



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.

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

Part II.—Legal and Judicial.

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DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to make better provision for the good order and discipline of the Local Forces of Ceylon.

Preamble.

WHEREAS it is expedient to make better provision for the good order and discipline of the local forces of the Colony: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title and division into parts.

1 This Ordinance may be cited as "The Volunteer Ordinance, 191," and is divided into parts as follows:

Part I.—Volunteers.

Part II.—The Governor's Bodyguard.

PART I.

Volunteers.

Repeal and commencement.

2 (1) There shall be repealed as from the commencement of this Ordinance the enactments specified in Schedule I. to this Ordinance to the extent in the third column of that schedule mentioned. Any volunteer corps formed under any Ordinance hereby repealed shall, from the commencement of this Ordinance, be subject to the provisions of this Ordinance.

(2) This Ordinance shall come into operation on such date as the Governor shall, by Proclamation in the *Government Gazette*, appoint.

Interpretation.

3 In this Ordinance, unless the context otherwise requires—

“General Officer Commanding the Troops” means the General Officer Commanding the Troops in the Colony, and includes the officer for the time being commanding the troops in the Colony, but does not include, except when on active service, an officer of lower rank than Brigadier-General who is in command of the troops in consequence of the death, absence, or inability to act of the General Officer Commanding the Troops.

“Commandant” means the Commandant of the volunteer forces in Ceylon, or any officer who may be appointed by the Governor to discharge the duties of the Commandant in consequence of the death, absence, or inability to act of the Commandant.

“Commanding Officer of a corps” means the officer appointed to command the corps, or in his absence the senior officer for the time being in command of the corps.

“Officer” means a person holding a commission as officer in a volunteer corps.

“Volunteer” means a member of a volunteer corps not being an officer.

“Appointments” includes accoutrements and equipments of every kind other than clothing.

Organization of Volunteer Corps.

Governor may accept services of corps.

4 (1) It shall be lawful for the Governor to accept the services of any persons desiring to be formed under this Ordinance into a volunteer corps, and offering their services; and on such acceptance being notified in the *Government Gazette*, the proposed corps shall be deemed lawfully formed under this Ordinance.

(2) Any such corps shall be designated by such style as the Governor shall order.

(3) It shall be lawful for the Governor in Executive Council to authorize the formation of reserve corps or companies of volunteers, subject to such rules and regulations as the Governor in Executive Council may from time to time prescribe.

Officer's commission to be issued by Governor.

5 The officers of a volunteer corps shall be commissioned by the Governor, and such commission shall not be deemed vacated by the death or retirement from office of the Governor by which the same was issued.

Power for volunteer to quit corps on conditions.

6 (1) Subject as hereinafter mentioned, any volunteer may, except when on active service, claim his discharge on complying with the following conditions:

(i.) Giving to the Commanding Officer of his corps fourteen days' notice in writing of his intention to claim his discharge;

(ii.) Delivering up in good order (fair wear and tear only excepted) all arms, clothing, and appointments being public property or property of his corps issued to him; and

(iii.) Paying all money due or becoming due by him under the rules of his corps, either before or at the date or by reason of his discharge from the corps;

and thereupon he shall be struck out of the muster roll of the corps by the Commanding Officer.

(2) If any volunteer gives such notice and the Commanding Officer refuses to strike him out of the muster roll and the volunteer considers himself aggrieved thereby, the volunteer may appeal to a Police Magistrate, who shall hear and determine the appeal, and may for the purposes thereof administer oaths and examine any person as a witness; and if it appears to such Police Magistrate that the arms, clothing, and appointments issued to the volunteer, being public property or property of his corps, have been delivered up in good order (fair wear and tear excepted), and that he has paid or is ready to pay

sufficient compensation for any damages that such articles may have sustained, and that all moneys due or becoming due by him under this Ordinance or under the rules of his corps either before or at the time of or by reason of his quitting it have been paid, such Police Magistrate may order the Commanding Officer forthwith to strike such volunteer out of the muster roll, and such determination shall be binding on all persons.

(3) Nothing in this section contained shall authorize any volunteer to obtain his discharge, except with the consent of the Governor, before the expiration of any period of service by which he may have by writing engaged to serve.

Volunteers to be under command of officers of regular forces.

7 Whenever any volunteers are on active service, or are undergoing drill, exercise, or inspection together with or are voluntarily doing any duty together with His Majesty's regular forces or any portion thereof not being the permanent or temporary staff of such force, they and their officers shall, subject to regulations under this Ordinance, be under the command of the officers of His Majesty's regular forces, so nevertheless, that the volunteers shall, when the circumstances of the service admit, be led by their own officers under such command.

Annual inspection.

8 Inspection of every volunteer corps shall be held by the General Officer Commanding the Troops or by some officer of His Majesty's regular forces nominated by the General Officer Commanding the Troops, and at such times (at least once in every year) as the General Officer Commanding the Troops may direct. In the event of the absence from the Colony of the General Officer Commanding, the Governor may request the Officer Commanding the Troops to nominate the inspecting officer, and for the purposes of this Ordinance such inspecting officer shall be deemed to have been nominated by the General Officer Commanding.

Requisites of efficiency to be declared by Governor.

9 The General Officer Commanding the Troops shall by means of regulations lay down conditions of efficiency, to be approved by the Governor, after consultation with the Commandant, which conditions shall specify the drill and course of instructions to be attended, the musketry practice to be executed, and the proficiency to be attained before a volunteer can be passed as efficient.

Disbanding of corps.

10 The Governor may disband or discontinue the services of any volunteer corps or any part thereof whenever it seems to him expedient to do so.

Courts of inquiry.

11 (1) The General Officer Commanding the Troops, with the approval of the Governor, may at any time assemble a court of inquiry composed of officers of the volunteer corps to inquire into any matter relative to any volunteer corps or to any officer or volunteer, and to record the facts and circumstances ascertained on such inquiry, and, if so required, to report on the same for the information of the General Officer Commanding the Troops. *

(2) The Commanding Officer of a volunteer corps may at any time assemble a court of inquiry composed either of officers and volunteers belonging to the corps or of such officers or of such volunteers to inquire into any matter relative to the corps or any volunteer not being an officer, and to record the facts and circumstances ascertained on such inquiry, and, if so required, to report on the same for the information and assistance of the Commanding Officer.

(3) The Governor may call for the report of any court of inquiry, and may confirm, amend, revise, or otherwise deal with the decisions contained therein.

Power for the General Officer Commanding to make regulations for government of volunteer force.

12 The General Officer Commanding the Troops may make regulations, to be approved by the Governor, after consultation with the Commandant, respecting anything in this Ordinance directed or authorized to be done or provided by regulation, and also such regulations as may seem fit (not being inconsistent with any of the provisions of this Ordinance) respecting—

- (a) The appointment, promotion, and rank of officers.
- (b) The assembling and proceedings of courts of inquiry.

(c) Generally the execution of this Ordinance and the general government, discipline, and training of the volunteer force.

Active Service.

Governor may call out volunteers for active service in case of national emergency, invasion, &c.

13 (1) In case of great national emergency, or in case of actual or apprehended invasion of or attack on the Colony, or of rebellion, insurrection, or other civil disturbance, the Governor may by Proclamation call out any volunteer corps or portion thereof for active service.

(2) Every officer and volunteer belonging to every corps or portion thereof so called out shall be bound to assemble at such place as may be directed by the Governor, and to perform such service as may be required under the orders of the Senior Officer in Command of His Majesty's Troops in this Colony.

(3) Every such officer and volunteer from the time of his corps or the portion thereof to which he belongs being so called out shall, for the purposes of this Ordinance, be deemed on active service. If any such officer or volunteer, not incapacitated by infirmity for service, refuses or neglects so to assemble he shall be deemed a deserter.

(4) The period of such service shall continue so long as the Governor shall consider necessary, and shall end only by Proclamation of the Governor.

(5) Nothing in this Ordinance shall render any officer or volunteer liable to serve or proceed on duty without his consent beyond the limits of the Colony.

Volunteers when called out on service to be entitled to pay and quarters.

14 All persons enrolled in any volunteer corps or in portion thereof when called out on active service by the Governor shall be entitled to pay and allowances in such manner and after such rates and condition and to be quartered or billeted in like manner in every respect and under and subject to the same regulations as His Majesty's other forces as far as the same shall by the Governor be deemed applicable to the volunteer corps.

Relief to families of volunteers called out on service.

15 All persons enrolled, who shall when called out on such active service as aforesaid leave families unable to support themselves, shall during the period of their absence on active service be entitled to relief for their wives and families, and it shall be lawful for the Governor to fix the amount of such relief.

When travelling expenses are payable to volunteers.

16 Whenever any person enrolled as aforesaid shall be called out on active service as aforesaid away from his place of residence, he shall be entitled to receive his travelling expenses from and to such residence, and it shall be lawful for the Governor to fix the rate and amount of such expenses.

Pensions to officers and volunteers disabled on service, and to widows and families of those killed on service.

17 All officers and volunteers who shall have received wounds or injuries when called out on active service as aforesaid, and the widows and families of all such officers and volunteers who may have been killed or have died within twelve months after having been wounded or have died during such active service, or have died within twelve months from illness directly traceable to fatigue or exposure incident to such active service, shall be entitled to such pensions or gratuities as shall be fixed by the Governor in Council; provided that no pension or gratuity under this section shall exceed the sum of one thousand rupees per annum.

Discipline.

As to discipline while not in active service.

18 With respect to the discipline of officers and volunteers while they are not on active service, or undergoing drill, exercise, training, or inspection together with or voluntarily doing any duty together with His Majesty's regular forces or any part thereof, the following provisions shall take effect:

(i.) The Commanding Officer of a volunteer corps may, subject to such appeal to the Commandant as hereinafter mentioned, discharge from the corps any volunteer and strike him out of the muster roll either for disobedience of orders by him while doing any duty with his corps, or for neglect of duty or misconduct by

him as a member of the corps, or for other sufficient cause; the existence and sufficiency of such causes respectively to be judged of by the Commanding Officer, or in case of appeal by the Commandant.

- (ii.) The volunteer so discharged shall, nevertheless, be liable to deliver up in good order (fair wear and tear only excepted) all arms, clothing, and appointments being public property or property of his corps issued to him, and pay all moneys due or becoming due by him under this Ordinance or under the rules of his corps either before or at the time or by reason of his discharge; but any volunteer who feels aggrieved by such discharge may appeal to the Commandant within a reasonable time after such discharge, and the Commandant may cancel or confirm such discharge or give such other direction with reference thereto as to him may seem just and proper, and such determination shall be binding on all persons.

- (iii.) If any such officer or volunteer as aforesaid while—

(a) He is on the line of march or on duty with the corps to which he belongs or any part thereof; or

(b) He is engaged in any exercise or drill with such corps or any part thereof; or

(c) He is wearing the clothing or accoutrements of such corps, and is going to or returning from any place of exercise, drill, or assembly of such corps, or is otherwise on duty,

disobeys any lawful order of any officer under whose command he then is or is guilty of misconduct, the officer then in command of the corps or any superior officer under whose command the corps then is may order the offender if an officer into arrest, and if not an officer into the custody of any volunteer belonging to the corps; provided that the offender be not kept in such arrest or custody longer than during the time of the corps or such portion thereof as aforesaid then remaining on march or duty, or continuing engaged in any such exercise or drill as aforesaid, or otherwise on duty; and for the purposes of this provision any such officer or volunteer while going to or returning from any place of exercise, drill, or assembly of his corps shall be deemed to be on duty as long as he continues to wear the clothing or accoutrements of such corps.

- (iv.) Every such arrest shall be forthwith reported to the Commanding Officer of the corps or such other officer as may be prescribed.

19 (1) With respect to the discipline of officers and volunteers when they are on active service, or are undergoing drill, exercise, training, or inspection together with or are voluntarily doing any duty together with His Majesty's regular forces or any part thereof other than the permanent or temporary staff belonging to such regular forces, the following provisions shall take effect:

The provisions of the Imperial Act 44 and 45, Victoria, Chapter 58, and of any other Imperial Act for the time being amending the same shall, so far as the same are applicable to officers and are consistent with the provisions of this Ordinance, apply to all officers and volunteers with the following modifications only:

(a) That no officer or volunteer shall for any offence against such Act or Acts be subjected to the penalty of death.

(b) That no sentence of a court martial for the trial of an officer or volunteer shall be carried into execution, unless confirmed by the Governor.

(2) Nothing in this section contained shall be deemed to limit or derogate from the power given by section 177 of the said Imperial Act to the General Officer Commanding His Majesty's forces with which the corps is serving of making such exceptions or modifications as in the same section are referred to.

Rules and Property of Corps.

Power for corps
to make rules.

20 (1) The members of a volunteer corps may from time to time make rules for the management of the property, finances, and civil affairs of the corps, and may alter or repeal any such rules; but any such rules shall not have effect unless or until the Commanding Officer of the corps thinks fit to transmit the same to the Governor for his approval through the Commandant, and such approval has been notified by the Governor to the Commanding Officer of the corps to be by him forthwith communicated to the corps; whereupon the rules so approved shall be binding on all members of the corps, and shall be published in the *Government Gazette*.

(2) A copy of the rules in print or writing or partly in print and partly in writing certified under the hand of the Commanding Officer as a true copy of the rules whereof such approval has been notified as aforesaid shall be conclusive evidence of the rules of the corps.

Vesting of
property of
corps in
Commanding
Officer
ex-officio.

21 All moneys subscribed by or to or for the use of a volunteer corps, and all effects belonging to any such corps or lawfully used by it, not being the property of an individual member of the corps, and the exclusive right to sue for and recover current subscriptions, arrears of subscriptions, and other moneys due to the corps, shall vest in the Commanding Officer of the corps for the time being and his successors in office, with power for him and his successors to sue, to make contracts and conveyances, and to do all other lawful things relating thereto; and any civil or criminal proceedings taken by virtue of this section by the Commanding Officer of a corps shall not be discontinued or abated by his death, resignation, or removal from office, but may be carried on and in the name of his successor in office.

Volunteers
failing to give
up arms, &c.,
when liable to
do so to pay
value thereof.

22 If any person fails to deliver up in good order (fair wear and tear excepted) any arms, clothing, or appointments which he is liable under this Ordinance or the rules framed hereunder to deliver up, he shall be liable to pay to the Commanding Officer of the corps the value thereof, as such value shall be determined by a general committee constituted in accordance with the rules framed under this Ordinance.

Recovery of
subscriptions
and fines.

23 If any person belonging or having belonged to a volunteer corps neglects or refuses to pay anything subscribed or undertaken to be paid by him towards any of the funds or expenses of such corps, or due under the rules of such corps and actually payable by him, or to pay any fine incurred by him under the rules of such corps, such money or fine shall (without prejudice to any other remedy) be recoverable from him with costs at any time within eighteen months after the same becomes due and payable in manner hereinafter mentioned, and when recovered shall be applied as part of the general funds of the corps.

Miscellaneous.

Recovery of
fine, &c.

24 Any money or fine recoverable under this Ordinance may be recovered in the Court of Requests, notwithstanding the amount may be in excess of the ordinary jurisdiction of that court.

Appearance in
court of
Commanding
Officer.

25 The Commanding Officer of any volunteer corps may appear in any Court of Requests or before any Police Magistrate by any member of the corps authorized by him in writing under his hand.

Exemption
from taxation.

26 (1) Every mounted officer, and every mounted orderly of a corps of volunteers, and every member of such corps while he belongs to a troop of cavalry in such corps, shall be at liberty to keep one horse without being liable to pay in respect thereof any municipal or other tax imposed upon horses.

(2) No toll shall be chargeable for the horses, animals, or conveyances of volunteers going to or returning from the performance of any military duty, or for any vehicles employed in the course of such duty in conveying the arms, ammunition, accoutrements, uniforms, provisions, and baggage which are *bona fide* the property of any volunteer corps. Where such horses, animals, or conveyances are not in charge of volunteers

wearing the uniform of their corps, a certificate purporting to be under the hand of an officer of the corps to the effect that such horses, animals, or conveyances are employed on military duty shall be conclusive evidence that the same are exempt from payment of tolls.

(3) Letters being strictly on His Majesty's service and bearing on the outside or cover thereof the signature of any officer of the volunteer corps from whom they shall have been sent, and also words or letters indicating that such letters are on His Majesty's service only, will be received and forwarded by any post office in the Island free of postage. And should any private note or private communication of any sort or kind whatever be written or printed on or contained in any such official letter, it shall be deemed an offence, and any person found guilty thereof will be liable on conviction to any fine not exceeding fifty rupees.

(4) All arms, ammunitions, accoutrements, or uniforms consigned to any officer of the volunteer corps being the property of the corps shall be passed by the Customs duty free, on the officer to whom they are consigned delivering to the Collector of Customs a list of the articles and certifying at the foot thereof that they are *bona fide* the property of the corps. Provided always that all such property shall, in case of the sale thereof after importation, be liable to and be charged with such and the same duties of Customs as may by law be payable or charged on the like property not being the property of the volunteer corps.

(5) All officers and volunteers of any corps of volunteers of this Island shall be and they are hereby exempted from the liability to labour imposed by section 49 of Ordinance No. 10 of 1861, and from any tax payable in labour or in money in commutation of such labour under "The Municipal Councils' Ordinance, 1887;" "The Nuwara Eliya Board of Improvement Ordinance, 1896;" "The Local Boards' Ordinance, 1898;" "The Small Towns Sanitary Ordinances, 1892 to 1909."

Provided that in the case of volunteers they shall not be entitled in any year to such exemption as aforesaid, unless it shall have been previously certified to the local authority by the Officer Commanding such corps or by the Adjutant or any other commissioned officer specially authorized thereto by such Officer Commanding that such volunteers are *bona fide* efficient volunteers.

For the purposes of this sub-section "local authority" means the District Committee, Municipal Council, Local Board, Board of Improvement, Nuwara Eliya, or Sanitary Board authorized by law to enforce the liability to labour or to impose a tax payable in labour or in money in commutation of such labour.

Capitation
grant.

27 It shall be lawful for the Colonial Treasurer, with the approval of the Governor, to pay to the Commanding Officer of every volunteer corps for the purposes of the corps such sums in each year as shall be fixed by the Governor for every volunteer returned as efficient in the annual returns of a corps in accordance with any regulation passed under section 9 who is certified by the Commanding Officer to have attended not less than the prescribed number of drills or parades within the year, and also such special grants as shall from time to time be fixed by the Governor, but such payment shall not be made unless the officer nominated in accordance with section 8 hereof certifies that the corps has been inspected by him and is in a state of efficiency.

Oath of
allegiance.

28 Every member of a volunteer corps shall on his admission or as soon afterwards as may be take the oath set forth in Schedule II. to this Ordinance to be administered by a Justice of the Peace or by an officer of his corps who has taken such oath.

Assaulting
or resisting
member of
corps.

29 Whoever assaults or resists or abets within the meaning of the Ceylon Penal Code any person in assaulting or resisting any member of the corps in the discharge of his duty shall be punishable on conviction before a Police Magistrate with fine

not exceeding one hundred rupées, or with imprisonment of either description for any term not exceeding six months, or with both.

30 (1) Nothing in this Ordinance shall be held to interfere with the command of the volunteer force which is vested in the Commandant as senior officer responsible to the Governor for all matters connected with the force, except when acting with regular forces of the Crown or when called out under section 13.

(2) Nothing in this Ordinance shall be taken to abridge, curtail, or affect the power vested in the Governor as Commander-in-Chief of the Colony and its dependencies.

Insurance of horses.

31 (1) A scheme may be established in manner hereinafter appearing for the insurance of the horses of members of the Ceylon Volunteer Force who are required to use horses in the performance of their duties. It shall be provided by such scheme of insurance that all members of the Ceylon Volunteer Force who are required to use horses as aforesaid shall pay to the general revenue, in respect of each such horse, such annual sum by way of premium as shall be prescribed by regulation; and, that in the event of the death or permanent disablement of any such horse, the insurer shall receive from the Public Treasury such compensation as shall be prescribed by regulations.

(2) The Governor in Executive Council may from time to time make, and when made, may rescind, vary, or revoke such regulations as may be considered necessary for the establishment and administration of the scheme of insurance, and for the regulation of all matters connected therewith or incidental thereto.

(3) In particular and without prejudice to the generality of the powers conferred by the last preceding section such regulations may provide —

- (a) For the appointment of a committee to manage all matters connected with the scheme of insurance.
- (b) For the determination of the value of horses for the purposes of insurance, and for prescribing the maximum amount at which horses will be valued for such purpose.
- (c) For prescribing the percentage of the value of horses which shall be paid annually by way of premium, and the manner and time of such payment.
- (d) For prescribing the description of horses, as regards age and soundness, which will be accepted for insurance, and for limiting the number of horses which may be insured by any volunteer.
- (e) For defining the risks against which insurers will be indemnified.
- (f) For prescribing the evidence which will be required in proof of the death or permanent disablement of an insured horse.

(4) Upon production of a certificate under the hand of a person authorized by regulation to give the same that a volunteer is entitled to compensation, the Treasurer shall pay to such volunteer the amount certified to be due to him out of the moneys voted for the purpose by the Legislative Council.

PART II.

The Governor's Bodyguard.

The Governor's Bodyguard.

32 (1) The corps of mounted men known as the Governor's Bodyguard shall be composed of men voluntarily recruited from the Indian Army under such conditions of service as the Governor shall from time to time determine with the concurrence of the Governor-General of India.

Subject to such conditions, and to the provisions of this section, the Governor's Bodyguard shall be governed by the Indian Articles of War.

(2) The Governor's Bodyguard shall be considered to be a unit of the local forces of Ceylon, shall be commanded by an Aide-de-Camp of the Governor's Staff, and shall be under the administration of the Commandant, but, save as provided by the provisions of this section, the provisions of this Ordinance shall not be applicable to the Governor's Bodyguard.

SCHEDULE I.

No. and Year.	Title or Short Title.	Extent of Repeal.
3 of 1861 ..	"An Ordinance to authorize the formation of Volunteer Corps in this Colony, and to provide for the good order and discipline thereof"	The whole.
8 of 1881 ..	"An Ordinance to amend the Ordinance No. 3 of 1861, intituled 'An Ordinance to authorize the formation of Volunteer Corps in this Colony, and to provide for the good order and discipline thereof'"	The whole.
9 of 1881 ..	"An Ordinance further to amend the Ordinance No. 3 of 1861, intituled 'An Ordinance to authorize the formation of Volunteer Corps in this Colony, and to provide for the good order and discipline thereof'"	The whole.
7 of 1884 ..	"An Ordinance to further amend the Ordinance No. 3 of 1861, intituled 'An Ordinance to authorize the formation of Volunteer Corps in this Colony, and to provide for the good order and discipline thereof'"	The whole.
11 of 1889 ..	"An Ordinance relating to Volunteers"	The whole.
16 of 1890 ..	"The Volunteer Reserve Ordinance, 1890."	The whole.
17 of 1890 ..	"An Ordinance relating to Volunteers"	The whole.
2 of 1892 ..	"The Coast Defence Volunteer Ordinance, 1892"	The whole.
3 of 1899 ..	"The Volunteer Amendment Ordinance, 1899"	The whole.

SCHEDULE II.

Oath of Officer and Volunteer.

I, A. B., do solemnly promise and swear (or do solemnly, sincerely, and truly affirm and declare) that I will be faithful and bear true allegiance to His Majesty King George the Fifth, and I will faithfully serve His Majesty in Ceylon for the defence of the same against all his enemies and oppressors whatsoever according to the conditions of my service.

(The name of the successor of His Majesty King George the Fifth for the time being, with proper words of reference thereto, to be substituted as occasion requires.)

By His Excellency's command,

Colonial Secretary's Office, H. L. CRAWFORD,
Colombo, June 8, 1910. Acting Colonial Secretary.

Statement of Objects and Reasons.

THE law relating to the Volunteer Forces of Ceylon is now contained in the nine Ordinances specified in Schedule I. of the Draft Ordinance.

2. The object of the Draft Ordinance is to embody the law relating to volunteers in a simple enactment.

3. The following are the principal features of the Draft Ordinance:—

- (a) The Draft Ordinance includes provisions with regard to the Governor's Bodyguard as well as to the different Volunteer Corps in the Island.
- (b) The details with regard to the organization and discipline of the Volunteer Forces have been revised and brought into line with modern conditions.
- (c) Provision is made for the insurance of the horses of members of the Volunteer Force who are required to use horses in the performance of their duties.
- (d) The provisions with regard to the exemption of horses of volunteers from tolls and from certain forms of taxation have been revised.

Attorney-General's Chambers,
Colombo, May 27, 1910.

ALFRED G. LASCELLES,
Attorney-General.

MINUTE.

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

An Ordinance to amend "The Ceylon Penal Code, 1883."

Preamble.

WHEREAS it is expedient to amend in certain particulars "The Ceylon Penal Code, 1883," hereinafter referred to as "the principal Ordinance": Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Penal Code (Amendment) Ordinance, 1910," and shall be read and construed as one with the principal Ordinance.

Amendment of section 296 A.

2 For the section, which by section 6 of "The Penal Code Amendment Ordinance, 1909," was added as section 296 A of the principal Ordinance, the following section shall be substituted, namely:

Persons under sixteen years of age found guilty of murder.

296 A. Provided that sentence of death shall not be pronounced on or recorded against a person who, in the opinion of the court, is under the age of sixteen years, but in lieu thereof the court shall sentence such person to be detained during the Governor's pleasure.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, June 10, 1910.

H. L. CRAWFORD,
Acting Colonial Secretary.

Statement of Objects and Reasons.

THE Penal Code Amendment Ordinance, 1909, added to the Penal Code a section (296 A) to the effect that sentence of death shall not be pronounced on or recorded against "a person under the age of sixteen years."

2. In view of a difficulty which has been experienced in proving the age of offenders in other parts of the Empire where the same provision has been made, it has been considered desirable that the Court should be given discretionary power in determining the age in the absence of undeniable evidence on the point.

3. With this object the Draft Ordinance substitutes for the words "a person under the age of sixteen years" the words "a person who, in the opinion of the Court, is under the age of sixteen years."

Attorney-General's Chambers,
Colombo, May 31, 1910.

ALFRED G. LASOUILLES,
Attorney-General.

MINUTE.

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

An Ordinance relating to the Compulsory Retirement of Public Officers.

Preamble.

WHEREAS the Rules by which the compulsory retirement of public officers from the Public Service is now regulated have been made without statutory authority, and it is expedient that Statutory Authority should be supplied for such Rules and also for any further Rules with regard to the retirement of public officers which may hereafter become necessary: 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 Public Officers (Retirement) Ordinance, 1910."

Power to make rules for compulsory retirement of public officers.

2 (1) The Governor, subject to the approval of the Secretary of State, may make, and when made, may revoke, vary, or amend, rules regulating the age at which, and the conditions subject to which, public officers shall be required to retire from the Public Service.

(2) In particular and without prejudice to the generality of the power conferred by the preceding sub-section, such rules may—

- (a) Prescribe the age at which the retirement of public officers or of any particular class of public officers shall be compulsory.
- (b) Provide, in such cases and subject to such conditions as may be prescribed, for the extension of the employment of public officers beyond the age prescribed by rule for compulsory retirement, and for the exemption of any particular class of public officers from the operation of any rule relating to the compulsory retirement of public officers.
- (c) Prescribe an age earlier than the age at which retirement from the Public Service is compulsory at which the Governor may, subject to such conditions as to notice and otherwise as may be prescribed, require public officers to retire from the Public Service.

Legalization of existing rule.

3 Rule No. 17 of the minute or collection of rules relating to pensions published on the ninth day of December, 1908, shall be deemed to have been lawfully made, and as valid as if it had been made in pursuance of express statutory authority.

By His Excellency's command,
Colonial Secretary's Office, H. L. CRAWFORD,
Colombo, June 10, 1910. Acting Colonial Secretary.

Statement of Objects and Reasons.

THE Draft Ordinance has been prepared with the object of supplying statutory authority for the existing rules with regard to the compulsory retirement of public officers (*vide* No. 17 of the Pension Minute of December 9, 1908).

2. The Draft Ordinance legalizes the existing rule, and authorizes the Governor, subject to the approval of the Secretary of State, to make future rules on the subject of the compulsory retirement of public officers.

Attorney-General's Chambers,
Colombo, May 27, 1910.

ALFRED G. LASCELLES,
Attorney-General.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Joint Last Will and Testament of the late Tantulage Andris Fernando of Willorawatta in Moratuwa, deceased, and his wife Wannakuwattewaduge Francina Fernando also of Willorawatta.

THIS matter coming on for disposal before Allan Drieberg, Esq., District Judge of Colombo, on June 6, 1910, in the presence of Mr. E. C. de Fonseka, Proctor, on the part of the petitioner Wannakuwattewaduge Francina Fernando; and the affidavit (1) of the said petitioner dated May 17, 1910, and (2) of the Notary and one of the witnesses to the said will having been read: It is ordered that the joint will of the said Tantulage Andris Fernando, deceased, and his wife Wannakuwattewaduge Francina Fernando, dated July 21, 1901, of which a copy and translation have been produced and are now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Wannakuwattewaduge Francina Fernando is the executrix named in the said will, and that she is entitled to have probate of the same issued to her in respect of the property of the said Tantulage Andris Fernando, deceased, unless any person or persons interested shall, on or before July 21, 1910, show sufficient cause to the satisfaction of this court to the contrary.

ALLAN DRIEBERG,
District Judge.

June 6, 1910.

In the District Court of Colombo.

Order Nisi declaring Will Proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of the late Bulatsinhalage Welmina Kure of Dam street, Colombo (widow of the late Hendrick de Silva Wikkramasingha), deceased.

THIS matter coming on for disposal before Allan Drieberg, Esq., District Judge of Colombo, on June 11, 1910, in the presence of Mr. David Devapuraratna, Proctor, on the part of the petitioner Muhandiram Edward de Silva Ranamuka Wikkramasingha of Dam street, Colombo; and the affidavits (1) of the said petitioner dated May 18, 1910, and (2) of the attesting Notary dated May 13, 1910, having been read:

It is ordered that the will of Bulatsinhalage Welmina Kure, deceased, dated April 8, 1904, of which the original with its translation has been produced, and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Muhandiram Edward de Silva Ranamuka Wikkramasingha is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless the respondent Mudaliyar Richard de Silva Mahanama Panditaratna Wikkramasingha of Borella, Colombo, or any person or persons interested shall, on or before July 14, 1910, show sufficient cause to the satisfaction of this court to the contrary.

ALLAN DRIEBERG,
District Judge.

June 11, 1910.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Rajapaksa Kumaraunehelage Johannis Alponso and Watutantrige Maria Madalena Peeris, both of Peliyagoda in the Ragam pattu of Alutkuru korale, deceased.

Watutantrige Yohanis Peeris of Peliyagoda in the Ragam pattu of Alutkuru korale. Petitioner.

And

- 1, Adambarage Richard Arnold de Alwis of Dehiwala ; 2, Adambarage Marthina de Alwis ; husband, 3, Gallage William Peeris of Peliyagoda ; 4, Kondagamage Arnolis Fernando ; 5, Kondagamage Isabela Fernando ; 6, Adambarage Johannis de Alwis, all of Peliyagoda ; 7, Kondagamage Engaltina Fernando ; husband, 8, Watutantrige Simon de Alwis, both of Suduwella in Colombo ; 9, Nugegodage Carlina Silva, of Ratmalana ; 10, Watutantrige William Peeris of Peliyagoda ; 11, Watutantrige James Peeris of Alutmawata ; 12, Watutantrige Peter Peeris of Alutmawata ; 13, Watutantrige Paules Peeris of Alutmawata ; 14, Watutantrige Maria Madalena Peeris of Peliyagoda ; 15, Watutantrige Johanna Peeris ; 16, Richard Joseph Abeyratne Bastiansz of Dehiwala ; 17, Rajapaksa Kumaraunehelage Charles Alponso ; 18, Kirihamy ; 19, Rajapaksa Kumaraunehelage Thomas Alponso ; 20, Rajapaksa Kumaraunehelage Elizabeth Alponso, all of Minuwangoda ; 21, Dehiwalage Stephen Perera (husband and wife) 22, Rajapaksa Kumaraunehelage Catherina Alponso ; husband, 23, Panambarage Juwan Fernando, both of Dewolapola in Negombo ; 24, Rajapaksa Kumaraunehelage Rosalina Alponso of Minuwangoda ; 25, Rajapaksa Kumaraunehelage Carolis Alponso of Peliyagoda ; 26, Rajapaksa Kumaraunehelage Isabela Alponso of Peliyagoda ; 27, M. R. Morias, both of Peliyagoda (husband and wife) ; 28, Kondagamage Jan Grero of Peliyagoda ; 29, Kondagamage Cageria Grero of Peliyagoda ; 30, Palliamadinage Sophia alias Podinona Fernando ; husband, 31, Kumaraunehelage Hendrick de Silva of Slave Island in Colombo ; 32, Palliamadinage Louisa Fernando ; husband, 33, Adambarage Marthelis de Alwis of Alutmawata ; 34, Adambarage Abraham de Alwis of Horakele in Panadure ; 35, Adambarage Catherina de Alwis of Kurana ; 36, Adambarage Ango de Alwis of Horekele in Panadure ; 37, Adambarage Manuel de Alwis of Horekele ; 38, Adambarage Emanuel de Alwis of Kurana ; 39, Adambarage Paules de Alwis of Peliyagoda ; 40, Adambarage Nancy Maria de Alwis and husband, 41, D. Simon de Felix of Peliyagoda ; 42, Adambarage Cecilia de Alwis ; husband, 43, Wanasinghage Don Arnolis, both of Galagedera in Negombo Respondents.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo, on April 15, 1910, in the presence of Messrs. Pereira and Akbar, Proctors, on the part of the petitioner above-named ; and the affidavit of the said petitioner dated March 14, 1910, having been read : It is ordered that the said petitioner be and he is hereby declared entitled, as nephew and heir of the deceased above-named, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above-named or any other person or persons interested shall, on or before May 26, 1910, show sufficient cause to the satisfaction of this court to the contrary.

HERMANN A. LOOS,
District Judge.

April 15, 1910.

The date of showing cause is extended to June 30, 1910.

By order of court,

D. M. IANSZ,
Secretary.

May 26, 1910.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Soorige Jeewa Appuhamy and Lunugamage Selohamy, both of Galpothugoda in the Gangaboda pattu of Siyane korale, deceased.

- 1, Soorige Nona Hamy and her husband, 2, Peliachchige Punchi Singho, both of Galpothugoda in Gangaboda pattu of Siyane korale Petitioners.

And

- 1, Kodikara Arachchige Don Deonis Appuhamy of Galpothugoda ; 2, Kodikara Arachchige Enso Hamy ; husband, 3, Vitanage Brumpy alias Yohanis Appu, both of Hiripitiya ; 4, Kodikara Arachchige Noihamy ; her husband, 5, Manakotte Kankanamalage Appu Singho, both of Mailawalana ; 6, Kodikara Arachchige William Appu ; 7, Kodikara Arachchige Ketchohamy ; 8, Kodikara Arachchige Brumpy Singho (the 7th and 8th by their guardian *ad litem* Kodikara Arachchige Don Deonis Appuhamy, the 1st respondent) ; 9, Soorige Pabilinna Hamy of Lunugama ; 10, Surige Girigoris Appu ; 11, Surige Babahamy ; her husband, 12, Hapangamage Mohotti Appu, both of Pelahela ; 13, Surige Angohamy ; her husband, 14, Bulatsinhelage alias Kotte Kankanamalage Juan Appu, both of Attanagalla ; and 15, Surige John Singho of Galpothugoda Respondents.

THIS matter coming on for disposal before Allan Drieberg, Esq., District Judge of Colombo, on June 16, 1910, in the presence of Messrs. Pereira and Akbar, Proctors, on the part of the petitioners above-named ; and the affidavit of the 2nd petitioner dated June 9, 1910, having been read :

It is ordered that the said petitioners be and they are hereby declared entitled, as the daughter and son-in-law of the deceased above-named, to administer the estate of the said deceased, and that letters of administration do issue to them accordingly, unless the respondents above-named or any other person or persons interested shall, on or before June 30, 1910, show sufficient cause to the satisfaction of this court to the contrary.

June 16, 1910. ALLAN DRIEBERG,
District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Sir Frederick Richard Saunders, No. 3,629. K.C.M.G., of 57, The Drive, Hove, in the County of Sussex, England, deceased.

THIS matter coming on for disposal before Allan Drieberg, Esq., District Judge of Colombo, on June 17, 1910, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner Walter Sutherland Ross of Colombo ; and the affidavit of the said petitioner dated May 31, 1910, having been read :

It is ordered that the will of the said Sir Frederick Richard Saunders, dated January 15, 1910, an exemption of probate whereof under the seal of the High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved ; and it is further declared that the said Walter Sutherland Ross is the attorney of the executors named in the said will, and that he is entitled to have letters of administration with the said will annexed of the estate in Ceylon, of the said deceased issued to him accordingly, unless any person or persons interested shall, on or before June 30, 1910, show sufficient cause to the satisfaction of this court to the contrary.

June 17, 1910. ALLAN DRIEBERG,
District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament Jurisdiction. ment, with two codicils thereto, of Arthur No. 3,630. Wellesley Kinnear of Strucharm, Scotland, deceased.

THIS matter coming on for disposal before Allan Drieberg, Esq., District Judge of Colombo, on June 17, 1910, in the presence of Mr. Eustace Frederick de Saram, Proctor, on the part of the petitioner Leslie William Frederick de Saram of Colombo; and the affidavit of the said petitioner dated June 1, 1910, having been read:

It is ordered that the will of the said Arthur Wellesley Kinnear, deceased, dated May 29, 1905, with two codicils thereto, dated respectively December 7, 1908, and February 27, 1909, an exemplification of probate whereof under the seal of the Commissary Court of Kincardineshire has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Leslie William Frederick de Saram is the attorney of the executors named in the said will and codicils, and that he is entitled to have letters of administration, with the said will and codicils annexed, of the estate in Ceylon of the said deceased, issued to him accordingly, unless any person or persons interested shall, on or before June 30, 1910, show sufficient cause to the satisfaction of this court to the contrary.

June 17, 1910.

ALLAN DRIEBERG,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Suddi Lebbe Markar Mammala Markar No. 606. of Deenagoda, deceased.

THIS matter coming on for disposal before P. E. Pieris, Esq., District Judge of Kalutara, on May 11, 1910, in the presence of Mr. D. de Silva, Proctor, on the part of the petitioner Selema Lebbe Ismail Lebbe Markar of Deenagoda in Beruwala; and the affidavit of the said petitioner dated April 15, 1910, having been read:

It is ordered that the petitioner Selema Lebbe Ismail Lebbe Markar of Deenagoda be and he is hereby declared to administer the estate of the said deceased as father-in-law of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents (1) Patuma Umma, (2) Raiyahanath Umma, (3) Mohamado Jeinaidoo, (4) Omer Lebbe Markar, all of Deenagoda—2nd and 3rd respondents, minors, by their guardian *ad litem* the 4th respondent—shall, on or before June 1, 1910, show sufficient cause to the satisfaction of this court to the contrary.

May 11, 1910.

P. E. PIERIS,
District Judge.

The date for showing cause against the above *Order Nisi* is extended to June 29, 1910.

June 1, 1910.

P. E. PIERIS,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. No. 612. Bodiabaduge Hendrick Perera Jayawardana of Desastra Kalutara, deceased.

THIS matter coming on for disposal before P. E. Pieris, Esq., District Judge of Kalutara, on June 8, 1910, in the presence of Mr. C. P. Wijeyeratna, Proctor, on the part of the petitioner Catherina Silva Weerasuriya of Desastra Kalutara; and the affidavit of the said petitioner dated April 20, 1910, having been read:

It is ordered that the petitioner Catherina Silva Weerasuriya be and she is hereby declared entitled to administer the estate of the said deceased as widow of the said deceased, and that letters of administration do issue to her accordingly, unless the respondents (1) Bodiabaduge Covis Perera Gunaratna, (2) Bodiabaduge Catherina Joslin Perera

Jayawardana by her guardian *ad litem* the 1st respondent, (3) Hettiakandage Mylenti Fernando, (4) Bodiabaduge Garvin Perera Jayawardana, (5) Grace Elizabeth Perera Jayawardana, (6) Sophia Regina Perera Jayawardana, all of Desastra Kalutara—4th, 5th, and 6th, minors by their guardian *ad litem* the 3rd respondent—shall, on or before June 29, 1910, show sufficient cause to the satisfaction of this court to the contrary.

June 8, 1910.

P. E. PIERIS,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Wadduwage Bastian Perera Appuhamy No. 614. of Talpitiya, deceased.

THIS matter coming on for disposal before P. E. Pieris, Esq., District Judge of Kalutara, on May 16, 1910, in the presence of Mr. J. A. Wickremesinghe, Proctor, on the part of the petitioner Wadduwage Manuel Perera of Talpitiya; and the affidavit of the said petitioner dated May 16, 1910, having been read:

It is ordered that the petitioner Wadduwage Manuel Perera of Talpitiya be and he is hereby declared entitled to administer the estate of the said deceased as son of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents (1) Mestiage Dona Carlina Goonetilleke Jayawardene Hamine, (2) Wadduwage Selestina Perera and husband (3) Mestiage Don Andris Goonetilleke, (4) Wadduwage Joslina Perera, (5) Wadduwage Justin Perera, (6) Wadduwage Albert Perera, all of Talpitiya in Panadure, shall, on or before June 8, 1910, show sufficient cause to the satisfaction of this court to the contrary.

May 16, 1910.

P. E. PIERIS,
District Judge.

The date for showing cause against the above *Order Nisi* is extended to June 29, 1910.

June 8, 1910.

P. E. PIERIS,
District Judge.

In the District Court of Mannar.

Order Nisi.

Testamentary In the Matter of the Estate of Lawrence Jurisdiction. Liander, late of Illuppaikadawai, No. 158. deceased.

Yaccovis Liander of Illuppaikadawai..... Petitioner.

Vs.

1, Mary, widow of Lawrence Liander; and 2, Lucy Liander of Illuppaikadawai..... Respondents.

THIS matter coming on for disposal before John Scott, Esq., District Judge of Mannar, on June 7, 1910, in the presence of S. Mudliyar Anantham, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated June 6, 1910, having been read: It is ordered that the petitioner, as the son of the deceased, be and he is hereby declared to have letters of administration to the estate of the said deceased issued to him, unless the respondents above-named or any other person shall, on or before July 7, 1910, show sufficient cause to the satisfaction of this court to the contrary.

June 7, 1910.

JOHN SCOTT,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. No. 3,954. Nicholas Goonetilleke, deceased, of Galle.

THIS matter coming on for disposal before W. E. Thorpe, Esq., District Judge, Galle, on June 16, 1910, in the presence of Mr. G. E. Abeyewardene, Proctor, on the part of the petitioner Nicholas Goonetilleke; and the affidavit of the petitioner dated June 15, 1910, having been read:

It is ordered and declared that the said Nicholas Goonetilleke is brother of the deceased, and that he is as such

entitled to have letters of administration issued to him accordingly, unless the respondents—(1) Ellen Ondatjie, (2) Laura Ondatjie, (3) Johana Ondatjie, (4) Peter David Rodrigo, (5) Georgiana Henriatta Rodrigo, and (6) Richard Henry Rodrigo of Matara—shall, on or before July 25, 1910, show sufficient cause to the satisfaction of this court to the contrary.

June 16, 1910.

W. E. THORPE,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Hewa Lunuwilage Teneris, deceased, of
No. 1,753. Walgama.

THIS matter coming on for disposal before B. J. Dutton, Esq., District Judge of Matara, on May 9, 1910, on the motion of the petitioner Madduma Walpolege Babahamy; and the affidavit of the said petitioner dated May 2, 1910, having been read:

It is ordered that Madduma Walpolege Suwaris of Walgama be and he is hereby appointed guardian *ad litem* over the minors Hewa Lunuwilage Dinoris Appu, Hewa Lunuwilage Nonahamy, Hewa Lunuwilage Podiappu, Hewa Lunuwilage Pinoris Appu, Hewa Lunuwilage Danohamy, and Hewa Lunuwilage Yardinahamy.

It is further declared that the said Madduma Walpolege Babahamy, as widow of the deceased, is entitled to have letters of administration of the same issued to her accordingly, unless the above respondents or any other person interested shall, on or before June 29, 1910, show sufficient cause to the satisfaction of this court to the contrary.

May 9, 1910.

B. J. DUTTON,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the matter of the Estate of the late
Jurisdiction. Don Cornelis Wanigasekera Appuhamy,
No. 1,758. deceased, of Walgama.

THIS matter coming on for disposal before B. J. Dutton, Esq., District Judge of Matara, on June 6, 1910, on the motion of Dona Lavaransina Weeratunga Hamine, petitioner; and the affidavit of the said petitioner dated June 2, 1910, having been read:

It is ordered that Don Nickulas Weeratunga, Vidane Arachchi of Madihe be and he is hereby appointed guardian *ad litem* over the minor respondents (1) Deonis Wanigasekera, (2) Laveransina Wanigasekera Hamine, (3) Cecilia Wanigasekera Hamine, (4) Martin Wanigasekera, (5) Francis Wanigasekera, (6) Ceciliana Wanigasekera Hamine, (7) Cornelia Wanigasekera Hamine, (8) Luciya Wanigasekera, (9) Sugunapali Wanigasekera, (10) Francis Wanigasekera. It is also ordered that the said Dona Lavaransina Weeratunga Hamine, as widow of the deceased, is entitled to have letters of administration of the same issued to her accordingly, unless the above respondents shall, on or before June 30, 1910, show sufficient cause to the satisfaction of this court to the contrary.

June 6, 1910.

B. J. DUTTON,
District Judge.

In the District Court of Tangalla.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Galagamage Disanhamy, deceased, of
No. 494. Pahalabeligalla.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Tangalla, on June 10, 1910, in the presence of Nallaperuma Wirasinge Lokuhamy, the petitioner; and the affidavit and petition of the said Nallaperuma Wirasinge Lokuhamy dated May 11, 1910, having been read:

It is ordered that Nallaperuma Wirasinge Lokuhamy, as widow of the deceased Galagamage Dissanhamy, be and the same is hereby declared entitled to letters of administration of the above estate issued to her, unless (1) Galagamage Nanhamy, (2) Hewa Kaluhelamalle Achchige Don

Seyadoris, (3) Galagamage Hinhamy, (4) ditto Babuhama, (5) Ranasinge Don Juanis, all of Ihalabeligalla shall, on or before July 12, 1910, show sufficient cause to the satisfaction of this court to the contrary.

June 10, 1910.

ALLAN BEVEN,
District Judge.

In the District Court of Anuradhapura.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Tikiri Banda Relapanawe, President,
No. 190. Village Tribunal of Kekirawa, deceased.

Herat Banda Relapanawe of Relapanawe in
Wilachia korale Petitioner.

Vs.

(1) Aluvihare Relapanawe Kumarihamy of Relapanawe aforesaid, (2) Kirtisena Loku Banda Relapanawe of ditto, (3) Rajakirti Ran Banda Relapanawe of ditto, (4) Lilawati Tikiri Kumarihamy Relapanawe of ditto, (5) Amarawati Kumarihamy Relapanawe of ditto, and (6) Mallika Kumarihamy Relapanawe of ditto; the 2nd, 3rd, 4th, 5th, and 6th, minor respondents by their guardian *ad litem* the 1st respondent above-named. Respondents.

THIS matter coming on for disposal before James Steuart de Saram, Esq., Additional District Judge of Anuradhapura, on June 14, 1910, in the presence of Mr. S. D. Krisnaratne, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated April 12, 1910, having been read: It is ordered that Herat Banda Relapanawa of Relapanawa aforesaid the petitioner above-named, be and he is hereby declared entitled to administer the estate of the above-named deceased, as brother of the said deceased, unless the respondents above-named or any person interested shall, on or before July 15, 1910, show sufficient cause to the satisfaction of this court to the contrary.

June 14, 1910.

J. S. DE SARAM,
Additional District Judge.

In the District Court of Ratnapura.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Herathmudiyanselaye Lokumahatmaya,
No. 583. late of Erepola, deceased.

Herathmudiyanselaye Punchimahatmaya of
Erepola Petitioner.

And

1, Herathmudiyanselaye Kirimenike; 2, ditto Punciappuhamy; 3, ditto Dingirimahatmaya by his guardian; 4, Munangala Arachchillaye Punchimenike, all of Erepola Respondents.

THIS matter coming on for disposal before W. H. B. Carbery, Esq., District Judge of Ratnapura, on February 2, 1910, in the presence of Mr. C. F. Dhanaratne, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner dated November 10, 1909, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as the son of the deceased above-named, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above-named or any other person or persons interested shall, on or before May 4, 1910, show sufficient cause to the satisfaction of this court to the contrary.

April 23, 1910.

W. H. B. CARBERY,
District Judge.

Order Nisi extended for July 6.

May 3, 1910.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
No. 295. Sinhalapedige Johan of Hewadiwela,
deceased.

Perumbadapedige Gabee of Hewadiwela. Petitioner.

Vs.

Sinhalapedige Rueva of ditto. Respondent.

THIS matter coming on for disposal before F. Bartlett, Esq., District Judge of Kegalla, on March 17, 1910, in the presence of Mr. A. Ondatjee, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated December 1, 1909, having been read:

It is ordered and declared that the said petitioner is entitled to have letters of administration to the estate of the late Sinhalapedige Johan aforesaid, and that she be appointed administratrix accordingly unless any person interested in the said estate shall, on or before April 26, 1910, show sufficient cause to the satisfaction of this court to the contrary.

March 17, 1910.

F. BARTLETT,
District Judge.

The date for showing cause is extended to July 8, 1910.

By order,

June 15, 1910.

C. P. W. GOONESEKERE,
Secretary.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,297. In the matter of the insolvency of Gregory de Silva of Colpetty in Colombo.

NOTICE is hereby given that the above-named insolvent has been allowed a certificate as of the third class.

By order of court,

D. M. JANSZ,
Secretary.

Colombo, June 20, 1910.

In the District Court of Colombo.

No. 2,396. In the matter of the insolvency of Veena Sinnatamby of Kotahena, Colombo, in his personal capacity and as partner of the firm of Veena Seena.

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 July 21, 1910, for the grant of a certificate of conformity to the insolvent.

By order of court,

D. M. JANSZ,
Secretary.

Colombo, June 16, 1910.

In the District Court of Negombo.

No. 88. In the matter of the insolvency of Pattamperuma-aratchige Don Jeramanu Appuhamy of Kondagammulla.

NOTICE is hereby given that the examination of the above-named insolvent has been adjourned for July 7, 1910.

By order of court,

N. PARANAVITANE,
Secretary.

Negombo, June 18, 1910.

In the District Court of Matara.

Insolvency In the matter of the estate of Cornelis Wickramasinha of Kadeweediya in Matara; an insolvent.

NOTICE is hereby given that the first sittings has been adjourned to July 20, 1910.

By order of court,

F. VANDERPUT,
Secretary.

June 20, 1910.

NOTICES OF FISCALS' SALES.

Central Province.

In the District Court of Nuwara Eliya.

Polwatte Samaraweera Aratchige Charles Appuhamy of Nugatalawa Plaintiff.
No. 67. Vs.

Sena Abdul Rahiman of Nuwara Eliya. Defendant.

NOTICE is hereby given that on Monday, July 18, 1910, at 12 noon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz:—

All that allotment of land situated in the Bazaar of Nuwara Eliya being No. 40 of section VII. bounded on the north-east by New street, on the south-east by land described in plan No. 49,984, on the south-west by land described in plan No. 50,612, and on the north-west by New street; containing in extent 3 73/100 of a square perch less a strip of land from the same property 6 ft. wide 57 ft. long lying towards the north-west taken over by Government for public purposes and more accurately described as lying between the said property and the public latrine.

Amount in writ Rs. 1,664.75.

Fiscal's Office,
Nuwara Eliya, June 18, 1910.

R. A. G. FESTING,
Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

The Jaffna Commercial Corporation, Limited,
Jaffna Plaintiff.
No. 6,716. Vs.

(1) Sinnatamby Ponniah of Kopai and (2.) Arumayar Murukeser of Achchuvvely. Defendants.

NOTICE is hereby given that on Monday, July 25, 1910, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said first defendant in the following property, for the recovery of Rs. 301.25 with interest on Rs. 300. at 12 per cent. per annum from June 11, 1909, until payment in full and costs of suit being Rs. 74.50 and charges, viz:—

In a divided 86½ lachams of paddy culture on the north of a piece of land situated at Kopai South and North called Thalvadi and Chippikkadu and Aladyvayal, containing or reputed to contain in extent 105½ lachams of paddy culture, Thalvadi containing or reputed to contain in extent 21½ lachams of paddy culture, total extent being 126½ lachams of paddy culture the said 86½ lachams of paddy culture is bounded or reputed to be bounded on the east by the property of Vallippillai, wife of Kanakasabai,

north by the property belonging to the temple of Ramatnasamy, west by the property belonging to Ampalavanasamy temple and by the property of Sapapaty Vaitianathar and others, and on the south by the property of Thaiyalnayaki wife of Visuvalingam.

Fiscal's Office,
Jaffna, June 16, 1910.

V. THAMBIPILLAI,
Deputy Fiscal.

Southern Province.

In the District Court of Galle.

R. M. A. R. S. M. Suppramanian Pillai of Galle . . . Plaintiff.

No. 9,427.

Vs.

C. D. Silva of Randomba Defendant.

NOTICE is hereby given that on Saturday, July 30, 1910, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

1. An undivided 1/14 part of the soil and trees of a portion of Dikwellewatta and 1/14 part of the four tiled houses standing thereon, situate at Randomba.

2. The land called Galpottewatta and the buildings standing thereon called and known as "Rockland Villa," situate at Randomba.

Writ amount, Rs. 2,137.77, with interest on Rs. 2,033.50 at 9 per cent. per annum from January 29, 1909.

Fiscal's Office,
Galle, June 21, 1910.

C. T. LEEBRUGGEN,
for Fiscal.

Eastern Province.

In the District Court of Batticaloa.

Viswanathar Velmurugu, Mudaliyar, of Pulyantivu Plaintiff.

No. 3,131.

Vs.

Kanthapper Tankamma, widow of V. U. Sinnatampy Vanniah, of Koddakalaar Defendant.

NOTICE is hereby given that on Saturday, July 23, 1910, commencing at 9 o'clock in the morning will be sold by public auction at the premises the right, title, and interest of the said defendant in the following properties, viz. :—

At 9 A.M.

(1) An undivided 4/12 share of the garden called Veerattymetta veetuvalavu, situate at Pulyantivu in Manmunai pattu in Batticaloa, Eastern Province; and bounded on the east by road, west by the garden of N. Vyramuttu, north by the garden of S. N. G. Eliatampy Mudaliyar, and others, and on the south by the garden of K. Gnana-muttu; in extent eastern side 13½ fathoms, western side 25 fathoms, northern side 30½ fathoms, southern side 22½ fathoms, and in the centre 24½ fathoms with house, well, and produce.

At 2 P.M.

(2) An undivided 4/12 share of the garden called Trealyturaivalavu, situate at Koddamunai in Manmunai pattu in Batticaloa, Eastern Province; and bounded on the east by the garden belonging to the Crown, on the west and north by the garden belonging to the Wesleyan Mission and others, and on the south by road, in extent, eastern and western sides 80 fathoms, northern side 40 fathoms, southern side 38 fathoms, with house, well, and produce.

Amount to be levied Rs. 30,000 with interest on Rs. 30,000 at 9 per cent. annum from March 31, 1909, till payment in full.

Fiscal's Office,
Batticaloa, June 14, 1910.

T. SINNATAMPY,
for Fiscal.

In the District Court of Trincomalee.

Ponnachi, daughter of Kumaru (dead) Plaintiff.
Kumaru Kartikesu of Trincomalee Substituted Plaintiff.

No. 330.

Vs.

1, Kachchumma, widow of Pichchai; and 2 Pichchai Mariambawa (dead) of No. 5 division, Trincomalee Defendants.

NOTICE is hereby given that on Saturday, July 16, 1910, at 11 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said defendants in the following property, viz. :—

1. Out of a piece of land situated at division No. 4, Trincomalee, with a tiled house of 3 rooms and 2 small rooms on the southern side, well, and other rights relating thereto, excluding a piece of land on the north-western side with a big room and a small room and things belonging thereto, the remaining land on the south-eastern side with 2 big rooms, 1 small room, and share of well; boundaries of the whole land are on the north-east and south-east by roads, and on the north-west and south-west by small lands, extent 22 3/100 perches.

2. A piece of land situated at division No. 5, Trincomalee, with a tiled house standing thereon and share of well, standing on the adjoining land; bounded on the north-east and south-east by the land of Pichchai and others, south-west by road, and on the north-west by the land and house of Ponnachi, daughter of Kumaru, extent 2 25/100 square perches.

Writ amount, Rs. 1,068.50.

Deputy Fiscal's Office,
Trincomalee, June 21, 1910.

S. RAJU,
Deputy Fiscal.

North-Western Province.

In the District Court of Kurunegala.

P. A. Dona Yaso Perera *alias* Martina Perera of Yantanpalawa, administratrix Respondent.

No. 672.

Hettige Don Simplino Appuhamy of Nagoda Respondent Appellant.

NOTICE is hereby given that on Saturday, July 16, 1910, at 1 o'clock in the afternoon, will be sold by public auction at the premises the following property of the intestate estate of the late Hettige Don Lorensu Appuhamy, deceased, viz. :—

1. Mawedalupota, Kongahahena Ehetugahamulahena, Kongahamulahena now a coconut garden with bearing trees in extent of about 7 kurunies kurakkan sowing or 8 acres; and bounded on the east by the church garden, on the south by the Puttalam road, west by the property belonging to the estate of Mr. Keegel, and on the north by the field, situate at Kalohagedera in Kudagalboda korale.

Amount to be levied Rs. 371.64 and poundage.

Fiscal's Office,
Kurunegala, June 21, 1910.

S. D. SAMARASINHE,
Deputy Fiscal.

In the District Court of Kurunegala.

1, Suna Pana Ana Welleappa Chetty; 2, Suna Pana Ana Weyna Natchiappa Chetty, both of Kurunegala Plaintiff.

No. 3,708.

Vs.

Peter Barnard Wanduragala Nilame of Wanduragala in Tiragandahe korale Defendant.

NOTICE is hereby given that on Saturday, July 23, 1910, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, mortgaged by bond No. 5,707, dated November 12, 1907, and attested by J. P. S. Jayawardene, Notary Public, viz. :—

1. The land called Bopotuwelepillewa, now known as Hitinawatta, of about 2 lahas kurakkan sowing extent or of the extent of 2 acres 2 roods and 22 perches, with the tiled

buildings and the other buildings, plantations, and everything standing thereon, situate at Wehera in Tiragandahe korale; and bounded on the north by Galheenna, on the east by stream (ela), on the south by the ketakala tree, now by live fence, and on the west by the high road leading to Colombo.

Amount to be levied, Rs. 1,775.25, with interest on Rs. 1,200 at 12 per cent. per annum from July 27, 1909, to October 18, 1909, and on Rs. 300 at 19½ per cent. per annum from August 1, 1909, to October 18, 1909, and at 9 per cent. per annum on the aggregate amount from October 18, 1909, till payment in full, with costs Rs. 141.81 and poundage.

Fiscal's Office,
Kurunegala, June 21, 1910.

S. D. SAMARASINHE,
Deputy Fiscal.

In the District Court of Puttalam.

P. L. T. Tariappa Chetty Plaintiff.
Nos. 2,160 and 2,150. Vs.
Ponnimuttu Kadiru Markar Defendant.

NOTICE is hereby given that on Wednesday, July 6, 1910, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendant, in the following property, viz:—

(a) Of the land called Maruthankulicado situate in the village Maruthankuli in Puttalam pattu, containing in extent 12 acres 1 rood and 14 perches as per deed No. 11,014 of December 15, 1904, executed in defendant's favour, an extent of 2 acres of land seized and possessed by the said defendant together with the coconut and other products thereon, situate on the western side of the portion of land belonging to Peer Cando Casie Mohidin; the entire land is bounded on the north and east by the land appearing in the title plan No. 192,772, on the south by road, and on the west by the land appearing in title plan No. 159,262.

(b) Further of the land called Maruthankulicado situate at the aforesaid place, containing in extent 21 acres 2 roods and 14 perches as per the said deed No. 11,014, an extent of 3 acres 2 roods and 14 perches together with all the products thereon, which the defendant is seized and possessed of the entire land; is bounded on the north by the land appearing in title plan No. 192,772, and water-course, on the east and west by land set apart for road, and on the south by road.

(c) Further of the land called Maruthankulicado situate in the aforesaid place, marked under No. 7,113 in preliminary plan No. 1,356, containing in extent 17 acres 3 roods and 1 perch together with all the products thereon, an undivided ½ share belonging to the defendant; the entire land is bounded on the north by land appearing in title plan No. 222,127, on the east by Crown land, on the south by land set apart for the road, and on the west by lot No. 7,112, appearing in preliminary plan No. 1,356; the above lands have been mortgaged upon bond No. 11,725, dated May 5, 1906, and attested by Antony de Rosairo, Mudaliyar, Notary Public.

Amount of writ No. 2,160, Rs. 1,465.75.

Amount of writ No. 2,150, Rs. 1,320.60 and interest.

Deputy Fiscal's Office, J. ARTHUR DE SILVA,
Puttalam, June 14, 1910. Deputy Fiscal.

In the District Court of Chilaw.

Manattu Kamachi, executor of the last will and testament of the late Ladamuttu Muttu Kamachi and another of Udappu Plaintiff.
No. 4,170. Vs.

Bastianpullai Anthonypullai Whittiar of Mundel, in the District of Puttalam Defendant.

NOTICE is hereby given that on Saturday, July 9, 1910, at 12 o'clock in the noon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz:—

1. All that 5 acres and 2 roods extent of land together with the coconut trees and all other productive things therefrom and out of the 76 acres and 20 perches extent of

land on the south-east from the land called Sembukkulamkadu bearing B 998, which is of the extent of 412 acres and 1 rood, situate at Sembukkulam in Rajukumara Wannian pattu, in the District of Puttalam; the said 5 acres and 2 roods extent being bounded on the north by the land belonging to the defendant and others, on the east by the land allotted for the share of Cadiran Sammatti Kamalamuttu Sammatti, on the south by the road, and on the west by hereinafter appearing land (7 acres and 2 roods extent from the land called Sembukkulamkadu) purchased by defendant from Sittambalam Marudamuttu Pandurem.

2. All that 7 acres and 2 roods extent of land and the coconut trees and all productive things thereof from and out of the land called Sembukkulamkadu bearing B 998, situate at Sembukkulam aforesaid; and bounded on the north and west by land belonging to the defendant and others, on the east by land allotted to the defendant, and on the south by road.

Amount to writ Rs. 1,198.75 and interest.

Deputy Fiscal's Office, J. ARTHUR DE SILVA,
Puttalam, June 15, 1910. Deputy Fiscal.

In the District Court of Chilaw.

Wena Arumugam Mudali of Chilaw Plaintiff.
No. 4,005. Vs.

Mohammado Saibo Yapker Saibo of Moor street in Chilaw Defendant.

NOTICE is hereby given that on Monday, July 11, 1910, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, specially mortgaged with the plaintiff by bond No. 5,936, dated October 25, 1904.

(1) The garden of about 3 roods and 2 perches in extent with the plantations thereon situate at Palakulam in Munessaram pattu, Pitigal Korale North in the District of Chilaw (subject to secondary mortgage).

(2) Three-fifth shares of the field called Paniyaweli of about 40 parrahs paddy sowing extent, situate at Palakulam as aforesaid (subject to primary mortgage).

(3) The garden marked letter A of about 19 perches in extent with the plantation thereon situate at Palakulam as aforesaid (subject to primary mortgage).

Amount to be levied Rs. 400 and poundage.

Deputy Fiscal's Office, A. V. HERAT,
Chilaw, June 16, 1910. Deputy Fiscal.

In the Court of Requests of Negombo.

Don John Peter Abeyschera, now of 2nd Division, Bolawalana Plaintiff.
No. 16,272. Vs.

Tammahetti Mudalige Don Thomas Peris, Police Headman of Dummaladeniya, now of Kotarupe Defendant.

NOTICE is hereby given that on Saturday, July 16, 1910, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz:—

The defendant's residence garden together with the plantations and buildings standing thereon situate at Dummaladeniya in Kammial pattu of Pitigal Korale South in the District of Chilaw; and bounded on the north by garden of Elaris Appu and others, east by high road, south by dewata road, and west by garden of Caroffs Gurunanse and others, containing in extent about 3 acres.

Amount to be levied Rs. 153.78 with interest on Rs. 145.20 at the rate of 9 per cent. per annum from August 3, 1908, till payment and poundage.

Deputy Fiscal's Office, A. V. HERAT,
Chilaw, June 16, 1910. Deputy Fiscal.

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 Ratnapura will be holden at the court-house at Cofombo, on Monday, July 11, 1910, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Ratnapura, June 14, 1910.

G. COOKSON,
Fiscal.