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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 make better provision for the sale in a pure state of Food, Drugs, and Articles of Domestic Use.

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An Ordinance to make better provision for the Sale in a pure state of Food, Drugs, and Articles of Domestic Use.

Preamble

WHEREAS it is expedient to make better provision for the sale of food and drugs in a pure state: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

CHAPTER I.

Preliminary.

Short title.

1 This Ordinance may be cited as "The Food and Drugs Ordinance, No. of 1914."

Commencement.

2 This Ordinance shall come into operation on such day as the Governor, by Proclamation in the "Government Gazette," shall appoint.

General definitions.

3 In this Ordinance—

"Food" includes every article other than drugs used for food or drink by man or animals, and any article which ordinarily enters into or is used in the composition or preparation of human or animal food, and also includes flavouring matters and condiments.

"Drug" includes medicine for internal or external use, and any substance or mixture of substances intended to be used for the cure, mitigation, or prevention of diseases of man or animals.

"Article of domestic use" includes soaps, washing powders, dusting powders, cosmetics, oils, unguents, and any other article declared to be an article of domestic use by rules made under this Ordinance.

"Analyst" means any Government or Municipal Analyst or Bacteriologist.

"Importer" includes any person who, whether as owner, consignee or consignee, agent or broker, is in possession of, or in anywise entitled to the custody or control of, the article imported.

"Skimmed milk" includes "machine skimmed milk" and "machine separated milk."

Special
definitions:
Adulteration.

- 4 (1) An article is deemed to be adulterated—
- (a) If anything has been mixed with it so as to reduce or lower or injuriously affect its quality or strength, or fraudulently to increase its weight, bulk, or measure;
 - (b) If it contains or is mixed or diluted with any substance of lower commercial value than such articles in a pure or normal state and in an undeteriorated or sound condition;
 - (c) If it is mixed, coloured, powdered, coated, or stained in a manner whereby damage or inferiority is concealed;
 - (d) If it contains any added poison or other deleterious ingredient which may render such article injurious to health;
 - (e) If it contains any prescribed prohibited substance; and
 - (f) If it contains any substance concerning which restrictions have been prescribed in excess of the prescribed quantity or proportion.

Adulteration
of drugs.

(2) In the case of drugs an article is also deemed to be adulterated—

- (a) If when it is sold under or by a name recognized in the British Pharmacopœia, it differ from the standard of strength, quality, or purity as determined by the tests laid down in the British Pharmacopœia.

Provided that no drug defined in the British Pharmacopœia shall be deemed adulterated under this provision if the standard of strength, quality, or purity be plainly stated upon the bottle, box, or other container thereof, although the standard may differ from that determined by the tests laid down in the British Pharmacopœia.

- (b) If its strength or purity fall below the professed standard or quality under which it is sold.

Impurity.

(3) An article is deemed to be impure—

- (a) If it contains any impurity;
- (b) If it consists in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance or any portion of an animal unfit for use, whether manufactured or not, or if it is the product of a diseased animal or one that has died otherwise than by slaughter.

Impoverish-
ment.

(4) An article is deemed to be impoverished—

- (a) If any valuable constituent has been wholly or in part abstracted;
- (b) If either wholly or in part it does not comply with the prescribed standard.

Misdescription.

(5) An article is deemed to be misdescribed if it is sold under or in connection with or enclosed in a description in writing which is untrue or deceptive or likely to cause misconception as to—

- (a) The nature or quality of the article;
- (b) The place of manufacture;
- (c) The name of the manufacturer or distributor;
- (d) The weight or measure of the amount sold; and
- (e) Any other circumstance as to which a misdescription is calculated to prejudice the purchaser.

Provided that no article is deemed to be misdescribed within the meaning of this definition if it is sold under a recognized trade description, and is of the nature and quality of articles ordinarily sold under that trade description.

CHAPTER II.

Offences.

Manufacture,
import, or sale
of adulterated,
impure,
misdescribed,
or impoverished
articles.

5 (1) Any person who—

- (a) Manufactures;
- (b) Imports;
- (c) Sells;
- (d) Exposes or possesses for sale;

(e) Delivers or offers to deliver for pay or otherwise any article of food or domestic use or drug which is—

- (i.) Adulterated ;
- (ii.) Impure ;
- (iii.) Misdescribed ; or
- (iv.) Impoverished—

shall be guilty of an offence, and liable on conviction to a fine not exceeding one thousand rupees.

(2) The burden of proof that an article is not possessed for sale shall be upon the person in whose possession it is found.

Sale of article not of proper nature, substance, or quality.

6 (1) Every person who sells, to the prejudice of the purchaser, any article of food or domestic use or any drug which is not of the nature, substance, or quality of the article demanded by such purchaser shall be guilty of an offence, and liable on conviction to a fine not exceeding five hundred rupees.

Provided that an offence shall not be deemed to be committed under this section in the following cases, that is to say :

[38 and 39 Vict.,
c. 63, s. 6.]

(a) Where any matter or ingredient not injurious to health has been added to the food or drug because the same is required for the production or preparation thereof as an article of commerce in a state fit for carriage or consumption, and not fraudulently to increase the bulk, weight, or measure of the food or drug, or to conceal the inferior quality thereof ;

(b) Where the food or drug is unavoidably mixed with some extraneous matter in the process of collection or preparation, and the proportion of such extraneous matter does not exceed the prescribed proportion.

(2) In any prosecution under this section it shall be no defence to allege—

[42 and 43 Vict.,
c. 30, s. 2.]

(a) That the purchaser having bought only for analysis was not prejudiced by such sale ; or

(b) That the article of food or drug in question though defective in nature, or in substance, or in quality was not defective in all these respects.

Wrongful compounding.

[38 and 39 Vict.,
c. 63, ss. 7, 8, 9.]

7 Every person who sells any compound article of food or domestic use or compounded drug which is not composed of ingredients in accordance with the demand of the purchaser shall be guilty of an offence, and liable on conviction to a fine not exceeding five hundred rupees.

Sale of condensed skimmed milk without notification.

[62 and 63 Vict.,
c. 51, s. 11.]

8 Every person who imports, sells, or exposes, or offers for sale, condensed skimmed milk, except in tins or other receptacles bearing a label clearly visible to the purchaser, on which the words "Skimmed milk unfit for infants," "සයාදේ අරුදු කිරි, මෙය ළදරුවන්ට නුසුදුසුයි," "ஆடை எடுத்த பால், இது குழந்தைகளுக்கு ஆகாது," are printed in legible type of not less size than 24 point face measurement in such a manner as not to be obscured by any other matter on the label, shall be liable on conviction to a fine not exceeding one thousand rupees.

Obstruction of officer in discharge of his duties.

[62 and 63 Vict.,
c. 51, s. 16.]

9 Every person who wilfully obstructs or impedes any officer acting in the course of his duties under this Ordinance, or by any gratuity, bribe, promise, or other inducement prevents or attempts to prevent the due execution by such officer of his duty under this Ordinance, shall be guilty of an offence, and liable on conviction to a fine not exceeding five hundred rupees.

Refusal to sell sample for analysis.

[38 and 39 Vict.,
c. 63, s. 17.]
[42 and 43 Vict.,
c. 30, s. 5.]

10 Every person who, being in charge of any premises, shop, store, or boutique, refuses to sell any article of food or domestic use or drug exposed for sale or on sale therein to any officer acting in the course of his duties under this Ordinance, who applies to him for the purchase of the same for the purpose of analysis, and tenders the price for the quantity which he applies to purchase, not being more than may be reasonably requisite, shall be guilty of an offence, and liable on conviction to a fine not exceeding five hundred rupees.

[62 and 63 Vict.,
c. 51, s. 18.]

Provided that where any article of food or domestic use or drug is exposed for sale in an unopened tin or packet duly labelled, no person shall be required to sell it except in the unopened tin or packet in which it is contained.

Giving false
warranty.

[38 and 39 Vict.,
c. 63, s. 27.]
[62 and 63 Vict.,
c. 51, s. 20 (6).]

11 Every person who gives a false warranty in writing to any purchaser in respect of an article of food or domestic use or drug sold by him as principal or agent (unless he proves that when he gave the warranty he had reason to believe it true) shall be guilty of an offence, and liable on conviction to a fine not exceeding five hundred rupees.

Falsely
applying
warrant.

38 and 39 Vict.,
c. 63, s. 27.]

12 Every person who wilfully applies to an article of food or domestic use or drug in any proceeding under this Ordinance a certificate or warrant given in relation to any other article or drug shall be guilty of an offence, and liable on conviction to a fine not exceeding five hundred rupees.

Breach of
regulations.

13 Any person committing any breach of any regulation made under this Ordinance shall be guilty of an offence, and liable to a penalty not exceeding one hundred rupees, or in respect of a continuing offence to a penalty not exceeding fifty rupees, in respect of every day for which the offence is continued after notification that such offence is being committed, or to imprisonment for a period not exceeding two months, or to both such punishments.

CHAPTER III.

Analysis.

Power of
certain officers
to procure
samples of food
or drug and
obtain analysis.

[38 and 39 Vict.,
c. 63, s. 13.]

14 Any of the following officers, that is to say :

- (a) Any Inspector of Nuisances or Sanitary Inspector ;
- (b) Any Medical Officer of Health, or other officer acting under his written directions ;
- (c) Any police officer or peace officer acting under the written directions of a Government Agent, or Assistant Government Agent, or Superintendent of Police—

may at the cost of the Government procure any sample of any food or a drug, and if he suspects the same to have been sold to him contrary to any provision of this Ordinance, shall submit the same to be analysed by an analyst, and such analyst shall with all convenient speed analyse the same and shall give a certificate to such officer, wherein he shall specify the result of the analysis.

Provision for
dealing with
sample when
purchased.

[38 and 39 Vict.,
c. 63, s. 14.]

15 (1) Any officer purchasing or procuring any article from any person selling the same with the intention of submitting it for analysis shall forthwith notify to the seller or his agent selling the article his intention to have the same analysed by an analyst, and shall divide the article into two parts to be then and there separated, and each part to be marked and sealed or fastened up in such manner as its nature will permit, and shall deliver one of such parts to the seller or his agent, and the other, if he deems it right to have the article analysed, to the analyst:

(2) The seller of any such article so sold or procured may affix his own private seal to the sample so obtained in such a manner as not to interfere with the seal affixed by the officer.

Special
provisions with
regard to
articles enclosed
in identical
receptacles.

16 If any article contained in any bottle, tin, package, or other receptacle is possessed for sale together with other articles purporting to be identical therewith, and contained in identical bottles, tins, packages, or other receptacles, in any such case—

- (a) The officer obtaining such article for analysis may obtain two or more of such articles and divide the total amount of the articles so obtained as though they constituted a single sample ;
- (b) The analyst, if any such article singly is too small to be conveniently analysed as a separate sample, may mix together two or more of such articles obtained as part of the same sample, and analyse them as a single sample.

Form of certificate
of analysis.
[38 and 39 Vict.,
c. 63, s. 15.]

17 The certificate of the analysis shall be in the form in the schedule to this Ordinance, or to the like effect, with such variation as the circumstances may require, or in such other form as may be prescribed.

CHAPTER IV.

Regulations.

Food and
Drugs Board.

18 For the purpose of the administration of this Ordinance, the Governor may appoint a Board to be called "The Food and Drugs Board," consisting of the Principal Collector of Customs as Chairman, the Government Analyst, the Medical Officer of Health of the Colombo Municipality, two members nominated by the Chamber of Commerce, and such other members as the Governor may appoint either generally as standing members of the Board for such period as the Governor may direct or specially for the consideration of any specific matter.

Powers of
Board to make
regulations.

19 The Food and Drugs Board, subject to the approval of the Governor in Executive Council, may make regulations for the following purposes :

- (1) Prescribing standards—
 - (a) For the composition, strength, purity, or quality of any food, drug, or article of domestic use ;
 - (b) For the nature or proportion of any substance which may be mixed with or used in the preparation or preservation of any food, drug, or article of domestic use.
- (2) Prohibiting—
 - (a) The addition of any substance to any article of food or of domestic use ;
 - (b) Such modes of manufacture and of preparation or preservation of articles of food or of domestic use as may be specified ;
 - (c) The use in the manufacture, preparation, storing, preservation, packing, or delivery for sale of any article of food, of appliances containing any specified substance or containing any such substance in or in excess of any specified proportion ;
 - (d) The sale of any such appliances ;
 - (e) The sale of any article of food or of domestic use or of any drugs which are injurious to health or not in accordance with regulations made under this Ordinance.
- (3) Prescribing statements or labels to be printed on or attached to specified articles of food or of domestic use, or to packages containing such articles or to be delivered with such articles.
- (4) Prescribing what substances and what quantities thereof added to any article of food or of domestic use or drug shall render such article or drug injurious to health within the meaning of this Ordinance.
- (5) Providing for the publication of analysis of articles of food or of domestic use and drugs made by any analyst under this Ordinance together with the names and addresses of the dealers in the same.
- (6) Providing for the taking of samples of imported goods for analysis by the Principal Collector of Customs and the officers of his Department.
- (7) Exempting any article of food or of domestic use or drug from any provision of this Ordinance either absolutely or subject to such conditions as may be prescribed.
- (8) Generally for carrying out the provisions of this Ordinance, and for securing the wholesomeness, cleanliness, freedom from contamination and adulteration, of any food, drug, or article of domestic use, and for securing the cleanliness of receptacles, places, and vehicles used for the manufacture, preparation, storage, packing, carriage, or delivery of any food, drug, or article of domestic use.

CHAPTER V.

Procedure, &c.

All offences triable summarily.

20 All offences under this Ordinance shall be triable by a Police Magistrate, and in municipal towns by a Municipal Magistrate, and such Magistrate may impose the full penalties prescribed for the offence notwithstanding any limitation of his ordinary jurisdiction.

Regulations as to plaints.
[62 and 63 Vict., c. 51, s. 19 (2).]

21 In any prosecution under this Ordinance the summons shall not be made returnable in less time than fourteen days from the day on which it is served, and there must be served therewith a copy of any analyst's certificate obtained on behalf of the prosecutor.

Limitation of time for proceeding.
[62 and 63 Vict., c. 51, s. 19 (1).]

22 When any article of food or domestic use or any drug has been purchased or procured from any person for test purposes, any prosecution in respect thereof shall not be instituted after the expiration of thirty days from the date on which the same was obtained.

Onus of proof.

23 In any prosecution under this Ordinance, if the accused person desires to rely on any exception or provision contained in this Ordinance, it shall be incumbent upon him to prove that the case is within such exception or provision.

Analysis by order of court.
[38 and 39 Vict., c. 63, s. 22.]
[62 and 63 Vict., c. 51, s. 21.]

24 (1) The court before which any complaint is made under this Ordinance shall, upon the request of either party, and may in any case of its own motion, cause any article of food or drug to be sent for analysis to the analyst, and such analyst shall thereupon with all convenient speed give a certificate to the court of the result of the analysis.

(2) In any such case the expenses of the analysis shall be paid by the complainant or the accused as the court may direct.

Defence of warranty.
[38 and 39 Vict., c. 63, s. 25.]

25 (1) If the accused in any prosecution under this Ordinance proves to the satisfaction of the court that he had purchased the article in question as the same in nature, substance, and quality as that demanded of him by the prosecutor, and with a written warranty to that effect that he had no reason to believe at the time when he sold it that the article was otherwise, and that he sold it in the same state as when he purchased it, he shall be discharged from the prosecution.

(2) A warranty or invoice shall not be available as a defence unless the accused has, within seven days after service of the summons, sent to the purchaser a copy of such warranty or invoice with a written notice stating that he intends to rely on the warranty or invoice, and specifying the name and address of the person from whom he received it, and has also sent a like notice of his intention to such person.

(3) The person by whom such warranty or invoice is alleged to have been given shall be entitled to appear at the hearing and to give evidence, and the court may, if it thinks fit, adjourn the hearing to enable him to do so.

62 and 63 Vict., c. 51, s. 20.]

(4) A warranty or invoice given by a person resident outside Ceylon shall not be available as a defence, unless the accused proves that he had taken reasonable steps to ascertain, and did in fact believe in the accuracy of the statement contained in the warranty or invoice.

(5) Where the accused is a servant of the person who purchased the article under a warranty or invoice, he shall be entitled to rely on this section in the same way as his employer would have been entitled to do if he had been the accused, provided that the servant further proves that he had no reason to disbelieve that the article was otherwise than that demanded by the purchaser.

(6) Where the accused in a prosecution under this Ordinance has been discharged under the provisions of this section, any proceedings under this Ordinance for giving the warranty relied on by the accused in such prosecution may be taken as well before a court having jurisdiction in the place where the article of food or drug to which the warranty relates was purchased, as before a court having jurisdiction in the place where the warranty was given.

Enhancement of penalties.
[62 and 63 Vict.,
c. 51, s. 17.]

26 (1) Where under any provision of this Ordinance a person guilty of an offence is liable to a fine which may extend to five hundred rupees as a maximum, he shall be liable for a second offence under the same provision to a fine not exceeding one thousand rupees, and for any subsequent offence to a fine not exceeding fifteen hundred rupees.

(2) Where under any provision of this Ordinance a person guilty of an offence is liable to a fine exceeding one thousand rupees, and the offence in the opinion of the court was committed by the personal act, default, or culpable negligence of the person accused, that person shall be liable (if the court is of opinion that a fine will not meet the circumstances of the case) to imprisonment of either description for a period not exceeding six months.

Forfeiture and destruction of article of food or drug.
[Hong Kong Ordinance 8 of 1896, s. 27.]

27 It shall be lawful for the court to order the destruction of any article of food or drug in connection with which an offence is proved to have been committed under this Ordinance.

Government Analyst's certificate receivable in evidence.
[38 and 39 Vict.,
c. 63, s. 21.]

28 The provisions of section 406 of the Criminal Procedure Code shall apply to any certificate given by any analyst under this Ordinance.

SCHEDULE.

Form of Certificate of Analysis.

To ⁽¹⁾ ———.

I, the undersigned, do hereby certify that I received on the ——— day of ———, 191—, from ⁽²⁾ ———, a sample of ——— for analysis (which then weighed ⁽³⁾ ———), and have analysed the same, and declare the result of my analysis to be as follows:—

I am of opinion that the same is a sample of genuine ——— (or I am of opinion that the said sample contained the parts as under, or the percentages of foreign ingredients as under).

Observations. ⁽⁴⁾

Dated the ——— day of ———, 191—.

(Signed) A. B.,
Analyst.

⁽¹⁾ Here insert the name of the person submitting the article for analysis.

⁽²⁾ Here insert the name of the person delivering the sample.

⁽³⁾ When the article cannot be conveniently weighed, this passage may be erased, or the blank may be left unfilled.

⁽⁴⁾ Here the analyst may insert at his discretion his opinion as to whether the mixture, if any, was for the purpose of rendering the article potable or palatable, or of preserving it, or of improving the appearance, or was unavoidable, and may state whether in excess of what is ordinary or otherwise, or whether the ingredients or materials mixed are or are not injurious to health.

In the case of a certificate regarding milk, butter, or any article liable to decomposition, the analyst shall specially report whether any change had taken place in the constitution of the article that would interfere with the analysis.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, May 19, 1914.

R. E. STUBBS,
Colonial Secretary.

Statement of Objects and Reasons.

THE Draft of the Food and Drugs Ordinance published in the *Ceylon Government Gazette* dated April 4, 1912, was carefully considered by a Committee, which recommended several important modifications. This Bill is a re-draft of the Ordinance in which those modifications are embodied.

2. The object of this Ordinance is to introduce into the Colony a Food and Drugs Ordinance embodying the principles of the Imperial Sale of Food and Drugs Act, 1875, as amended by the later Acts of 1879 and 1899.

3. All the material provisions of these three Acts have been embodied in the present Ordinance so far as they are applicable to Ceylon, the principal modifications being that, whereas in the United Kingdom the system is mainly worked by the local authorities, the central authority only intervening in default of these latter, in Ceylon the administration of the Ordinance must necessarily be centralized. The provisions of the Imperial Acts have been re-arranged with a view to the presentation of the scheme of the Ordinance with greater clearness.

4. The scheme of the Ordinance appears from the headings of the chapters. The scope of the Ordinance is to include not only articles of food used by man, but also the food of animals and various articles of domestic use. Certain terms, *e.g.*, adulteration, impurity, impoverishment, and misdescription, are defined in very comprehensive terms. The Ordinance creates a series of offences. The principal offences are:—

- (a) Manufacture, import, or sale of adulterated, impure, misdescribed, or impoverished article of food or of domestic use or drug.
- (b) Sale of any article of food or of domestic use or drug not of proper nature, substance, or quality.
- (c) Sale of wrongly compounded article of food or of domestic use or drug.

These are the principal evils at which the Ordinance aims. A special section makes it an offence to sell condensed skimmed milk without clear notification of the character and its unsuitability for infants. The other offences are of a subsidiary character.

5. Chapter III. contains the administrative machinery of the Ordinance. It empowers certain public officers to procure samples of articles of food or of domestic use and drugs and to obtain analyses, and regulates the manner in which samples shall be taken and the form in which the analyst's report shall be presented.

6. Chapter IV. deals with the creation of a Food and Drugs Board. The Board is empowered to make regulations, amongst other things, for the standardization of the articles to which the Ordinance applies, and also for various prescriptions, prohibitions, and provisions for the publication of analysis of articles and for the taking of samples of imported goods for analysis.

7. Chapter V. deals with the procedure to be followed on the prosecution of offences. It provides that all offences shall be summarily triable, and that the ordinary penalties may be enhanced in the case of repeated or aggravated offences.

8. Facilities are given for the obtaining of an official analysis by the court, and provision is made for allowing an accused person to plead that he acted in good faith upon a warranty. The chapter also contains requirements as to the time within which summons is to be returnable, the service of a copy of the analyst's certificate therewith, and as to the limitation of time within which prosecutions may be instituted.

9. The sources of the principal enactments are shown in the margin.

10. Attention is invited to the Report of the Committee above referred to, published as an enclosure to Sir H. E. McCallum's Despatch No. 679 of November 12, 1912 (correspondence relating to a proposed Food and Drugs Ordinance). For convenience of reference a reprint of the Report is attached to this statement.

Attorney-General's Chambers,
Colombo, April 21, 1914.

ANTON BERTRAM,
Attorney-General.

REPORT of Committee appointed to consider an Ordinance to make provisions for the Sale of Food and Drugs in a pure state.

THE Committee has carefully considered the Ordinance submitted to it, and recommends several important modifications. It submits a re-draft of the Ordinance, in which those modifications are embodied.

2. In the first place, the Committee proposes that the scope of the Ordinance should be enlarged so as to include not only articles of food used by man, but also to include the food of animals. It further proposes to enlarge its scope by including various articles of domestic use, which are specified in the definition, and as to which the Committee is of opinion that it is in the interest of the health of the community that they should be provided in a pure state.

3. As bacteriology as well as chemistry now plays an important part in analysis, it is proposed that the word "analyst" shall include bacteriologists, and it is also proposed that the Municipal analysts and bacteriologists should be recognized as well as those in the service of the Government.

4. Adulteration has been defined in very comprehensive terms based upon the study of legislation in other countries; and it is thought that the definitions of adulteration, impurity, impoverishment, and misdescription, which are contained in section 4, will materially enhance the efficiency of the Ordinance. In view of these new definitions, it has been found possible considerably to simplify that part of the Ordinance which relates to offences. Reference is invited to section 5, which indicates the principal offences which the Ordinance is designed to deal with in very concise terms.

5. It has, nevertheless, been determined to retain in a modified form the provisions of the English Sale of Drugs Act relating to the sale of articles not of proper nature, substance, or quality, and to "wrongful compounding." These will be found in sections 6 and 7.

6. With regard to the former of these sections, the Committee has eliminated the provision which excludes from the operation of the section proprietary and patent medicines. The Committee sees no reason why a person should be allowed to sell "to the prejudice of a purchaser" proprietary or patent medicines which are not of the nature, substance, or quality of the articles demanded by the purchaser. It is not understood why this exemption is contained in the English Sale of Drugs Act. Mr. Martin is reluctant to strike out this exemption in view of the fact that it stands in the English Food and Drugs Act, as he thinks that it cannot be there without good reason. He further points out that a Parliamentary Committee is now sitting on the whole question of proprietary and patent medicines. The Committee, therefore, determined that the provision excluding proprietary and patent medicines should be struck out provisionally; but it should be understood that this decision should be subject to reconsideration, if the report of the Parliamentary Committee referred to, when published, suggests the desirability of such a course.

7. The section relating to skimmed milk is retained practically as it stood in the original Ordinance, but the Committee thinks that it is desirable that the Sinhalese and Tamil equivalents of the words "Skimmed Milk unfit for Infants" should be actually embodied in the text, and that the actual size of the type in which the words are to be printed should be indicated in technical language. They have amended the clause accordingly.

8. With regard to facilities for analysis offered by the original Ordinance, they consider that in the local circumstances of Ceylon these are too wide. The Government Analyst informs the Committee that it would be impossible for his Department to cope with the number of applications for analysis which it would receive if any person, as in England, was allowed to purchase any article of food or drug for analysis. The Committee is also of opinion that such a privilege would be misused both for purposes of advertisement and for the purposes of private spite. They have accordingly restricted the right of submitting articles for analysis to certain specified Government and Municipal officers.

9. It is considered that it is not necessary that samples should be divided into three parts. Two parts are found in practice sufficient, and the office of the Medical Officer of Health is understood to be crowded with unnecessary third parts. The provisions of the original Ordinance have been amended accordingly (clause 15).

10. Attention is drawn to clause 16, which deals with certain practical points submitted by the Government Analyst and the Medical Officer of Health.

11. The most important part of the Committee's recommendations is contained in Chapter IV., to which attention is specially invited. The Committee is of opinion that the administration of a Food and Drugs Ordinance can only be made effective by the law itself being made definite. This is a principle which is being increasingly recognized in the British Empire. In the absence of definite regulations the analyst, when he gives his report, has to face cross-examination on questions of opinion, and is indeed hampered in giving a report unless he has a recognized standard on which to base it. It is therefore proposed that regulations should be made, amongst other things, for the standardization of the articles to which the Act applies, and also for various prescriptions, prohibitions, and provisions which will be found contained in clause 19; these are based upon the Tasmanian Food and Drugs Act, 1910. For this purpose the Committee is of opinion that a special Board should be appointed, consisting of the Principal Collector of Customs as Chairman, the Government Analyst, the Medical Officer of Health, two members nominated by the Chamber of Commerce, and other members nominated by the Governor. At present the Chamber of Commerce appears to be the only recognized commercial institution of this character. But it will be necessary that the Committee should contain representatives of other interests than those for which the Chamber of Commerce is entitled to speak. The Committee is of opinion that the powers of the Governor should be unfettered both in regard to the number of persons to be appointed and the purposes of their appointment.

12. In making these important proposals, the Committee wishes it to be distinctly understood that they are not recommending that there should be any hurried general regulation of food standards. The work of the Board, in their opinion, should proceed slowly, cautiously, and tentatively. A commencement should be made with milk, for which ample experience is already available, and successive steps should be taken with regard to other commodities when this is found practicable, after consultation with the interests concerned.

13. The other amendments to the Ordinance made by the Committee do not require any special comment.

Colombo, September 9, 1912.

ANTON BERTRAM.
C. R. CUMBERLAND.
K. C. BROWNING.
WM. MARSHALL PHILIP.
A. J. MARTIN.

MINUTE.

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

An Ordinance to amend "The Designs Ordinance, 1904."

Preamble.

WHEREAS it is expedient to amend "The Designs Ordinance, 1904": 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 Designs Ordinance (Amendment) Ordinance, No. . . . of 1914."

Addition of new sub-sections to section 5 of the principal Ordinance.

2 The following sub-sections shall be inserted at the end of section 5 of the principal Ordinance:

- (7) An application which, owing to any default or neglect on the part of the applicant, has not been completed so as to enable registration to be effected within the prescribed time shall be deemed to be abandoned.
- (8) Where an application has been abandoned or refused, the application and any drawings, photographs, tracings, representations, or specimens left in connection with the application shall not at any time be open to public inspection or be published by the Registrar.
- (9) A design when registered shall be registered as of the date of the application for registration.

Addition of a new paragraph to sub-section (1) of section 9 of the principal Ordinance.

3 Immediately after the first paragraph in section 9 of the principal Ordinance the following paragraph shall be added :

If within the prescribed time before the expiration of the said five years application for the extension of the period of copyright is made to the Registrar in the prescribed manner, the Registrar shall, on payment of the prescribed fee, extend the period of copyright for a second period of five years from the expiration of the original period of five years. If within the prescribed time before the expiration of such second period of five years application for the extension of the period of copyright is made to the Registrar in the prescribed manner, the Registrar may, subject to any rules under this Ordinance, on payment of the prescribed fee, extend the period of copyright for a third period of five years from the expiration of the second period of five years.

By His Excellency's command,
Colonial Secretary's Office, R. E. STUBBS,
Colombo, June 11, 1914. Colonial Secretary.

Statement of Objects and Reasons.

The object of this Bill is to bring "The Designs Ordinance, 1904," into line with the provisions of sections 29 and 31 of the English Patents and Designs (Amendment) Act, 1907.

2. By section 2 provision is made—

- (a) That an application which has not been completed owing to default or neglect of the applicant within the prescribed time shall be deemed to be abandoned ;
- (b) Where an application has been abandoned, that the drawings, &c., shall not be open for public inspection or be published by the Registrar ; and
- (c) That designs are to bear the date of the application when admitted to registration.

3. Section 3 of the Bill provides for the registration of a design for a period of five years after the expiration of the original five years, and for a further period of five years after the expiration of this second period.

Attorney-General's Chambers,
Colombo, June 8, 1914.

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
Jurisdiction: Bellana Acharige Simon Dias of Dalu-
No. 4,884. gama, in the Adikari pattu of Siyane
korale, deceased.

Delpachithra Acharige Nonno Silva of Dalugama,
in the Adikari pattu of Siyane korale Petitioner.

And

(1) Bellana Acharige Jimmie Dias, (2) Bellana
Acharige William Dias, (3) Bellana Acharige
Isabella Dias, wife of (4) Dalugama Acharige
Don Johannes Hamy, (5) Bellana Acharige
Selestina Dias, wife of (6) Dalugama Acharige
Don Simon Hamy, (7) Bellana Acharige Philippa
Dias, (8) Bellana Acharige Lucia Dias, all of
Dalugama aforesaid Respondents.

THIS matter coming on for disposal before K. Balasingham, Esq., Additional District Judge of Colombo, on May 20, 1914, in the presence of Mr. V. Fernando, Proctor, on the part of the petitioner above named ; and the affidavit of the said petitioner dated April 30, 1914, having been read :

It is ordered that the petitioner be and she is hereby declared entitled, as the widow of the above-named deceased, to have letters of administration to his estate issued to her,

unless the respondents above named or any other person or persons interested shall, on or before June 18, 1914, show sufficient cause to the satisfaction of this court to the contrary.

May 20, 1914.

K. BALASINGHAM,
Additional District Judge.

The time for showing cause is extended till July 16, 1914.
Colombo, June 18, 1914.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of the late Florence Mary Rotch, of
No. C 4,917. Sunny Cliff, West Kirby, Cheshire, but
late of Park House, Teddington, in the
County of Middlesex, England, widow,
deceased.

THIS matter coming on for disposal before Thomas Forrest Garvin, Esq., Additional District Judge of Colombo, on June 12, 1914, in the presence of Mr. Sydney Alexander Julius, Proctor, on the part of the petitioner Villiers Alexander Julius of Colombo ; and the affidavit of the said petitioner dated May 20, 1914, duplicate probate, with the will of the said Florence Mary Rotch, deceased, annexed,

power of attorney in favour of the petitioner and order of the Supreme Court dated May 5, 1914, having been read :

It is ordered that the will of the said Florence Mary Rotch, deceased, dated December 17, 1912, of which a duplicate probate, with the said will annexed, 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 executors named in the said will, and that he is entitled to have letters of administration, with a copy of the said will annexed, issued to him accordingly, unless any person or persons interested shall, on or before July 2, 1914, show sufficient cause to the satisfaction of this court to the contrary.

June 12, 1914.

THOMAS F. GARVIN,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late Alagiyawanna Mohotti Appuhamil-
No. 4,903. lage Brampi Appuhami of Narangas-
pitiya, in the Gangaboda pattu of Siyane
korale, deceased.

Ranasinhetti Arachchige Babahami of Narangas-
pitiya Petitioner.

And

(1) Alagiyawanna Mohotti Appuhamillage Siman Appuhami, (2) Alagiyawanna Mohotti Appuhamillage Podi Appuhami, (3) Alagiyawanna Mohotti Appuhamillage Ungappuhami, (4) Alagiyawanna Mohotti Appuhamillage Johani Appuhami, (5) Alagiyawanna Mohotti Appuhamillage Samel Appuhami, (6) Alagiyawanna Mohotti Appuhamillage Siyadoris Appuhami, (7) Alagiyawanna Mohotti Appuhamillage Mohotti Appuhami, (8) Alagiyawanna Mohotti Appuhamillage Elonis Appuhami, (9) Alagiyawanna Mohotti Appuhamillage Carthelis Appuhami, (10) Alagiyawanna Mohotti Appuhamillage Daniel Appuhami of Narangaspitiya. Respondents.

THIS matter coming on for disposal before Thomas Forrest Garvin, Esq., Additional District Judge of Colombo, on June 4, 1914, in the presence of Messrs. Ranesinghe and Perera, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 26, 1914, having been read :

It is ordered that the petitioner be and she is hereby declared entitled, as the widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before July 2, 1914, show sufficient cause to the satisfaction of this court to the contrary.

June 4, 1914.

T. F. GARVIN,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Bertram Hobhouse Jenkyns of Hillsbrow,
No. 4,918 C. Bitterne, in the County of Southampton,
and also of the Velane estate, in the Island
of Ceylon, esquire, deceased.

THIS matter coming on for disposal before Thomas Forrest Garvin, Esq., Additional District Judge of Colombo, on June 15, 1914, in the presence of Mr. Oscar Pery Mount, Proctor, on the part of the petitioner Ernest Reed Williams of Colombo; and the affidavit (1) of the said petitioner dated June 8, 1914, and (2) of Rosa Isabella Jenkyns of Hillsbrow Bitterne, in the County of Southampton, the mother of the said deceased, with a certified copy of an entry of death of the said deceased annexed thereto, minute of consent, and Supreme Court order dated June 1, 1914, having been read :

It is further declared that the said petitioner is the attorney of Rosa Isabella Jenkyns, the mother of the

deceased, and that he is entitled to have letters of administration issued to him accordingly, unless any person or persons interested shall, on or before July 2, 1914, show sufficient cause to the satisfaction of this court to the contrary.

June 15, 1914.

THOMAS F. GARVIN,
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 Florence Emma Adams
No. C 4,919. of Carshalton, in the County of Surrey,
England, widow, deceased.

THIS matter coming on for disposal before Thomas Forrest Garvin, Esq., Additional District Judge of Colombo, on June 15, 1914, in the presence of Mr. Sydney Alexander Julius, Proctor, on the part of the petitioner Ernest Reed Williams of Colombo; and the affidavit of the said petitioner dated June 8, 1914, exemplification of the probate of the will of the said Florence Emma Adams, deceased, power of attorney in favour of the petitioner, and order of the Supreme Court dated May 22, 1914, having been read :

It is ordered that the will of the said Florence Emma Adams, deceased, dated September 18, 1906, of which an exemplification of probate 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 petitioner Ernest Reed Williams is the attorney of the executors named in the said will, and that he is entitled to have letters of administration, with a copy of the said will annexed, issued to him accordingly, unless any person or persons interested shall, on or before July 2, 1914, show sufficient cause to the satisfaction of this court to the contrary.

June 15, 1914.

THOMAS F. GARVIN,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Mohamed Lebbe Marikar Moha-
No. 4,925. med Cassim of No. 49, Old Moor street,
in Colombo, deceased.

Abdul Rahaman Abdul Cader of Layard's Broadway,
in Colombo Petitioner.

(1) Tanganatchia, widow of Abdulla Abdul Wahid of No. 49, Old Moor street, Colombo, (2) Sellama, widow of Sinne Marikar of Panchikawatta, in Colombo, (3) Hadjie Marikar Abdul Careem of 2nd Division Maradana, Colombo, (4) Mohamed Caffoor Ummu Leila of No. 49, Old Moor street, Colombo, (5) Samsadeen Mohamed Caffoor of 1st Division Maradana, Colombo Respondents.

THIS matter coming on for disposal Thomas Forrest Garvin, Esq., Additional District Judge of Colombo, on June 18, 1914, in the presence of Mr. S. M. Ismail, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 2, 1913, and (2) of the Notary and one of the attesting witnesses dated June 12, 1914, having been read :

It is ordered that the last will of Mohamed Lebbe Marikar Mohamed Cassim, deceased, of which the original 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 petitioner is one of the executors named in the said will, and that he is entitled to have probate thereof issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before July 16, 1914, show sufficient cause to the satisfaction of this court to the contrary.

June 18, 1914.

THOMAS FORREST GARVIN,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary
Jurisdiction.
No. 1,324.

In the Matter of the Last Will and Testament of Vidanelage Abel Fernando Wickremeratne *alias* Wickremeratne Deweni Vidanelage Abel Fernando, late of Mattakkuliya, in Colombo, deceased.

Karunaratne Muhandiramge Mary Caroline Fernando of Mattakkuliya, aforesaid Petitioner.

THIS matter coming on for disposal before Thomas Forrest Garvin, Esq., Additional District Judge of Colombo, on June 17, 1914, in the presence of Mr. W. J. C. Fernando, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated June 9, 1914, and (2) of the Notary and attesting witnesses dated June 9, 1914, having been read:

It is ordered that the last will of Vidanelage Abel Fernando Wickremeratne *alias* Wickremeratne Deweni Vidanelage Abel Fernando of Mattakkuliya, in Colombo, deceased, be and the same is hereby declared proved; and it is further declared that the petitioner is the executrix named in the said will, and that she is entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before July 2, 1914, show sufficient cause to the satisfaction of this court to the contrary.

June 17, 1914.

THOMAS F. GARVIN,
Additional District Judge.

In the District Court of Negombo.

Order Nisi declaring Will proved.

Testamentary
Jurisdiction.
No. 1,446.

In the Matter of the Last Will and Testament of Aratchige Davith Fernando of Divulapitiya, in Dasiya pattu of the Alutkuru korale, deceased.

THIS matter coming on for disposal before H. E. Beven, Esq., District Judge of Negombo, on June 9, 1914, in the presence of Mr. Samaratinga, Proctor, on the part of the petitioner Pasqualge Dona Francina of Divulapitiya; and the affidavit of the petitioner dated May 5, 1914, and June 8, 1914, respectively, having been read:

It is ordered that the will of Aratchige Davith Fernando of Divulapitiya, in Dasiya pattu, deceased, dated April 5, 1914, be and the same is hereby declared proved, unless the respondents—(1) K. James de Silva of Divulapitiya, (2) A. Elizabeth Fernando assisted by her husband (3) T. Mark Perera, both of Medamulla, (4) A. Mark Fernando of Divulapitiya, (5) A. Mary Johana Fernando of Pitipana, assisted by her husband (6) P. Juan Fernando of Pitipana, (7) A. Barbara Fernando, (8) A. Joseph Alosius Fernando (9) A. Richard Fernando, (10) A. Alice Fernando, all of Divulapitiya—shall, on or before July 23, 1914, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said P. Dona Francina 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 the respondents above named shall, on or before July 23, 1914, show sufficient cause to the satisfaction of this court to the contrary.

June 9, 1914.

H. E. BEVEN,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary
Jurisdiction.
No. 1,448.

In the Matter of the Estate of the late Pedurudewage Pemanis Fernando of Weliya, deceased.

THIS matter coming on for disposal before H. E. Beven, Esq., District Judge of Negombo, on May 27, 1914, in the presence of Messrs. de Silva and Perera, Proctors, on the part of the petitioner Dewapuradewage Ago Fernando of Weliya; and the affidavit of the petitioner dated May 15, 1914, having been read:

It is ordered that the petitioner be and she is hereby declared, as widow 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—(1) Pedurudewage Sedona Fernando, (2) ditto Seenchina, (3) ditto Brampy, (4) ditto Babia, (5) ditto Noiya, minors, by their guardian *ad litem* P. Sutiya Fernando of Weliya—shall, on or before June 29, 1914, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said P. Sutiya Fernando be appointed guardian *ad litem* over the said minors for the purpose of this action.

May 27, 1914.

H. E. BEVEN,
District Judge.

In the District Court of Negombo.

Order Absolute.

Testamentary In the Matter of the Last Will and Testament of Gerald Theodore Nicholas of Golua Pokuna estate, Kadirane, deceased. No. 1,454.

THIS matter coming on for disposal before H. E. Beven, Esq., District Judge of Negombo, on June 20, 1914, in the presence of Mr. S. C. Sansoni, Proctor, on the part of the petitioner Mrs. Pauline Nicholas of Golua Pokuna estate; and the affidavits of the petitioner and of the attesting witnesses A. W. P. Perera and William Oswald Avery having been read: It is ordered that the last will of Gerald Theodore Nicholas, deceased, dated September 3, 1891, the original having been produced and deposited in this court, is proved.

It is further declared that the said Mrs. Pauline Nicholas is the executrix named in the said last will, and is entitled to have probate of the same issued to her as executrix and sole heiress.

June 20, 1914.

H. E. BEVEN,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of Lianage Benjamin Perera of Pilamatalauwa, in Kandupalata of Yatinuwara, deceased. No. 3,078.

THIS matter coming on for disposal before Paulus Edward Pieris, Esq., Acting District Judge, Kandy, on May 19, 1914, in the presence of Messrs. Beven and Beven, Proctors, on the part of the petitioner Bulathsinhalege Selo Hamine of Malabar street, in Kandy; and the affidavit of Bulathsinhalege Selo Hamine, the petitioner above named, dated May 19, 1914, having been read:

It is ordered that the petitioner Bulathsinhalege Selo Hamine of Kandy, be and she is hereby declared entitled to letters of administration to the estate of Lianage Benjamin Perera of Pilamatalauwa, in Kandupalata of Yatinuwara, deceased, as maternal grandmother of the said deceased, unless any person or persons interested shall, on or before June 18, 1914, show sufficient cause to the satisfaction of the court to the contrary.

May 19, 1914.

P. E. PIERIS,
Acting District Judge.

The date for showing cause is extended to July 16, 1914.

June 18, 1914.

C. A. LABROOY,
Acting District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late Arumadura Baby Nona, deceased. No. 4,393. Egodamulla.

THIS matter coming on for disposal before L. W. C. Schrader, Esq., District Judge, Galle, on March 27, 1914, in the presence of Mr. C. L. Wickremasinghe, Proctor, on the part of the petitioner and Abraham Mendis Gunasekara, Mudaliyar, of Colombo; and the affidavit of Benjamin Mendis Gunasekara having been read:

It is ordered and declared that the 3rd respondent Vincent Robert Moldrich, is the Secretary of the District Court of Galle, and that he is as such entitled to have letters of administration issued to him accordingly, unless the respondents—(1) Lattuwahandi Suravial de Silva of

Egodamulla, (2) Arumadura Arrial de Silva of ditto, and Vincent Robert Moldrich, Secretary of the District Court of Galle, shall, on or before May 5, 1914, show sufficient cause to the satisfaction of this court to the contrary.

March 27, 1914.

L. W. C. SCHRADER,
District Judge.

The date for showing cause is extended to June 22, 1914.

May 5, 1914.

L. W. C. SCHRADER,
District Judge.

The date for showing cause is extended to July 2, 1914.

June 22, 1914.

P. E. PIERIS,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Don Lewis Wickremanaika, deceased,
No. 2,104. Meddawatta.

THIS matter coming on for disposal before J. C. W. Rock, Esq., District Judge of Matara, on May 28, 1914, in the presence of his own person; and the affidavit of the petitioner dated May 20, 1914, having been read :

It is ordered that the 1st respondent be appointed guardian *ad litem* over 2nd to 5th respondents, unless respondents—(1) Vidanagamage Leicinahampine, (2) Anula Wickremanaika, (3) Dharmadasa Wickremanaika, (4) Yasawati Wickremanaika, and (5) Piyasena Wickremanaika, all of Meddawatta—shall, on or before July 3, 1914, show sufficient cause to the satisfaction of this court to the contrary; it is further ordered that the said Vidanagamage Don Cornelis Epa of Godagama, as brother-in-law of the deceased, and that he is as such entitled to have letters of administration issued to him accordingly, unless the respondents shall, on or before July 3, 1914, show sufficient cause to the satisfaction of this court to the contrary.

May 20, 1914.

J. C. W. ROCK,
District Judge.

In the District Court of Tangalla.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Appuhennedige Karonchi de Silva Abeyegunawardana, deceased, of Etpitiya.
No. 533.

THIS matter coming on for disposal before F. D. Pieris, Esq., District Judge of Tangalla, on May 26, 1914, in the presence of Mr. J. R. Abeyedeera, Proctor, on the part of the petitioner Appuhennedige Abraham de Silva Abeyegunawardana; and the affidavit dated March 23, 1914, having been read :

It is ordered that letters of administration of the estate of Appuhennedige Karonchi de Silva Abeyegunawardana, deceased, be issued to the petitioner aforesaid, unless the respondents—(1) Appuhennedige Alice Nona Abeyegunawardana, (2) ditto Misi Nona Abeyegunawardana, (3) ditto Charles de Silva Abeyegunawardana, (4) ditto Anoy Abeyegunawardana, (5) ditto Martin Perera Abeyegunawardana, (6) Weerasuriya Mahavidanege Bastian Appu, all of Etpitiya, or any interested person or persons—shall, on or before June 29, 1914, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that Weerasuriya Mahavidanege Bastian Appu be appointed guardian *ad litem* over the minors Appuhennedige Misi Nona Abeyegunawardana, Appuhennedige Charles de Silva Abeyegunawardana, Appuhennedige Anoy Nona Abeyegunawardana, and Appuhennedige Martin Perera Abeyegunawardana for the purpose of this case.

May 29, 1914.

F. D. PIERIS,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Anna
Jurisdiction. Chinnachchippillai, wife of Edward
No. 2,848. Spaulding Abraham of Uduvil, deceased.
Edward Spaulding Abraham of Uduvil Petitioner.

Vs.

(1) Albert Visuvalinkam Abraham, (2) Samuel Kanakaretnam Abraham, (3) Mary Nesamma Abraham, all minors, by their guardian *ad litem* the 4th respondent, (4) Saravanamuttu Sithamparapillai of Uduvil Respondents.

THIS matter of the petition of the above-named petitioner, praying for letters of administration to the estate of the above-named deceased Anna Chinnachchippillai, wife of Edward Spaulding Abraham, coming on for disposal before C. V. Brayne, Esq., District Judge, on June 4, 1914, in the presence of Mr. T. Kumaraswamy, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated April 21, 1914, having been read: It is ordered that the petitioner be and he is hereby declared entitled, as the lawful husband of the said deceased, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above named or any other person shall, on or before June 30, 1914, show sufficient cause to the satisfaction of this court to the contrary.

June 4, 1914.

C. V. BRAYNE,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Sivagaman, wife of Ramoo of Alavetty,
No. 2,849. deceased.
Murugar Ramoo of Alavetty Petitioner.

Vs.

(1) Ramoo Mailvaganam of Alavetty, (2) Ramoo Saravanamuttu of ditto, (3) Katpagam, daughter of Ramoo of ditto, (4) Ramoo Muttutambay of ditto, (5) Muttuppillai, daughter of Ramoo of ditto, (6) Eliachyppillai, daughter of Ramoo of ditto, (7) Ramoo Ponniah, daughter of Ramoo of ditto, (8) Ramoo Sabapathy of ditto, the 2nd, 3rd, 4th, 5th, 6th, 7th, and 8th respondents are minors, by their guardian *ad litem* the 1st respondent Respondents.

THIS matter of the petition of Murugar Ramoo of Alavetty, praying for letter of administration to the estate of the above-named deceased, Sivagaman, wife of Ramoo of Alavetty, coming on for disposal before W. Doraiswamy, Esq., District Judge, on May 4, 1914, in the presence of Mr. M. Vythialingam, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated April 27, 1914, having been read: It is ordered that the petitioner be and he is hereby declared entitled, as lawful husband of the said deceased, to administer the estate of the deceased, and that letters of administration do issue to him accordingly, unless the respondent above named or any other person shall, on or before June 30, 1914, show sufficient cause to the satisfaction of this court to the contrary.

June 9, 1914.

C. V. BRAYNE,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of Ponnappillai
Jurisdiction. wife of Malavarayar Naganatar of Chulipuram, in Jaffna, late of Kaula Sarangor, deceased.
No. 2,876. Class II.

Chuppiramaniar Charavanamuttu of Chulipuram, in Jaffna Petitioner.

Vs.

(1) Malavarayar Naganatar and his wife, (2) Chinnachchippillai of Chulipuram, in Jaffna. Respondents.

THIS matter of the petition of Chuppiramaniar Charavanamuttu of Chulipuram, in Jaffna, praying for letter of

administration to the estate of the above-named deceased Ponnupillai, wife of Malavarayar Naganatar, coming on for disposal before C. V. Brayne, Esq., District Judge, on June 10, 1914, in the presence of Mr. S. Sittampalam, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated June 9, 1914, having been read: It is ordered that the petitioner be and he is hereby declared entitled, as the father of the said deceased, to administer the estate of the deceased, and that letters of administration do issue to him accordingly, unless the respondents above named or any other person shall, on or before July 7, 1914, show sufficient cause to the satisfaction of this court to the contrary.

June 10, 1914.

C. V. BRAYNE,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Warnakulasuria Clementu Fernando,
No. 1,042. deceased, of Marawila.

THIS matter coming on for disposal before Walter Hugh Bertram Carbery, Esq., District Judge of Chilaw, on May 12, 1914, in the presence of Mr. C. V. M. Panditesekare, Proctor, on the part of the petitioner Warnakulasuria Selestina Daberera of Marawila; and the affidavit of the said petitioner dated March 30, 1914, having been read:

It is ordered that the petitioner be and she is hereby declared entitled to have letters of administration to the estate of the said deceased, and it is further ordered that the 6th respondent be appointed guardian *ad litem* of the 2nd, 3rd, and 4th minor respondents for the purpose of these proceedings, unless the respondents—(1) Warnakulasuria Angelina Daberera of Marawila, (2) ditto Vincent Paul Fernando, (3) ditto John Baptist Laus Fernando, (4) ditto Charlette Fernando, all of Tambarawila, (5) ditto Albert Fernando of Marawila, and (6) ditto Clara Fernando of Tambarawila—shall, on or before June 30, 1914, show sufficient cause to the satisfaction of this court to the contrary.

May 12, 1914.

W. H. B. CARBERY,
District Judge.

In the District Court of Chilaw.

Order Nisi declaring Will Proved.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Muna Ravanna Mana Ana Annamale
No. 1,045. Chetty, deceased, of Madampe.

THIS matter coming on for disposal before Walter Hugh Bertram Carbery, Esq., District Judge of Chilaw, on June 4, 1914, in the presence of Mr. V. J. Cooke, Proctor, on the part of the petitioner Muna Ravanna Mana Ana Ramanadan Chetty of Madampe; and the affidavit of the said petitioner, the Notary Public, and the witness subscribing to the last will of the said deceased dated May 27, 1914, having been read: It is ordered that the will of Muna Ravanna Mana Ana Annamale Chetty of Madampe, deceased, dated February 12, 1914, be and the same is hereby declared proved, unless any person or persons interested shall, on or before July 7, 1914, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Muna Ravanna Mana Ana Ramanadan Chetty 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 July 7, 1914, show sufficient cause to the satisfaction of this court to the contrary.

June 4, 1914.

W. H. B. CARBERY,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Mihiduculasuriya Wirasinghe Joachino
No. 1,046. Fernando, deceased, of Chilaw.

THIS matter coming on for disposal before Walter Hugh Bertram Carbery, Esq., District Judge, Chilaw, on June 9, 1914, in the presence of Mr. T. M. Fernando, Proctor, on the

part of the petitioner Mihiduculasuriya Maria Fernando of Chilaw; and the affidavit of the said petitioner dated May 29, 1914, having been read: It is ordered that the petitioner be and she is hereby declared entitled, as widow of the deceased, to have letters of administration to his estate issued to her; and it is further ordered that the 5th and 7th respondents be and they are hereby appointed guardian *ad litem* of the 4th and 6th minor respondents respectively, unless the respondents—(1) Manuel Escolantina Fernando of Chilaw; and her husband (2) I. A. Goonasekara of Chilaw, (3) Mihiduculasuriya Manuel Peter Fernando, (4) Cyril Joseph Fernando, (5) Gabriel Emanuel Fernando, (6) Quintus Fernando, (7) F. X. Fernando, all of Chilaw—or any other person or persons interested shall, on or before July 13, 1914, show sufficient cause to the satisfaction of this court to the contrary.

June 9, 1914.

W. H. B. CARBERY,
District Judge.

In the District Court of Ratnapura.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. deceased Delwala Wijetunga Atapattu
No. 634. Mudianse Ralahamillaye PUNCHIBANDARA
of Delwala.

Delwala Wijetunga Atapattu Mudianse Ralahamillaye Dingiri Banda of Delwala. Petitioner.

And

Delwala Wijetunga Atapattu Mudianse Ralahamillaye Albert PUNCHIBANDARA, Korala, of Kegalla Respondent.

THIS matter coming on for disposal before James Vandenberg, Esq., Acting District Judge of Ratnapura, on February 13, 1914, in the presence of Mr. C. F. Dharmaratne, Proctor, on the part of the petitioner Delwala Wijetunga Atapattu Mudianse Ralahamillaye Dingiri Banda; and the affidavit of the said petitioner dated December 31, 1913, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as elder brother 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 person or persons interested shall, on or before May 7, 1914, show sufficient cause to the contrary.

J. VANDENBERG,
District Judge.

The date of showing cause against this *Order Nisi* is extended for July 2, 1914.

In the District Court of Ratnapura.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. W. D. Tillekeratne, Mudaliyar, of Ratna-
No. 635. pura, deceased.
Susan Tennakoon Tillekeratne of Ratnapura. Petitioner.

And

(1) Helen Eugine Tillekeratne, Ellapata Kumarihamy of Ratnapura, (2) Sophia Maria Charlotte Tillekeratne Gilimale Kumarihamy of Ratnapura, (3) Alexandrina Theodora Tillekeratne Dissanayaka Walatuwamahatmaya of Mount Lavinia. Respondents.

THIS matter coming on for disposal before A. P. Boone, Esq., District Judge of Ratnapura, on March 14, 1914, in the presence of Mr. C. F. Dharmaratne, Proctor, on the part of the petitioner Susan Tennakoon Tillekeratne; and the affidavit of the said petitioner dated February 12, 1914, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the deceased, to administer the estate of the said deceased, and letters of administration do

issue to her accordingly, unless the above-named respondents or any other person or persons interested shall, on or before April 16, 1914, show sufficient cause to the satisfaction of the court to the contrary.

March 14, 1914.

A. P. BOONE,
District Judge.

This *Order Nisi* is extended for July 2, 1914.

In the District Court of Ratnapura.
Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Edward Young, deceased, of 32, Albert
No. 636. Terrace, Aberdeen, Scotland, and latterly
of Mahawela Estate, Ratnapura.

THIS matter coming on for disposal before A. P. Boone, Esq., District Judge of Ratnapura, on May 12, 1914, in the presence of Mr. Dan. E. Jayatilleke, Proctor, on the part of the petitioner Frederick Henry Fraser of Dambullagala, Pitakanda Group, Matale; and the affidavit of the said petitioner and James Gray of 36, Osborne place, Aberdeen, Scotland, one of the attesting witnesses to the last will, dated February 28 and January 16, 1914, respectfully, having been read:

It is ordered that the will of Edward Young, deceased, dated April 2, 1907, be and the same is hereby declared proved, unless any person or persons interested shall, on or before July 9, 1914, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Frederick Henry Fraser, the lawful Attorney in Ceylon of the executrix will and that he is entitled to have letters of administration, with the copy of the will annexed, unless any person or persons interested shall, on or before July 9, 1914, show sufficient cause to the satisfaction of the court to the contrary.

May 12, 1914.

J. VANDENBERG,
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Amurthahasta Aththanayaka
No. 438. Herat Mudiyanseralahamillage, Dingiri
Mahatmayo *alias* Medduma Kumarihamy of Batu-
watta Walawwa in Kegalla,
deceased.

Percy Bernard Senanayaka Meedeniya Petitioner.
Vs.

(1) Maria Agnes Amarasekara Ekanayaka
Walawwe Mahatmaya of Kegalla, (2) Edward
Richard Amarasekara of Kegalla, (3) James
Richard Amarasekara of Batuwatta, in Kegalla
District Respondents.

THIS matter coming on for disposal before Arthur Pearson Boone, Esq., District Judge of Kegalla, on June 10, 1914, in the presence of Mr. A. F. R. Goonewardena, Proctor, on the part of the petitioner; and the affidavits of the petitioner and of the attesting witnesses (1) Bartholomeusz Arnoldus Senaratna of Kegalla, (2) Tiyabarehene Sumangala Terumnanse of Wewaladeniya in Kegalla, (3) Kanduahage Sinnappu of Ranwala, (4) Pusselage Anasadahamy of Edurapotha, and (5) Hettige Don Gabriel dated June 10, 1914, having been read:

It is ordered that the will of Amurthahasta Waidiyaratna Aththanayaka Herat Mudiyanseralahamillage Dingiri Mahatmayo *alias* Medduma Kumarihamy of Batuwatta Walawwa, in Kegalla, deceased, dated May 9, 1914, and now deposited in this court, be and the same is hereby declared proved, unless the respondents shall, on or before July 2, 1914, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly.

A. P. BOONE,
District Judge.

NOTICES OF INSOLVENCY.

In the District Court of Negombo.

No. 99. In the matter of the insolvency of Bahnuuachhipatirannehelage Jan Singho of Udugampola, in the Henaratgoda district.

NOTICE is hereby given that the second sitting of this court in the above matter is adjourned to July 22, 1914, for examination of insolvent and proof of debts.

Negombo, June 19, 1914.

By order of court,

T. B. CLAASZ,
Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Kurunegala.

Mututantiri Patabendige Johannes Cooray of
Kurunegala Plaintiff.
No. 4,611. Vs.

(1) Lokupotagamage Don Sayaneri Appuhami of
Kussella, (2) Alagaiwana Mohettige Don
Abraham Disanayaka Appuhami of Petiya-
goda Defendants.

NOTICE is hereby given that on July 18, 1914, com-
mencing at 10 o'clock in the forenoon, will be sold by public
auction at the premises the following property specially
mortgaged by bond No. 28,802 dated April 28, 1911, viz. :-

(1) The land called Egodawatta of about 5 acres in extent,
situate at Kussella, in Ragam pattu of Alutkuru korale;

and bounded on the north by Dandugam-oya and Owita
belonging to the defendants, east by Dandugam-oya and
field of Coronis Appu, south by the fence separating the
land of Isaac Appu and others, and west by the land of
Helenahami and the field belonging to the 1st defendant.

(2) The field called Egodakumbura of 15 parras paddy
sowing extent, situate at ditto; and bounded on the north
by big ridge (mahaniyara), east by the lands belonging to
the 1st defendant and others, south by road, and west by
the land of Piloris Appu and others.

Amount to be levied, Rs. 1,260, with legal interest thereon
from October 30, 1913, till payment.

FRED. G. HEPONSTALL,
Deputy Fiscal's Office, Deputy Fiscal.
Negombo, June 22, 1914.

In the District Court of Negombo.

Seena Ana Runa Sidambarem Chetty of Negombo. Plaintiff
No. 9,216. Vs.

- (1) Lewis Periatambi Suse Pulle, (2) Pedro Fernando Ramanadan Pulle, both of Henmulla;
(3) Thomas Rudrigo Christogu Pulle of Etgala. Defendants.

NOTICE is hereby given that on July 20, 1914, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants, in the following property, viz. :—

1. All that western portion of the land called Kasattamarattadittam and the cadjan thatched house standing thereon, situate at Udangawa, in Dunagaha pattu of Alutkuru korale; and bounded on the north by land formerly of Gabriel Peris Pedro Pulle, Nicholas Fernando Alensu Pulle, and Anthony Peris, now belonging to Philippu Fernando Athachi, east by dewata road, south by land formerly of Bastian Fernando and others and now belonging to Christogu Rudrigo Philippu Pulle and others, and on the west by land formerly of Bastian Fernando Don Saviel Perera, and now belonging to the heirs of Don Sebastian Vedarala and others; containing in extent about 3 roods and 20 perches.

2. The two contiguous lands called Kasattamarattadittam, in extent about 1 parrah of kurakkam sowing ground, now forming one land, situate at ditto; and bounded on the north by land of Alenso Fernando Bastian Pulle and by the field of Charles Caldera, Vidane Arachchi, east by the land of Anthoni Fernando Philippu alias Philippu Fernando Anthoni Pulle, south by land belonging to the children of Alensu Fernando Bastian Pulle and others, and on the west by the land which belonged to Migel Fernando Suse Pulle and now belonging to manuel Fernando Migel Pulle and by the land of Philippu Fernando Christogu Pulle; containing in extent about 3 acres 2 roods and 16 perches.

Amount to be levied, Rs. 627.77, with interest on Rs. 572 at 9 per cent. per annum from May 21, 1914, till payment.

Deputy Fiscal's Office, FRED. G. HEFFONSTALL,
Negombo, June 22, 1914. Deputy Fiscal.

Eastern Province.

In the District Court of Batticaloa.

Kanthaperumal Pereatampy Upatiar of Arapattai Plaintiff.
No. 3,688. Vs.

- (1) Cheddipillay Kanapathipillai Vanniah, (2) Satturukapody Vanniah Chelliah of Naypaddumunai. Defendants.

NOTICE is hereby given that on Saturday, July 25, 1914, commencing at 9 o'clock in the morning, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following properties, viz. :—

At about 9 A.M.

(1) An undivided $\frac{1}{2}$ share of the fields called Meddupattu, Palayamuttadduvayel, Karachchavayel or Mullaikarenvayel, situated at Sevurapattuvely in Kalmunaikandom in Karavagu pattu, in the District of Batticaloa, Eastern Province; and the joint boundaries of the said two fields are on the north by the boundary of the field called Kottanpattukarachamuttaddu, on the south by the boundaries of the fields called Kottanpattukulyvayel, and Sikkantheilavisani, east by Kulakkaddu, and on the west by Medduchandavelyvaikal, in extent north to south eastern side 91 $\frac{1}{2}$ fathoms, in the centre 81 $\frac{1}{2}$ fathoms, western side 62 $\frac{1}{2}$ fathoms, east to west 157 fathoms.

At about 11 A.M.

(2) An undivided $\frac{1}{2}$ share of the field called Choddai-karenvayel, situated at Kalmunaikandom in Karavagu pattu; and bounded on the north by Muttaddupothu, south by Periakalmunaively and the boundary of Vilapuvayel,

east by Periakalmunaively; and on the west by Thamarai-kenyvayel; in extent from north to south-eastern side 32 fathoms, western side 34 $\frac{1}{2}$ fathoms, east to west-northern side 107 $\frac{1}{2}$ fathoms, southern side 110 $\frac{1}{2}$ fathoms, with outlet and inlet water rights.

At about 1 P.M.

(3) An undivided $\frac{1}{2}$ share of the field called Seruvayel, situated at Kalmunaikandom in Karavagu pattu; and bounded on the north by the boundaries of Kaney and Nanthavanakeetu, on the south by the boundary of the Muttaddu, on the east by the boundary of Periakalmunaively, and on the west by the boundary of Thamarai-kulyvayel; in extent north to south-eastern side 31 $\frac{1}{2}$ fathoms, western side 39 $\frac{1}{2}$ fathoms, east to west northern side 101 $\frac{1}{2}$ fathoms, southern side 81 $\frac{1}{2}$ fathoms.

At about 3 P.M.

(4) A field called Periavilappupoomey, situated at Kalmunaikandom in Karavagu pattu; and bounded on the north by Kaleypamankenivaikal, on the south by Surikaneyvaikal, on the east by Serukalmunaively, and on the west by Sankatteyvayelvaikal; in extent north to south eastern side 42 fathoms, western side 34 fathoms, east to west 105 fathoms, with outlet and inlet water rights.

Amount to be levied, Rs. 2,215.18, with legal interest thereon at 9 per cent. per annum from April 22, 1913, till payment in full and costs Rs. 195.95.

Fiscal's Office,
Batticaloa, June 22, 1914.

T. SINNATAMBY,
Deputy Fiscal.

North-Western Province.

In the Court of Requests of Negombo.

S. P. L. V. R. Velleai Pulle of Kochchikade Plaintiff.
No. 19,941. Vs.

K. Juan Perera of Boralessa Defendants.

NOTICE is hereby given that on Thursday, July 23, 1914, at 11.30 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, viz. :—

The residing garden called Padinchiwatta with the building standing thereon, situate at Boralessa, in Kammal pattu of Pitigal Korale South, in the District of Chilaw, containing in extent about 2 roods.

Amount to be levied, Rs. 117.25, with interest on Rs. 60 at 20 cents per every Rs. 10 per mensem from September 12, 1912, till November 15, 1912, and thereafter at 9 per cent. per annum till payment in full and poundage.

Deputy Fiscal's Office,
Chilaw, June 19, 1914.

A. V. HERAT,
Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

J. M. Olivex of Ratnapura Plaintiff.
No. 2,023. Vs.

Danapalamudiyanselage Muttumenike of Delkandura, now of Mapitigama, administratrix of the late, E. F. Mapitigama. Defendant.

NOTICE is hereby given that on Saturday, July 25, 1914, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,370.73, with legal interest on Rs. 1,161.60 from August 23, 1912, till payment :—

The land called Weddawalawatta, situate at Mapitigama in Dehigampal korale of Three Korales; bounded on the north by Weddawala-ela, south by Elagawawatta, east by Kelani river, and on the west by Elagawawatta and a small stream; containing in extent about 8 acres.

Deputy Fiscal's Office,
Avisawella, June 23, 1914.

A. RANESINGHE,
Deputy Fiscal.