



# Ceylon Government Gazette

Published by Authority.

No. 6,489 — FRIDAY, FEBRUARY 16, 1912.

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and General Government Notifications.

PART II.—Legal and Judicial.

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From the date on which this Ordinance comes into force the Ordinance specified in the schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule.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

May appoint persons other than the Government Agent to exercise all or any of his powers.

(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 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.

Licenses 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.

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

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

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 Maana Umma of Messenger street,  
No. 4,110 C. Colombo, deceased.

Segoe Madar Alli Hadjie Marikar of No. 88,  
Messenger street, Colombo..... Petitioner.

Vs.

(1) Levvai Saibo Abdul Raheman, (2) Pathu  
Umma, (3) Isa Umma, (4) Kutti Alli Hadjar  
Ponnai Umma, and her husband (5) K. L.  
Madar Lebbe, all of Messenger street,  
Colombo..... Respondents.

THIS matter coming on for disposal before Lewis Matthew  
Maartensz, Esq., District Judge of Colombo, on November  
28, 1911, in the presence of Messrs. Prins and Swan,  
Proctors, on the part of the petitioner above named; and  
the affidavit of the petitioner dated November 25, 1911,  
having been read:

It is ordered that the said petitioner be and he is hereby  
declared entitled, as the husband of the granddaughter 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 respondent above named or  
any other person or persons interested shall, on or before  
March 21, 1912, show sufficient cause to the satisfaction of  
this court to the contrary.

November 28, 1911.

L. MAARTENSZ,  
District Judge.

In the District Court of Colombo. *Re. 41*  
Order Absolute declaring Will proved. *Eq. 9*

Testamentary In the matter of the Last Will and Testa-  
Jurisdiction. ment of the late Dr. William Dias  
No. 4,113 C. Bandaranayaka of Peradeniya, deceased.  
Class IV.

THIS matter coming on for disposal before Lewis Matthew  
Maartensz, Esq., District Judge of Colombo, on December  
1, 1911, in the presence of Messrs. de Vos and Gratiaen,  
Proctors, on the part of the petitioners Reginald Edward  
Dias Bandaranayaka and Henry Ernest Dias Bandara-  
nayaka, the former of Pannela and the latter of Colombo;

and the affidavit (1) of the said petitioners, and (2) of the attesting notary, Mr. W. A. S. de Vos of Colombo, having been read :

It is ordered that the will of the said Dr. William Dias Bandaranayaka, deceased, dated October 23, 1911, of which the original has been produced and is now disposed in this court be and the same is hereby declared proved; and it is further declared that the said Reginald Edward Dias Bandaranayaka and Henry Ernest Dias Bandranayaka are the executors named in the said will, and that they are entitled to have probate of the same issued to them accordingly on their tendering the usual oath and deposit.

December 1, 1911. L. MAARTENSZ,  
Additional District Judge.

~~No. 41~~ In the District Court of Colombo.  
29.1.12  
Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Philip Matthew Kattaiah alias Philip No. 4,126. Matthew Kathayah of 47, Pickering's Class IV. road, Kotahena, Colombo, deceased.  
Rs. 10,818-70.

Christobu Philip Pawistina of Pickering's road, Kotahena, Colombo ..... Petitioner.

And

(1) Vayalachchi and her husband (2) Vinasames-triyar Louis Pulle of Pickering's road aforesaid ..... Respondents.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., District Judge of Colombo, on December 15, 1911, in the presence of Mr. David Dewapuratna, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 11, 1911, having been read :

It is ordered that the said petitioner be and she is hereby declared entitled, as the widow and an heir of the deceased above named, to administer the estate of the said deceased, and that letters of administration do issue to her 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.

February 1, 1912. L. MAARTENSZ,  
Additional District Judge.

~~No. 41~~ In the District Court of Colombo.  
29.1.12  
Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Amuwaladewage Louis Fernando of No. 4,147. Keragala, in Gangaboda pattu of Siyane Class I. korale, deceased.  
Rs. 1,330 nett.

Wallemunideewage Sinchina Fernando of Keragala aforesaid ..... Petitioner

Vs.

(1) Amuwaladewage Mengo Fernando, wife of (2) Galabalanadewage Adonis Fernando, (3) Amuwaladewage Agoris Fernando, (4) Amuwaladewage Inaley Fernando, all of Keragala aforesaid, (5) Amuwaladewage Sezza Fernando, wife of (6) Kotawaladewage Davith Fernando, both of Kandamulla, (7) Amuwaladewage Samalis Fernando, (8) Amuwaladewage Venga Fernando, (9) Amuwaladewage Nonno Fernando, and (10) Amuwaladewage Engo Fernando, all of Keragala aforesaid ..... Respondents.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., Additional District Judge of Colombo, on January 16, 1912, in the presence of Mr. D. C. Pedris, 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 she is hereby declared entitled, as the widow and an heir of the deceased above named, to administer the estate of the said deceased, and that letters of administration do issue to her 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 16, 1912. L. M. MAARTENSZ,  
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa- Jurisdiction. ment of the late Nugegodage Dona No. 4,148 C. Maria of Mattumagala in the Ragam Class II. pattu of Alutkuru korale, deceased.

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. T. C. S. Jayasinha, Proctor, on the part of the petitioner Nugegodage Don Alexander Amarasekara Seneviratne of Mattumagala aforesaid; and the affidavits (1) of the said petitioner dated January 16, 1912, and (2) of the five attesting witnesses dated January 16, 1912, having been read: It is ordered that the will of the said Nugegodage Dona Maria, deceased, dated September 1, 1911, of which the original with its translation, has been produced and is now deposited in this court be and the same is hereby declared proved; and it is further declared that the said Nugegodage Don Alexander Amarasekera Seneviratne is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any person or persons interested shall, on or before 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 Wickramaratne Vidanelage Johannes No. 4,151. Fernando of 11, Ferguson's road, Mattakkuliya, deceased.

Wickramaratne Vidanelage Joel Fernando of 11, Ferguson's road, Mattakkuliya ..... Petitioner.

And

(1) Philip Fernandoge Clara Fernando, (2) Wickramaratne Vidanelage Peternella Fernando, wife of (3) Kodikaramohandirange Don Michael de Franz, (4) Wickramaratne Vidanelage Moses Benjamin Fernando, (5) Wickramaratne Vidanelage Mary Roslin Fernando, wife of (6) Hettiakonthelege Edwin Marcus, (7) Hettiakonthelege Victor Marcus, and (8) Hettiakonthelege Edwin Marcus, all of Mattakkuliya ..... 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. V. Fernando, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 12, 1912, 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 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 Last Will and Testa- Jurisdiction. ment of Alder Alderson Smith, formerly of No. 4,161 C. Wheatecroft Cliff, Scarborough, in the County of York, England, but late of 9, Holbeck Avenue, Scarborough aforesaid, 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. Sydney Alexander Julius of Colombo, Proctor, on the part of the petitioner Villiers Alexander Julius of Colombo; and the affidavit of the said petitioner dated January 31, 1912, and power of attorney in favour of the petitioner, and Supreme Court order dated January 19, 1912, having been read: It is ordered that the will of the said Alder Alderson Smith, deceased, dated November 6, 1901, of which an exemplification 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 Villiers Alexander Julius is the attorney of the executor named in the said will, and that he is entitled to have letters of administration, with a copy of the will annexed, issued to him accordingly, unless any person or persons interested shall, on or before February 22, 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 Colombo.

*Order Nisi.*

2 Testamentary In the Matter of the Last Will and Testa-  
Jurisdiction. ment of Marianne Isabella Sarah Jeffries  
No. 4,162 C. of Acton, Burnell Rectory, near Shrews-  
bury, in the County of Salop, England,  
widow, 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. Sydney Alexander Julius of Colombo, Proctor, on the part of the petitioner Ernest Reed Williams, of Colombo; and the affidavit of the said petitioner dated January 18, 1912, and power of attorney in favour of the petitioner, and Supreme Court order dated December 6, 1911, having been read: It is ordered that the will of the said Marianne Isabella Sarah Jeffries, deceased, dated May 4, 1903, of which a true copy 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 Ernest Reed Williams is the attorney of the executor named in the said will, and that he is entitled to have letters of administration, with copy of the will annexed, issued to him accordingly, unless any person or persons interested shall, on or before February 22, 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 Colombo.

*Order Nisi.*

Tetramentary In the Matter of the Last Will and Tasta-  
Jurisdiction. ment of the late George Robson.  
No. 4,170.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., District Judge of Colombo, on February 15, 1912, in the presence of Messrs. D. L. and F. de Saram, Proctors, on the part of the petitioner Arthur David McHaffie; and the affidavit of the said petitioner dated February 15, 1912, having been read:

It is ordered that the will of the said George Robson, deceased, dated October 17, 1901, which 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 Arthur David McHaffie is the attorney of the executrix named in the said will, and that he is entitled to have letters of administration with the will annexed issued to him accordingly, unless any person or persons interested shall, on or before February 19, 1912, show sufficient cause to the satisfaction of this court to the contrary.

February 15, 1912.

L. MAARTENSZ,  
District Judge.

In the District Court of Negombo.

*Order Nisi.*

5 Testamentary In the Matter of the Estate of the late  
Jurisdiction. Sudahinpathirannehelage Podi Singho of  
No. 1,266. Madagampitiya, in Dasiya pattu of the  
Alutkuru korale.

THIS matter coming on for disposal before J. Scott, Esq., District Judge of Negombo, on January 20, 1912, in the

presence of Mr. Samaratunge, Proctor, on the part of the petitioner Madurasingha Aratchige Arnolis Appu of Vitana-mulla; and the affidavit of the petitioner dated January 17, 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) Samichchi Nona, (2) W. Allis Appu, (3) S. Seda Nona, (4) K. Siyadoris Appu, (5) S. Nonohamy, (6) B. Arnolis Appu, (7) S. Podinona, and (8) S. Sophia Nona by her guardian *ad litem* the 4th respondent—shall, on or before March 13, 1912, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 4th respondent be appointed guardian *ad litem* over the 8th respondent for this purpose.

January 20, 1912.

JOHN SCOTT,  
District Judge.

In the District Court of Kandy.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Mudugamuwe Malwatte Mohottige Wil-  
No. 2,814. liam Appuhamy, deceased, of Alut-  
nuwara, in Bintenna.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., District Judge, Kandy, on January 18, 1912, in the presence of Messrs. Beven and Beven, Proctors, on the part of the petitioner Malimbadage Menchi Nona of Alutnuwara, in Bintenna; and the affidavit of the said petitioner dated November 1, 1910, having been read:

It is ordered that the petitioner Malimbadage Menchi Nona of Alutnuwara, in Bintenna, be and she is hereby declared entitled to letters of administration of the estate of Mudugamuwe Malwatte Mohottige William Appuhamy of Alutnuwara, in Bintenna, deceased, as the widow of the said deceased, unless Helena Hamine and Jane Hamine, by their guardian *ad litem* R. A. Solomons, Secretary of this court, shall, on or before February 22, 1912, show sufficient cause to the satisfaction of this court to the contrary.

January 18, 1912.

FELIX R. DIAS,  
District Judge.

In the District Court of Kandy.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Ekanayaka Mudiyansele Puhulpanawe  
No. 2,870. Walawwe Mutu Banda, deceased, of  
Werapitiya, in Palispattu of Lower  
Dumbara.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., District Judge, Kandy, on January 18, 1912, in the presence of Messrs. Beven and Beven, Proctors, on the part of the petitioner Ekanayake Mudiyansele Puhulpanawe Walawwe Ram Banda Aratchi of Arattana, in Lower Dumbara, on the part of the respondent; and the affidavit of the said petitioner dated October 9, 1911, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled to letters of administration to the estate of the deceased above named, and as the eldest brother of the said deceased, unless (1) Tikiri Manika, (2) Mutu Manika, (3) Heen Banda, (4) Tikiri Banda, (5) Senewiratne Banda, and (6) Kumarihamy, the 5th and 6th by their guardian *ad litem* the 1st respondent, shall, on or before February 22, 1912, show sufficient cause to the satisfaction of this court to the contrary.

January 18, 1912.

FELIX R. DIAS,  
District Judge.

In the District Court of Kandy.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Hatara Koralegedera Ukku Banda, de-  
No. 2,883. ceased, of Medapitiya in Kandukara-  
pahala korale of Udapalata.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., District Judge of Kandy, on December 21, 1911,

in the presence of Mr. A. H. van Langenberg, Proctor, on the part of the petitioner Hatara Koralegedera Appuhamy of Udapitiya aforesaid; and the affidavit of the said petitioner dated December 5, 1911, having been read:

It is ordered that the petitioner Hatara Koralegedera Appuhamy of Medapitiya aforesaid, be and he is hereby declared entitled to letters of administration to the estate of Hatara Koralegedera Ukku Banda of Medapitiya aforesaid, as the eldest son of the said deceased, (unless Konara Mudiyanselegedera Tikiri Menika, residing at Hatara Koralegedera, (2) Hatara Koralegedera Dingiri Menika, (3) ditto Ukku Menika, (4) ditto Punchirala, (5) ditto Palingu Menika, all of Medapitiya aforesaid, the 4th and 5th respondents, by their guardian *ad litem* the 1st respondent shall, on or before February 29, 1912, show sufficient cause to the satisfaction of this court to the contrary.

December 21, 1911.

FELIX R. DIAS,  
District Judge.

92-41-  
991879 In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Naimana Vidane Gamage Don Dias  
No. 2,881. Appuhamy, deceased, of Uhadarana, in  
Kaduwela of Matale.

THIS matter coming on for disposal before Felix R. Dias, Esq., District Judge, Kandy, on January 18, 1912, in the presence of Mr. J. D. Jonklaas on the part of the petitioner Hewa Hembane Arachchige Baba Hamy of Uhadarana, in Kaduwela of Matale; and the affidavit of the said petitioner dated November 28, 1911, having been read: It is ordered that the petitioner be and she is hereby declared entitled to letters of administration to the estate of the deceased above named, as the widow of the said deceased, unless (1) Francina Ranatunga, (2) Simon Hewavitharana, (3) Don Ranatunga, (4) Don Carolis Ranatunga, (5) Don Davith Ranatunga, (6) Don Henarath Ranatunga, (7) Don Abaran Ranatunga, (8) Done Maria Ranatunga, and (9) Done Helena Ranatunga, by their guardian *ad litem* the 2nd respondent, shall, on or before February 22, 1912, show sufficient cause to the satisfaction of this court to the contrary.

January 18, 1912.

FELIX R. DIAS,  
District Judge.

8-4-  
391879 In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Maldena Sandapperuma Arachchige Vero-  
nika Hendrietta de Silva Hamine,  
No. 2,884. deceased, of Kotuagedera estate in Matale.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., District Judge of Kandy, on February 1, 1912, in the presence of Mr. A. H. van Langenberg, Proctor, on the part of the petitioner Ahangama Liyanage Don Simon de Silva of Kotuagedera estate in Matale; and the affidavit of the said petitioner dated November 27, 1911, having been read:

It is ordered that the petitioner Ahangama Liyanage Don Simon de Silva of Kotuagedera estate aforesaid, be and he is hereby declared entitled to letters of administration to the estate of the above-named deceased, as the husband of the said deceased, unless (1) Ahangama Liyanage Regina Maria de Silva, (2) Ahangama Liyanage Charlotte Hendrietta de Silva, minors, by their guardian *ad litem* Selestina Dissanayake Hamine, all of Kumbiyangoda in Matale, shall, on or before February 29, 1912, show sufficient cause to the satisfaction of this court to the contrary.

February 1, 1912.

FELIX R. DIAS,  
District Judge.

In the District Court of Nuwara Eliya.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and  
Jurisdiction. Effects of Parapanadan Pandithen, late of  
No. 23. Handapangama, in the Udapone korale.  
of Kotmale, deceased.

Rawana Pana Athie Ramasamy of Handapan-  
gama ..... Petitioner.

Pannama of Sathan Colam, Tinnevely District,  
South India ..... Respondent.

THIS matter coming on for disposal before Edward Turner Millington, Esq., District Judge of Nuwara Eliya, on November 20, 1911, in the presence of Mr. V. C. Modder, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated November 10, 1911, having been read: It is ordered that letters of administration, in respect of the estate of the above-named Parapanadan Pandithen, deceased, be issued to the petitioner, unless the above-named respondent Ponnamal, or any other person or persons interested shall, on or before January 19, 1912, show sufficient cause to the satisfaction of this court to the contrary.

February 8, 1912.

E. T. MILLINGTON,  
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Muttachchi, wife of Ilagunatar Nannit-  
No. 2,478. tampi Mudaliyar of Charavanai, deceased.  
Class II.

Sellattampi Sannugam of Charavanai ..... Petitioner.

Vs.

(1) Ilagunatar Nannittampi Mudaliyar, Sukestan, Ward place, Colombo, (2) Nannittampi Mudaliyar Suppiah Rasa of ditto, (3) Nannittampi Mudaliyar Visuvesa of ditto. The 2nd and 3rd respondents, minors, by their guardian *ad litem* Sellattampi Ponniah of 31, Darley road, Colombo ..... Respondents.

THIS matter of the petition of Sellattampi Sannugam of Charavanai, praying for letters of administration to the estate of the above-named deceased Muttachchi, wife of Ilagunatar Nannittampi Mudaliyar, coming on for disposal before M. S. Pinto, Esq., District Judge, on January 24, 1912, in the presence of Messrs: Casippillai & Cathiravelu, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated January 23, 1912, having been read: It is declared that the petitioner is a brother 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 29, 1912, show sufficient cause to the satisfaction of this court to the contrary.

January 24, 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. Chetamparapillai Kasinather of Karaitivu  
No. 2,499. East, deceased.

(1) Chanmukam Kandiah, and his wife (2) Cheva-  
kamipillai of Karaitivu East ..... Petitioners.

Vs.

(1) Chinnattamby Chuppiramaniam, his wife (2) Chinnakkudy of Karaitivu East, (3) Kantar Arumugam, and his wife (4) Kathirasippillai of ditto ..... Respondents.

THIS matter of the petition of Chanmukam Kandiah and his wife, Chevakampillai of Karaitivu East, praying for letters of administration to the estate of the above-named deceased Chetamparapillai Kasinather of Karaitivu East, coming on for disposal before M. S. Pinto, Esq., District Judge, on January 16, 1912, in the presence of Mr. T. C. Changarapillai, Proctor, on the part of the petitioner; and

the affidavit of the said 1st petitioner dated January 9, 1912, having been read : It is ordered that the 2nd petitioner be and she is hereby declared entitled, as the sole heiress of the said deceased, to administer the estate of the said deceased, and that letters of administration do issue to them accordingly, unless the respondents above named or any other person shall, on or before February 23, 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 Galle.  
*Order Nisi declaring Will proved, &c.*

Testamentary In the Matter of the Last Will and Testa-  
Jurisdiction. ment of Punchina Weerasuriya Goona-  
No. 4,108. wardene, deceased.

Isaac de Silva Wickramanayake Jayawardene.. Petitioner.

Vs.

Pedrick de Silva Jayawardene ..... Respondent.

THIS matter coming on for disposal before F. J. Smith, Esq., District Judge, Galle, on January 19, 1912, in the presence of Mr. S. S. Weerasuriya, Proctor, on the part of the petitioner Issac de Silva Wickramanayake Jayawardene ; and the affidavits of the petitioner and Rajapaksa Marthinna Namby Udaris de Silva and others, dated January 16, 1912, having been read :

It is ordered that the will of Punchina Weerasuriya Goonawardene, deceased, dated October 13, 1911, be and the same is hereby declared proved, unless the respondent Pedrick de Silva Jayawardene of Ambalangoda shall, on or before February 23, 1912, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Isaac de Silva Wickramanayake is the executor named in the said will, and that he is as such entitled to have probate of the same issued to him accordingly, unless the respondent shall, on or before February 23, 1912, show sufficient cause to the satisfaction of this court to the contrary.

F. J. SMITH,  
District Judge.

January 19, 1912.

In the District Court of Galle.

*Order Nisi.*

T. 4,119. In the Matter of the Estate of Madduma  
Patabendige Singho Appu, deceased, of  
Galle.

THIS matter coming on for disposal before F. J. Smith, Esq., District Judge, Galle, on February 2, 1912, in the presence of Mr. G. E. Abeywardena, Proctor, on the part of the petitioner Uswatte Lianage Punchi Nona ; and the affidavit of the petitioner dated February 2, 1912, having been read : It is ordered and declared that the said Uswatte Liyanage Punchi Nona is the widow of the deceased, and that she is as such entitled to have letters of administration issued to her accordingly, unless (1) Madduma Patabendige Baby Nona, wife of (2) Agris, both of Kokwatta in Meepay, shall, on or before February 22, 1912, show sufficient cause to the satisfaction of this court to the contrary.

F. J. SMITH,  
District Judge.

February 2, 1912.

In the District Court of Matara.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late  
Jurisdiction. David Abraham Goonaratna, Gate Muda-  
No. 1,872. liyar, deceased, of Matara.

THIS matter coming on for disposal before G. F. R. Browning, Esq., District Judge of Matara, on January 30, 1912, in the presence of Messrs. Keuneman, Proctors, on the part of the petitioners (1) Henry Carver Goonaratna, (2) Richard Bartholomews Goonaratna, both of Matara, the petitioners above named dated January 25, 1912, having been read, and all parties heard :

It is ordered that the will of David Abraham Goonaratna, Gate Mudaliyar of Matara, deceased, dated July 18, 1908, be and the same is hereby declared proved, unless the

respondent Georgeana Carolane de Saram of Matara shall, on or before March 5, 1912, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Henry Carver Goonaratna and Richard Bartholomews Goonaratna of Matara 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 or any other person or persons interested shall, on or before March 5, 1912, show sufficient cause to the satisfaction of this court to the contrary.

G. F. R. BROWNING,  
District Judge.

February 1, 1912.

In the District Court of Matara.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Don  
Jurisdiction. Bastian Wickramaratna, Vel-Vidane, de-  
No. 1,874. ceased, of Uda Aparekka.

THIS matter coming on for disposal before G. F. R. Browning, Esq., District Judge of Matara, on January 30, 1912, in the presence of Messrs. Gunaratna and Abeyuriya, Proctors, on the part of the petitioner Don Andris Wickramaratna of Uda Aparekka ; and the affidavit of the petitioner above named dated January 19, 1912, having been read :

It is ordered that Don Andris Wickramaratna of Uda Aparekka, the petitioner above mentioned, be and he is hereby declared entitled to have letters of administration to the estate of the deceased Don Bastian Wickramaratna, Vel-Vidane of Uda Aparekka, issued to him, unless the respondents—(1) Wickramaratna Dona. Podihamy of Getamanna, wife of (2) Pannilage Babunappuhamy of ditto, (3) Wickramaratna Adarahamy of Uda Aparekka, wife of (4) Don Carolis Abewickrama Gunaratna of ditto, (5) Wickramaratna Dingihamy of ditto, wife of (6) Hewa Patege Don Siman of ditto, (7) Don Carolis Wickramaratna of ditto, (8) Don Cornelis Wickramaratna of ditto, (9) Wickramaratna Babahamy of ditto, shall—on or before March 4, 1912, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 7th respondent Don Carolis Wickramaratna be and he is hereby appointed guardian *ad litem* over the 8th and 9th respondents, minors, unless the respondents shall, on or before March 4, 1912, show sufficient cause to the satisfaction of this court to the contrary.

G. F. R. BROWNING,  
District Judge.

February 7, 1912.

In the District Court of Batticaloa.

*Order Nisi.*

Testamentary In the Matter of the Estate and Effects of  
Jurisdiction. the late Elayapody Sinnapillai of Nindoor.  
No. 656. deceased.

Mundipody Karuveltamby of Nindoor ..... Petitioner.

Vs.

(1) Mylipody Tangamuttu, (2) Mylipody Kanag-  
ratnam, (3) Mylipody Nagalangam, (4) Manika-  
pody Veemapody, all of Nindoor ..... Respondents.

THIS matter of the petition of Mundipody Karuveltamby, praying for letters of administration to the estate of the above-named deceased Elayapody Sinnapillai, coming on for disposal before G. W. Woodhouse, Esq., District Judge, on December 22, 1911, in the presence of Mr. J. A. Setukavaler, Proctor, on the part of the petitioner ; and affidavit of the petitioner dated December 11, 1911, having been read : It is declared that the petitioner, as the son-in-law of the said intestate, is entitled to have letters of administration to the said estate issued to him, unless the respondents or any other person shall, on or before February 20, 1912, show sufficient cause to the satisfaction of this court to the contrary.

G. W. WOODHOUSE,  
District Judge.

December 22, 1911.

*So. 4/-*  
*1958*  
 In the District Court of Batticaloa.

*1958*  
 Order Nisi.

Testamentary In the Matter of the Estate and Effects of Jurisdiction. Adambawa Asenarlevai of Katankuddy, No. 657. deceased.

- (1) Asenar Mariampillai, widow of Asenarlevai,  
 (2) Adambawa Mariampillai, and husband (3)  
 Aliar Umarugatta, (4) Asenar Mohamadotamby,  
 all of Katankuddy . . . . . Petitioners.

Vs.

Seylapadin Sarifaummah of Katankuddy . . . Respondents.  
 THIS matter coming on for disposal before G. W. Woodhouse, Esq., District Judge, Batticaloa, on January 17, 1912, in the presence of Mr. J. A. Setukavaler, Proctor, on the part of the petitioners above named; and the affidavit and petition of the petitioners both dated January 16, 1912, having been read:

It is ordered that the 3rd and 4th petitioners be and they are hereby declared entitled, as brothers-in-law of the deceased above named, and as the male relatives and representatives of the 1st and 2nd petitioners, to administer the estate of the said deceased, and that letters of administration do issue to them accordingly, unless the respondents above named or any other person or persons interested shall, on or before February 20, 1912, show sufficient cause to the satisfaction of this court to the contrary.

G. W. WOODHOUSE,  
 District Judge.

January 17, 1912.

*So. 4/-*  
*1958*  
 In the District Court of Chilaw.

*1958*  
 Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Manotunge Aratchige Martha Livera, No. 893. deceased, of Pambola.

THIS matter coming on for disposal before T. R. E. Loftus, Esq., District Judge of Chilaw, on January 16, 1912, in the presence of Mr. C. V. M. Padittesekara, Proctor, on the part of the petitioner Lindamulagey Anthoney Silva of Pambola; and the affidavit of the said petitioner dated December 14, 1911, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled to administer the estate of the said deceased, and that letters of administration be issued to him accordingly, unless the respondents—(1) Nanayakkare

Warnekulepatabendige William Perera of Pambola, (2) ditto Peter Perera of Thodowawa, (3) Lindamulage Manuel Silva of Pambola, (4) Nanayakkare Warnekulepatabendige Juan Perera of Thodowawa, and (5) Manotunge Aratchige Savier Livera of Pambola—shall, on or before February 23, 1912, show sufficient cause to the satisfaction of this court to the contrary.

And it is further ordered that the 4th respondent be appointed guardian *ad litem* over the 1st and 2nd minor respondents and the 5th respondent be appointed guardian *ad litem* over the 3rd minor respondent for this purpose.

January 16, 1912.

T. R. E. LOFTUS,  
 District Judge.

In the District Court of Kegalla.

Order Nisi.

No. 364. In the Matter of the Intestate Estate of Mahapitiye Rankiri of Ayagama, deceased.

Mahapitiye Jotiya of Ayagama . . . . . Petitioner.

Vs.

- (1) Mahapitiye Rankira, (2) ditto Kiri Ukku, (3) ditto Sirimala, all of Ayagama . . . . . Respondents.

THIS matter coming on for disposal before W. de Livera, Esq., District Judge of Kegalla, on December 21, 1911, in the presence of Mr. A. A. Wickramasinghe, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated November 30, 1911, and his petition dated December 21, 1911, having been duly read:

It is ordered and declared that the petitioner, as husband of the deceased, is entitled to have 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 January 23, 1912, show sufficient cause to the contrary to the satisfaction of this court.

Kegalla, December 21, 1911.

W. DE LIVERA,  
 District Judge.

This *Order Nisi* is extended till February 20, 1912.

January 29, 1912.

W. DE LIVERA,  
 District Judge.

## NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,463. In the matter of the insolvency of Ona Packeer Mohamado of No. 19, Marties' lane, 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 21, 1912, for proof of further claims.

By order of court,

D. M. JANSZ,  
 Secretary.

Colombo, February 8, 1912.

In the District Court of Colombo.

No. 2,379. In the matter of the insolvency of Lindamullage George de Silva of Moratuwella in Moratuwa.

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 declaration of a dividend.

By order of court,

Colombo, February 8, 1912. D. M. JANSZ,  
 Secretary.

In the District Court of Ratnapura.

No. 43. In the matter of the insolvency of Vidanalage Gabriel de Mel Nanayakkara Appuhamy of Horetuduwa in Panadura and Merennege John Frederick Fernando of Laxapathia in Moratuwa, carrying on business in partnership under the name, style, and firm of de Mel and Company, at Rakwana.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvents will take place at the sitting of this court, on March 2, 1912, for the examination of insolvents and assignees.

By order of court,

February 7, 1912. W. R. PERERA,  
 Acting Secretary.



## NOTICES OF FISCALS' SALES.

## Western Province.

In the District Court of Negombo.

Pana Lana Nawanna Kristnampullay of Negombo . . . Plaintiff  
No. 8,293. Vs.

- (1) Don William Ranasinghe, Police Headman, and wife (2) Kaluaratchige Nonohamy, both of Kossetadeniya, (3) Kawanna Moona Muhamadu Abdulla of Banduragoda, presently at Dunagaha in Negombo, and (4) Ranasinghe Arachchige Jane Nona of Perisyala . . . . . Defendants.

NOTICE is hereby given that on Friday, March 15, 1912, will be sold by public auction at the respective premises the following properties mortgaged by bond No. 741, dated March 20, 1908, and attested by T. H. de Silva, Notary Public, and decreed to be sold by the decree entered in the above action for the recovery of the sum of Rs. 2,336.75, with interest on Rs. 2,064 at the rate of 9 per cent. per annum from August 22, 1911, till payment in full, viz. :—

At 9 A.M.

(1) An undivided  $\frac{1}{2}$  share of the paddy field called Wewakumbura, situate at Kossetadeniya in the Yatigahapattu of Hapitigam korale; and bounded on the north and east by lands of Don John Kulasekera Appuhamy, on the south by the paddy field Pinkumbura of Buddhaskita Terunnanse, and on the west also by the land of the said Terunnanse; containing about 8 kurunies of paddy sowing extent.

At 9.30 A.M.

(2) An undivided  $\frac{1}{2}$  share of the land consisting of the contiguous portions of lands called Talgahawatta, Ketakelagahawatta, and Miriswatta, situate at Kossetadeniya aforesaid; and bounded on the north by the land of Migel Appuhamy, on the east by the land Delgahalanda *alias* Kospelaimbulawatta, on the south and west by lands belonging to Karanis Appu and others; containing in extent 4 acres 3 roods and 34 perches.

At 10 A.M.

(3) An undivided  $\frac{1}{2}$  share from and out of an undivided half of the land called Unumuweowita, situate at Kossetadeniya aforesaid; and bounded on the north by the paddy field belonging to S. Jusey Appu, on the east by the live fence of the land belonging to A. Allis Appu and others, on the south by the live fence of the land belonging to Allis Appu, on the west by the water-course in the paddy field belonging to Karanis Appu and others; containing in extent about 1 acre.

At 10.30 A.M.

(4) An undivided  $\frac{3}{4}$  shares of the paddy field called Pahalakoswattakumbura, situate at Kossetadeniya aforesaid; and bounded on the north by the liminary dam of the paddy field belonging to S. Sinchi Appuhamy, on the east by the liminary dam of the paddy field belonging to V. Karanis Appu, on the south by the land belonging to Don John Kulasekera, and on the west by the paddy field of S. Jusey Appu; containing about three bushels of paddy sowing extent.

At 11 A.M.

(5) An undivided  $\frac{1}{2}$  share from and out of an undivided  $\frac{3}{4}$  shares of the land called Kahatagahawatta, situate at Kossetadeniya aforesaid; and bounded on the north by the land belonging to K. Sinchi Appu and others, on the east by the lands of Karanis Appu, on the south by the land of K. Sinchi Appu, and on the west by the land of S. Sinchi Appuhamy; containing about 1 bushel of paddy sowing extent.

At 1 P.M.

(6) An undivided  $\frac{1}{2}$  share of the land called Delgahalanda *alias* Kospelaimbulawatta, situate at Kossetadeniya aforesaid, and from the buildings standing thereon; which land

is bounded on the north by the land belonging to Government, on the east by the land appearing in the plan bearing No. 95,105, on the south by the land appearing in the plan bearing No. 95,345, on the south-west by the land appearing in the plan No. 95,348, and on the west by the land appearing in plan bearing No. 95,347; containing in extent 9 acres 2 roods and 30 perches.

At 1.30 P.M.

(7) The land called Batadombagahawatta, situate at Kossetadeniya aforesaid; and bounded on the north by the paddy field Wewakumbura belonging to Dingihamy and others, on the east by the land belonging to Nissanga-achchikankanamalagey Nonohamy and others, on the south by the land Kongahawatta belonging to Dingihamy and others, on the west by the paddy field of Karanis Appu; containing in extent about 1 acre and 2 roods.

At 2 P.M.

(8) An undivided  $\frac{1}{2}$  share of the land called Amuwatta, situate at Kossetadeniya aforesaid; and bounded on the north by the paddy field Wewakumbura and by the land of Juanis Appu, on the east by the land Delgahawatta belonging to Migel Appuhamy, on the south by the land belonging to Nissanga-achchikankanamalagey Nonohamy and others, and on the west also by the land Batadombagahawatta belonging to Nissanga-achchikankanamalagey Nonohamy and others; containing in extent about 5 acres.

At 3 P.M.

(9) An undivided  $\frac{1}{2}$  share of the paddy field called Midellagahakumbura, situate at Ambana in the Yatigahapattu of Hapitigam korale; and bounded on the north by the paddy field of Punchihamy, on the east by a water-course, on the south by the paddy field belonging to Podda and others, and on the west also by a water-course; containing about 10 kurunies of paddy sowing extent.

At 3.30 P.M.

(10) An undivided  $\frac{1}{2}$  share from and out of an undivided half share of the paddy field called Midellagahakumbura, situate at Ambana aforesaid; and bounded on the north by the paddy field Puvakkumbura belonging to Samara, on the east and west by water-courses, on the south by the paddy field belonging to Don Harmanis Ranasinghe, Police Headman; containing about 4 parras of paddy sowing extent.

At 4 P.M.

(11) An undivided  $\frac{1}{2}$  share of the paddy field called Halgahakumbura, situate at Ambana aforesaid; and bounded on the north by the liminary dam of the field Hehatkurage Kurundugahairawellakumbura, on the east by the land of Wijelathkurage Bolanda, on the south by the liminary dams of the paddy field Dangahakumbura belonging to Mananage Mangris Fernando and of the paddy fields, and on the west by the dam through which water flows (waturabasawella); containing about 3 bushels of paddy sowing extent.

At 5.30 P.M.

(12) An undivided  $\frac{1}{2}$  share from and out of an undivided  $\frac{1}{2}$  share of the land called Kongahawatta, situate at Kitulwala in the Yatigahapattu of Hapitigam korale; and bounded on the north-west and north by the Crown land, on the north-east and south-east by a Crown land and by the land belonging to Mr. Rajapakse, Mudaliyar, on the south by a road, on the south-west and west by the land appearing in the plan bearing No. 52,728; containing in extent 13 acres 3 roods and 10 perches.

On Saturday, March 16, 1912, at 9.30 A.M.

(13) An undivided  $\frac{1}{2}$  share of the paddy field called Kohowilakumbura, situated at Perisyala in the Udugahapattu of Hapitigam korale; and bounded on the north by



the paddy field belonging to Thepanis Appuhamy and others, on the east by Kuda-oya, on the south by the rail road, and on the west by the Crown jungle; containing about 6 parrahs of paddy sowing extent.

At 10 A.M.

(14) An undivided  $\frac{1}{2}$  share from and out of an undivided  $\frac{1}{2}$  of the land called Hapugahawatta, situate at Perisyala aforesaid; and bounded on the north by the live fence of the land Hapugahawatta belonging to Thepanis Appuhamy and others, on the east by the paddy field belonging to Thepanis Appuhamy and by the road leading from Walhotala to Keenadeniya, on the south and west by the Crown jungle (Ratmaharagodakelabima) and by the paddy field Kohowilakumbura; containing about 6 bushels of paddy sowing extent.

At 10.30 A.M.

(15) An undivided  $\frac{1}{2}$  share from and out of the undivided  $\frac{1}{2}$  of the land called Ketakelagahawatta, situate at Perisyala aforesaid; and bounded on the north by the live fence of the land belonging to Kittohamy, on the east by the live fence of the land belonging to Juwanis Appu, on the south by the live fence of the land belonging to Thepanis Appuhamy, and on the west by the Crown jungle (Ratmaharagodakelabima); containing about  $1\frac{1}{2}$  bushel of paddy sowing extent.

At 11 A.M.

(16) An undivided  $\frac{1}{2}$  share of the land called Hapugahawatta, situate at Perisyala aforesaid; and bounded on the north by lands appearing in plans bearing Nos. 178,242 and 178,230 and by the land Hapugahawatta belonging to James Appu and others, on the east by the land Hapugahawatta belonging to James Appu and others, south by the land Hapugahawatta belonging to James Appu and others, by a drain and by lands called Tiriwanahena and Dambugahahena belonging to Crown, and on the west by Crown lands Tiriwanahena and Dambugahahena; containing in extent 1 acre 2 roods and 37 perches.

Fiscal's Office,  
Colombo, February 13, 1912.

E. ONDATJE,  
Deputy Fiscal.

In the District Court of Colombo.

(1) Vayna Rawanana Mana Ramasamy Chetty and  
(2) Vayna Rawanna Mana Narayanan Chetty,  
both of Sea street, Colombo..... Plaintiffs.

No. 32,672.

Vs.

Cattoo Bawa Ahamado Lebbe Marikar of Panchikawatta road, Colombo..... Defendant.

NOTICE is hereby given that on Friday, March 15, 1912, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the following property ordered to be sold by the order of court, dated December 22, 1911, for the recovery of the sum of Rs. 4,285.65, with interest on Rs. 3,500 at the rate of 15 per cent. per annum from May 29, 1911, till October 9, 1911, and thereafter on the aggregate amount at the rate of 9 per cent. per annum, till payment in full and costs, viz. :—

All that portion of the garden marked letter F in the plan thereof with the buildings thereon, situated at Lock-Gate patch in San Sebastian, within the Municipality of Colombo, Western Province; bounded on the north by the portion of the garden marked letter E belonging to Ponnatchi, on the east by a road five feet wide, on the south by the portion of the garden marked letter G belonging to Pathumma, and on the west by the property of Idroos Lebbe Uduma Lebbe Marikar; containing in extent  $12\frac{1}{2}$  square perches, and all the defendant's right, title, interest, claim, and demand whatsoever in and to the same.

Fiscal's Office,  
Colombo, February 13, 1912.

E. ONDATJE,  
Deputy Fiscal.

In the District Court of Colombo.

M. S. P. Meyappa Chetty of Sea street, Colombo... Plaintiff.

No. 23,916.

Vs.

(1) T. Sanmugam of "Devon House", Cinnamon Gardens, Colombo, and (2) J. W. C. de Soysa of Bambalapitiya, Colombo..... Defendants.

NOTICE is hereby given that on Thursday, March 14, 1912, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises, the life interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 16,368.44, with interest at 9 per cent. per annum on Rs. 3,500, from June 29, 1906, on Rs. 2,500 from June 5, 1906, on Rs. 2,500 from June 8, 1906, on Rs. 2,500 from June 8, 1906, on Rs. 2,500 from June 20, 1906, and on Rs. 3,500 from August 31, 1906, till payment in full, viz. :—

All that piece of ground with the buildings standing thereon, bearing assessment No. 46, situated at Chekku street, within the Municipality of Colombo; and bounded or reputed to be bounded on the east by Chekku street, on the south, west, and north by the properties of Sanmugam Palle Tambaiya, Mudaliyar; containing in extent about 5 perches.

Fiscal's Office,  
Colombo, February 13, 1912.

E. ONDATJE,  
Deputy Fiscal.

In the District Court of Negombo.

A. Nana Seena Thana Rawanna Mana Sidambaram Chetty of Negombo..... Plaintiff.

No. 8,515.

Vs.

Kurukulasuriya Joseph Fernando of Grand street, Negombo..... Defendant.

NOTICE is hereby given that on March 11, 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. 2,244, dated July 24, 1909, and declared liable to be sold by the decree entered in the above case, viz. :—

(1) The field called Marandagahakumbura, situate at Palliyapitiya, in Dunagaha pattu of Alutkuru korale; and bounded on the north by the field of Elaris Fernando and others, east by the land of Handugaladewage Juwa Veda and others, south by the field of Selestina Fernando and others, and on the west by the garden of Babasingho Fernando; containing in extent about 1 bushel of paddy sowing ground.

(2) The undivided  $\frac{13}{42}$  shares of the land called Mee-gahawatta, situate at ditto; and bounded on the north by the garden of Juan Naide, east by the garden of Sinno Naide, south by the land of Francisco Fernando, and on the west by the land of Estaki Fernando; containing in extent about 2 acres, with all the trees and buildings standing thereon.

(3) The undivided  $\frac{1}{2}$  share of the undivided western portion in extent about 2 acres out of the portion of the lot bearing No. 208 and letter V of the land called Kotagara, situate at ditto; and bounded on the north by the portion which has been sold to Brahamanage Elaris Fernando, east by the land of Hetti Arachchige Francisco Mendis and others, south by the portion in extent 5 acres 2 roods and 16 perches and bearing No. 208 and letter R, and on the west by the land of Selestino Fernando and the land appearing in plan bearing No. 57,959; containing in extent about 2 acres and 1 rood, together with all the trees and buildings standing thereon.

(4) The undivided  $\frac{1}{2}$  share of the land called Gorakagahawatta, situate at ditto; and bounded on the north by the land which has been purchased by Selestino Fernando from Government, east and south by the land called Kotagara, and on the west by the land belonging to the heirs of Weerapulgige Seenchi Veda; containing in extent about 3 acres, together with all the trees and buildings standing thereon.

Amount to be levied Rs. 1,190.87 $\frac{1}{2}$ , with interest on Rs. 1,039 at 9 per cent. per annum from September 15, 1911, till payment.

Deputy Fiscal's Office,  
Negombo, February 12, 1912.

FRED. G. HEFFONSTALL,  
Deputy Fiscal.

## Southern Province.

In the Additional Court of Requests of Galle.

Hapuhannedige Tiselhami of Ahangama and  
others ..... Plaintiffs.

No. 5,793.

Vs.

Naidabadaturuge Babunhami of Ahangama.... Defendant.

NOTICE is hereby given that on Saturday, March 9, 1912, commencing at 3 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and

interest of the said defendant in the following property, viz. :—

Half of thirteen-fourteenth of the thirteen cubits tiled house standing on the garden called Galbodawatta, the five cubits cadjan house built only by the defendant standing thereon, the seven cubits cadjan boutique standing thereon, half of thirteen-fourteenth of one-fifth of the said garden and one-third of eleven-twentieth of the aforesaid garden which the defendant bought, situate at Ahangama.

Writ amount, Rs. 80.90.

Fiscal's Office,  
Galle, February 9, 1912.

J. A. LOURENSZ,  
for Fiscal.

### DISTRICT AND MINOR COURTS NOTICES.

#### Statement of Fees drawn by the Official Administrator in the District Court of Negombo, during the Half-Year ended December 31, 1911.

No. of Case.	Whose Estate.	Amount.	
		Rs.	c.
1,150 ..	Anthony Ambrose Croos Moraes of Uluambalam ..	2,398	0

Negombo, February 6, 1912.

JOHN SCOTT,  
District Judge.

#### List of Testamentary Cases under Official Administration in the District Court of Negombo, for the Half-Year ended December 31, 1911.

No. of Case.	Whose Estate.	Remarks.
1,150 ..	Anthony Ambrose Croos Moraes of Uluambalam ..	Closed
1,158 ..	Patikiriachchige Punchi Appuhamy of Borukgomuwa ..	Pending

Negombo, February 6, 1912.

JOHN SCOTT,  
District Judge.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Kandy, will be holden at the Audience Hall at Kandy, on Monday, March 11, 1912, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,  
Kandy, February 10, 1912.

G. S. SEXTON,  
Fiscal