



# Ceylon Government Gazette

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and General Government Notifications.

PART II.—Legal and Judicial.

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### DRAFT ORDINANCES.

#### MINUTE.

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

An Ordinance to amend the Law relating to the Registration of Trade Marks in Ceylon.

Preamble.

WHEREAS it is expedient to amend the law relating to the registration of trade marks in Ceylon : Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Short title.

1 This Ordinance may be cited as "The Trade Marks Amendment Ordinance, 1902," and shall be read and construed as one with "The Trade Marks Ordinance, 1888" (hereinafter referred to as "the principal Ordinance"), and this

Ordinance and the principal Ordinance and the Ordinance No. 4 of 1890 may be cited together as "The Trade Marks Ordinances, 1888 to 1902."

Addition to principal Ordinance of section regarding international arrangements for protection of trade marks.

2 In lieu of section 41 of the principal Ordinance the following sections shall be substituted, and shall be numbered respectively 41 A and 41 B :

41 A If His Majesty is pleased by Order in Council to apply the provisions of section 103 of "The Patent Designs and Trade Marks Act, 1883," to Ceylon, then any person who has applied for protection for any trade mark in the United Kingdom or in any foreign state with the Government of which His Majesty has made an arrangement under the said section for the mutual protection of trade marks shall be entitled to registration of his trade mark under this Ordinance in priority to other applicants ; and such registration shall have the same date as the application in the United Kingdom or such foreign state, as the case may be.

(2) Such application shall be made within four months from such person applying for protection in the United Kingdom or in the foreign state with which the arrangement is in force.

(3) Nothing in this section contained shall entitle the proprietor of a trade mark to recover damages for infringements happening prior to the date of the actual registration of his trade mark in this colony.

(4) The use in Ceylon of a trade mark during the period aforesaid shall not invalidate the registration of the trade mark.

(5) The application for the registration of a trade mark under this section shall be made in the same manner as an ordinary application under this Ordinance, but any trade mark the registration of which has been duly applied for in the country of origin may be registered under this Ordinance.

(6) The provisions of this section shall apply only in the case of those foreign states with respect to which His Majesty by Order in Council shall have declared the provisions of the aforesaid section 103 of the above recited Imperial Act to be applicable, and so long only, in the case of each state, as such Order continues in force with respect to that state.

Provision for intercolonial arrangements.

41 B Whenever it appears to the Governor in Executive Council that the Legislature of any British Possession has made satisfactory provision for the protection in such Possession of trade marks registered in Ceylon, the Governor in Executive Council may by Proclamation apply all or any of the provisions of the last preceding section relating to the protection of trade marks registered in the United Kingdom with such variations or additions (if any) as to the Governor in Executive Council shall seem fit to trade marks registered in such British Possession.

(2) An Order in Council under this section shall from a date to be mentioned in the order take effect as if its provisions had been contained in this Ordinance, but the Governor in Executive Council may revoke any such order.

By His Excellency's command,

EVERARD IM THURN,  
Colonial Secretary.

Colonial Secretary's Office,  
Colombo, January 28, 1904.

## MINUTE.

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

## An Ordinance for the Registration of Designs.

- Preamble.** WHEREAS it is expedient to provide for the registration of designs in this island : Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :
- Short title.** 1 This Ordinance may be cited as “The Designs Ordinance, 190,” and shall come into operation at such time as the Governor shall appoint by Proclamation to be published in the *Government Gazette*.
- Definitions.** 2 For the purposes of this Ordinance :
- “Design” means any design applicable to any article of manufacture or to any substance, artificial or natural, or partly artificial and partly natural, whether the design is applicable for the pattern, or for the shape or configuration or for the ornament thereof, or for any two or more of such purposes, and by whatever means it is applicable, whether by printing, painting, embroidering, weaving, sewing, modelling, casting, embossing, engraving, staining, or any other means whatever, manual, mechanical, or chemical, separate or combined.
- “Copyright” means the exclusive right to apply a design to any article of manufacture or to any such substance as aforesaid in the class or classes in which the design is registered.
- “Colonial Secretary” includes any assistant to the Colonial Secretary to the extent to which he may be authorized by general or special order of the Governor to discharge the duties of the Colonial Secretary under this Ordinance, and any person lawfully discharging the duties of the Colonial Secretary or such assistant.
- “Prescribed” means prescribed by the schedule to this Ordinance or by general rules under or within the meaning of this Ordinance.
- Definition of “proprietor.”** 3 The author of any new and original design shall be considered the proprietor thereof, unless he executed the work on behalf of another person for a good or valuable consideration, in which case such person shall be considered the proprietor, and every person acquiring for a good or valuable consideration a new and original design, or the right to apply the same to any such article or substance as aforesaid, either exclusively of any other person or otherwise, and also every person on whom the property in such design or right to the application thereof shall devolve shall be considered the proprietor of the design in the respect in which the same may have been so acquired, and to that extent but not otherwise.
- The register of designs.** 4 (1) The Colonial Secretary shall keep at the Colonial Secretary’s Office a book called “The Register of Designs,” and shall enter therein the names and addresses of proprietors of registered designs and such other matters as may be from time to time prescribed.
- (2) The register of designs shall be *primâ facie* evidence of any matters by this Ordinance directed or authorized to be entered therein.
- Power to register new and original designs.** 5 (1) The Colonial Secretary may, on application by or on behalf of any person claiming to be the proprietor of any new or original design not previously published in Ceylon, register the design under this Ordinance.

(2) The application must be in the form in the schedule hereto or in such other form as may be prescribed, and must be left at the Colonial Secretary's Office in the prescribed manner. The application must be signed by the applicant, or if he is absent from Ceylon, it may be signed by an agent in the island duly authorized thereto on his behalf.

(3) The application must contain a statement of the nature of the design and the class or classes of goods in which the applicant desires that the design be registered.

(4) The date of delivery or receipt of the application shall be endorsed thereon and recorded in the Colonial Secretary's Office.

(5) The same design may be registered in more than one class.

(6) In case of doubt as to the class in which a design ought to be registered, the Colonial Secretary, after such inquiry as may appear necessary, may decide the question, or he may refer it for decision by the Governor in Executive Council.

Power of  
Colonial  
Secretary to  
register design.

6 (1) Upon such application as aforesaid the Colonial Secretary may, after such inquiry as he thinks fit, and subject to the provisions hereinafter contained, make an order authorizing the registration of the design.

(2) When an order has been made under this section, the Colonial Secretary shall cause the design to be registered in the register of designs.

(3) The date of registration shall be recorded in the said register.

(4) The Colonial Secretary may, if he thinks fit, refuse to register any design presented to him for registration, but any person aggrieved by any such refusal may appeal therefrom to the Governor in Executive Council.

(5) The Governor in Executive Council shall, after such inquiry as may appear necessary, make an order determining whether, and subject to what conditions if any, registration is to be permitted.

Copies, &c., of  
the design to be  
furnished.

7 (1) On application for registration of a design the applicant shall furnish to the Colonial Secretary the prescribed number of copies, drawings, photographs, or tracings of the design sufficient in the opinion of the Colonial Secretary for enabling him to identify the design, and suitable for official records, or the applicant may, instead of copies, drawings, photographs, or tracings, furnish exact representations or specimens of the design.

(2) The Colonial Secretary may, if he thinks fit, refuse any drawing, photograph, tracing, representation, or specimen which is not, in his opinion, suitable for official records, or he may require the applicant to furnish further copies of any drawing, photograph, tracing, representation, or specimen which has been supplied.

Certificate of  
registration.

8 (1) The Colonial Secretary shall grant a certificate of registration to the proprietor of the design when registered.

(2) The Colonial Secretary may, in case of loss of the original certificate, or in any other case in which he deems it expedient, grant a copy or copies of the certificate.

Copyright on  
registration.

9 When a design is registered, the registered proprietor of the design shall, subject to the provisions of this Ordinance, have copyright in the design during five years from the date of registration.

(2) Before delivery on sale of any articles to which a registered design has been applied, the proprietor must (if exact representations or specimens were not furnished on the application for registration) furnish to the Colonial Secretary the prescribed number of exact representations or specimens of the design; and if he fails to do so, the Colonial Secretary may erase his name from the register, and thereupon his copyright in the design shall cease.

Marking  
registered  
designs.

10 Before delivery on sale of any articles to which a registered design has been applied, the proprietor of the design shall cause each such article to be marked with the prescribed mark, or with the prescribed word or words or figures, denoting that the design is registered, and if he fails to do so the copyright in the design shall cease, unless the proprietor shows that he took all proper steps to ensure the marking of the article.

Inspection of  
registered  
designs.

11 (1) During the existence of copyright in a design, the design shall not be open to inspection except by the proprietor or a person authorized in writing by the proprietor, or a person authorized by the Colonial Secretary or by the court, and furnishing such information as may enable the Colonial Secretary to identify the design, nor except in the presence of the Colonial Secretary or of an officer acting under him, nor except on payment of the prescribed fee, and the person making the inspection shall not be entitled to take any copy of the design or of any part thereof. Provided that where registration of a design is refused on the ground of identity with a design already registered, the applicant for registration shall be entitled to inspect the design so registered.

(2) When the copyright in a design has ceased, the design shall be open to inspection, and copies thereof may be taken by any person on payments of the prescribed fee.

Information as  
to existence of  
copyright.

12 On the request of any person producing a particular design, together with its mark of registration or producing only its mark of registration, or furnishing such information as may enable the Colonial Secretary to identify the design, and on payment of the prescribed fee, it shall be the duty of the Colonial Secretary to inform such person whether the registration still exists in respect of such design, and if so, in respect of what class or classes of goods, and stating also the date of registration, and the name and address of the registered proprietor.

Cession of  
copyright in  
certain events.

13 If a registered design is used in manufacture in any foreign country and is not used in Ceylon within six months of its registration in the island, the copyright in the design shall cease.

Fees on  
registration, &c.

14 There shall be paid in respect of application and registration and other matters under this Ordinance such fees as the Governor in Executive Council shall by rule prescribe, and such fees shall be levied and paid into the Colonial Treasury.

Exhibition at  
industrial or  
international  
exhibition not to  
prevent or  
invalidate  
registration.

15 (1) The exhibition at an industrial or international exhibition certified as such by the Colonial Secretary, or the exhibition elsewhere during the period of the holding of the exhibition, without the privity or consent of the proprietor, of a design, or of any article to which a design is applied, or the publication during the holding of any such exhibition of a description of a design, shall not prevent the design from being registered, or invalidate the registration thereof, provided that both the following conditions are complied with :

- (a) The exhibitor must, before exhibiting the design or article, or publishing a description of the design, give the Colonial Secretary the prescribed notice of his intention to do so ; and
- (b) The application for registration must be made before or within six months from the date of the opening of the exhibition.

(2) The Governor in Council may by Proclamation direct that this section shall apply to any exhibition outside Ceylon, and thereupon it shall apply to the exhibition mentioned in the Proclamation as if it were an industrial or international exhibition certified by the Colonial Secretary.

(3) The Governor in Council may by order relieve exhibitors from giving notice to the Colonial Secretary of their intention to exhibit either absolutely or on such conditions as he thinks fit, and thereupon exhibitors shall be relieved accordingly.

Penalty on piracy of registered design.

**16** During the existence of copyright in any design—

- (a) It shall not be lawful for any person without the license or written consent of the registered proprietor to apply or cause to be applied such design or any fraudulent or obvious imitation thereof, in the class or classes of goods in which such design is registered, for purposes of sale to any article of manufacture or to any substance, artificial or natural, or partly artificial and partly natural; and
- (b) It shall not be lawful for any person to publish or expose for sale any article of manufacture or any substance to which such design or any fraudulent or obvious imitation thereof shall have been so applied, knowing that the same has been so applied without the consent of the registered proprietor.

Any person who acts in contravention of this section shall be liable for every offence to forfeit a sum not exceeding seven hundred and fifty rupees to the registered proprietor of the design, who may recover such sum as a simple contract debt by action in any court of competent jurisdiction, provided that the total sum forfeited in respect of any one design shall not exceed one thousand five hundred rupees.

Action for damages.

**17** Notwithstanding the remedy given by this Ordinance for the recovery of such penalty as aforesaid, the registered proprietor of any design may (if he elects to do so) bring an action for the recovery of any damages arising from the application of any such design or of any fraudulent or obvious imitation thereof for the purpose of sale to any article of manufacture or substance, or from the publication, sale, or exposure for sale by any person of any article or substance to which such design or any fraudulent or obvious imitation thereof shall have been so applied, such person knowing that the proprietor had not given his consent to such application.

Trust not to be entered in register.

**18** There shall not be entered in the register of designs or be receivable by the Colonial Secretary any notice of any trust expressed, implied, or constructive.

Refusal to register in certain cases.

**19** The Colonial Secretary may refuse to register a design of which the use would, in his opinion, be contrary to law or morality.

Entry of assignments and transmissions in register.

**20** Where a person becomes entitled by assignment, transmission, or other operation of law to a registered design, the Colonial Secretary shall, on request, and on proof of title to his satisfaction, cause the name of such person to be entered as proprietor of the design in the register of designs. The person for the time being entered in the register of designs as proprietor of a design shall, subject to the provisions of this Ordinance and to any rights appearing from such register to be vested in any other person, have power absolutely to assign, grant licenses as to, or otherwise deal with, the same, and to give effectual receipts for any consideration for such assignment, license, or dealing. Provided that any equities in respect of such design may be enforced in like manner as in respect of any other movable property.

Inspection of and extracts from register.

**21** The register of designs shall at all convenient times be open to the inspection of the public, subject to the provisions of this Ordinance and to such regulations as may be prescribed, and certified copies under the hand of the Colonial Secretary of any entry in any such register shall be given to any person requiring the same on payment of the prescribed fee.

Certified copies to be received in evidence.

**22** Printed or written copies or extracts purporting to be certified by the Colonial Secretary of or from any document, register, or other book filed or kept under this Ordinance in the said office shall be admitted in evidence in all courts in this colony and in all proceedings without further proof or production of the originals.

- Rectification of register by court.      **23** (1) The court may, on the application of any person aggrieved by the omission without sufficient cause of the name of any person or of any other particulars from the register of designs, or by any entry made without sufficient cause in such register, make such order for making, expunging, or varying the entry as the court thinks fit, or the court may refuse the application; and in either case may make such order with respect to the costs of the proceedings as the court thinks fit.
- (2) The court may in any proceeding under this section decide any question which it may be necessary or expedient to decide for the rectification of the register of designs, and may direct and issue to be tried for the decision of any question of fact, and may award damages to the party aggrieved.
- (3) Any order of the court rectifying the register of designs shall direct that due notice of the rectification be given to the Colonial Secretary.
- Power to correct clerical errors.      **24** The Colonial Secretary may, on request in writing accompanied by the prescribed fee—
- (a) Correct any clerical error in or in connection with an application for the registration of a design; or
- (b) Correct any clerical error in the name, style, or address of the registered proprietor of a design; or
- (c) Cancel the entry or part of the entry of a design on the register of designs, provided that the applicant accompanies his request by an affidavit made by himself, stating his name, address, and calling, and that he is the person whose name appears on the register of designs as the proprietor of the said design; or
- (d) Permit an applicant for registration of a design to amend his application by omitting any particular goods or classes of goods in connection with which he has desired the design to be registered.
- Stamp duties.      **25** The minimum stamp duties chargeable in the district court in civil proceedings under the provisions of the Ordinance for the time being in force relating to stamps shall, so far as the same may be applicable, and except as herein otherwise provided, be charged in all proceedings in the court under this Ordinance. But in no case shall the Colonial Secretary be required to use any stamp or be charged with any stamp duty.
- Appeals.      **26** Every judgment or order by the district court under this Ordinance shall be subject to an appeal to the Supreme Court, and such appeal shall be subject to the same rules which govern interlocutory appeals from District Courts; and the minimum stamp duties chargeable in the Supreme Court under the provisions of the Ordinance for the time being in force relating to stamps shall, so far as the same may be applicable, be charged in all proceedings relating to or in connection with such appeal.
- Certificate of Colonial Secretary to be evidence.      **27** A certificate purporting to be under the hand of the Colonial Secretary as to any entry, matter, or thing which he is authorized by this Ordinance, or any general rules made thereunder, to make or do, shall be *prima facie* evidence of the entry having been made, and of the contents thereof, and of the matter or thing having been done or left undone.
- Applications and notices by post.      **28** (1) Any application, notice, or other document authorized or required to be left with or sent to the Colonial Secretary or to any other person under this Ordinance may be sent by a registered letter through the post; and if so sent, shall be deemed to have been so left or given respectively at the time when the letter containing the same would be delivered in the ordinary course of post.
- (2) In proving such service or sending it, shall be sufficient to prove that the letter was properly addressed and registered at the post office.
- Case of infant, lunatic, &c.      **29** If any person is, by reason of infancy, lunacy, or other inability, incapable of making any affidavit, or doing anything required or permitted by this Ordinance or by any

rules made under the authority of this Ordinance, then the guardian of such incapable person, or if there be none, any person appointed by any court possessing jurisdiction in respect of the property of incapable persons, upon the petition of any person on behalf of such incapable person, or of any other person interested in the making of such affidavit or doing such thing may make such affidavit or an affidavit as nearly corresponding thereto as circumstances permit, and do such thing in the name and on behalf of such incapable person; and all acts done by such substitute shall, for the purposes of this Ordinance, be as effectual as if done by the person for whom he is substituted.

Offences.

30 (1) Any person who describes any design applied to any article sold by him as registered which is not so shall be guilty of an offence, and shall be liable on conviction thereof to a fine not exceeding one hundred rupees.

(2) A person shall be deemed for the purposes of this Ordinance to represent that a design is registered if he sells the article with the word "registered." or any word or words expressing or implying that registration has been obtained for the article stamped, engraved, or impressed on, or otherwise applied to the article.

Arrangements  
for international  
protection of  
designs.

31 (1) If His Majesty is pleased by Order in Council to apply the provisions of section 103 of the Imperial Act, entitled "The Patent Designs and Trade Marks Act, 1883," to Ceylon, then any person who has applied for protection in the United Kingdom or in any foreign state with the Government of which His Majesty has made an arrangement under the said section for mutual protection of designs shall be entitled to registration of his design under this Ordinance in priority to other applicants; and such registration shall take effect from the same date as the date of the application in the United Kingdom or such foreign state, as the case may be.

(2) Such application shall be made within four months from such person applying for protection in the United Kingdom or in the foreign state with which the arrangement is in force.

(3) Nothing in this section contained shall entitle the proprietor of the design to recover damages for infringements happening prior to the actual registration of his design in Ceylon.

(4) The exhibition or use in Ceylon of the design or the publication therein of a description or representation thereof during the respective periods aforesaid shall not invalidate the registration of the design.

(5) The application for the registration of a design under this section shall be made in the same manner as an application under this Ordinance.

(6) The provisions of this section shall, in the case of foreign states, apply only in the case of those foreign states with respect to which His Majesty by Order in Council shall have declared the provisions of the aforesaid section 103 of the said recited Imperial Act to be applicable, and so long only, in the case of each state, as such Order continues in force in respect to that state.

Intercolonial  
protection of  
designs.

32 (1) Whenever it appears to the Governor in Executive Council that the Legislature of any British Possession has made satisfactory provision for the protection in such Possession of designs registered in Ceylon, the Governor in Executive Council may by Proclamation apply all or any of the provisions of the last preceding section relating to the protection of designs registered in the United Kingdom, with such variations or additions (if any) as to the Governor in Executive Council seem fit to designs registered in such British Possession.

(2) A Proclamation under this section shall, from a date to be mentioned in the Proclamation, take effect as if its provisions had been contained in the Ordinance; but it shall be lawful for the Governor in Council to revoke any such Proclamation.



Governor may  
make rules, &c.,  
under this  
Ordinance.

33 (1) The Governor in Executive Council may from time to time make such general rules, prescribe such forms, and do such things as he thinks expedient, subject to the provisions of this Ordinance:

- (a) For regulating the practice of registration under this Ordinance.
- (b) For classifying goods for the purposes of designs.
- (c) For prescribing the fees payable in respect of applications and registration and other matters under this Ordinance, and the mode of payment of the same.
- (d) Generally for regulating all things by this Ordinance placed under the direction or control of the Colonial Secretary.

(2) Any rules made in pursuance of this section shall be published in the *Government Gazette*, and it shall be lawful for the Governor in Executive Council, by Proclamation to be published in the *Government Gazette*, to alter, amend, or revoke any such rules.

#### Form of Application for Registration of Design.

You are hereby requested to register the accompanying design in class \_\_\_\_\_ in the name of (a) \_\_\_\_\_, of \_\_\_\_\_, who claims to be the proprietor thereof, and to return the same to \_\_\_\_\_.

*Statement of Nature of Design.*

(a) Here insert legibly the name and address of the individual or firm.

To the Colonial Secretary.

By His Excellency's command,

Colonial Secretary's Office,  
Colombo, January 28, 1904.

EVERARD IM THURN,  
Colonial Secretary.

#### MINUTE.

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

#### An Ordinance to amend the Law relating to the granting of Exclusive Privileges to Inventors.

Preamble.

WHEREAS it is expedient to amend the law relating to the granting of exclusive privileges to inventors in certain respects: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance shall be construed and read as one with Ordinance No. 16 of 1892 (hereinafter referred to as "the principal Ordinance"), and may be cited as "The Inventions (Amendment) Ordinance, 1902," and this Ordinance and the principal Ordinance and the enactments amending the same may be cited together as "The Inventions Ordinances, 1892 to 1902."

Petition to be presented in Ceylon by petitioner or his agent.

2 For sub-section 3 of section 4 of the principal Ordinance the following sub-section shall be substituted:

(3) The petition must be in writing, and shall be signed by the petitioner or petitioners, but if the petitioner or petitioners shall be absent from Ceylon, the petition may be signed by an agent in Ceylon duly authorized thereto on his or their behalf. The petition shall be in the form A in the second schedule hereto, or in such other form as may be from time to time prescribed, if the inventor or inventors has not or have not obtained a patent in the United Kingdom, and in the form B in the said schedule or in such other form as may be from time to time prescribed, if he or they has or have obtained a patent in the United Kingdom.

3 After section 5 of the principal Ordinance the following section shall be added and shall be numbered 5 A :

Duty of referee to ascertain whether invention claimed in prior specifications.

5 A (1) When a petition has been referred under the last foregoing section to any person for inquiry and report such person shall forthwith, in addition to the inquiries which he is required to make under the said section, make a further investigation for the purpose of ascertaining whether the invention claimed has been wholly or in part claimed or described in any specification filed before the date of the petition.

Procedure where invention described in previous specification.

(2) If the person to whom the petition is referred reports that the invention claimed has been wholly or in part claimed or described in any specification filed before the date of the petition, the petitioner shall be informed thereof, and the petitioner may within such time as may be prescribed by rule under this Ordinance amend his petition, and the amended petition shall be referred for inquiry in like manner as the original petition.

Where invention has not been claimed in prior specification.

(3) If the Governor in Executive Council is satisfied that no objection exists to the petition on the ground that the invention claimed thereby has been wholly or in part claimed or described in a previous specification as before-mentioned, he shall, in the absence of any other lawful ground of objection, make an order authorizing the petitioner to file a specification of the invention.

Reference to prior specification, when required.

(4) If the Governor in Executive Council is not so satisfied he shall after such further inquiry, if any, as he shall think fit, and unless the objection be removed by amending the petition to the satisfaction of the Governor in Executive Council, determine whether a reference to any, and, if so, what prior specifications ought to be made in the specification by way of notice to the public.

Additional fee.

(5) The Governor in Executive Council may prescribe an additional fee not exceeding fifteen rupees in respect of the investigation mentioned in this section, which shall be payable on the issue of the grant of exclusive privilege.

Date when section comes into force.

(6) This section shall come into operation at such date as the Governor in Executive Council may by order direct, and shall apply only to petitions made after that date.

Validity of grant of exclusive privilege not guaranteed.

(7) The investigations and reports required by this section shall not be held in any way to guarantee the validity of any grant of exclusive privilege in respect of an invention.

4 For section 24 of the principal Ordinance the following section shall be substituted :

Industrial and international exhibitions.

24 The exhibition of an invention at an industrial or international exhibition, or the publication of any description of the invention during the period of the holding of the exhibition, or the use of the invention for the purpose of the exhibition in the place where the exhibition is held, or the use of the invention during the period of the holding of the exhibition by any person elsewhere without the privity and consent of the inventor, shall not prejudice the right of the inventor or his legal representative to apply for and obtain a grant of exclusive privilege in respect of the invention or the validity of any grant of exclusive privilege issued on the application, provided that both the following conditions are complied with, namely:

- (a) The exhibitor must, before exhibiting the invention, give the Colonial Secretary such notice of his intention to do so as may be prescribed by rule passed under section 45 of this Ordinance; and
- (b) The application for a grant of exclusive privilege must be made before or within six months from the date of the opening of the exhibition.

5 After section 44 of the principal Ordinance the following sections shall be inserted and numbered 44 A and 44 B :

International arrangement for protection of invention.

44 A If His Majesty is pleased by Order in Council to apply the provisions of section 103 of the Imperial Act, entitled "The Patent Designs and Trade Marks Act, 1883," to Ceylon, then any person who has applied for protection for any invention in the United Kingdom or in any foreign state with the government of which His Majesty has made an arrangement under the said section for the mutual protection of inventions shall be entitled to a grant of exclusive privilege for his invention under this Ordinance in priority to other applicants ; and such grant shall take effect from the same date as the date of the application in the United Kingdom or such foreign state (as the case may be).

Duration of protection.

(2) Such application shall be made within twelve months from such person applying for protection in the United Kingdom or the foreign state with which the arrangement is in force.

Nothing to be deemed an infringement before leave to file specification.

(3) Nothing in this section contained shall entitle the grantee of exclusive privilege to recover damages for, infringements happening prior to the date of the order of the Governor in Executive Council authorizing specification in Ceylon.

Use within certain periods not to invalidate grant of exclusive privilege.

(4) The publication in Ceylon during the period aforesaid of any description of the invention or the use therein during such period of the invention shall not invalidate the grant of exclusive privilege for the invention.

Manner of application.

(5) The application for the grant of exclusive privilege shall be made in the same manner as an ordinary application under this Ordinance.

(6) An application under this section shall be accompanied by a specification, which, if leave to file it be not given within the period of twelve months, shall, with the drawings if any, be open to public inspection at the end of that period.

Application of this section to foreign states.

(7) The provisions of this section shall apply only in the case of those foreign states in respect of which His Majesty by Order in Council shall have declared the provisions of the aforesaid section 103 of the above recited Imperial Act to be applicable, and so long only in the case of each state as such Order continues in force with respect to that state.

Provision for intercolonial arrangements.

44 B Whenever it appears to the Governor in Executive Council that the Legislature of any British Possession has made satisfactory provision for the protection in such Possession of inventions in respect of which a grant of exclusive privilege has been made in Ceylon, the Governor in Executive Council may, by Proclamation, apply all or any of the provisions of the last preceding section, relating to the protection of inventions patented in the United Kingdom, with such variations or additions (if any) as to the Governor in Executive Council seem fit, to inventions patented in such British Possession.

(2) A Proclamation under this section shall, from a date to be mentioned for the purpose in the Proclamation, take effect as if its provisions had been contained in this Ordinance, but the Governor in Executive Council may revoke any such Proclamation.

By His Excellency's command,

EVERARD IM THURN,  
Colonial Secretary.

Colonial Secretary's Office,  
Colombo, January 28, 1904.

## MINUTE.

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

An Ordinance to regulate the Law relating to Sentences of Flogging.

Preamble.	<b>W</b> HEREAS it is expedient to regulate sentences of flogging and to limit the number of strokes which may be awarded by sentences of the courts or under the regulations in force in the prisons of the island: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:
Short title.	<b>1</b> This Ordinance may be cited as "The Flogging Regulation Ordinance, 1904."
Repeal.	<b>2</b> (1) "The Corporal Punishment Ordinance, 1902," is hereby repealed. (2) The reference to the said Ordinance in section 18 of "The Repression of Crime (Consolidation) Ordinance, 1903," shall be taken to relate to this Ordinance.
Maximum number of strokes or lashes which may lawfully be inflicted for an offence.	<b>3</b> When a person is convicted of any offence legally punishable by flogging, the sentence awarded by the court for such offence shall not, anything to the contrary in any Ordinance present or future of the colony notwithstanding, exceed the number of six strokes with a rattan in the case of a boy below the age of twelve, or of twelve strokes with a rattan in the case of a boy above the age of twelve and below the age of sixteen, or of twenty-four strokes with a rattan or the like number of lashes in the case of a person above the age of sixteen.
Maximum number of strokes for combined offences.	<b>4</b> When a person is convicted at one trial of any two or more distinct offences, any two or more of which are legally punishable by flogging, the combined sentences awarded by the court for any such offence shall not, anything to the contrary in any Ordinance present or future of the colony notwithstanding, exceed a total number of six strokes with a rattan in the case of a boy below the age of twelve, or of twelve strokes with a rattan in the case of a boy above the age of twelve and below the age of sixteen, or of twenty-four strokes with a rattan or the like number of lashes in the case of a person above the age of sixteen.
Maximum number of strokes which may be inflicted for breach of prison regulations.	<b>5</b> When any sentence of flogging shall be passed by the lawful authority upon any prisoner for breach of any prison or other regulation, the total number of strokes to be inflicted under such sentence shall not exceed six strokes with a rattan in the case of a boy below the age of twelve, twelve strokes with a rattan in the case of a boy above the age of twelve and below the age of sixteen, or twenty-four strokes with a rattan or the like number of lashes in the case of a person above the age of sixteen; and no prisoner shall be liable for more than one such sentence in respect of the act or acts or omission or omissions in respect of which he shall have been sentenced as aforesaid.
The instrument to be used.	<b>6</b> No sentence of flogging shall be carried out, except with an instrument approved by the Governor.
Females not to be flogged.	<b>7</b> In no case shall a sentence of flogging be passed upon a female either by the courts or in the prisons of the colony.
Ordinance in no case increases maximum number of strokes which may be awarded.	<b>8</b> Nothing in this Ordinance shall be taken to empower any court or prison authority to award in respect of any offence a greater number of strokes or lashes than could have been lawfully awarded if this Ordinance had not been enacted.

By His Excellency's command,

EVERARD IM THURN,  
Colonial Secretary.

Colonial Secretary's Office,  
Colombo, February 2, 1904.

## MINUTE.

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

## An Ordinance to prevent Thefts of Cacao.

Preamble.	<b>W</b> HEREAS it is expedient to make special provision to prevent thefts of cacao: Be it enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:
Short title.	1 This Ordinance may be cited as "The Cacao Thefts Prevention Ordinance, 1904."
Application of Ordinance.	2 The Governor in Council may by Proclamation declare this Ordinance to be in force in any district or part of the island, and thereupon the same shall be in force within the limits and from the date mentioned in such Proclamation. (2) The Governor in Council may from time to time revoke, alter, or add to any such Proclamation.
Definitions.	3 In this Ordinance, unless the contrary intention appears— "Cacao" means cacao beans whether in the pod or in the pulp or separated from the pulp, whether cured or uncured, ripe or unripe, but does not include cacao ground or otherwise prepared for immediate consumption. "Wet cacao" means cacao in the pod or cacao beans covered or partly covered with pulp. "Licensed dealer" means a person licensed to deal in cacao under this Ordinance. "Licensed premises" means the place where a licensed dealer is authorized to deal in cacao. "Purchase" includes the taking of cacao in exchange for other goods or on account of any claim or indebtedness. "Peace officer" means any headman appointed in writing by a government agent to perform police duties. "Government agent" includes an assistant government agent.
Purchase of cacao by unlicensed person prohibited.	4 It shall be unlawful for any person to purchase cacao unless he has been licensed under this Ordinance to deal in cacao, and any person who purchases cacao without being so licensed shall be guilty of an offence against this Ordinance. Provided that nothing in this section shall prevent the purchase of cacao by any person from a licensed dealer or from any person for domestic purposes.
Power of government agent to issue licenses to deal in cacao.	5 (1) The government agent may issue free of charge licenses under his hand authorizing the persons to whom the same are granted to deal in cacao. (2) Every such license may be in the form marked A in the schedule or in such other form as the Governor may from time to time prescribe, and shall state the name and residence of the licensee and the premises at which he is authorized to deal in cacao. (3) Every such license shall expire, unless it is determined otherwise, on the thirty-first day of December next following the date when it was issued.
Power of Government with regard to refusal to issue license, &c.	6 (1) The government agent may at his discretion refuse to grant a license to any applicant or to renew any license which has expired, and may revoke any license already issued. (2) Any person who is aggrieved by the refusal of the government agent to grant or renew a license or by the revocation of a license may appeal to the Governor in Council, who may confirm or reverse such refusal or revocation as may appear just.

Duty of licensed dealers in cacao to paint words "Licensed Dealer in Cacao" on licensed premises.

7 Every licensed dealer shall cause the words "Licensed Dealer in Cacao" to be painted in conspicuous letters in the language most commonly spoken in the district upon his licensed premises. Any licensed dealer who fails to comply with the provisions of this section shall be guilty of an offence, and shall be liable on conviction thereof to a fine not exceeding one hundred rupees.

Provisions with regard to partners.

8 (1) Two or more persons carrying on business in partnership shall not be obliged to obtain more than one license in respect of the same premises. A license to two or more persons shall not be determined by the death or retirement from business of any one or more of the partners.

(2) No license shall be assignable or shall authorize any person to deal in cacao by reason of his being executor or administrator of any person to whom such license has been granted.

Offences.

9 (1) It shall be unlawful—

(a) For any person to offer for sale or to deliver, or for any licensed dealer to purchase or to take delivery of, any cacao except between sunrise and sunset, or at any place other than licensed premises; or

(b) For any licensed dealer to purchase or to take delivery of cacao from any person who is not personally known to him; or from any person whom he knows or has reasonable grounds for believing is under the age of twelve years; or

(c) For any licensed dealer to purchase or take delivery of wet cacao from any person whatsoever.

(2) Any person who does any act in contravention of this section shall be guilty of an offence against this Ordinance.

Refusing to answer question of licensed dealer.

10 Any person, not being a licensed dealer, who, when offering any cacao for sale, refuses to answer or answers falsely any question which may be put to him by any licensed dealer, or by any person acting for a licensed dealer, for the purpose of ascertaining his name and place of abode and the description and situation of the land of which such cacao is the produce, shall be guilty of an offence, and shall be liable on conviction to a fine not exceeding one hundred rupees, or to simple or rigorous imprisonment which may extend to two months.

Book to be kept by licensed dealer.

11 (1) Every licensed dealer shall keep on the premises at which he is authorized to deal in cacao a book which shall be supplied to him by the Government Agent, and shall enter therein, immediately upon or within two hours after the delivery at his licensed premises of any cacao purchased by him in the form marked B in the schedule hereto, or in such other form as the Governor may prescribe, the following particulars, namely:

(1) The day, month, and year of such delivery.

(2) The weight of cacao delivered.

(3) The name and residence of the person from whom the cacao was purchased.

(4) The price paid for the cacao.

(5) Where the person from whom the cacao is purchased is not a licensed dealer, the description and situation of the lands of which such cacao is or is alleged to be the produce.

(2) Whenever any cacao which has not been purchased is brought into any licensed premises, whether the same is or is not the produce of land in the possession or occupation of the licensed dealer, the licensed dealer shall forthwith enter in the said book in the form C in the schedule hereto, or in such other form as may be prescribed for the purpose, the following particulars with regard to such cacao, namely:

(1) The day, month, and year when the cacao was brought into the licensed premises.

(2) The weight of such cacao.

(3) The manner in which the cacao was acquired, and, if grown on land in the possession or occupation of the licensed dealer, the description and situation of such land.

(3) Whenever the licensed dealer removes any cacao from his licensed premises, whether the same has been acquired by purchase or otherwise, the licensed dealer shall forthwith enter in the said book or books the date when the same was removed, and the name and residence of the person to whom the same was delivered.

Inspection of  
licensed  
premises.

12 It shall be lawful for any police magistrate or for any police officer not below the rank of a sergeant or for any peace officer authorized in writing by the government agent to inspect licensed premises to enter any licensed premises at any time between sunrise and sunset and to call for, inspect, and take extracts from any book required to be kept by this Ordinance, and if the licensed dealer or any one on his behalf fails to produce any such book, or refuses to allow such extracts to be made, or if any entry which ought to have been made is not in such book, or if any entry in such book is false in any particular, such licensed dealer shall be guilty of an offence, unless he proves to the satisfaction of the court that such entry was made without his knowledge or consent or through a *bonâ fide* mistake, and shall be liable to a fine not exceeding one hundred rupees, or to simple or rigorous imprisonment which may extend to two months.

Responsibilities  
of partners.

13 When a license is granted under this Ordinance to two or more persons carrying on business in partnership, every such person shall be liable for the acts and omissions of the other or other of them, unless the person held liable for the acts of his partner proves to the satisfaction of the court that he is innocent, and that he has in no way directly or indirectly contributed to the breach of the provisions of this Ordinance with which his partner is charged.

Endorsement of  
conviction on  
license.

14 When any licensed dealer is convicted of an offence against the Ordinance, a note of such conviction, and the date thereof, and the amount of the penalty inflicted shall be endorsed on the counterpart of the license; and when any licensed dealer is convicted of a second or subsequent offence against this Ordinance, it shall be lawful for the convicting police magistrate, if he thinks fit, to order that his license be cancelled. The police magistrate shall cause notice of the cancellation of such license to be forwarded to the government agent, and no license under this Ordinance shall be granted to any person whose license has been so cancelled within twelve months from the date when the license was cancelled.

Duty of licensed  
dealer to keep  
scales on  
licensed  
premises.

15 Every licensed dealer shall keep on his licensed premises scales capable of weighing up to 100 lb. at the least, and whenever he is called upon to do so by any officer authorized by section 12 of this Ordinance to inspect licensed premises, he shall forthwith weigh all the cacao on his premises, and shall give every facility and assistance to such officer to compare the weight of the stock of cacao upon such premises with the weights thereof as entered in the books which the licensed dealer is required by this Ordinance to keep.

Where  
discrepancy  
between weight  
of cacao in  
licensed premises  
and weight  
according to  
books.

16 Whenever the weight of cacao found on the premises of a licensed dealer does not agree with the weight which, according to his books, ought to be on such premises, he shall be deemed to be guilty of an offence against this Ordinance. Provided that if he satisfies the government agent that such discrepancy has arisen through some *bonâ fide* mistake or owing to some loss, the government agent may direct that no prosecution shall be instituted against the licensed dealer.

Where inspecting  
officer is refused  
admittance.

17 A licensed dealer shall at any time between sunrise and sunset give admittance to any officer who is authorized by section 12 of this Ordinance to inspect licensed premises, and if any such officer is refused or is unable to obtain admittance and to inspect the licensed premises or the dealer's books, the licensed dealer carrying on business in such premises shall be deemed to be guilty of an offence against this Ordinance. Provided, however, that if such officer has reasonable grounds for believing that any offence

has been committed upon the licensed premises against this Ordinance, it shall be lawful for him to demand admittance and to inspect the same and the dealer's books, though it be after sunset and before sunrise, and unless he is admitted into the premises forthwith the licensed dealer shall be guilty of an offence against this Ordinance, and it shall be lawful for such officer to break into the licensed premises.

Possession of cacao reasonably suspected to have been stolen.

18 (1) Any person who is found in possession or charge of any wet cacao which is suspected to have been stolen, may be charged with being in possession of cacao which is reasonably suspected of having been stolen; and if such person does not give an account to the satisfaction of the police magistrate as to how he came by such cacao, and the police magistrate is satisfied that, having regard to all the circumstances of the case, there are reasonable grounds for suspecting such cacao to have been stolen, such person may be convicted of an offence under this Ordinance.

(2) Where any police officer or peace officer finds any person in possession or charge of wet cacao which he suspects to have been stolen, he shall require him to give a full and satisfactory account of the same, and if such person refuses or is unable to give an account to the satisfaction of such officer, such cacao may be seized, and such person may be brought before a police magistrate and charged as aforesaid.

(3) Upon a conviction under this section the police magistrate may direct the cacao in respect of which the accused was convicted, if the same has been seized, to be restored to any person who he is satisfied is the lawful owner thereof, otherwise he shall order the same to be forfeited.

19 Any person who is convicted of an offence against this Ordinance for which no punishment is specially provided by this Ordinance shall be liable to simple or rigorous imprisonment which may extend to six months, or to a fine not exceeding two hundred rupees.

20 It shall be lawful for the Governor in Council from time to time to make rules and to frame forms for giving effect to the provisions of this Ordinance.

SCHEDULE.

Form A.—License.

I hereby grant to \_\_\_\_\_ a license to carry on the business of a dealer in cacao at \_\_\_\_\_.

This license expires on the 31st day of December, 190 —.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 190 —.

Signed \_\_\_\_\_,  
Government Agent.

Form B.—Form of Entry where Cacao is purchased.

Date of Purchase of Cacao.	Name and Residence of Person from whom purchased.	Weight.	Price paid per lb.	How disposed of (whether sold, and to whom).	Date of removal from Licensed Premises.



Form C.—Form of Entry where Cacao which has not been purchased by Licensed Dealer is brought into Licensed Premises.

Date when Cacao is brought into Licensed Premises.	Weight.	How acquired.	Description and Situation of Land in which Cacao was Grown.

By His Excellency's command,  
**EVERARD IM THURN,**  
 Colonial Secretary's Office, Colonial Secretary.  
 Colombo, January 4, 1904.

### MINUTE.

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

An Ordinance to amend "The Widows' and Orphans' Pension Fund Ordinance, 1898," in certain particulars.

Preamble.

**W**HEREAS it is expedient to amend "The Widows' and Orphans' Pension Fund Ordinance, 1898" (herein-after referred to as "the principal Ordinance"), in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Widows' and Orphans' Pension Fund (Amendment) Ordinance, 1904," and shall be read and construed as one with the principal Ordinance; and the principal Ordinance and this Ordinance may be cited together as "The Widows' and Orphans' Pension Fund Ordinances, 1898 and 1904."

Additional section permitting persons who have ceased to contribute to resume their contributions to fund in certain cases.

2 The following section shall be added after section 14 of the principal Ordinance, and shall be numbered 14 A, namely:

14 A (1) When the contribution of any person who has continued to contribute to the fund under either of the two last preceding sections after ceasing to hold office in the public service of Ceylon is not paid for six months, it shall be lawful for the directors, with the sanction of the Governor in Council, to allow such person to resume his contributions to the fund at the same rate and subject to the same terms and conditions as if he had not made default in paying his contribution as aforesaid, subject nevertheless to the following conditions, namely:

(a) The directors shall not extend the benefit of this section to any person unless he satisfies the directors that his default in paying his contribution was due to inadvertence or accident, and unless he has applied to be allowed to resume his contributions within such time as the directors, having regard to the circumstances of the case, shall consider reasonable.

- (b) No person shall be allowed to resume his contributions to the fund unless he has first paid all arrears of contribution up to date.
- (c) The directors may, before allowing any person to resume his contributions to the fund, require him to pay to the credit of the fund, by way of penalty, such sum not exceeding fifty rupees as the directors may think proper.

(2) The provisions of this section shall extend to cases where the default in paying the contribution due to the fund has been made before, as well as to cases where such default shall be made after the commencement of this Ordinance.

By His Excellency's command,  
 EVERARD IM THURN,  
 Colonial Secretary.

Colonial Secretary's Office,  
 Colombo. February 9, 1904.

BY virtue of a Mandate to me directed by the Hon<sup>ble</sup> the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the Western Circuit will be holden at the Court-house at Ratnapura on Monday, March 7, 1904, at 11 o'clock of the morning of the said day.

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

E. ONDATJE,  
 for Fiscal.

Fiscal's Office,  
 Colombo, February 15, 1904.

ලංකාවේ පළාත් පාලන සභාව විසින් ප්‍රකාශ කරනු ලබන බලධරයන්ගේ මෙහි ප්‍රකාශ කරන්නේ නම් බස්නාහිර දිසාවේ ක්‍රිමිනෙල් නඩු විභාගය වසි 1904ක් 2 මාර්තු මස 7 වෙනි දින පෙරවරු 11 පැය පවත් කොළඹ නිවෙහ නඩු සාලාවේ පවත්වනු ලබන සේදනවා ඇත. එහි යම් කාරණ ඇතුව සිටින සෑමදෙනාම යටකී සාධකයට යටකී වෙලාවට ඇවිත් පෙනී සිටිනට මනුවත් ඇර

අවසර ඉල්ලා ලබාගෙන මිස එසින් පිටතට යනට නුසුළුවන් බවත් මෙහි සෑමදෙනාමට දන්වන්නෙමි.

ඊ. ඔන්ඩ්ට්ට්,  
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වසි 1904 පෙබ්වාරි මස 15 දින  
 කොළඹ පිස්කල්කන්තෝරුවේදීය.

මෙහි සඳහන් වන්නේ ප්‍රකාශ කරනු ලබන බලධරයන්ගේ මෙහි ප්‍රකාශ කරන්නේ නම් බස්නාහිර දිසාවේ ක්‍රිමිනෙල් නඩු විභාගය වසි 1904ක් 2 මාර්තු මස 7 වෙනි දින පෙරවරු 11 පැය පවත් කොළඹ නිවෙහ නඩු සාලාවේ පවත්වනු ලබන සේදනවා ඇත. එහි යම් කාරණ ඇතුව සිටින සෑමදෙනාම යටකී සාධකයට යටකී වෙලාවට ඇවිත් පෙනී සිටිනට මනුවත් ඇර

ඉහත සඳහන් වන්නේ ප්‍රකාශ කරනු ලබන බලධරයන්ගේ මෙහි ප්‍රකාශ කරන්නේ නම් බස්නාහිර දිසාවේ ක්‍රිමිනෙල් නඩු විභාගය වසි 1904ක් 2 මාර්තු මස 7 වෙනි දින පෙරවරු 11 පැය පවත් කොළඹ නිවෙහ නඩු සාලාවේ පවත්වනු ලබන සේදනවා ඇත. එහි යම් කාරණ ඇතුව සිටින සෑමදෙනාම යටකී සාධකයට යටකී වෙලාවට ඇවිත් පෙනී සිටිනට මනුවත් ඇර

ඔබ්බනම්.

කොලඹද, පිස්කල් කන්තෝරුව,  
 1904 මැ 15 වන දින.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,103. In the matter of the insolvency of Sugatadasa Dharmesena of Timbirigasyaya in the Palle pattu of the Salpiti korale.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 17, 1904, for the grant of a certificate of conformity.

By order of court,  
 J. B. Misso,  
 Secretary.

Colombo, February 13, 1904.

In the District Court of Galle.

No. 341. In the matter of the insolvency of G. H. Dionis Silva of Katalowa.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 21, 1904, for examination of the above-named insolvent.

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

Galle, February 15, 1904.

## NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

*Order Nisi.*

Testamentary } In the Matter of the Estate of the  
Jurisdiction. } late Kuppe Thambi Ibrahim Lebbe,  
No. 2,040 C. } deceased, of Maligakanda.

THIS matter coming on for disposal before Joseph Grenier, Esq., District Judge of Colombo, on the 4th day of January, 1904, in the presence of Mr. F. A. Prins on the part of the petitioner Ibrahim Lebbe Udumala Marikar; and the affidavit of the petitioner, dated 14th December, 1903, having been read:

It is ordered that the aforesaid petitioner be declared entitled to have letters of administration to the estate of Kuppe Thambi Ibrahim Lebbe issued to him, unless Sara Umma shall on or before the 25th day of February, 1904, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,  
District Judge.

The 11th day of February, 1904.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary } In the Matter of the Estate of the late  
Jurisdiction. } Chetamparam, wife of Saravanaperu-  
No. 1,451. } mal Nannittamby of Karadivoe East,  
deceased.

Saravanaperumal Nannittamby of Kara-  
divoe East.....Petitioner.

Vs.

1, Perampalam Chanmukam of Karadivoe  
East; and 2, Chanmukam Kandiah of  
Karadivoe East.....Respondents.

THIS matter of the petition of Saravanaperumal Nannittamby of Karadivoe East praying for letters of administration to the estate of the above-named deceased Chetamparam, wife of Saravanaperumal Nannittamby of Karadivoe East, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 13th day of January, 1904, in the presence of Mr. T. C. Changarapillai, Proctor, on the part of the petitioner; and affidavit of the petitioner, dated the 13th day of January, 1904, having been read: It is declared that the petitioner is the widower of the said intestate, and as such 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 the 15th day of March, 1904, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,  
District Judge.

The 13th day of January, 1904.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary } In the Matter of the Estate of the late  
Jurisdiction. } Valuppillai Muttiah of Karadivoe  
No. 1,462. } East, deceased.

Valuppillai Chelliah of Karadivoe East.....Petitioner.

Vs.

Teywanaippillai, widow of Valuppillai  
Muttiah of Karadivoe West.....Respondent.

THIS matter of the petition of Valuppillai Chelliah of Karadivoe East praying for letters of administration to the estate of the above-named deceased Valuppillai Muttiah of Karadivoe East coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 28th day of January, 1904, in the presence of Mr. T. C. Changarapillai, Proctor, on the part of the petitioner; and affidavit of the petitioner, dated the 28th day of January, 1904, having been read: It is declared that the

petitioner, as an heir of the said intestate is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before the 7th day of March, 1904, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,  
District Judge.

The 28th day of January, 1904.

In the District Court of Tangalla.

*Order Nisi declaring Will Proved, &c.*

Testamentary } In the Matter of the Estate of the late  
Jurisdiction. } Matangawira Achchige Sedo Hami,  
No. 368. } deceased, of Rekawa.

THIS matter coming on for disposal before Thomas R. E. Loftus, Esq., District Judge of Tangalla, on the 9th day of February, 1904, in the presence of Andrahennedige Don Mathes de Silva of Mawella, petitioner; and the affidavit of Andrahennedige Don Mathes de Silva, dated January 27, 1904, having been read:—

It is ordered that letters of administration of the estate of Matangawira Achchige Sedo Hami, deceased, be issued to the said petitioner, unless the respondents—1, Don Kostan de Silva Matangawira of Palatuduwa; 2, Sochchi Hami Matangawira of Wellegode; 3, Don Dinoris de Silva Matangawira of Palatuduwa; 4, Don Nikulas de Silva Matangawira of Palatuduwa; 5, Sawuris de Silva Matangawira of Palatuduwa; 6, Heen Hami Matangawira of Palatuduwa; 7, Don Teodoris Ubewarna of Wellegode; 8, Wijewira Edirisuriya Arachchi Patabendige Charlis Appu of Rekawa; 9, Jayawickrama Saranasuriya Kiri Hami of Rekawa; 10, Don Teodoris Wirawarnakula of Rekawa; 11, Wirawarnakula Babohami of Wellegode; 12, Leana Patabendige Konnehami of Wellegode; 13, Don Juwanis Edirisuriya of Wellegode; 14, Jayawickrama Saranasuriya Dingihami of Wellegode; 15, Jayawickrama Saranasuriya Nonno Hami of Mawella; 16, Ediriwira Wijesuriya Patabendige Dines Hami of Seenimodara; 17, Jayawickrama Saranasuriya Leisi Hami of Seenimodara; 18, Ediriwira Wijesuriya Patabendige Nonno Hami of Seenimodara; 19, Kaluwa Badu Vidanage Owis Appu of Seenimodara; 20, Don Juwanis Matangawira of Wellegode; 21, Jayawickrama Saranasuriya Sube Hami of Wellegode—shall, on or before the 12th day of March, 1904, show sufficient cause to the satisfaction of this court to the contrary.

THOS. R. E. LOFTUS,  
District Judge.

The 9th day of February, 1904.

In the District Court of Chilaw.

*Order Nisi.*

Testamentary } In the Matter of the Intestate Estate  
Jurisdiction. } of the late Warnakulasuria Kalu-  
No. 674. } gamage John Robert Fernando of  
Vennappuwa.

THIS matter coming on for disposal before Bertram Hill, Esq., District Judge of Chilaw, on the 27th day of January, 1904, in the presence of Mr. N. J. Martin, Proctor, on the part of the petitioner Warnakulasuria Kalugamage Juan Jagarias Fernando, Annavirala of Vennappuwa; and the affidavit and application of the said petitioner, dated the 10th day of December, 1903, and 26th day of January, 1904, respectively, having been read:

It is ordered that the said Warnakulasuria Kalugamage Juan Jagarias Fernando, Annavirala be, and he is hereby declared entitled to have letters of administration to the estate of the late Warnakulasuria Kalugamage John Robert Fernando of Vennappuwa issued to him, unless sufficient cause be shown to the contrary on the 24th day of February, 1904.

BERTRAM HILL,  
District Judge.

The 27th day of January, 1904.

## NOTICES OF FISCALS' SALES.

## Western Province.

In the District Court of Colombo.

Nugegodage Leon Silva.....Plaintiff.  
No. 17,689. Vs.

Mulbaddewadugey Elaris Hamy.....Defendant.

NOTICE is hereby given that on Saturday, March 19, 1904, at 12 o'clock noon, will be sold by public auction at the premises the following property, mortgaged with the plaintiff and decreed to be sold by the decree entered in the above case, for the recovery of the sum of Rs. 2,711.10, with further interest on Rs. 2,000 at 12½ per cent. per annum from December 15, 1902, to January 19, 1903, and thereafter at 9 per cent. per annum until payment in full and costs, viz. :—

All that allotment of land called Pihibiyagabawatta bearing lot No. 135, together with all the buildings, plantations, and trees thereon, situated at Wellawatta in the Palle pattu of Salpiti korale; bounded on the north by a road, on the east also by a road, on the south by lot No. 136. and on the west by lot No. 134; containing in extent 3 roods and 4 perches.

E. ONDATJE,  
Deputy Fiscal.Fiscal's Office,  
Colombo, February 16, 1904.

In the District Court of Colombo.

1, Kawanna Sana Seena Sadayappa Chetty;  
2, Kawanna Sana Seena Allagappa Chetty,  
both of Sea street, Colombo.....Plaintiffs.

No. 18,103 C. Vs.

Nawanna Muttu Karuppen of Korteboam  
street in Colombo.....Defendant.

NOTICE is hereby given that on Tuesday, March 22, 1904, at 4 o'clock in the afternoon, will be sold by public auction at the premises the following property, decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 11,474 29, with interest on Rs. 9,000 at 9 per cent. per annum from January 9, 1904, till payment in full and costs, viz. :—

All that allotment of land with the building standing thereon bearing assessment No. 103, situated at Korteboam street, within the Municipality of Colombo, Western Province; bounded on the north and east by premises bearing assessment No. 102 belonging to the Petroleum Oil Company, Limited, on the south by premises bearing assessment No. 104 said to belong to Soysa, and on the west by Korteboam street; containing in extent 33<sup>1</sup>/<sub>16</sub> perches according to the figure of survey dated July 21, 1898, made by L. O. Silva of Colombo, Licensed Land Surveyor.

E. ONDATJE,  
Deputy Fiscal.Fiscal's Office,  
Colombo, February 16, 1904.

In the District Court of Colombo.

M. R. S. Pandian Palle of Sea street, Colombo....Plaintiff.  
No. 19,179 C. Vs.S. L. M. Shariëff of Second Cross street,  
Pettah, Colombo.....Defendant.

NOTICE is hereby given that on Tuesday, March 22, 1904, at 3 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. 340.50, with interest on Rs. 300 at 18 per cent. per annum from November 1, 1903, till January 12, 1904, and thereafter at 9 per cent. per annum till payment in full and costs of suit, viz. :—

An undivided one-fifth share of all that house and premises bearing assessment No. 200, situated at Sea street within the Municipality of Colombo; bounded on the north by premises No. 201 belonging to Avoe Lebbe Marikar, on the east by Cheku street, on the south by premises No. 199 belonging to M. W. Fernando, and on the west by Sea street; containing in extent 1 rood more or less.

E. ONDATJE,  
Deputy Fiscal.  
Fiscal's Office,  
Colombo, February 16, 1904.

In the District Court of Colombo.

1, Galkissa Navaratne Veronica Fernando;  
2, Maggonage Salamon Fernando, both  
of Wekanda, Slave Island, Colombo.....Plaintiffs.

No. 19,250 C. Vs.

Maggonage Hugo Fernando of Wekanda,  
Slave Island, Colombo.....Defendant.

NOTICE is hereby given that on Monday, March 21, 1904, at 3 o'clock in the afternoon, will be sold by public auction at the premises No. 15, Wekanda in Slave Island, Colombo, the following property, for the recovery of the sum of Rs. 800, with interest thereon at 9 per cent. per annum from December 1, 1903, till payment in full and cost of suit, viz. :—

One laundry mill fixed in a room in premises No. 15, Wekanda in Slave Island, Colombo, with its appurtenances, 1 engine, 1 boiler, 1 washing machine, 1 hydro-extractor, and 1 roller for smoothing clothes.

E. ONDATJE,  
Deputy Fiscal.Fiscal's Office,  
Colombo, February 16, 1904.

In the District Court of Colombo.

M. P. L. R. M. Raman Chetty of Sea street,  
Colombo.....Plaintiff.

No. 19,356 C. Vs.

1, Theodore A. de Alwis; 2, Clara de Alwis,  
both of Panchikawatta, Colombo; 3, J. C. C.  
de Alwis of Kalutara; 4, A. S. Fernando of  
the Fort, Colombo.....Defendants.

NOTICE is hereby given that on Wednesday, March 23, 1904, will be sold by public auction at the respective premises the right, title, and interest of the said first and second defendants in the following properties, respectively, for the recovery of the sum of Rs. 20,069, with interest on Rs. 19,000 at 30 per cent. per annum from December 22, 1903, till January 6, 1904, and thereafter at 9 per cent. per annum till payment in full, viz. :—

At 2 P.M.

(1) All that grass field bearing assessment No. 32, situated at Skinner's road south within the Municipality of Colombo; bounded on the north-east by the field of Casie Lebbe Mamu Neyna Palle, on the south-east by the garden of Meera Lebbe and Singoe Kolaya Mudeli, on the south-west by the field of Christoffel Petrus Gerard de Saram, Mudaliyar, and on the north-west by the canal of Hulftsdorp; containing in extent 3 acres 1 rood and 27½ perches more or less.

At 3 P.M.

(2) The land and the building standing thereon bearing assessment No. 3, situated at Green street within the Municipality of Colombo; bounded on the east by Green street, on the south by the property of Thomis Appu, formerly belonging to D. de Thomas, on the west by house and ground bearing assessment No. 80, formerly belonging to S. R. Anthopulle and Domingo de Silva, Mubandiam, and on the north by house and ground bearing assessment No. 4 (a portion of the same property); containing in extent 39 square perches more or less.

E. ONDATJE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, February 16, 1904.

In the District Court of Kalutara.

1, Robert Aron Goonatillaka; 2, John Blok; 3, Peter Edwin Wickramasingha; 4, Edward Thepanis Weramuone, all of Panadure, executors of the estate of the deceased Don Pedrick Weerasundera Goonatillaka ..... Plaintiffs.  
No. 2,519. Vs.

Palamandadige Hendrick Fernando of Wekada in Panadure ..... Defendant.

NOTICE is hereby given that on Monday, March 14, 1904, at 11 o'clock in the forenoon, will be sold by public auction at Wekada, for the recovery of Rs. 739-16, with interest on Rs. 604-16 at 9 per cent. per annum from November 12, 1901, till payment, the following property, viz. :-

1. The planter's half-share of the trees of the second and third plantations and  $\frac{2}{3}$  parts of the soil and of the remaining trees of the land called Delgahawatta, situate at Wekada in Talpitibadda; and bounded on the north by Ruggahawatta, on the east by land of Davit Fernando and the wella leading to Bendiyayaya, south by the land belonging to the heirs of Palamandadige Davit Fernando, and on the west by Pathmihenedige's Ruggahaowita and Watta; and containing in extent about 3 roods, together with the tiled houses built with cabook standing thereon, specially mortgaged with the plaintiff and declared bound and executable for the decree entered in this case.

The sale will be held on the land itself.

T. PIERIS,  
Deputy Fiscal.  
Deputy Fiscal's Office,  
Kalutara, February 16, 1904.

Central Province.

In the Court of Requests of Matale.

S. K. N. R. M. Raman Chetty ..... Plaintiff.  
No. 6,040. Vs.

M. K. Marikar Tamby ..... Defendant.

NOTICE is hereby given that on March 14, 1904, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :-

The land called Demataghamulawatta *alias* Muttu-wappagawatta of about 2 acres in extent, together with the buildings, plantations, and everything standing thereon; and bounded on the east by oya, south by Godapala road, west by Palla Carran's land, on the north by the property of Muna Ana Abdul Cader, and Maha-ela.  
Amount of writ, Rs. 325-25.

A. V. WOUTERSZ,  
Deputy Fiscal.  
Fiscal's Office,  
Kandy, February 12, 1904.

In the District Court of Kandy.

A. K. E. Mohamedoo Ibrahim Saibo of Teldeniya ..... Plaintiff.  
No. 16,328. Vs.

(1) Kawanna Ana Ahamado Meera Saibo, and (2) Kawanna Ana Segu Abdul Kader, No. 47, Colombo street, Kandy ..... Defendants.

NOTICE is hereby given that on March 12, 1904, 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, viz. :-

Pattiyalandewatta of three chundus in kurakkan sowing extent, situate at Teldeniya in Lower Dumbara; and bounded on the east by the high road, on the south by the wall of Bandara Manika's house, on the west by the limit of Pallegedarawatta, and on the north by the wall of Kalu Banda Notary's house with the tiled house thereon.

(2) Pattiyalandewatta of 14 ft. in length, and 40 ft. in breadth, situate at Teldeniya aforesaid; bounded on the east by the high road, on the south by the land of Kumarihami, on the west by Pallegedarawatta, and on the north by land belonging to Balitiyanna, with the tiled house thereon.

Amount of writ, Rs. 3,325-50.

A. V. WOUTERSZ,  
Deputy Fiscal.  
Fiscal's Office,  
Kandy, February 16, 1904.

In the District Court of Colombo.

James Colzeane Kennedy of Fairlawn, Dik-oya ..... Plaintiff.  
No. 19,395 C. Vs.

Henry Frederick Ensor Harris of Kotuagodella, Rambukkana ..... Defendant.

NOTICE is hereby given that on March 16, 1904, commencing at 12 o'clock noon, will be sold by public auction at the premises the following property of the defendant, mortgaged to plaintiff and decreed to be sold by the judgment entered in this case, viz. :-

I. All that and those the estate, plantation, and premises called and known as Kotuagodella, situate in the district of Rambukkana, comprising the following allotments of land, to wit (which said allotments of land adjoin each other, and from their situation as respects each other can be included in one survey) :-

(1) All that allotment of land called Thoraymukalana, Kotuagodellahena, and Villa therein situated in the village Kalaotuawawa in Pallepallata in the District of Tumpane; bounded on the north by land claimed by the villagers of Kalaotuawawa and by land described in plan No. 59,199; on the north-east by land claimed by the villagers of Kalaotuawawa, Tumpane Ratemahatmaya, and Kiri Banda, by Battapandure-ella, and by land described in plan No. 59,199; on the east by land claimed by the villagers of Kalaotuawawa, Oku Banda, Tumpane Ratemahatmaya, and Kirihamy, land described in plan No. 59,199, by a water-course, and by Boovillakadda-ela; on the south-east by land claimed by Tumpane Ratemahatmaya, by land described in plans Nos. 59,199 and 59,198 and by Boovillakadda-ela; on the south and south-west by land described in plan No. 51,137, by Boovillakadda-ela, by a water-course, and by land claimed by Wisingedera Manikrale of Hinalowe; on the west by water-course, and by land described in plan No. 50,606; and on the north-west by Battapandure-ella, by land claimed by the villagers of Kalaotuawawa and Tumpane Ratemahatmaya, and by land described in plan No. 50,606; containing in extent, exclusive of the Boovillakadda and Battapandure-ella, and path passing through the land, 82 acres 2 roods and 38 perches.

(2) All those adjoining lands situated at Kalaotuawawa in Tumpane, to wit:—A piece of land called Kongahamulahena of one amunam of paddy sowing extent, and the adjoining lands called Rappheena of two pelas in paddy

sowing extent, and Weerasekerahena of one amunam and two pelas in paddy sowing extent; and which said lands are bounded on the north by the limit of the chena belonging to Ukku Banda, on the south by the limit of the chena belonging to Punchi Kira, on the east by the stone fence of Rauleggehena, and on the west by the limit of Thoraymukalana.

(3) All that piece of land called Borellahena of two pelas in extent, situate at Kalaotuwawa in Tumpane; bounded on the east by a rookkattana tree, on the south by a stone fence, on the west by the chena of Kiri Banda, on the north by Crown forest land.

(4) All those seven allotments of land called Dehigahahena, Dehigahahena, Munamalgahamulahena, Koresbalgalehena, Weerasekerahena, Gangodedeniyahena, and Gangodedeniyahena, situated at Kalaotuwawa in Palle pattupalata in Tumpane, Kandy; bounded on the east by Kapukotuawatta, Borellabogahatennapinhena, and Gangodedeniyahenas, on the south by Pinhena and Kotuagodella Gunica grass field, on the west by Gallapallapolla, and on the north by Pannawela and Rapukotuawahenas; containing in extent 23 acres and 20 perches.

(5) All that allotment of land called Dehigahahena; bounded on the east by Ratnayakegedarahena *alias* Borellahena and Weerasekerahena, on the south by Munamalgahahena, on the west by Malekegehena, and on the north by Dehigahahena; containing in extent 3 acres 1 rood and 5 perches.

II. All that and those the estate, plantation, and premises called and known as Hingulgolla, situated in the district of Tumpane; bounded on the north and north-east by *Rambukkana-oya*, by land claimed by natives, and by a stream; on the east and south-east by land claimed by natives, by the Kokapotte-ella, and by land said to belong to the Crown; and on the south and south-west by land claimed by natives and by land said to belong to the Crown; and on the west by land claimed by natives and by Bandarahena or Pallpolla-ela; containing in extent 129 acres, together with all the buildings, plantations, fixtures, crops, produce, and everything belonging or appertaining thereto.

Amount of writ, Rs. 31,335, and interest thereon.

A. V. WOUTERSZ,  
Deputy Fiscal.

Fiscal's Office,  
Kandy, February 15, 1904.

### Eastern Province.

In the Court of Requests of Batticaloa.

N. D. N. Karuvelampy of Navetkudah.....Plaintiff.  
No. 731. Vs.

(1) Omerupillay P. H. Ahamadulevvepody, dead, (2) Ahamadu Moheyadin Pathumma, (3) Ahamadulevvepody Moheyadin Bawa Lebbe, all of Karunkodditivu.....Defendants.

NOTICE is hereby given that on Friday, March 18, 1904, commencing at about 10 A.M., will be sold by public auction at the spot the right, title, and interest of the following property, viz. :-

At about 10 A.M.

A paddy field called Kaddukandom belonging to the first defendant, situated at Paddenieddukuda in Panan-kadu in Akkarapattu; and bounded on the north and west by vaikal and the field belonging to A. M. Isumalevve Marakair and others, on the south by vaikal and land belonging to Kanapatipillay, on the east by the land belonging to A. M. Sinna Akamatulevve Udayar; in extent 18 acres, with all rights.

Amount to be levied, Rs. 136-25.

T. SINNATAMBY,  
Deputy Fiscal.

Fiscal's Office,  
Batticaloa, February 10, 1904.

In the District Court of Trincomalee.

Ponnuturai Vannipam Tampirajah Vannipam  
of Division No. 9, Trincomalee.....Plaintiff.

No. 101.

Vs.

Sinnaviar Veluppillai of Kantalai.....Defendant.

NOTICE is hereby given that on Saturday, March 19, 1904, at 11 o'clock in the morning, will be sold by public auction at the spot in Kantalai the right, title, and interest of the said defendant in the following property, bound by decree as special mortgage viz. :-

(1) A piece of field called Veladiyalavarai, situate at Kantalai in Tamblegampattu, Trincomalee; bounded on the north by the land claimed by Kathirkamar Saravanamuttu, on the east by water-course and land described in plan No. 106,497, on the south by Crown land, and on the west by the land described in plan No. 106,494; extent 4 acres 3 roods and 31 perches.

(2) Two pieces of field called Vannanvayal and Mnthandaikutuvayal, now forming one allotment, situate at Kantalai in Tamblegampattu, Trincomalee; bounded on the south-east by the field belonging to Kuppaichy, widow of Kaliyappan, and to others, on the south-west by water-course called Vaddichchal, on the north-west by the field belonging to K. Veluppillai and to others, and on the north-east by the field belonging to Sinnachchi, widow of Tampimuttu, and others; extent north-western side 87 fathoms, south-western side 62 fathoms, north-eastern side 53 fathoms, and south-eastern side 105 fathoms.

(3) A piece of field called Puthuchenaivayal, situate at Kantalai in Tamblegampattu, Trincomalee; bounded on the north-east by the field belonging to Sinnapodiari Marimuttu and others, on the south-east by jungle belonging to Kathirkamar Saravanamuttu and others, on the south-west by the field of Sinnavy Kathiravelu and by jungle belonging to Mr. LeMesurier, and on the north-west by the field of Sinnaviar Veluppillai the defendant; extent 8 acres and 25 perches.

4. A piece of land, situate at Kantalai in Tamblegam pattu, Trincomalee; bounded on the north-east by lane and land described in plan bearing No. 106,475, on the east by Crown land, on the south by land described in plan No. 106,485, on the north-east by road, and on the south-west by Crown land; extent 2 roods and 7 perches.

5. A piece of land with 41 cocoanut trees, 8 cocoanut plants, 41 arecanut trees, 6 mango trees, 2 jak trees, and three straw-thatched houses standing thereon, situate at Kantalai in Tamblegam pattu, Trincomalee; bounded on the east by the land of late Visvunathar Vannipam, on the south by water-course, on the west by the land of Amunippillai, widow of Tambimuttu, on the north by river; extent on the eastern side 16 fathoms, on the southern side 23 fathoms, on the western side 23 fathoms, and on the northern side 21 fathoms.

6. A piece of field called Theanaiyadivayal, situate at Kantalai in Tamblegam pattu, Trincomalee; bounded on the north by the land claimed by Kathirkamar Saravanamuttu and others and land described in plan No. 106,484, on the east by water-course, on the south by water-course and land described in plan No. 106,482, on the west by the land described in plan No. 106,482, on the north-west by land belonging to Kathirkamar Saravanamuttu and by land described in plans No. 106,481 and 106,480; extent 3 acres and 38 perches.

7. A piece of field called Olimithivayal, situate at Kantalai in Tamblegam pattu, Trincomalee; bounded on the north by water-course, on the north-east by land claimed by Kathirkamar Saravanamuttu, on the south-east and south by land mentioned in plan No. 106,483, and on the west by road and water-course; extent 2 roods and 26 perches.

8. Three pieces of paddy fields called Urudian Nilu, Vedankeetu, and Panikkan Nilu forming one allotment, situate at Kantalai in Tamblegam pattu, Trincomalee; bounded on the north by land mentioned in the title plan No. 106,485, on the east by land claimed by Yaddai Vidhan K. M. Muttukanni and lands mentioned in the

title plans Nos. 106,486 and 106,489, on the south by land mentioned in the title plan No. 106,492, and on the west by water-course and land mentioned in title plan No. 106,488, extent 12 acres 1 rood and 11 perches of this description of property, the whole of Vedankeetu and Panikkan Nilu and undivided half-share of Urudianvayal.

9. A piece of land called Valaithoddam, situate at Kantalai in Tamblegampattu, Trincomalee, together with produce thereon; bounded on the north by land belonging to the defendant Sinnaviar Veluppulal, on the north-east by land mentioned in title plan No. 106,483, on the east and south by land claimed by Vaddai Vidhan K. M. Muttukanni, on the south by land reserved for road, and on the west by water-course; extent 1 acre 2 roods and 38 perches.

10. A piece of Crown land called Kannappavalavu, situate at Kantalai in Tamblegampattu, Trincomalee, with cocoanut trees and other produce; bounded on the north by the garden of the late Varitamby Visuvanathy, on the east by field called Tanniadivayal, on the south by garden called Kamadchi Toddam, and on the west by Pararu; extent 1 rood and  $26\frac{2}{3}$  square perches.

11. A piece of land situate at Kantalai in Tamblegampattu, Trincomalee, with ola houses, cocoanut trees, arecanut trees, mango trees, and other produce; bounded on the north by garden belonging to Pillaiyar temple, on the east by field called Oilmithevayal, on the south by land belonging to Kanthar Kathiramar now owned by others, and on the west by water channel; extent 1 rood and 12 perches.

Writ amount, Rs. 1,957-08, with interest thereon at 9 per cent. per annum from February 9, 1903, till payment, and such interest not to exceed Rs. 42-92, and cost, being Rs. 149-64.

C. EARDLEY-WILMOT,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Trincomalee, February 12, 1904.

#### North-Western Province.

In the District Court of Chilaw.

Kana Nana Kana Kailasam Chetty of Negombo... Plaintiff.  
No. 2,900. Vs.

Mahatelge Porlentina Fernando and two others of Katuneriya..... Defendants.

NOTICE is hereby given that on Saturday, March 26, 1904, at 1 o'clock in the afternoon, will be sold by public auction at the premises the interest of the said defendants in the following property specially mortgaged with the plaintiff, viz.:-

1.  $\frac{1}{2}$  shares of Bulugahaedama, together with the thatched house standing thereon, situate at Katuneriya in Kammal pattu, Chilaw District; bounded on the north by lands of Jusey Tissera and others, east by Wewa-agara, south by lands belonging to the heirs of Paulu Jansze, west by high road.

2. An undivided  $\frac{3}{4}$  shares of land called Diulgahawatta, situate at Katuneriya aforesaid; bounded on the north by garden of Isaac Tamel and others, east by land of Anthony Costa and others, south by land of Dominicu Fernando and others, west by tank; containing in extent 2 acres.

3. An undivided  $\frac{3}{4}$  shares of Bulugahawatta, situate at Katuneriya aforesaid; and bounded on the north by lands of Susey Tissera and others, east by Wewa-agara, south by lands belonging to the heirs of Paulu Jansze and others, west by high road; about 5 acres in extent.

Amount to be levied Rs. 3,454-69, with interest on Rs. 1,000 at 30 per cent. per annum and on Rs. 1,250 at 15 per cent. per annum from March 7, 1903, up to June 30, 1903, and interest on the aggregate sum at 9 per cent. per annum from June 30, 1903, and poundage.

E. LAWSON KOCH,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Chilaw, February 16, 1904.

In the District Court of Negombo.

Pina Chuna Avenna Tana Ana Arunasalam  
Chetty of Negombo..... Plaintiff.  
No. 4,912. Vs.

Alvino Hatwaik and wife and four others of  
Kandawale ..... Defendants.

NOTICE is hereby given that on Thursday, March 24, 1904, 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, specially mortgaged by bond No. 2,516 dated November 27, 1900, viz.:-

The land called Suriyagahawatta and Gansuriyagahawatta, consisting of two contiguous lots, together with the tiled house and all the other buildings standing thereon, situate at Ulhitiyawa in Vennappuwa, Kammal pattu, Chilaw District; bounded on the north by garden which belonged to Thomis Fernando and now belonging to Juan Perera, east by the new high road, south by land which belonged to Jusey Fernando Annavi and now belonging to Migel Juakino Fernando Muppu, west by the portion of land which belonged to the third defendant and now belonging to Migel Juakino Fernando Muppu and another; containing in extent about 2 acres and 2 roods.

2. The ground sufficient to plant 100 cocoanut trees 24 ft. apart lying towards the western boundary of the southern one-half of the land called Kagugahawatta *alias* Diulgahawatta, situate at Vennappuwa in Kammal pattu aforesaid; bounded on the north by garden of Juse Fernando and others, east by Paravidipara, south by garden of 3rd and 6th defendants and others west by the high road; containing in extent about 400 cocoanut trees plantable soil.

Amount to be levied Rs. 5,101-62, with interest on Rs. 3,500 at 24 per cent. per annum from January 27, 1903, till May 13, 1903, and thereafter at 9 per cent. per annum and poundage.

E. LAWSON KOCH,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Chilaw, February 15, 1904.

#### Province of Sabaragamuwa.

In the District Court of Colombo.

Rawana Mana Ana Roona Ana Poona Muttiah  
Chetty of Galle..... Plaintiff.  
No. 13,670 C. Vs.

1, Saibo Ismail Lebbe Marikar; 2, Saibo Idroos Lebbe Marikar; 3, Saibo Aliar Marikar, all of Main street, Colombo..... Defendants.

NOTICE is hereby given that on Saturday, March 12, 1904, at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property, mortgaged and decreed to be sold by the decree entered in the above action, viz.:-

All that estate called Alawwa estate situated at Kondapaluwa and Opata in Otara pattu of Beligal korale, and comprising the following allotments of land which now form one property:-

1. An allotment of land called Kondapaluwaowita situated at Kondapaluwa; bounded on the north-east by Kondapaluwaowitewatta and Kondapaluweowitichena, on the east by Kondapaluweowita, on the south-east by Kondapaluwekumburelanda described in plans Nos. 106,053, 106,054, and 106,052, and lands claimed by Dingiri Menika, on the south-west by Ragal-oya, and on the north-west by Maha-oya; containing in extent 18 acres 1 rood and 22 perches.

2. An allotment of land called Unapanduramulahena, situated at Kondapaluwa; bounded on the north by lands described in plans Nos. 106,052 and 106,054, Wadakahamullewatta, and land said to belong to the Crown, on the east by land said to belong to the Crown, on the south-east by Pahalagewatta, and on all other sides by Ragal-oya; containing in extent 49 acres and 24 perches.

3. An allotment of land called Kongahamullehewatta, situated at Kondapaluwa; bounded on the north by land described in plan No. 103,050, on the east by land described in plan No. 106,054 and 106,051, on the south by land described in plan No. 106,051, and on the west by Ragal-oya; containing in extent 2 acres 3 roods and 35 perches.

4. An allotment of land called Pillawatta, situated at Kondapaluwa; bounded on the north-west and north by Kondapaluwakumbura, on the north-east by Kondapaluwakumbura and Wadakahagalemulawatta, and on the south-west by land described in plan No. 106,050; containing in extent 1 acre and 9 perches.

5. An allotment of land called Wadakahagalewatta, situated at Kondapaluwa; bounded on the north-east by Wadakahagalemulawatta, on the south-east by lands described in plans Nos. 106,051 and 106,052, on the west by land described in plan No. 106,052, and on the north-west by land described in plan No. 106,050; containing in extent 1 acre and 5 perches.

6. An allotment of land called Ihalapillewhehena, situated at Opata; bounded on the north-east by the property of T. Mudalibami, senior, south-east by a road, south-west by a water-course, north-west by the Maha-oya; containing in extent 3 roods and 35 perches.

7. An allotment of land called Wariyagodahena, situated at Opata; bounded on the east by Ragal-oya, south-east by land described in plan No. 110,213, south-west by Wedikandekumbura and a water-course, north by a road and the property of H. T. Mu lalibami, senior; containing in extent 15 acres 3 roods and 11 perches.

8. An allotment of land called Millaghamulahena, situated at Opata; bounded on the north, north-east, and east by Ragal-oya, south-east by Pattiylandehena, Koholankumbura, and Welihena, south-west and west by Weralugollehena, Dampitiywatta, and Wedikandekumbura, and on the north-west by land described in plan No. 110,212; containing in extent 57 acres 1 rood and 25 perches.

9. An allotment of land called Ambaghamulawatta, situated at Opata; bounded on the east by Bolena-ela, on the south by the high road, on the west by the garden called Wariyagoda, and on the north by Maha-oya; containing in extent 6 lahas.

10. All that land called Alauwtotawatta, situated at Opata; bounded on the north by a road, on the south-east, and west by land described in plan No. 110,212; containing in extent 36 perches.

11. All that land called Wariyagodepillewewatta, situated at Opata; bounded on the east and north by the oya, on the south by the high road, and on the west by Wariyagodawatta; containing 6 lahas in extent.

12. All that allotment of land called Alauwtotawatta, situated at Opata; bounded on the east by the garden

of Mudiyanse and Bolena-ela; on the south by the road, on the west by the garden of Mudiyanse and Bolena-ela, on the north by Maha-oya; containing in extent sufficient to sow 12 lahas of kurakkan.

13. An allotment of land called Kahakolagahawatta, situated at Opata; bounded on the east by the garden of Mudiyanse, on the south by the high road, on the west by the boundary of Dodangahamullepillewa, and on the north by the Maha-oya; containing in extent sufficient to sow 1 laba of kurakkan.

14. An allotment of land called Imbulamulaowita, situated at Opata; bounded on the east by the garden of Hettiarachchige Siman Mudalibami, Hettiarachchige Puchi Appuhami, and Mudiyanse, on the south by Imbulamulaowita, on the west also by Imbulamulaowita, and on the north by the high road; containing in extent sufficient to sow 5 measures of kurakkan.

15. An allotment of land formerly occupied by Migel Muga, situated at Opata; bounded on the south by Imbulamulaowita, on the west by Imbulamulaowita, on the north by the high road, and on the east by Wariyagodawatta; containing in extent sufficient to sow 2 measures of kurakkan.

16. An undivided one-half of all that land called Pattiylandehena, situated at Opata; bounded on the east by the oya, on the south by the chena of Opatarala, on the west by Koholankumbura, and on the north by the chena of Menikrala; containing in extent sufficient to sow 1 amunam of paddy.

17. An undivided half of all that land called Pattiylandehena situated at Opata; bounded on the north by Kalupatagewatta, on the east by the ditch of chena, on the south by the field of Hettiarachchitennehelage; on the west by the garden of Hettiarachchitennehelage, containing 2 pelas in extent.

18. All that land called Pattiylandehena, situated at Opata; bounded on the north by the garden called Pattiylandehena, on the east by the oya, on the south by the chena of Gallatrala, and on the west by a field; containing in extent 2 pelas.

19. All that land called Boraluwa, situated at Kondapaluwa; bounded on the north and west by the garden of the purchaser, on the east by Kaduruwetiya, and on the south by the garden of the Officer; containing in extent sufficient to sow three seers of kurakkan.

Amount to be levied Rs. 42,877-31, with interest at 9 per cent. per annum from April 30, 1903, and costs of suit.

TIMOTHY F. ABAYAKOON,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Kegalla, February 16, 1904.

## DISTRICT AND MINOR COURTS NOTICES.

### List of Uncertificated Insolvents in the District Court of Galle for the Half-year ended December 31, 1903.

Date.	No. of Case.	Name.	Date of Order.	Remarks.
Dec. 9, 1902	333	Pakir Bawa Mohedin of China Garden	Oct. 9, 1903	Appeal dismissed.

District Court,  
Galle, February 10, 1904.

G. A. BAUMGARTNER,  
District Judge.



