay or inland water of the island.

(2) Such regulations may, amongst other things, provide a close season, during which it shall be unlawful to fish for or to collect pearl oysters or any specified kind of pearl oysters.

(3) All rules so made shall be published in the *Government Gazette*, and shall thereupon become as legal, valid, and effectual as if the same had been inserted herein, and shall be binding upon and be observed by all persons subject to their operation, and all courts, judges, and magistrates shall take judicial notice thereof.

(4) The breach of any regulations made in pursuance of this section shall be an offence, and shall be punishable by a fine not exceeding twenty rupees.

Passed in Council the Sixteenth day of March, One thousand Nine hundred and Six.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-eighth day of March, One thousand Nine hundred and Six.

A. M. ASHMORE,  
Colonial Secretary.

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

No. 18 of 1906.

An Ordinance to vest title to St. Andrew's Church, Colombo,  
in certain Trustees and to empower them to sell the same.

HENRY A. BLAKE.

WHEREAS by a grant dated the ninth day of May, one thousand eight hundred and forty-three, the Governor of Ceylon, for and on behalf of Her late Majesty the Queen, gave, granted, and assigned the piece of land lying within the Fort of Colombo, and whereon the church called and known as St. Andrew's Church is situated, together with the said church and session house and the boundary fence thereon existing, to the Reverend the Moderator of the General Assembly of the Church of Scotland and his successors for the time being, to the Reverend David Welsh, Convener of the Colonial Committee of the said General Assembly, and his successors in the said office of Convener for the time being, to William Young, Writer to the Signet, Edinburgh, Secretary to the said Committee of the said General Assembly, and his successors in the said office of Secretary for the time being, to the Reverend John G. Macvicar, Colonial Chaplain of the Scotch Church in Colombo, and his successors in the said office, to the Hon. Philip Anstruther and James Laing, Elders of the Scotch Church in Colombo, and their successors in the said office and others who might thereafter be in the said Eldership for the time being, to Captain W. Gregory, Royal Engineers, to J. Read, Merchant, to H. Ritchie, Merchant, and to Lieutenant E. Maberly, Royal Artillery, to the end and effect that they the said W. Gregory, J. Read, H. Ritchie, and E. Maberly during the term of their natural lives and residence in the Island of Ceylon; and they the said the Reverend the Moderator, David Welsh, William Young, John G. Macvicar, Philip Anstruther, and James Laing, and others who might thereafter be Elders of the said church in Colombo during their tenure and occupation of the said offices and their successors in perpetual succession should hold the same in trust for the Civil, Military, Mercantile, and other inhabitants of Ceylon professing the doctrine and discipline of the Presbyterian Church as by law established in Scotland as a place of worship in connection with the Established Church of Scotland, for the celebration of public worship, the preaching of the Word of God, the administration of the Sacrament, and whatever rites and uses the duly ordained Minister and Elders of the congregation worshipping therein might appoint, and for the accommodation of the aforesaid inhabitants on the terms on which Her Majesty or her successors in office might determine consistently with the privileges of the Kirk Session or of any Presbytery or Synod that might at any time thereafter be established in this Colony:

And whereas the said land, church, and buildings have become unsuited for the purposes for which the same were granted as aforesaid, and it is necessary and expedient to sell the same and to apply the proceeds of such sale in the purchase of other land and in the erection of a new church and buildings thereon:

And whereas the said W. Gregory, J. Read, H. Ritchie, and E. Maberly ceased to reside in Ceylon, and have long since died:

And whereas the said Reverend David Welsh, William Young, the Reverend John G. Macvicar, Philip Anstruther, and James Laing have also died:

And whereas presently the Reverend James Mitford Mitchell, Doctor of Divinity, is the Convener of the Colonial

Committee of the General Assembly of the Church of Scotland, Alexander Yellowlees is the Secretary of the said Committee of the said General Assembly, the Reverend Alexander Dunn is the Chaplain of the Scotch Church in Colombo, and Alexander Stevenson, William Somerville, John Paterson, John Kyle, John Eunson, David Kinloch Michie, Alexander Fairlie, Robert Farquhar Spottiswood Hardie, William Hunter, and Cosmo Moray Gordon are the Elders of the Scotch Church in Colombo, in succession to the said holders of the said respective offices, and they in such official capacity and the said the Reverend the Moderator purport to hold the said land, church, and buildings in trust as aforesaid under and by virtue of the said grant :

And whereas doubts have arisen as to the legal title of the said the Reverend the Moderator, the Reverend James Mitford Mitchell, Alexander Yellowlees, the Reverend Alexander Dunn, Alexander Stevenson, William Somerville, John Paterson, John Kyle, John Eunson, David Kinloch Michie, Alexander Fairlie, Robert Farquhar Spottiswood Hardie, William Hunter, and Cosmo Moray Gordon to the said land, church, buildings, and premises, and as to their power to sell the same :

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

Short title.

1 This Ordinance may be cited as "The St. Andrew's Church, Colombo, Ordinance, 1906."

Vesting of church in trustees.

2 The said land, church, buildings, and premises called and known as St. Andrew's Church conveyed by the said grant shall be and the same are hereby vested in the Right Reverend the Moderator of the General Assembly of the Church of Scotland, the said Reverend James Mitford Mitchell, Doctor of Divinity, Convener of the Colonial Committee of the said General Assembly, the said Alexander Yellowlees, Secretary to the said Committee, the said Reverend Alexander Dunn, Chaplain of the Scotch Church in Colombo, and the said Alexander Stevenson, William Somerville, John Paterson, John Kyle, John Eunson, David Kinloch Michie, Alexander Fairlie, Robert Farquhar Spottiswood Hardie, William Hunter, and Cosmo Moray Gordon, Elders of the Scotch Church in Colombo, in trust for the purposes and objects and subject to the terms and conditions in the said grant contained.

Power of trustees to sell and application of proceeds of sale.

3 It shall be lawful for, and the power is hereby granted to, the said the Right Reverend the Moderator of the General Assembly of the Church of Scotland and the said Reverend James Mitford Mitchell, Alexander Yellowlees, the Reverend Alexander Dunn, Alexander Stevenson, William Somerville, John Paterson, John Kyle, John Eunson, David Kinloch Michie, Alexander Fairlie, Robert Farquhar Spottiswood Hardie, William Hunter, and Cosmo Moray Gordon as Trustees as aforesaid or any three of them to sell the said land, church, buildings, and premises either by public auction or private contract and by writing under their hands or under the hands of any three of them to transfer the same to the purchaser or purchasers thereof absolutely freed and discharged of and from all and every the trusts, terms, and conditions in the said grant contained concerning the same, and to apply the proceeds of such sale in the purchase of other suitable land and in the erection thereon of a new church and buildings to be called St. Andrew's Church.

Vesting of property purchased with proceeds of sale.

4 The land to be purchased and the new church and buildings to be erected as aforesaid shall be held by the said the Right Reverend the Moderator of the General Assembly of the Church of Scotland, the said Reverend James Mitford Mitchell, Convener of the said Colonial Committee of the General Assembly of the Church of Scotland, the said Alexander Yellowlees, Secretary to the said Colonial Committee of the General Assembly of the Church of Scotland,

the said Reverend Alexander Dunn, Chaplain of the Scotch Church in Colombo, and the said Alexander Stevenson, William Somerville, John Paterson, John Kyle, John Eunson, David Kinloch Michie, Alexander Fairlie, Robert Farquhar Spottiswood Hardie, William Hunter, and Cosmo Moray Gordon, Elders of the Scotch Church in Colombo, and by their successors in office, in trust for the purposes and objects and subject to the terms and conditions in the said grant contained.

Passed in Council the Sixteenth day of March, One thousand Nine hundred and Six.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-eighth day of March, One thousand Nine hundred and Six.

A. M. ASHMORE,  
Colonial Secretary.

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

**No. 19 of 1906.**

**An Ordinance for the Incorporation of the Roman Catholic Archbishop and Bishops in Ceylon.**

HENRY A. BLAKE.

Preamble.

WHEREAS it is expedient for conveyancing purposes only to incorporate the Roman Catholic Archbishop and Bishops in Ceylon: It is hereby enacted by the Governor of Ceylon, with the advice of the Legislative Council thereof, as follows:

Incorporation of Roman Catholic Archbishop and Bishops.

1 The Roman Catholic Archbishop and Bishops of Ceylon, to wit, the Most Reverend Antony Coudert, Archbishop of Colombo; the Right Reverend Clement Pagnani, Bishop of Kandy; the Right Reverend Henry Joulain, Bishop of Jaffna; the Right Reverend Joseph Van Reeth, Bishop of Galle; and the Right Reverend Charles Lavigne, Bishop of Trincomalee, and their respective successors duly appointed according to the laws and usages of the Roman Catholic Church, shall each be independently from another one corporate body, and shall, for all the purposes of this Ordinance, have respectively the names of the Archbishop of Colombo, the Bishop of Kandy, the Bishop of Jaffna, the Bishop of Galle, and the Bishop of Trincomalee, and by these respective names they shall have perpetual succession, and shall have full power to acquire, purchase, take, hold, and enjoy movable and immovable property of every description, and to sell or otherwise dispose of the same, and may sue and be sued in respect of such property in all courts of justice.

Vesting of property.

2 All property, both movable and immovable, already acquired, held, or possessed by the said Most Reverend Antony Coudert, Right Reverend Clement Pagnani, Right Reverend Henry Joulain, Right Reverend Joseph Van Reeth, and Right Reverend Charles Lavigne, respectively, in their official capacity or by their respective predecessors in office shall, subject to any trust or condition affecting the same, vest in the said respective corporations.

Vacancies in See.

3 Provided, however, that in case of a vacancy in the See in any of the said Roman Catholic dioceses, the person temporarily administering such diocese shall, until the appointment of a new Archbishop or Bishop, as the case may be, be deemed to be the successor of the preceding Archbishop or Bishop of such diocese for all the purposes of this Ordinance.

Saving of rights  
of Crown.

4 Nothing in this Ordinance contained shall affect the rights of His Majesty the King, his heirs, and successors.

Passed in Council the Sixteenth day of March, One thousand Nine hundred and Six.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-eighth day of March, One thousand Nine hundred and Six.

A. M. ASHMORE,  
Colonial Secretary.

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

No. 15 of 1906.

An Ordinance to amend the Law relating to the granting of Patents for Inventions.

HENRY A. BLAKE.

Preamble.

WHEREAS it is expedient to amend the law relating to the granting of patents for inventions: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Patents Ordinance, 1906," and shall come into operation on such date as the Governor may, by Proclamation in the *Government Gazette*, appoint.

Repeal.

2 (1) The several Ordinances specified in the first schedule hereto are hereby repealed; but this repeal shall not affect any exclusive privilege acquired or any conditions or restrictions imposed with respect to any privilege or any right or liability accrued or incurred under the said Ordinance before the commencement of this Ordinance, or any relief in respect of any such privilege, right, or liability.

(2) When at the commencement of this Ordinance any petition under "The Inventions Ordinance, 1892," for leave to file a specification in respect of an invention has been delivered or received, but a grant of exclusive privilege has not been made on such petition, the proceedings for obtaining a grant of exclusive privilege may continue, and a grant of exclusive privilege may be made under and in accordance with the provisions of the said Ordinance, and such grant shall be as valid and effectual for all purposes whatever as if the said Ordinance had not been repealed.

Interpretation  
of terms.

3 In this Ordinance, unless where the context otherwise requires, the following words and expressions shall have or include the meaning hereinafter assigned to them (that is to say):

"Court" means the District Court of Colombo.

"Patent" includes a grant of exclusive privilege in respect of an invention under "The Inventions Ordinance, 1892," or under any of the Ordinances thereby repealed, and "patented" when used in relation to an invention includes an invention in respect of which exclusive privilege has been granted under any of the said Ordinances.

"Examiner" means any skilled person or persons to whom the registrar shall refer questions concerning patents under this Ordinance;

"Prescribed" means prescribed by any of the schedules to this Ordinance or by regulations under this Ordinance;

“Registrar” means any officer whom the Governor may from time to time by Proclamation appoint to discharge the duties of the registrar under this Ordinance, and in default of such appointment the Registrar-General or any person for the time being acting as such;

“British possession” means any territory or place situate within His Majesty’s dominions and not being or forming part of the United Kingdom or of the Channel Islands or of the Isle of Man; and all territories and places under one legislature as hereinafter defined are deemed to be one British possession for the purposes of this Ordinance; and

“Legislature” includes any person or persons who exercise legislative authority in the British possession, and where there are local legislatures as well as a central legislature means the central legislature only.

The terms “true and first inventor,” “true inventor,” and “inventor,” to the extent that the context does not express, include the person who is the actual inventor of any invention, or his assigns, or (if the actual inventor be dead) his legal representatives, or (if the actual inventor, his legal representatives, or assigns is or are not resident in Ceylon) any person to whom such invention has been communicated by the actual inventor, his legal representatives, or assigns, but shall not include a person importing an invention from any other colony or country without the authority of the actual inventor, his legal representatives, or assigns.

Provision for absence of registrar.

Persons entitled to apply for patent.

4 Any act or thing directed to be done by or to the registrar may be done by or to any officer for the time being in that behalf authorized by him.

5 (1) Any person, whether a British subject or not, may make an application for a patent.

(2) Two or more persons may make a joint application for a patent, and a patent may be granted to them jointly.

(3) An applicant may be—

(a) The actual inventor; or

(b) His assigns; or

(c) The actual inventor jointly with the assigns of a part interest in the invention; or

(d) The legal representative of a deceased actual inventor or of his assigns; or

(e) Any person to whom the invention has been communicated by the actual inventor, his legal representatives, or assigns (if the actual inventor, his legal representatives, or assigns is or are not resident in Ceylon).

Applications and specification.

6 (1) An application for a patent must be made in the form set forth in the second schedule to this Ordinance, or in such other form as may be from time to time prescribed, and must be left at the registrar’s office in the prescribed manner.

(2) An application must contain a declaration by the applicant, or, in the case of a joint application, by one of the applicants, to the effect that the applicant or one or more of the applicants is or are in possession of an invention, whereof the applicant or one or more of the applicants claims or claim to be the true and first inventor or inventors, and for which the applicant or applicants desires or desire to obtain a patent. The application must be accompanied by either a provisional or complete specification, and must state an address in Colombo for the reception of notices and other communications with respect to the application or invention.

(3) A provisional specification must describe with reasonable precision and detail the nature of the invention and of the particular novelty whereof it consists, and be accompanied by drawings, if required.

(4) A complete specification, whether left on application or subsequently, must particularly describe and ascertain

the nature of the invention and in what manner it is to be performed, and must be accompanied by drawings, if required. Provided that the requirement as to drawings shall not be deemed to be insufficiently complied with by reason only that instead of being accompanied by drawings the complete specification refers to the drawings which accompanied the provisional specification.

(5) A specification, whether provisional or complete, must commence with the title, and in the case of a complete specification must end with a concise and distinct statement of the invention claimed in plain language.

Registrar may refer application to examiner.

7 The registrar shall refer every application to an examiner, who shall ascertain whether the nature of the invention has been fairly described, and the application, specification, and drawings (if any) have been prepared in the prescribed manner, and the title sufficiently indicates the subject-matter of the invention, and shall report thereon to the registrar.

Power for registrar to refuse application or require amendment.

8 (1) If the registrar is of opinion, or if, after reference to an examiner, such examiner reports that the nature of the invention is not fairly described, or that the application, specification, or drawings has not or have not been prepared in the prescribed manner, or that the title does not sufficiently indicate the subject-matter of the invention, the registrar may refuse to accept the application, or require that the application, specification, or drawings be amended before he proceeds with the application; and in the latter case the application shall, if the registrar so direct, bear date as from the time when the requirement is complied with.

(2) Where the registrar refuses to accept the application or requires an amendment, the applicant may appeal from his decision to the Attorney-General.

(3) The Attorney-General shall, if required, hear the applicant and the registrar, and may make an order determining whether and subject to what conditions (if any) the application shall be accepted.

(4) The registrar shall, when an application has been accepted, give notice thereof to the applicant.

(5) If after an application has been made, but before the patent thereon has been sealed, another application for a patent is made, accompanied by a specification bearing the same or a similar title, the registrar, if he think fit, on the request of the second applicant or of his legal representative, may within two months of the grant of a patent on the first application either decline to proceed with the second application or allow the surrender of the patent, if any, granted thereon.

Time for leaving complete specification.

9 (1) If the applicant do not leave a complete specification with his application, he may leave it at any subsequent time within nine months from the date of application, and the registrar may, on payment of the prescribed fee, extend such time to twelve months.

(2) Unless a complete specification is left within nine months or such extended time, the application shall be deemed to be abandoned.

Comparison of provisional and complete specification.

10 (1) Where a complete specification is left after a provisional specification, the registrar shall refer both specifications to an examiner for the purpose of ascertaining whether the complete specification has been prepared in the prescribed manner, and whether the invention particularly described in the complete specification is substantially the same as that which is described in the provisional specification.

(2) If the registrar is of opinion, or if, after reference to an examiner, such examiner report, that the conditions hereinbefore contained have not been complied with, the registrar may refuse to accept the complete specification unless and until the same shall have been amended to his satisfaction; but any such refusal shall be subject to appeal to the Attorney-General.



(3) The Attorney-General shall, if required, hear the applicant and the registrar, and may make an order determining whether and subject to what conditions, if any, the complete specification shall be accepted.

(4) Unless a complete specification is accepted within twelve months from the date of application, or such extended time not exceeding fifteen months from the date of application, as the registrar on payment of the prescribed fee may allow, then (save in the case of an appeal having been lodged against the refusal to accept) the application shall, at the expiration of the said twelve months, or such extended time, become void.

(5) Reports of examiners shall not in any case be published or be open to public inspection, and shall not be liable to production or inspection in any legal proceeding other than an appeal to the Attorney-General under this Ordinance, unless the court or officer having power to order discovery in such legal proceedings shall certify that such production or inspection is desirable in the interests of justice, and ought to be allowed.

Examination of previous specifications on applications for patents.

11 (1) Where an application for a patent has been made and a complete specification has been deposited by the applicant, the examiner shall forthwith, in addition to the inquiries which he is directed to make by this Ordinance, make a further investigation for the purpose of ascertaining whether the invention claimed has been wholly or in part claimed or described in any petition or specification (other than a petition not followed by a specification or a provisional specification not followed by a complete specification) published before the date of the application and filed or deposited in Ceylon before the date of the application.

(2) If on investigation it appears that the invention has been wholly or in part claimed or described in any such petition or specification, the applicant shall be informed thereof, and the applicant may, within such time as may be prescribed, amend his specification, and the amended specification shall be investigated in the same way as the original specification.

(3) The examiner shall report the result of his investigation to the registrar.

(4) The provisions of sub-section (5) of the last preceding section shall apply to reports under this section.

(5) If the registrar is satisfied that no objection exists to the specification on the ground that the invention claimed thereby has been wholly or in part claimed or described in a previous petition or specification as before mentioned, he shall, in the absence of any other lawful ground of objection, accept the specification.

(6) If the registrar is not so satisfied, he shall after hearing the applicant, and unless his objection be removed by amending the specification to the satisfaction of the registrar, determine whether a reference to any, and if so what prior specifications ought to be made in the specification by way of notice to the public.

(7) An appeal shall lie from the decision of the registrar to the Attorney-General.

(8) The investigations and reports required by this section shall not be held in any way to guarantee the validity of any patent, and no liability shall be incurred by the registrar or the examiner by reason of or in connection with any such investigation or report or any proceeding consequent thereon.

Advertisement on acceptance of complete specification.

12 On the acceptance of the complete specification the registrar shall advertise the acceptance in the *Government Gazette*, and the application and specification or specifications with the drawings (if any) shall be open to public inspection.

Opposition to grant of patent.

13 (1) Any person may, at any time within three months from the date of the advertisement of the acceptance of a complete specification, give notice at the registrar's office of opposition to the grant of the patent on the ground of an applicant having obtained the invention from him, or from a person of whom he is the legal representative, or on

the ground that the invention has been patented in Ceylon on application or petition of prior date, or on the ground that the complete specification describes or claims an invention other than that described in the provisional specification, and that such other invention forms the subject of an application made by the opponent in the interval between the leaving of the provisional specification and the leaving of the complete specification, but on no other ground.

(2) Where such notice is given the registrar may require the person giving such notice to give security to an amount not exceeding rupees two hundred and fifty for the costs of the opposition, and if the security so required is not given within the said three months the opposition shall lapse.

(3) Where such notice and such security, if required, is given the registrar shall give notice of the opposition to the applicant, and shall, on the expiration of the said three months, after hearing the applicant and the person so giving notice, if desirous of being heard, decide on the case, but subject to appeal to the Attorney-General.

(4) The Attorney-General shall, on such appeal, hear the applicant and any person so giving notice and being in the opinion of the Attorney-General entitled to be heard in opposition to the grant, and shall determine whether the grant ought or ought not to be made.

(5) The Attorney-General may, if he think fit, obtain the assistance of an expert, who shall be paid such remuneration as the Attorney-General shall determine.

(6) The Attorney-General or the registrar, as the case may be, may, after decision, make such order as may be thought fit for the payment of costs by the applicant to the party giving notice or *vice versa*, and such order may be made a rule of court on an application *ex parte*.

Specifications,  
&c., not to be  
published unless  
application  
accepted.

14 Where an application for a patent has been abandoned or become void the specification or specifications and drawings (if any) accompanying or left in connection with such application shall not at any time be open to public inspection or be published by the registrar.

Sealing of patent.

15 (1) If there be no opposition, or, in the case of opposition, if the determination is in favour of the grant of a patent, such patent shall be sealed with the public seal of the Colony.

(2) A patent shall be sealed as soon as may be, and not after the expiration of fifteen months from the date of application, except in the cases hereinafter mentioned, that is to say :

(a) Where the sealing is delayed by an appeal to the Attorney-General or by opposition to the grant of the patent, the patent may be sealed at such time as the Attorney-General may direct.

(b) If the person making the application die before the expiration of the fifteen months aforesaid, the patent may be granted to his legal representative and sealed at any time within six months after the death of the applicant.

(c) Where the registrar has extended the time for leaving or the time for accepting the complete specification, or both such times, the total period of time so extended shall be added to the period of fifteen months above provided.

Date of patent.

16 Every patent shall be in duplicate, and one duplicate shall be deposited in the registrar's office, and every patent shall be dated and sealed as of the day of the application ; provided that no proceedings shall be taken in respect of an infringement committed before the publication of the complete specification ; provided also that in case of more than one application for a patent for the same invention, the sealing of a patent on one of those applications shall not prevent the sealing of a patent on an earlier application.

Provisional  
protection.

17 Where an application for a patent in respect of an invention has been accepted, the invention may during the

period between the date of the application and the date of sealing such patent be used and published without prejudice to the patent to be granted for the same ; and such protection from the consequences of use and publication is in this Ordinance referred to as provisional protection.

Effect of  
acceptance of  
complete  
specification.

18 After the acceptance of a complete specification, and until the date of sealing a patent in respect thereof, or the expiration of the time for sealing, the applicant shall have the like privileges and rights as if a patent for the invention had been sealed on the date of the acceptance of the complete specification ; provided that an applicant shall not be entitled to institute any proceedings for infringement, unless and until a patent for the invention has been granted to him.

Granting of  
letters patent  
by Governor.

19 All letters patent for inventions under this Ordinance shall be granted by the Governor in the name of His Majesty under the public seal of the Island.

Power to grant  
patents jointly,  
though some  
grantees are not  
inventors.  
Extent of patent.

20 A patent may be granted to several applicants jointly, although some or one of them only are or is the true and first inventors or inventor.

21 Every patent, when sealed, shall have effect throughout Ceylon.

Term of patent.

22 (1) The term limited in every patent for the duration thereof shall be fourteen years from its date.

(2) But every patent shall, notwithstanding anything therein or in this Ordinance, cease if the patentee fail to make the prescribed payments within the prescribed times.

(3) If, nevertheless, in any case, by accident, mistake, or inadvertence, a patentee fail to make any prescribed payments within the prescribed time, he may apply to the registrar for an enlargement of the time for making that payment.

(4) Thereupon the registrar shall, if satisfied that the failure has arisen from any of the above-mentioned causes, on receipt of the prescribed fee for enlargement not exceeding rupees one hundred, enlarge the time accordingly, subject to the following conditions :

(a) The time for making any payment shall not in any case be enlarged for more than six months.

(b) If any proceeding shall be taken in respect of an infringement of the patent committed after a failure to make any payment within the prescribed time, and before the enlargement thereof, the court before which the proceeding is proposed to be taken may, if it shall think fit, refuse to award or give any damages in respect of such infringement.

(5) A patentee who has applied to the registrar for an enlargement of time as aforesaid may, if he is dissatisfied with the order of the registrar made on such application, appeal therefrom to the Governor in Council at any time within fourteen days of the date when the registrar's order was communicated to him.

Amendment of  
specification.

23 (1) An applicant or a patentee may from time to time, by request in writing left at the registrar's office, seek leave to amend his specification, including drawings forming part thereof, by way of disclaimer, correction, or explanation, stating the nature of such amendment and his reason for the same. The registrar shall refer any application under this section to the examiner for report.

(2) The request and the nature of such proposed amendment shall be advertised in the *Government Gazette*, and at any time within three months from its first advertisement any person may give notice at the registrar's office of opposition to the amendment.

(3) Where such notice is given the registrar shall give notice of the opposition to the person making the request, and shall hear and decide the case, subject to an appeal to the Attorney-General.

(4) The Attorney-General shall, if required, hear the person making the request and the person so giving notice, and being in the opinion of the Attorney-General entitled to be heard in opposition to the request, and shall determine

whether, and subject to what conditions, if any, the amendment ought to be allowed.

(5) Where no notice of opposition is given, or the person so giving notice does not appear, the registrar shall determine whether, and subject to what conditions, if any, the amendment ought to be allowed.

(6) When leave to amend is refused by the registrar, the person making the request may appeal from his decision to the Attorney-General.

(7) The Attorney-General shall, if required, hear the person making the request and the registrar, and may make an order determining whether, and subject to what conditions, if any, the amendment ought to be allowed.

(8) No amendment shall be allowed that would make the specification, as amended, claim an invention substantially larger than or substantially different from the invention claimed by the specification as it stood before amendment.

(9) Leave to amend shall be conclusive as to the right of the party to make the amendment allowed, except in case of fraud; and the amendment shall in all courts and for all purposes be deemed to form part of the specification.

(10) The foregoing provisions of this section do not apply when and so long as any action for infringement or proceeding for revocation of a patent is pending.

Power to disclaim part of invention during action, &c.

24 In an action for infringement of a patent, and in a proceeding for revocation of a patent, the court may order that the patentee shall, subject to such terms as to costs and otherwise as the court may impose, be at liberty to apply at the registrar's office for leave to amend his specification by way of disclaimer, and may direct that in the meantime the trial or hearing of the action shall be postponed.

Restriction on recovery of damages.

25 Where an amendment by way of disclaimer, correction, or explanation has been allowed under this Ordinance no damages shall be given in any action in respect of the use of the invention before the disclaimer, correction, or explanation, unless the patentee establishes to the satisfaction of the court that his original claim was framed in good faith and with reasonable skill and knowledge.

Advertisement of amendment.

26 Every amendment of a specification shall be advertised in the *Government Gazette*.

Power for Governor to order grant of licenses.

27 (1) Any person interested may present a petition to the Governor alleging that the reasonable requirements of the public with respect to a patented invention have not been satisfied, and praying for a grant of a compulsory license, or, in the alternative, for a revocation of the patent.

(2) The Governor shall consider the petition, and if the parties do not come to an arrangement between themselves, the Governor, if satisfied that a *prima facie* case has been made out, shall refer the petition to the court, and if not so satisfied may dismiss the petition.

(3) When any such petition is referred by the Governor to the court, and it is proved to the satisfaction of the court that the reasonable requirements of the public with reference to the patented invention have not been satisfied, the patentee may be ordered by the court to grant licenses on such terms as the court may think just, or if the court is of opinion that the reasonable requirements of the public will not be satisfied by the grant of licenses, the patent may be revoked by an order of the court. Provided that no order of revocation shall be made before the expiration of three years from the date of the patent, or if the patentee gives satisfactory reasons for his default.

(4) On the hearing of any petition under this section the patentee and any person claiming an interest in the patent as exclusive licensee or otherwise shall be made parties to the proceeding, and the Attorney-General, or such other counsel as he may appoint, shall be entitled to appear and be heard.

(5) If it is proved to the satisfaction of the court that the patent is worked, or that the patented article is manufactured, exclusively or mainly outside Ceylon, then, unless the patentee can show that the reasonable requirements of the

public have been satisfied, the petitioner shall be entitled either to an order for a compulsory license or, subject to the above proviso, to an order for the revocation of the patent.

(6) For the purposes of this section the reasonable requirements of the public shall not be deemed to have been satisfied if, by reason of the default of the patentee to work his patent, or to manufacture the patented article in Ceylon to an adequate extent, or to grant licenses on reasonable terms, (a) any existing industry or the establishment of any new industry is unfairly prejudiced, or (b) the demand for the patented article is not reasonably met.

(7) An order of the court directing the grant of any license under this section shall, without prejudice to any other method of enforcement, operate as if it were embodied in a deed granting a license and made between the parties to the proceedings.

(8) The Governor may make, revoke, or alter rules of procedure and practice for regulating proceedings before the court under this section, and subject thereto such proceedings shall be regulated according to the existing procedure and practice in patent matters.

(9) The costs of and incidental to all proceedings under this section shall be in the discretion of the court, but in awarding costs on any application for the grant of a license the court may have regard to any previous request for, or offer of, a license made either before or after the application to the court.

(10) This section shall apply to patents granted before as well as after the commencement of this Ordinance.

Register of patents.

28 (1) There shall be kept at the registrar's office a book called the Register of Patents, wherein shall be entered the names and addresses of grantees of patents, notification of assignments and of transmission of patents, of licenses under patents, and of amendments, extensions, and revocations of patents, and such other matters affecting the validity or proprietorship of patents as may from time to time be prescribed.

(2) The register of patents shall be *prima facie* evidence of any matters by this Ordinance directed or authorized to be inserted therein.

(3) Copies of deeds, licenses, and any other documents affecting the proprietorship in any letters patent or in any license thereunder must be supplied to the registrar in the prescribed manner for filing in his office.

Fees in schedule.

29 There shall be paid in respect of the several matters and things described in the third schedule to this Ordinance the fees in that schedule mentioned, and such fees shall be levied and paid to the credit of the general revenue of the island.

Extension of term of patent on petition to the Governor

30 (1) A patentee may, after advertising in manner directed by any rules made under this section his intention to do so, present a petition to the Governor praying that his patent may be extended for a further term; but such petition must be presented at least six months before the time limited for the expiration of the patent.

(2) Any person may enter a caveat, addressed to the Colonial Secretary, against the extension.

(3) If the Governor shall be pleased to refer any such petition to the court, the court shall proceed to consider the same, and the petitioner and any person who has entered a caveat shall be entitled to be heard by himself or by counsel on the petition.

(4) The court shall, in considering its decision, have regard to the nature and merits of the invention in relation to the public, to the profits made by the patentee as such, and to all the circumstances of the case.

(5) If the court report that the patentee has been inadequately remunerated by his patent, it shall be lawful for the Governor in Council to extend the term of the patent for a further term not exceeding seven or, in exceptional cases, fourteen years, or to order the grant of a new patent for the

term therein mentioned, and containing any restrictions, conditions, and provisions that the court may think fit.

(6) It shall be lawful for the Governor in Council to make rules of procedure and practice for regulating proceedings on such petitions, and from time to time to rescind, alter, or vary any such rules, and subject thereto such proceedings shall be regulated according to the existing procedure and practice relating to pleadings in the courts.

(7) The costs of all parties of and incident to such proceedings shall be in the discretion of the court, and the orders of the court respecting costs shall be enforceable in like manner as other orders of the court.

Revocation of patents.

31 (1) Revocation of patents may be obtained on petition to the court.

(2) Every ground on which a patent might prior to the commencement of "The Patents, Designs, and Trade Marks Act, 1883," have been repealed in England by *scire facias* shall be available by way of defence to an action for infringement, and shall also be a ground of revocation.

(3) A petition for revocation of a patent may be presented by—

(a) The Attorney-General.

(b) Any person authorized by the Attorney-General.

(c) Any person alleging that the patent was obtained in fraud of his rights, or of the rights of any person under or through whom he claims.

(d) Any person alleging that he, or any person under or through whom he claims, was the true inventor of any invention included in the claim of the patentee.

(e) Any person alleging that he, or any person under or through whom he claims an interest in any trade, business, or manufacture, had publicly manufactured, used, or sold in Ceylon, before the date of the patent, anything claimed by the patentee as his invention.

(4) The plaintiff must deliver with his petition particulars of the objections on which he means to rely; and no evidence shall, except by leave of the court, be admitted in proof of any objection of which particulars are not so delivered.

(5) Particulars delivered may be from time to time amended by leave of the court.

(6) The defendant shall be entitled to begin and give evidence in support of the patent, and if the plaintiff give evidence impeaching the validity of the patent the defendant shall be entitled to reply.

(7) Where a patent has been revoked on the ground of fraud, the registrar may, on the application of the true inventor made in accordance with the provisions of this Ordinance, grant to him a patent in lieu of and bearing the same date as the date of revocation of the patent so revoked, but the patent so granted shall cease on the expiration of the term for which the revoked patent was granted.

Patent to bind the Crown.

32 A patent shall have to all intents the like effect as against His Majesty the King, his heirs and successors, as it has against a subject, excepting always that the Governor may at any time after the application use the invention for the services of the Crown on terms to be before or after the use thereof agreed on between the Governor and the patentee, or, in default of such agreement, on such terms as may be settled by the court after hearing all parties interested.

Hearing with assessors.

33 (1) In an action or proceeding for infringement or revocation of a patent the court may, if it think fit, or on the request of either of the parties to the proceeding, call in the aid of an assessor specially qualified and try and hear the case wholly or partially with his assistance.

(2) The remuneration, if any, to be paid to an assessor under this section shall be determined by the court and be paid in the same manner as the other expenses of the execution of this Ordinance.

Delivery of particulars.

34 (1) In an action for infringement of a patent the plaintiff must deliver with his plaint, or by order of the court at any subsequent time, particulars of the breaches complained of.

(2) The defendant must deliver with his answer, or by order of the court at any subsequent time, particulars of any objections on which he relies in support thereof.

(3) If the defendant dispute the validity of the patent, the particulars delivered by him must state on what grounds he disputes it, and if one of those grounds is want of novelty must state the time and place of the previous publication or user alleged by him.

(4) At the hearing no evidence shall, except by leave of the court, be admitted in proof of any alleged infringement or objection of which particulars are not so delivered.

(5) Particulars delivered may be from time to time amended by leave of the court.

(6) On taxation of costs regard shall be had to the particulars delivered by the plaintiff and by the defendant; and they respectively shall not be allowed any costs in respect of any particular delivered by them, unless the same is certified by the court to have been proved or to have been reasonable and proper, without regard to the general costs of the case.

Order for inspection, &c., in action.

35 In an action for infringement of a patent the court may, on the application of either party, make such order for an injunction, inspection or account, and impose such terms and give such directions respecting the same and the proceedings thereon as the court may see fit.

Certificate of validity questioned and costs thereon.

36 In an action for infringement of a patent the court may certify that the validity of the patent came in question; and if the court so certify, then in any subsequent action for infringement the plaintiff in that action, on obtaining a final order or judgment in his favour, shall have his full costs, charges, and expenses as between proctor and client, unless the court trying the action certifies that he ought not to have the same.

Remedy in case of groundless threats of legal proceedings.

37 Where any person claiming to be the patentee of an invention, by circulars, advertisements, or otherwise, threatens any other person with any legal proceedings or liability in respect of any alleged manufacture, use, sale, or purchase of the invention, any person or persons aggrieved thereby may bring an action against him, and may obtain an injunction against the continuance of such threats, and may recover such damage (if any) as may have been sustained thereby if the alleged manufacture, use, sale, or purchase to which the threats related was not in fact an infringement of any legal rights of the person making such threats: provided that this section shall not apply if the person making such threats with due diligence commence and prosecute an action for infringement of his patent.

Right of appeal saved.

38 All decisions and orders of the court made under the authority of this Ordinance shall be subject to an appeal to the Supreme Court, and every such appeal shall be brought on and prosecuted in manner provided in "The Civil Procedure Code, 1889," and shall be subject to the provisions of the said Code; and, subject to the provisions and limitations contained in the said Code, any party or parties to any action or proceeding under this Ordinance may appeal to His Majesty in Council from any formal judgment, decree, or sentence of the Supreme Court, or against any rule or order made by such court and having the effect of a final or definitive sentence.

Patent for one invention only.

39 Every patent may be in the form in the first schedule to this Ordinance, and shall be granted for one invention only, but may contain more than one claim; but it shall not be competent for any person in an action or other proceeding to take any objection to a patent on the ground that it comprises more than one invention.

Patent on application of representative of deceased inventor.

40 (1) If a person possessed of an invention for which he is entitled to obtain a patent die without making application for a patent for the invention, application may be made by, and a patent for the invention granted to, the legal representative of the inventor.

(2) Every such application must be made within six months of the decease of such person, and must contain a declaration by the legal representative that he believes such person to be the true and first inventor of the invention.

Patent to first inventor not invalidated by application in fraud of him.

41 A patent granted to the true and first inventor shall not be invalidated by an application in fraud of him, or by provisional protection obtained thereon, or by any use or publication of the invention subsequent to that fraudulent application during the period of provisional protection.

Assignment of patent for particular place.

42 A patentee may assign his patent for the whole of Ceylon or any place in or any part thereof.

Loss or destruction of patent.

43 If a patent is lost or destroyed or its non-production is accounted for to the satisfaction of the registrar, the registrar may at any time cause a triplicate thereof to be sealed and delivered to the person entitled thereto.

Power of Attorney-General to compel attendance of witnesses, &c.

44 For the purpose of any application or other matter requiring the decision of the registrar or the Attorney-General they or either of them may exercise the powers conferred on commissioners under the provisions of Ordinance No. 9 of 1872 for compelling the attendance of witnesses and the production of documents and for administering oaths to all persons who shall be examined before them, provided that the requirements of the proviso to section 2 of that Ordinance shall not be necessary for the purposes of this Ordinance.

Proceedings and costs before Attorney-General.

45 The Attorney-General may from time to time make, alter, and rescind rules regulating references and appeals to the Attorney-General, and the practice and procedure before him under this Ordinance; and in any proceeding before the Attorney-General under this part of this Ordinance he may order costs to be paid by either party, and any such order may be made a rule of the court.

Exhibition at industrial or international exhibition not to prejudice patent rights.

46 The exhibition of an invention at an industrial or international exhibition, whether within or without His Majesty's dominions, certified as such under the hand of the registrar, or the publication of any description of the invention during the period of the holding of the exhibition, or the use of the invention for the purpose of the exhibition in the place where the exhibition is held, or the use of the invention during the period of the holding of the exhibition by any person elsewhere, without the privity or consent of the inventor, shall not prejudice the right of the inventor or his legal representative to apply for and obtain provisional protection and a patent in respect of the invention or the validity of any patent granted on the application, provided that both the following conditions are complied with, namely :

- (a) The exhibitor must, before exhibiting the invention, give the registrar the prescribed notice of his intention to do so; and
- (b) The application for a patent must be made before or within six months from date of the opening of the exhibition.

Power to require models on payment.

47 Where the invention is one which admits of being represented by a model, the registrar may require the patentee at his own expense to furnish him with a model of the invention.

Assignment to Colonial Secretary of certain inventions.

48 (1) The inventor of any improvement in instruments or munitions of war, his executors, administrators, or assigns (who are in this section comprised in the expression the inventor) may (either for or without valuable consideration) assign to the Colonial Secretary, on behalf of His Majesty, all the benefit of the invention and of any patent obtained or to be obtained for the same, and the Colonial Secretary may be a party to the assignment.

Registration of patents granted in Great Britain.

49 It shall be lawful for the Governor in his discretion, on the application of any person being the holder or assignee of any patent for any invention granted or issued in Great Britain upon application made after the first day of January, 1905, and upon such proof as the Governor may deem sufficient that such person is the *bonâ fide* holder or



assignee of the said patent, and that the same is in force, and upon payment to the Colonial Treasurer of the sum of one hundred and fifty rupees, to grant certificate of registration under the public seal of the Island to the holder of such patent as aforesaid or his assignee, and such certificate of registration shall be deposited in the registrar's office and shall be deemed to be a patent issued under this Ordinance for such invention or improvement, and shall have the same force and effect as a patent issued thereunder, and shall enure to the benefit of the holder during the continuance of the original patent in Great Britain and no longer; and all the provisions of this Ordinance shall apply to such certificate of registration in the same way *mutatis mutandis* and as fully as to letters patent or an instrument in the nature of letters patent issued under this Ordinance.

(2) The assignment shall effectually vest the benefit of the invention and patent in the Colonial Secretary on behalf of His Majesty, and all covenants and agreements therein contained for keeping the invention secret and otherwise shall be valid and effectual (notwithstanding any want of valuable consideration), and may be enforced accordingly by the Colonial Secretary for the time being.

(3) Where any such assignment has been made to the Colonial Secretary he may at any time before the application for a patent for the invention, or before publication of the specification or specifications, certify to the registrar his opinion that, in the interest of the public service, the particulars of the invention and of the manner in which it is to be performed should be kept secret.

(4) If the Colonial Secretary so certify, the application and specification or specifications, with the drawings (if any), and any amendment of the specification or specifications, and any copies of such documents and drawings, shall, instead of being left in the ordinary manner at the registrar's office, be delivered to the registrar in a packet sealed by authority of the Colonial Secretary.

(5) Such packet shall, until the expiration of the term or extended term during which a patent for the invention may be in force, be kept sealed by the registrar, and shall not be opened save under the authority of an order of the Colonial Secretary or of the Attorney-General.

(6) Such sealed packet shall be delivered at any time during the continuance of the patent to any person authorized by writing under the hand of the Colonial Secretary to receive the same, and shall, if returned to the registrar, be again kept sealed by him.

(7) On the expiration of the term or extended term of the patent such sealed packet shall be delivered to any person authorized by writing under the hand of the Colonial Secretary to receive it.

(8) Where the Colonial Secretary certifies as aforesaid after an application for a patent has been left at the registrar's office, but before the publication of the specification or specifications, the application, specification, or specifications, with the drawings (if any), shall be forthwith placed in a packet sealed by authority of the registrar, and such packet shall be subject to the foregoing provisions respecting a packet sealed by authority of the Colonial Secretary.

(9) No proceeding by petition or otherwise shall lie for revocation of a patent granted for an invention in relation to which the Colonial Secretary has certified as aforesaid.

(10) No copy of any specification or other document or drawing, by this section required to be placed in a sealed packet, shall in any manner whatever be published or open to the inspection of the public, but, save as in this section otherwise directed, the provisions of this Ordinance shall apply in respect of any such invention and patent as aforesaid.

(11) The Colonial Secretary may, at any time by writing under his hand, waive the benefit of this section with respect to any particular invention, and the specifications, documents, and drawings shall be thenceforth kept and dealt with in the ordinary way.

(12) The communication of any invention for any improvement in instruments or munitions of war to the Colonial Secretary or to any person or persons authorized by him, with the sanction of the Governor, to investigate the same or the merits thereof, shall not, nor shall anything done for the purpose of the investigation, be deemed use or publication of such invention so as to prejudice the grant or validity of any patent for the same.

International arrangements for protection of inventions.

50 (1) Any person who subsequently to the Order of His Majesty in Council dated the seventh day of August, 1905, whereby His Majesty was pleased to apply to Ceylon the provisions of section 103 of the Imperial Act, entitled "The Patents, Designs, and Trade Marks Act, 1883," has applied for protection for any invention in England, or in any foreign state with the Government of which His Majesty has made an arrangement under the said section for mutual protection of inventions, shall be entitled to a patent for his invention under this Ordinance in priority to other applicants, and such patent shall take effect from the same date as the date of the application in England or such foreign state (as the case may be).

Duration of protection.

(2) Such application shall be made within twelve months from such person applying for protection in England or the foreign state with which the arrangement is in force.

Complete specification.

(3) The application shall be accompanied by a complete specification, which, if it be not accepted within the period of twelve months, shall, with the drawings (if any), be open to public inspection at the expiration of that period.

Nothing to be deemed an infringement before acceptance of complete specification.

(4) Nothing in this section contained shall entitle the patentee to recover damages for infringements happening prior to the date of the actual acceptance of his complete specification in the Colony.

Use within certain periods not to invalidate grant of patent.

(5) The publication in Ceylon during the period aforesaid of any description of the invention, or the use therein during such period of the invention, shall not invalidate the patent granted for the invention.

Manner of applying for grant of patent.

(6) The application for the grant of a patent under this section shall be made in the same manner as an ordinary application under this Ordinance.

Application of this section to foreign states.

(7) The provisions of this section shall, in the case of foreign states, apply only in the case of those foreign states with respect to which His Majesty, from time to time, by Order in Council, declares the provisions of the aforesaid section 103 of the said first recited Imperial Act to be applicable, and so long only in the case of each state as such order continues in force with respect to that state.

Saving of rights under order in Council.

(8) Nothing in this Ordinance shall extend to interfere with, take away, abridge, or prejudicially affect the rights of any person under the above-mentioned Order of His Majesty in Council.

Provision for intercolonial, &c., arrangements.

51 (1) Whenever it appears to the Governor in Council that the legislature of any British possession has made satisfactory provision for the protection in such possession of inventions patented in Ceylon, the Governor in Council may by order apply all or any of the provisions of the last preceding section relating to the protection of inventions patented in England, with such variations or additions (if any) as to the Governor in Council shall seem fit, to inventions patented in such British possession.

Date when order to take effect.

(2) An Order in Council under this section shall, from a date to be mentioned for the purpose in the order, take effect as if its provisions had been contained in this Ordinance; but the Governor in Council may revoke any such order.

Governor may make regulations.

52 The Governor in Council may make regulations for carrying into effect the provisions of this Ordinance, and may also from time to time rescind, alter, or vary any such regulations. All such regulations shall, upon publication in the *Government Gazette*, be in full force and effect.

Saving for  
prerogative.

53 Nothing in this Ordinance shall take away, abridge, or prejudicially affect the prerogative of the Crown in relation to the granting of any patent or to the withholding of a grant thereof.

## FIRST SCHEDULE.

## Ordinance Repealed.

Number and Year.	Title.	Extent of Repeal.
16 of 1892 ...	An Ordinance to consolidate and amend the Law relating to the granting of Exclusive Privileges to Inventors ...	The whole
6 of 1897 ...	An Ordinance to amend "The Inventions Ordinance, 1892" ...	The whole
6 of 1898 ...	An Ordinance to amend "The Inventions Ordinance, 1892" ...	The whole
5 of 1904 ...	An Ordinance to amend the Law relating to the granting of Exclusive Privileges to Inventors ...	The whole

## SECOND SCHEDULE. Section 6.

## Forms of Applications, &amp;c.

## Form A.—Form of Application for Patent.

I, (a) \_\_\_\_\_ of \_\_\_\_\_ in \_\_\_\_\_, do solemnly and sincerely declare that I am in possession of an invention for (b) \_\_\_\_\_; that I am the true and first inventor thereof; and that the same is not in use by any other person or persons, to the best of my knowledge and belief; and humbly pray that a patent may be granted to me for the said invention.

And I make the above solemn declaration conscientiously believing the same to be true, &c.

Declared at \_\_\_\_\_ in \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_  
190— (c) \_\_\_\_\_  
(d) \_\_\_\_\_.

Registrar.

NOTE.—This declaration must be accompanied by the statement of an address in Colombo for the reception of all notices and other communications with respect to the application or invention.

- (a) Here insert name, address, and calling of inventor.  
(b) Here insert title of invention.  
(c) Signature of inventor.  
(d) Signature and title of the officer before whom the declaration is made.

## Form B.—Form of Provisional Specification. Section 6.

I, (a) \_\_\_\_\_, of \_\_\_\_\_ in \_\_\_\_\_, do hereby declare the nature of my invention for \_\_\_\_\_ to be as follows (c):—

- (d) \_\_\_\_\_.  
(a) Here insert title as in declaration.  
(b) Here insert name, address, and calling of inventor as in declaration.  
(c) Here insert short description of invention.  
(d) Signature of inventor.

## Form C.—Form of Complete Specification. Section 6.

I, (a) \_\_\_\_\_, of \_\_\_\_\_ in \_\_\_\_\_ of \_\_\_\_\_, do hereby declare the nature of my invention for \_\_\_\_\_ and in what manner the same is to be performed, to be particularly described and ascertained in and by the following statement (c):—

Having now particularly described and ascertained the nature of my said invention and in what manner the same is to be performed, I declare that what I claim is (d) ———.

- (1)  
(2)  
(3) &c.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 190—. (e) \_\_\_\_\_.

- (a) Here insert title as in declaration.  
(b) Here insert name, address, and calling of inventor as in declaration.  
(c) Here insert full description of invention.  
(d) Here state distinctly the features of novelty claimed  
(e) Signature of inventor.

## Form D.—Form of Patent. Section 19.

By His Excellency \_\_\_\_\_ Governor and Commander-in-Chief in  
and over the Island of Ceylon, with the Dependencies thereof.

To all to whom these Presents shall come.

*Greeting:*

Whereas \_\_\_\_\_, of \_\_\_\_\_ in \_\_\_\_\_, \_\_\_\_\_, hath by his solemn declaration represented unto me that he is in possession of an invention for \_\_\_\_\_; that he is the true and first inventor thereof, and that the same is not in use by any other person, to the best of his knowledge and belief:

And whereas the said inventor hath humbly prayed that I would be pleased to grant unto him (hereinafter together with his executors, administrators, and assigns, or any of them, referred to as the said patentee) letters patent in the name of His Majesty for the sole use and advantage of the said invention within the Island of Ceylon:

And whereas the said inventor hath by and in his complete specification particularly described the nature of his invention:

Know Ye, therefore, that I, in the name and on behalf of His Majesty, do by these presents give and grant unto the said patentee my especial license, full power, sole privilege, and authority, that he the said patentee by himself, his agent, or licensee, and no others, may at all times hereafter, during the term of years herein mentioned, make, use, exercise, and vend the said invention within the Island of Ceylon in such manner as to him or them may seem meet, and that the said patentee shall have and enjoy the whole profit and advantage from time to time accruing by reason of the said invention, during the term of fourteen years from the date hereunder written of these presents: and to the end that the said patentee may have and enjoy the sole use and exercise and the full benefit of the said invention, I do by these presents require and strictly command all and every person and persons, bodies politic and corporate, and all others of what estate, quality, degree, name, or condition soever they be within Ceylon that they do not at any time during the continuance of the said term of fourteen years, either directly or indirectly, make use of or put in practice the said invention or any part of the same, nor in anywise imitate the same, nor make or cause to be made any addition thereto or subtraction therefrom, whereby to pretend themselves the inventors thereof, without the consent, license, or agreement of the said patentee in writing under his hand and seal, on pain of incurring such penalties as may be justly inflicted on such offenders for their contempt and of being answerable to the said patentee according to law for his damages thereby occasioned: provided always, and these letters patent are on this condition, that, if at any time during the said term it be made to appear to the court that this grant is contrary to law, or prejudicial or inconvenient to His Majesty's subjects in general, or that the said invention is not a new invention as to the public use and exercise thereof, or that the said patentee is not the first and true inventor thereof, within this Colony as aforesaid, these letters patent shall forthwith determine, and be void to all intents and purposes, notwithstanding anything hereinbefore contained: provided also, that if the said patentee shall not pay all fees by law required to be paid in respect of the grant of these letters patent, or in respect of any matter relating thereto at the time or times, and in manner for the time being by law provided; and also if the said patentee shall not supply or cause to be supplied for His Majesty's Service in this Island all such articles of the said invention as may be required by the officers administering any Department of His Majesty's Service in Ceylon in such manner, at such times, and at and upon such reasonable prices and terms as shall be settled for that purpose by the Governor of Ceylon, then, and in any of the said cases, these letters patent and all privileges and advantages whatever hereby granted shall determine and become void, notwithstanding anything hereinbefore contained: provided also that nothing herein contained shall prevent the granting of licenses in such manner and for such considerations as they may by law be granted: and lastly, I do by these presents in the name and on behalf of His Majesty grant unto the said patentee that these letters patent shall be construed in the most beneficial sense for the advantage of the said patentee.

In witness whereof I have caused these letters to be made patent this \_\_\_\_\_ day of \_\_\_\_\_, One thousand Nine hundred and \_\_\_\_\_, and to be sealed and dated as of the said \_\_\_\_\_ day of \_\_\_\_\_, One thousand Nine hundred and \_\_\_\_\_, in the year of His Majesty's reign.

## THE THIRD SCHEDULE. Section 29.

Fees to be paid in respect of the several matters hereunder specified.

	Rs.	c.
For every application accompanied by a provisional specification only ... ..	25	0
Examiner's fee on reference of application with provisional specification, not exceeding ... ..	50	0
For every application for a patent accompanied by a complete specification ... ..	50	0
On filing complete specification after provisional specification ... ..	50	0
Examiner's fee on reference of complete specification, not exceeding ... ..	50	0
On extending the time for leaving complete specification ... ..	25	0
On extending the time for acceptance of complete specification ... ..	25	0
On every patent—		
(a) Before the expiration of four years from its date ... ..	50	0
(b) After the expiration of the fourth year and before the expiration of the fifth year from that date ... ..	50	0
(c) After the expiration of the fifth year and before the expiration of the sixth year from that date ... ..	50	0
(d) After the expiration of the sixth year and before the expiration of the seventh year from that date ... ..	50	0
(e) After the expiration of the seventh year and before the expiration of the eighth year from that date ... ..	50	0
(f) After the expiration of the eighth year and before the expiration of the ninth year from that date ... ..	100	0
(g) After the expiration of the ninth year and before the expiration of the tenth year from that date ... ..	150	0
(h) After the expiration of the tenth year and before the expiration of the eleventh year from that date ... ..	200	0
(i) After the expiration of the eleventh year and before the expiration of the twelfth year from that date ... ..	200	0
(j) After the expiration of the twelfth year and before the expiration of the thirteenth year from that date ... ..	200	0

Provided that the inventor may pay the total sum of the said annual fees, or any part thereof short of the sum total, at any time before the same falls due.

On filing every amended or substituted specification ... ..	25	0
Examiner's fee on reference of amended or substituted specification ... ..	25	0
On notice of opposition to grant of patent ... ..	25	0
On every summons to witness ... ..	1	0
On hearing every opposed application ... ..	60	0
On extension of patent for each year of extension ... ..	200	0
On filing every disclaimer on memorandum of alteration ... ..	20	0
For every office copy (including seal) per folio of 72 words ... ..	0	25
On filing every certificate voiding a patent ... ..	1	0
On deposit of every assignment, deed, license, or other document affecting proprietorship of patent ... ..	20	0
On delivering duplicate patent after loss, &c. ... ..	30	0
On every search, including inspection ... ..	2	0
Certified copies or extracts seal at per folio ... ..	0	50
For every matter or thing not provided for ... ..	1	0

Passed in Council the Sixteenth day of March, One thousand Nine hundred and Six.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Thirtieth day of March, One thousand Nine hundred and Six.

A. M. ASHMORE,  
Colonial Secretary.

## NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

*Order Nisi declaring Will proved, &c.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Rengappa Nayakker Magan Veerappa Nayakker *alias* Veyanna Rena Veerappa Nayakker, deceased, of No. 53, Nagalagam street in Colombo.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 15th day of March, 1906, in the presence of Mr. D. Muttuswamy, Proctor, on the part of the petitioner Rena Veyanna Alagiri Nayakker of No. 53, Nagalagam street aforesaid; and the affidavit of the said petitioner, dated the 27th February, 1906, having been read:

It is ordered that the aforesaid petitioner be and he is hereby declared as an heir of the late Rengappa Nayakker Magan Veerappa Nayakker *alias* Veyanna Rena Veerappa Nayakker, the above-named deceased, entitled to have letters of administration to the estate of the said deceased issued to him, unless the respondents (1) Letchimy, wife of (2) Allagar Nayakker, and (3) Nannammal, all of No. 53, Nagalagam street aforesaid, shall, on or before the 3rd day of May, 1906, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,  
District Judge.

This 15th day of March, 1906.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Umma Kani Umma, deceased, of Dematagoda in Colombo.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 23rd day of March, 1906, in the presence of Mr. O. A. Jayasekera, Proctor, on the part of the petitioner, Tambi Ismala Marikar of Dematagoda aforesaid, and the affidavit of the said petitioner, dated the 5th March, 1906, having been read:

It is ordered that the aforesaid petitioner be, and he is hereby declared, as husband of the late Umma Kani Umma, the above-named deceased, entitled to have letters of administration to the estate of the said deceased issued to him, unless the respondents (1) Seka Marikar Mammala Marikar and (2) Ajar Umma, both of Dematagoda aforesaid, shall, on or before the 3rd day of May, 1906, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,  
District Judge.

The 23rd day of March, 1906.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Nahallage Dona Helena Hamy, deceased, of Bambalapitiya.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 8th day of April, 1906, in the presence of Mr. O. A. Jayasekera, Proctor, on the part of the petitioner Kulatunga Mudalige Bempy Perera of Bambalapitiya; and the affidavit of the said petitioner, dated the 31st day of March, 1906, having been read:

It is ordered that the aforesaid petitioner be and he is hereby declared entitled to have letters of administration to the estate of his late wife Nahallage Dona Helena Hamy, the above-named deceased, issued to him, unless the respondents (1) Kulatunga Mudalige Jane Perera, (2) Kulatunga Mudalige Carolis Perera, and (3) Kulatunga Mudalige John Perera, all of Bambalapitiya, shall, on or before the 17th day of May, 1906, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,  
District Judge.

The 6th day of April, 1906.

In the District Court of Kandy.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Joint Estate of the late Nambapana Kumara Hettige Anasthasia Bernath Hamine and Hanwelle Abaykoon Sahabandhu Jayaweera Senanayake Johannes Perera Appuhamy, deceased, of Ampitiya in the Gandahaya korale of Pata Hewaheta.

THIS matter coming on for disposal before John Henricus de Saram, Companion of the Most Distinguished Order of Saint Michael and Saint George, District Judge of Kandy, on the 22nd day of March, 1906, in the presence of Messrs. Goonewardene and Wijegoonewardene, Proctors, on the part of the petitioner Hemendra Sepala Perera, presently of No. 61, Maliban street, Pettah, Colombo; and the affidavit of Wilaratchige Danial Perera of Ampitiya, Kandy, dated 19th March, 1906, having been read:

It is ordered that the petitioner Hemendra Sepala Perera, presently of No. 61, Maliban street, Pettah, Colombo, be and he is hereby declared entitled to the letters of administration to the joint estate of Nambapana Kumara Hettige Anasthasia Bernath Hamine and Hanwelle Abaykoon Sahabandhu Jayaweera Senanayake Johannes Perera Appuhamy, deceased, of Ampitiya in Gandahaya korale of Pata Hewaheta, as the son of the said deceased, unless (1) Theresa Perera and her husband (2) Senanayakemudalige Clement Perera, presently of Nanu-oya, shall, on or before the 27th day of April, 1906, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,  
District Judge.

The 22nd day of March, 1906.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Vyravy Vytiyanathar of Araly South, deceased.

Valliyammai, widow of Vyravu Vytiyanathar of Araly South.....Petitioner.  
Vs.

(1) Vairavy Muttukkumar, (2) Nakanathar Seenivasakam, (3) Nakanathar Velauthar, and (4) Nakanathar Murukesu, all of Araly South..... Respondents.

THIS matter of the petition of Valliyammai, widow of Vyravy Vytiyanathar, the above-named petitioner, praying for letters of administration to the estate of the above-named deceased, Vyravy

Vytiyanathar, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 12th day of March, 1906, in the presence of Messrs. Cooke and Chrysostom, Proctors, on the part of the petitioner; and affidavit of the petitioner, dated the 12th day of March, 1906, having been read: It is declared that the petitioner is the widow of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondents or any other person shall, on or before the 25th day of April, 1906, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,  
District Judge.

This 12th day of March, 1906.

In the District Court of Matara.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Arnold Pieris Aberatna Wira-  
No. 1,502. sekara *alias* Lewishamy, deceased,  
of Dondra.

THIS matter coming on for disposal before T. R. E. Loftus, Esq., District Judge of Matara, on the 6th day of March, 1906, on the motion of Messrs. G. E. and G. P. Keuneman, on the part of the petitioner; and the affidavit of the said petitioner, dated 24th February, 1906, having been read: It is ordered that Uswatte Lianage Isotchihamy of Dondra be and she is hereby declared entitled to have letters of administration to the estate of Arnold Pieris Aberatna Wirasekara *alias* Luwishamy, deceased, issued to her, as widow of the said deceased, unless the respondent Susana Aberatna Wirasekara *alias* Kawanihamy and Ciciliyana Aberatna Wirasekara *alias* Baboonhamy, both of Dondra, shall, on or before the 5th day of April, 1906, show sufficient cause to the satisfaction of this court to the contrary.

THOS. R. E. LOFTUS,  
District Judge.

The 6th day of March, 1906.

Extended for 10th May, 1906.

In the District Court of Matara.

*Order Absolute declaring Will proved, &c.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Warnasooriyapatabendige  
No. 1,505. Don Deonis de Silva, deceased, of  
Kamburugamuwa.

THIS matter coming on for disposal before T. R. E. Loftus, Esq., District Judge of Matara, on the 23rd day of March, 1906, in the presence of

Proctor Mr. E. Bultjens on the part of the petitioners Appuhennedige Don Alexander de Silva and Appuhennedige Don Charles de Silva; and the affidavit of the said petitioners and of the attesting Notary to the last will of the deceased, dated 19th March, 1906, having been read:

It is ordered that the will of Warnasooriya Patabendige Don Deonis de Silva, deceased, dated 17th February, 1906, be and the same is hereby declared proved.

It is further declared that the said Appuhennedige Don Alexander de Silva and Appuhennedige Don Charles de Silva are the executors named in the said will, and that they are entitled to have probate of the same issued to them accordingly.

THOS. R. E. LOFTUS,  
District Judge.

The 23rd day of March, 1906.

In the District Court of Chillaw.

*Order Nisi.*

Testamentary In the Matter of the Intestate  
Jurisdiction. Estate of the deceased Nana-  
No. 707. yakkara Warnakulapatabendige  
Marthelis Perera of Pambala.

Between

(1) Manotunge Araccige Jusey Manuel Livera of Pahala Olidaluwa, and (2) Nanayakkara Warnakulapatabendige Jusey Perera of Pambala . . . . . Petitioners

And

(1) Manotunge Araccige Martha Livera, (2) Nanayakkara Warnakulapatabendige William Perera, and (3) Nanayakkara Warnakulapatabendige Peter Perera, all of Pahala Olidaluwa. Respondents.

THIS matter coming on for disposal on the 27th March, 1906, before W. L. Kindersley, Esq., District Judge of Chillaw, in the presence of the deponents; and after reading the affidavit dated the 27th March, 1906, it is ordered that letters of administration to the intestate estate of Nanayakkara Warnakulapatabendige Marthelis Perera of Pambala, deceased, be issued to Manotunge Araccige Jusey Manuel Livera of Olidaluwa and Nanayakkara Warnakulapatabendige Jusey Perera of Pambala, unless sufficient cause is shown to the contrary on the 18th April, 1906.

W. L. KINDERSLEY,  
District Judge.

The 27th day of March, 1906.

## NOTICES OF INSOLVENCY.

In the District Court of Badulla.

No. 97. In the matter of the insolvency of Kawenna Mira Saibo of Migahakiwula.

WHEREAS Kawenna Mira Saibo of Migahakiwula has filed a declaration of insolvency, and a petition for the sequestration of the estate of the said Kawenna Mira Saibo has also been filed under the Ordinance No. 7 of 1853:

Notice is hereby given that the court has adjudged the said Kawenna Mira Saibo insolvent accordingly;

and that two public sittings of the court, to wit, on April 21 and on May 26, 1906, 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 other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

THOS. ABEYWARDENE,  
Secretary.

Badulla, April 4, 1906.

In the District Court of Colombo.

No. 2,139. In the matter of the insolvency of Joseph Henry Stanislaus Holsinger of Maliban 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 May 10, 1906, for the purpose of considering the motion to annul the adjudication of insolvency.

By order of court,

J. B. Misso,  
Secretary.  
Colombo, April 6, 1906.

In the District Court of Colombo.

No. 2,190. In the Matter of the insolvency of Kaluwadewage Charles of Peliyagoda in the Ragam pattu of Alutkuru Korale South.

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 May 10, 1906, for the examination of the insolvent.

By order of court,

J. B. Misso,  
Secretary.

Colombo, April 6, 1906.

In the District Court of Kalutara.

No. 119. In the matter of the insolvency of Muhandirange Crispin Gomes of Panadure.

NOTICE is hereby given that the second sitting of this court in the above matter has been fixed for April 27, 1906.

By order of court,

WM. DE SILVA,  
Secretary.

Kalutara, April 9, 1906.

## NOTICES OF FISCALS' SALES.

### Western Province.

In the District Court of Colombo.

Pana Lana Pana Lana Palaniappa  
Chetty of Sea street, Colombo.....Plaintiff.  
No. 18,064 C. Vs.

Abdul Carim Tamby Samsadeen of  
Dean's road in Colombo.....Defendant.

NOTICE is hereby given that on Tuesday, May 8, 1906, at 1.30 o'clock in the afternoon, will be sold by public auction at the premises the following property, decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 17,748-14, with interest at 9 per cent. per annum from December 4, 1904, till payment in full, viz. :—

All that northern lot No. 1 of the garden with the buildings constructed thereon, bearing assessment No. 62 (now No. 62A), situated at Dean's road, Maradana, within the Municipality of Colombo; bounded on the north and west by the trace of a proposed canal, on the south by a portion of the same garden lot No. 2, and on the east by the high road; containing in extent 22-88 square perches.

E. ONDATJE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, April 9, 1906.

In the District Court of Colombo.

Ana Koona Vana Murugappa Chetty of  
Sea street in Colombo .....Plaintiff.  
No. 19,100. Vs.

Cottage Lawrence de Silve of Dematagoda in Colombo .....Defendant.

NOTICE is hereby given that on Wednesday, May 9, 1906, at 9 o'clock in the forenoon, will be sold by public auction at the premises the following property mortgaged with the plaintiff, and decreed to be sold by the decree entered in the above case, for the recovery of the sum of Rs. 2,461, with interest on

Rs. 2,300 at 24 per cent. per annum from October 30, 1903, till December 4, 1903, and thereafter at 9 per cent. per annum till payment in full, and costs of suit, less Rs. 400, viz. :—

All that allotment of land called Godellapitahena, situated at Dalugama in the Adikari pattu of Siyane korale in the District of Colombo, Western Province, now formed into a coconut estate; and bounded on the north by lands claimed by A. Don Hendrick and others, R. D. Simon Appuhamy and others, A. Caro Appu and others, Bastian Fernando and others, J. R. Migel Pulle, and by land described in plan No. 55,422; on the north-east by lands claimed by Baba Kankanama and Isaac Silva Appuhamy and by land described in plan No. 55,422; on the east by land claimed by J. R. Migel Pulle, W. D. Perera, A. Isaac Perera, and M. Julis Fernando; on the south-east and south by land described in plan No. 55,422 and by land claimed by J. R. Migel Pulle, E. Perera, and Dona Lucia and others, T. Saram, V. Dona Cathrina, D. G. Jayatilleke, W. D. Perera, V. Don Mathes Appuhamy, R. Simon Appu, and B. Bastian Dias; on the south-west by lands claimed by V. Dona Cathrina, D. G. Jayatilleke, V. Don Mathes Appuhamy, B. Bastian Dias Nayde, B. Juan Dias Nayde and others, and T. Juan Appuhamy and others; and on the west and north-west by lands claimed by T. Juan Appuhamy and others, A. Don Hendrick and others, R. Don Simon Appuhamy and others, A. Caro Appu and others, A. Don Mathes and others, Baba Kankanama and Bastian Fernando and others; containing in extent 52 acres 3 roods and 24 perches, save and except therefrom two portions in extent 20 acres 3 roods and 21 perches, marked A and B in the figure of survey No. 56,307 dated March 22, 1862, and duly authenticated by Charles Simon, Esq., Surveyor-General; and all the estate, right, title, and interest, claim, and demand of the defendant into, upon, or out of the said property.

E. ONDATJE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, April 9, 1906.



## In the District Court of Colombo.

Helena Wijewardena of Sedawatta in Ambatalenpahala of Alutkuru Korale South, executrix of the last will and testament of Don Philip Wijewardena, Muhandiram, late of Sedawatta, deceased..... Plaintiff.

No. 20,836. Vs.

(1) Bartholomews Perera Wijesekere Gunewardena of Mabole in the Ragam pattu of Alutkuru korale, (2) Muna Pana Lana Palaniappa Chetty of Sea street in Colombo, (3) Don Johannes Wijegunatileke of Mabole aforesaid... Defendants.

NOTICE is hereby given that on Friday, May 11, 1906, at 12 o'clock noon, will be sold by public auction at the premises the following property, ordered to be sold by the order of court dated December 13, 1905, for the recovery of the sum of Rs. 11,423, with interest on Rs. 10,000 at 12 per cent. per annum from October 11, 1904, till February 3, 1905, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full and costs taxed at Rs. 323.70 and poundage, viz. :—

A garden with the annexed field and houses standing thereon, situated and lying in the village Ortaseda in the Adikari pattu of the Hewagam korale in the District of Colombo, Western Province; and bounded on the north-east by the Kelani river, on the south-east and north-west by the canal, and on the south-west by the high road; containing in extent 3 acres 1 rood and 17.44 square perches.

E. ONDATEJ,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, April 9, 1906.

## In the District Court of Colombo.

(1) Ana Koona Vana Murugappa Chetty and (2) Ana Koona Vana Caderasen Chetty of Sea street in Colombo..... Plaintiffs.

No. 21,928. Vs.

(1) Salmangomisge Cornelis Gomis Wickremasinghe, Peace Officer of Galkissa and his wife, (2) Munanege Porlentina Fernando of Galkissa, (3) J. W. H. Ebert of Havelock Town, Cinnamon Gardens, Colombo, (4) Salmangomisge H. Petergomis Wickremasinghe of Galkissa, (5) Salmangomisge Leonara Cecilia Gomis Wickremasinghe and her husband, (6) N. C. P. Fonseka of Galkissa, and (7) Salmangomisge Martin William Gomis Wickremasinghe of Galkissa, a minor... Defendants.

NOTICE is hereby given that on Thursday, May 17, 1906, will be sold by public auction at the respective premises, the following properties mortgaged with the plaintiffs and decreed to be sold by the decree entered in the above case for the recovery of the sum of Rs. 6,437.50, with further interest on Rs. 5,000 at 15 per cent. per annum from June 1, 1905, up to September 1, 1905, and thereafter at 9 per cent. per annum on the aggregate amount of principal and interest till payment in full and costs Rs. 359.374, viz. :—

At 11 A.M.

1. (a) All those seven undivided twentieth parts or shares of and in the garden called Kahatagahawatta situated at Galkissa in the Palle pattu of Salpiti korale; bounded on the north and east by a portion of this garden called Kahatagahawatta, on the south

by the garden called Kiripellagahawatta, and on the west by high road; containing in extent sufficient to plant about 100 coconuts.

(b) A southern portion of the garden called Kahatagahawatta situated at Galkissa aforesaid; bounded on the north by the half portion of the same garden belonging to Nugegodage Marthelis Silva and others, on the east and south by another part of the same garden, and on the west by high road leading to Galle; containing in extent 1 rood and 1 square perch.

(c) All those three adjoining portions of the land called Kahatagahawatta with the buildings and plantations thereon, situated at Galkissa aforesaid; and bounded on the north by the land of Kompong-hage Jacolis Fonseka, on the east by the land of Meowanage Appu Nunide, on the south by the portion of this land belonging to Sunan Naide now purchased by Nugegodage Cornelis Silva, and on the west by the high road leading to Galle; containing in extent 1 rood and 12 perches.

(d) An allotment of land called Kahatagahawatta situated in the village Galkissa aforesaid; bounded on the north by a part of the same land now belonging to Cornelis Gomis and Alboruge Siman Dabare, on the east by a part of the same land now belonging to Vidanelage David Soysa and others, on the south by Kiripellagahawatta now belonging to Thuppahige David Perera, and on the west by a part of the same land now belonging to Cornelis Gomis; containing in extent 19 perches.

(e) An undivided one-fifth of one half part of the garden called Kahatagahawatta situated at Galkissa aforesaid; bounded on the north by a portion of this garden called Kahatagahawatta belonging to Juanis Appu, on the east by a portion of this garden called Kahatagahawatta belonging Masia Fernando, on the south by the garden called Kiripellagahawatta belonging to Thuppahige David Perera, and on the west by high road; containing in extent sufficient to plant about 100 coconut plants.

(f) An undivided twentieth part of the garden called Kahatagahawatta situated at Galkissa aforesaid; bounded on the north and east by a portion of this garden called Kahatagahawatta, on the south by the garden called Kiripellagahawatta, and on the west by the high road; containing in extent sufficient to plant about 100 coconut plants.

(g) All that portion of land called and known as Kiripellagahawatta situated in the village Galkissa aforesaid; bounded on the north by the land said to belong to Nugegodage Cornelis Silva, on the east by the land said to belong to Manuel Gomis, on the south by land said to belong to Juan Gomis, and on the west by the high road; containing in extent 1 rood and 1/11 square perches.

(h) All that eastern half part or share of an undivided portion of the same garden called and known as Kiripellagahawatta situated at Galkissa aforesaid, which entire portion is bounded or reputed to be bounded on the north by the garden of Nugegodage Cornelis Silva, on the east by the garden of Manuel Gomis, on the south by the other part of Juan Gomis, on the west by the high road; containing or reputed to contain in extent 1 rood and 1/11 square perches, which said allotment of land now forming one property are described as follows :—

(i) All those three allotments of land now forming one property with the buildings standing thereon called Kiripellagahawatta and Kahatagahawatta, situated in the village Galkissa in the Palle pattu of Salpiti korale; and bounded on the north by property belonging to the estate of the late Kompong-hage Jacolis Fonseka and Kompong-hage Konne Naide now

of Magalagey Allis Sinna, east by the property of Allis Boragey Siman Dabera and Vidanelage David Soysa and others, south by the property of Juan Gomis now of Bambereyegey Pedroe Gomis Anthoni Gomis, and Komponage Naide Hamy, and on the west by the high road leading to Galle; containing in extent 1 acre and 36.24 square perches.

At 12 noon.

2. (a) All that part of land called and known as Kahatagahawatta (being a portion of land registered in M 75,115) with all the plantations and trees thereon, situated in the village Galkissa aforesaid bordering Wattarapola; and bounded on the north by the garden of Happuachige Abanchi Appu, on the east by the garden of Salman Gomisge Hendrick Gomis, on the south by the road, and on the west by other part of the same garden; containing in extent more or less 1 rood and 26 perches.

(b) All that portion out of all that one-third part of the garden called Madangahawatta situated at Galkissa aforesaid; which said portion is bounded on the north by Kahatagahawatta claimed by Kurup-punwellage family, on the east by a portion of this land belonging to the estate of the late Salman Gomisge Hendrick Gomis, on the south by the dewata road, on the west by Palliawattakarandage-watta; and containing in extent 24/36 perches.

(c) All those undivided six-eighth of 11/16 of the soil and trees of the land called Ketakelagahawatta situated at Galkissa aforesaid; and bounded on the north by Kahatagahawatta, on the east by land belonging to Sinchi Naide, on the south by dewata leading to Athidiya, and on the west by the land belonging to Domungoe Gomis Yohannes Gomis; containing in extent sufficient to plant about 50 cocconut plants, which said three contiguous allotments of land now forming one property are described as follows:—

(d) All those three contiguous allotments of land now forming one property called Kahatagahawatta, Madangahawatta, Ketakelagahawatta situated in the village Galkissa aforesaid; and bounded on the north by the garden belonging to Happuaratchige people and others, on the east by the garden belonging to Kondagamage Charles Fernando, on the south by dewata road, on the west by a part of the same garden; containing in extent 2 roods and 11.52 square perches.

At 1 P.M.

(4) All that allotment of land at Mount Lavinia marked lot No. 60 with the buildings constructed thereon, situated at Galkissa aforesaid; and bounded on the north by a road 26 feet wide, on the east by ground reserved for additional width of the road from Colombo to Galle, on the south by lot No. 61 said to belong to Hendrick Singho, and on the west by the property of Rammukkanegey; containing in extent more or less 36.84 square perches.

At 2 P.M.

(5) All that allotment of land situated at Galkissa aforesaid; and bounded on the north and east by roads, on the south by T.P. 182,225, and on the west by T.P. 47,706; containing in extent 6 perches and all the estate, right, title, interest, claim, and demand whatsoever of the defendants into, upon, or out of the said lands.

On Friday, May 18, 1906, at 12 noon.

(3) All that part of a garden called and known as Delgahawatta with all the buildings, plantations, and trees thereon, situated in the village Borelesgomuwa in the Palle pattu aforesaid; and bounded on the

north by the cart road and by land belonging to Galhenage Joronis Alwis and others, on the east by lands claimed by Galhenage Elias and others, on the south by lands claimed by Galhenage Don Siman Appu and others, on the west by a part of the same garden; containing in extent 6 acres and 3 roods more or less.

All that portion of the garden called Etaheraliyagahawatta with the plantations and trees thereon, excluding the road thereon situated at Borelesgomuwa aforesaid; and bounded on the north by Eteheraliyagahawatta belonging to Galhenage Hendrick Alwis, on the east by another portion of the same garden belonging to Komponage Abraham Fonseka, on the south by the land called Kosidenawatta and Delgahawatta, and on the west by a portion of this garden; containing in extent 2 acres, which said two contiguous allotments of land now forming one property are described as follows:—

All those two contiguous allotments of land now forming one property called Delgahawatta and Etaheraliyawatta situated in the village Borelesgomuwa aforesaid; and bounded on the north by dewata road, on the east by a dewata road and the properties of Galhenage Allis and Galhenage Elias, on the south by property of Galhenage Girigoris alias Don Simon and others, and on the west by a part of the same land and a dewata road; containing in extent 10 acres 3 roods and 37.54 square perches.

E. ONDATJE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, April 9, 1906.

In the District Court of Colombo.

Muna Runa Sheyna Pandian Pulle of Sea street, Colombo.....Plaintiff.

No. 22,264 c. Vs.

(1) Ahamado Lebbe Marikar Abdulla Latiff, (2) Ahamado Lebbe Marikar Abdul Cader, and (3) Ahamado Lebbe Marikar Abdul Hamid, all of Dam street, Colombo.....Defendants.

NOTICE is hereby given that on Tuesday, May 8, 1906, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the following mortgaged property, ordered to be sold by order to sell dated February 26, 1906, for the recovery of the sum of Rs. 1,500, with interest thereon at 13 per cent. per annum on Rs. 500 from June 2, 1905, and on Rs. 1,000 from August 9, 1905, to the date of decree, and thereafter at 9 per cent. per annum till payment in full and costs of suit, viz. :—

All that garden called Katte Lebbe Totam and all the buildings and plantations thereon, situated at Maligawatta in Dematagoda within the Municipal limits of Colombo, Western Province, bearing assessment No. 75, Dematagoda; bounded on the north by the gardens of Kader Marikar Bastamier, of Ouna Natgar, of Pitche Natgar, and of Assen Lebbe; on the east by the cinnamon garden; on the south by the garden of Galkissa Appuhamy; and on the west by the owita overgrown with cinnamon; containing in extent 6 acres 2 square roods and 49.100 square perches.

E. ONDATJE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, April 9, 1906.

## In the District Court of Colombo.

Kana Runa Kana Nana Kannappa Chetty, by his attorney (1) Kana Runa Kana Nana Letchimanen Chetty and (2) Kana Runa Kana Nana Letchimanen Chetty of Sea street, Colombo....Plaintiffs.

No. 22,396. Vs.

(1) Mastan Lebbe Junath Ummah, (2) Ibrahim Lebbe Abdul Hamid, (3) Sego Mohammado Mastan Lebbe, all of Wellawatta.....Defendants.

NOTICE is hereby given that on Thursday, May 10, 1906, at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property, specially mortgaged with the plaintiffs and decreed to be sold by the decree entered in the above case, for the recovery of the sum of Rs. 1,612.50, with further interest on Rs. 1,500 at the rate of 15 per cent. per annum from March 18, 1905, to October 27, 1905, and thereafter at the rate of 9 per cent. per annum till payment in full and costs of suit, viz. :—

All that portion of garden called Madangahawatta alias Kosgahawatta marked 12F with the buildings, trees, and plantation standing thereon, situated in the village Wellawatta in the Palle pattu of Salpiti korale in the District of Colombo; which said portion of the garden is bounded on the north by the lot No. 10, on the east by the lot No. 12E, on the south by reservation and lot No. 13, and on the west by the high road; containing in extent 9 perches.

E. ONDATJE,  
Deputy Fiscal

Fiscal's Office,  
Colombo, April 9, 1906.

## In the District Court of Colombo.

(1) The Hon. Mr. Solomon Christoffel Obeyesekere, (2) Solomon Dias Bandaranaike, Maha Mudaliyar, and (3) William Chapman Dias, all of Colombo, Trustees of All Saints' Church of Colombo ..... Plaintiffs.

No. 22,548. Vs.

Wickremeratne Vidanelage John Richard Fernando of Mattakkuliya in Colombo ..... Defendant.

NOTICE is hereby given that on Wednesday, May 16, 1906, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged with the plaintiffs, bound and executable under the decree entered in the above action, for the recovery of the sum of Rs. 837.50, with interest on Rs. 750 at 12 per cent. per annum from October 12, 1905, till December 1, 1905, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full and costs of suit taxed at Rs. 99.37½, viz. :—

All those two portions of the garden called Meegahawatta bearing assessment No. 36, situated at Ferguson's road, Mattakkuliya, within the Municipality of Colombo, which adjoin each other and now form one property, and comprising the following allotments of land, to wit:—

(a) All that part of a garden called Meegahawatta, situated at Mattakkuliya aforesaid; bounded on the north by the other part of the same garden belonging to Maria Fernando, now of Siman Juwanis Fernando, on the east by the other part of the same garden belonging to Siman Juwanis Fernando, on the south by the other part belonging to Siman Juwanis Fernando, now of Solomon Fernando, and on the west by the road to Wattala; containing in extent ground sufficient to plant about 60 coconut plants.

(b) All that part of the garden called Meegahawatta, situated at Mattakkuliya aforesaid; bounded on the north-east by a part of this garden belonging to Modera Pedige Ana Marties and others and a foot-path, on the south-east by the other part of Simeon Fernandoge Johannes Fernando, on the south-west by the other part of Simeon Fernandoge Clara Fernando, and on the north-west by a road; containing in extent 1 rood 21.80-perches, together with the buildings standing thereon.

Boundaries to the above two portions of land as one property are as follows :—

On the north by the property of Solomon Fernando, on the east and south by the properties of K. Isaac Fernando and others, and on the west by the Church road.

E. ONDATJE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, April 9, 1906.

## In the District Court of Negombo.

Ana Runa Suna Kannappa Chetty of Negombo ..... Plaintiff.

No. 5,960. Vs.

(1) Kumarasinha Aratchigey Don Juan Peries of 2nd Division, Bolawalana. (2) Jayasekera Hettiaratchigey Don Istego Appuhamy of 1st Division, Kurana, Bolawalana ..... Defendants.

NOTICE is hereby given that on Tuesday, May 15, 1906, at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property mortgaged with the plaintiff and decreed to be sold by the decree entered in the above case for the recovery of the sum of Rs. 714.50, with interest on Rs. 350 at the rate of 24 per cent. per annum from March 31, 1905, till August 30, 1905, and thereafter at 9 per cent. per annum till payment, viz. :—

The land called Kurunduwatta, situate at Paragoda in the Yatigaha pattu of Hapitigam korale; and bounded on the west and north-west by the land said to belong to the Crown, and on all other sides by the land claimed by villagers; containing in extent within the said boundaries excluding the road running across the land 13 acres and 3 roods.

E. ONDATJE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, April 9, 1906.

## In the District Court of Negombo.

Seena Nana Seena Supparamaniam Chetty of Negombo ..... Plaintiff.

No. 5,744. Vs.

(1) Sarukkalige Marselino Fernando of Kelepitimulla. (2) Mehidukulesuriya Luciyanu Fernando of Nambadaluwa... Defendants.

NOTICE is hereby given that on May 10, 1906, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property specially ordered to be sold by the decree entered in the said action, viz. :—

I. The allotment of land called Delgahawatta alias Kongahawatta, situate at Kelapitimulla in Dunagaha pattu of Alutkuru korale; bounded on the north by the live fence separating the land belonging to Sarukkalige Manuel Fernando, on the east and south by the lands belonging to the said Manuel Fernando, and on the west by the land belonging to Amaris Appu, deceased; containing in extent 3 roods more or less.

2. The undivided half of the land called Millegahawatta, situate at Mapalangedara in ditto, the said land being bounded on the north by the field, on the east by the land belonging to Christian, deceased, and others, on the south by the land belonging to Ugo Naide and others, and on the west by the field; containing in extent 4 acres more or less.

3. The undivided 5/6 of the field called Vewakumbura, situate at Kelapitimulla in ditto, the said field being bounded on the north by Bangalagodella, on the east by the cart road, on the south by the land belonging to Manuel Fernando, and on the west by the land belonging to Sethuhami and others; containing in extent 4 parras of paddy sowing more or less.

Amount to be levied Rs. 756.50, with interest on Rs. 550 at 24 per cent. per annum from October 15, 1904, to January 6, 1905, and thereafter at 9 per cent. per annum till payment.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, April 9, 1906.

In the District Court of Negombo.

Suna Pana Kana Nana Suna Kannappa  
Chetty of Negombo ..... Plaintiff.  
No. 5,967. Vs.

1. Malina de Silva Gunasekera Hamine of Liyanegemulla, in her personal capacity and as executrix *de son tort* of the estate and effects of Hamuddara Abraham de Silva Gunasekera; 2. S. P. D. S. Gunasekera; and 3. Selmia de Silva Gunasekera, both of Uuambalama..... Defendants.

NOTICE is hereby given that on May 8, 1906, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said 2nd and 3rd defendants in the following property, viz. :—

The land called Alutwattakurunduwatta, situate at Kadirana in Dunagaha pattu of Alutkuru korale; and bounded on the north by the high road leading to Kimbulapitiya, on the east by the portion of this land belonging to the estate of Edirimuni Martinu Lateru, deceased, on the south by the land belonging to the estate of Seniviratna Muhandiram, deceased, and on the west by the land belonging to Mr. Ambrose Croos Morais; containing in extent 60 acres more or less.

Amount to be levied Rs. 3,550, with interest on Rs. 3,000 at 24 per cent. per annum from March 30 to July 21, 1905, and thereafter at 9 per cent. per annum till payment.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.  
Deputy Fiscal's Office,  
Negombo, April 9, 1906.

In the District Court of Negombo.

Sawanna Thana Lena Muna Lechimanan Chetty of Negombo..... Plaintiff.  
No. 6,221. Vs.

Abeyasinha Kaluarachchige Elaris Perera, Police Headman of Hunumulla ..... Defendant.

NOTICE is hereby given that on May 12, 1906, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property hypothecated by bond No. 4,609, dated September 1, 1899, viz. :—

The undivided 1/2 of the land called Kahatagahawatta, situate at Hunumulla in Dunagaha pattu of

Alutkuru korale; and bounded on the north-west and north by land purchased by Kaluarachchige Selenchi Appu and by the land appearing in the figure of survey bearing No. 49,157 belonging to Telenis Police Vidane, on the north-east by the land belonging to the Crown, on the south-east, south, and south-west by a road, and on the west by the land appearing in the figure of survey bearing No. 49,157 belonging to Don Telenis, Police Vidane; containing in extent 17 acres and 38 perches more or less, and declared liable to be sold in satisfaction of the decree entered in the above case.

Amount to be levied. Rs. 484.25.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, April 9, 1906.

### Central Province.

In the District Court of Negombo.

Herath Fredrick Senanayaka of Halpe.  
Yatigaha pattu ..... Plaintiff.  
No. 6,096. Vs.  
D. A. Wittahatchy of Fiscal's Office.  
Kandy ..... Defendant.

NOTICE is hereby given that on May 14, 1906, at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

An undivided half share with the plumbago pits and everything thereon of an undivided 2/3 shares of the land called Kaluwadanehena *alias* Kaluwadeniya and chena of about 4 amunaras and 6 lahas of paddy sowing extent in the whole; and bounded on the east by the Koskanuwa on the limit of Welihalahena, on the south by the cla of the chena belonging to Dissanakgedara, on the west and north by Malaela of Madurawattahena (save and except Kaluwadeniya aswedduma *alias* Kaluwadeniyakumbura of 1 pela claimed by Hedagedara Appuhamy, situate at Rambukawela in Galesiya pattu of Harispattu.

Amount of writ. Rs. 1,320.12½ and interest.

A. V. WOUTERSZ,  
Deputy Fiscal.

Fiscal's Office,  
Kandy, April 10, 1906.

### Southern Province.

In the District Court of Galle.

Samitchi de Silva Wirakon of Matara..... Plaintiff.  
No. 7,783. Vs.

Edward Danister Perera of Galle, now of Colombo..... Defendant.

NOTICE is hereby given that on Saturday, May 12, 1906, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged as a secondary mortgage, viz. :—

1. All that part of the soil and trees of the garden Eramudugalawatta, in extent 1 rood and 24.46 perches, together with the large stone built tiled house standing thereon, with the appurtenances thereto, at Galupiyadda, in extent 1 rood and 4 perches.

2. The northern portion of the garden Eramudugahawatta, together with the buildings standing thereon, in extent 1 rood and 26.46 perches, situate at ditto; containing in extent 3 roods and 21 perches.

On Monday, May 14, 1906, at 12 noon, at the spot the, right, title, and interest of the said defendant in the following property, viz. :—

3. The field called Ihalanakiyadeniya, in extent 2 acres 3 roods, and 13 perches, situate at Udumalagala.

Writ amount Rs. 6,015·43½, with interest on Rs. 5,768·26 at 9 per cent. per annum from May 12, 1905.

C. T. LEEMBRUGGEN,  
Deputy Fiscal.

Fiscal's Office,  
Galle, April 4, 1906.

In the District Court of Matara.

Endoris de Silva Balasuriya of Nupe.....Plaintiff.  
No. 3,626. Vs.

Bernard Amarasekera, Proctor, of Bala-  
pitiya.....Defendant.

NOTICE is hereby given that on Saturday, May 19, 1906, commencing at 2 o'clock in the afternoon will be sold by public auction at the premises the following mortgaged property, viz. :—

1. All these undivided two-fourth parts of the soil and of the trees of Kahatagahawatta in which Heeme Pattiniya resided, together with all the buildings thereon, situated at Walagedara, containing in extent 1 acre.

2. All that undivided two-third parts of the land called Kajugahawatta, situated at ditto.

Amount of writ Rs. 1,511·50, with further interest on Rs. 1,000 at 18 per cent. per annum from May 2, 1905, till date of decree, and legal interest on the aggregate amount from the date of decree, and Rs. 126 being costs.

C. T. LEEMBRUGGEN,  
Deputy Fiscal.

Fiscal's Office,  
Galle, April 9, 1906.

In the District Court of Matara.

Dona Gimara Jayawickrama Wijetunga  
Hamine of Aturaliya.....Plaintiff.  
No. 3,596. Vs.

1. F. Vanderput, Secretary, District Court, Matara, administrator of the estate of the deceased Abraham Robert Tillakaratne; 2, Richard Dionysius Tillakaratne of Kadawidiya; 3, Anne Cornelia Tillakaratne Ekanayaka Lama Etana of Kadawidiya; 4, Henry De'Ortha Ekanayaka of Kadawidiya..... Defendants.

NOTICE is hereby given that on Saturday, May 12, 1906, at 1 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and

interest of the said defendants in the following property, for the recovery of Rs. 5,362·50, with further interest on Rs. 3,000 at 9 per cent. per annum from March 21, 1905, till September 25, 1905, and legal interest on the aggregate amount from September 25, 1905, till payment in full, and costs Rs. 239·75, viz. :—

The entirety of the soil and trees of the land called Mahawattawalauwa and all the houses and other buildings standing thereon, situate at Kadawidiya in Four Gravets of the Matara District; and bounded on the north by the new high road and a portion of Mahawatta, east by a portion of this land belonging to Badaranayaka Walauwa, south by the high road, and on the west by a portion of this land belonging to Alutwalauwa.

H. J. DE LIVERA,  
Deputy Fiscal.  
Deputy Fiscal's Office,  
Matara, April 4, 1906.

In the District Court of Colombo.

Dewnuge William Pedris of Regent  
street, Colombo.....Plaintiff.

No. 22,359 C. Vs.

Ismail Lebbe Marikar Mohamadu Casim  
of Matara town ..... Defendant.

NOTICE is hereby given that on Friday, May 11, 1906, commencing at 12 o'clock noon, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by the defendant on bond No. 651 of September 26, 1902, in the under-mentioned order, for the recovery of Rs. 1,000, with interest thereon at 12 per cent. per annum from March 27, 1905, till January 5, 1906, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full and costs of suit, viz. :—

1. A half part of all that portion of land called Neyana Pullegegedarawatta, situate at Main street in the Matara town; and bounded on the east by the said Neyna Pullegegedarawatta, on the south by Mittikutti Billekkasagegedarawatta, on the west by the fence of the garden of Marakkalagewatta and on the north by Palleawatta; containing in extent ground sufficient to plant about 10 cocoanut trees.

2. All that western portion of the land called Mittikutti Billekkasagegedarawatta, situate at Main street in the Matara town; and bounded on the east by Neyna Pullegegedarawatta, on the south by the high road, on the west by Divolgahawatta of Leana Arachy, and on the north by the portion of Neyna Pullegegedarawatta and Divolgahawatta; containing in extent 118 feet long and 20½ feet broad along the high road and 20½ feet towards the north.

H. J. DE LIVERA,  
Deputy Fiscal.  
Deputy Fiscal's Office,  
Matara, April 4, 1906.

HERBERT RAYNER FREEMAN, Fiscal for the North-Western Province, do hereby appoint Mr. Martin Dabarera to be Marshal for the division of Pitigal Korale South in the District of Chilaw, under the provisions of the Fiscals' Ordinance No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

H. R. FREEMAN,  
Fiscal.

This 4th day of April, 1906.

HERBERT RAYNER FREEMAN, Fiscal for the North-Western Province, do hereby appoint Mr. David Fernando to be Marshal for the division of Pitigal Korale North and Central in the District of Chilaw, under the provisions of the Fiscals' Ordinance, No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

H. R. FREEMAN,  
Fiscal.

This 4th day of April, 1906.

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, April 30, 1906, at 10 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, April 10, 1906.

C. M. LUSHINGTON,  
Fiscal, Southern Province.

## DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Hatton held at Nawalapitiya, by nine labourers of Hangran-  
oya estate, against the proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 48.75.

H. G. PARANAVITANA,  
Chief Clerk.

This 5th day of April, 1906.

In the Court of Requests of Avisawella.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Avisawella by ninety-four labourers of Munangala estate, against the proprietor or proprietors thereof, under

the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 758.43.

P. E. KALUPAHANE,  
Chief Clerk.

This 3rd day of April, 1906.

C. R. Avisawella, 4,908.

In the Court of Requests of Avisawella.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Avisawella by two labourers of Dansworth estate, against the proprietor or proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 40.

P. E. KALUPAHANA,  
Chief Clerk.

This 29th day of March, 1906.