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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 repeal "The Vehicles Ordinances, 1901 to 1913," and "The Motor Car Ordinance, 1908," and to enact another Ordinance in their place.

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An Ordinance to repeal "The Vehicles Ordinances, 1901 to 1913," and "The Motor Car Ordinance, 1908," and to enact another Ordinance in their place.

Preamble. **W**HEREAS it is expedient to repeal "The Vehicles Ordinances, 1901 to 1913," and "The Motor Car Ordinance, 1908," and to replace them by the Ordinance following: 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 for all purposes as "The Vehicles Ordinance, No. of 1914."

Commencement of Ordinance. **2** This Ordinance shall come into operation on such date as the Governor shall, by Proclamation to be published in the "Government Gazette," appoint.

Repeal. **3** The Ordinances specified in the first column of the first schedule hereto shall be severally repealed to the extent mentioned in the third column thereof.

Interpretation clause: "Vehicle."
"Cart."
"Carriage."
"Coach."
"Proper authority."

4 The term "vehicle" includes carriages, carts, coaches, tram cars, and *mechanically propelled vehicles*, and every artificial contrivance used or capable of being used as a means of transportation on land.

The term "cart" means every vehicle drawn by a bullock or bullocks.

The term "carriage" means every other vehicle.

The term "coach" means any vehicle which plies for hire in any public street, road, or place, in which the passengers or any of them are charged and pay separate and distinct, or at the rate of separate and distinct, fares for their respective places or seats therein, and includes mail coaches and tram cars.

The term "proper authority" shall mean within any province or district the Government Agent or Assistant Government Agent thereof, or any officer authorized in writing by the Government Agent or Assistant Government Agent to act as such within such province or district, but in any town where a Municipal Council, Local Board, or Sanitary Board has been established, or may hereafter be established, the Chairman of such Council or Board, and in the town of Nuwara Eliya the Assistant Government Agent of Nuwara Eliya.

CHAPTER II.

Licensing of Vehicles.

Application for a license. **5** The owner of every vehicle which shall be used for the purpose of conveying or transporting by land passengers, goods, produce, or merchandise from any place to any other place for hire or reward, shall subscribe and present to the proper authority of the district within which such *vehicle is ordinarily used or to be used* a declaration of ownership substantially in the form A in the second schedule hereto, and shall apply for a license authorizing such owner to use such vehicle for the purpose or purposes set out in the license.

Proper authority to issue license after inquiry. **6** On receipt of such application the proper authority shall satisfy himself that the said declaration is true, and that the vehicle in respect of which the license is applied for is in good order and fit to be hired for the purpose intended, and thereafter shall issue to the owner of such vehicle a license in the form B in the second schedule hereto.

Licenses to be issued in duplicate. **7** (1) *Every such license shall be issued in duplicate, one part to be marked "original" and the other part to be marked "duplicate," and the part marked "original" shall bear a stamp of such value as the Governor in Executive Council may from time to time direct by notification in the "Government Gazette," such stamp to be supplied by the party applying for the license.*

Proviso. *Provided that such value shall not exceed the rate applicable to such vehicle mentioned in the second column of the third schedule hereto annexed.*

(2) *Every such license and every renewal thereof shall be in force until the 31st day of December for the year for which the same shall be granted.*

Provided that if on or before the 31st day of December in the year for which the license was granted the owner shall have applied for a new license under section 15, the license shall continue in force until the 31st day of March of the succeeding year, unless a license for such succeeding year shall have been earlier issued.

Provided further that if a new license is issued before the expiration of the year of the existing license, such existing license shall cease to be in force, and the new license shall be deemed to be in force from the date of its issue.

(3) Each license shall state the number of persons authorized to be carried, and in the case of carts the weight to be carried, and the number of animals to be carried therein.

Proviso.

Provided that if any license already granted shall extend to and include any portion of the time for which a license may be granted for the first year after this Ordinance shall come into operation, a proportionate reduction in the stamp duty may be made in the license for such first year.

References to headmen.

8 The proper authority may, if to him it shall appear necessary, cause reference to be made to any headman or other person to ascertain the truth of any statement in any declaration of ownership, and to delay granting the license until the result of such reference is ascertained.

Register of license.

9 The proper authority shall keep a book in which shall be registered all the particulars stated in the licenses granted by him; and every entry in such register shall be numbered in accordance with the number of the license to which it has reference. Any authenticated copy or extract from such register shall be deemed *prima facie* evidence of the facts therein stated.

Extract therefrom *prima facie* evidence.

Numbering of licensed vehicles.

10 (1) At the time when any vehicle shall be licensed, or when the license issued in respect thereof shall be renewed, the proper authority shall see that a number corresponding to that under which such vehicle is entered in the register is painted, branded, stamped, or cut as he shall consider best on some conspicuous part thereof, or shall cause such number to be so painted, branded, stamped, or cut, and shall thereafter issue to the applicant the license aforesaid.

(2) The proper authority shall also issue to him a plate to be fixed upon the vehicle as hereinafter provided. The plate shall have legibly painted or marked on it a number corresponding to the number mentioned in the license of the vehicle; and the year in which the license is granted or renewed shall be indicated on the plate by means of figures, letters, or colours.

(3) The plate shall be fixed upon the vehicle in such a manner that the year and the number shall be at all times plainly and distinctly visible.

(4) In the case of carts, the plate shall be fixed on the off or right side of the frame, opposite to and within the circumference of the wheel and in front of the axle, but the Governor in Executive Council may by by-law made under section 18 direct that in any specified part of the Island the plate may be fixed in some other position.

(5) The plate shall be kept and continued so fixed so long as the license shall remain in force.

Provided that when any plate has during the period of the license become indistinct or defaced by use or otherwise, the owner shall return the same to the proper authority, and shall be entitled, on making a payment of twenty-five cents, to receive a fresh plate, and the above provisions shall apply to such fresh plate.

(6) Any owner who fails to return as aforesaid any plate which has become indistinct or defaced shall be guilty of an offence, and shall be liable to the punishment prescribed by section 44 of this Ordinance.

Owner to keep original and driver to keep duplicate.

11 The original of the license shall be retained by the owner of the vehicle, but the driver of the vehicle shall have the duplicate of such license, and be ready to produce the same whenever thereunto required.

Notice of transfer to be given.

12 (1) In case any vehicle licensed as aforesaid shall be transferred to another by sale, gift, or otherwise, the transferor and transferee shall notify the same to the proper authority within fourteen days from the date of such transfer, in order that such transfer may be entered in the register and a new license *in original and duplicate* issued to the transferee, *in exchange for the license in original and duplicate issued to the transferor.*

(2) Such new license shall be on unstamped paper, and shall have the same duration as the license issued to the transferor.

Notice to be given of vehicle destroyed or rendered unfit for use.

13 If any licensed vehicle shall be destroyed or rendered wholly unfit for use, the owner thereof shall within fourteen days notify the fact to the proper authority, in order that the number may be erased from the register, and shall at the same time return to the proper authority the original and duplicate license issued for such vehicle, together with the plate placed and fixed upon such vehicle.

Proper authority may issue license in place of one lost or destroyed.

14 The proper authority may, on his being satisfied by affidavit that any license has been lost or destroyed by accident or otherwise, issue an exemplification of the license on the application of the owner of the vehicle.

New license for the succeeding year.

15 (1) *The owner of any licensed vehicle may apply to the proper authority on or before the 31st day of December of the year for which the license was issued for the issue of a new license for the following year, and when so applying shall return to the proper authority the original of the license held by him.*

(2) *On the receipt of such application the proper authority, if a new license is not at the time available, shall deliver to the applicant a certificate in such form as may be ordered by the proper authority or prescribed by by-law under the Ordinance to the effect that a new license has been applied for.*

(3) *The proper authority may issue a new license and a plate in respect of such license as provided for in section 10, and such plate shall be fixed on the vehicle as provided for in the said section.*

(4) *On the issue of the new license the owner shall return to the proper authority at the time of such issue the duplicate of the license held by him and the plate issued to him in respect of such license.*

(5) *If no such application shall have been made, the owner shall return to the proper authority the original and the duplicate license, together with the plate issued to him in respect of such license, within seven days after the expiration of the period for which the same were issued.*

(6) *The proper authority may dispense with the requirements of this section as to the return of the original and duplicate license and the plate or any of them, if the non-return of such original or duplicate license or the plate has been accounted for to his satisfaction.*

New license not to issue till previous license has been returned.

16 No new license shall be issued for any previously licensed vehicle under the provisions of this Ordinance unless and until the original and duplicate license previously issued for such vehicle have been returned by the owner to the proper authority, or the non-return of such original or duplicate, or of both, as the case may be, has been accounted for to the satisfaction of the proper authority.

Power to refuse or revoke license.

17 (1) It shall be lawful for the proper authority to cancel, withdraw, or suspend the license after the same shall have been issued, if the owner of any vehicle shall not keep the vehicle or the animals drawing it in good order and condition, or if such authority has reason to believe that the vehicle is out of repair and not fit to be used for the purpose for which it was licensed, or if the owner shall allow the same to be driven by any person not competent to drive by reason of want of skill or otherwise, or if such owner shall commit any breach of the provisions of this Ordinance or the by-laws made thereunder.

(2) Whenever a license is cancelled, withdrawn, or suspended under the provisions of this section, the owner of the vehicle shall return to the proper authority the original and duplicate license and the plate issued to such owner within seven days from the date of such revocation.

CHAPTER III.

By-laws.

The Governor in Executive Council may make by-laws as to vehicles.

18 (1) The Governor, with the advice of the Executive Council, may, for any town, place, district, or province of this Island, from time to time make, and when made revoke, amend, alter, or vary, such by-laws as may seem necessary or expedient for the purpose of carrying out the provisions of this Ordinance.

(2) The by-laws made under the last preceding sub-section may provide among other things—

- (a) For regulating the number of persons to be carried in vehicles, and for the periodical inspection of the condition of such vehicles, animals, harness, and machinery used for drawing or propelling the same.
- (b) For regulating the weight of goods to be carried in carts, and the space to be allowed for animals carried therein.
- (c) For fixing public stands for carriages, the distances to which such carriages may be compelled to take passengers, and the persons to be in charge of such stands, the hours within which carriages are to remain at the stands, and all other matters relating thereto.
- (d) For fixing the rates and fares for goods and passengers as well for time as distance to be paid for vehicles, and for securing the due publication of such fares.
- (e) For framing a table of distances for the purpose of any fare to be charged by distance.
- (f) For securing the safe custody and delivery of any property accidentally left in vehicles and fixing the charges to be paid in respect thereof, with power to cause such property to be sold or to be given to the finder in the event of its not being claimed within a stated time.
- (g) For regulating the traffic in the roads and streets and for prohibiting vehicles being left or permitted to remain in any public road except for such time as shall be necessary only for loading and unloading goods and the taking up and letting down of passengers.
- (h) For regulating the manner in which notice may be given by the proper authority to any person under the provisions of this Ordinance.
- (i) For licensing and registering the drivers of licensed vehicles.
- (j) For every other purpose which may be necessary or expedient for providing for the safety and comfort of passengers and for the safety of goods conveyed by licensed vehicles.

Provided always that nothing herein contained shall in any way restrict or be construed to restrict the generality of the powers conferred on the Governor by the last preceding sub-section, but such powers shall extend to all matters, whether similar or not to those in this sub-section mentioned, as to which it may be expedient to make by-laws for the better carrying into effect of the objects of this Ordinance.

Rates and fares in respect of tramways constructed under agreement with Municipal Council of Colombo to be regulated by that agreement.

19 The rates and fares to be charged for carrying passengers and goods on the cars and carriages running on the tramway or tramways constructed or to be constructed in pursuance of the agreement entered into on the Twenty-sixth day of November, One thousand Eight hundred and Ninety-six, between the Municipal Council of Colombo of the one part and Messieurs Boustead Brothers of the other part, shall continue to be fixed in manner provided by clause 21 of the said agreement, and not by the by-laws made under the last preceding section.

By-laws to be published in the Gazette.

20 (1) The by-laws when so made, altered, or amended shall be published in the *Government Gazette*, and shall thereupon become as legal, valid, binding, and effectual as if the same had been inserted in this Ordinance, and all courts, Judges, and Magistrates shall take judicial notice thereof.

(2) All such by-laws 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 they shall be on the table during four sittings at least of the Council, and any by-law which has been disapproved by resolution of the Council shall cease to have any force or effect.

Penalty for breach of by-laws.

21 Any person committing a breach of any by-law made under section 18 shall be liable on summary conviction to a fine not exceeding twenty rupees for each breach, and in default of payment to simple or rigorous imprisonment not exceeding one month.

Special by-laws relating to mechanically propelled vehicles.

22 (1) The Governor in Executive Council may for the whole of Ceylon or for any part thereof, without prejudice to its powers under section 18, make, and when made may revoke, alter, or vary, special by-laws for regulating and controlling the use of mechanically propelled vehicles, and for protecting persons and property from danger or damage from the use of such vehicles, and generally for carrying out the purposes and objects of this Ordinance. Such by-laws may—

- (a) Provide for the registration by an authority defined in such by-laws of mechanically propelled vehicles, and for the fixing and levying of a fee for such registration and for the cancellation of such registration.
- (b) Prescribe the numbers or identification marks to be exhibited by such vehicles, and the manner and position in which they shall be affixed.
- (c) Prescribe the lamps or other lights to be carried by such vehicles, and the times and the manner in which they shall be carried and used.
- (d) Provide for the licensing of the drivers of such vehicles, and the fixing and levying of a fee for such licenses.
- (e) Impose such restrictions upon the weight and construction and use of mechanically propelled vehicles as may appear necessary to protect public roads, bridges, culverts, and thoroughfares and streets from excessive damage, and to ensure the safety of the public.
- (f) Prescribe the manner in which the horse power of mechanically propelled vehicles shall be calculated for the purpose of this Ordinance.
- (g) Give such other directions with regard to the driving and management of such vehicles as may appear necessary or conducive to the public safety and convenience, and for the identification of drivers and those in charge of such vehicles.

(2) Such by-laws may provide—

- (a) For penalties for the contravention thereof on summary conviction not exceeding in the case of a first offence a fine of fifty rupees, and an additional fine not exceeding five rupees a day for a continuing offence; and in the case of a second or a subsequent offence not exceeding a fine of one hundred rupees, and an additional fine not exceeding ten rupees for a continuing offence.
- (b) For a term of imprisonment, rigorous or simple, without the option of a fine, not exceeding three months in the case of a second or subsequent offence; and
- (c) For the cancellation or suspension of drivers' licenses on conviction or on the application of the registrar, or for the endorsement of convictions on licenses.

(3) All such by-laws 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 they shall be on the table during four sittings at least of the Council, and any by-law which has been disapproved by resolution of the Council shall cease to have any force or effect.

(4) All by-laws made under this section shall apply to persons in the public service of the Crown.

Rules exempting mechanically propelled vehicles imported by holders of international passes.

23 *The Governor in Executive Council may make rules providing for the exemption from the operation of all or any of the provisions of this Ordinance or any by-law thereunder of mechanically propelled vehicles which are imported into the Island by persons holding international passes issued under the Convention signed at Paris on the Eleventh day of October, One thousand Nine hundred and Nine, with respect to the international circulation of motor vehicles.*

CHAPTER IV.

Liabilities of Owners of Vehicles.

Liabilities of owners of licensed vehicles.

24 The owner of every licensed vehicle shall, in the absence of any special contract between him or the person in charge of such vehicle and any other party for the conveyance of goods, be liable for any loss of, or injury to, any goods, articles, or property whatsoever delivered to be carried therein for hire, which shall be occasioned by the neglect or misconduct of such owner, or of any driver, coachman, or other person or servant in his employ or in charge of any such vehicle, and such liability shall be deemed to continue in the person who shall have made the declaration of ownership herein required, unless and until he shall have given the notice of transfer required by section 12. Provided, however, that nothing in this section contained shall be construed to limit or in anywise affect the liability of any such owner as a common carrier if he shall be such.

Proviso.

Not liable for loss of certain goods above fifty rupees unless delivered as such.

25 No such owner shall be liable for the loss of, or injury to, any article or articles or property of the descriptions following; that is to say, gold or silver coin of this or any other country, or any gold or silver in a manufactured or unmanufactured state, or any precious stones, jewellery, watches, clocks, or timepieces of any description, trinkets, bills of exchange, orders, promissory notes, or securities for payment of money, stamps, maps, writings, title deeds, paintings, engravings, pictures, gold or silver plate or plated article, glass, china, opium, silks in a manufactured or unmanufactured state, and whether or not wrought up into other materials, or lace, or any of them, contained in any parcel or package which shall have been delivered to be carried for hire, or to accompany the person of any passenger, when the value of such article or articles or property aforesaid contained in such parcel or package shall exceed the sum of fifty rupees, unless at the time of delivery thereof at the office, warehouse, or receiving house of such owner, or to such owner, or to his driver, coachman, bookkeeper, or other servant, for the purpose of being carried or of accompanying the person of any passenger as aforesaid, the value and nature of such article or articles or property shall have been declared by the person sending or delivering the same, and such increased charge as hereinafter mentioned, or an engagement to pay the same, be accepted by the person receiving such parcel or package.

Increased rate of charges for such goods.

26 When any parcel or package containing any of the articles above specified shall be so delivered, and its value and contents declared as aforesaid, and such value shall exceed fifty rupees, it shall be lawful for the person receiving the same for carriage on hire to demand and receive an increased rate of charge, to be notified by some notice affixed in legible characters in some public and conspicuous part of the office, warehouse, or other receiving house, where such parcels or packages are received for the purpose of conveyance, stating the increased rates of charge required to be paid over and above the ordinary rate of carriage as compensation for the greater risk and care to be taken for the safe conveyance of such valuable articles; and all persons sending or delivering any such parcels or packages at any such office shall be bound by such notice without further proof of the same having come to their knowledge.

Carriers to give receipt.

27 Whenever any goods shall have been received for conveyance for hire by any such licensed vehicle, whether the same be such goods as are mentioned in section 25 or other goods, the person receiving the same for carriage on hire shall, if thereto required when the rate of carriage shall have been paid, or an engagement to pay the same shall have

- been accepted, sign a receipt for the said goods setting out therein the name and residence of the owner; and if such receipt shall not be given when required, the person so receiving the same for carriage, in addition to any other liability which he may incur by such refusal, shall not have or be entitled to any benefit or advantage under section 25, and shall be liable to refund any increased rate of charge he may have received in respect of the goods specified therein, and shall further be liable to a fine not exceeding ten rupees.
- 28** No public notice or declaration by the owner of any such licensed vehicle shall be deemed or construed to limit, or in anywise affect his liability as aforesaid, for or in respect of any articles or goods to be carried and conveyed by him; but all and every such owner shall be liable to answer for the loss of, or any injury to, any articles and goods in respect whereof he may not be entitled to the benefits of section 25, any public notice or declaration by him made and given in anywise limiting such liability to the contrary notwithstanding.
- 29** Any one or more of the owners of any such licensed vehicle shall be liable to be sued by his or their name or names only; and no action or suit commenced to recover damages for loss or injury to any parcel, package, or person shall abate by reason of the non-joinder of any co-proprietor or co-partner in such licensed vehicle.
- 30** Where any such goods as are mentioned in section 25 shall have been delivered as aforesaid, and the value and contents declared as aforesaid, and the increased rate of charge, if any, paid, and such goods shall have been lost or damaged, the party entitled to recover damages in respect of such loss or damage shall also be entitled to recover such increased charge so paid as aforesaid, in addition to the value of such goods.
- 31** Nothing in section 25 contained shall be deemed to protect the owner of any such licensed vehicle from liability to answer for loss or injury to any goods or articles whatsoever arising from theft or fraudulent conduct of any coachman, driver, bookkeeper, or other person or servant in his employ or in charge of any such licensed vehicle, nor to protect any such coachman, driver, bookkeeper, or other person or servant from liability for any loss or injury occasioned by his or their own personal neglect or misconduct.
- 32** No owner of any such licensed vehicle shall be concluded as to the value of any goods whereof the value shall be declared in pursuance of section 25, but he shall in all cases be entitled to require from the party suing in respect of any loss or injury proof of the actual value of the said goods by the ordinary legal evidence; and such owner shall be liable to such damages only as shall be proved as aforesaid, not exceeding the declared value, together with the increased charges as aforesaid.

CHAPTER V.

Delivery of Goods.

- 33** Every box, basket, package, parcel, or other thing whatsoever, not exceeding fifty pounds weight, brought to any coach office or other place, and accepted by the owner of any licensed coach, or by any other person in his employ for the purpose of being carried by any such licensed coach, shall be despatched on the day and by the licensed coach agreed upon, and every such box, basket, package, parcel, or other thing brought to any coach office or other place by any licensed coach for the purpose of delivery at any place within four miles of such coach office or other place (except where the same shall be directed to be left till called for), shall be delivered according to the direction thereof within six hours after the arrival of any such box, basket, package, parcel, or other thing at such coach office or other place, unless such arrival shall be between the hours of five in the evening and seven in the morning; and in that case every such delivery shall be made within six hours after such hour in the morning, and in default thereof the owner of such coach shall for every such offence be liable to a fine not exceeding ten rupees.

Penalty in case of neglect.

No publication of notice to limit liability in respect of other goods to have effect.

Any owner may be sued.

Parties entitled to damages may also recover extra charges.

Owner liable for thefts committed by his servants, &c.

Owner liable to such damages only as proved.

Parcels brought by coaches to be delivered within six hours.

Within forty-eight hours if distance be beyond four miles.

Parcels directed to be left till called for.

Proviso for parcels not directed to be left till called for.

Rate of cooly hire for parcels not exceeding fifty pounds.

Penalty on taking more than the above rates.

Goods sent by carts to be delivered within twenty-four hours.

34 Every box, basket, package, parcel, or other thing deliverable at places beyond four miles of such office or other place shall be delivered within forty-eight hours after the arrival of such licensed coach, and in default thereof the owner of such coach shall for every such offence be liable to a fine not exceeding ten rupees.

35 Every such box, basket, package, parcel, or other thing brought to such coach office or other place, which shall be directed to be left till called for, shall, upon the demand of the person duly authorized to receive the same, be delivered to such person without any charge or demand whatsoever, other than what is justly due for the carriage thereof and the additional sum of eight cents for the warehouse room thereof; and if the same be not delivered to such person on such demand, or any charge other than as aforesaid be made or received in respect thereof, every keeper of such coach office or other place shall for every such offence be liable to a fine not exceeding ten rupees. Provided, nevertheless, that if such box, basket, package, parcel, or other thing so directed to be left till called for be not called for from such coach office or other place before the end of one week after the same is brought to such coach office or other place, it shall be lawful to and for the keeper of such coach office or other place to charge and receive the further sum of twelve cents for the warehouse room thereof, and so in like manner if the same be not sent for before the end of the second or any subsequent week, to charge the further sum of twelve cents weekly.

36 If any such box, basket, package, parcel, or other thing brought to such coach office or other place as aforesaid which is not directed to be left till called for shall, before the same is sent for delivery from such coach office or other place, be demanded by any person duly authorized to receive the same, such box, basket, package, parcel, or other thing shall be thereupon delivered to such person demanding the same, and it shall in such case be lawful to and for the keeper of such coach office or other place to charge and take the sum justly due for the carriage thereof, and also the sum of eight cents for the warehouse room thereof; but if the same be not delivered to such person on such demand, or any charge other than as aforesaid be made or received in respect thereof, the keeper of such coach office or other place shall for every such offence be liable to a fine not exceeding ten rupees.

37 The keeper of any coach office or other place to whom any box, basket, package, parcel, or other thing whatsoever not exceeding fifty pounds weight is brought by any licensed coach or any cooly or other person employed by the keeper of any such coach office or other place as aforesaid in the delivery of any such box, basket, package, parcel, or other thing as aforesaid, shall be entitled to ask, demand, receive, and take, in respect of such delivery, the sums hereinafter mentioned; that is to say:

For any distance not exceeding one mile the sum of sixteen cents.

For any distance exceeding one mile, but not exceeding two miles, the sum of twenty-five cents.

For any distance exceeding two miles, but not exceeding three miles, the sum of thirty-seven cents; and so in like manner the additional sum of twelve cents for every further distance not exceeding a mile.

38 If any cooly or other person employed in the delivery of such boxes, baskets, packages, parcels, or other things as aforesaid shall ask or demand of or from any person or persons in respect of such delivery any greater sum or sums than the rates or prices hereinbefore fixed in that behalf, such cooly or other person shall for every such offence be liable to a fine not exceeding five rupees.

39 All goods and merchandise sent by any licensed cart for the purpose of delivery at any place within this Island shall, in the absence of any special contract to the contrary, be delivered according to the direction thereof within twenty-four hours after the arrival of any such licensed cart at the place of delivery; and in default thereof the owner of such licensed cart shall forfeit and pay for every such offence any sum not exceeding ten rupees.

CHAPTER VI.

General.

Light.

40 No person shall ride, drive, or lead any vehicle along any public road, street, or thoroughfare after dark and before daylight, unless there shall be attached to such vehicle, in the case of a bicycle, tricycle, velocipede, wheelbarrow, or other like vehicle, one lamp, and in the case of all other vehicles two lamps, which shall be—

- (a) So constructed as to throw a white light in the direction in which the vehicle is proceeding and a red light in the opposite direction ;
- (b) So placed, one on each side of the vehicle, as to show the width of the vehicle ;
- (c) Lighted and kept alight so as to afford adequate means of signalling the movement and position of the vehicle.

Provided, however, that the provisions of this section shall not apply to mechanically propelled vehicles.

Bicycle rider to give notice by ringing a bell.

41 Every person riding a bicycle, tricycle, velocipede, or other similar vehicle, or driving a motor carriage or traction engine, shall, before overtaking any vehicle or horse, mule, or other beast of burden, or any foot passenger within a reasonable distance from and before passing such vehicle, horse, or mule, or beast of burden, or such foot passenger, by sounding a bell or whistle or otherwise, give audible and sufficient warning of the approach of such bicycle, tricycle, velocipede, motor carriage, or traction engine.

Persons under *seventeen* not to drive.

42 No person under the age of *seventeen* shall drive any vehicle other than a bicycle, or carriage drawn by a pony, along the public road, and the burden of proving that he is *seventeen* shall lie on the person charged under this section.

Rules of roads.

43 Where a vehicle shall pass another vehicle going in the same, or coming from the opposite direction, it shall pass on the left or right side of such vehicle.

CHAPTER VII.

Offences.

Penalties for commission of certain acts.

44 Any person committing a breach of sections 42, 43, or—

- (1) Wilfully making a false declaration of ownership under section 5 ; or
- (2) Using or permitting or suffering to be used any vehicle required to be licensed under this Ordinance without having obtained a license therefor, or after the period *during which* such license shall be in force ; or
- (3) Neglecting or omitting to fix the plate issued under section 10 in such manner that the number thereon shall at all times be plainly and distinctly visible, and in the case of carts, in the position prescribed by section 10 or by any by-law under section 18 ; or failing to keep such plate fixed as aforesaid on any vehicle belonging to him or in his charge or care during the continuance of the license relating thereto ; or
- (4) Failing to return the original and duplicate license and the plate to the proper authority from whom such person received it within seven days after the expiration of the period for which such license and plate shall have been issued, or after such person has ceased to be the owner of the vehicle in respect of which the same were issued ; or
- (5) Suffering the plate issued under section 10 to remain fixed on any vehicle after the license with which such plate was issued shall cease to be in force ; or

- (6) Failing to give notice of transfer to another of any licensed vehicle, or of such vehicle having been destroyed or rendered wholly unfit for use, or to return the original and the duplicate license and the plate to the proper authority as required by section 13 ; or
- (7) Using after dark and before daylight any vehicle without having affixed thereto the lighted lamp or lamps as required by section 40 ; or
- (8) Riding a bicycle, tricycle, or velocipede, or driving a motor car without giving sufficient warning of the approach of such vehicle to any foot passenger or vehicle being passed, overtaken, or approached by such bicycle, tricycle, velocipede, or motor car ;

shall be guilty of an offence, and liable on conviction to a fine not exceeding one hundred rupees, and in default of payment to simple or rigorous imprisonment not exceeding six months.

Further penalties in case of licensed vehicle.

45 Any owner or person having the charge or care of any licensed vehicle committing any of the following acts shall be guilty of an offence, and liable on conviction to a fine not exceeding one hundred rupees :

- (1) Permitting or suffering more passengers to enter a licensed vehicle than such vehicle is authorized by its license to carry, or permitting or suffering a greater weight or more animals to be carried than such vehicle is authorized by its license to carry.
- (2) Employing or suffering or permitting to be employed any incompetent person to drive a licensed vehicle.

Further penalty in case of licensed carriage or cart.

46 Any owner or person having the charge or care of any licensed carriage or cart committing any of the following acts shall be guilty of an offence, and liable on conviction to a fine not exceeding one hundred rupees :

Refusing without reasonable cause (the proof of which shall rest on him) to let such carriage or cart to any person desirous of hiring the same for the legal fare allowed by any regulations issued under the authority of this Ordinance, or exacting or demanding for the hire thereof more than the proper fare allowed by such regulations.

Further penalties in respect of licensed carts or coaches.

47 Any owner or person having the charge or care of any licensed cart or coach refusing or neglecting, after being thereunto required by any Police Magistrate, Superintendent of Police, police officer, inspector of coaches, or any person claiming interest in the goods conveyed or to be conveyed in such cart or coach, within a reasonable time to produce the license for the said cart or coach to such Police Magistrate, Superintendent of Police, police officer, inspector of coaches, or such other person, shall be held to be guilty of an offence, and to be liable on conviction to a fine not exceeding fifty rupees for the first offence, and for the second and every other offence to a fine not exceeding one hundred rupees, and the said cart or coach, and every ox, horse, or other animal used for drawing the same, shall in every such case of a second or subsequent offence be forfeited, if the court before which such conviction shall take place shall so adjudge.

Misbehaviour of person in charge of vehicle.

48 *If a person having the charge or care of any vehicle—*

- (a) *Shall drive the same on any public thoroughfare, street, or road recklessly or negligently, or at a speed or in a manner which is likely to endanger human life, or to cause hurt or injury to any person or animal or damage to any vehicle or to goods or persons carried therein, or which would be otherwise than reasonable and proper, having regard to all the circumstances of the case, including the nature and use of the public thoroughfare, street, or road, and to the amount of traffic which is actually on it at the time, or which may reasonably be expected on it ;*

- (b) *Shall be in a state of intoxication while driving such vehicle ;*
- (c) *Shall make use of any abusive or insulting language, or be guilty of other rude behaviour to or towards any person whomsoever ; or*
- (d) *Assault or obstruct any officer of police in the execution of his duty ;*

he shall be guilty of an offence, and shall on conviction be liable to a fine not exceeding fifty rupees, or to imprisonment, simple or rigorous, for any period not exceeding three months.

Penalty on person refusing to pay hire or defacing or injuring any vehicle.

49 If any person shall refuse or omit to pay to the proprietor or other person authorized to recover the same the sum justly due for the hire of a vehicle, or shall deface or in any manner injure any such vehicle, it shall be lawful for the Police Court having jurisdiction in the place in which any of the acts aforesaid were committed, upon complaint of the proprietor and summary proof of the facts, to award reasonable satisfaction to the party so complaining for his fare or for his damages and costs, and also reasonable compensation for loss of time in attending to make and establish such complaint ; and upon the neglect or refusal of such defaulter or offender to pay the same, it shall be recovered as if it were a fine imposed by such court.

Proof of license to be on the accused.

50 If in any prosecution or proceeding under this Ordinance any question shall arise as to whether a license has been obtained, or whether any vehicle has been used for the conveyance of any goods or passengers for hire without a license, or as to whether any declaration of ownership has been made, the proof that such goods or passengers were not conveyed for hire, or that the goods belonged to the person owning such vehicle, or that a license has been obtained, or the declaration made shall be upon the accused. Provided that it shall be lawful for the court to award a reasonable sum in lieu of costs to the accused to be paid by any person who may have made a vexatious complaint, and such sum shall be recovered in like manner as any fine imposed under the provisions of this Ordinance.

Proviso.

Informers share of penalty.

51 The court before which the prosecution or proceeding is taken may award any share of the fines actually recovered and realized not exceeding one-half to be paid to the informer.

Limitation of prosecution.

52 No prosecution shall be instituted against any person for any offence committed against any of the provisions of this Ordinance cognizable by the Police Court, unless the same shall be commenced within three months from the time of the commission of such offence.

CHAPTER VIII.

Taxation of mechanically propelled Vehicles.

Taxation of mechanically propelled vehicles.

53 (1) *There shall be levied upon all mechanically propelled vehicles in the Island an annual tax not exceeding the rates specified in schedule IV, hereto.*

(2) *The amount of such tax shall be determined from time to time by the Governor in Executive Council, and shall be notified in the "Government Gazette."*

(3) *Such annual tax shall be due and payable on the first day of February in each year, the first of such payments being due on the First day of February, One thousand Nine hundred and Fifteen.*

Enforcement of tax.

54 *If the tax leviable under the last preceding section is not paid as soon as the same is due, the authority to whom the tax is payable shall report such non-payment to a Municipal Court or Police Court, and the court shall proceed to recover from the person liable to pay the same the amount of such tax as if it were a fine imposed by that court.*

Appropriation of stamp duty or tax.

55 (1) *Where any vehicle in respect of which stamp duty or tax is payable under this Ordinance is ordinarily used or to be used within any of the limits enumerated in the schedule to this section, such stamp duty or tax shall be payable and shall be disposed of in accordance with the said schedule.*

(2) In case any question shall arise as to the authority to which the said stamp duty or tax is payable, such question shall be referred to the Governor in Executive Council for decision, and the decision of the Governor in Executive Council shall be final.

(3) Any provision for the disposition of such stamp duty or tax contained in any Ordinance relating to the powers and duties of any local authority which is inconsistent with any of the provisions of this section is hereby repealed.

Limits.	Schedule.	
	Authority to whom Stamp Duty or Tax payable.	Fund to which Stamp Duty or Tax to be credited.
Municipal town ..	Chairman of the Municipal Council	Municipal Fund.
Nuwara Eliya Board of Improvement	Chairman of the Board of Improvement	Fund of the Board.
Local Board ...	Chairman of the Local Board ..	Local Fund.
Sanitary Board ..	Chairman of the Sanitary Board	Local Fund.
Any other limits ..	The Government Agent or the Assistant Government Agent	General Revenue.

CHAPTER IX.

Transitory Provisions.

Transitory provisions as to existing rules and taxes.

56 (1) All rules, regulations, and by-laws in force at the commencement of this Ordinance under any Ordinance hereby repealed shall continue in force until they are rescinded or superseded by by-laws made under this Ordinance.

(2) Until the tax leviable under section 53 of this Ordinance becomes due, the tax leviable under section 3 of "The Motor Car Ordinance, 1908," shall continue to be payable, and shall be recoverable in manner provided by section 54 of this Ordinance.

SCHEDULE I.

(Section 3.)

No. of Ordinance.	Title.	Extent of Repeal.
9 of 1901 ..	"The Vehicles Ordinance, 1901"	The whole.
1 of 1902 ..	"The Vehicles (Amendment) Ordinance, 1902"	The whole.
16 of 1904 ..	"The Vehicles (Amendment) Ordinance, 1904"	The whole.
22 of 1908 ..	"The Vehicles (Amendment) Ordinance, 1908"	The whole.
25 of 1908 ..	"The Motor Car Ordinance, 1908"	The whole.
5 of 1913 ..	"The Vehicles (Amendment) Ordinance, No. 5 of 1913"	The whole.

SCHEDULE II.

(Sections 5 and 6.)

A.—Declaration of Ownership.

No. _____

I, A. B., do truly declare that I reside at _____, in the District of _____, and that I am the sole owner or joint owner with _____ of the (cart, carriage, or coach) for which I apply at the _____ Kachcheri for a license (or that the vehicle belongs to the _____, of which I am the Manager, as the case may be), and that the vehicle is ordinarily used or to be used in the district of _____.

Declared at _____, the _____ day of _____, 19____.

Signature.

B.—License.

_____, the _____ day of _____, 19____.

Whereas A. B., occupying premises No. _____ in the _____ street in _____, has applied for a license under the Ordinance No. _____ of _____, and has made and signed the declaration thereby required, license is hereby granted unto him to keep the carriage, cart, or coach (describe) bearing registered number _____, for the purpose of letting the same for hire, from the date hereof

until the 31st day of December (*year*): Provided that such shall not carry more than _____ persons at any one time, or a greater weight than _____, or more than _____ pigs, _____ sheep or goats, or _____ cattle.

Given under my hand the day and year first above written.

Proper Authority under Ordinance
No. _____ of 19—.

SCHEDULE III.

(Section 7.)

Stamp Duty.

1. For vehicles other than those mechanically propelled :	Rs.	c.
For every carriage drawn by a horse or horses ..	15	0
For every cart drawn by two bullocks ..	4	0
For every cart drawn by one bullock ..	2	0
For every jinricksha ..	5	0
For every coach, Rs. 2 for each passenger it is licensed to convey.		
2. For every tram car, Re. 1 for each passenger, provided that in no case shall the stamp exceed Rs. 40 for one such vehicle.		
3. For mechanically propelled vehicles for the conveyance of passengers other than the vehicles mentioned in the items numbered 2 and 3 in this schedule, viz. :		
(a) Cars (excluding tricars of 3 horse power and under) according to the following scale :		
Not exceeding 6½ horse power ..	20	0
Exceeding 6½ horse power but not exceeding 12 horse power ..	25	0
Exceeding 12 horse power but not exceeding 16 horse power ..	30	0
Exceeding 16 horse power but not exceeding 26 horse power ..	75	0
Exceeding 26 horse power but not exceeding 33 horse power ..	100	0
Exceeding 33 horse power but not exceeding 40 horse power ..	150	0
Exceeding 40 horse power but not exceeding 60 horse power ..	300	0
Exceeding 60 horse power ..	600	0
(b) Motor bicycles ..	5	0
(c) Motor tricycles (including tricars of 3 horse power and under) ..	10	0
(d) Trailers and carriers used for the conveyance of passengers ..	5	0
4. For mechanically propelled vehicles for the conveyance of goods other than the vehicles mentioned in item numbered 2 in this schedule, viz. :		
Not exceeding 15 horse power ..	150	0
For every additional unit of horse power ..	10	0
5. For every vehicle not enumerated above ..	3	0

SCHEDULE IV.

(Section 53.)

Scale on which Tax is leviable.

1. For mechanically propelled vehicles for the conveyance of passengers, viz. :		
(a) Cars (excluding tricars of 3 horse power and under) according to the following scale :	Rs.	c.
Not exceeding 6½ horse power ..	20	0
Exceeding 6½ horse power but not exceeding 12 horse power ..	25	0
Exceeding 12 horse power but not exceeding 16 horse power ..	30	0
Exceeding 16 horse power but not exceeding 26 horse power ..	75	0
Exceeding 26 horse power but not exceeding 33 horse power ..	100	0
Exceeding 33 horse power but not exceeding 40 horse power ..	150	0
Exceeding 40 horse power but not exceeding 60 horse power ..	300	0
Exceeding 60 horse power ..	600	0

	<i>Rs. c.</i>
(b) <i>Motor bicycles</i>	5 0
(c) <i>Motor tricycles (including tricars of 3 horse power and under)</i>	10 0
(d) <i>Trailers and carriers used for the conveyance of passengers</i>	5 0
2. <i>For mechanically propelled vehicles for the conveyance of goods, viz.:</i>	
<i>Not exceeding 15 horse power</i>	150 0
<i>For every additional unit of horse power</i>	10 0

By His Excellency's command,
Colonial Secretary's Office, R. E. STUBBS,
Colombo, October 7, 1914. Colonial Secretary

Statement of Objects and Reasons.

1. This Ordinance has a two-fold object :—
 - (a) To simplify and amend the law relating to the issue of licenses required for vehicles let for hire and the number plates issued therewith, and to make certain amendments in the law relating to motor vehicles, which at present is governed partly by the Vehicles Ordinance, No. 9 of 1901, and partly by the Motor Car Ordinance, No. 25 of 1908.
 - (b) To incorporate into the Vehicles Ordinance the provisions of the present Motor Car Ordinance, No. 25 of 1908, with certain variations and amendments.
2. For reasons subsequently explained (paragraph 13), it has been determined to repeal the Motor Car Ordinance altogether, and embody its provisions, with the necessary amendments, in the Vehicles Ordinance. The proposed amendments under both heads are extensive. They cannot be embodied in the text of the Vehicles Ordinance commonly in use for some years, inasmuch as a new edition of the statutory enactments has only just been issued. It has accordingly been further determined to repeal the Vehicles Ordinance altogether, and to issue a fresh edition of it, embodying the necessary amendments in this Ordinance. The new matter is shown throughout in italics.
3. As already explained, the amendments fall under the heads—
 - (a) Licenses and Plates.
 - (b) Motor Vehicles.
4. *Licenses and Plates.*—The present system is as follows. Every vehicle used for the purpose of conveying passengers and goods for hire is required to take out an annual license. This license expires at the end of the calendar year. With the license is issued a number plate. At the end of the year the current license and number plate should be delivered up, and a fresh license and number plate received in exchange. A person using the vehicle in the following year without having obtained the license and number plate of that year commits an offence.
5. It is not practicable to carry out this system strictly, for two reasons :—
 - (a) The new number plates are not always ready at the end of the year.
 - (b) The issue of the renewed license involves an inspection of the vehicle, and it is not always possible either for the owner to present it for inspection at the end of the year, or for the inspecting officer to make the inspection at that time.
6. With a view, no doubt, to meet this difficulty, the Ordinance allows the license and plate for the succeeding year to be issued before the end of the current year. This expedient, however, does not meet the situation—

Firstly, because the law requires that the old license and plate must be given up when the new one is issued, and requires at the same time that the licensee shall retain the license in his possession for production when required until the end of the year, and shall keep the plate fixed on the vehicle for the same period; and

Secondly, because for the reasons above explained it is often impracticable for the exchange to be made before the end of the year.

7. The existing practise in rural areas is as follows. The ordinary vehicle in respect of which a license and plate are required is a bullock cart. The Government Agent, Mudaliyar, or other inspecting officer makes a tour of his district for this and other purposes during the early part of the new year. On coming to any locality he inspects the carts, and directs the issue of fresh licenses and plates. These are duly issued some time in the course of the next three months in the year. The cart meanwhile plies for hire on a license that is already expired, which is a penal offence under the Ordinance.

8. For different reasons a similar laxity has grown up in Municipal areas, and in practice in the Colombo Municipality the new licenses and plates are issued at any time up to March the 31st.

9. The proposals of the present Ordinance under this head are contained in sections 7 and 15.

10. The new system established by these sections is as follows :—

- (a) The owner of the vehicle who desires to renew his license applies for the new license before the end of the year. With his application he hands in the original of his old license (to enable the new license to be made out), retaining the duplicate in his possession (for production when required).
- (b) If this application is duly made, the old license continues to run until the owner gets his new license, but he must obtain this new license in any case before March the 31st of the following year.
- (c) If the license cannot be given at the time of application, the owner receives a certificate that he has applied for a license, and is entitled to work his vehicle on this certificate until he obtains the actual license.
- (d) If the license is issued to him before the end of the year, provision is made for antedating the operation of the new license ; and
- (e) When the new license is issued, he receives at the same time a new plate, and returns the duplicate of his old license and his old plate.

11. A further amendment is made in the present system, which renders it at once more simple and less burdensome. At present the owner is required to pay a deposit of one rupee on receiving his number plate. If at the end of the year his plate is not returned in good condition, this deposit is forfeited. The reason for this is that under the present system this plate, if in good condition, will be re-issued in a subsequent year. So also if a man requires a new plate in the course of the year through his plate being lost or damaged, he had to make a further deposit. It is now proposed to abolish this deposit system, and to issue new plates annually free of charge. If an owner requires a new plate in the course of the year, he will have to pay twenty-five cents for it. (See section 10.)

12. *Motor Vehicles.* — Motor vehicles are at present governed partly by the Vehicles Ordinance, No. 9 of 1901, and partly by the Motor Car Ordinance, No. 25 of 1908. The Motor Car Ordinance has two objects :—

- (1) The taxation of “mechanically propelled vehicles” ; and
- (2) The regulation of “mechanically propelled vehicles.”

It makes no special provision for “mechanically propelled vehicles” let out for hire, except that it subjects them to a double tax, and no doubt for this reason it excludes them (or intends to exclude them) from those provisions of the Vehicles Ordinance which provide for the licensing of vehicles let out for hire. On the other hand, though motor vehicles are thus excluded from the Vehicles Ordinance with respect to those provisions, they still remain within the scope of that Ordinance for all other purposes. See—

Section 19 (2) (j) and (k), by-laws as to locomotives.

Section 39, sounding bells, &c.

Section 40, age of drivers.

Section 41, rule of the road.

Section 46, misbehaviour of drivers.

13. There appears to be no reason why there should be two Ordinances dealing with motor cars, each with its own set of regulations; and it is accordingly proposed to repeal the Motor Car Ordinance, and embody its provisions in the Vehicles Ordinance with certain amendments.

14. Apart from the more important amendments referred to in paragraphs 16 and 17, these amendments are as follows:—

- (a) Section 4. In the definition of "vehicles" the expression "mechanically propelled vehicles" is substituted for the word "locomotives."
- (b) Section 18. The paragraphs authorizing the regulations of locomotives are eliminated from the by-law making powers in view of special by-laws for the regulation of motors, &c., subsequently provided for. (See section 22.)
- (c) Section 22 embodies the rule-making powers of the Motor Car Ordinance with some small modifications, the most important being the express reference to rules for the calculation of horse power.
- (d) Section 23 provides for the necessary action to give effect to the International Convention signed at Paris in 1909 with respect to the international circulation of motor vehicles.
- (e) Section 40 excludes "mechanically propelled vehicles" from the lighting provisions of the Vehicles Ordinance, this matter being dealt with by special by-laws.
- (f) Section 42 raises the age of a person who may be in charge of a vehicle from sixteen to seventeen.
- (g) Section 48 strengthens the provisions of existing law with reference to the misbehaviour by drivers.

15. The two most important amendments in this part of the Ordinance relate to the taxation of vehicles and the appropriation of the tax.

16. *Taxation of Vehicles.*—Vehicles are taxed in two ways:—

- (a) By stamp duty. This affects only vehicles let for hire, including motor vehicles.
- (b) By a specific tax, which is confined to motor vehicles.

The Schedule of Stamp Duty (Schedule III.) as regards ordinary vehicles remains practically as it was. For the first time, however, it embraces motor vehicles. At present the motor vehicles let for hire are taxed double under the Motor Car Ordinance. Instead of paying this double tax, they will now pay a stamp duty, and will also be liable to the ordinary tax leviable on motor cars.

The Schedule of Taxes on Motor Cars (Schedule IV.) differs from the existing schedule under the Motor Car Ordinance in two particulars:—

- (a) In the amount of the tax, the scale having been enhanced throughout; and
- (b) In the substitution of horse power for weight as the basis of the scale.

17. *Appropriation of Tax.*—At present the law as to appropriation of the proceeds of the licenses and taxes on vehicles is in some confusion. Small towns under the Small Towns Sanitary Board Ordinance do not get the benefit of the tax on motor cars. The present Ordinance by section 55 puts them on the same footing as other local authorities.

18. In the Vehicles Ordinance and the Motor Car Ordinance the test for the appropriation of the duty or tax is residence. In the Municipalities Ordinance and the other local Government Ordinances the test of appropriation is not residence but user, the expression being "kept or used." It is proposed in place of these conflicting formulas to adopt the formula in use in England under the Locomotives Act, 1888. The Ordinance, in fact, proposes that where a vehicle is "ordinarily used or to be used" in any local Government area, the proceeds of the duty or tax shall go to the local authority of that area. It also makes provision for resolving any disputes that may arise between local authorities as to whether or not any particular vehicle is "ordinarily used or to be used" within any particular area.

Attorney-General's Chambers,
Colombo, August 4, 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. Silpachari Nekatige Sadiris Fernando,
No. 5,043. late of Talangama, deceased.

Singarakkara Nekatige Madiris Fernando of Talan-
gama, in the Palle pattu of Hewagam korale...Petitioner.

And

(1) Silpachari Nekatige Maiya Fernando, (2) Sil-
pachari Nekatige Duliana Fernando, (3) Sil-
pachari Nekatige Amaliana Fernando, and (4)
Silpachari Nekatige Pemanis Fernando, all of
Talangama, in the Palle pattu of Hewagam
korale Respondents.

THIS matter coming on for disposal before Lewis
Matthew Maartensz, Esq., Additional District Judge of
Colombo, on October 23, 1914, in the presence of Mr.
Wanigasooria, Proctor, on the part of the petitioner above
named; and the affidavit of the said petitioner dated
October 23, 1914, having been read:

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

L. M. MAARTENSZ,
Additional District Judge.

October 23, 1914.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late Mahapatirannehelage Davith Singho,
No. 5,045. Police Vidane of Pasyala, in the Udugaha
pattu of Siyane korale, deceased.

Uduwaka Achchige Podi Nona of Pasyala afore-
said Petitioner.

And

(1) Mahapatirannehelage Baby Nona, (2) Maha-
patirannehelage Nicholas Singho, (3) Maha-
patirannehelage Carthelis Singho, (4) Maha-
patirannehelage Simeon Singho, (5) Maha-
patirannehelage Emanis Singho, all of Pasyala,
(6) Uduwaka Achchige Sediris Singho of Dom-
batuwa, in the Udugaha pattu of Siyane
korale Respondents.

THIS matter coming on for disposal before Lewis
Matthew Maartensz, Esq., Additional District Judge of
Colombo, on October 29, 1914, in the presence of Mr.
Samarakkody, Proctor, on the part of the petitioner above
named; and the affidavit of the said petitioner dated
October 6, 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 December 3, 1914,
show sufficient cause to the satisfaction of this court to the
contrary.

L. M. MAARTENSZ,
Additional District Judge.

October 29, 1914:

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Nicodemus Frisch, late of Rosmead place
No. 5,052. in Colombo, deceased.

Stephen William Walles of Colombo Petitioner.

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

Colombo, on November 3, 1914, in the presence of Messrs.
de Vos and Gratiaen, Proctors, on the part of the petitioner
above named; and the affidavit of the said petitioner dated
October 30, 1914, having been read:

It is ordered that Mr. David Matthew Jansz, as Secretary
of the District Court of Colombo, be and he is hereby
declared entitled to have letters of administration to the
estate of the said deceased restricted to a motor car now
lying at Mount Joy, Rosmead place, Colombo, unless any
person or persons interested shall, on or before December
3, 1914, show sufficient cause to the satisfaction of this
court to the contrary.

L. M. MAARTENSZ,
November 3, 1914. Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and
Jurisdiction. Effects of the late Degambodage Don
No. 5,051. George Dias of Karagampitiya, in the
Palle pattu of the Salpiti korale, deceased.

Dona Leonora de Reburu Samaraweera Gunasekera
Hamine of Karagampitiya aforesaid Petitioner.

And

(1) Degambodage Dona Virginia Dias, (2) Degam-
bodage Dona Cornelia Dias, (3) Degambodage
Dona Robina Dias, (4) Degambodage Dona Irene
Dias, all of Karagampitiya, minors, (5) Don
Herath de Ruberu Samaraweera Gunasekera of
Werahara, in the Palle pattu of the Salpiti
korale Respondents.

THIS matter coming on for disposal before Lewis
Matthew Maartensz, Esq., Additional District Judge of
Colombo, on November 3, 1914, in the presence of Mr.
M. de A. Dissanayake, Proctor, on the part of the petitioner
above named; and the affidavit of the said petitioner dated
October 29, 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 December 3, 1914,
show sufficient cause to the satisfaction of this court to the
contrary.

L. M. MAARTENSZ,
November 3, 1914. Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Annie Hopfengartner, late of
No. 5,053. Baddegama in Ceylon, deceased.

Edward Deslandes Bowman of Baddegama Petitioner.

THIS matter coming on for disposal before Lewis
Matthew Maartensz, Esq., Additional District Judge of
Colombo, on November 5, 1914, in the presence of Messrs.
de Vos and Gratiaen, Proctors, on the part of the petitioner
above named; and the affidavits (1) of the said petitioner
dated November 3, 1914, and (2) of the attesting notary
dated July 13, 1914, and the order of the Supreme Court
dated July 1, 1914, having been read:

It is ordered that the last will of Annie Hopfengartner,
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 the executor named in the said will, and that
he is entitled to have probate thereof issued to him accord-
ingly, unless any person or persons interested shall, on or
before December 3, 1914, show sufficient cause to the
satisfaction of this court to the contrary.

L. M. MAARTENSZ,
November 5, 1914. Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Joint Last Will and Testament of Panagodage Juan Fernando, deceased, late of Moratuwa, and Dodanpahalage Liyanora Fernando of Moratuwa. No. 5,054.

Dodanpahalage Liyanora Fernando of Moratuwa Petitioner.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., Additional District Judge of Colombo, on November 6, 1914, in the presence of Mr. E. L. W. Aponso, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated October 29, 1914, and (2) of the notary and attesting witnesses dated October 29, 1914, having been read:

It is ordered that the last will of Panagodage Juan Fernando, 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 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 December 3, 1914, show sufficient cause to the satisfaction of this court to the contrary.

November 6, 1914. L. M. MAARTENSZ, Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Cana Packer Mastan, late of No. 58, Keyzer street, Pettah, Colombo, deceased. Caroline Fernando of Colombo Petitioner.

And

(1) Juhari Umma, widow of the late Cana Packer Mastan, (2) Packer Mastan Bankiss Umma, (3) Packer Mastan Abdul Hamid, (4) Packer Mastan Abdul Hassen, (5) Packer Mastan Raphia Umma, all of No. 24, Second Fishers' lane, Pettah, Colombo Respondents.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., Additional District Judge of Colombo, on November 9, 1914, in the presence of Messrs. de Vos and Gratiaen, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 5, 1914, having been read:

It is ordered that Mr. David Matthew Jansz, as Secretary of the District Court of Colombo, be and he is hereby declared entitled to have letters of administration to the estate of the above-named deceased, unless the respondents above named or any other person or persons interested shall, on or before December 3, 1914, show sufficient cause to the satisfaction of this court to the contrary.

November 9, 1914. L. M. MAARTENSZ, Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Magdalene Jurgen Ondaatjie of No. 54, Wolfendahl street in Colombo, deceased.

Rev. Charles Henry, Incumbent of St. Thomas's Church, Colombo Petitioner.

THIS matter coming on for disposal before Lewis Matthew Maartensz, Esq., Additional District Judge of Colombo, on November 13, 1914, in the presence of Mr. Weerakeon, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated August 20, 1914, and (2) of the notary and one of the attesting witnesses dated October 13, 1914, having been read:

It is ordered that the last will of Magdalene Jurgen Ondaatjie, 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 the executor named in the said will, and that he is entitled to have probate thereof issued to him accordingly, unless any person or persons interested shall, on or before December 3, 1914, show sufficient cause to the satisfaction of this court to the contrary.

November 13, 1914. L. M. MAARTENSZ, Additional District Judge.

In the District Court of Kalutara.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. In the Matter of the Estate of the late Watutantrige Johana Silva of Talpitiya, No. 922, deceased.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Kalutara, on October 22, 1914, in the presence of Mr. B. O. Dias, Proctor, on the part of the petitioner Kovilage Pedrick William de Silva Siriwardane Wijesinghe of Talpitiya; and the affidavit of the said petitioner dated October 22, 1914, having been read:

It is ordered that the petitioner Kovilage Pedrick William de Silva Siriwardane Wijesinghe of Talpitiya be and he is hereby declared entitled to administer the estate of the said deceased, as husband of the said deceased, and that letter of administration do issue to him accordingly, unless the respondents—(1) Ulrick Kenneth de Silva Siriwardane Wijesinghe, (2) Vivian Bertram de Silva Siriwardane Wijesinghe, (3) Greruge Bastiana Greru, all of Talpitiya—shall, on or before November 12, 1914, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said third respondent Greruge Bastiana Greru of Talpitiya be appointed guardian *ad litem* over the minors—(1) Ulrick Kenneth de Silva Siriwardane Wijesinghe, (2) Vivian Bertram de Silva Siriwardane Wijesinghe—unless the respondents above named shall, on or before November 12, 1914, show sufficient cause to the satisfaction of this court to the contrary.

October 22, 1914. ALLAN BEVEN, District Judge.

The date for showing cause against the above *Order Nisi* is extended to November 26, 1914.

November 5, 1914. ALLAN BEVEN, District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Anthonige Gabriel Fernando, deceased, No. 1,473, of Kudahakapola.

THIS action coming on for disposal before H. E. Beven, Esq., District Judge of Negombo, on October 8, 1914, in the presence of Messrs. de Silva and Perera, Proctors, on the part of the petitioner Wattage Selestinu Fernando of Dandugama; and the affidavit of the said petitioner dated October 5, 1914, having been read:

It is ordered that the petitioner be and he is hereby declared entitled to administer the estate of the said deceased, as creditor of the said deceased, unless the respondents—(1) Anthonige Warliano Fernando of Kudahakapola, (2) Anthonige Carolis Fernando of Thoduwawa, in the Chilaw District, (3) Anthonige Punchihamy of Kudahakapola, and (4) A. Lucia Fernando, a minor, by her guardian *ad litem*, (5) Kurugamage Asena of Kudahakapola—shall, on or before November 24, 1914, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said K. Asena be appointed guardian *ad litem* over the said minor for the purpose of this action.

November 8, 1914. H. E. BEVEN, District Judge.

In the District Court of Negombo.

Testamentary Jurisdiction. In the Matter of the Joint Estate of Nilamaka Arachchige Don Bastian Appurhamy, and wife Karunanasake Pathirnehelage Nonnohamy, deceased, of Madelgomuwa.

THIS matter coming on for disposal before H. E. Beven, Esq., District Judge of Negombo, on October 9, 1914, in the

presence of Messrs. de Silva and Perera, Proctors, on the part of the petitioner dated July 23, 1914, having been read:

It is ordered that the petitioner is a son of the deceased, and that he is as such entitled to have letters of administration issued to him accordingly, unless the respondents—(1) N. Don Bempy Appuhamy, (2) N. Yohanis Appuhamy, (3) N. Mangonona, (4) N. Joronis Appuhamy of Madelgomuwa, (5) N. Jane Nona, assisted by her husband (6) Aron Appuhamy, (7) Y. Juanis Appuhamy, (8) Y. Themis Appuhamy, (9) Y. Sardiel Appuhamy, (10) Y. Nonnohamy, a minor, by her guardian *ad litem* the 7th respondent shall, on or before November 24, 1914, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Y. Juanis Appuhamy be appointed guardian *ad litem* over the said minor Nonnohamy for the purpose of this action.

October 9, 1914.

H. E. BEVEN,
District Judge.

In the District Court of Negombo.

Testamentary Jurisdiction. In the Matter of the Estate of the late Kodikara Arachchige Edward Leo Perera of Pathtanduwana, deceased.

THIS matter coming on for disposal before H. E. Beven, Esq., District Judge of Negombo, on October 22, 1914, in the presence of Mr. M. J. P. Abayaratna, Proctor, on the part of the petitioner Kodikara Arachchige Elaris Perera of Pathtanduwana; and the affidavit of the petitioner dated October 21, 1914, having been read: It is ordered that the petitioner, as the father of the deceased, is entitled to have letters of administration issued to him accordingly, unless the respondents—(1) Kodikara Arachchige Margaret Rosaline Perera, (2) Kodikara Arachchige Jane Victoria Perera, minors, by their guardian *ad litem* Dombawalage Jusey Perera of Pathtanduwana—shall, on or before November 26, 1914, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Dombawalage Jusey Perera be appointed guardian *ad litem* over the said minors for the purpose of this action.

October 22, 1914.

H. E. BEVEN,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Yatigampiti Arachchige Elisa Nona of Copiawatta of Dematagoda, deceased.

THIS matter coming on for disposal before H. E. Beven, Esq., District Judge of Negombo, on November 2, 1914, in the presence of Mr. M. J. P. Abayaratna, Proctor, on the part of the petitioner Yatigampiti Arachchige Welo Nona of Copiawatta, Dematagoda; and the affidavit of the said petitioner dated October 21, 1914, having been read: It is ordered that the petitioner is the sister of the deceased, and that she is as such entitled to have letters of administration issued to her accordingly, unless the respondents—(1) W. Lawaris Appuhamy of Copiawatta, Dematagoda, (2) A. Bastian Appu, husband of Elisa Nona, deceased, 2nd Division, Maradana—shall, on or before December 14, 1914, show sufficient cause to the satisfaction of this court to the contrary.

November 2, 1914.

H. E. BEVEN,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of Don William de Alwis Gunatillake, late of Robolgoda, deceased.

Dona Ana Tirimanna of Robolgoda, in Bentota. Petitioner.

Vs.

Misi Margarete de Alwis Gunatillaka of Robolgoda, in Bentota. Respondent.

THIS matter coming on for disposal before Paul E. Pieris, Esq., District Judge of Galle, on November 6, 1914, 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 2, 1914, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondent or any other persons interested shall, on or before December 15, 1914, show sufficient cause to the contrary to the satisfaction of this court.

November 6, 1914.

P. E. PIERIS,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Nambukarawan Appuwabaduge Wattuhamy, deceased, of Polwatta.

THIS matter coming on for disposal before J. C. W. Rock, Esq., District Judge of Matara, on November 2, 1914, in the presence of Proctor Mr. Kulatileka, on the part of the petitioner Kanakkahegawa Don Bastian de Silva of Polwatta; and the affidavit of the petitioner dated October 21, 1914, having been read: It is ordered that the 5th respondent be appointed guardian *ad litem* over the 2nd, 3rd, and 4th respondents, unless the respondents—(1) Nambukarawan Appuwabaduge Sangohamy, (2) Appuwahenedi Totahewage William Singh, (3) ditto Dharmadasa, (4) ditto Jossinona, by their guardian *ad litem* (5) Appuwahenedi Totahewage Sarnelis Silva, all of Polwatta, shall, on or before December 2, 1914, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said petitioner, as son-in-law of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondents above named shall, on or before December 2, 1914, show sufficient cause to the satisfaction of this court to the contrary.

November 2, 1914.

J. C. W. ROCK,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Vulliammai, wife of Kandiah Sinniah of Manthuvil, deceased.

Kandiah Sinniah of Manthuvil. Petitioner.

Vs.

(1) Parupathy, widow of Kasiar Sethamparapillai of Manthuvil, (2) Murukesu Velayuther, and his wife (3) Sinnakkuddy of ditto. Respondents.

THIS matter of the petition of Kandiah Sinniah of Manthuvil, praying for letters of administration to the estate of the above-named deceased Vulliammai, widow of Kandiah Sinniah, coming on for disposal before W. Duraiswamy, Esq., District Judge, on September 23, 1914, in the presence of Mr. V. A. Harichandra, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated September 22, 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 deceased, and that letters of administration do issue to him accordingly, unless the respondents above named or any other person shall, on or before November 5, 1914, show sufficient cause to the satisfaction of this court to the contrary.

October 8, 1914.

W. DURAISWAMY,
Acting District Judge.

Order Nisi is extended to show cause for November 24, 1914.

H. O. FOX,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of Saparetnak-
Jurisdiction. kurukkal Somasunthara-aiyar of Copay
No. 2,924. North in Jaffna, late of Klang, in the
Class I. Federated Malay States, deceased.

Vethakkuddikkurukkal Saparetnakkurukkal of
Copay North Petitioner.

Vs.

(1) Meenadhiamma, widow of Somasunthara-
aiyar of Copay North, (2) Somasunthara-aiyar
Suppamania-aiyar of ditto, and (3) Soma-
sunthara-aiyar Panchadhura-aiyar of ditto,
the 2nd and 3rd respondents are minors, and
appear by their guardian *ad litem* the 1st respon-
dent Respondents.

THIS matter of the petition of Vethakkuddikkurukkal
Saparetnakkurukkal of Copay North, praying for letters of
administration to the estate of the above-named deceased,
Saparetnakkurukkal Somasunthara-aiyar, coming on for
disposal before H. O. Fox, Esq., District Judge, on Novem-
ber 3, 1914, in the presence of Messrs. Casippillai and
Cathiravelu, Proctors, on the part of the petitioner; and
the affidavit of the petitioner dated September 30, 1914,
having been read: It is declared that the petitioner is the
father of the said intestate and is entitled to have letters of
administration to the estate of the said intestate issued to
him, unless the respondents or any other person shall, on
or before December 8, 1914, show sufficient cause to the
satisfaction of this court to the contrary.

November 3, 1914.

H. O. Fox,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Ponnu, wife of Thillaiyampalam Saba-
No. 2,932. pathy of Colombuturai, deceased.
Class I.

Velayutar Chellappa of Colombuturai Petitioner.

Vs.

(1) Thillaiyampalam Sabapathy of Colombuturai
and (2) Marakatham, wife of Chellappa of
ditto Respondents.

THIS matter of the petition of Velayutar Chellappa of
Colombuturai, praying for letters of administration to the
estate of the above-named deceased Ponnu, wife of Thillai-
yampalam Sabapathy, coming on for disposal before
W. Duraiswamy, Esq., Acting District Judge, on October
23, 1914, in the presence of Messrs. Casippillai and Cathira-
velu, Proctors, on the part of the petitioner; and the
affidavit of the petitioner dated October 22, 1914, having
been read: It is declared that the petitioner is the husband
of the sole heiress of the said intestate, and is entitled to
have letters of administration to the estate of the said

intestate issued to him, unless the respondents or any other
person shall, on or before November 26, 1914, show suffi-
cient cause to the satisfaction of this court to the contrary.

October 23, 1914.

W. DURAISWAMY,
Acting District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Annammah, wife of Suppiah of Nunavil
No. 2,937. East, deceased.

Chinhatamby Chelliah of Nunavil East Petitioner.

Vs.

(1) Ambalavanar Suppiah of Manippai, (2) Gnana-
sekarar Sinnatamby of Nunavil East, and wife
(3) Eladshippillai of ditto Respondents.

THIS matter of the petition of Chinhatamby Chelliah,
praying for letters of administration to the estate of the
above-named deceased Annammah, wife of Suppiah of
Nunavil East, coming on for disposal before H. O. Fox,
Esq., District Judge, on November 4, 1914, in the presence
of the petitioner; and the affidavit of the said petitioner
dated October 23, 1914, having been read: It is ordered
that the petitioner be and he is hereby declared entitled,
as one of the heirs 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 November
26, 1914, show sufficient cause to the satisfaction of this
court to the contrary.

November 10, 1914.

H. O. Fox,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Nalle Wairen Nalle Wairen, deceased, of
No. 1,070. Udappankare.

THIS matter coming on for disposal before Mr. Hugh
Bertram Carbery, Esq., District Judge of Chilaw, on Sep-
tember 29, 1914, in the presence of Mr. C. V. M. Pandit-
sekere, Proctor, on the part of the petitioner Sattai of
Udappankare; and the affidavit of the said petitioner dated
September 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 respondent be and he is hereby appointed guardian *ad
litem* of the 1st, 2nd, 3rd, and 4th minor respondents for
the purpose of these proceedings, unless the respondents—
(1) Muttu Wairattai, (2) Kamalai, (3) Kattalegi, (4) Wai-
raiya, (5) Peria Ramo Nalle Wairen Sammatty, all of
Udappankare or any other person or persons interested
shall, on or before November 5, 1914, show sufficient cause
to the satisfaction of this court to the contrary.

October 29, 1914.

W. H. B. CARBERY,
District Judge.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,604. In the matter of the insolvency of Maha-
vithanage Sadris Appuhamy of Peliyagoda.

NOTICE is hereby given that a meeting of the creditors
of the above-named insolvent will take place at the sitting
of this court on January 7, 1915, for the grant of a certificate
of conformity to the insolvent.

By order of court,

D. M. JANSZ,

Colombo, November 13, 1914.

Secretary.

In the District Court of Kegalla.

Insolvency In the matter of the insolvency of Graham
Jurisdiction. Collin Ward Brohier of Kegalla.
No. 41.

NOTICE is hereby given that a sitting of the above
court will take place on December 8, 1914, for the insolvent

to surrender and conform to, agreeably to the Insolvency
Ordinance of which the creditors are hereby required to
take notice.

By order,

C. P. W. GUNASEKERA.

Kegalla, November 11, 1914.

Secretary.

In the District Court of Galle.

No. 408. In the matter of the insolvency of Sinne
Tamby Chetty Suppramaniam Chetty of
Dangedera, in Galle.

NOTICE is hereby given that an adjourned meeting of the
creditors of the above-named insolvent will take place at
the sitting of this court on December 17, 1914.

By order of court,

V. R. MOLDRICH,

November 13, 1914.

Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Cottage Lawrence de Silva of Dematagoda in
Colombo Plaintiff.
No. 88,914. Vs.

Abdul Cader, son of S. L. Avoo Lebbe Marikar of
No. 191, Grandpass road, Colombo Defendant.

NOTICE is hereby given that on Monday, December 14, 1914, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the following mortgaged property decreed to be sold by the decree entered in the above action for the recovery of the sum of Rs. 1,068.05, with interest on Rs. 1,000 at 18 per cent. from July 10, 1914, to August 7, 1914, and thereafter further interest on the aggregate amount at 9 per cent. till payment in full, and costs of suit and poundage, viz. :—

All that house and garden, together with the field bearing assessment No. 191, situated at Grandpass road, in Colombo, within the Municipality and District of Colombo, Western Province; bounded on the north by Grandpass road, on the east by the property bearing assessment No. 190, on the south by the field, and on the west by the property bearing assessment No. 192; containing in extent 1 rood and 28 perches according to survey and plan dated July 11, 1907, made by Charles A. O. Buyzer, Licensed Surveyor, and all the estate, right, title, interest, claim, and demand whatsoever of the said defendant in and to the said premises.

Fiscal's Office, W. DE LIVERA,
Colombo, November 17, 1914. Deputy Fiscal.

In the District Court of Colombo.

Catherine Maria Loos, (2) Violet Gwendaline
Loos, and (3) John Adrian Loos, all of No. 120,
Colpetty, in Colombo Plaintiffs.
No. 39,691. Vs.

(1) Fretz George Scharenguivel, (2) Evelyn May
Scharenguivel, both of No. 120, Colpetty,
Colombo Defendants.

NOTICE is hereby given that on Saturday, December 12, 1914, at 1 o'clock in the afternoon, will be sold by public auction at the Central Teak Depôt and Furniture Works at No. 120, and premises No. 120, Colpetty, Colombo, the following property decreed to be sold by the decree entered in the above action for the recovery of the sum of Rs. 4,500, with interest thereon at the rate of 9 per cent. per annum from October 23, 1914, to October 28, 1914, and thereafter at the aggregate amount of the decree till payment in full and costs of suit, viz. :—

All that teak and other timber, furniture, tools, appliances, and furniture factory in the Central Teak Depôt and Furniture Works at No. 120, Colpetty, and all and sundry household furniture belonging to the said defendants at premises No. 120, Colpetty, Colombo, aforesaid.

Fiscal's Office, W. DE LIVERA,
Colombo, November 18, 1914. Deputy Fiscal.

In the Court of Requests of Colombo.

Mohamed Haniffa Mohamed Jaaffar and Ismail
Lebbe Marikar Mohamed Shaheed, both of
Colombo, administrators of the estate of M. H. M.
Sheriff, deceased Plaintiffs.
No. 40,685. Vs.

S. Samsudeen of No. 24, Skinner's Road South,
Colombo Defendant.

NOTICE is hereby given that on Friday, December 11, 1914, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of

the sum of Rs. 300, together with costs of suit, Rs. 62.75, and poundage, viz. :—

All that south-western half of premises bearing assessment No. 24, with the buildings thereon, situated at Skinner's Road South within the Municipality of Colombo; bounded on the north-east by the other half part of the same premises No. 24 marked C, on the north-west by Skinner's Road South, on the south or south-west by premises No. 23, on the south-east by the property of M. L. Cassim Lebbe Marikar; containing in extent 34 40/100 perches.

Fiscal's Office, W. DE LIVERA,
Colombo, November 17, 1914. Deputy Fiscal.

In the District Court of Kalutara.

J. A. P. Wickremasinghe of Clarence Hill estate,
Matugama Plaintiff.
No. 5,278. Vs.

(1) Katherine Dharmaratne of Kalutara, (2) C. F.
Dharmaratne of Ratnapura, (3) S. O. Dharmaratne of Kalutara, (4) A. W. Dharmaratne of Kalutara Defendants.

NOTICE is hereby given that on Monday, December 14, 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 defendants in the following properties for the recovery of the sum of Rs. 2,397, with further interest on Rs. 2,000 at 12 per cent. per annum from May 5, 1913, till September 17, 1913, and thereafter at 9 per cent. till payment in full, viz. :—

2 jakwood lounges, 2 satinwood lounges, 1 satinwood book case, 6 madun chairs, 2 satinwood sofas, 1 piano, 8 bentwood chairs, 6 satinwood small chairs, 2 ebony settees 2 ebony teapoyes, 2 tamarind wood teapoyes, 2 calamander round tables, 3 small tables, 3 ebony ladies' chairs, 4 jakwood almirahs, 2 small ladies' chairs, 1 bentwood settee, 1 ebony teapoy, 2 rattan chairs, 1 jakwood cabinet, 1 petrol lamp, 1 jakwood dining table in four pieces, and 1 satinwood sideboard.

At 1 P.M.

The land called Mudagahawatta, together with the house called "Hill House" standing thereon, situate at Welapura Kalutara: and bounded on the north by Kompannewela Mudawattapaulakumbura, east by Murungagahawatta belonging to the estate of the late D. T. Jayasinha (Gorakagahawatta and Mudavatta), south by Adam's street, and on the west by the land belonging to Mr. Edgar Ebert (also by portion belonging to J. Wickremanayake of the ½ portion of Mudavatta); containing in extent 3 roods more or less.

Deputy Fiscal's Office, H. SAMERESINGHA,
Kalutara, November 17, 1914. Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Suna Pana Rawana Mana Ramen Chetty of No. 20,
Brownrigg street, Kandy Plaintiff.
No. 22,891. Vs.

(1) Kawana Vana Ramasami Pulle, personally and as administrator of the estate of the late Kawana Vytilingani Pulle, deceased, (2) Kawana Vana Krishnasami Pulle, (3) Kawana Vana Kalimuttu Pulle, all of Kengalla in Lower Dumbara, (4) A. M. Meeya Lebbe of Brownrigg street, Kandy... Defendants.

NOTICE is hereby given that on December 16, 1914, commencing at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property mortgaged upon

bond No. 601 dated October 20, 1911, and attested by N. B. Jansze of Kandy, Notary Public, for the recovery of the sum of Rs. 29,649·82, with interest thereon at the rate of 9 per cent. per annum from October 26, 1914, till payment in full, and costs Rs. 409·25, together making the sum of Rs. 30,059·07 :—

All that property called and known as Ambagahawatta and Kuruwikotuwawatta, situate at Kengalla, in the Udagampaha korale of Lower Dumbura, in the District of Kandy; and bounded on the east by Dasgederawatta belonging to Kawrala, Erumpitiyawatta belonging to Kumarasinghe, and the high road, south by Kuruwikotuwawatta belonging to Sundaram Pulle, Nitulgahapitiyawatta belonging to Ana Kana Erudi, Danunugahakotuwawatta belonging to Pitche, and a rock, on the south-west by Mahaetaenewatta belonging to Oman Kandu Pulle, 2 telembu trees, and a rock, north-west by the high road, Alawatta belonging to Ukkurali, Mallapanikkigederawatta belonging to Pulingurala, the garden belonging to Tikiria, Dodangollewatta belonging to Kudarala Arachchi Wattedederawatta belonging to Siyatu, a road, and the garden belonging to Dingiria Panikkiya; and on the north by Pallegederawatta and the garden belonging to Dingiria Panikkiya; containing in extent 16 acres and 8 perches, which said property is composed of the following allotments of land, to wit :—

(1) All that allotment of land containing in extent 9 acres 1 rood and 4 perches, and comprising the following plots or parcels of land :—(a) The daranda or upper half part or 6 lahas of Kuruwikotuwakumbura of 12 lahas, (b) the paoola or lower half part or 5 lahas of Kuruwikotuwakumbura of 1 pela, (c) Kuruwikotuwakumbura of 2 pelas and its wanata of 1 pela forming one property of 3 pelas, (d) the southern half part or 7½ lahas of Wattedederawatta of 15 lahas, (e) two-fifths of Ambagahawatta of 1 pela, (f) a half part of Ambagahawattasweddumkumbura or watta of 1 pela (g) the eastern portion, 1 acre and 37 perches in extent, of Alawattakopiewatta of 3 acres and 37 perches, and (h) the eastern 6 pelas of Alawattahena of 2 amunams, and the western 2 acres of Alawattakopiewatta of 3 acres and 37 perches forming one property; (2) Gira-ambagederawatta of 1 pela; (3) the southern two-fifths of Meegahakumbura of 15 lahas; (4) Bokotchena *alias* Alawattahena of 2 pelas; (5) a half part of Kuruwikotuwakumbura of 12 lahas; (6) Gira-ambagederawatta of 1 pela; (7) all that land called Kuruwikotuwawatta of 5 pelas, and comprising the following plots or parcels of land :—(a) Nitulgahapitiyahena of 2 pelas, (b) the northern half part or 5 lahas of Kuruwikotuwawatta of 1 pela, (c) a half part of Kuruwikotuwawatta of 1 pela, and (d) the northern half part or 2 pelas of Kuruwikotuwawatta or watta of 1 amunam; (8) the southern half part or 1 thimba of Subigewatta and Gira-ambagederawatta forming one property of 8 lahas; (9) Kitulgahapitiyahena of 3 pelas; and (10) Roope. ambagahamulawatta of 2½ acres.

Fiscal's Office, A. V. WOUTERSZ,
Kandy, November 17, 1914. Deputy Fiscal.

In the Court of Requests of Matale.

S. T. K. N. S. Olagappa Chetty of Matale Plaintiff.
No. 9,826. Vs.

(1) S. Kader Meera Saibo, (2) M. Madar Saibo, (3)
N. E. Kader Samed Lebbe of Matale Defendants.

NOTICE is hereby given that on December 21, 1914, at 12 o'clock noon, will be sold by public auction at the spot, the right, title, and interest of the 2nd and 3rd defendants in the following property, viz. :—

(1) The tiled house bearing assessment No. 144 (now bearing No. 149), with the ground attached thereto of about 4 perches and 48/100 of a perch, situate at Trincomalee street, in the town of Matale; and bounded on the east by the fence of the garden of Sinna Pulle Omaru Kandu, south by the property of Mohanmadu Tamby Sinna Marikkar, west by Trincomalee road, and on the north by the property of Mohanmadu.

(2) An undivided half share of the tiled house bearing assessment No. 182 (now bearing No. 187), with the ground attached thereto, situate at Trincomalee street aforesaid; and bounded on the east by the fence of the property of K. Marikkar Tamby, Muhandram, south by the wall of the

house No. 181 (now bearing No. 186), and the ground attached thereto, west by Trincomalee street, and on the north by the wall of house No. 183 (now bearing No. 188), and the ground attached thereto.

Amount of writ Rs. 178·80, and interest.

Deputy Fiscal's Office, M. STEVENSON,
Matale, November 17, 1914. Deputy Fiscal.

Southern Province.

In the District Court of Galle.

Watarakagamage Uberis Appu of Wataraka and
another Plaintiffs.

No. 12,605. Vs.

Francis Edward van Rooyen of Batuwan-
tudawa Defendant.

NOTICE is hereby given that on Tuesday, December 22, 1914, at 3 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. :—

The lands Kopiwatta *alias* Magahenebedda, Mulane-kumburaudumullabedda and Annasigalabedda, now called and known as Rosewood estate, situate at Batuwantuduwa, in Four Gravets, Galle, containing in extent 133 acres 3 roods and 14 perches, together with all the buildings standing on the said land; bounded on the north by land which belong to Mr. William Austin, now belonging to Mr. John Auwardt, Wewewatta lands appearing in plans Nos. 122,749, 122,759, 122,757, 122,762, and 122,760, east by Godellawatta land appearing in plan Nos. 122,761, land belonging to Mr. J. A. van Rooyen, lands appearing in plans Nos. 141,350 and 111,933, and Kitulanpitiya boundary, south by lot No. 10 belonging to Rev. Abeysekera, Laolugahawatta, Millagahakanatiya, and Ihawalila, and west by Gorakagahawatta, Dondiyamulana land which belonged to Mr. William Austin, and now belonging to Mr. John Auwardt, and a minor road.

Writ amount Rs. 603·25.

Fiscal's Office, J. A. LOURENSZ,
Galle, November 17, 1914. Deputy Fiscal.

In the District Court of Matara.

Samson Abeyweera Plaintiff.

No. 6,199. Vs.

Omeru Lebbe Marikkar Kanakapulle Isahakkee
Lebbe Marikkar and another Defendants.

NOTICE is hereby given that on Saturday, December 12, 1914, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, for the recovery of Rs. 2,103·95, with legal interest thereon from April 2, 1914, till payment in full, and also Fiscal's charges, viz. :—

The planter's ½ share of the undivided 9 coconut trees and the 2 breadfruit trees of the third plantation, and an undivided 113/624 shares of all the paraveni fruit trees and of the soil, save and except the planter's ½ share of the 2nd and 4th plantations of the western portion, bearing assessment No. 13, of the land called Kiandiawatta *alias* Gedarawatta and the 11 cubit masonry house standing near the road, and all the other buildings standing thereon, situate at Ponhettimulla, in the Weligam korale of the Matara District, Southern Province; and bounded on the north by Rendegewatta *alias* Petaketiyaawatta, east by the divided portion of Kiandiawatta *alias* Gedarawatta, south by minor road, west by Arachchigewatta *alias* Pattidorawatta; and in extent about 1½ acre, valued at Rs. 2,000.

Deputy Fiscal's Office, J. S. DE SARAN,
Matara, November 16, 1914. Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

Marimuttu Kumarasamy of Vannarponnai West. Plaintiff.
No. 9,374. Vs.Nagalingappattar Kumarappattar *alias* Ponnuthuraippattar of Vannarponnai West Defendant.

NOTICE is hereby given that on Wednesday, December 23, 1914, at 10 o'clock in the forenoon, will be sold by public auction at the spot, the following property decreed to be sold under the above action for the recovery of Rs. 1,986.25, with further interest on Rs. 1,250, at the rate of 18 per cent. per annum from September 26, 1913, until payment in full, such interest not exceeding Rs. 513.75, and costs of suit being Rs. 98.57, and charges, viz. :—

1. A piece of land situated at Vannarponnai West, called Pillaiyanvalavu, containing or reputed to contain in extent 1 lacham varagu culture and 6 kulies, with house, cultivated plants, and share of well standing on the southern land; bounded or reputed to be bounded on the east by the property of Nagalingappattar Kumarappattar *alias* Ponnuthuraippattar and others, north by the property of Sinnatamby Veluppillai and another, west by tank called Allikkulam, and on the south by the property belonging to the temple called Vairavakovil.

2. A piece of land situated at Vannarponnai West, called Moothaiyanvalavu, containing or reputed to contain in extent 7½ kulies with boutique house and other buildings and share of well standing on the southern boundary and cultivated plants; bounded or reputed to be bounded on the east by road, north by the property of Nagalingappattar Kumarappattar *alias* Ponnuthuraippattar, west by the property belonging to the temple called Vaiteesparankovil at Vannarponnai, and on the south by the property of Nagalingappattar Chelliappattar.

Fiscal's Office,
Jaffna, November 14, 1914.S. SABARATNAM,
Deputy Fiscal.

In the District Court of Jaffna.

Mailyagnam Sivapperakasam of Navaly Plaintiff.
No. 9,607. Vs.

The Jaffna Trading Company, Limited, Jaffna. Defendant.

NOTICE is hereby given that on Monday, December 14, 1914, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said plaintiff at the risk of the former purchaser Ananthar Nagalingam in the following property, viz. :—

In an undivided ¾ share of a piece of land situated at Palai, in Tellippalai, called Thoppu and Thoppuputtkadu, containing or reputed to contain in extent 5 lachams varagu culture with godowns and share of well on the northern boundary; bounded or reputed to be bounded on the east by charity land belonging to the Kandasamy temple at Mariddapuram, north by the property of Ampalavaner Kanagasabai, west by road, and on the south by the property of Kurunathar Kandiah and shareholders.

Amount to be recovered Rs. 3,587.87, with interest thereon at the rate of 9 per cent. per annum from July 13, 1914, until payment in full and costs and charges, less Rs. 1,807, recovered.

Fiscal's Office,
Jaffna, November 14, 1914.S. SABARATNAM,
Deputy Fiscal.

North-Western Province.

In the District Court of Chilaw.

The Assistant Government Agent Plaintiff.
No. 4,733. Vs.

(1) Philip Marku of Chilaw, (2) The trustees of St. James's Church, Chilaw. Defendants.

NOTICE is hereby given that on Saturday, December 5, 1914, at 1 o'clock in the afternoon, will be sold by public

auction at the premises the right, title, and interest of the said 1st defendant in the following property, viz. :—

The garden in which Yesuwadial, widow of Pakkianadan, resides, situated at Weavers' quarters at Maikkulam, in Munnassaram pattu of Pitigal Korale North, in the District of Chilaw; and bounded on the north by Weavers' street, east by the road leading to Pankarantottam, south by land belonging to St. James's Church in which the judgment-debtor Marku resides, and west by land belonging to St. James's Church; containing in extent about 1 acre more or less.

Amount to be levied Rs. 51.28 and poundage.

Deputy Fiscal's Office,
Chilaw, November 12, 1914.A. V. HERAT,
Deputy Fiscal.

In the District Court of Colombo.

Herbert Tarrant of Colombo, carrying on business under the name, style, and firm of Tarrant and Company. Plaintiff.

No. 38,132. Vs.

Moderage Pedro Juan Waas, now a prisoner in the Welikada Jail, Colombo Defendant.

NOTICE is hereby given that on Saturday, December 19, 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, viz. :—

The lands called and known as Kosgahawatta and Beligahawatta, together with the mills and buildings and all the machinery plant, stock, chattels, engines, boilers, drums, fittings, and appurtenances forming part of the Victory Mills, which has been erected on the said lands Kosgahawatta and Beligahawatta, situated at Nainamadama, in Kammala pattu of Pitigal Korale South in the District of Chilaw, containing in extent 2 acres 2 roods and 20 perches according to the figure of survey No. 1,553 dated, December 31, 1909, made by G. J. Fernando, Surveyor; boundaries to the said lands are on the north by Rosa Maria Fernando's garden and Thomis Fernando's share of this land, on the east by the land Maragahawatta, now belonging to Moderage Pedro Juan Waas the defendant, on the south by the pilewa and the lands belonging to Jusey Perera and others, and on the west by the lands now belonging to Gregoris Fernando, Jusey Fernando, Thobias Fernando, and the heirs of Nikulas Fernando.

Amount to be levied Rs. 1,359.95, with interest on Rs. 1,019.75 at 10 per cent. per annum from March 7, 1914, till May 29, 1914, and with further interest on the aggregate amount of the decree at 9 per cent. per annum from June 30, 1914, till payment in full and costs and poundage.

Deputy Fiscal's Office,
Chilaw, November 9, 1914.A. V. HERAT,
Deputy Fiscal.

In the Court of Requests of Puttalam.

Ana Pana Muna Packirtamby of Puttalam. Plaintiff.

No. 7,328. Vs.

(1) Kunjiwan'an Nægur Pitche, and (2) Kadertamby Muttu Marikar, both of Kadayamodai. Defendants.

NOTICE is hereby given that on Saturday, December 5, 1914, commencing at 12 o'clock noon, will be sold by public auction at the premises, the right, title, and interest of the defendant in the following property, viz. :—

(1) An undivided ¼ share out of the land called Weeramathidiweetadikany, in extent 3 acres, situated at Kadayamodai, in Akkarai pattu; and bounded on the north by land owned by Segu Umma, wife of Pitche Tamby, and others, east by Segu Thamby Khan Saibo's land, south by Wella Tamby Mohiyadin Pitche's land, west by Sinna Tamby Meera Saibo's land.

(2) An undivided ¼ share out of the coconut garden called Maiyadykany, in extent 2 acres, situate as aforesaid; bounded on the north by land owned by Segu Umma and others, east by land owned by Sinna Tamby Meera Saibo

and others, south by land owned by Muttu Umma, wife of Sinna Tamby Pariary, west by land owned by Tamby Kando Kadiru Marikar and others.

(3) An undivided $\frac{1}{2}$ share out of Kulawarawayaltotum, in extent 3 acres, situate at Pallekundawayal; bounded on the north by land owned by Alla Pitche and others, east by Yaltharakallu, south by land owned by 1st defendant and others, west by land owned by Thana Aberan Fernando and others.

(4) An undivided $\frac{1}{2}$ share out of Kulawarawayaltotum, in extent $2\frac{1}{2}$ acres, situate at Kadayamoddai aforesaid; bounded on the north by Kulawaritotum, east by Yalkarai-kattu, south by land owned by Mohidin Kandu Pitche Tamby and field of Moslitamby Nagur Pitche and others, west by land owned by Sinna Kandu Pulle Naina Pulle and others.

(5) The divided portion called Weeduwalawukany, in extent $\frac{3}{4}$ acre, lying towards the south out of the land called Maiyadykany, situate in Akkarai pattu, Puttalam District, in extent $1\frac{1}{2}$ acres or 128 coconut trees plantable land; bounded on the north by the adjoining land belonging to Sewathi Umma, wife of Nagur Pitche, east by reservation, south by footpath, west by Wella Tamby Katu Umma's land, an undivided half share out of the above land in extent 30 coconut trees plantable land, subject to a mortgage for Rs. 900.

Amount of writ Rs. 301·98, and interest.

Deputy Fiscal's Office, S. M. P. VANDERKOEN,
Puttalam, November 12, 1914. Deputy Fiscal.

Province of Uva.

In the District Court of Badulla.

The Hon. the Attorney-General, Colombo..... Plaintiff.
No. 4,657. Vs.

Kaliya Muttu Kangany of Kahagolla..... Defendant.

NOTICE is hereby given that on Saturday, December 12, 1914, at 12 o'clock noon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 560·69 viz. :—

1. The land called Galkandawatta of 1 acre 1 rood 36 perches, together with the plantations standing thereon, situated at Kahagolla village, Mahapalata korale of Udukinda division; and bounded on the north by a kandura and lots 57b and 57a13 in preliminary plan 115, east by lots 57a13 and 57a14 in preliminary plan 115, south by lot 56c in preliminary plan 115, and west by a kandura.

2. An allotment of land called Galkandehenewatta Gabbalewatta, Udawela, and Walawwawatta of 4 acres 2 roods 12 perches, together with the plantations and the buildings standing thereon, situated at Kahagolla, Mahapalata korale of Udukinda division; and bounded on the north by lots 57a14 and 57a in preliminary plan 115, east by T. P. 273,527, south by lot 55z in preliminary plan 115, and west by lot 57a14 in preliminary plan 115.

Fiscal's Office,
Badulla, November 16, 1914.

M. EDIRIWIRA,
Deputy Fiscal.

NOTICE is hereby given that the Proclamation published in the *Government Gazette* No. 6,679 of November 6, 1914, Part II., page 850, intimating that a Sessions of the Supreme Court for the Kurunegala District will be holden at Kandy on Tuesday, December 1, 1914, at 1 o'clock of the morning of the said day, is hereby cancelled.

The Fiscal's Office,
Kurunegala, November 11, 1914.

S. D. SAMARASINHA,
for Fiscal.