



# Ceylon Government Gazette

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PART II.—Legal and Judicial.

PART III.—Provincial Administration.

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## 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 amend "The Licensing Ordinance, 1891."

Preamble.

WHEREAS it is expedient to consolidate and amend the law relating to the manufacture, sale, and possession of foreign liquor: Be it therefore enacted by the Governor of Ceylon, by and with the advice of the Legislative Council thereof, as follows:

#### I.—Preliminary and Definitions.

Short title.

Commencement.

1 This Ordinance may be cited as "The Foreign Liquor Ordinance, 1912," and it shall come into operation within such local areas, to such extent, and on such dates as the Governor shall appoint by Proclamation in the "Government Gazette."

Repeal of enactments.

2 From the date on which this Ordinance comes into force the Ordinance specified in the schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule.

Interpretation.

3 In this Ordinance, unless there be something repugnant in the subject or context—

Excise revenue.

(1) "Excise revenue" means revenue derived or derivable from any fee, fine (other than a fine imposed by a court of law), or confiscation imposed or ordered under the provisions of this Ordinance or of any other law for the time being in force relating to foreign liquor.

- Excise officer. (2) "Excise officer" means a Government Agent or any officer or other person appointed or invested with powers under section 7.
- Excise Commissioner. (3) "Excise Commissioner" means the officer appointed by the Governor under section 7 (a).
- Spirit. (4) "Spirit" means any liquor, except arrack, containing alcohol obtained by distillation, whether it is denatured or not.
- Denatured. (5) "Denatured" means effectually and permanently rendered unfit for human consumption.
- Beer. (6) "Beer" includes ale, stout, porter, and all other fermented liquors made from malt.
- Liquor. (7) "Liquor" includes spirits of wine, spirit, wine, and beer, and all liquid consisting of or containing alcohol, except arrack and toddy; also any substance which the Governor may by notification declare to be liquor for the purposes of this Ordinance.
- Country liquor. (8) "Country liquor" means arrack and toddy.
- Foreign liquor. (9) "Foreign liquor" includes all liquor other than country liquor. Provided that, in any case in which doubt may arise, the Governor may by notification declare, whether for the purposes of this Ordinance or any rules made thereunder, any particular liquor shall be deemed to be "country liquor" or "foreign liquor."
- Sale or selling. (10) "Sale" or "selling" includes any transfer otherwise than by way of gift.
- Manufacture. (11) "Manufacture" includes every process, whether natural or artificial, by which any foreign liquor is produced or prepared, and also re-distillation, and every process for the rectification, flavouring, blending, or colouring of liquor.
- Bottling. (12) To "bottle" means to transfer liquor from a cask or other vessel to a bottle or other receptacle for the purpose of sale, whether any process of manufacture be employed or not, and includes re-bottling.
- Place. (13) "Place" includes a house, building, shop, tent, and vessel.
- Limits of sale. 4 The Governor may by notification declare, with respect either to the whole Island or to any local area, and as regards purchasers generally or any specified class of purchasers, and generally or for any specified occasion, what quantity of any foreign liquor shall, for the purposes of this Ordinance, be the limit of sale by retail and sale by wholesale respectively.
- Saving of military and naval canteens. 5 Nothing contained in this Ordinance shall apply to any canteen, shop, or tavern opened or kept under military or naval regulations, and subject to the supervision of military or naval officers.

## II.—Establishment and Control.

- The collection of the excise revenue to lie with the Government Agent. 6 Except as otherwise provided by this Ordinance, the collection of the excise revenue shall be under the charge of the Government Agent.
- The Governor may appoint an officer to control the administration of the Excise Department. 7 The Governor may by notification applicable to the whole Island or to any district or local area in which this Ordinance is in force—
- (a) Appoint an officer who shall, subject to the orders of Government, if any, have the control of the administration of the Excise Department and of the collection of the excise revenue.
- (b) Appoint any person other than the Government Agent to exercise all or any of the powers and to perform all or any of the duties of a Government Agent in respect of the excise revenue, either concurrently with or in exclusion of the Government Agent, subject to such control as the Governor may direct.
- May appoint persons other than the Government Agent to exercise all or any of his powers.

May appoint officers to take action under sections 18, 20, and 30 (a) and other officers.

May appoint any Government officer or other person to act as above.

May delegate certain of his powers to any excise officer.

May withdraw powers.

And may permit delegation of powers.

Government Agent to be subject to control of Excise Commissioner.

Manufacture of foreign liquor prohibited except under provisions of this Ordinance.

Sale of foreign liquor without license prohibited.

Form and conditions of licenses.

Counterpart agreement to be executed by licensee.

Power to cancel or suspend licenses.

(c) Appoint officers or persons to perform the acts and duties mentioned in sections 18, 20, and 30 (a).

(d) Appoint officers of the Excise Department of such classes and with such designations, powers, and duties under the Ordinance as the Governor may think fit.

(e) Order that all or any of the powers and duties assigned to any officer under clauses (c) and (d) of this section shall be exercised and performed by any Government officer or any person.

(f) Delegate to any excise officer all or any of his powers under the following sections of this Ordinance:— Sections 7 (d), 16, and 17, save and except his powers under sub-sections (2) (a) and (2) (c) of section 17.

(g) Withdraw from any officer or person any or all of the powers conferred or imposed upon him by or under this Ordinance.

(h) Permit the delegation by the Excise Commissioner or by Government Agents of any powers conferred by this Ordinance, or exercised in respect of excise revenue under any Ordinance for the time being in force.

8 (1) The Government Agent shall in all proceedings under this Ordinance be subject to the control of the Excise Commissioner, and all orders passed by a Government Agent under this Ordinance shall be appealable to the Excise Commissioner in manner provided by the rules made under section 17 (2) (c).

(2) All orders passed by the Excise Commissioner shall be appealable to the Governor in Executive Council in manner provided by the above-mentioned rules.

### III.—*Manufacture, Possession, and Sale.*

9 (a) No foreign liquor shall be manufactured ;

(b) No person shall use, keep, or have in his possession any materials, still, utensil, implement, or apparatus whatsoever for the purpose of manufacturing any foreign liquor ;

(c) No foreign liquor shall be bottled for sale ;

except under the authority and subject to the terms and conditions of a license granted in that behalf by the Government Agent.

10 No foreign liquor shall be sold or kept or exposed for sale without a license from the Government Agent. Provided that nothing in this section applies to the sale of any foreign liquor legally procured by any person for his private use and sold by him or by auction on his behalf or on behalf of his representatives in interest upon his quitting a station or after his decease.

### IV.—*Licenses.*

11 Every license granted under this Ordinance shall be granted—

(a) On payment of such fees, if any ;

(b) For such period ;

(c) Subject to such restrictions and on such conditions ; and

(d) Shall be in such form and contain such particulars as the Governor may direct, either generally or in any particular instance in this behalf.

12 Every person taking out a license under this Ordinance may be required to execute a counterpart agreement in conformity with the tenor of his license, and to give such security for the performance of his agreement as the authority granting the license may require.

13 (1) Subject to such restrictions as the Governor may prescribe, the authority granting any license under this Ordinance may cancel or suspend it—

(a) If any fee payable by the holder thereof be not duly paid ; or

- (b) In the event of any breach by the holder of such license, or by his servants, or by any one acting with his express or implied permission on his behalf of any of the terms or conditions of such license; or
- (c) If the holder thereof is convicted of any offence under this Ordinance, or any other law for the time being in force relating to revenue, or of any cognizable and non-bailable offence, or of any offence under "The Merchandise Marks Ordinance, 1888," or is punished for any offence referred to in section 104 of "The Customs Ordinance, 1869."

(2) When a license held by any person is cancelled under clause (a) or clause (b) of sub-section (1), the authority aforesaid may cancel any other license granted to such person under this Ordinance or under any other law for the time being in force relating to excise revenue.

(3) The holder shall be entitled to no compensation for the cancellation or suspension of his license under this section, nor to refund of any fee paid or deposit made in respect thereof.

Further power to cancel licenses.

14 (1) Whenever the authority stated in section 13 considers that a license should be cancelled for any cause other than those specified in that section, he shall remit a sum equal to the amount of the fees payable in respect thereof for fifteen days, and may cancel the license either—

(a) On the expiration of fifteen days' notice in writing of his intention to do so; or

(b) Forthwith without notice.

(2) If any license be cancelled under clause (b) of sub-section (1), the aforesaid authority shall, in addition to remitting such sum aforesaid, pay to the licensee such further sum by way of compensation as the Excise Commissioner may direct.

(3) When a license is cancelled under this section, any fee paid in advance or deposit made by the licensee in respect thereof shall be refunded to him, less the amount, if any, due to Government.

Surrender of license.

15 Any holder of a license to sell under this Ordinance may surrender his license on the expiration of one month's notice in writing given by him to the Government Agent of his intention to surrender the same, and on payment of the fee payable for the license for the whole period for which it would have been current but for such surrender. Provided that if the Excise Commissioner is satisfied that there is sufficient reason for surrendering a license, he may remit to the holder thereof the sum so payable on surrender or any portion thereof.

#### V.—General Provisions.

Licensees required to keep instruments for testing, &c.

16 Every person who manufactures or sells any foreign liquor under a license granted under this Ordinance shall be bound—

(a) To supply himself with such measures, weights, and instruments as the Governor may prescribe, and to keep the same in good condition; and

(b) When such measures, weights, and instruments have been prescribed, on the requisition of any excise officer duly empowered in that behalf, at any time to measure, weigh, or test any foreign liquor in his possession in such manner as the said excise officer may require.

The Governor may, under this section, prescribe measures, weights, and instruments, in addition to or other than those provided for by Ordinance No. 8 of 1876.

Power to make rules.

17 (1) The Governor in Executive Council may make rules for the purpose of carrying out the provisions of this Ordinance or other law for the time being in force relating to excise revenue; and all such rules shall be laid as soon as conveniently may be before the Legislative Council, and if a resolution is passed within forty days of their being laid before the Legislative Council praying that any rule shall be annulled, such rule shall thenceforth be void, but without prejudice to anything done thereunder.

(2) In particular and without prejudice to the generality of the foregoing provision the Governor in Executive Council may make rules—

- (a) Regulating the delegation of any powers by the Excise Commissioner or by Government Agents under section 7 (h).
- (b) Prescribing the powers and duties of officers of the Excise Department.
- (c) Prescribing the procedure in appeals to the Excise Commissioner from orders of the Government Agents, and to the Governor in Executive Council from orders of the Excise Commissioner.
- (d) Regulating the manufacture, bottling, supply, and storage of foreign liquor, including the erection, inspection, supervision, management, and control of any place for the manufacture, bottling, supply, and storage of such liquor, and the fittings, implements, and apparatus to be maintained therein.
- (e) Regulating the deposit of any foreign liquor in a warehouse, and the removal therefrom of such liquor.
- (f) Regulating the periods and localities for which licenses for the wholesale or retail sale of foreign liquor may be granted.
- (g) Prescribing the procedure to be followed and the matters to be ascertained before any license for such sale is granted for any locality.
- (h) Prescribing the scale of fees, or the manner of fixing the fees, payable in respect of any license, or of the storing of foreign liquor.
- (i) Regulating the time, place, and manner of payment of any fee.
- (j) Prescribing the restrictions under and the conditions on which any license may be granted, including—
  - (i.) The prohibition of the admixture with foreign liquor of any substance deemed to be noxious or objectionable ;
  - (ii.) The fixing of the strength, price, or quantity in excess of or below which foreign liquor shall not be sold or supplied, and the quantity in excess of which denatured spirit shall not be possessed, and the prescription of a standard of quality for foreign liquor ;
  - (iii.) The prohibition of the employment by the license holder of any person or class of persons to assist him in his business in any capacity whatsoever ;
  - (iv.) The prescription of the persons to whom foreign liquor may or may not be sold ;
  - (v.) The prohibition of sale except for cash ;
  - (vi.) The prevention of drunkenness, gambling, or disorderly conduct in or near any licensed premises, and the meeting of or remaining of persons of bad character in such premises ;
  - (vii.) The prescription of the days and hours during which any licensed premises may or may not be kept open, and provision for the closure of such premises on special occasions ;
  - (viii.) The prescription of the nature of the premises in which foreign liquor may be sold, and the notices to be exposed at such premises ; and
  - (ix.) The prescription of the accounts to be maintained and the returns to be submitted by license holders.
- (k) Providing for the destruction or other disposal of foreign liquor deemed to be unfit for use.
- (l) Regulating the disposal of confiscated articles.

#### VI.—Powers and Duties of Officers, &c.

18 The Excise Commissioner or a Government Agent or any excise officer not below such rank as the Governor may prescribe or any police officer duly empowered in that behalf may enter and inspect at any time by day or by night any place in which any licensed manufacturer carries on the

Power to enter and inspect places of manufacture, bottling, and sale.

manufacture of or stores foreign liquor; and may enter and inspect at any time during which the same may be open any place in which foreign liquor is bottled or kept for sale by any licensed person; and may examine, test, measure, or weigh any materials, still, utensil, implement, apparatus, or liquor found in such place of manufacture, bottling, or sale.

Powers of excise officers in matters of arrest and inquiry.

19 Within such specified area as the Governor by notification may direct, any excise officer not below such rank as the Governor may prescribe shall, within the limits of the area to which he is appointed, and as regards all offences under this Ordinance, exercise the powers that may be exercised in respect of cognizable offences by an inquirer, or by an officer in charge of a police station, under the provisions of chapter XII. of "The Criminal Procedure Code, 1898."

Cases in which offenders may be arrested, and contraband liquor and articles seized without warrant.

20 Any officer of the Excise, Police, Customs, or Revenue Departments, not below such rank and subject to such restrictions as the Governor may prescribe, and any other person duly empowered, may arrest without warrant any person found committing, in any place other than a dwelling house, an offence punishable under section 28 or section 29; and may seize and detain any foreign liquor or other article which he has reason to believe to be liable to confiscation under this Ordinance or other law for the time being in force relating to excise revenue; and may search any person upon whom, and any vessel, vehicle, animal, package, receptacle, or covering in or upon which, he may have reasonable cause to suspect any such foreign liquor or article to be.

Government Agent or Magistrate may issue a search warrant.

21 If a Government Agent or a Magistrate, upon information obtained and after such inquiry as he thinks necessary, has reason to believe that an offence under section 28 or section 29 has been or is likely to be committed, he may issue a warrant for the search for any foreign liquor, materials, still, utensil, implement, or apparatus in respect of which the alleged offence has been or is likely to be committed; and for the taking into custody and carrying before such an officer as is referred to in section 19 of this Ordinance any person who appears to have been privy to the commission of the offence.

Power of excise officers to search without a warrant.

22 Whenever a Government Agent or any excise officer not below such rank as the Governor may prescribe has reason to believe that an offence under section 28 or section 29 has been, is being, or is likely to be, committed, and that a search warrant cannot be obtained without affording the offender an opportunity of escape or of concealing evidence of the offence, he may, after recording the grounds of his belief, at any time by day or night, enter and search any place and may seize anything found therein which he has reason to believe to be liable to confiscation under this Ordinance; and may detain and search and, if he thinks proper, arrest any person found in such place whom he has reason to believe to be guilty of such offence as aforesaid.

Arrests, searches, &c., how to be made.

23 The provisions of "The Criminal Procedure Code, 1898," relating to arrests, searches, search warrants, the production of persons arrested, and the investigation of offences shall be held to be applicable to all action taken in these respects under this Ordinance.

Offences to be bailable.

24 All offences under this Ordinance shall be bailable within the meaning of "The Criminal Procedure Code, 1898," and the provisions of that Code in respect of bail shall be applicable thereto.

Officers of certain departments bound to report offences and to assist.

25 Every officer of the Police, Customs, and Revenue Departments shall be bound to give immediate information to an excise officer of all breaches of any of the provisions of this Ordinance which may come to his knowledge, and to aid any excise officer in carrying out the provisions of this Ordinance upon request made by such officer.

Police to take charge of articles seized.

26 All officers in charge of police stations shall take charge of and keep in safe custody, pending the orders of a Magistrate or of the Government Agent, all foreign liquor or other articles seized under this Ordinance which may be delivered

to them; and shall allow any excise officer who may accompany such foreign liquor or other articles to the police station, or may be deputed for the purpose by his superior officer, to affix his seal to such foreign liquor or other articles and to take samples of and from them. All samples so taken shall also be sealed with the seal of the officer in charge of the police station.

Closing of shops  
for the sake of  
public peace.

27 The Government Agent or any Magistrate by notice in writing to the licensee may require that any shop in which foreign liquor is sold shall be closed at such times or for such period as he may think necessary for the preservation of the public peace. If a riot or unlawful assembly is apprehended or occurs in the vicinity of any such shop, the Government Agent or any Magistrate or chief headman or any police officer above the rank of constable who is present may require such shop to be kept closed for such period as he may think necessary.

#### VII.—Penalties.

For illegal  
manufacture,  
&c.

28 Whoever, in contravention of this Ordinance or of any rule or order made under this Ordinance, or of any license obtained under this Ordinance—

- (a) Manufactures any foreign liquor; or
- (b) Uses, keeps, or has in his possession any materials, still, utensil, implement, or apparatus whatsoever for the purpose of manufacturing any foreign liquor; or
- (c) Sells or keeps or exposes for sale any foreign liquor; or
- (d) Bottles foreign liquor for purposes of sale—

shall be guilty of an offence, and be liable on conviction to imprisonment of either description for a term which may extend to six months, or to fine which may extend to one thousand rupees, or to both, and where the act hereby penalized is continued, he shall be liable to the aforesaid punishment for each day on which the offence is continued to be committed.

For illegal  
possession.

29 Whoever without lawful authority has in his possession any quantity of any foreign liquor which has been unlawfully imported, or manufactured, or on which the prescribed duty has not been paid, shall be guilty of an offence, and be liable on conviction to imprisonment of either description for a term which may extend to six months, or to fine which may extend to one thousand rupees, or to both.

For misconduct  
by licensee, &c.

30 Whoever, being the holder of a license granted under this Ordinance, or being in the employ of such holder and acting on his behalf—

- (a) Fails to produce such license on the demand of any excise officer, or of any other officer duly empowered to make such demand; or
- (b) Wilfully contravenes any rule made under section 17; or
- (c) Wilfully does or omits to do anything in breach of any of the conditions of the license not otherwise provided for in this Ordinance—

shall be guilty of an offence, and be liable on conviction to imprisonment of either description which may extend to three months, or to fine which may extend to two hundred rupees, or to both; and, in the case of a continuing offence, to such punishment as aforesaid for each day of continuance of the offence.

For excise  
officer refusing  
to do duty,  
or being guilty  
of cowardice.

31 Any excise officer who without lawful excuse shall cease or refuse to perform, or shall withdraw himself from, the duties of his office, unless expressly allowed to do so in writing by the Excise Commissioner, or unless he shall have given to his superior officer two months' notice in writing of his intention to do so, or who shall be guilty of cowardice, shall be guilty of an offence, and be liable on conviction to imprisonment of either description which may extend to three months, or to fine which may extend to six months' pay, or to both.

For offences not  
otherwise  
provided for.

32 Whoever is guilty of any act or intentional omission in contravention of any of the provisions of this Ordinance, or of any rule or order made under this Ordinance, and not otherwise provided for in this Ordinance, shall on conviction be

liable to fine which may extend to two hundred rupees, or, in default of payment of the fine, to imprisonment which may extend to six months, and, in the case of a continuing offence, to such punishment as aforesaid for each day of continuance of the offence.

Enhanced  
punishment  
after previous  
conviction.

33 If any person, after having been previously convicted of an offence punishable under section 28 or section 29, or under the similar provisions in any enactment repealed by this Ordinance, subsequently commits and is convicted of an offence punishable under either of those sections, he shall be liable to twice the punishment which might be imposed on a first conviction under this Ordinance. Provided that nothing in this section shall prevent any offence which might otherwise have been tried summarily under chapter XVIII. of "The Criminal Procedure Code, 1898," from being so tried.

Prosecution  
restricted.

34 (1) No Magistrate shall take cognizance of an offence punishable—

(a) Under section 28 or section 29, except on his own knowledge or suspicion, or on the complaint or report of an excise officer; or

(b) Under section 30, section 31, or section 32, except on the complaint or report of the Government Agent or an excise officer authorized by him on that behalf.

(2) Except with the special sanction of the Governor, no Magistrate shall take cognizance of any offence punishable under this Ordinance, unless the prosecution is instituted within a year after the commission of the offence.

Presumption as  
to commission  
of offence in  
certain cases.

35 In prosecutions under section 28 it shall be presumed, until the contrary is proved, that the accused person has committed an offence under that section in respect of any foreign liquor, or any still, utensil, implement, or apparatus whatsoever for the manufacture of foreign liquor, or any such materials as are ordinarily used in the manufacture of foreign liquor for the possession of which he is unable to account satisfactorily, and the holder of a license under this Ordinance shall be punishable, as well as the actual offender, for any offence under section 28 or section 29 or section 30 committed by any person in his employ and acting on his behalf as if he had himself committed the same, unless he shall establish that all due and reasonable precautions were exercised by him to prevent the commission of such offence. Provided that no person other than the actual offender shall be punished with imprisonment, except in default of payment of fine.

What things  
liable to  
confiscation.

36 Whenever an offence has been committed under this Ordinance, the foreign liquor, materials, still, utensil, implement, or apparatus in respect of or by means of which such offence has been committed shall be liable to confiscation. Any foreign liquor lawfully imported, manufactured, had in possession, or sold along with, or in addition to, any foreign liquor liable to confiscation under this section, and the receptacles, packages, and coverings in which any such foreign liquor, materials, still, utensil, implement, or apparatus as aforesaid is found, and the other contents, if any, of the receptacles or packages in which the same is found, and the animals, carts, vessels, or other conveyance used in carrying the same, shall likewise be liable to confiscation.

Confiscation  
how ordered.

37 (1) When in any case tried by him the Magistrate decides that anything is liable to confiscation under the foregoing section, he may order confiscation, or may give the owner of the thing liable to be confiscated an option to pay, in lieu of confiscation, such fine as he thinks fit.

(2) When an offence under this Ordinance has been committed, but the offender is not known or cannot be found, or when anything liable to confiscation under this Ordinance and not in the possession of any person cannot be satisfactorily accounted for, the case shall be inquired into and determined by the Government Agent, how may order confiscation.



Provided that no such order shall be made until the expiration of one month from the date of seizing the thing intended to be confiscated, or without hearing the person, if any, claiming any right thereto, and evidence, if any, which he produces in support of his claim.

Provided further, that if the thing in question is liable to speedy and natural decay, or if the Government Agent is of opinion that the sale would be for the benefit of its owner, the Government Agent may at any time direct it to be sold; and the provisions of this sub-section shall, as nearly as may be practicable, apply to the nett proceeds of such sale.

Power to compound offences.

38 The Government Agent or any excise officer specially empowered by the Governor in that behalf may accept from any person whose license is liable to be cancelled or suspended under clauses (a) and (b) of section 14, or who is reasonably suspected of having committed an offence under section 30 or section 32, a sum of money not exceeding two hundred rupees in lieu of such cancellation or suspension or by way of composition for the offence which may have been committed, as the case may be; and in all cases whatsoever in which any property has been seized as liable to confiscation under this Ordinance may release the same on payment of the value thereof as estimated by such officer. On the payment of such sum of money, or such value, or both, as the case may be, to such officer, the accused person, if in custody, shall be discharged, the property seized shall be released, and no further proceedings shall be taken against such person or property.

Offences to be summarily triable by Police Courts.

39 All offences under this Ordinance shall be summarily triable by Police Magistrates, who shall have power to award the punishments herein prescribed, anything in "The Criminal Procedure Code, 1898," or any other Ordinance to the contrary notwithstanding.

#### VIII.—Miscellaneous.

Exception of medicated articles.

40 Nothing in the foregoing provisions of this Ordinance applies to the import, manufacture, possession, sale, or supply of any *bona fide* medicated article for medicinal purposes by medical practitioners, chemists, druggists, apothecaries, or keepers of dispensaries; but the Governor in Executive Council may by notification prohibit throughout the Island or within any local area the import, manufacture, possession, supply, or sale of any such article, except under such conditions as he may prescribe.

Power of Governor to exempt foreign liquor from the provisions of this Ordinance.

41 The Governor in Executive Council may by notification either wholly or partially exempt any foreign liquor from all or any of the provisions of this Ordinance, either throughout the Island or in any specified area, or for any specified period or occasion, or as regards any specified class of persons, and may attach such conditions as he thinks fit to such exemption.

Assistant Government Agent to have powers of Government Agent when not otherwise expressly provided for.

42 Except when it is otherwise expressly provided by this Ordinance, the Assistant Government Agent of a district shall exercise within his district all the powers of a Government Agent, subject to the direction and control of the Government Agent of the Province.

Bar of actions.

43 No action shall lie against the Government of Ceylon or against any excise officer for damages in any civil court for any act *bona fide* done or ordered to be done in pursuance of this Ordinance, or of any law for the time being in force relating to excise revenue; and all prosecutions of any excise officer, and all actions which may be lawfully brought against the Government of Ceylon or against any excise officer, in respect of anything done in pursuance of this Ordinance, shall be instituted within six months from the date of the act complained of and not afterwards.

SCHEDULE.  
(Vide Section 2.)

Ordinance.	Subject.	Extent of Repeal.
No. 12 of 1891	An Ordinance to consolidate and amend the Licensing Ordinances of 1873 and 1877	The whole, so far as it relates to foreign liquor as defined by this Ordinance.

By His Excellency's command,  
Colonial Secretary's Office, HUGH CLIFFORD,  
Colombo, February 6, 1912. Colonial Secretary.

*Statement of Objects and Reasons.*

THE object of this Ordinance is to give effect to the recommendations of the Excise Commission, so far as they relate to foreign liquors, as a preliminary to a general comprehensive Ordinance, in which this Ordinance will ultimately be embodied.

2. "Foreign Liquor" is defined to include all liquor other than "Country Liquor," meaning arrack and toddy; and the Governor is given the power to declare by notification any particular liquor to be foreign liquor or country liquor for the purposes of the Ordinance.

3. Provision is made for the establishment of a department, to be known as the Excise Department, with an officer, to be called the Excise Commissioner, as the head thereof, and other officers necessary to carry out the provisions of the Ordinance regarding, chiefly, the supervision of the manufacture, possession, and sale of foreign liquor and the collection of the Excise Revenue.

4. Provision is also made for the issue of licenses for the manufacture, possession, and sale of foreign liquor, and for their recall, cancellation, or suspension.

5. The Governor in Executive Council is given the power to make rules for the purpose of carrying out the provisions of the Ordinance or any other law in force relating to the Excise Revenue, and particularly for the purposes, *inter alia*, of prescribing the powers and duties of the officers of the Excise Department, regulating the manufacture, bottling, supply, and storage of foreign liquor, and the control of the places used for these purposes, fixing the periods and localities for which licenses may be granted, and prescribing the conditions and terms as to payment of fees, &c., in respect of such licenses.

6. Sections 18 to 27 invest in Excise Officers certain powers as to the inspection of places used for the manufacture or storage of foreign liquor, the arrest of offenders against the Ordinance, the search for and seizure of contraband liquor, &c.; and section 28 to 39 prescribe the penalties for breaches of provisions of the Ordinance and rules made thereunder.

7. Ordinance No. 12 of 1891, which consolidates and amends "The Licensing Ordinances of 1873 and 1877," is repealed so far as it relates to "Foreign Liquor" as defined by this Ordinance.

Attorney-General's Chambers,  
Colombo, February 6, 1912.

ANTON BERTRAM,  
Attorney-General.

**NOTICES IN TESTAMENTARY ACTIONS.**

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the  
Jurisdiction. late Ranatun Achchige Siman Appu and  
No. 4,089. his wife Halkevidanelage Nonchi Hamy,  
Class IV. both of Dompe, deceased.  
Rs. 22,590.

Ranatun Achchige Cornelis Perera of Indola-  
mulla ..... Petitioner.

And

(1) Ranatun Achchige Menchi Hamy, wife of (2)  
Jagodi Achchige Velun Appu of Waturugama,  
(3) Ranatun Achchige Inno Hamy, wife of (4)  
Udage Achchige Issan Appu of Wanaluwawa, (5)  
Wanni Achchige Baba Singho, (6) Wanni Ach-  
chige Siman, (7) Wanni Achchige Nommo Hamy,  
wife of (8) Hiralupathirage Girolis, all of  
Indolamulla in the Gangaboda pattu of Siyane  
korale ..... Respondents.

THIS matter coming on for disposal before Lewis  
Matthew Maartensz, Esq., Additional District Judge of  
Colombo, on December 3, 1911, in the presence of Mr. D. E.  
Wanigesooria, Proctor, on the part of the petitioner above

named; and the affidavit of the said petitioner dated  
November 1, 1911, having been read:

It is ordered that the said petitioner be and he is hereby  
declared entitled, as the son and an heir of the deceased  
above named, to administer the estate of the said deceased,  
and that letters of administration do issue to him accord-  
ingly, unless the respondents above named or any other  
person or persons interested shall, on or before February 15,  
1912, show cause to the satisfaction [of this court to the  
contrary.

L. MAARTENSZ,  
December 3, 1912. Additional District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the  
Jurisdiction. late Christombukankanange Dona Johan-  
No. 4,125 C. na Perera Hamine of Ratmalana, deceased.

Mahagodage Charles Perera of Ratmalana ..... Petitioner.

And

(1) Mahagodage Wilfred Perera of Ratmalana and  
(2) Alfred Ernest Tillekeratne of Kelaniya. Respondents.

THIS matter coming on for disposal before Lewis Matthew  
Maartensz, Esq., Additional District Judge of Colombo,

on December 15, 1911, in the presence of Mr. W. H. W. Perera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 5, 1911, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as the husband and an heir of the deceased above named, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly unless the respondents above named or any other person or persons interested shall, on or before February 15, 1912, show sufficient cause to the satisfaction of this court to the contrary.

December 15, 1911.

L. M. MAARTENSZ,  
Additional District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Makumbura Podi Nona Perera of No. 4,129. Makumbura, deceased.

Mirihagallage Don Sardiell of Waga in Hewagam korale ..... Petitioner.

vs.

(1) Ranasinghe Arachchige Palishamy, (2) Makumbura Baby Sinno Perera, (3) ditto Adris Perera, (4) ditto Babbu Singho Perera, (5) ditto Podi Singho Perera, all of Makumbura, (6) ditto Porelentina Perera, wife of (7) Weragalage Don Pabilis, both of Hokandara, (8) Makumbura Leisa Perera, wife of (9) Gamage Gunelis Perera, both of Kottawa ..... Respondents.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., Additional District Judge of Colombo, on December 16, 1911, in the presence of Mr. C. E. A. Samarakody, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 31, 1911, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as the husband and an heir of the deceased above named, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before February 15, 1912, show sufficient cause to the satisfaction of this court to the contrary.

December 16, 1911.

L. MAARTENSZ,  
Additional District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Amarasinghe Arachchige Don Jorannis, late Police Vidane of Kattota, deceased.

Gallege Carolis Frederick Karunaratna of Kittanpahuwa ..... Petitioner.

And

(1) Attauda Arachchige Ango Hamy, and (2) Amarasinghe Arachchige Don Peiris, both of Kattota in Meda pattu of Siyane korale ..... Respondents.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., Additional District Judge of Colombo, on January 9, 1912, in the presence of Mr. D. E. Wanigesooria, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 29, 1911, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as a creditor 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 February 29, 1912, show sufficient cause to the satisfaction of this court to the contrary.

January 9, 1912.

L. MAARTENSZ,  
Additional District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Dombawalapathirenehelage Baba No. 4,142. Singho of Ambagasipitiya, deceased.

Class I.  
Rs. 1,882.50.

Dombawalapathirenehelage Carolis Appu of Ambagasipitiya ..... Petitioner.

And

(1) Nissange Aratchi Appuhamillage Punchinona of Ambagasipitiya, (2) Dombawalapathirenehelage Peris Appu of ditto, (3) ditto Simichcho Hamy, wife of (4) Ratnayake Kalu Arachchige Marthelis, both of Amumukumbura, (5) Dombawalapathirenehelage Dilo Hamy, wife of (6) Nissange Arachchi Appuhamillage Nemolis, both of Warapalana, (7) Dombawalapathirenehelage Baba Nona, wife of (8) Pathirenehelage Agonis Appuhami of Gaspe in the Yatigaha pattu of Hapitigam korale, (9) Dombawalapathirenehelage Sanchi Nona, wife of (10) Salpity Korallalage Sadiris of Palupelpitiya in the Meda pattu of Siyane korale, (11) Ratnayake Appuhamillage Haya Nona, wife of (12) Waduruwamudiyanselage Odiris of Ranawalahenegama, (13) Bulugahamulepathirenehelage Podi Singho, (14) ditto Pavilis Singho, (15) ditto Mary Nona, (16) ditto Bempi, (17) ditto Nandiris, (18) ditto Thomas, and (19) ditto Cornelis, all of Kaleliya in the Yatigaha pattu of Hapitigam korale ..... Respondents.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., Additional District Judge of Colombo, on January 19, 1912, in the presence of Mr. D. E. Wanigesooria, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 21, 1911, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as a son and an heir of the deceased above named, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before February 29, 1912, show sufficient cause to the satisfaction of this court to the contrary.

January 19, 1912.

L. MAARTENSZ,  
Additional District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Kumarage Joranis Vedarala of No. 4,150. Diddeniya, in Udugaha pattu of Hewagam korale, deceased.

Class I.  
Rs. 1,319.15.

Halkavidanelage Suwaneris of Diddeniya aforesaid ..... Petitioner.

And

(1) Liyanage Angohamy, and (2) Kumarage Jane Nona, both of Diddeniya aforesaid ..... Respondents.

THIS matter coming on for disposal before Lewis Mathew Maartensz, Esq., Additional District Judge of Colombo, on January 19, 1912, in the presence of Mr. C. E. A. Samarakody, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 11, 1912, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as the son-in-law and the nominee of the heirs 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 February 29, 1912, show sufficient cause to the satisfaction of this court to the contrary.

January 19, 1912.

L. MAARTENSZ,  
Additional District Judge.

In the District Court of Colombo.

Testamentary In the Matter of the Last Will and Testa-  
Jurisdiction. ment of the late John Charles Davies of  
No. 4,163 C. Colombo, deceased.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., Additional District Judge of Colombo, on February 2, 1912, in the presence of Messrs. Vanderstraaten and Vanderstraaten, Proctors, on the part of the petitioner Robert John MacDonald Meaden of Colombo; and the affidavit of the said petitioner dated January 26, 1912, having been read: It is ordered that the will of the said John Charles Davies, deceased, dated February 1, 1909, which has been produced and is now deposited in the court, be and the same is hereby declared proved; and it is further declared that the said Robert John MacDonald Meaden, the executor named in the said will, is entitled to have probate issued to him accordingly, unless any person or persons interested shall, on or before February 15, 1912, show sufficient cause to the satisfaction of this court to the contrary.

February 5, 1912. L. MAARTENSZ,  
Additional District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testa-  
Jurisdiction. ment of George Arthur Ramsay, tea  
No. 4,164. planter of Bopitiya, Deltota, Ceylon, and  
afterwards residing at Bowland, Midlo-  
hian, Scotland, deceased.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., District Judge of Colombo, on February 5, 1912, in the presence of Mr. Frederick John de Saram, Proctor, on the part of the petitioner Leslie William Frederick de Saram of Colombo; and the affidavit of the said petitioner dated February 3, 1912, having been read: It is ordered that the will of the said George Arthur Ramsay, deceased, dated May 18, 1909, an exemplification 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 Leslie William Frederick de Saram 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, issued to him accordingly, unless any person or persons interested shall, on or before February 12, 1912, show sufficient cause to the satisfaction of this court to the contrary.

February 5, 1912. L. M. MAARTENSZ,  
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Estate of the late  
Jurisdiction. M. K. N. Mohammed Kani, late of  
No. 1,263. Erapotha, deceased.

THIS matter coming on for disposal before J. Scott, Esq., District Judge of Negombo, on January 12, 1912, in the presence of Mr. Jno. S. Goonawardana, Proctor, on the part of the petitioner M. K. N. Mohammed Abdulla of Erapotha; and the affidavit of the petitioner dated October 31, 1912, having been read:

It is ordered that the petitioner be and is hereby declared entitled to have letters of administration of the estate of the deceased above named issued to him, unless the respondents—(1) M. K. N. Mohammed Salo, (2) M. K. N. Mohammed Sego Davidu of Erapotha, in Hapitigam korale, (3) M. K. Samona Umma of Meemisel, Aran, Tangi, Taluk, in Tanjore District, India, shall, on or before March 5, 1912, show sufficient cause to the satisfaction of this court to the contrary.

January 12, 1912. JOHN SCOTT,  
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Siyagunkosgodage Manuel Fernando of  
No. 1,265. Thimbrigaskatua, deceased.

THIS matter coming on for disposal before J. Scott, Esq., District Judge of Negombo, on January 17, 1912, in the

presence of Mr. Jayatileke, Proctor, on the part of the petitioner Arumapurage Ana Fernando of Timbrigaskatua; and the affidavit of the petitioner dated January 16, 1912, having been read:

It is ordered that the petitioner be and she is hereby declared entitled to have letters of administration of the estate of the deceased above named issued to her, unless the respondents—(1) A. Lucia Fernando, (2) S. Maria Nona, wife of (3) Saviel Fernando, (4) S. Victoria Fernando, (5) S. Isabel Fernando, (6) S. Leisa Fernando, wife of (7) H. Charles Fernando, (8) S. Nonamma, (9) S. Lusa Nona, wife of (10) W. Juan Fernando, (11) S. Duchi Fernando—shall, on or before March 13, 1912, show sufficient cause to the satisfaction of this court to the contrary.

January 17, 1912. JOHN SCOTT,  
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Chandrasekara Mudalige Dingirala Appu-  
No. 1,267. hamy, deceased.

THIS action coming on for disposal before J. Scott, Esq., District Judge of Negombo, on January 20, 1912, in the presence of Mr. Goonawardana, Proctor, on the part of the petitioner Chandrasekara Mudalige Cornelis Perera Appuhamy of Kehelella; and the affidavit of the petitioner dated January 10, 1912, having been read:

It is ordered that the petitioner be and is hereby declared entitled to have letters of administration of the estate of the deceased above named issued to him, unless the respondents—(1) C. Punchappuhamy, (2) C. Thelenis Perera, (3) C. Punchinona Hamine, and husband L. H. Kamamal Appuhamy, (4) M. Peter Perera, (5) M. Rapiel Perera, (6) M. Elias Perera, (7) M. Thomas Perer (8) M. Jane Nona, (9) W. S. Peter Perera, (10) W. Hendrick Perera, (11) W. Silinda Nona, (12) W. Banchi Nona, and husband (13) W. Carolis Perera, (14) W. William Perera, (15) W. Kirinona, (16) W. Engonona, and husband Peris Appu (17) W. Somichchi Nona—shall, on or before March 13, 1912, show sufficient cause to the satisfaction of this court to the contrary.

January 20, 1912. JOHN SCOTT,  
District Judge.

In the District Court of Kandy.

Testamentary In the Matter of the Last Will and Testa-  
Jurisdiction. ment of John Samuel de Silva, deceased,  
No. 2,892. of Kandy.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., District Judge of Kandy, on January 30, 1912, in the presence of Mr. C. Vanderwall, Proctor, on the part of the petitioner Emily Edith Schoorman of Peradeniya road, Kandy; and the affidavits of the said petitioner and of Arthur Alvis of Colombo dated respectively December 8, 1911, and January 16, 1912, having been read:

It is ordered that the will of John Samuel de Silva of Kandy, deceased, dated May 29, 1911, and now deposited in this court, be and the same is hereby declared proved, unless (1) John Samuel de Silva of Raneleigh, Havelock town, Colombo, (2) Edwin Arthur de Silva of Colombo, and (3) Myra Edith Jansen of Peradeniya road, Kandy, shall, on or before February 15, 1912, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Emily Edith Schoorman is the executrix named in the said will, and that she is entitled to have probate of the same issued to her accordingly, unless the said John Samuel de Silva, Edwin Arthur de Silva, and Myra Edith Jansen shall, on or before February 15, 1912, show sufficient cause to the satisfaction of this court to the contrary.

January 30, 1912. FELIX R. DIAS,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Chivakamam, widow of Arunasalam No. 2,459. Paramu of Karaitivu East, deceased.

Paramu Arunasalam of Karaitivu East..... Petitioner.

(1) Paramu Tellyampalam of Karaitivu East, (2) Supiramanian Ampalavanar of ditto, (3) Paramu Kumaru, and (4) Velasipillai, daughter of Paramu, the 3rd and 4th respondents are minors, by their guardian *ad litem* the 2nd respondent. Respondents.

THIS matter of the petition of Paramu Arunasalam of Karaitivu East, praying for letters of administration to the estate of the above-named deceased Chivakamam, widow of Arunasalam Paramu, coming on for disposal before M. S. Pinto, Esq., District Judge, on January 16, 1912, in the presence of Messrs. Tambiah S. Cooke and P. S. J. Chrysostom, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated September 13, 1911, having been read: It is declared that the petitioner is the son and one of the heirs of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before February 16, 1912, show sufficient cause to the satisfaction of this court to the contrary.

M. S. PINTO,  
District Judge.

January 16, 1912.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Suppar Nallatamby of Navaly, deceased. No. 2,463.

Thankammah, wife of Nannitamby Sellathurai of Navaly..... Petitioner.

Vs.

(1) Theivansai, widow of Suppar Nannitamby of Navaly, (2) Nannitamby Kanthiah of ditto, (3) Nannitamby Naharajah of ditto, (4) Nannitamby Arunasalam of ditto, (5) Nannitamby Suparayan of ditto, and (6) Nannitamby Ramalingam of ditto, now overseer, Public Works Department, Plus road, Singli Siput in Perak, of whom the 2nd, 3rd, 4th, and 5th respondents are minors by their guardian *ad litem* the 1st respondent..... Respondents.

THIS matter of the petition of Thankammah, wife of Nannitamby Sellathurai of Navaly, praying for letters of administration to the estate of the above-named deceased Suppar Nannitamby of Navaly, coming on for disposal before M. S. Pinto, Esq., District Judge, on December 1, 1911, in the presence of Mr. S. P. Lawton, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated September 21, 1911, having been read: It is ordered that the petitioner be and she is hereby declared entitled, as the creditor of the said deceased, to administer the estate of the said deceased, and that letters of administration do issue to her accordingly, unless the respondent above named or any other person shall, on or before January 15, 1912, show sufficient cause to the satisfaction of this court to the contrary.

M. S. PINTO,  
District Judge.

December 1, 1911.

*Order Nisi* extended for February 12, 1912.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of Susau Jurisdiction. Thiraveamuttu Kulasegaram of Vaddukodai, late of Kwala Lampur, in Straits Settlements, deceased. No. 2,469.

(1) Vairamuttu Thambiah and wife (2) Emily Rasamma Thambiah of Vaddukodai..... Petitioners.

Vs.

Kantiah Kulasegaram, now employed in the Survey Department, Kwala Lampur..... Respondents.

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

the above-named deceased Susan Thiraveamuttu Kulasegaram, with copy of her will annexed thereto, coming on for disposal before M. S. Pinto, Esq., District Judge, on October 4, 1911, in the presence of Mr. A. Modliar Velupillai, Proctor, on the part of the petitioners; and the affidavit of the petitioners dated September 29, 1911, having been read: It is declared that the 2nd petitioner is the sole heir of the said deceased, and is entitled to have letters of administration to the estate of the said deceased, with copy of her will annexed thereto issued to her, unless the respondent or any other person shall, on or before November 29, 1911, show sufficient cause to the satisfaction of this court to the contrary.

M. S. PINTO,  
District Judge.

October 4, 1911.

Time for showing cause is extended to February 20, 1912.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Ariyaputturar Vaitilingam of Navali, Jaffna, late of Galle, deceased. No. 2,471.

Vaitilingam Amirthalingam of Navali..... Petitioner.

Vs.

Tankaratnam, wife of Rasasundram Lawton of Navali, Jaffna..... Respondent.

THIS matter of the petition of Vaitilingam Amirthalingam of Navali, praying for letters of administration to the estate of the above-named deceased Ariyaputturar Vaitilingam of Navali, late of Galle, coming on for disposal before M. S. Pinto, Esq., District Judge, on November 6, 1911, in the presence of Mr. S. P. Lawton, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated December 31, 1910, having been read: It is ordered that the petitioner be and is hereby declared entitled, as one of the heirs of the said deceased, to administer the estate of the said deceased; and that letters of administration do issue to him accordingly, unless the respondent above named or any other person shall, on or before December 19, 1911, show sufficient cause to the satisfaction of this court to the contrary.

M. S. PINTO,  
District Judge.

November 6, 1911.

*Order Nisi* extended for February 12, 1912.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Eliza Jurisdiction. Chellamma, widow of Henry Rasiah No. 2,479. Solomons of Jaffna, deceased.

Albert Rasadurai Paul of Jaffna..... Petitioner.

Vs.

(1) Ambrosia Ponnamma, widow of the late Dr. William Paul, (2) James Katirgamar Chammugam, and wife (3) Annammah, (4) Winifred Hannah Ponnany, a minor appearing by her guardian *ad litem* the 1st respondent..... Respondents.

THIS matter of the petition of Albert Rasadurai Paul of Jaffna, praying for letters of administration to the estate of the above-named deceased Eliza Chellammah, widow of Henry Rasiah Solomons, coming on for disposal before M. S. Pinto, Esq., District Judge, on January 24, 1912, in the presence of Messrs. Sivapirakasam and Katiresu, Proctors, on the part of the petitioner; and the affidavit of the said petitioner dated November 1, 1911, having been read: It is ordered that the petitioner be and he is hereby declared entitled, as the sister of the said deceased, 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 shall, on or before February 14, 1912, show sufficient cause to the satisfaction of this court to the contrary.

M. S. PINTO,  
District Judge.

January 24, 1912.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Neelathadchy Amma, wife of Thamo-  
No. 2,486. tharampillai Sellaturai of Avarankal, deceased.

Thamotharampillai Sellaturai of Muhamalai. . . . . Petitioner.

Vs.

(1) Vengadasalam Chettiar Nagalingam Chettiar of Pallai, (2) Kandasamy Chettiar Thechanam-ovity Chettiar, and (3) his wife Ledchimipillai of Puloly West. . . . . Respondents.

THIS matter of the petition of Thamotharampillai Sellaturai of Muhamalai, praying for letters of administration to the estate of the above-named deceased Neelathadchy Amma, wife of Thamotharampillai Sellaturai, coming on for disposal before M. S. Pinto, Esq., District Judge, on January 22, 1912, in the presence of Messrs. Tambiah S. Cooke and P. S. J. Chrysostom, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated November 17, 1911, having been read: It is declared that the petitioner is the husband of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before February 22, 1912, show sufficient cause to the satisfaction of this court to the contrary.

January 22, 1912.

M. S. PINTO,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Sivagamippillai, wife of Chupper Kan-  
No. 2,503. thapper of Puloly West, Point Pedro, deceased.

Vallippillai, daughter of Chupper Kanthapper of Puloly West, a minor by her next friend Kathir-gamer Kanthapper of Puloly West. . . . . Petitioner.

Vs.

(1) Chupper Kanthapper of Puloly West, (2) Kanthapper Kathirgamer of ditto, and (3) Kanthapper Arumugam of ditto . . . . . Respondents.

THIS matter of the petition of Vallippillai, daughter of Chupper Kanthapper of Puloly West, by her next friend Kathirgamer Kanthapper of Puloly West, praying for letters of administration to the estate of the above-named deceased Sivagamippillai, wife of Chupper Kanthapper of Puloly West, coming on for disposal before M. S. Pinto, Esq., District Judge, on January 20, 1912, in the presence of Mr. K. Subramaniam, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated January 29, 1912, having been read: It is ordered that the petitioner be and she is hereby declared entitled, as daughter of the said deceased, to administer the estate of the said deceased, and that letters of administration do issue to her accordingly, unless the respondent above named or any other person shall, on or before February 29, 1912, show sufficient cause to the satisfaction of this court to the contrary.

January 30, 1912.

M. S. PINTO,  
District Judge.

In the District Court of Galle.

*Order Absolute declaring Will proved.*

Testamentary In the Matter of the Last Will and Testa-  
Jurisdiction. ment of Gange Nonahamy of Ambalan-  
No. 4,115. goda, deceased.

THIS matter coming on for disposal before F. J. Smith, Esq., District Judge of Galle, on January 30, 1912, in the presence of Mr. H. de S. Kularatne, Proctor, on the part of the petitioner Gustinna Liyana John Andrew de Silva; and the affidavits of the petitioner and Gange Endoris de Silva and others dated January 30, 1912, having been read:

It is ordered that the will of Gange Nonahamy, deceased, dated December 23, 1911, be and the same is hereby declared proved.

It is further declared that the said Gustinna Liyana John Andrew de Silva is the widower of the deceased, and that he is as such entitled to have letters of administration issued to him accordingly.

F. J. SMITH,  
District Judge.

January 30, 1912.

In the District Court of Matara.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Saparamadu Jayawardana Kotuwegama-  
No. 1,845. ge Babunhami, deceased, of Parawahera.

THIS matter coming on for disposal before G. F. R. Browning, Esq., District Judge of Matara, on August 15, 1911, in the presence of Hettiachehige Karo Appu of Parawahera; and the affidavit of the petitioner dated May 2, 1911, having been read: It is ordered that the petitioner Hettiachehige Karo Appu of Parawahera, and he is hereby declared entitled to have letters of administration to the estate of the deceased Saparamadu Jayawardana Kotuwegamage Babunhami of Parawahera issued to him, unless the respondents—(1) Hewa Bowalage Jeeris Appu of Fort, Matara, (2) Saparamadu Jayawardana Kotuwegamage Pedris Appuhamy of ditto, (3) Hettiachehige Emmy, (4) ditto Sophie, (5) ditto Saris Appu, (6) ditto Sicilia, (7) ditto Sadin, (8) ditto Charlotte, and (9) ditto Emaliyahami, all of Parawahera—shall, on or before September 20, 1911, show sufficient cause to the satisfaction of this court to the contrary. It is further ordered that Saparamadu Jayawardana Kotuwegamage Pedris Appuhami of Fort, Matara, the said respondent, be and he is hereby appointed guardian *ad litem* over the minors the 4th, 5th, 6th, 7th, 8th, and 9th respondents, unless the respondents shall, on or before \_\_\_\_\_, 1911, show sufficient cause to the satisfaction of this court to the contrary.

August 16, 1911.

G. F. R. BROWNING,  
District Judge.

For publication date extended till February 12, 1912.

January 22, 1912.

J. A. BASTIANZ,  
Secretary.

In the District Court of Matara.

*Order Nisi declaring Will proved, &c.*

Testamentary In the Matter of the Estate of the late Hewa Jurisdiction. Madduma Liyanage Don Mathes Appu-  
No. 1,865. hamy, deceased, of Parawahera.

THIS matter coming on for disposal before G. F. R. Browning, Esq., District Judge of Matara, on December 13, 1911, in the presence of Messrs. Keuneman, Proctors, on the part of the petitioners (1) Hewa Madduma Liyanage Don Andris, Vidane Arachchi of Naotunna, and (2) Hewa Madduma Liyanage Don Mendis, School Teacher of ditto; and the affidavit of the above-named petitioners dated November 22, 1911, having been read, and the evidence of Don Andris Ratnayaka, Notary Public of Dikwella, and of Induruwege Don Allis of Parawahera having been taken and all parties heard: It is ordered that the will of Hewa Madduma Liyanage Don Mathes Appuhamy of Parawahera, deceased, dated September 21, 1911, be and the same is hereby declared proved, unless the respondent Hewa Madduma Liyanage Dona Sadinhami of Parawahera shall, on or before January 24, 1912, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioners (1) Hewa Madduma Liyanage Don Andris, Vidane Arachchi of Naotunna, and (2) Hewa Madduma Liyanage Don Mendis, School Teacher of ditto, are the executors named in the said will, and that they are entitled to have probate of the same issued to them accordingly, unless the respondent above named shall, on or before January 24, 1912, show sufficient cause to the satisfaction of this court to the contrary.

December 13, 1911.

G. F. R. BROWNING,  
District Judge.

Extended for publication till February 13, 1912.

By order,  
J. A. BASTIANZ,  
Secretary.

*No. 41/*  
*2978*  
In the District Court of Chilaw.  
*2978*

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the  
Jurisdiction. late Iyam Perumal Sinna Adappen,  
No. 911. deceased, of Udappu.

THIS matter coming on for disposal before T. R. E. Loftus, Esq., District Judge of Chilaw, on January 21, 1912, in the presence of Mr. Proctor C. V. M. Pandittesekere on the part of the petitioner Sinna Wairen Kamale Muttu of Udappu; and the affidavit of the petitioner dated January 12, 1912, having been read :

It is ordered that the said petitioner be and she is hereby declared entitled to administer the estate of the said deceased, and that letters of administration be issued to her accordingly, unless the respondent Iyam Perumal Kamale Muttu shall, on or before February 16, 1912, show sufficient cause to the satisfaction of this court to the contrary.

T. R. E. LOFTUS,  
District Judge.

January 21, 1912.

*No. 41/*  
*2978*  
In the District Court of Ratnapura.  
*2978*

Order Nisi.

No. 599. In the Matter of the Intestate Estate of  
Millawitiya Gamaetirallaye Nevatihamy,  
Registrar of Millawitiya, deceased.

Millawitiye Gamaetirallaye Jayawardana Appu-  
hamy of Millawitiya.....Petitioner.

And

(1) Millawitiye Gamaetirallaye Mohottihamy, (2)  
ditto Herathamy, (3) ditto Siriwardanahamy,  
(4) ditto Appuhamy, all of Millawitiya. .... Respondents.

THIS matter coming on for disposal before W. H. B. Carbery, Esq., District Judge of Ratnapura, on January 12, 1912, in the presence of Mr. C. F. Dharmaratne, Proctor, on the part of the petitioner Millawitiye Gamaetirallaye Jayawardana Appuhamy of Millawitiya in Ratnapura; and

the affidavit of the said petitioner dated January 8, 1912, having been read :

It is ordered that the petitioner be and he is hereby declared entitled to have letters of administration of the estate of the deceased above named issued to him, as the nephew of the said deceased, unless the respondents above named or any other person interested shall, on or before January 27, 1912, show sufficient cause to the satisfaction of this court to the contrary.

W. H. B. CARBERY,  
District Judge.

This Order Nisi is extended for March 2, 1912.

January 27, 1912. W. H. B. CARBERY,  
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Muhandiram Ralalage *alias* Kuruppu  
No. 367. Mudiyanse Utku Menika of Pinna-  
wala.

Muhandiram Ralalage *alias* Kuruppu Mudiyanse-  
lage Utku Banda of Pinnawala .....Petitioner.

(1) Muhandiram Ralalage *alias* Kuruppu Mudi-  
yanse Utku Banda, (2) ditto Kiri-  
banda, (3) ditto Ranmenika, (4) ditto Dingiri-  
Anma, all of Pinnawala ..... Respondents.

THIS matter coming on for disposal before W. de Livera, Esq., District Judge of Kegalla, on January 11, 1912, in the presence of the petitioner in person, and the affidavit of the petitioner dated January 8, 1912, having been duly read : It is ordered and declared that the petitioner, as the husband of the deceased, is entitled to letters of administration to the estate of the above-named deceased, and that letters of administration be issued to him accordingly, unless the above-named respondents or any person or persons interested shall, on or before February 17, 1912, show sufficient cause to the contrary to the satisfaction of this court.

January 11, 1912. W. DE LIVERA,  
District Judge.

## NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,446. In the matter of the insolvency of Pedris de  
Silva Samaratne of No. 5, Chatham street,  
Fort, Colombo.

NOTICE is hereby given that the above-named insolvent has been allowed a certificate as of the third class, but its issue has been suspended for a period of nine months.

By order of court,  
D. M. JANSZ,  
Secretary.

Colombo, February 5, 1912.

In the District Court of Colombo.

No. 2,456. In the matter of the insolvency of K. M. A.  
Caffoor of Kollupitiya, now of Lunawa.

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, February 5, 1912.

In the District Court of Colombo.

No. 2,465. In the matter of the insolvency of Ana Sahul  
Mohideen of New Moor street, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting

of this court on March 14, 1912, for the grant of a certificate of conformity to the insolvent.

By order of court,

Colombo, February 2, 1912. D. M. JANSZ,  
Secretary.

In the District Court of Colombo.

No. 2,457. In the matter of the insolvency of Veeravagu  
Ponnambalam of No. 3, Old Moor street,  
Colombo.

NOTICE is hereby given that the above-named insolvent has been refused a certificate of conformity.

By order of court,  
D. M. JANSZ,  
Secretary.

Colombo, February 5, 1912.

In the District Court of Colombo.

No. 2,460. In the matter of the insolvency of Dewapura-  
gey Davith Fernando of Kayman's gate,  
Pettah, Colombo.

NOTICE is hereby given that the above-named insolvent has been refused a certificate of conformity.

By order of court,  
D. M. JANSZ,  
Secretary.

Colombo, February 5, 1912.

In the District Court of Colombo.

No. 2,475. In the matter of the insolvency of Charles de Silva of No. 27, Wasala road, Kotahena, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 7, 1912, for the grant of a certificate of conformity to the insolvent.

By order of court,

Colombo, February 2, 1912. D. M. JANSZ,  
Secretary.

In the District Court of Kalutara.

No. 141. In the matter of the insolvency of Baron Mendis Sudusinghe of Kalutara North.

WHEREAS Baron Mendis Sudusinghe of Kalutara North has filed a declaration of insolvency, and a petition for the sequestration of the estate of the said Baron Mendis Sudusinghe of Kalutara North has also been filed by Rannutu Carolis de Soysa, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Baron Mendis Sudusinghe of Kalutara North insolvent accordingly; and that two public sittings of the court, to wit, on February 23, 1912, and on March 29, 1912, will take place for the said insolvent to surrender and

conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

Kalutara, February 2, 1912. C. B. PAULICKPULLE,  
Secretary.

In the District Court of Kalutara.

No. 142. In the matter of the insolvency of Warnakula William Endris Mendis of Desastra Kalutara.

WHEREAS Warnakula William Endris Mendis of Desastra Kalutara has filed a declaration of insolvency, and a petition for the sequestration of the estate of the said Warnakula William Endris Mendis of Desastra Kalutara has also been filed by Rannutu Carolis de Soysa, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Warnakula William Endris Mendis of Desastra Kalutara insolvent accordingly; and that two public sittings of the court, to wit, on February 23, 1912, and on March 29, 1912, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

Kalutara, February 2, 1912. C. B. PAULICKPULLE,  
Secretary.

## NOTICES OF FISCALS' SALES.

### Western Province.

In the Court of Requests of Colombo.

V. P. L. V. Palaniappa Chetty of Sea street, in Colombo ..... Plaintiff.

No. 22,455. Vs.

(1) E. W. P. Dissanayaka and Charles Perera, both of Nugegoda, in the Palle pattu of Salpiti korale ..... Defendants.

NOTICE is hereby given that on Friday, March 8, 1912, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, for the recovery of the sum of Rs. 251.25 with legal interest thereon from March 4, 1911, till payment in full and costs of suit, Rs. 28.25, viz. :—

The land called Delgahawatta together with the tiled house standing towards the eastern side, situated at Pagoda, in the Palle pattu of Salpiti korale; bounded on the north by properties of D. M. Don Siman and others and D. M. Don Bastiyan and others, east by property of D. M. Don Bastiyan and others and lands claimed by W. A. Don Aramanis Appuhami, K. Nonohamy, A. Don Bastian, and A. Don David Appuhamy, south-east by a road and property of L. Domingo Perera and others, south by property of E. Cornelis Perera and others, south-west by property of K. Leonora and others, west by land claimed by W. A. Don Alwis Appuhamy and a path, and north-west by property of K. Don Julis and others; containing in extent 14 acres and 9 perches.

Fiscal's Office,  
Colombo, February 6, 1912.

E. ONDATJE,  
Deputy Fiscal.

In the District Court of Colombo.

Ponnahennedige Harry Dias of Panadure..... Plaintiff.  
No. 25,394. Vs.

(1) Alankarage Pauloe Silva, and (2) Alankarage Carolis Silva, both of Ratmalana, in the Palle pattu of Salpiti korale, in the District of Colombo ..... Defendants.

NOTICE is hereby given that on Wednesday, March 13, 1912, will be sold by public auction at the respective premises the following properties ordered to be sold by the order of court, dated December 6, 1911, for the recovery of the sum of Rs. 3,649.30, with interest on Rs. 2,500, at 16 per cent. per annum from August 17, 1907, till October 4, 1907, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit, viz. :—

At 2.30 P.M.

(1) All that portion of a garden called Thalghawatta, with the buildings and plantations standing thereon, situated at Ratmalana, in the Palle pattu of Salpiti korale, in the District of Colombo, Western Province; bounded on the north by a portion of this garden, on the east by the land of Kaluhath Maria Silva, on the south by a portion of this garden, and on the west by the land of Wellawatte Arachchige people; containing in extent 31 24/100 square perches, which said premises are held by the said Alankarage Pauloe Silva, under and by virtue of deed No. 3,374, dated December 5, 1876, and attested by Mr. D. P. de Alwis of Ratmalana, Notary Public.

At 3 P.M.

(2) All that portion of the garden called Thalghawatta, with the buildings and plantations standing thereon, situated at Ratmalana aforesaid; bounded on the north by Arachchigewatta, on the east by the garden of Polwattege

R. 11/50



Salmon Anthony, on the south by a portion of this garden, and on the west by the garden of Caro Appu; containing in extent 29 53/100 square perches, which said premises are held by the said Alankarage Pauloe Silva, under deed No. 3,375, dated December 5, 1876, and attested by the said D. P. de Alwis, Notary.

At 3.30 P.M.

(3) All that defined  $\frac{1}{2}$  part of a portion of the garden called Thalguhawatta, with the buildings and trees standing thereon, situated at Ratmalana aforesaid; which said defined  $\frac{1}{2}$  is bounded on the north by a portion of this garden of Pauloe Silva, on the east by Datchawatta of Polwattege Abraham Mendis, on the south by the portion of this same land belonging to Vidanelage Nonahamy, and on the west by another portion of this same land belonging to Kottage Punchi Appu; containing in extent 29 86/100 square perches, which said premises are held by the said Alankarage Pauloe Silva, under deed No. 3,703, dated June 30, 1877, and attested by the said D. P. de Alwis, Notary.

At 4 P.M.

(4) All that allotment of the garden called Thalguhawatta, with the trees and buildings standing thereon, situated at Ratmalana aforesaid; bounded on the north by the property of the late Lewis Pinto, Police Vidane, on the east by the other part of this garden of Selestinu Bass, now of P. William Boteju and Mina Boteju, on the south by the property of the late B. Daniel Fernando, and on the west by the property of the late Bastian Pinto; containing in extent 2 roods and 78/100 square perches, which said premises are held by the said Alankarage Pauloe Silva, under deed No. 541, dated November 11, 1855, attested by J. G. L. Ohlums of Colombo, Notary.

At 4.30 P.M.

(5) All that allotment of the garden called Thalguhawatta, with the trees and buildings thereon, situated at Ratmalana aforesaid; bounded on the north by the property of the late Lewis Pinto, Police Vidane, on the east by the property of the late Beruwalage Daniel Fernando, on the south by the portion of Thalguhawatta of Beruwalage Daniel Fernando, and on the west by the part of Thalguhawatta of L. Carolis Mendis and Juan Mendis, now of William Boteju, Mina Boteju and others; containing in extent 1 rood and 3 36/100 square perches, which said premises are held by the said Alankarage Pauloe Silva, under deed No. 540, dated November 11, 1885, and attested by the said J. G. L. Ohlums of Colombo, Notary.

At 5 P.M.

(6) All that garden called Gorakagahadeniyawatta *alias* Penipattakahatagahawatta, with the buildings and plantations standing thereon, situated at Ratmalana aforesaid; bounded on the north by the garden called Penipattakagahawatta of Kaluhath Maria Silva, on the east by the garden of Polwattege Salman Anthony, on the south by owita land of Joranis Pinto, Police Vidane, and on the west by the garden of Nicholas Pinto; containing in extent 1 rood and 5 47/100 square perches, which said premises are held by the said Alankarage Carolis Silva, under deed No. 974, dated February 21, 1900, and attested by S. W. Perera of Dehiwala, Notary.

Fiscal's Office,  
Colombo, February 6, 1912.

E. ONDATJE,  
Deputy Fiscal.

In the District Court of Colombo.

S. N. Sellappa Chetty of Sea street, Colombo ..... Plaintiff.

No. 32,913.

Vs.

C. A. Weerappa, in his personal capacity and as executor of the late M. Weerappa of New Chetty street, Colombo ..... Defendant.

NOTICE is hereby given that on Wednesday, March 6, 1912, will be sold by public auction, at the respective premises the right, title, and interest of the said defendant in his personal capacity, and as an executor of the late M. Weerappa of New Chetty street, in the following property, for the recovery of the sum of Rs. 789, with interest on Rs. 440 at 30 per cent. per annum from July 11, 1911, up to September 22, 1911, and thereafter on the aggregate

amount at 9 per cent. per annum till payment in full and costs of this action, viz. :—

At 3.30 P.M.

(1) All that house and premises bearing assessment No. 37, situated at New Chetty street, within the Municipality of Colombo; bounded on the north by the premises No. 38, on the east by New Chetty street, on the south by the Roman Catholic church, and on the west by the property of the late Peter Jurgen Ondatje; containing in extent about half an acre.

At 4 P.M.

(2) All that house and premises bearing assessment No. 40, situated at New Chetty street, within the Municipality of Colombo; and bounded on the north by the premises No. 39, New Chetty street, east by the property of the defendant, south by the premises No. 41, New Chetty street, and on the west by New Chetty street; containing in extent about 1 rood.

Fiscal's Office,  
Colombo, February 6, 1912.

E. ONDATJE,  
Deputy Fiscal.

In the District Court of Kalutara.

Charles Alfred John Pulle of Beruwala, presently at Kandy ..... Plaintiff.

No. 4,489.

Vs.

Ahamado Lebbe Watthiar Colonda of Deenagoda ..... Defendant.

NOTICE is hereby given that on Tuesday, March 5, 1912, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property mortgaged by the defendant with plaintiff and declared bound and executable for the decree entered in the above case, for the recovery of Rs. 1,466.62, viz. :—

The 4 coconut trees and 2 jak trees, the planter's  $\frac{1}{2}$  share of 12 coconut trees, 3 del trees, and Jaffna mango tree of the 2nd plantation planted by Davith Appu,  $\frac{1}{2}$  of  $\frac{1}{2}$  of the planter's share of 20 coconut trees, 7 jak trees, and 3 del trees of the 1st plantation planted by the father of Davith Appu with undivided 37/92 parts of the soil and of the remaining trees standing thereon, which has been divided as the southern portion of the extent of 1 acre and 34/100 of a perch together with all the remaining trees and the big tiled house and the other buildings belonging thereto, standing thereon of the land called Mahakarandagahawatta, situated at Karandagoda in Maggon badda of Kalutara totamune in the District of Kalutara; and bounded on the north by Duwewatta, and on the east, south, and west by muddy lands; containing within the boundaries about 1 acre 3 roods and 32 perches.

Deputy Fiscal's Office,  
Kalutara, February 6, 1912.

B. P. J. GOMES,  
Deputy Fiscal.

In the District Court of Negombo.

Mihidukulasuria Emmanuel Fernando of Negombo, administrator of the estate of the late Mihidukulasuria Juwan Vaas of Bolawatta ..... Plaintiff.

No. 8,240.

Vs.

(1) Mihidukulasuria Perigrins Vaas and wife (2) Maria Tissera, both of 4th division of Bolawalana, (4) Mihidukulasuria Benedict Tissera of 3rd division, Bolawalana, (5) ditto Maria Livera of Kurana, Bolawalana ..... Defendants.

NOTICE is hereby given that on March 4, 1912, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property mortgaged by bond No. 91, dated April 12, 1901, and declared liable to be sold by the decree entered in the above case, viz. :—

(1) An undivided  $\frac{1}{2}$  part or share of the two contiguous gardens called Talguhawatta and Kadurugahawatta and the cadjan thatched house standing thereon, situated at 4th division, Bolawalana, within the gravets of Negombo; the entire land is bounded on the north by the land belonging to Roman Catholic church and by garden belonging to Manuel Fernando and his wife Kostikapolage Anthasia Fernando, east by the road called Wewabodapara and the

garden once of Kongodage Migel Fernando and now of Juse Dalpadado, south by the high road leading to Veyangoda, and west by the land once of Migel Fernando and now of Totawattabadalge Juwan Fernando and by land of others; containing in extent about 2 acres 1 rood and 30 64/100 perches.

(2) An undivided 4/10 part or share of the garden called Kosgahawatta and of the tiled house standing thereon, situate at 4th division, Kurana, within the gravets of Negombo; the entire land is bounded on the north by the high road leading to Veyangoda, east by the road called Wewabodaweedia Delipara, south by the land of Waduge Mathes Fernando, and west by lands of Totawattabadalge Juwan Naide and by lands of others; containing in extent about 1 acre.

(3) An undivided 4/10 part or share of the garden called Kosgahawatta, situate at ditto; the entire land is bounded on the north by the land of Gonnage Migel Fernando and now of Juwan Vaas, east by the land formerly of Migel Peris and now of Juwan Vaas, south by the land of Anthony Vaas, Annavi, and west by the land of Anthony Vaas and Migel Fernando; containing in extent about 1 acre.

(4) An undivided 4/10 part or share of the garden called Delgahawatta *alias* Gorakgahawatta, situate at ditto; the entire land is bounded on the north by the land of Waduge Migel Fernando, east by the road, south by the land of Waduge Manuel Fernando, and west by the land of Waduge Manuel Fernando; containing in extent about 1 acre.

(5) The two contiguous lands called Dangahawatta and Dangahakumbura, situate at Kurana or Wewa Agara, within the Gravets of Negombo; and bounded on the north by the field said to belong to Duwa Muhandiram, east by a portion in extent two acres of this land belonging to Marsal Fernando, south by the high road leading to and from Veyangoda, and west by the land belonging to Samuel Fernando; containing in extent 1 acre 2 roods and 12 18/100 perches.

Amount to be levied Rs. 2,985.25; with interest on Rs. 2,738.75 at 9 per cent. per annum from October 17, 1911, till payment.

Deputy Fiscal's Office, FRED. G. HEPPONSTALL,  
Negombo, February 5, 1912. Deputy Fiscal.

### Central Province.

In the District Court of Kandy.

Peyna Reena Suppiah Pullay of Trincomalee street, Kandy..... Plaintiff.

No. 21,075. Vs.

Don Martinus Abeygoonesakere of Talwatta in Kandy..... Defendant.

NOTICE is hereby given that on March 5, 1912, at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the defendant in and to the following property:—

(1) House and ground Nos. 89 and 90, situated at Trincomalee street, Kandy, of 8½ perches in extent; and bounded on the north by ground belonging to Ponnachy, now house No. 92, on the east by Crown property being pavilion premises, on the south by garden of Tangachchy Umma, now house and premises No. 87, and on the west by Trincomalee street.

(2) An allotment of land bearing former No. 130, present No. 118 of 2 acres and 12 perches in extent, situated at Koondasale road between first and second mileposts; and bounded on the south-east by lot No. 129, on the south-west by land reserved for a road, on the north-east by Koondasale road, and on the north-west by lot No. 131.

(3) All that plot of ground of 1 chundu paddy sowing, together with house No. 362, Trincomalee street, Kandy, and bounded as follows: east by Trincomalee street, south by wall of house No. 363, west by house belonging to Mr. Francis Silva, north by wall of house No. 361.

(4) House and ground No. 158, situated at Trincomalee street, Kandy, of about 2 chundus paddy sowing; and bounded as follows: east by Crown land and road, south by

house No. 157 and the remaining portion, west by Trincomalee street, north by house and ground No. 159 belonging to Martin Perera.

Amount of writ, Rs. 687.12.

Fiscal's Office,  
Kandy, January 31, 1912.

A. V. WOUTERSZ,  
Deputy Fiscal.

In the District Court of Kandy.

Vena Vankataswamy ..... Plaintiff. *No. 210*  
No. 20,922. Vs.

Bibile Wijekoon Herat Mudianselage Dingiri Amma and two others..... Defendants.

NOTICE is hereby given that on March 2, 1912, at 4 p.m., will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz.:—

All that house and ground bearing assessment No. 42, and present assessment No. 44, situate at Katukele, within the Municipality of Kandy; containing in extent about 100 feet in length and 30 feet in breadth.

Balance amount of writ, Rs. 2,885.48 and interest.

Fiscal's Office,  
Kandy, February 3, 1912.

A. V. WOUTERSZ,  
Deputy Fiscal.

### Northern Province.

In the District Court of Jaffna.

Kantar Murukesu of Vannarponne West ..... Plaintiff. *No. 41*  
No. 8,246. Vs.

Sittampalam Arumugam of Vannarponne East. Defendant.

NOTICE is hereby given that on Friday, February 23, 1912, at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property, hypothesized to the plaintiff and decreed to be sold by decree entered in the above action, for the recovery of Rs. 1,650, with interest on Rs. 1,500 at the rate of 12 per cent. per annum from January 23, 1911, until payment in full and costs and charges, viz.:—

A piece of land situated at Vannarponne East, called Puliankudal, containing or reputed to contain in extent 6 lachams varaku culture, with house, well, and cultivated and spontaneous plants; bounded or reputed to be bounded on the east by the property of the heirs of the late Arunasalam Ponnutturai, north by road, west by lane, and on the south by lane and by the property of the heirs of the late Arunasalam Ponnutturai.

Fiscal's Office,  
Jaffna, January 30, 1912.

V. THAMBIPILLAI,  
Deputy Fiscal.

### Southern Province.

In the Additional Court of Requests of Matara.

Samatchi de Silva Weerakoon, Maha Vidane, and another ..... Plaintiffs. *No. 41-*  
No. 5,859. Vs.

(1) Don Eliyas Wickramaratne Appuhamy of Palle Aperekka and (2) Vidane Gamatchige Don Davith Appuhamy of Talarambe..... Defendants.

NOTICE is hereby given that on Tuesday, March 5, 1912, at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the said 2nd defendant in the following property for the recovery of Rs. 283.68, with interest on Rs. 242 at 18 per cent. per annum from April 25, 1910, till June 22, 1910, and legal interest on the aggregate amount thereafter and Fiscal's fees, less Rs. 17.62 recovered, viz.:—

The land called Puwakgahatotawatta and the tiled house of 11 cubits, in which the 2nd defendant resides, standing thereon, situate at Talarambe, in the Weligam korale of the Matara District; and bounded on the north by Garandugaha, east by Munamalgahadeniya, south by Kaluwagahawatta, and on the west by Dewata.

Deputy Fiscal's Office,  
Matara, February 5, 1912.

P. B. HERAT,  
Deputy Fiscal.

**North-Western Province.**

In the District Court of Colombo.

K. K. N. K. V. Vellasamy Pillai of Negombo . . . . . Plaintiff.  
No. 30,884. Vs.

Charles Munasinha of Chilaw and others . . . . . Defendants.

NOTICE is hereby given that on Saturday, March 9, 1912, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 1st and 2nd defendants in the following property, viz. :—

The land called Alutwalawwepelawatta with the plantations and the buildings standing thereon, situated at Madampe, in Yagam pattu of Pitigal Korale Central in the District of Chilaw ; and bounded on the north by the lands planted by Pallawela Arachchige Pieris Perera Vedarala and others, east by high road leading to Kurunegala, south by the line fence separating the land of Cornelia Wijetunga Gunaratne Lamaetana; and west by Uswatta ; containing in extent about 4 acres.

Amount to be levied Rs. 2,086.50, with interest thereon at 9 per cent. per annum from May 27, 1910, and poundage.

Deputy Fiscal's Office,  
Chilaw, February 5, 1912.A. V. HERAT,  
Deputy Fiscal.**North-Central Province.**

In the District Court of Anuradhapura.

Ranawela Liyana Hewage Haramanis Appu of  
Anuradhapura . . . . . Plaintiff.  
No. 555. Vs.

Ali Uduman Seeni Pakeer of Anuradhapura . . . . . Defendant.

NOTICE is hereby given that on Saturday, March 2, 1912, at 9 A.M., will be sold by public auction at the premises the under-mentioned property declared bound and executable under the decree entered in the above action for the recovery of the sum of Rs. 2,414.32, with interest on Rs. 2,100 at 9 per cent. per annum from December 19, 1911, till the payment in full, viz. :—

The land, lots Nos. 497 and 498 together forming one property, bearing assessment No. 369, situate at Elala road, in the town of Anuradhapura ; and bounded on the north by Crown land, on the east by pokuna and channel, on the south by property belonging to the estate of late Mudalihamy Arachchi, and on the west by the reservation along the road ; containing in extent 2 acres 1 rood and 17 perches, according to the title plan No. 121,091 dated October 15, 1881.

Fiscal's Office, P. B. GALGAMUWA,  
Anuradhapura, February 2, 1912. Deputy Fiscal.**DISTRICT AND MINOR COURTS NOTICES.**

In the Police Court of Colombo.

WHEREAS a gold ring, which was found in a first class compartment of the Ceylon Government Railway at Mount Lavinia, was produced before this court by Inspector, D. E. Wijeyesekara, and no owner can be traced.

Notice is hereby given that the said gold ring will be sold by public auction on August 3, 1912, if no claimant shall appear at this court and establish his claim to the said ring on or before that date.

By order of court,  
THOS. ABEYWARDENE,  
Chief Clerk.

February 2, 1912.

**List of Uncertified Insolvents in the District Court of Hatton for the Second Half-Year ended December 30, 1911.**

Nil.

E. T. MILLINGTON,  
District Judge.

Hatton, February 5, 1912.

**Return of Testamentary Cases under Official Administration in the District Court of Hatton for the Second Half-Year ended December 30, 1911.**

Nil.

E. T. MILLINGTON,  
District Judge.

Hatton, February 5, 1912.

**Return showing the Number of all Testamentary Cases under Official Administration for the Half-Year ended December 31, 1911.**

No. of Case.	Whose Estate.	Value. Rs. c.	Date of Letters. 1911.	To Whom issued.
B 361	Galkotuwegedera Himiya of Nawala	2,674 25	May 10, 1911	Secretary, District Court
	District Court, Badulla, February 2, 1912.			L. W. C. SCHRADER, District Judge.

**List of Cases in which the Secretary of the District Court, Badulla, has been appointed Official Administrator during the Half-Year ended December 31, 1911.**

Nil.

L. W. C. SCHRADER,  
District Judge.District Court,  
Badulla, February 2, 1912.**Statement of Uncertificated Insolvents in the District Court of Badulla for the Half-Year ended December 31, 1911.**

Nil.

L. W. C. SCHRADER,  
District Judge.District Court,  
Badulla, February 2, 1912.**List of Uncertificated Insolvents in the District Court of Ratnapura for the Half-Year ended December 31, 1911.**

Nil.

W. H. B. CARBERY,  
District Judge.District Court,  
Ratnapura, February 1, 1912.