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and General Government Notifications.

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DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to consolidate and amend the Laws relating to the Identification and Supervision of Habitual Criminals.

Preamble.

WHEREAS it is expedient to consolidate and amend the laws relating to the identification and supervision of habitual criminals and their more effective punishment and for their prolonged detention, and also to provide for enlarging convicts upon licenses and controlling them when at large: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited for all purposes as "The Habitual Criminals and Licensed Convicts Ordinance, No. of 191 ."

Repeal.

2 (1) The Ordinances No. 7 of 1899, No. 7 of 1908, and section 13 of Ordinance No. 14 of 1907 are hereby repealed.

(2) All rules made under Ordinance No. 7 of 1899, as amended by section 13 of Ordinance No. 14 of 1907 and by Ordinance No. 7 of 1908, which were in force at the commencement of this Ordinance, shall continue to be in force until they are rescinded or superseded by rules made under this Ordinance.

Definitions.

3 For the purposes of this Ordinance—

"Crime" shall mean a breach of any one of the sections of the Penal Code included in the schedule A hereto.

Rules to be made by the Governor.

“ Habitual criminal ” shall mean a person convicted of a crime against whom a previous conviction of a crime is proved, or a person liable under section 83 of “ The Criminal Procedure Code, 1898,” to be ordered to execute a bond with sureties for his good behaviour.

“ Measurement ” includes every method of identification sanctioned by the Governor in terms of section 4 hereof.

“ Superintendent of Police ” shall include Additional Superintendent of Police, Assistant Superintendent of Police, and the chief headman of the district.

4 The Governor in Executive Council may from time to time make rules—

- (1) Prescribing the methods of identifying habitual criminals or persons suspected of having been previously convicted ;
- (2) Regulating the supervision of habitual criminals ;
- (3) Prescribing the conditions under which convicts may be at large and under the supervision of the police ;
- (4) Providing for the appointment by the Inspector-General of Police of officers to superintend the registration of habitual criminals and to carry out the rules hereunder ; and
- (5) Regulating the treatment of habitual criminals undergoing sentences of preventive detention ;

and may revoke, annul, or alter or amend such rules as the occasion may require. All rules so made, revoked, annulled, altered, or amended as hereinafter provided shall be published in the *Government Gazette*, and shall have the force of law.

Provided, however, that all such rules shall be laid before the Legislative Council if in session within one month of such publication, and if not in session within one month of the commencement of the session next ensuing, and in either case shall lie on the table during four sittings at least of the Council, and any rule which has been disapproved by resolution of the Council shall cease to have any force or effect.

Power to remand persons charged for purposes of identification.

5 When a person charged with a crime, upon *prima facie* evidence led, is suspected of having been previously convicted of a crime, it shall be lawful for the complainant or a police officer to apply to the Police Magistrate before whom such person stands charged for an order of remand to cause inquiries to be made, and to have the measurement of such person taken for purposes of identification ; and the Police Magistrate, if satisfied that it is a proper case, shall remand such person from time to time for such period as to the Police Magistrate shall seem necessary, provided that no person shall be remanded at any one time for a longer period than three weeks or more often than three times for such purpose.

Criminals previously convicted to be dealt with non-summarily ordinarily.

6 If any person is charged with a crime which is triable summarily by a Police Magistrate, and it appears to the Police Magistrate that he has been previously twice or oftener convicted of a crime and to have been sentenced to undergo terms of rigorous imprisonment exceeding in the aggregate six months, the Police Magistrate shall take non-summary proceedings, unless for reasons to be recorded by him in writing he is of opinion that he can himself pass an adequate sentence if such person is convicted.

Sentence to be passed on criminals previously convicted.

7 If any person who has previously twice or oftener been convicted of a crime is again convicted of a crime before the court of a District Judge, or of a Police Magistrate who is also a District Judge acting under section 152 (3) of “ The Criminal Procedure Code, 1898,” such court shall have jurisdiction, anything in “ The Criminal Procedure Code, 1898,” or any other Ordinance to the contrary notwithstanding, to sentence him to rigorous imprisonment for a period not exceeding four years, in addition to any punishment other than imprisonment to which he may be liable.

Preventive detention in certain cases.

8 (1) In the case of a habitual criminal who is convicted of a crime, and has since attaining the age of sixteen years been at least three times previously convicted of a crime, the court, if of opinion that it is expedient for the protection of the public that the offender should be kept in detention for a lengthened

- period, may pass a further sentence ordering that on the determination of the sentence of imprisonment he be detained for such period not exceeding five nor less than three years as the court may determine, and such detention is herein referred to as preventive detention.
- (2) For the purposes of this section, when an accused person has been convicted, the court may before passing such sentence admit evidence as to the character and repute of the accused, and the accused may tender similar evidence; and for this purpose the court may postpone the case from time to time, and remand the accused or admit him to bail.
- (3) For the purposes of this section "the court" shall mean the Supreme Court or the District Court or the court of a Police Magistrate who is also a District Judge acting under the provisions of section 152 (3) of "The Criminal Procedure Code, 1898."
- (4) A person sentenced to preventive detention by a District Court, or a Police Magistrate acting under section 152 (3) of "The Criminal Procedure Code, 1898," may appeal to the Supreme Court against such sentence.
- 9 Where a person has been sentenced, whether before or after the passing of this Ordinance, to rigorous imprisonment for a term of five years or upwards, and he appears to have been a habitual criminal who has since attaining the age of sixteen years been three times previously convicted of a crime, the Governor may, if he thinks fit, at any time after three years of the term of rigorous imprisonment have expired, commute the whole or part of the residue of the sentence to a sentence of preventive detention, so, however, that the total term of sentence when so commuted shall not exceed the term of rigorous imprisonment originally awarded.
- 10 Every sentence of preventive detention shall take effect immediately on the determination of the sentence of rigorous imprisonment.
- 11 Persons undergoing preventive detention shall be confined in any prison or part of a prison which the Governor may set apart for the purpose, and shall be subject to the law for the time being in force with respect to rigorous imprisonment as if they were undergoing rigorous imprisonment, subject to such modifications as may be prescribed by rules framed under section 4 of this Ordinance.
- 12 When a person is convicted of a crime and a previous conviction of a crime is proved against him, the court of trial may, in addition to any other punishment which it may award to him, direct that he shall be subject to the supervision of the police for a period not exceeding seven years, commencing immediately after his discharge from jail.
- 13 Every person made subject as aforesaid to the supervision of the police shall, before his discharge from jail, notify to the superintendent of the prison in which he is detained the place where he intends to reside, and shall thereafter, as long as he remains subject to such supervision, notify his residence and report himself at such times and places and in such manner as may be prescribed by rules made under section 4 of this Ordinance.
- 14 Any person who fails to notify his residence, or to report himself as required by the last preceding section, or by any rule made under section 4, shall in every case, unless he satisfies the court that he did his best to act in conformity with the said section or rules, be guilty of an offence under this Ordinance, and be liable on conviction to imprisonment of either description for any period not exceeding six months.
- 15 A previous conviction may be proved against any person by the production of a true extract of the substance and effect only of the charge and conviction under the hand of the chief clerk, secretary, or registrar of the court in which such person was convicted, and by proof of identity of the person against whom the conviction is sought to be proved with the person named in the true extract; and such extract shall be admissible in evidence without proof of the signature or official character of the person who appears to have signed the same.
- Evidence of character and repute.
- Meaning of "court."
- Appeal.
- Governor may commute rigorous imprisonment to a sentence of preventive detention.
- Preventive detention to commence after rigorous imprisonment.
- Governor may set apart prison for preventive detention.
- Power of court to direct supervision of habitual criminals after discharge from jail.
- Duty of habitual criminal to report himself.
- Punishment for neglect of such duty.
- Mode of proving previous conviction.

Grant of licenses to convicts at large.

16 It shall be lawful for the Governor, by an order in writing, to grant to any convict undergoing sentence of imprisonment or preventive detention in any prison in this Colony a license, in the form set forth in schedule B or schedule C hereto respectively, to be at large in the Colony or in any part thereof during such portion of his period of imprisonment or preventive detention, and upon such conditions, as to the Governor shall seem fit. The Governor may, if he thinks fit, revoke or alter such license or vary the conditions thereof. Every such license may be granted and every revocation or alteration of a license or variation of the conditions thereof may be made by an order in writing under the hand of the Colonial Secretary or the Assistant Colonial Secretary.

Reasons involving forfeiture of licenses.

17 If any holder of a license granted as aforesaid is convicted of any crime, his license shall be forthwith forfeited by virtue of such conviction.

Non-production of license or breach of any conditions of license declared an offence.

18 If any holder of a license granted as aforesaid—

- (1) Fails to produce his license when required to do so by any Judge or Police Magistrate before whom he may be brought charged with any offence, or by any constable or officer of the police in whose custody he may be, and fails to make any reasonable excuse for not producing the same; or
- (2) Breaks any of the other conditions of his license that are not of themselves punishable either upon indictment or upon summary conviction—

he shall be guilty of an offence, and be liable on conviction to imprisonment, either rigorous or simple, for any period not exceeding six months.

Arrest of license holder on suspicion.

19 Any peace officer may without warrant take into custody any holder of a license granted as aforesaid whom he may reasonably suspect of having committed any offence, or having broken any of the conditions of his license, and may detain him in custody until he can be taken before a competent Magistrate and dealt with according to law.

Duty of Magistrate to report conviction to Governor.

20 When any holder of a license granted as aforesaid is convicted of an offence punishable under section 18, the Magistrate convicting the prisoner shall report such conviction to the Governor, whereupon it shall be competent to the Governor to revoke the license of such prisoner.

Consequences of forfeiture or revocation.

21 When any license granted as aforesaid is forfeited in terms of section 17, or is revoked in pursuance of a conviction under section 18, a person whose license is so forfeited or revoked shall, after undergoing any other punishment to which he may be sentenced for the offence in consequence of which his license is forfeited or revoked, further undergo a term of imprisonment or preventive detention equal to the portion of his term of imprisonment or preventive detention that remained unexpired at the time of the grant of the license.

SCHEDULE A. (Section 3.)

Section of Penal Code.	Nature of Offence.
From 226 to 256 (inclusive)	.. Offences relating to coin and Government stamps.
296, 297, 300, 301	.. Culpable homicide, &c.
From 315 to 324 (inclusive)	.. Voluntarily causing hurt by dangerous weapons, &c.
From 367 to 371 (inclusive)	.. Theft, theft of cattle, &c.
From 373 to 378 (inclusive)	.. Extortion, &c.
From 380 to 385 (inclusive)	.. Robbery, &c.
387	.. Criminal misappropriation.
From 389 to 392 (inclusive)	.. Criminal breach of trust.
From 394 to 397 (inclusive)	.. Dishonestly receiving stolen property.
From 400 to 403 (inclusive)	.. Cheating.
From 411 to 426 (inclusive)	.. Mischief, &c.
From 433 to 451 (inclusive)	.. Lurking house-trespass, house-breaking, &c.
From 452 to 466 (inclusive)	.. Forgery, &c.
101 and 490	.. Abetting or attempting the breach of any of the sections above specified in this schedule.

SCHEDULE B. (Section 16.)

Order of License to a Convict.

We, _____, Governor of Ceylon, hereby grant to _____, who was convicted of the offence of _____ in the _____ Court of _____, on the _____ day of _____, 19—, and was then and there sentenced to _____ imprisonment for the term of _____, and is now confined in _____, a License to be at large from the _____ day of _____, 19—, during the remaining portion of his said term of imprisonment, unless the said _____ shall, before the expiration of the said term, be convicted of any crime set forth in the Schedule A to the Ordinance No. — of 191—, in which event this License shall be forthwith forfeited, or unless it shall please Us sooner to revoke or alter this License.

This License is given subject to the conditions endorsed upon the same, upon the breach of any of which it shall be liable to be revoked, whether such breach is followed by conviction or not.

Given this _____ day of _____, One thousand Nine hundred and _____.

(Signed) _____,

Colonial Secretary
(or Assistant Colonial Secretary).

SCHEDULE C. (Section 16.)

We, _____, Governor of Ceylon, hereby grant to _____, who was convicted of the offence of _____ in the _____ Court of _____, on the _____ day of _____, 19—, and was then and there sentenced to _____ imprisonment for the term of _____, and also to preventive detention for the term of _____, and is now detained in _____, a License to be at large from the _____ day of _____, 19—, during the remaining portion of his said term of _____, unless the said _____ shall, before the expiration of the said term, be convicted of any crime set forth in the Schedule A to the Ordinance No. — of 191—, in which event this License shall be forthwith forfeited, or unless it shall please Us to revoke or alter this License.

This License is given subject to the conditions endorsed upon the same, upon the breach of any of which it shall be liable to be revoked, whether such breach is followed by conviction or not.

Given this _____ day of _____, One thousand Nine hundred and _____.

(Signed) _____,

Colonial Secretary
(or Assistant Colonial Secretary)

By His Excellency's command,

Colonial Secretary's Office,
Colombo, December 16, 1913.

R. E. STUBBS,
Colonial Secretary

Statement of Objects and Reasons.

THE Draft Ordinance consolidates Ordinances No. 7 of 1899 and No. 7 of 1908 and section 13 of Ordinance No. 14 of 1907.

2. It also provides that if a habitual offender is convicted of a "crime," and has since attaining the age of 16 years been at least three times previously convicted of a "crime," the court may order that on the determination of the sentence of imprisonment passed on him he may be further detained for a period not exceeding five years nor less than three years. This provision has been suggested by the Prevention of Crime Act, 1908 (8 Edward VII., c. 59). The detention will be governed by rules to be made by the Governor in Executive Council.

Attorney-General's Chambers,
Colombo, December 11, 1913.

J. VAN LANGENBERG,
Acting Attorney-General.

MINUTE.

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

An Ordinance to provide for the Registration of Chemists, Druggists, and Apothecaries, and to amend the Law with regard to the Sale of Poisons.

Preamble.

WHEREAS it is expedient for the safety of the public that provision should be made for the registration of chemists, druggists, and apothecaries, and that the law relating to the sale of poisons should be amended: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Pharmacy and Poisons Ordinance, 1914," and shall come into operation at such date, not being less than six months after the passing of this Ordinance, as the Governor, by Proclamation in the *Government Gazette*, shall appoint.

Provided that, immediately after the passing of this Ordinance and before the said date, it shall be lawful to register persons as chemists and druggists in accordance with the provisions of this Ordinance, and to do all things which are prescribed by this Ordinance for such purpose.

Repeal.

2 "The Poisons Ordinance, 1901," is hereby repealed.

Interpretation.

3 In this Ordinance, unless the context otherwise requires—
"Drug" includes medicine, compound medicine, and medicinal preparation.

"Council" means the Council of "The Ceylon Medical College," as incorporated by "The Ceylon Medical College Ordinance, 1905."

"Poison" includes the articles named or described in schedule I. to this Ordinance, and any other articles which the Governor, on the recommendation of the Council, or on being otherwise satisfied of the expediency of so doing, may, by notification in the *Government Gazette*, declare to be included in either part of the said schedule.

"Rules" means rules made by the Council under this Ordinance and under "The Ceylon Medical College Ordinance, 1905."

"Registrar" means the Registrar of the Ceylon Medical College.

"Registered person" means a person registered as a chemist and druggist under this Ordinance whose name has not been removed from the register of chemists and druggists, or any person whose name has been replaced thereon under the provisions of this Ordinance.

Examining Board.

4 (1) For the purpose of this Ordinance the Council shall appoint a Board of Examiners consisting of five legally qualified medical practitioners, of whom at least three shall be members of the Council.

(2) The Council shall from time to time, when any vacancy by death, resignation, or otherwise occurs, appoint some other legally qualified medical practitioner to fill the vacancy.

Its duties.

5 The Board of Examiners appointed under this Ordinance shall examine all such persons as tender themselves for examination in compliance with this Ordinance and any rules affecting examinations which may be made by the Council.

Examinations.

6 The examination to be passed by persons desiring to be registered as chemists and druggists under this Ordinance shall be such as is from time to time required by the rules of the Council.

Registration.

Right of successful candidate to be registered.

7 (1) The Board of Examiners shall, on the application of any person who has successfully passed the examination hereinbefore mentioned, give to him a certificate in the form A in schedule II. hereto.

(2) Every person to whom such certificate is given shall, on payment of the prescribed fee, be entitled to be registered as a chemist and druggist under this Ordinance.

Persons entitled to be registered without examination.

8 The following persons shall be exempted from the obligation of passing the examination hereinbefore mentioned, and shall be entitled on paying the prescribed fee to be registered as chemists and druggists under this Ordinance, namely :

- (a) Any person holding a certificate of proficiency as an apothecary granted by the Council under the provisions of "The Ceylon Medical College Ordinance, 1905."
- (b) Any person entitled to practise in Great Britain as an apothecary, chemist, or druggist, or pharmaceutical chemist.
- (c) Any person who satisfies the Council that during the twelve months immediately preceding the date of the passing of this Ordinance he has kept a chemist's shop or drug store, and has during such period held a license under "The Poisons Ordinance, 1901," to sell poison by retail, and has had training in pharmacy and in the nature of drugs and poisons.

Provided always that any person of the class named in clause (c) who desires to register under this section shall apply to the Council for registration not later than one year from the date of the coming into operation of this Ordinance.

Registrar's duties.

9 The Registrar shall make and keep a correct register as nearly as may be in accordance with form B set forth in schedule II. to this Ordinance of all persons registered under this Ordinance, and from time to time erase the names of any registered persons who have died, and make all necessary alterations in the addresses of the persons registered. If a registered letter is sent by post to any registered person according to his address on the register to inquire whether he has changed his address, and no answer is returned within three months, and a second letter of similar purport is sent in like manner and no answer is given thereto within one month from date thereof, the name of such person may be removed from the register. Provided always that the same may be replaced thereon by direction of the Council should they think fit to make such order.

Removal of name from register.

10 If any registered person is convicted of any offence which, in the opinion of the Council, renders him unfit to be a chemist and druggist, or shows such gross negligence or incapacity in the performance of his duties that, in the opinion of the Council, he cannot safely be allowed to continue to practise as a chemist and druggist, the Governor in Executive Council may, on the application of the Council, order the name of such person to be removed from the register, and the Registrar shall give effect to such order.

Publication of register.

11 The Registrar shall, in the month of January in every year, or as soon as may be thereafter, cause to be printed and published in the *Government Gazette* a correct register of all registered persons registered on the thirty-first day of December preceding, and in such register the names shall be in alphabetical order according to the surnames, and it shall be in accordance with the form B set forth in schedule II. to this Ordinance; such printed register shall be called "The Register of Chemists and Druggists," and a copy of the *Government Gazette* containing such register shall be evidence in all courts of law that the persons therein specified are registered persons, and the absence of the name of any person from such printed register shall be *prima facie* evidence that such person is not a registered person.

Offences.

12 Any person who wilfully makes or causes to be made any falsification of the register, and any person who wilfully procures or attempts to procure himself to be registered under this Ordinance by making or producing or causing to be made or produced any false or fraudulent representation of declaration either verbally or in writing, and any person aiding or

- assisting him therein, shall be guilty of an offence, and shall be liable on conviction thereof to a fine which may extend to one thousand rupees, or to simple or rigorous imprisonment for a term not exceeding two years, or to both.
- Persons not to be registered.** 13 No legally qualified medical practitioner shall be entitled to be registered under this Ordinance, and if any registered person obtains a diploma or license entitling him to be registered under Ordinance No. 2 of 1905, or is registered under the said Ordinance, his name shall be removed from "The Register of Chemists and Druggists" during the time that he remains a member of such profession or is engaged in such practice.
- Limit of effect of registration.** 14 Registration under this Ordinance shall not entitle any person to practise medicine or surgery or any branch of medicine or surgery, or to hold himself out as being so entitled.
- Exemption.** 15 All registered persons shall be exempt from serving on any jury.
- Fees.** 16 Upon every examination and upon registration such fees as are from time to time fixed and determined by the rules of the Council shall be paid by the candidate to the registrar.
- Provided always that all persons who at the date when this Ordinance is passed are entitled to be registered under section 8 shall pay a fee of five rupees only for being registered.

Sale of Drugs and Poisons.

- Prohibition of sale of drugs, &c., by unregistered persons.** 17 (1) No person shall sell or expose or offer for sale or keep open shop for retailing, dispensing, or compounding drugs or poisons, unless he holds a license issued under this Ordinance and unless he is a registered person, or employs a registered person personally to superintend and manage the sale, dispensing, and compounding of drugs and poisons.
- (2) The registered person by whom or under whose supervision any drug or poison is dispensed or compounded shall write on a label on the bottle or other package containing such drug or poison his name or initials, and any label attached to any such bottle or package, and having the name or initials of any registered person written thereon shall be *prima facie* evidence in any case that such drug or poison was dispensed or compounded by him or under his supervision.
- (3) The person who keeps any such open shop or in whose name any such open shop is kept shall, if any of the provisions of the preceding sub-section are not complied with in respect of all drugs or poisons sent from his shop, be deemed to be guilty of a breach of such sub-section.
- Sale of poison to person under 12.** 18 Any person who sells or causes to be sold any poison to any person under twelve years of age, except on a prescription by a legally qualified medical practitioner, shall be guilty of an offence, and shall be liable to a fine not exceeding one hundred rupees.
- Restrictions on sale of poisons.** 19 (1) No person shall sell any poison either by wholesale or retail unless the box, bottle, vessel, wrapper, or cover in which such poison is contained is distinctly labelled with the name of the article and the word "poison" in English, Sinhalese, and Tamil, and with the name and address of the seller of the poison; and no person shall sell any poison named in part I. of schedule I. of this Ordinance, or hereafter added thereto by the Governor, to any person unknown to the seller unless introduced by some person known to the seller; and on every sale of any such article the seller shall, before delivery, make or cause to be made an entry in a book (hereinafter called "The Sale of Poisons Book") to be kept for that purpose, stating in the form C in schedule II. the date of sale, the name and address of purchaser, the quantity of the article sold, and the purpose for which it is stated by the purchaser to be required, to which entry the signature of the purchaser and of the introducer, if any, shall be affixed.
- (2) Any person selling poisons otherwise than as herein provided shall be guilty of an offence, and shall be liable to a fine not exceeding one hundred rupees for the first offence, and two hundred rupees for any subsequent offence.

(3) For the purposes of this section the person on whose behalf any sale is made by any one employed by him shall be deemed to be the seller.

(4) This section shall not apply to sales by wholesale to retail dealers in the ordinary course of wholesale dealing, nor to any article when forming part of the ingredients of any medicine dispensed by or under the supervision of a person registered under this Ordinance; provided such medicine be labelled in the manner aforesaid with name and address of the seller, and the ingredients thereof be entered with the name and address of the person to or for whom it is sold or delivered in a book to be kept for that purpose.

Inspection of
"The Sale of
Poisons Book."

20 (1) Any police officer not below the rank of an inspector or any headman authorized in writing by the Government Agent may between the hours of 8 A.M. and 4 P.M. of any day inspect "The Sale of Poisons Book" in the presence of the person responsible for the keeping of the said book, and any person refusing or failing within a reasonable time to produce for inspection "The Sale of Poisons Book" kept by him under this Ordinance shall be guilty of an offence, and shall be liable to a fine not exceeding one hundred rupees.

(2) Any such authority in writing shall, if required, be produced by the person to whom it has been granted before such person shall be entitled to inspect "The Sale of Poisons Book."

Issue and
withdrawal of
licenses.

21 (1) Any person who may be desirous to sell or keep open shop for retailing, dispensing, and compounding drugs and poisons shall apply in writing for a license to the Registrar. The application shall contain a true and full description of the name and residence of the person making the same, and of the place at which such sale is intended to be carried on or such shop is to be kept.

(2) It shall be lawful for the Registrar to refuse or issue such license. In case of a refusal it shall be open to the applicant to apply to the Governor in Executive Council, who shall confirm or reverse such refusal, and the order made by the Governor in Executive Council shall be final and conclusive; and if such order is in the applicant's favour, the applicant shall be entitled to the issue of such license on his complying with the requirements of this Ordinance.

(3) The license when issued shall specify the name and residence of the person to whom it is granted, and the place where such sale is to be carried on or such shop is to be kept, and the date on which it shall come into force. The license issued under this section shall be in force on and from the date specified in the license as the date on which it shall come into force until the thirty-first day of December next thereafter inclusive, and shall be subject to a stamp duty of ten rupees.

(4) The Registrar may, if he shall see fit to do so for sufficient reason, withdraw any license issued under this Ordinance. Such withdrawal shall be published in the *Government Gazette*, and such license shall thereupon be deemed and taken to have been withdrawn, and shall be of no further force and effect. It shall be open to any person whose license shall be withdrawn to appeal to the Governor, who may confirm or reverse such withdrawal as to him, with the advice of the Executive Council, shall seem fit.

(5) Any person holding a license who shall sell or expose or offer for sale or keep open shop for retailing, dispensing, and compounding drugs or poisons at any place other than the one specified in such license shall be guilty of an offence, and shall be liable to a fine not exceeding a sum of five hundred rupees.

Sign on shop
for the sale of
drugs, &c.

Penalty.

22 Every person having or keeping open shop for the sale of drugs and poisons shall have over the principal entrance of such shop painted in legible characters, at least one inch in length, the name of the person licensed and the words "Licensed to sell drugs and poisons." Any person acting in contravention of the provisions of this section shall be guilty of an offence, and shall be liable to a fine not exceeding one hundred rupees.

Cases to which
Ordinance does
not apply.

23 (1) Nothing in this Ordinance contained shall extend or apply to—

- (i.) The sale or supply of medicines or poisons by any duly qualified medical practitioner or duly qualified dentist to his patients. Provided that such drugs or poisons are dispensed or sold by him or some person under his supervision.
- (ii.) The sale or supply of medicines by any duly qualified veterinary surgeon in the course of his practice.
- (iii.) The sale of any drug not being a poison by wholesale to retail dealers other than registered persons or persons licensed under this Ordinance in the ordinary course of wholesale dealing.
- (iv.) The sale of any drug or poison to any registered person.
- (v.) The sale by any person of the following articles, namely :
 - (a) Patent, proprietary, or homeopathic medicines (subject to the provisions hereinafter contained) if sold in any box, bottle, vessel, or parcel and under wrapper or cover as imported into this Colony, or as prepared by any registered person. Provided that such box, bottle, vessel, or parcel is properly secured, and bears the seal, name, or trade mark of the proprietor, inventor, or manufacturer thereof, and directions for its use.
 - (b) Mineral or artificial waters or the salts or other material employed in their preparation.
 - (c) Simple medicinal substances mentioned in schedule III., or any other substance which the Governor may add to the said schedule by notification in the *Government Gazette*.
 - (d) Any herb, vegetable, gum, oil, or seed, not being a poison, in its natural state, or not specially prepared so as to be fitted for medical use only, though the same may be used in medicine.
 - (e) Articles not being poisons which are to be used for flavouring foods or drinks, or for perfumery, painting, tanning, dyeing, soap-making, or any other industrial art or manufacture.
- (vi.) The sale or supply of drugs to an estate hospital or the dispensing of drugs and medicines at any estate dispensary by a dispenser duly appointed under "The Medical Wants Ordinance, 1912."
- (vii.) The sale of opium or cocaine under and in accordance with any Ordinance or Ordinances for the time being in force with regard to the sale of opium or cocaine.
- (viii.) The dispensing of drugs and poisons by vedaralas or native practitioners to their patients in the ordinary course of practice. Provided that nothing herein contained shall be deemed to authorize the sale of any poison in any form in which it is unfitted for use as a medicine, or in larger quantities than is necessary or proper for the treatment of the patient to whom it is supplied.

(2) Any person not being a registered person to whom a license under this Ordinance shall have been issued shall not be entitled to sell drugs or poisons, except in the cases and to the extent mentioned in this section, unless such person employs a person so registered to superintend and manage his business as provided by section 17 of this Ordinance.

Prohibition of
unregistered
persons
assuming title
of chemist, &c.

24 From and after the coming into operation of this Ordinance no person shall assume or use the title of chemist and druggist, or chemist or druggist, or dispensing chemist, or apothecary, or any name, title, or sign implying that he is registered under this Ordinance, or is entitled to practise as a chemist and druggist or apothecary, unless he has been duly registered under this Ordinance. Provided always that the use of any such title or sign on any shop kept by any person in conformity with section 22 of this Ordinance shall not be deemed a breach of this section.

Duty of chemist where excessive dose of poison is prescribed.

25 Every chemist and druggist who receives a prescription in which the maximum dose of any drug, poison, opium, or cocaine as laid down in the British Pharmacopoeia has been exceeded shall not dispense the same, unless such dose is specially initialled by the prescriber, and if the same be not specially initialled, he shall without delay refer the prescription to him to be so initialled if correct before proceeding to dispense the same.

Evidence.

26 Any copy of the *Government Gazette* containing what purports to be a declaration of the Governor that any article is a poison or any article is a simple medicinal substance shall be sufficient evidence that such article has been duly added to the schedule of poisons to this Ordinance, or is a simple medicinal substance for the purposes of this Ordinance.

General penalty.

27 Every person who infringes any of the provisions of this Ordinance for the breach of which no penalty is provided in this Ordinance shall be guilty of an offence, and shall be liable to a fine not exceeding five hundred rupees, or to imprisonment, rigorous or simple, for a period not exceeding one year, and such offence shall be triable summarily by a Police Court.

Prohibition as to stale, unwholesome, or adulterated drugs, &c.

28 (1) No person having or keeping open shop for the sale of drugs or poisons shall sell or offer for sale any drug or poison in a stale or unwholesome state, or in a state unfit for use.

(2) Any person acting in contravention of the provisions of this section shall be guilty of an offence, and shall be liable to a fine not exceeding one hundred rupees.

Power of Council to make rules.

29 The Council may from time to time make, and when made, revoke, vary, or amend, rules consistent with this Ordinance for—

- (a) Regulating the subjects, time, method, and conduct of examinations held under this Ordinance.
- (b) Prescribing the fees payable by candidates tendering themselves for examination.
- (c) Prescribing in cases not specially provided for by this Ordinance the fees payable on the registration of persons as chemists and druggists.
- (d) Prescribing the evidence which the Council will require for the right of any person to be registered without examination.
- (e) Prescribing with respect to any fees payable under this Ordinance or any rule thereunder the payment of such fees by means of stamps and the documents to which such stamps shall be affixed.

Certificate of Government Analyst.

30 In any proceedings under this Ordinance the production of a certificate signed by the Government Analyst with regard to any substance alleged to be any of the articles named in any of the schedules to this Ordinance shall be *prima facie* evidence of the facts therein stated, and no proof need be given of the signature or official character of the person signing the certificate.

Fees to be paid into the general revenue of the Colony.

31 All fees payable under this Ordinance, if paid otherwise than by means of stamps, shall be paid into the general revenue of the Colony.

SCHEDULE I.

Part I.

Poisons.

Acid, hydrocyanic, and its preparations.
 Aconite and its preparations.
 Amyl nitrate.
 Antimony tartrate.
 Antipyrin, antifebrin.
 Arsenic, its compounds and preparations.
 Atropine and its preparations and all poisonous alkaloids and their salts.
 Belladonna and its preparations, except the plaster.
 Bichloride of methylene.

Brucia.
 Butyl chloral hydrate.
 Calabar bean and its preparations.
 Cantharides and its preparations.
 Chloral hydrate.
 Cocaine and its salts.
 Corrosive sublimate.
 Croton oil.
 Curare.
 Cyanide of potassium and all cyanides and sulpho-cyanides.
 Elaterium and its preparations.
 Ergot and its preparations.
 Jaborandi and its preparations.
 Nicotine.
 Nitroglycerine.
 Nux vomica, its active principles and preparations.
 Paraldehyde.
 Phosphorus.
 Resosin.
 Savin and its preparations.
 Strychnine and its preparations.
 Vermin killers containing any poison in this part of this schedule, and all other poisonous vegetable alkaloids and their salts.

Part II.

Acid, acetic, glacial.
 Acid, carbolic.
 Acid, chromic, and its salts.
 Acid, hydrochloric, fort.
 Acid, nitric, fort.
 Acid, oxalic.
 Acid, pyrogallic.
 Acid, sulphuric.
 Alcohol, absolute.
 Almonds, essential oil of, unless deprived of its prussic acid.
 Barium, salts of.
 Bromine.
 Caffeine.
 Cannabis indica and its preparations.
 Cherry-laurel water.
 Chloroform.
 Cocculus indicus.
 Conium and its preparations.
 Copper, salts of.
 Creosote.
 Caustic potash and all caustic alkaloids.
 Digitalin.
 Ether, anæsthetic.
 Filix mas.
 Gelsemium.
 Henbane and its preparations.
 Iodine.
 Lead, salts of.
 Lobelia and its preparations.
 Mercury, salts of, except corrosive sublimate in Part I. of this Schedule.
 Opium, its active principles and preparations.
 Silver, salts of.
 Zinc, salts of.
 Vermin killers containing any poison not mentioned in Part I. of this Schedule.

SCHEDULE II.

Form A (Section 7).

No. —.

Ceylon.

The Board of Examiners of Chemists and Druggists hereby certify that ———, of ———, has been duly examined and is duly qualified to be registered as a Chemist and Druggist under "The Pharmacy and Poisons Ordinance, 191 —."

Given at Colombo, this ——— day of ———, 191—.

A. B.,
President of the Board of Examiners.

C. D.,
Member of the Board of Examiners.

Form B (Sections 9 and 11).
Register of Chemists and Druggists.

Name.	Residence.	Qualification.	Date of Registration.	Remarks.

Form C (Section 19).

Date.	Name and Address of Purchaser.	Name and Quantity of Poison sold.	Purposes for which it is required.	Signature of Purchaser.	Signature of Person introducing Purchaser.	Signature of Seller.

SCHEDULE III.

Asafetida.	Glauber salts.
Bark, Peruvian.	Nitre.
Camphor.	Quinine.
Carbonate of magnesia.	Rhubarb.
Castor oil.	Senna.
Epsom salts.	

By His Excellency's command,

Colonial Secretary's Office,
Colombo, December 3, 1913.

R. E. STUBBS,
Colonial Secretary.

Statement of Objects and Reasons.

1. *General Object.*—The general object of the Draft Ordinance is to require persons who keep a chemist's and druggist's shop to be licensed, to introduce a system of registering chemists and druggists similar to that which is in force in the United Kingdom and in many Colonies, and to prohibit the sale of poisons by any other than persons licensed under this Ordinance.

2. The Bill provides that no person shall sell or keep open shop for retailing, dispensing, or compounding drugs or poisons unless he holds a license, and unless he is a registered chemist and druggist or employs a registered chemist and druggist personally to superintend and manage the sale, dispensing, and compounding of drugs and poisons.

3. *Qualifications for Registration.*—Persons entitled to be registered as chemists and druggists under the Ordinance are the following:—

Persons holding certificates as apothecaries under "The Ceylon Medical College Ordinance, 1905";
Persons entitled to practise in Great Britain as apothecaries, chemists, and druggists, or pharmaceutical chemists;

Persons who satisfy the Council of the Ceylon Medical College that they have twelve months previous to the date of the passing of this Ordinance kept a chemist's shop and held a license under "The Poisons Ordinance, 1901," and had a training in pharmacy and in the nature of drugs and poisons; and

Persons who hold certificates issued by a Board of Examiners to be appointed by the Council that they have passed an examination to be prescribed by the Council.

4. *Exemptions.*—The Ordinance will not affect—

- (a) The sale or supply of medicines by duly qualified medical practitioners or dentists to their patients, or by duly qualified veterinary surgeons ;
- (b) The sale of drugs not being poisons by wholesale to retail dealers ;
- (c) The sale of patent, proprietary, or homeopathic medicines ;
- (d) The sale of what are called in the Ordinance “ simple medicinal substances,” like camphor, castor oil, quinine, &c. ;
- (e) The sale of herbs, vegetables, gums, oils, seeds, not being poisons, in their natural state, or articles not being poisons which are used for flavouring foods or drinks or perfumery, &c. ;
- (f) The sale or supply of drugs to an estate hospital, or the dispensing of medicines at any estate dispensary ; and
- (g) The dispensing of drugs and poisons by vedaralas in the ordinary course of practice.

5. *Register.*—A register of persons registered under this Ordinance will be kept by the Registrar of the Ceylon Medical College, and provision is made for keeping it up to date.

6. *Disciplinary Provisions.*—Provision is made for His Excellency the Governor in Council to direct the removal from the register of the name of any person who is convicted of an offence which, in the opinion of the Council, renders him unfit to be a chemist or druggist, or shows gross negligence or incapacity in the performance of his duties.

7. *Licenses.*—A license expires on December 31 in the year in which it is issued. The Registrar is given power to withdraw a license, but his order is subject to an appeal to His Excellency the Governor in Council.

8. *Poisons.*—“ The Poisons Ordinance, 1901,” has been repealed. The Draft Ordinance regulates the sale of poisons, and provides—

- (a) That the wrapper round the box or bottle in which the poison is sold shall be labelled with the name of the article and the word “ poison ” in English, Sinhalese, and Tamil, and with the name and address of the seller ;
- (b) That the seller can only sell to a person known to him or introduced to him by some person known to the seller ;
- (c) That every sale shall be entered in a book called “ The Sale of Poisons Book,” and shall be signed by the purchaser and the introducer, if any ; and
- (d) That “ The Sale of Poisons Book ” will be open to inspection by the Police.

Attorney-General's Chambers,
Colombo, October 31, 1913.

J. VAN LANGENBERG,
Acting Attorney-General.

MINUTE.

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

An Ordinance to amend “ The Ceylon Telegraph Ordinance, 1908.”

- Preamble.** **W**HEREAS it is expedient to amend “ The Ceylon Telegraph Ordinance, 1908 ”: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :
- Short title.** 1 (1) This Ordinance may be cited as “ The Ceylon Telegraph (Amendment) Ordinance, No. of 191 .”
- Commencement.** (2) It shall come into force on such date as the Governor, by Notification in the *Government Gazette*, shall appoint.
- Repeal.** 2 “ The Wireless Telegraph Ordinance, 1903,” is hereby repealed.
- Amendment of section 3.** 3 (1) For sub-section (1) of section 3 of the principal Ordinance the following sub-section shall be substituted :
- (1) “ Telegraph ” means an electric, galvanic, magnetic, or mechanical telegraph, and includes appliances, wires, and apparatus or any combination thereof for making and transmitting or receiving telegraphic, telephonic, or other communications by means of electricity, galvanism, magnetism, or mechanism with or without wires, and includes a telephone.

(2) Immediately after sub-section (1) of section 3 of the principal Ordinance the following definitions shall be added, and shall be numbered respectively (1) A and (1) B :

(1) A "Telegraphy" means the working or use of a telegraph ;

(1) B "Wireless telegraphy" means any system of communication by wireless telegraph or telephone, that is to say, by telegraph or telephone, without the aid of any wire connecting the points from and at which the messages or other communications are sent or received.

Substitution of new section 4.

4 For section 4 of the principal Ordinance the following section shall be substituted :

License for telegraph.

4 (1) No person shall instal, establish, maintain, or work any telegraph in any place in Ceylon, or on board any British ship registered in Ceylon, except under and in accordance with a license granted in that behalf by the Governor as hereinafter provided.

Provided that nothing in this section shall preclude any person from establishing telephonic communication by wire between separate portions of any ship or of any building, or between any two or more buildings within the limits of any property belonging to the same owner.

(2) The Governor, whenever he shall deem it expedient to do so, may grant to any person a license to instal, establish, maintain, or work any telegraph in any place in Ceylon or on board any British ship registered in Ceylon.

(3) Every such license shall be in such form, and for such period, and in consideration of such payments as the Governor, with the advice of the Executive Council, may determine, and shall contain such terms, conditions, and restrictions on and subject to which the license is granted, as the Governor shall consider desirable in the public interest.

Provided that when an applicant for a license proves to the satisfaction of the Governor that the sole object of obtaining the license is to enable him to conduct experiments in telegraphy, a license for that purpose shall be granted, subject to such special terms, conditions, and restrictions as the Governor may think proper, but shall not be subject to any rent or royalty.

Amendment of section 7.

5 Immediately after paragraph (d) of sub-section (2) of section 7 of the principal Ordinance the following paragraphs shall be added, and shall be numbered respectively (e), (f), (g), (h), and (i) :

(e) For prescribing the form and the manner in which applications for licenses under this Ordinance are to be made ;

(f) For prescribing fees payable on the grant of any license ;

(g) For regulating the manner in which an apparatus for wireless telegraphy on board a merchant ship, whether British or foreign, in the waters of Ceylon, shall be worked so as to prevent interference with naval signalling, or the working of any wireless telegraph or telephone station, lawfully established, installed, or worked in Ceylon or the waters thereof, and so as not to interrupt or interfere with the transmission of any messages between wireless telegraph or telephone stations established as aforesaid on land and wireless telegraph or telephone stations established on ships at sea ;

(h) For prohibiting, except with the special or general permission of the Postmaster-General of Ceylon, the working or using of any apparatus for wireless telegraphy on board a merchant ship, whether British or foreign, while such ship is in any of the harbours of Ceylon ;

(i) For prohibiting or regulating, in case at any time, in the opinion of the Governor, an emergency has arisen in which it is expedient for the public service that His Majesty's Government should have control over the transmission of messages by wireless telegraphy on board merchant ships, whether British or foreign, in the waters of Ceylon, the use of wireless telegraphy on board such ships while in such waters by such further rules as the Governor may deem fit to make from time to time, either in all cases, or in such cases as may be deemed desirable.

Addition of a new sub-section (2) A after sub-section (2) of section 7.

6 Immediately after sub-section (2) of section 7 of the principal Ordinance the following sub-section shall be added, and shall be numbered (2) A :

(2) A Provided that no regulations made in respect of the matters described in paragraphs (g), (h), and (i) of sub-section (2) of this section shall apply to the use of wireless telegraphy for the purpose of making or answering signals of distress.

Substitution of new section 20.

7 For section 20 of the principal Ordinance the following section shall be substituted :

Penalty for establishing a station or working an apparatus without a license.

20 (1) If any person instals, establishes, maintains, or works a telegraph in contravention of this Ordinance, or without a license as required by this Ordinance, or otherwise than as permitted by a license granted under this Ordinance, or breaks any condition contained in such license, he shall be guilty of an offence, and shall be punished with a fine which may extend to one thousand rupees, and with a further fine which may extend to five hundred rupees for every week during which the telegraph is maintained or worked, or the breach of the condition continues ; and in default of payment of any fine imposed under this section with imprisonment of either description for a term not exceeding six months, and the apparatus or installation in respect of which any such offence is committed shall be liable to confiscation.

No prosecution without sanction of Postmaster-General.

(2) No court shall take cognizance of any offence punishable under this section unless upon complaint made with the previous written sanction of the Postmaster-General.

Addition of new section 41 A.

8 Immediately after section 41 of the principal Ordinance the following section shall be added, and shall be numbered 41 A :

Police Magistrate to grant search warrants in certain cases.

41 A If a Police Magistrate is satisfied by information on oath that there is reasonable ground for believing that a telegraph has been installed, established, maintained, or worked in contravention of the provisions of this Ordinance in any place or on board any ship within his jurisdiction, he may grant a search warrant to any police officer to enter and inspect the station, place, or ship, and to seize any apparatus which appears to him to be used or intended to be used therein for telegraphy in contravention of the provisions of this Ordinance.

Repeal of section 42.

9 Section 42 of the principal Ordinance is hereby repealed.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, December 12, 1913.

R. E. STUBBS,
Colonial Secretary.

Statement of Objects and Reasons.

THE main object of the Draft Bill is to make proper provision for governing the use of wireless telegraph apparatus on merchant ships while in the territorial waters of the Colony.

2. The following are among the more important alterations in the law introduced :—

(a) Persons are prohibited from working any wireless telegraph apparatus on-board any British ship registered in Ceylon, except under and in accordance with a license granted in that behalf by the Governor.

(b) The Governor in Executive Council may make rules—

- (i.) For regulating the manner in which a wireless telegraph apparatus on board a merchant ship, whether British or foreign, in the waters of Ceylon, shall be worked so as to prevent interference with naval signalling, or with the transmission of messages between stations established on land and stations established on ships at sea ;
- (ii.) For prohibiting, except with the permission of the Postmaster-General, the working of any wireless telegraph apparatus on board a merchant ship, whether British or foreign, while such ship is in harbour ; and
- (iii.) For prohibiting or regulating, when an emergency has arisen in the opinion of the Governor, the use of wireless telegraphy on board merchant ships, whether British or foreign, when in the waters of Ceylon.

These rules are, however, not to apply when wireless telegraphy is used for the purpose of making or answering signals of distress.

- (c) When there is reason for believing that a telegraph has been installed or worked in a place or a ship in contravention of the provisions of the Ordinance, power is given to a Police Magistrate to issue a search warrant to any police officer authorizing him to enter and inspect such place or ship, and to seize any apparatus which appears to him to be used or intended to be used in contravention of the provisions of the Ordinance.

3. The Ordinance No. 8 of 1903 is repealed.

Attorney-General's Chambers,
Colombo, December 11, 1913.

J. VAN LANGENBERG,
Acting Attorney-General.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Hettihewage Sophia de Silva Wimala-
No. 3,016. sooriya, deceased, of Gampola, in Uda-
palata.

THIS matter coming on for disposal before Paul E. Pieris, Esq., Acting District Judge, Kandy, on December 18, 1913, in the presence of Messrs. Goonewardene and Wijegoonewardene, Proctors, on the part of the petitioner William Wimalasooriya of Ceylon Government Railway, Bandarawela ; and the affidavit of the said petitioner dated October 18, 1913, having been read :

It is ordered that the petitioner William Wimalasooriya of Ceylon Government Railway, Bandarawela, be and he is hereby declared entitled to letters of administration to the estate of Hettihewage Sophia de Silva Wimalasooriya of Gampola, deceased, as the husband of the said deceased, unless George Vincent Wimalasooriya, by his guardian *ad litem* Hettihewage Samuel de Silva, both of Gampola, shall, on or before January 15, 1914, show sufficient cause to the satisfaction of this court to the contrary.

December 18, 1913.

PAUL E. PIERIS,
Acting District Judge.

In the District Court of Galle.

Testamentary In the Matter of the Estate of Wickrama-
Jurisdiction. singhe Arachchige Don James Wickrama-
No. 4,345. singhe, late of Yalgama.

Totamune Wickramasinghe Arachchige Don Andris Appu of
Yalgama, in Induruwa Petitioner.

Vs.

(1) Totamune Wickramasinghe Arachchige Podinono and husband (2) Kaluwalage Girigoris, both of Dodangoda, in Pasdun korale, in the District of Kalutara, (3) Totamune Wickramasinghe Arachchige Mepiya Nona and her husband (4) Singapuli Arachchige Pelis Sinno, both of Paiyagala, in Kalutara District, (5) Totamune Wickramasinghe Arachchige Bempy Wickramasinghe of Colombo, (6) Totamune Wickramasinghe Arachchige Sopinona of Yalgama Respondents.

THIS matter coming on for disposal before C. R. Cumberland, Esq., District Judge of Galle, on December 1, 1913,

in the presence of Mr. N. de Alwis, Proctor, on the part of the petitioner above named ; and the affidavit of the petitioner dated November 25, 1913, having been read :

It is ordered that the petitioner be and he is hereby declared entitled, as father of the above-named deceased, to have letters of administration to his estate issued to the petitioner, unless the respondents or any other person or persons interested shall, on or before January 26, 1914, show sufficient cause to the satisfaction of this court to the contrary.

C. R. CUMBERLAND,
District Judge.

In the District Court of Chilaw.

Order Absolute.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Rajapackse Mudiasselage Menikhamy
No. 1,019. of Pilakatumulla, deceased.

THIS matter coming on for disposal before Walter Hugh Bertram Carbery, Esq., District Judge of Chilaw, on December 12, 1913, in the presence of Mr. C. V. M. Panditsekere, Proctor, on the part of the petitioner Jayasinghe Mudalige James Appu Hamy of Pilakatumulla ; and the affidavit of the said petitioner dated September 17, 1913, having been read, and the respondents—(1) Jayasinghe Mudiasselage Emo Nona, (2) Jayasinghe Mudiasselage Amale Seela Appu Hamy, (3) Rajapackse Mudiasselage Appu Hamy of Potuwatawana—having been heard: It is ordered that the said petitioner is hereby appointed administrator of the estate of the said deceased, and that letters of administration do issue to him ; and it is further ordered that the 3rd respondent above named be and he is hereby ordered guardian *ad litem* of the 1st and 2nd respondents for the purposes of this action.

W. H. B. CARBERY,
District Judge.

In the District Court of Chilaw.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Warnakulasuria Migel Fernando, Vel-
No. 1,021. Vidanerala, deceased, of Thambarawila.

THIS matter coming on for disposal before Walter Hugh Bertram Carbery, Esq., District Judge of Chilaw, on December 12, 1913, in the presence of Mr. J. A. Corea,

Proctor, on the part of the petitioner, Warnakulasuria Amaris Fernando of Thambarawila; and the affidavit of the said petitioner, the Notary Public, and two witnesses subscribing to the will of the said deceased, dated December 4, 1913, having been read: It is ordered that the will of Warnakulasuria Migei Fernando of Thambarawila, deceased, dated November 4, 1913, be and the same is hereby declared proved, unless the respondent Colombage Pedrikku Fernando of Angampitiya or any other person or persons interested shall, on or before January 22, 1914, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Warnakulasuria Amaris Fernando of Thambarawila is entitled to have probate of the same issued to him accordingly, unless the respondent or any person or persons interested shall, on or before January 22, 1914, show sufficient cause to the satisfaction of this court to the contrary.

W. H. B. CARBERRY,
District Judge.

December 12, 1913.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,569. In the matter of the insolvency of Seena Muna Meer Casim and Kayna Muna Mohamado Ibrahim, trading in partnership at New Bazaar, Colombo.

WHEREAS Seena Muna Meer Casim and Kayna Muna Mohamado Ibrahim have filed a declaration of insolvency, and a petition for the sequestration of their estate has also been filed by S. R. T. Kattoo Bawa, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Seena Muna Meer Casim and Kayna Muna Mohamado Ibrahim insolvents accordingly, and that two public sittings of the court, to wit, on February 5, 1914, and on February 19, 1914, will take place for the said insolvents 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,
D. M. JANSZ,
Secretary.

Colombo, January 7, 1914.

In the District Court of Kandy.

No. 1,586. In the matter of Simon Weerakon of Kandy, an insolvent.

WHEREAS Simon Weerakon has filed a declaration of insolvency, and a petition for the sequestration as insolvent of his own estate, under the Ordinance No. 7 of 1853, and it appears that he has been in actual custody within the walls of a prison for debt for more than twenty-one days: Notice is hereby given that the said court has adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on January 30, 1914, and February 27, 1914, will take place for the insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,
C. E. FERDINAND,
Secretary.
District Court,
Kandy, January 5, 1914.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

(1) Seena Sena Sana Oona Mohammado Casim, (2) Seena Sena Sara Oona Mohammado Abubakkar, both of Udathuthripitiya in the Meda pattu of Siyane korale Plaintiffs.
No. 29,800. Vs.

Pettumpe Appuhamillage Karanis Appuhamy of Narangaspitiya in the Gangaboda pattu of Siyane korale Defendant.

NOTICE is hereby given that on Saturday, February 7, 1914, will be sold by public auction at the respective premises the following property declared bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated November 28, 1913, for the recovery of the sum of Rs. 455, with interest thereon at the rate at 9 per cent. per annum from October 1, 1909, till payment in full and costs, viz. :—

At 2 P.M.

(1) All that undivided $\frac{1}{2}$ share of Iriyagahakumbura, situated at Narangaspitiya, in the Gangaboda pattu of Siyane korale, in the District of Colombo; and bounded on the east and west by high land, on the south by Himbunnawakumbura, and on the north by the kumbura belonging to Alagiyawanna Mohotti Appuhamillage Peris Appuhamy and others; containing about 9 bushels of paddy sowing extent.

At 3 P.M.

(2) The land called Kelagahalanda with the appurtenances thereof, situated at Kuttiwila, in Gangaboda pattu of Siyane korale, in the District of Colombo; and bounded on the north by Kelagahawatta belonging to H. Senanayake and P. A. Hendrick, on the east by Kelagahawatta belonging to P. A. Hendrick, on the south by Crown land and the land called Maruthegahakele belonging to the Crown, and on the west by Crown land; containing in extent 3 acres 1 rood and 34 perches.

Fiscal's Office,
Colombo, January 6, 1914.

W. DE LIVERA,
Deputy Fiscal.

In the District Court of Colombo.

(1) Seyana Nawanna Selappa Chetty, and (2) K. S. S. S. Ramen Chetty of Sea street, Colombo... Plaintiffs.
No. 36,233. Vs.

(1) Agnes Cecilia Atwell, (2) William Charles Atwell, (3) Florence Gertrude Atwell of Pretoria, Cotta road, (4) Joseline Maud Koelmeyer, (5) Fredrick Arthur Koelmeyer of Wasala road, Kotahena, Colombo Defendants.

NOTICE is hereby given that on Wednesday, February 4, 1914, at 11.30 o'clock in the forenoon, will be sold by public auction at this office the following property ordered to be sold by the order of court dated September 2, 1913, for the recovery of the sum of Rs. 6,959, with interest on Rs. 6,500 at 24 per cent. per annum from May 3, 1913, to

July 11, 1913, and thereafter further interest on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit, viz. :—

The sum of Rs. 80,000, now lying in deposit in the hands of Marck Burge and Walter Jansz, the executors and trustees of the last will and testament of the late Edward John Rodrigo, for the benefit and trust of the 1st, 2nd, 4th, and 5th defendants, who are entitled under and by virtue of the said last will and testament of the said Edward John Rodrigo, dated July 26, 1908, and attested by Arthur William Alvis of Colombo, Notary Public, and proved in testamentary proceedings No. 3,525 of this court, together with all the right, title, interest and benefit, claim, and demand whatsoever or howsoever of the said 1st, 2nd, 4th, and 5th defendants into, out of, or upon the same and all that sum of Rs. 40,000 to which the said 3rd defendant will become entitled, as the only child of her mother the said first defendant, upon her demise out of the said sum of Rs. 80,000 aforesaid, held in trust by the said Marck Burge and the said Walter Jansz, as executors and trustees as aforesaid, in terms of the directions and provisions of the said last will, dated July 26, 1908, together with all the right, title, interest, property, benefit, claim, and demand whatsoever or howsoever of the said 3rd defendant into, out of, or upon the same.

Fiscal's Office,
Colombo, January 6, 1914.

W. DE LIVERA,
Deputy Fiscal.

9. 2/130
Southern Province.

In the District Court of Tangalla.

Ponnar Sinna Tamby of Tangalla Plaintiff.

No. 1,309.

Vs.

Edirisin Gamachhige Konnehami Defendant.

NOTICE is hereby given that on Saturday, January 31, 1914, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 1,686.93, viz. :—

An undivided $\frac{3}{4}$ shares of the soil and of the plantations of the land called Vidane Achhige Palawatta, in extent 2 roods and 28 perches, situated at Kotuwegoda in Tangalla, and bounded on the north and east by the high road, south by Kahandawe Arachchi Mahatmayagewatta, and west by Claessen Mahatmayagewatta.

Deputy Fiscal's Office,
Tangalla, December 29, 1913.

J. E. SENANAYAKE,
Deputy Fiscal.

9. 19/130
North-Western Province.

In the District Court of Kurunegala.

Welagedera Mudiannelage Banda of Welagedera... Plaintiff.

No. 4,684.

Vs.

Rajapakse Mudiannelage Mohottihamy *alias* Mohotti Appu, late Arachchi of Halpandeniya. Defendant.

NOTICE is hereby given that on Saturday, February 7, 1914, commencing at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property mortgaged by bond No. 11,617, dated October 1, 1907, and attested by A. P. J. Senaviratna, Notary Public, viz. :—

1. An undivided exact half share of Borellahena, now a garden of about 8 lahas kurakkan sowing in extent, situate at Moragama, in Udupola Otota korale; and bounded on the north by garden belonging to Ungurala Kapurala and others, on the east by Tuttriyakotuwakumbura, on the south by land belonging to Appuhamy, late Arachchi, and others, and on the west by land belonging to Ukku Menika.

2. Borellehena, a garden of about 1 timba of kurakkan sowing in extent, situate at Moragama aforesaid; and bounded on the east by chena belonging to the aforesaid debtor Mohotti Appuhamy, south by the limit of the chena

belonging to Kapuruhamy, late Korale Arachchi, by the enderu fence of the ditch, and by the liminary stones of the chena of Suba Etana, on the west by the slab, the liminary stones of Kiri Banda's chena, and on the north by garden belonging to Pinhamy Vidans and others.

3. Borellahena, now a garden of 8 lahas kurakkan sowing extent, situate at Moragama aforesaid; and bounded on the east by the enderu fence of the pilleva belonging to Eminana, on the south by the liminary kon tree of the chena of Appuhamy, late Arachchi, on the west by the liminary pamuru tree of the chena of Heen Etana, and on the north by the enderu fence of the garden belonging to Ungurala Kapurala and Pinhamy Vidane.

4. An undivided exact half share of Berawakotuwa-kumbura and of the Welikumbura of 3 pelas of paddy sowing in extent, and of the thereto adjoining Deherahena, now a garden of 1 pela kurakkan sowing in extent of the plantations of the houses and of the buildings thereon, situate at Moragama aforesaid; and bounded on the east by field of Dingiri Menika, on the south by Sintotakumbura and Gorakawalakumbura, on the west and north by the village limit of Hedipannala and by the row of trees of the field of Punchirala.

5. An undivided exact half share of Bogahakumbura of 2 pelas and 1 timba paddy sowing extent, situate at Moragama aforesaid; and bounded on the east by Thorakumbura, on the south by Urakotekumbura, on the west by the village limit of Hedipannala, and on the north also by Thorakumbura.

6. An undivided exact half share of Tuttriyakotuwa-kumbura of 8 lahas of paddy sowing extent, situate at Moragama aforesaid; and bounded on the east by Kapurallagekumbura, on the south by field of Kuda Etana, on the west by Nekatrallage Borellehena, and on the north by Nekatrallagekumbura.

7. An undivided exact half share of Makuluwekumbura of 2 pelas and 5 lahas of paddy sowing extent, situate at Moragama aforesaid; and bounded on the north by field of Thomas Silva, on the east by row of trees, on the south by the liminary ridge between Boyakumbura, and on the west by Dewalekele.

8. An undivided exact half share of Warakapolewatta of 1 timba of kurakkan sowing in extent, situate at Moragama aforesaid; and bounded on the north by garden of Appuhamy, late Arachchi, on the east by garden of Appuhamy Vidane, on the south by arambe of Sirimalhamy and others, and on the west by garden of Bandahamy Korala.

9. An undivided exact half share of the high and low lands called Meegahamulakenakumbura thereto adjoining Mala-ela-aswedduwakumbura of 5 pelas of paddy sowing extent, Mala-elawatta and Bogahamulahena, Hitinawatta of 12 lahas of kurakkan sowing extent of the plantations of the houses and of the buildings standing thereon, situate at Halpandeniya, in Dambadeniudukaha Korale East; and bounded on the east by the village limit of Moragama, on the south by field of Punchirala and by ditch of the garden of Kirihamy, on the west by the garden of Mr. Thomas de Silva, and on the north by the village limit of Hedipannala and by ditch of Ihalahenegodawatta.

Amount to be levied Rs. 5,068, with further interest on Rs. 2,750 at 12½ cents per Rs. 10 per mensem from January 2, 1913, till May 14, 1913, and thereafter on the aggregate amount at 9 per cent. per annum till payment.

Fiscal's Office,
Kurunegala, December 29, 1913.

S. D. SAMARASINHA,
Deputy Fiscal.

Province of Uva.

In the Court of Requests of Badulla.

Anthony Costa, J. M. R. Costa, and Stephen Dias, trading under the name, style, and firm of Costa & Sons, Badulla Plaintiffs.

No. 1,404.

Vs.

N. P. R. Cooray of Welimada Defendant.

NOTICE is hereby given that on Monday, February 2, 1914, at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the

said defendant in the following property for the recovery of the sum of Rs. 127.75, together with legal interest on Rs. 177.75 from November 1, 1912, till payment in full.

All that land called Kiriwanadowewatta of about 8 acres in extent together with the plantations and the tiled building standing thereon, situated at Ella in Udapalata; and bounded on the east by the ditch of the land belonging to N. M. Cooray, south by the ditch of the property belonging to Mr. Goodfellow, west by the ditch of the land belonging to Charles Appu, and on the north by the Crown land.

Fiscal's Office,
Badulla, December 30, 1913.

M. EDIRIWIRA,
Deputy Fiscal.

In the District Court of Badulla.

M. A. Peiris of Lunugala Plaintiff.
No. 2,660. Vs.

D. N. Edirisinha of Senapatiya in Digawela in Wellassa Defendant.

NOTICE is hereby given that on Wednesday, February 4, 1914, at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, for the recovery of the balance sum of Rs. 38.61, together with interest on Rs. 525.70 at 9 per cent. per annum from January 29, 1913, till payment in full.

All those contiguous lands called and known as Kahawatta, Arambulandewatta, Dikheha, Horamulahena, Galamulagawahena, Ralagamahena, Kitulkotehena, Godapitahena, Tepugollehena, Bogahamulahena, Dimbulehena, Dorapadegedarahena, Arawegedarawatta, Polkaregedarawatta, Alutgedarawatta, Mahagedarawatta, Dorapadegedarawatta, all in extent about 2 amunams of kurakkan

sowing and adjoining the land called Ella, situated at Etanawattagama in Wegam pattu, Wellassa; and bounded on the east by the Crown patana land, west by Gorokgahamalakandura and patana, south by Dehiwalamulahena and the Crown patana land, and north by Kahawattekandura, together with all the buildings and plantations standing thereon.

Fiscal's Office,
Badulla, December 30, 1913.

M. EDIRIWIRA,
Deputy Fiscal.

In the District Court of Colombo.

A. S. T. Caruppen Chetty of Sea street, Colombo ... Plaintiff.

No. 36,773.

Vs.

M. K. Kadiraweil of Udalarai totum in Diya-talawa Defendant.

NOTICE is hereby given that on Saturday, January 31, 1914, at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 665.07, with interest on Rs. 540.72 at 18 per cent. per annum from July 15, 1913, to September 1, 1913, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full and costs of suit.

The materials of the factory standing on the land called Udawela Tea Estate, exclusive of the land of about 50 acres in extent, situated at Kahagalla in Udukinda, Mahapalata; and bounded on the east by kandura, south by the rail road, west by patana, and north by ela.

Fiscal's Office,
Badulla, December 30, 1913.

M. EDIRIWIRA,
Deputy Fiscal.

DISTRICT AND MINOR COURTS NOTICES.

Return of Fees drawn by Official Administration in the District Court of Kalutara for the Half-Year ending December 31, 1913.

No. of Case.	Title of Estate.	Value. Rs. c.	Amount- Rs. c.
814 ..	In the matter of the estate of the late Semage Punchi Sinno Silva of Alutgama ..	7,981 0 ..	239 43
District Court, Kalutara, January 7, 1914.		T. B. RUSSELL, District Judge.	

List of Uncertificated Insolvents in the District Court of Kalutara for the Half-Year ending December 31, 1913.

Date.	No. of Case.	Name of Insolvent.	Residence.	Remarks.
April 18, 1913 ..	144 ..	Hewafonsekage Peter Fonseka	.. Katukurunda ..	Certificate refused
District Court, Kalutara, January 7, 1914.		T. B. RUSSELL, District Judge.		

Return of Testamentary Cases under Official Administration for the Half-Year ending December 31, 1913.

No. of Case.	When Letters issued.	Whose Estate.	Value of Estate. Rs. c.
736 ..	September 2, 1912 ..	Mudalige Richard de Silva Samarasinghe Siriwardene of Galpata	2,318 66
742 ..	September 26, 1912 ..	Bodiabaduge Paul Perera of Desestra Kalutara	3,764 49
751 ..	October 10, 1912 ..	Weerakondabaduge Thomis Perera of Desestra Kalutara	4,080 0
764 ..	April 28, 1913 ..	Mututantirige Elentina Fernando of Walana	3,390 0
812 ..	August 15, 1913 ..	Halawaduge Manimel Fernando of Desestra, Kalutara	1,745 0
District Court, Kalutara, January 7, 1914.		T. B. RUSSELL, District Judge.	