



Ceylon Government Gazette

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PART II.—Legal and Judicial.

PART III.—Provincial Administration.

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Part II.—Legal and Judicial.

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NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 1,816. In the matter of the insolvency of Rannegey Don Joseph, of Weddemulla.

WHEREAS the above-named Rannegey Don Joseph, of Weddemulla, was on November 12, 1894, adjudged insolvent by the District Court of Colombo, and an order has been made by the said court placing the estate of the said insolvent under sequestration in the hands of the Fiscal: Notice thereof is hereby given to all concerned; and notice is also hereby given that the said court has appointed that two public sittings of the court will be held, to wit, on December 13, 1894, and January 17, 1895, for the said insolvent to surrender and conform, and for such other proceedings in the said matter as may then be competent under the Ordinance No. 7 of

1853, intituled "An Ordinance for the due collection, administration, and distribution of Insolvent Estates."

By order of court,

Colombo, November 12, 1894. J. B. Misso,
Secretary.

In the District Court of Kalutara.

No. 96. In the matter of the insolvency of Weerakonde, Arachchige Bastian de Silva, of Alutgama.

NOTICE is hereby given that the second public sitting of this court in the above-mentioned matter has been adjourned to December 7, 1894.

By order of court,

Kalutara, November 8, 1894. JOHN G. L. VAN DER STRAATEN,
Secretary.

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance for the prevention of Accidents by Gunpowder and other Explosives.

Preamble.

WHEREAS it is expedient to amend the law relating to the prevention of accidents by gunpowder and other explosives: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

PRELIMINARY.

Short title. ¹⁸⁹⁴
Commencement.

1 This Ordinance may be cited as "The Explosives Ordinance, 1894," and shall come into operation at such time as the Governor shall by Proclamation in the *Government Gazette* appoint.

Repeal.

2 From and after the date on which this Ordinance shall come into operation, the Ordinance No. 12 of 1873, intituled "An Ordinance for the prevention of Accidents by Gunpowder," and the Ordinance No. 10 of 1893, intituled "An Ordinance for the prevention of Accidents by Gunpowder and other Explosives," shall be repealed.

Provided that such repeal shall not affect the past operation of, or any liability, penalty, forfeiture, or punishment under, the Ordinances hereby repealed, or any rules passed thereunder, or any investigation or legal proceeding in respect of any such liability, penalty, forfeiture, or punishment as aforesaid.

3 This Ordinance shall apply to gunpowder and other explosives as defined by this section.

The term "explosives" in this Ordinance—

- (1) means gunpowder, nitroglycerine, dynamite, gun cotton, blasting powder, fulminate of mercury or of other metals, and every other substance or mixture, whether similar to those above-mentioned or not, used or manufactured with a view to produce a practical effect by explosion; and
- (2) includes fog signals, fuzes, percussion caps, detonators cartridges, ammunition of all descriptions, and every adaptation or preparation of an explosive as above defined; and
- (3) shall not apply to any chemical compound or preparation necessary for making a squib, cracker, serpent, rocket (other than a war rocket), maroon, lance, wheel, Chinese fire, Roman candle, or other article intended to produce a purely pyrotechnic effect, or to such manufactured fireworks.

Appointment of inspectors.

4 The Government may from time to time appoint, remove, and re-appoint any fit persons to be inspectors of explosives for the purposes of this Ordinance, and assign them their duties.

Every order appointing an inspector shall be published in the *Government Gazette*.

5 An inspector of explosives shall have power to make such examination and inquiry as may be necessary to ascertain whether this Ordinance is complied with, and for that purpose—

- (1) he may enter, inspect, and examine any magazine or store of any explosive, and every part thereof, at all times by day and night, but so as not to unnecessarily impede or obstruct the work in such magazine or store, and may make inquiries as to the observance

of this Ordinance, and all matters and things relating to the safety of the public or of the persons employed in or about such magazine or store ; and

- (2) he may enter, inspect, and examine any premises registered under this Ordinance, and every part thereof in which any explosive is kept, or is reasonably supposed by him to be kept, at all reasonable times by day ; and
- (3) he may require the occupier of any magazine, store, or premises which he is entitled, under this section, to enter, or a person employed by such occupier therein, to give him samples of any explosive or ingredients of an explosive therein, or of any substance therein the keeping of which is restricted or regulated by this Ordinance, or of any substance therein which the inspector believes to be an explosive, or such ingredients or substance.

The occupier of every such magazine, store, and registered premises, his agents and servants, shall furnish the means required by the inspector as necessary for every such entry, inspection, examination, and inquiry.

Any person who fails to permit an inspector to enter, inspect, examine, or make inquiries in pursuance of this section, or to comply with any requisition of such inspector in pursuance of this section, or who in any manner obstructs such inspector in the execution of his duties under this Ordinance, shall be liable to a penalty not exceeding one thousand rupees for each offence.

Offences under this Ordinance to be cognizable and bailable and triable in police courts.

6 Every offence under this Ordinance shall be cognizable and bailable, and may be inquired into, tried, and determined by the police court of the district in which the offence was committed wholly or in part, and such court shall have jurisdiction to award the maximum punishment or penalty prescribed therefor, and to declare and adjudge all explosives and ingredients liable to forfeiture under this Ordinance to be forfeited, and to condemn the same, whatever may be the amount or value thereof, anything in "The Criminal Procedure Code, 1883," to the contrary notwithstanding.

Any party feeling aggrieved by any order made by a police court under this section may appeal therefrom to the Supreme Court in manner provided by chapter XXXI. of "The Criminal Procedure Code, 1883."

7 This Ordinance shall not apply to any store, premises, wharf, place, or explosive under the control of the military, navy, or volunteers or other department of Government, or otherwise held for the service of the Crown or of the Government, or for the use of Her Majesty's army, navy, or volunteers.

8 The manufacture of gunpowder or other explosive shall not, nor shall any process of such manufacture be carried on in this island.

If any person manufactures gunpowder or other explosives, or carries on any process of such manufacture at any place in this island, all or any part of such articles or the ingredients thereof which may be found either in or about such place may be forfeited; and the person so manufacturing shall be liable to a penalty not exceeding one thousand rupees a day for every day during which he so manufactures.

Provided that nothing in this section shall apply to the making of a small quantity of explosives for the purpose of chemical experiment, and not for practical or general use or for sale.

PART I.

Relating to Gunpowder.

9 Gunpowder shall not be kept in any place except as follows ; that is to say :

- (1) Except in a magazine or store for gunpowder either lawfully existing or licensed under this Ordinance for keeping gunpowder ; or
- (2) Except in premises registered under this Ordinance for keeping gunpowder.

Provided that this section shall not apply—

- (1) to a person keeping for his private use and not for sale gunpowder to an amount not exceeding on the same premises fifteen pounds ; or
- (2) to the keeping of any gunpowder by a carrier or other person for the purpose of conveyance when the same is being conveyed or kept in accordance with the provisions of this Ordinance with respect to the conveyance of gunpowder.

Any gunpowder kept in any place other than as above in this section mentioned shall be deemed to be kept in an unauthorized place.

Where any gunpowder is kept in any unauthorized place—

- (1) all or any part of the gunpowder found in such place may be forfeited ; or
- (2) the occupier of such place, and also the owner of, or other person guilty of keeping the gunpowder, shall each be liable to a penalty not exceeding one rupee for every pound of gunpowder so kept.

10 Any person may apply for a license for a gunpowder store to the government agent of the province in which the store is situated, stating his name, address, and calling, the proposed site and construction of the store, and the amount of gunpowder he proposes to store therein ; and the government agent shall, as soon as practicable, if the proposed site, construction of the store, and amount of gunpowder are in accordance with the regulations made by the Governor in manner hereinafter mentioned, grant to the applicant, on payment of a stamp duty of Rs. 2·50, the license applied for.

The government agent may reject the application if the applicant is not, in his opinion, a fit person to keep gunpowder, and on such rejection it shall be the duty of the government agent to furnish to the applicant in writing the reasons of such rejection. Thereupon the applicant may appeal to the Governor in Executive Council, who, after such inquiry, local or other as he may think necessary, may refuse or order the issue of the license applied for with or without conditions.

11 The Governor may from time to time, with the advice of the Executive Council, make regulations to—

- (1) regulate the construction, materials, and fittings of gunpowder stores ; and
- (2) prescribe the buildings and works from which gunpowder stores are to be separated, and the distances by which they are to be separated ; and
- (3) prescribe the maximum amount of gunpowder, not exceeding two tons, to be kept in stores, graduated according to their construction and situation, and their distances from the said buildings and works.

12 In every gunpowder store the following general rules shall be observed ; that is to say,

- (1) The regulations relating to stores, so far as they apply to such stores, shall be duly observed ;
- (2) There shall not be at the same time in the store an amount of gunpowder exceeding the amount specified in the license ; and
- (3) The stores shall be used only for the keeping of gunpowder and receptacles for, or tools or implements for work connected with, the keeping of such gunpowder ; and
- (4) The interior of the store and the benches, shelves, and fittings therein shall be so constructed or so lined or covered as to prevent the exposure of any iron, steel, or similar substance in such manner as to come into contact with the gunpowder, and such interior, benches, shelves, and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean ; and

- (5) The store shall have attached thereto a sufficient lightning conductor, unless it is made by excavation; and
- (6) Before repairs are done to or in any part of a store the store shall, so far as practicable, be cleaned by the removal of all gunpowder, and the thorough washing out of the store; and after such cleaning these rules shall cease to apply to the store until gunpowder is again taken there; and
- (7) Except after such cleaning all tools and implements used in or in any repairs to the store shall be made only of wood, copper, or brass, or some soft metal or material, or shall be covered with some safe and suitable material; and
- (8) Due provision shall be made, by the use of suitable working clothes without pockets, suitable shoes, searching, and otherwise, or by some of such means, for preventing the introduction into the store of fire, lucifer matches, or any substance or article likely to cause explosion or fire, or any iron, steel, or grit; but this rule shall not prevent the introduction of an artificial light of such construction, position, or character as not to cause any danger of fire or explosion; and
- (9) No person shall smoke in any part of the store; and
- (10) Any person under the age of sixteen years shall not be employed in or enter the store except in the presence and under the supervision of some grown-up person.

In the event of any breach (by act or default) of the general rules in any store—

- (a) all or any part of the gunpowder in respect to which, or being in the store when the offence was committed, may be forfeited; and
- (b) the occupier shall be liable to a penalty not exceeding one hundred rupees, and in addition (in the case of a second offence) one hundred rupees for every day during which such breach continues.

Non-transferability, renewal, and forms of store licenses.

13 A store license shall be valid only for the person named in it, and shall annually, unless the circumstances have so changed that the grant of a new license would not be authorized by this Ordinance, on application by post or otherwise, and payment of a stamp duty of fifty cents, be renewed by the government agent by endorsement or otherwise for that year, and unless so renewed shall expire.

Store licenses shall be in the form from time to time directed by the Governor.

Special rules for regulation of workmen in stores.

14 Every occupier of a store may, with the sanction of the Governor, make, and when made may, with the like sanction, repeal, alter, or add to special rules for the regulation of the persons managing or employed in or about such store, with a view to secure the observance of this Ordinance therein, and the safety and proper discipline of the said persons and the safety of the public.

There may be annexed to any breach of special rules made in pursuance of this section such penalties not exceeding twenty rupees for each offence as may be deemed just.

15 An existing gunpowder store shall not be deemed to be a lawfully existing store unless, on application made to the government agent, it is certified by him that such store may be continued.

The occupier of the store desirous of obtaining a continuing certificate shall, before the expiration of three months after the date when this Ordinance shall come into operation, submit an application for such certificate to the government agent, stating his name, address, and calling, and the situation and construction of the store, and accompanied by such particulars respecting the store as may be necessary to enable the government agent to make out the certificate.

The government agent shall, as soon as practicable, on payment of a stamp duty of Rs. 2.50, grant the continuing certificate, inserting therein such particulars as may appear to him to be sufficient to identify the store, and the maximum quantity of gunpowder which the store may hold.

Registration of premises with the government agent for purposes of retail sale.

16 A person desirous of having his premises registered for the keeping of gunpowder for purposes of retail sale shall apply to the government agent stating his name and calling, and the situation of said premises, and the government agent, if satisfied that such premises may be registered, shall cause the same to be registered, and shall issue a certificate to that effect on payment of a stamp duty of 50 cents. Such registration shall not be taken to justify any person other than the person named in the certificate to keep gunpowder in such premises, and shall be annually renewed on payment of a like duty of fifty cents.

General rules for registered premises.

17 The following general rules shall be observed with respect to registered premises :

- (1) The gunpowder shall be kept in a house or building or in a fire-proof safe, such safe, if not within a house or building, to be at a safe distance from any highway, street, public thoroughfare, or public place; and
- (2) The amount of gunpowder shall not—
 - (a) if it is kept in a substantially constructed building exclusively appropriated for the purpose, and detached from a dwelling-house, or in a fire-proof safe outside a dwelling-house and detached therefrom, and at a safe distance from any highway, street, public thoroughfare, or public place, exceed two hundred pounds; and
 - (b) if it is kept inside a dwelling-house, or in any building other than as last aforesaid, exceed fifty pounds, unless it is kept in a fire-proof safe within such house or building, in which case the amount shall not exceed one hundred pounds; and
- (3) An article or substance of an inflammable nature shall not be kept in a fire-proof safe with the gunpowder, and in every case shall be kept at a safe distance from the gunpowder, or the safe containing the same; and
- (4) Neither the building exclusively appropriated for the purpose of keeping gunpowder nor the fire-proof safe shall have any exposed iron or steel in the interior thereof; and
- (5) All gunpowder exceeding one pound in amount shall be kept in a substantial case, bag, canister, or other receptacle made and closed so as to prevent the gunpowder from escaping.

In the event of any breach (by any act or default) of the foregoing rules—

- (a) all or any part of the gunpowder in respect to which, or being in any house, building, place, safe, or receptacle in respect to which the offence was committed, may be forfeited; and
- (b) the person registered shall be guilty of an offence and liable on conviction to a fine not exceeding one rupee for every pound of gunpowder in respect of which, or being on the premises in which the offence was committed.

Restriction on sale of gunpowder in highways, &c.

18 Gunpowder shall not be hawked, sold, or exposed for sale upon any highway, street, public thoroughfare, or public place.

If any gunpowder is hawked, sold, or exposed for sale in contravention of this section—

- (1) the person hawking, selling, or exposing for sale the same shall be liable to a penalty not exceeding twenty rupees; and

- (2) all or any part of the gunpowder which is so hawked or exposed for sale, or is found in the possession of any person convicted under this section, may be forfeited.

Penalty for sale of gunpowder to children.

19 Gunpowder shall not be sold to any child apparently under the age of thirteen years; and any person selling gunpowder in contravention of this section shall be liable to a penalty not exceeding fifty rupees.

20 All gunpowder exceeding one pound in weight, when publicly exposed for sale or sold, shall be in a substantial case, bag, canister, or other receptacle made and closed so as to prevent the gunpowder from escaping, and except when the same is sold to any person employed by or on the property occupied by the vendor for immediate use in the service of the vendor or on such property, the outermost receptacle containing such gunpowder shall have affixed the word "gunpowder" in conspicuous characters by means of a band or securely attached label or other mark.

If any gunpowder is sold or exposed for sale in contravention of this section—

- (1) the person selling or exposing for sale the same shall be liable to a penalty not exceeding twenty rupees;
- (2) all or any part of the gunpowder so exposed for sale may be forfeited.

Gunpowder not to be sold without a license.

21 It shall not be lawful for any person to sell gunpowder in this colony unless such person shall have previously obtained a license from the government agent of the province, or the assistant government agent of the district, within which such person proposes to sell gunpowder.

Every such license shall be substantially in the form A in the second schedule to this Ordinance annexed, and shall bear a stamp duty of five rupees. Provided that it shall be lawful for a government agent or assistant government agent to refuse to issue a license if he shall consider that a sufficient number of licenses have been issued in the neighbourhood, or that the applicant is not a fit person, or that he has not provided registered premises for the keeping of gunpowder; and the government agent or assistant government agent may at any time recall and cancel such license should he see fit to do.

General rules as to packing of gunpowder for conveyance.

22 The following general rules shall be observed with respect to the packing of gunpowder for conveyance:

- (1) The gunpowder, if not exceeding five pounds in amount, shall be contained in a substantial case, bag, canister, or other receptacle made and closed so as to prevent the gunpowder from escaping; and
- (2) The gunpowder, if exceeding five pounds in amount, shall be contained either in a single package or a double package. A single package shall be a box, barrel, or case of such strength, construction, and character as may be for the time being approved by the inspector of explosives as being of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure whilst being conveyed, and will not allow the gunpowder to escape. If the gunpowder is packed in a double package the inner package shall be a substantial case, bag, canister, or other receptacle made and closed so as to prevent the gunpowder from escaping, and the outer package shall be a box, barrel, or case of wood or metal or other solid material, and shall be of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure whilst being conveyed, and will not allow the gunpowder to escape; and

- (3) The interior of every package, whether single or double, shall be kept free from grit and otherwise clean; and
- (4) Every package, whether single or double, when actually used for the package of gunpowder, shall not be used for any other purpose; and
- (5) There shall not be any iron or steel in the construction of any such single package or inner or outer package, unless the same is effectually covered with tin, zinc, or other material; and
- (6) The amount of gunpowder in any single package, or if there is a double package in any one outer package, shall not exceed one hundred pounds, except with the consent of and under conditions approved by an inspector of explosives; and
- (7) On the outermost package there shall be affixed the word "gunpowder" in conspicuous characters by means of a band or securely attached label or other mark.

In the event of any breach (by any act or default) of any general rule in this section, the gunpowder in respect of which the breach is committed may be forfeited, and the person guilty of such breach shall be liable to a penalty not exceeding two hundred rupees.

23 The Governor in Executive Council may from time to time make, and when made repeal, alter, and add to rules for the purpose of rescinding, altering, or adding to the general rules contained in this section, and the rules so made by the Governor in Executive Council shall have the same effect as if they were enacted in this section.

PART II.

Relating to other Explosives.

24 Subject to the provisions contained in this part of the Ordinance, the provisions of Part I. relating to gunpowder shall apply to every other description of explosives as if the provisions of Part I. were herein re-enacted, substituting each description of the other explosives for gunpowder.

25 The following modifications and additions shall be made in and to Part I. of this Ordinance so as to apply to explosives other than gunpowder:

- (1) The general rules made by the Governor in Executive Council for stores and registered premises intended for explosives other than gunpowder shall be substituted for the general rules in Part I. relating to stores and registered premises intended for gunpowder;
- (2) The Governor in Executive Council may from time to time alter the general rules relating to packing provided in Part I. of this Ordinance for the purpose of adapting the same to the packing of any explosives other than gunpowder; and
- (3) For the maximum quantity limited by Part I. to be kept for private use and not for sale, or in a store, and for the minimum quantity limited by Part I. to be exposed for sale or to be sold, there shall be substituted in the case of explosives other than gunpowder the following quantities, namely:
 - (a) Where such explosives consist of safety cartridges made with gunpowder, an amount not more than five times the maximum or minimum quantity of the gunpowder mentioned; and
 - (b) In the case of any other explosive, the amount determined by the Governor in Executive Council; and
- (4) Two or more descriptions of explosives shall not be kept in the same store or registered premises, except such descriptions as may be prescribed in that behalf; and when so kept shall be kept subject to the conditions and restrictions prescribed by the Governor in Executive Council; and

- (5) Where any explosive other than gunpowder is allowed to be kept in the same store or registered premises with gunpowder, the maximum quantity of gunpowder to be kept therein shall be the quantity prescribed by the Governor in Executive Council in lieu of the quantity fixed by Part I. ; and
- (6) Where any explosive other than gunpowder is allowed to be kept in the same store or registered premises with gunpowder, the general rules prescribed by the Governor in Executive Council shall be observed instead of the general rules in Part I. ; and
- (7) There shall be on the outermost package containing the explosive, in lieu of the word "gunpowder," the name of the explosive, with the addition of the word "explosive," and if such name is materially false, the person selling or exposing for sale such explosive, and also the owner of the explosive, shall be liable to a penalty not exceeding five hundred rupees ; and

Importation.

- (8) With respect to the importation from any place out of the colony of either dynamite, or gun-cotton, or any explosive (other than gunpowder, cartridges made with gunpowder, percussion caps, fireworks, and any explosive prescribed by the Governor in Executive Council), the following provisions shall have effect ; that is to say,
 - (a) The owner and master of any ship having on board any such explosive shall not permit the same to be unloaded and delivered to any person who does not hold a license to import the same from the Governor in Executive Council, and any transshipment shall, for the purpose of this section, be deemed to be delivery ; and
 - (b) The Governor in Executive Council may grant an importation license for any such explosive, and may annex thereto any prohibitions and restrictions with respect to the composition and quality of the explosive, and the unloading, landing, delivery, and conveyance thereof, and such further provisions and restrictions as he may think fit for the protection of the public from danger ; and
 - (c) The license shall be of such duration as the Governor in Executive Council may fix, and shall be available only for the person named in the license ; and
 - (d) In the event of any breach by any act or default of the provisions of this section with respect to the importation of an explosive, or of the provisions of any importation license, all or any part of the explosive with respect to which such breach is committed, or being in any ship or boat in connection with which such breach is committed, may be forfeited, and the owner and master of such ship or boat, and the licensee or person to whom the explosive is delivered, shall each be liable to a penalty not exceeding one thousand rupees, and to a further penalty not exceeding one rupee for every pound of such explosive ; and
 - (e) The customs officers shall have the same power with respect to any such explosive, and the ship containing the same, as they have for the time being with respect to any article on the importation of which restrictions are for the time being imposed by the law relating to the customs, and the ship containing the same, and the enactments for the time being in force relating to the customs or any such article or ship shall apply accordingly.

26 Nothing in this Ordinance shall apply to the filling or conveying for private use, and not for sale, of any safety cartridges to the amount allowed by this Ordinance to be kept for private use.

27 Notwithstanding anything in this Ordinance, the Governor, with the advice of the Executive Council, from time to time by special order, may prohibit, either absolutely or subject to conditions, the keeping, importing from any place out of the colony, conveying, and selling of any dangerous explosive.

Provided that such order shall not absolutely prohibit anything which may be lawfully done in pursuance of any continuing certificate under this Ordinance.

Any explosive kept in contravention of any such order shall be deemed to be conveyed in contravention of a by-law made under this Ordinance with respect to the conveyance of explosives.

If any explosive is imported or sold in contravention of any such order—

- (1) All or any part of such explosives may be forfeited ;
and
- (2) The owner or master of the ship in which it was imported shall be liable to a penalty not exceeding five rupees for every pound of such explosive brought in the ship ; and
- (3) The person to whom it was delivered, and the person selling the same, shall be liable to a penalty not exceeding five rupees for every pound of such explosive delivered or sold or found in his possession.

28 The customs officers shall have the same power with respect to any such explosive and the ship containing the same as they have with respect to any article prohibited to be imported by the law relating to customs and the ship containing the same ; and the enactments for the time being in force relating to customs and any such article and ship shall apply accordingly.

SCHEDULE A. •

SCHEDULE B.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, November 10, 1894.

E. NOEL WALKER,
Colonial Secretary.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Don William Kannangara, deceased, of Bandaragama.

THIS matter coming on for disposal before H. C. P. Bell, Esq., Acting District Judge of Kalutara, on the 20th day of October, 1894, in the presence of Mr. S. B. Kuruppu, Proctor, on the part of the petitioner Attanayakege Ukku Menika, of Bandaragama; and the affidavit of the said Attanayakage Ukku Menika, dated the 20th day of October, 1894, having been read: It is further declared that the said Attanayakage Ukku Menika, as the widow of the above-named deceased, is entitled to have letters of administration of the deceased's estate issued to her, unless the respondents—1, Dona Elizabeth Kannangara; 2, Edmund Henry Kannangara; 3, Emily Kannangara, all of Bandaragama—shall, on or before the 20th day of November, 1894, show sufficient cause to the satisfaction of this court to the contrary.

H. C. P. BELL,
Acting District Judge.

The 20th day of October, 1894.

In the District Court of Kandy.

Testamentary Jurisdiction. { In the Matter of the Estate of Mahamadu Casim Writer's daughter Hamidu Umma, of Katukelle, deceased.

Ossen Saibo Omer Lebbe Marikar Petitioner
And

Sobarhul Ameer by his guardian *ad litem*
Cader Mohideen Noordeen Respondent.

THIS matter coming on for disposal before John Henricus de Saram, Esq., District Judge of Kandy, on the 29th day of October, 1894, in the presence of Mr. Jayetileke, Proctor, on the part of the petitioner Ossen Saibo Omer Lebbe Marikkar; and the affidavit of the said petitioner, dated the 29th day of October, 1894, having been read:

It is declared that the said Ossen Saibo Omer Lebbe Marikar is the husband of Mahamadu Casim Writer's daughter Hamidu Umma, deceased, and as such is entitled to have letters of administration to the estate of Hamedu Umma, deceased, issued to him, unless the respondent above-named shall, on or before 7th the day of December, 1894, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,
District Judge.

The 29th day of October, 1894.

In the District Court of Tangalla.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Matarā Arachchige Don Carolis Samarawickrama, late Police Officer, deceased, of Kapugampota.

THIS matter coming on for disposal before William George Haines, Esq., Acting District Judge of Tangalla, on the 6th day of November, 1894, in the presence of the petitioner Ratnaike Dodampege Josinahamine, of Kongala; and the affidavit of the said Ratnaike Dodampege Josinahamine, dated 5th November, 1894, having been read: It is ordered that the said Ratnaike Dodampege Josinahamine, of Kongala, be and is hereby declared to have letters of administration to the estate of the said Matarā Arachchige Don Carolis Samarawickrama, deceased, issued to her, unless the respondent, Matarā Arachchige Dona Gimarahamine, of Kapugampota, shall, on or before the 3rd day of December, 1894, show sufficient cause to the satisfaction of this court to the contrary.

W. G. HAINES,
Acting District Judge.

The 6th day of November, 1894.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

C. John Perera, of van Royan street in Colombo Plaintiff.
No. 3,996/C. Vs.
Mahagallege Gabriel Perera, of No. 35, Green street in Colombo... Defendant.

NOTICE is hereby given that on December 11, 1894, at 2 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, viz. :—

All that garden called Adikariwatta, situated at Etul Kotte in the Palle pattu of Salpiti kora;e; and bounded on the north by a footpath and the garden and field of Tepanis Perera, on the east by the high road, on the south by the gardens belonging to Uswatte Liyanage Juanis Silva, Magalage Dines Perera, Kankanige Garleth Perera and others, and on the west by the field called Bogahakumbura belonging to Kankanige Garleth Perera, containing in extent about 5 acres.

W. F. H. DE SARAM,
Deputy Fiscal.

Fiscal's Office,
Colombo, November 14, 1894.

In the District Court of Colombo.

Vana Payna Reena Ana Runa Rawena Mana
Carthan Chetty, of Sea street, Colombo.....Plaintiff.
No. 6,017/C. Vs.

1, Kawena Muna Mohamado Ally; and 2, Muna Layna Ahamadu Lebbe, both of Gabo's lane, Pettah, Colombo Defendants.

NOTICE is hereby given that on Monday, December 10, 1894, at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said first defendant in the following property, viz. :—

The land and the building standing thereon, bearing assessment No. 62, situated at Modera street in Colombo; bounded on the north by the property of Anthony Silva, bearing No. 63, on the east by the high road, on the south by the property of Messrs. Dias bearing No. 61, and on west by the river, containing in extent half an acre more or less.

W. F. H. DE SARAM,
Deputy Fiscal.

Fiscal's Office,
Colombo, November 14, 1894.

In the District Court of Colombo.

P. S. S. Uduman, of Colombo.....Plaintiff.

No. 5,559/C. Vs.

D. L. de Silva of Grandpass, Colombo.....Defendant.

NOTICE is hereby given that on Friday, December 7, 1894, at 4 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, viz. :—

The land and the small tiled houses standing thereon, bearing Nos. 107, 108, and 109, all forming one property, situated at Grandpass road, Colombo; bounded on the north by the property of Muttu Caruppen Chetty, on the east by the road leading to Molewatta, on the south by the property of Jacolis Appuhamy, and on the west by the property of Mr. Tobias Abeyasekera, containing in extent quarter of an acre more or less.

W. F. H. DE SARAM,
Deputy Fiscal.

Fiscal's Office,
Colombo, November 14, 1894.

Southern Province.

In the District Court of Galle.

M. R. M. A. Sammugam Chetty, by his attorney M. R. M. A. Muttiaya Chetty, of Kaluwella.....Plaintiff.

No. 2,481. Vs.

1, Manawaduge Don Johanis de Silva Gunawardena; 2, Merenchige Don Cornelis de Silva, both of Ahangama.....Defendants.

NOTICE is hereby given that on Monday, December 17, 1894, at 12 o'clock noon, will be sold by public auction at the spot the following property, viz. :—

All the soil and fruit trees of an undivided one-fourth of Kappera Badahelawatta and owita, together with the masonry built tiled 13 cubits house facing the north, situate at Ahangama; property mortgaged with the plaintiff by bond dated July 11, 1891, and declared executable under the judgment entered in the above case.

This writ is issued to levy a sum to Rs. 1,144.13, with interest on Rs. 800 at 15 per cent. per annum from December 14, 1893.

H. J. WOUTERSZ,
Deputy Fiscal.
Fiscal's Office,
Galle, November 2, 1894.

In the District Court of Galle.

Balahamy Weerasuriya Hamine, of Dodanduwa.....Plaintiff.

No. 2,621. Vs.

Balage Don James de Silva, of Kataluwa.....Defendant.

NOTICE is hereby given that on Friday, December 7, 1894, commencing 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, viz. :—

1. Undivided four-seventh of the entire soil and trees of the defined one-eighth portion of the garden called Mirihane Addarawatta, situate at Kataluwa.

2. The entire soil and trees of the defined portion bearing letter A of the garden Maradana Addarawatta, situate at Kataluwa, and the 15 cubits tiled house and the out-house standing thereon.

This writ is issued to levy a sum of Rs. 648.62, together with interest on Rs. 500 at the rate of 9 per cent. per annum from February 24, 1894, until payment in full.

H. J. WOUTERSZ,
Deputy Fiscal.
Fiscal's Office,
Galle, November 8, 1894.

In the Court of Requests of Galle.

A. R. Ephraums, of Galle.....Plaintiff
No. 2,135. Vs.

M. S. Arnolis, of Chatham street, Fort, Colombo, administrator of the estate of the late M. S. LewisDefendant.

NOTICE is hereby given that on Saturday, December 8, 1894, at 4 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. :—

The house and premises No. 14, Lighthouse street, Fort, Galle.

This writ is issued to levy a sum of Rs. 17.77, with interest on Rs. 9.60 at 9 per cent. from July 27, 1893.

H. J. WOUTERSZ,
Deputy Fiscal.
Fiscal's Office,
Galle, November 10, 1894.

DRAFT ORDINANCES.*Continued from page 192.***MINUTE.**

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

An Ordinance for making final provision for the Supplementary Contingent Charges for the year 1893.

Preamble.

WHEREAS by an Ordinance No. 12 of 1893 it was enacted that a sum of Rs. 1,047,510·46 should be charged upon the revenue of this Island for the Supplementary Contingent Services of the year One thousand Eight hundred and Ninety-three, in addition to the sum of Rs. 12,536,817 provided by the Ordinance No. 26 of 1892: And whereas an expenditure of Rs. 202,242·22 was incurred and brought to account for the Contingent Services of the year 1893, for which provision is not made by the aforesaid Ordinances: It is enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows:—

Rs. 202,242·22 charged upon the revenue of this Island of the year 1893 for the final Supplementary Contingent Service of that year.

1 That a sum not exceeding Two hundred and two thousand two hundred and Forty-two rupees and Twenty-two cents shall be and the same is hereby charged upon the revenue of this Island of the said year 1893, for the services hereinafter mentioned; the said expenditure being in conformity with the schedule hereunto annexed, whereof the following is an abstract :—

	Rs.	c.
Pensions	...	36,212 26
Exchange	...	162,883 87
Miscellaneous Services	...	3,112 18
Public Works Annually Recurrent	...	33 91
Total	...	<u>202,242 22</u>

SCHEDULE.

	Rs.	c.	Rs.	c.
PENSIONS.				
Crown Agents, London	...	—	36,212	26
EXCHANGE.				
Treasurer	...	—	162,883	87
MISCELLANEOUS SERVICES.				
Commissioner of Stamps	...	2,849	86	
Government and Agents in India	...	262	32	
		—	3,112	18
PUBLIC WORKS ANNUALLY RECURRENT.				
<i>Maintenance of Roads.</i>				
Road from Hambantota to Bundala	...	—	33	91
Total	...	<u>202,242</u>	<u>22</u>	

By His Excellency's command,

Colonial Secretary's Office,
Colombo, November 16, 1894.

E. NOEL WALKER,
Colonial Secretary.