



# Ceylon Government Gazette

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and General Government Notifications.

PART II.—Legal and Judicial.

PART III.—Provincial Administration.  
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## Part II.—Legal and Judicial.

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### DRAFT ORDINANCES.

#### MINUTE.

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

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

Preamble.

WHEREAS doubts have arisen as to the liability of members of the Ecclesiastical Department to contribute to the Widows' and Orphans' Pension Fund under Ordinance No. 1 of 1898, and it is expedient to remove such doubts : Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Ordinance to be read as one with Ordinance No. 1 of 1898.

Public officer not to include members of the Ecclesiastical Department.

1 This Ordinance shall be read as one with the Ordinance No. 1 of 1898, herein referred to as the principal Ordinance.

2 The term "public officer," whenever used throughout the principal Ordinance, shall not include persons who are, have been, or, who hereafter may be, members of the Ecclesiastical Department, and such persons are hereby declared exempted from the operation of the principal Ordinance.

By His Excellency's command,

W. T. TAYLOR,  
Acting Colonial Secretary.

Colonial Secretary's Office,  
Colombo, June 7, 1899.

## MINUTE.

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

An Ordinance relating to Habitual Criminals and to Convicts licensed to be at large.

- Preamble.** WHEREAS it is expedient to consolidate and amend the laws relating to the identification and supervision of habitual criminals and their more effective punishment, as also for enlarging convicts upon licenses and controlling them when at large: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:
- Short title.** 1 This Ordinance may be cited for all purposes as "The Habitual Criminals' and Licensed Convicts' Ordinance, 1899."
- Repeal.** 2 The Ordinances No. 17 of 1894 and No. 11 of 1897 are hereby repealed, provided that the repeal shall not affect—
- (a) The past operation of any enactment hereby repealed nor anything duly done or suffered thereunder; or
  - (b) Any right, privilege, obligation, or liability acquired, accrued, or incurred under any such enactment; or
  - (c) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment; or
  - (d) Any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid; but any such investigation, legal proceeding, and remedy may be carried on as if any such enactment had not been repealed.
- Definitions.** 3 For the purposes of this Ordinance—
- "Crime" shall mean a breach of any one of the sections of the Penal Code included in the Schedule A hereto;
- "Habitual criminal" shall mean a person convicted of a crime against whom a previous conviction of a crime is proved, or a person liable under section 83 of the Criminal Procedure Code to be ordered to execute a bond with sureties for his good behaviour;
- "Measurement" includes every method of identification sanctioned by the Governor in terms of section 4 hereof;
- "Superintendent of police" shall include additional superintendent of police, assistant superintendent of police, and the chief headman of the district.
- Rules to be made by Governor.** 4 The Governor, with the advice of the Executive Council, may from time to time make rules (1) prescribing the methods of identifying habitual criminals or persons suspected of having been previously convicted; (2) regulating the supervision of habitual criminals; and (3) prescribing the conditions under which convicts may be at large and under the supervision of the police.
- All rules so made, and not inconsistent with the provisions of this Ordinance, shall be published in the *Government Gazette*, and shall have the force of law.
- And such rules, with the like advice, may from time to time be repealed, altered, or amended as to the Governor shall seem necessary.
- Power to remand persons charged, for purposes of identification.** 5 When a person formally charged with a crime, upon *prima facie* evidence led, is suspected of having been previously convicted of a crime, it shall be lawful for the complainant or a police officer to apply to the police magistrate before whom such person stands charged for an order of remand to cause inquiries to be made, and to have the measurement of such person taken for purposes of identification; and the police magistrate, if satisfied that it is a proper case, shall remand such person from time to time for such period as to the police magistrate shall seem necessary,

provided that no person shall be remanded at any one time for a longer period than three weeks or more often than three times for such purpose.

Criminals previously convicted, before what courts to be tried.

6 If the person formally charged as aforesaid appears to the police magistrate to have been previously twice or oftener convicted of a crime, and to have been sentenced to undergo terms of rigorous imprisonment exceeding in the aggregate six months, it shall not be lawful for such police magistrate to try such person summarily, but he shall deal with the case as a non-summary case under chapter XVI. of the Criminal Procedure Code and forward the same to the Attorney-General for instructions, anything in the said Code to the contrary notwithstanding.

And if such person is committed for trial before a district court and is convicted by it, such court shall have jurisdiction, anything in "The Criminal Procedure Code, 1898," or any other Ordinance to the contrary notwithstanding, to sentence him to rigorous imprisonment for a period not exceeding four years in addition to any punishment other than imprisonment to which he may be liable.

Power of court to direct supervision of habitual criminals after discharge from jail.

7 When a person is convicted of a crime and a previous conviction of a crime is proved against him, the court of trial may, in addition to any other punishment which it may award to him, direct that he shall be subject to the supervision of the police for a period not exceeding seven years, commencing immediately after his discharge from the jail.

Duty of habitual criminal to report himself.

8 Every person made subject as aforesaid to the supervision of the police shall, before discharge from jail, notify the place where he intends to reside to the superintendent of the prison in which he is detained, and within seven days of his release, and thereafter once in every three months, he shall report himself to the superintendent of police in charge of the district in which he resides, and shall, whenever he changes such residence within such district, notify each change to the said superintendent within forty-eight hours of such change; and whenever he changes his residence from one district to another, he shall forty-eight hours before so changing his residence notify such change to the superintendent of police in charge of the district which he is leaving, and to the superintendent of police in charge of the district in which he is going to reside.

Punishment for neglect of such duty.

9 If any person subject to the supervision of the police as aforesaid remains in any place for more than seven days after his release from jail without reporting himself to the superintendent of police in charge of the district in which he resides, or fails to report himself thereafter once in every three months to the superintendent of police in charge of the district in which he resides, or fails to notify his changes of residence in manner provided in section 8, he shall in every such case, unless he satisfies the court that he did his best to act in conformity with the provisions of section 8, be guilty of an offence under this Ordinance, and be liable on conviction to rigorous imprisonment for any period not exceeding six months.

Mode of proving previous conviction.

10 A previous conviction may be proved against any person by the production of a true extract of the substance and effect only of the charge and conviction under the hand of the chief clerk, secretary, or registrar of the court in which such person was convicted, and by proof of identity of the person against whom the conviction is sought to be proved with the person named in the true extract; and such extract shall be admissible in evidence without proof of the signature or official character of the person who appeared to have signed the same.

Grant of licenses to convicts to be at large.

11 It shall be lawful for the Governor, with the advice of the Executive Council, by an order in writing, to grant to any convict undergoing sentence of imprisonment in any prison in this colony a license, in the form set forth in the Schedule B hereto, to be at large in the colony or in any

part thereof during such portion of his period of imprisonment, and upon such conditions, as to the Governor shall seem fit. The Governor may revoke or alter such license with the like advice of the Executive Council.

Reasons involving forfeiture of licenses.

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

12 If any holder of a license granted as aforesaid be convicted of any crime set forth in Schedule A hereto, his license shall be forthwith forfeited by virtue of such conviction.

13 If any holder of a license granted as aforesaid—

(1) Fail to produce his license when required to do so by any judge or police or other magistrate before whom he may be brought charged with any offence, or by any constable or officer of the police in whose custody he may be, and fails to make any reasonable excuse for not producing the same ; or

(2) Breaks any of the other conditions of his license that are not of themselves punishable either upon indictment or upon summary conviction ;

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

Arrest of license holder on suspicion.

14 Any constable or police officer may without warrant take into custody any holder of such a license whom he may reasonably suspect of having committed any offence, or having broken any of the conditions of his license, and may detain him in custody until he can be taken before a competent magistrate and dealt with according to law.

Duty of magistrate to report conviction to Governor.

15 When any holder of a license granted as aforesaid is convicted of an offence punishable under section 13, the magistrate convicting the prisoner shall report such conviction to the Governor, whereupon it shall be competent to the Governor to revoke the license of such prisoner.

Consequences of forfeiture or revocation.

16 When any license granted as aforesaid is forfeited in terms of section 12, or is revoked in pursuance of a conviction under section 13, a person whose license is so forfeited or revoked shall, after undergoing any other punishment to which he may be sentenced for the offence in consequence of which his license is forfeited or revoked, further undergo a term of imprisonment equal to the portion of his term of imprisonment that remained unexpired at the time of the grant of license.

#### SCHEDULE A.

(Sections 3 and 12.)

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

Abetting (section 101) or attempting (section 490) the breach of any of the sections of the Penal Code specified in the first column hereof.

## SCHEDULE B.

(Section 11.)

## Order of License to a Convict.

We, \_\_\_\_\_, Governor of Ceylon, hereby grant to \_\_\_\_\_, who was convicted of the offence of \_\_\_\_\_ in the \_\_\_\_\_ Court of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 189—, and was then and there sentenced to \_\_\_\_\_ imprisonment for the term of \_\_\_\_\_, and is now confined in \_\_\_\_\_, a License to be at large from the \_\_\_\_\_ day of \_\_\_\_\_, 189—, during the remaining portion of his said term of imprisonment, unless the said \_\_\_\_\_ shall, before the expiration of the said term, be convicted of any crime set forth in the Schedule A to the Ordinance, in which event this License shall be forthwith forfeited, or unless it shall please Us sooner to revoke or alter this License.

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

Given under Our hand this \_\_\_\_\_ day of \_\_\_\_\_, One thousand Eight hundred and Ninety \_\_\_\_\_.

\_\_\_\_\_  
Governor.

By His Excellency's command,

W. T. TAYLOR,  
Acting Colonial Secretary.

Colonial Secretary's Office,  
Colombo, May 29, 1899.

## NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

*Order Nisi.*

Testamentary } In the Matter of the Estate of Hewa-  
Jurisdiction. } dewage Levaris Fernando, late of  
No. 1,184. } St. Sebastian, Colombo, deceased.

Mananadewage Francina Fernando, of St.  
Sebastian street, Colombo.....Petitioner.  
Vs.

1, Hewadewage Cornelis Fernando; 2,  
Nammundewage Nonno Fernando, both  
of No. 8, St. Sebastian street, Colombo... Respondents.

THIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 1st day of June, 1899, in the presence of Mr. D. C. Pedris, Proctor, on the part of the petitioner Mananadewage Francina Fernando, of St. Sebastian street, Colombo; and the affidavit, dated the 23rd day of May, 1899, of the said petitioner having been read: It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Hewadewage Levaris Fernando, of St. Sebastian street, Colombo, issued to her, as widow of the said deceased, unless the respondents above-named shall, on or before the 22nd day of June, 1899, show sufficient cause to the satisfaction of this court to the contrary.

F. R. DIAS,  
Additional District Judge.

The 1st day of June, 1899.

In the District Court of Colombo.

*Order Nisi.*

Testamentary } In the Matter of the Estate of Arthur  
Jurisdiction. } Lambert Rupesinghe, of Nedimala,  
No. C 1,186. } deceased.

David Perera Rupesinghe, of Nedimala, in the  
Palle pattu of Salpiti korale .....Petitioner.

And

Gilbert Lionel Rupesinghe, of the Royal  
College, Colombo.....Respondent.

THIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 1st day of June, 1899, in the presence of Mr. J. de Silva, Proctor, on the part of the petitioner David Perera Rupesinghe, of Nedimala in the Palle pattu of Salpiti korale; and the affidavit, dated the 29th day of May, 1899, of the said petitioner having been read:

It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Arthur Lambert Rupesinghe issued to him, as paternal uncle of the said deceased, unless the respondent above-named shall, on or before the 22nd day of June, 1899, show sufficient cause to the satisfaction of this court to the contrary.

F. R. DIAS,  
Additional District Judge.

The 1st day of June, 1899.

## In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. } In the matter of the Estate of Esther Emily Rupesinghe, of Nedimala in the Palle pattu of Salpiti korale, deceased.

David Perera Rupesinghe, of Nedimala .....Petitioner.

And

Gilbert Lionel Rupesinghe, of the Royal College, Colombo.....Respondent.

**T**HIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 1st day of June, 1899, in the presence of Mr. J. de Silva, Proctor, on the part of the petitioner David Perera Rupesinghe, of Nedimala; affidavit dated the 29th day of May, 1899, of the said petitioner having been read:

It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Esther Emily Rupesinghe, of Nedimala in the Palle pattu of Salpiti korale, issued to him, as paternal uncle of the said deceased, unless the respondent shall, on or before the 22nd day of June, 1899, show sufficient cause to the satisfaction of this court to the contrary.

F. R. DIAS,  
Additional District Judge.

The 1st day of June, 1899.

## In the District Court of Kandy.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Pana Lana Ramen Chetty, deceased, of Murayoor in India.

**T**HIS matter coming on for disposal before John Henricus de Saram, Esq., District Judge of Kandy, on the 27th day of May, 1899, in the presence of Messrs. Beven and Beven on the part of the petitioner Kuna Pena Reena Sellappa Chetty, of Nawalapitiya; and the affidavit of the said petitioner, dated 23rd May, 1899, having been read:

It is ordered that letters of administration to the estate of Pana Lana Ramen Chetty, of Murayoor in India, deceased, be issued to the petitione rabove-named, as attorney of the son of the deceased, unless Pana Lana Rawana Mana Muthaiya Chetty, of Marayoor in Tirupathoor Taluka, Siwagenga Seema, India, shall, within thirty days from the service of the *Order Nisi* on him, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,  
District Judge.

May 27, 1899.

## In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Charavanamuttu Kantar, of Nirveli, deceased

Arunachalam Kanakachapapati, of Nirveli.....Petitioner.

Vs.

Valliyammai, widow of Arunachalam Kanakachapai, of Nirveli .....Respondent.

**T**HIS matter of the petition of Arunachalam Kanakachapapati, of Nirveli, praying for letters of administration to the estate of the above-named deceased Charavanamuttu Kantar, of Nirveli, coming on for disposal before C. Eardley-Wilmot, Esq., District Judge, on the 18th day of May, 1899, in the presence of Mr. T. C. Changarapillai, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated the 15th day of May, 1899, having been read: It is declared that the petitioner is the next of kin 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 respondent or any other person shall, on or before the 3rd day of July, 1899, show sufficient cause to the satisfaction of this court to the contrary.

C. EARDLEY-WILMOT,  
District Judge.

This 18th day of May, 1899.

## In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Chevakamippillai, wife of Chupper Ramanatar, of Karadivu east, deceased.

Ramanatar Tamotarampillai, of Karadivu east .....Petitioner.

Vs.

1, Chuppar Ramanatar; 2, Ramanatar Kachinatan; 3, Ramanatar Kattikechan; 4, Ramanatar Chinakkuddi; 5, Vichuvanatar Chuppiramanier; 6, Vichuvanatar Murukechu; 7, Tampar Chuppiramanier and his wife; 8, Akilandam; 9, Arumukam Paramu and his wife; 10, Valliyammai, all of Karadivu east ..... Respondents.

**T**HIS matter of the petition of Ramanatar Tamotarampillai, of Karadivu east, praying for letters of administration to the estate of the above-named deceased Chevakamippillai, wife of Chupper Ramanatar, of Karadivu east, coming on for disposal before C. Eardley-Wilmot, Esq., District Judge, on the 18th day of May, 1899, in the peresence of Mr. T. C. Changarapillai, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated the 16th day of May, 1899, having been read: It is declared that the petitioner is the son and one of the heirs 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 3rd day of July, 1899, show sufficient cause to the satisfaction of this court to the contrary.

C. EARDLY-WILMOT,  
District Judge.

This 18th day of May, 1899.

## In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Naranapillai Chinnakkutty, of Karadivu west, deceased.

Chinnakkutty Tillaiampalam, of Karadivu west .....Petitioner.

Vs.

Valliyammai, widow of Naranappillai Chinnakkutty, of Karadivu west .....Respondent.

**T**HIS matter of the petition of Chinnakkutty Tillaiampalam, of Karadivu west, praying for letters of administration to the estate of the above-named deceased Naranappillai Chinnakkutty, of Karadivu west, coming on for disposal before C. Eardley-Wilmot, Esq., District Judge, on the 18th day of May, 1899, in the presence of Mr. C. Strantenbergh, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated the 22nd day of February, 1899, having been read: It is declared that the petitioner is one of the heirs 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 26th day of June, 1899, show sufficient cause to the satisfaction of this court to the contrary.

C. EARDLEY-WILMOT,  
District Judge.

This 18th day of May, 1899.

## In the District Court of Galle.

*Order Absolute declaring Will proved.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Last Will and Testament of Lewa Markar Ibrahim, deceased, of Talapitiya.

**T**HIS matter coming on for disposal before F. J. de Livera, Esq., District Judge of Galle, on the 6th day of May, 1899, in the presence of Mr. W. E. de Vos, Proctor, on the part of the petitioners (1) M. A. Shawul

Hamidu and (2) I. A. Ismail, both of Talapitiya; and the affidavit of the said M. A. Shawul Hamidu and Ibrahim A. Ismail, dated 4th May, 1899, having been read:

It is ordered that the will of Lewa Markar Ibrahim, deceased, dated 31st December, 1898, and now deposited in this court, be and the same is hereby declared proved.

It is further declared that the said (1) Mohamadoo Anifa Shawul Hamidu and (2) Ibrahim Ahamaadu Ismail, both of Talapitiya, are the executors named in the said will, and that they are as such entitled to have probate of the same issued to them accordingly.

F. J. DE LIVERA,  
District Judge.

The 6th day of May, 1899.

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Joint Estate of the late Sophia Amelia de Vos and William Edward de Vos, both of Galle, deceased, and of the separate estate of the said William Edward de Vos.  
No. 3,285.

THIS matter coming on for disposal before F. J. de Livera, Esq., District Judge of Galle, on the 5th day of June, 1899, in the presence of Charles Edward de Vos, the petitioner; and the affidavit of the said Charles Edward de Vos, dated the 1st day of June, 1899, having been read: It is declared that the said Charles Edward de Vos, of Galle, is an heir of the said Sophia Amelia de Vos and the said William Edward, and that he is as such heir entitled to have letters of administration of the said estates issued to him accordingly, unless the respondents—1, Isabella Sarah de Vos; 2, Harriet Adelaide de Vos; 3, Frederick John de Vos; 4, William Arnold Speldevinde de Vos; 5, Evelyn de Vos; 6, Ethel Lydia de Vos; and 7, Edith de Vos; 8, Theresa de Vos; 9, Francis Amelia de Vos; 10, Mary Alice de Vos; 11, Richard Albert Henry de Vos, the 7th, 8th, 9th, 10th, and 11th respondents respectively, by their guardian *ad litem* the

1st respondent—shall, on or before the 12th day of June, 1899, show sufficient cause to the satisfaction of this court to the contrary.

F. J. DE LIVERA,  
District Judge.  
The 5th day of June, 1899.

In the District Court of Anuradhapura.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Punchirale Anumettiralege Tickirale, Arachchi of Karappikkadai in Kadawat korale, deceased.  
No. 54.

Kapurale Gamaralege Amare Ettani, of Karappikkadai in Kadawat korale.....Petitioner.

And

1, Tickirale Arachchilege Pinghamy; 2, PUNCHIRALE ANUMETTIRALEGE SEERALE, VELVIDANE; 3, PUNCHIRALE ANUMETTIRALEGE GONAMALI ETTANI, and her husband 4, KIRIHAMIGE KAPURALE BADDERALE, all of Karappikkadai in Kadawat korale.....Respondents.

THIS matter of the petition of Kapurale Gamaralege Amare Ettani, of Karappikkadai in Kadawat korale, praying for letters of administration to the estate of the above-named deceased PUNCHIRALE ANUMETTIRALEGE TICKIRALE, ARACHCHI of Karappikkadai in Kadawat korale, coming on for disposal before Thomas R. E. Loftus, Esq., Additional District Judge of Anuradhapura, on the 5th day of May, 1899, in the presence of Mr. S. N. Aseerwatham, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated the 4th day of May, 1899, having been read: It is declared that the petitioner is the widow of the said intestate, and is entitled to have letters of administration to the estate of the said deceased issued to her, unless the respondents or any other person shall, on or before the 19th day of June, 1899, show sufficient cause to the satisfaction of this court to the contrary.

THOMAS R. E. LOFTUS,  
Additional District Judge.

This 5th day of May, 1899.

## NOTICES OF FISCALS' SALES.

### Southern Province.

In the District Court of Galle.

William Abeyasundara, of Galle.....Plaintiff.  
No. 4,395. Vs.

1, Ukwatte Hewage Tepanis de Silva, of Dangedara, and others.....Defendants.

NOTICE is hereby given that on Tuesday, July 4, 1899, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property, viz.:-

1. All that undivided 2-5 parts of  $\frac{1}{2}$  of all the soil and soil share trees of Egodatuduweawatta *alias* Kebellagahawatta and of the adjoining owita lying on either side of the road, together with three cadjan-thatched houses of 15, 7, and 5 cubits respectively standing thereon, situate at Dangedara.

2. The soil and plantation of the garden Mahaliyadda-addaraowita, in extent 2 acres and  $7\frac{1}{2}$  perches, situate at Dangedara.

3. All that undivided 1-12 part of Amukanattewatta-addaraowita, in extent 36 kurunies of paddy, and the cadjan-thatched house of 7 cubits standing thereon, situate at Dangedara.

4. All that undivided 1-36 part of Amukanatta-addarakumbura *alias* owita, situate at Dangedara.

5. All that undivided half of  $\frac{1}{2}$  of the soil and fruit trees, excluding the planter's share of a portion, in extent 4 acres and 22-40 perches of Mahagodaduweawatta *alias* Mahaduweawatta, situate at Dangedara.

6. All that the soil and fruit trees of Iniwaliyadda *alias* owita of about 3 pelas of paddy in extent, situate at Dangedara.

7. All that undivided half part of Punchiduwa-addarawela, including the Kalawita land, in extent 2 pelas or paddy, situate at Dangedara.

8. All that undivided half part of Pashawulowita, including the Kalawita land, in extent of about 2 pelas of paddy, situate at Dangedara.

9. All that undivided 1-12 part of the soil and fruit trees, excluding the planter's share thereof, of the garden Mahaduweawatta, and also the tiled house of 7 cubits standing thereon, situate at Dangedara.

10. All that undivided 1-36 part of Amukanattewatta-addaraowita, in extent 36 kurunies of paddy, situate at Dangedara.

On Thursday, July 6, 1899, at 3-30 in the afternoon, at the spot, viz.:-

11. All that undivided  $\frac{1}{2}$  part of a portion, in extent 1 acre 3 roods and 30-88 perches of Kurunduweawatta-addaraowita *alias* kumbura, situate at Kumbalwella.

12. All that undivided  $\frac{1}{4}$  part of a portion, in extent 1 rood and 38.47 perches of the adjoining Ela-addara-liyadda, situate at Kumbalwella.

13. All that undivided  $\frac{3}{4}$  part of Ela-addaraowita, situate at Kumbalwella.

On Monday, July 10, 1899, at 3 in the afternoon, at the spot, viz.:-

14. All that undivided 337-720 parts of Hoyiborok-waturawa *alias* Royiborokwaturawa, in extent 6 amunams of paddy, all that undivided 31-80 parts of Polayalduwawatta, all that land called Koratuwepitagodawatta, all that undivided  $\frac{1}{4}$  part of Hatarenpangur Waturawaowita, and all that undivided  $\frac{1}{4}$  part of Galhiredgodawatta; all adjoining each other, situate at Udaweliwitiya.

15. All that undivided  $\frac{3}{4}$  parts of Ithalabedde Amuowita, Punchigodellawatta of 12 bags of paddy in extent, situate at Udaweliwitiya.

16. All that undivided 11-12 parts of Koratupitagodawatta of 4 bags of paddy in extent, situate at Udaweliwitiya.

Mortgaged by writing obligatory No. 424, dated July 24 and 26, 1895, and declared bound and executable under the judgment entered in the above case.

This writ is issued to levy a sum of Rs. 2,371.17, with interest on Rs. 2,000 at 12 per cent. per annum from September 7, 1896.

Fiscal's Office,  
Galle, June 5, 1899.

C. T. LEEBRUGGEN,  
for Fiscal.

#### In the District Court of Galle.

Uduma Lebbe Maricar Mohamadu Lebbe,  
of Gintota ..... Plaintiff.  
No. 5,213. Vs.

Segu Ismail Lebbe Abdul Cassim, of Gintota Welipitimodara ..... Defendant.

NOTICE is hereby given that on Saturday, July 15, 1899, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property, viz.:-

1. All the soil and trees of 9 acres 39 square perches and  $\frac{1}{4}$  of a perch extent out of 58 acres 2 square roods 36 square perches and  $\frac{1}{100}$  of a perch extent of the field called Potuwila *alias* Hakgodawila, and excluding the planter's share of the plantations of Opatagodaduwa, situate at Batuwantudawa.

On Wednesday, July 19, 1899, at 3 P.M. in the afternoon, at the premises, viz.:-

2. All the soil and trees of half part of the portion in which Segu Ismail Lebbe resided of the garden Kurunduwatta and half part of the house of 11 cubits standing thereon, situate at Gintota Welipitimodara.

Mortgaged upon the writing obligatory, dated February 11, 1896, No. 3,157, and declared executable under the judgment entered in the above case.

This writ is issued to levy a sum of Rs. 811.67 $\frac{1}{2}$ , with legal interest on Rs. 718.75 from February 1, 1899.

Fiscal's Office,  
Galle, June 6, 1899.

C. T. LEEBRUGGEN,  
for Fiscal.

#### In the District Court of Matara.

Hewamadduma Liyanage Don Juwanis ..... Plaintiff.  
No. 1,334. Vs.

Don Samel Weerasekere Disanaikie ..... Defendant.

NOTICE is hereby given that on Monday, July 3, 1899, at 12 o'clock noon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, for the recovery of Rs. 367.85, viz.:-

At Hiriketiyagoda in Dodampahala.

1. The garden Wella-adderawatta and the buildings standing thereon.
2. The garden Siyambalagahawatta.
3. The garden Polkoratuwa.

Deputy Fiscal's Office,  
Matara, June 2, 1899.

H. J. DE LIVERA,  
Deputy Fiscal.

#### In the District Court of Matara.

Emelia Felicia Buultjens ..... Plaintiff.  
No. 1,900. Vs.

Don James Alahakon Appuhamy and others... Defendants.

NOTICE is hereby given that on Monday, July 3, 1899, at 12 noon, will be sold by public auction at the spot the right, title, and interest of the said defendants in the following property, for the recovery of Rs. 841.90, with interest, viz.:-

At Naimana.

1. One-tenth part of the garden Julgahawatta and  $\frac{1}{10}$  part of the buildings standing thereon.
2. The garden Tolbot Unnansegewatta *alias* Kurunduwatta, in extent about 10 acres.

Deputy Fiscal's Office,  
Matara, June 2, 1899.

H. J. DE LIVERA,  
Deputy Fiscal.

#### In the District Court of Matara.

Alia Marikar Mohamadu Hanifa ..... Plaintiff.  
No. 2,213. Vs.

W. C. Tillekaratna Disanaikie ..... Defendant.

NOTICE is hereby given that on Monday, July 3, 1899, at 12 o'clock noon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, for the recovery of Rs. 360, with interest, viz.:-

At Dewundera.

1. The land Balahamigekoratuwa *alias* Wedigekoratuwa.
2. The land Mohottigekoratuwa.

Deputy Fiscal's Office,  
Matara, June 2, 1899.

H. J. DE LIVERA,  
Deputy Fiscal.

#### Province of Uva.

#### In the District Court of Kegalla.

Ana Pina Rina Muttiah Chetty, by his  
Attorney Ana Pina Rina Kannappa  
Chetty, of Golahela ..... Plaintiff.  
No. 1,028. Vs.

Weena Kuna Sana Sodaliyandi Achari, of  
Undugoda ..... Defendant.

NOTICE is hereby given that on Saturday, July 1, 1899, commencing at 11 A.M., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz.:-

1. Katurugollehena (now a tea garden) of 3 acres 3 roods and 30 perches, situate at Undugoda; and bounded on the north by the limit of Pillamulahena, on the east by Helapitahena, on the south by stone fence, and on the west by Walingurugollehena.

2. Pillamulahena (now a tea garden) of 1 acre 1 rood and 37 perches, situate at Undugoda; and bounded on the north by dry stream, on the east by high road and Romel Silva's garden, on the south by Katurugollehena, and on the west by the limit of Crown land.

3. Helapitahena (now a tea garden) of 2 acres 1 rood and 11 perches, situate at Undugoda; and bounded on the north by ditch, on the east by dry stream, on the south by Kurukosgahamulahena, and on the west by Katurugollehena, with the house thereon.

Writ issued to levy the sum of Rs. 800.

Deputy Fiscal's Office,  
Kegalla, June 7, 1899.

TIMOTHY F. ABAYAKOON,  
Deputy Fiscal.



In the District Court of Kegalla.

Ana Pina Rina Annamale Chetty, of Golahela...Plaintiff.  
No. 1,043. Vs.

Weena Kuna Sana Sodaliyandi Achari, of  
Undugoda.....Defendant.

NOTICE is hereby given that on Saturday, July 1, 1899, commencing at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

1. Katurugollehena (now a tea garden) of 3 acres 3 roods and 30 perches, situate at Undugoda ; and bounded on the north by the limit of Pillamulahena, on the east by Helapitahena, on the south by stone fence, and on the west by Walingurugollehena.

2. Pillamulahena (now a tea garden) of 1 acre 1 rood and 37 perches, situate at Undugoda ; and bounded on the north by dry stream, on the east by high road and Romel Silva's garden, on the south by Katurugollehena, and on the west by the limit of Crown land.

3. Helapitahena (now a tea garden) of 2 acres 1 rood and 11 perches, situate at Undugoda ; and bounded on the north by ditch, on the east by dry stream, on the south by Kurukosgahamulahena, and on the west by Katurugollehena, with the house thereon.

Writ issued to levy a the sum of Rs. 762-50.

TIMOTHY F. ABAYAKOON,  
Deputy Fiscal's Office,  
Kegalla, June 7, 1899. Deputy Fiscal.

In the District Court of Colombo.

The Eastern Produce and Estate Company,  
Limited.....Plaintiffs.  
No. C 11,156. Vs.

E. Smyth, of Mahalla estate.....Defendant.

NOTICE is hereby given that on Saturday, July 1, 1899, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the right,

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

1. All those three adjoining allotments of land called and known as Mirishena, Galgodahena, and Medahena, situate and lying at Mahalla in Dehigampal korale of Three Korales ; bounded on the north by Tummuduna rock standing on the boundary of the village Humbas-walana, east by the boundary of Situnkanda Dandubandinagala, on the south and west by the boundary lines between the portions of lands allotted to the villagers and those reserved for the Crown, containing in extent about 10 pelas of paddy sowing, equivalent to about 13 acres 2 roods more or less.

2. The allotment of land called and known as Galgodahena, situated and lying at Mahalla in the aforesaid korale ; bounded on the north by Tummuduna rock and Mukalana, on the east by Maladola and Mirishena, on the south by Maladola and Gurupaskadahena, on the west by Maladola and Mukalanahena, containing in extent about one amunam.

3. The allotments of land called Wallahena, Galgodahena, Hungurahena, and Dandumedinagalapallehena adjoining each other, situated at Mahalla in the aforesaid korale ; bounded on the east by Lokugala and the limit of tea estate, south by Dambul-oya, west by Dambul-oya and the tea estate, and north by limit of Senikoroppuwatta ; containing in extent three amunams of paddy sowing extent.

4. The allotment of land called Gurupaskadahena, situate at Mahalla in the aforesaid korale ; bounded on the east by Etagalamuladola, south by Maha-ela, west by Mainpara (liminary road), and north by Talagahadorowwahena and Dandubandinagala, containing in extent 5 acres and 3 roods, with the tea and other plantations and the buildings thereon.

Writ issued to levy the sum of Rs. 554-77, with interest thereon at 9 per cent. per annum from March 28, 1898, and Rs. 101-12 costs.

TIMOTHY F. ABAYAKOON,  
Deputy Fiscal's Office,  
Kegalla, June 7, 1899. Deputy Fiscal.

I, GEORGE MERRICK FOWLER, Acting Fiscal for the Western Province, do hereby appoint James Perera Samarasekara to be Marshal for the Division of Hapitigam korale, in the District of Negombo, Western Province, under the provisions of the Fiscals' Ordinance, No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

This 1st June, 1899.

G. M. FOWLER,  
Acting Fiscal.

I, GEORGE MERRICK FOWLER, Acting Fiscal for the Western Province, do hereby appoint Solomon Dias Samarasinghe to be Marshal for the Kosgama peruwa in the Udugaha pattu of Hewagama korale, in the District of Avisawella, under the provisions of the Fiscals' Ordinance No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

This 1st June, 1899.

G. M. FOWLER,  
Acting Fiscal.

I, GEORGE MERRICK FOWLER, Acting Fiscal for the Western Province, do hereby appoint James de Livera Weerakoon to be Marshal for the District of Panadure, under the provisions of the Fiscals' Ordinance, No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

This 1st June, 1899.

G. M. FOWLER,  
Acting Fiscal.

I, GEORGE MERRICK FOWLER, Acting Fiscal for the Western Province, do hereby appoint Peter de Fonseka Samarakkody to act as Marshal for the Division of Siyane korale east, in the District of Colombo, Western Province, under the provisions of the Fiscals' Ordinance, No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

This 1st June, 1899.

G. M. FOWLER,  
Acting Fiscal.

IT is hereby notified that I, George Algernon Baumgartner, Fiscal for the Province of Uva, do hereby appoint Dodanpahalage Elias Fernando Weerasooriya to be Fiscal's Marshal for that Division of the Province of Uva, consisting of the Chief Headmen's divisions of Udakinda and Wellaway, under the provisions of "The Fiscals' Ordinance, 1867."

His office will ordinarily be at Haputale.

Fiscal's Office,  
Badulla, June 2, 1899.

G. A. BAUMGARTNER,  
Fiscal.

IT is hereby notified that I, George Algernon Baumgartner, Fiscal for the Province of Uva, do hereby cancel the warrant of appointment of Don Peter Wijekoon as Fiscal's Marshal, under the provisions of "The Fiscals' Ordinance of 1867."

Fiscal's Office,  
Badulla, June 2, 1899.

G. A. BAUMGARTNER,  
Fiscal.

**DISTRICT AND MINOR COURTS NOTICES.**

**N**OTICE is hereby given that a suit No. 1,212 has been instituted in the Court of Requests of Avisawella by two labourers of Farnham estate, Avisawella, against the proprietor thereof, under the Ordinance No. 13 of 1889, for the recovery of Rs. 22 due to them as wages.

ALFRED PRONK,  
Chief Clerk.

This 1st June, 1899.

**N**OTICE is hereby given that a suit No. 1,219 has been instituted in the Court of Requests of Avisawella by seven labourers of Ruanwella estate against the proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of Rs 102 due to them as wages.

ALFRED PRONK,  
Chief Clerk.

This 1st day of June, 1899.