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PART I.—General : Minutes, Proclamations, Appointments,
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 for Incorporating the Council of Legal Education.

Preamble.

WHEREAS it is expedient to create the Council of Legal Education of this Colony a body corporate for the purpose of supervising and controlling the legal education of law students desiring to qualify as advocates and proctors, and to empower the Council to purchase and sell lands and movables, to erect buildings, and generally to invest the funds of the Council as to them shall seem fit: 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 Ordinance for Incorporation the Council of Legal Education," and shall come into operation on the date of the passing thereof.

The Council of
Legal Education
incorporated.

2 The Chief Justice and the Puisne Justices of the Supreme Court; the Attorney-General and the Solicitor-General; and Frederick Dornhorst, the Hon. Mr. Henry Lorenz Wendt, Thomas de Sampayo, Walter Pereira, James van Langenberg, advocates; F. J. de Saram, J. W. Vanderstraaten, proctors of the Supreme Court; and P. D. Mack, proctor of the district court, and their respective successors, appointed in manner provided in the Third Schedule of Ordinance No. 1 of 1889, are hereby associated together, and shall for ever hereafter be and be called a body corporate in deed and in law by the name and style of "The Incorporated Council of Legal Education," under which name the said council may sue and be sued.

To use a common
seal.

3 The Incorporated Council of Legal Education shall and may have and use a common seal.

Property and
effects of society
in whom vested.

4 All moneys, goods, chattels, and effects whatsoever, and all securities for money or obligatory instruments and evidences or muniments of title and all other effects, and all rights and claims whether belonging to the Council of Legal Education at the date of the passing of this Ordinance or acquired by the Incorporated Council of Legal Education after the passing of this Ordinance, shall be vested in the said council.

Power to acquire
land.

5 The Incorporated Council of Legal Education shall have perpetual succession, and shall at all times hereafter be able and capable in law to purchase, acquire, hold, and enjoy in perpetuity or for any lesser term any property, movable or immovable, of what nature or kind soever, and to invest the funds of the council in securities of the United Kingdom of Great Britain and Ireland, or of the Government of India, or of the Government of this island, or of any of Her Majesty's colonies, or in any mortgage of movable or immovable property in Ceylon, and also in the purchase or acquisition of all manner of goods, chattels, and things whatever which they may think proper or requisite for the purposes of the said council.

And to erect
buildings and to
sell or mortgage
property.

6 The Incorporated Council of Legal Education may erect or cause to be erected any buildings on any lands so purchased or acquired or held or enjoyed by them, and may also from time to time sell, grant, convey, demise, assign, exchange, and dispose of or mortgage any property for the time being vested in them.

Power to make
by-laws.

7 It shall be lawful for the Incorporated Council of Legal Education at any meeting convened for that purpose to make such by-laws, rules, and orders as to them or the major part of the members present shall seem necessary for any of the following purposes:

- (1) For convening the ordinary or any special meetings of the council and fixing the number of ordinary meetings to be held each year, and the dates on which such meetings shall be held.
- (2) For prescribing the manner in which the seal of the council shall be affixed.
- (3) For fixing the number of students to be admitted to each examination.
- (4) For prescribing the course of studies and examinations to be observed by such law students and the payments to be made therefor.
- (5) For the appointment of lecturers and examiners, and fixing the salary or fees to be paid to such lecturers and examiners respectively.
- (6) For fixing the minimum number of marks to be earned by candidates at the several examinations and the number of failures to pass which shall debar a law student from again presenting himself for examination.
- (7) For the appointment and removal of such secretary, librarian, officers, clerks, and servants as the council may deem useful or necessary.
- (8) And generally for carrying out the objects for which the council is incorporated into full force and effect.

Power to alter
by-laws.

8 The Incorporated Council of Legal Education is further empowered by the said by-laws, rules, orders, or any of them, from time to time to alter or annul as the said council shall think requisite.

9 The Incorporated Council of Legal Education or the major part of the members present at a meeting convened for that purpose is hereby empowered and authorized to alter and amend and rescind from time to time the rules contained in the Third Schedule of the Ordinance No. 1 of 1889.

10 The rules contained in Schedule III. to the Courts Ordinance, 1889, shall continue in force until rules framed under the provisions of this Ordinance have been substituted therefor.

11 Nothing in this Ordinance contained shall affect the rights of Her Majesty the Queen, or of the Supreme Court, or of any bodies politic or corporate or other persons, except such as are mentioned in this Ordinance and those claiming by, from, or under them.

By His Excellency's command,

W. T. TAYLOR,
Acting Colonial Secretary.

Colonial Secretary's Office,
Colombo, September 18, 1899.

MINUTE.

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

An Ordinance relating to the possession and use of Firearms.

Preamble.

WHEREAS it is expedient to make better provision respecting the possession and use of firearms in this Colony: 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.
Operation.

1 This Ordinance may be cited for all purposes as "The Firearms Ordinance, 1899," and shall come into operation at such date as the Governor shall, by Proclamation to be published in the *Government Gazette*, appoint.

Repeal.

2 The enactments mentioned in column 1 of the first schedule hereto are hereby repealed to the extent mentioned in column 3 thereof, but such repeal shall not affect—

- (a) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment hereby repealed; nor
- (b) The continuance of any legal proceeding already instituted, and which may be pending under any enactment so repealed.

Where any unrepealed Ordinance incorporates or refers to any provision of any enactment hereby repealed, such unrepealed Ordinance shall be deemed to incorporate or refer to the corresponding provision of this Ordinance.

Interpretation.

3 For the purposes of this Ordinance—

"Gun" includes every gun, rifle, revolver, and pistol, and also every air-gun or other kind of gun from which any shot, bullet, or missile can be discharged.

"Government agent" includes the assistant government agent of a district, but not the office assistant of any government agent.

- License to possess a gun. 4 From and [after the coming into operation of this Ordinance no person shall have in his custody or possess any gun without having first obtained a license therefor in manner hereinafter provided : Provided that nothing herein contained shall apply or extend to any manufacturer of or dealer in guns duly licensed as hereinafter provided ; nor to any person actually employed by any such manufacturer or dealer to carry or convey guns for the purposes of his trade, in respect of such carriage or conveyance ; nor to any person entrusted by a person duly licensed to possess a gun with the temporary use or custody (whether as servant of the owner or by way of security for any debt or otherwise) of any gun for which a license has been obtained ; and provided also that no member of the family of a deceased person who had at the time of his decease license to possess a gun shall be liable in respect of such gun to any of the penalties hereinafter provided for possessing a gun without a license, until after the expiration of one calendar month from the death of such licensee.
- Proviso 1.
- Proviso 2.
- Licenses how to be obtained. 5 Every person desirous to obtain any license mentioned in the last preceding section shall make application to that effect either verbally or in writing to the government agent of the province in which the applicant is for the time being residing, specifying the name and residence of the applicant and the number and description of the gun or guns for which a license or licenses may be required. Such government agent shall thereupon issue to the applicant a license for each gun specified in the application as near as is material in the form A specified in the second schedule hereto.
- Stamps on licenses. 6 Every license issued as in the last preceding section provided shall be on a stamp of , and such license shall be annual only, and shall expire on the thirty-first day of December next ensuing after the issue thereof.
- Guns may be marked by the government agent, if necessary. 7 Whenever any gun for which any license is required is not marked with such names or figures, or in such other manner as that the same may be readily identified, it shall be lawful for the government agent to whom the application is made, before granting the license applied for, to require the applicant to produce to him any such gun, and thereupon to cause the same to be marked, either on the stock or barrel, with some permanent mark, whereby the same may afterwards be known and identified, but in such manner as not to injure or disfigure the same ; and such gun when duly marked shall, with the license relating thereto, be delivered to the said applicant ; and the expenses attendant on such marking shall be defrayed by the government agent out of the public funds.
- Register of licenses. 8 Every government agent shall register all such licenses so granted in a book to be kept for that purpose ; and it shall be lawful for any person, at any time during office hours, to demand inspection of the said book, and also to take any copy or extract therefrom.
- Proceedings where license is lost, destroyed, &c. 9 If any license granted under the provisions of this Ordinance shall be by any casualty destroyed, defaced, or lost, it shall be lawful for the person to whom the same shall have been granted to report the same to the government agent for the province wherein such person resides ; and if such government agent shall be satisfied of the fact of such casualty or loss, he shall grant to such person a certificate as near as is material in the form B in the second schedule hereto, reciting such loss, and setting out the purport and effect of the license so lost, defaced, or destroyed, and such certificate shall be in lieu thereof, and of like force and effect.
- Proof of ownership. 10 The occupier of any house or premises in which any gun shall be found shall, for the purposes of this Ordinance be deemed and taken to be the possessor of such gun.

License to make
or sell guns.

11 No person shall make or keep for or expose to sale in this island, by way of auction or otherwise, any gun or any part of any gun without a license from the government agent of the province within which such person resides, which license shall be as near as is material in the form C in the second schedule hereto, and shall be on a stamp of rupees. Such license shall be annual only, and shall expire on the thirty-first day of December next ensuing after the issue thereof.

Offences and
penalties.

12 The following penalties are imposed for the following acts, which are hereby declared to be offences under this Ordinance :

- (1) Any person having in his custody, or using, or carrying, or possessing any gun without having first obtained a license therefor as required by section 4, which license shall be still in force and unexpired, or contrary to the terms of such license, shall be liable to a fine of one hundred rupees, and such gun shall be liable to confiscation in the discretion of the court. If such gun is proved to be the property of some person other than the person in whose custody or possession it is so found, such person shall be also guilty of an offence and liable to the same penalty, unless he can prove that such gun was so possessed or used without his knowledge or against his consent.
- (2) Any person who shall wilfully obliterate, or deface, or alter, counterfeit, or forge any mark placed by any government agent on any gun under the provisions of section 7 hereof, or shall mark any gun with any mark resembling or intended to resemble any mark so used by such government agent with intent thereby to expose any person to any fine, or to defraud Her Majesty of any stamp duty, or to commit any other fraud, shall be liable for every such offence to a fine of two hundred rupees.
- (3) Any person who shall have in his custody or possession for the purpose of his trade as a maker of or dealer in guns any gun or part thereof without having first obtained a license as required by section 11, which license shall be still in force and unexpired, or contrary to the terms of such license, shall be liable to a fine of two hundred rupees. Nothing herein contained shall be construed to prevent any person licensed to possess a gun under this Ordinance from selling any such gun without having obtained a license under section 11.
- (4) Any headman or officer of police or any peace officer who, having good reason to know or believe any person to be guilty of having in his custody, or using, carrying, possessing, making, or selling any gun without a license as by this Ordinance required, fails to inform against such person, shall be liable to a fine of fifty rupees in respect of every failure so to inform against such person.

Public servant
may arrest
without warrant.

13 It shall be lawful for any public servant, as defined in the Penal Code, to call upon any person possessing, carrying, or using a gun to forthwith produce his license, and to arrest without warrant any person possessing, carrying, or using a gun without a license as herein provided, and to detain such gun in his custody until such time as he can produce the same with the person arrested before a magistrate competent to try the offence for which such person shall have been arrested.

Police court to
have jurisdiction.

14 Every offence under this Ordinance shall be tried in the police court having jurisdiction over the division in which such offence is committed, notwithstanding such offence is hereby made punishable by a fine which it is beyond the ordinary jurisdiction of such court to inflict. And the provisions of section 63-66, both inclusive, of the Ceylon Penal Code shall be applicable to the cases of all convictions under this Ordinance.

Provisions of Code as
to imprisonment in
default of payment.

Half fines to the informer.

15 It shall be lawful for the court, in the case of any conviction under this Ordinance, to direct that any sum not exceeding half the fine actually recovered and realized shall be paid to the informer.

Proof of license to be on accused.

16 Whenever any person is charged under the provisions of this Ordinance with having in his custody, or using, carrying, possessing, making, or selling any gun without a license, the proof that such person is licensed shall be on such person; but it shall be lawful for the court to award a reasonable sum in lieu of cost to the accused against any person who has made a vexatious complaint against him, and such sum shall be recoverable in like manner as a fine imposed under the provisions of this Ordinance.

Compensation in lieu of costs.

Prosecutions when barred.

17 No prosecution shall be instituted against any person for any offence committed against any of the provisions of this Ordinance after the lapse of three months from the time at which the offence is alleged to have been committed.

Exemptions.

18 Nothing in this Ordinance contained shall render it necessary for any person serving in Her Majesty's forces, or in any police force, or in any corps of pioneers or volunteers within this island to obtain a license in respect of any gun intrusted to or used by any such person in such capacity.

SCHEDULE I.

Repeal.

Ordinance No. 19 of 1869	...	Firearms	...	The whole
Ordinance No. 3 of 1890	...	Stamp Duties		So much of part 5 of Schedule B as refers to "Firearms Ordinance, No. 19 of 1869."

SCHEDULE II.

License.

(Section 5.)

A.—License to possess a Gun under Section 4.

No. ———. Stamp, Rs. ———.

A. B., of ———, has this day been licensed to possess a (*describe gun*) ——— fire, gauge, by ———, No. ———, marked on the barrel ———, (*or as the case may be*).

This license expires on the 31st day of December ———, 18 —.

Issued the ——— day of ———, 18 —.

(Signed) ———,

Government Agent.

B.—Form of Certificate.

(Section 9.)

Whereas on the ——— day of ———, 18 —, a license to possess and use (*set out terms*) a gun (*describe as in a license*) was granted by (*Government Agent*) to (*licensee*), and it has been proved to my satisfaction that the said license has been destroyed, &c., (*as the case may be*): Now I do hereby grant the said (*licensee*) this certificate, to be in lieu of the said license, and of like force and effect.

Given under my hand at ———, this ——— day of ——— 18 —.

(Signed) ———,

Government Agent.

C.—License to make and sell Guns under Section 11.

No. ———. Stamp, Rs. ———.

A. B., of ———, has been this day licensed to use and exercise the trade or calling of a manufacturer of or dealer in guns, at ———.

This license expires on the 31st day of December, 18—.

(Signed) ———,

Government Agent.

By His Excellency's command,

W. T. TAYLOR,

Colonial Secretary's Office, Acting Colonial Secretary.
Colombo, September, 16 1899.

MINUTE.

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

An Ordinance to amend the Law relating to Inquiries into Shipping Casualties and the conduct of Ship's Officers.

Preamble.

WHEREAS by section 478 of the Act of the Imperial Parliament called "The Merchant Shipping Act, 1894," it is enacted that the Legislature of any British possession may authorize any court or tribunal to make inquiries as to shipwrecks, or other casualties affecting ships, or as to charges of incompetency or misconduct on the part of masters, mates, or engineers of ships in certain cases: And it is expedient to authorize district courts to exercise the powers set out in the said Act: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Interpretation clause.

1 In the construction of this Ordinance the following expressions shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction:

- (1) The expression "the Board of Trade" shall mean the Lords of the Committee for the time being of the Privy Council appointed for the consideration of matters relating to trade and foreign plantations.
- (2) The expression "High Court" shall mean Her Majesty's High Court of Justice in England.

Repeal.

2 On and from the day on which this Ordinance comes into operation the Ordinance No. 4 of 1863, intituled "An Ordinance to authorize District Courts to institute Inquiries into Wrecks," shall be repealed, except as to all proceedings or matters which shall have taken place before this Ordinance comes into operation.

Authority to district courts to make inquiries into shipping casualties and conduct of officers.

3 (1) It is hereby declared that district courts shall have jurisdiction to make inquiries as to shipwrecks, or other casualties affecting ships, or as to charges of incompetency or misconduct on the part of masters, mates, or engineers of ships, in the following cases, viz.:

- (a) Where a shipwreck or casualty occurs to a British ship on or near the coasts of Ceylon or to a British ship in the course of a voyage to a port in Ceylon.
- (b) Where a shipwreck or casualty occurs in any part of the world to a British ship registered in Ceylon.
- (c) Where some of the crew of a British ship which has been wrecked, or to which a casualty has occurred, and who are competent witnesses to the facts, are found in Ceylon.
- (d) Where the incompetency or misconduct has occurred on board a British ship on or near the coasts of Ceylon, or on board a British ship in the course of a voyage to a port in Ceylon.
- (e) Where the incompetency or misconduct has occurred on board a British ship registered in Ceylon.
- (f) When the master, mate, or engineer of a British ship, who is charged with incompetency or misconduct on board that British ship, is found in Ceylon.

(2) District courts shall have the same jurisdiction over the matter in question as if it had occurred within their ordinary jurisdiction, but subject to all provisions, restrictions, and conditions which would have been applicable if it had so occurred.

Inquiries and Investigations as to Shipping Casualties.

Shipping casualties.

4 For the purpose of inquiries and investigations under this Ordinance, a shipping casualty shall be deemed to occur :

- (1) When on or near the coasts of Ceylon any ship is lost, abandoned, or materially damaged.
- (2) When on or near the coasts of Ceylon any ship has been stranded or damaged, and any witness is found in Ceylon.
- (3) When on or near the coasts of Ceylon any ship causes loss or material damage to any other ship.
- (4) When any loss of life ensues by reason of any casualty happening to or on board any ship on or near the coasts of Ceylon.
- (5) When in any place any such loss, abandonment, material damage, or casualty as above-mentioned occurs, and any witness is found in Ceylon.
- (6) When in any place any British ship is stranded or damaged, and any witness is found in Ceylon.
- (7) When any British ship is lost or is supposed to have been lost, and any evidence is obtainable in Ceylon as to the circumstances under which she proceeded to sea or was last heard of.

Preliminary inquiry into shipping casualties.

5 When a shipping casualty has occurred, a preliminary inquiry may be held respecting the casualty by the following persons, namely :

- (a) Where the shipping casualty occurs on or near the coasts of Ceylon, by the receiver of wrecks residing at or nearest to the place where such loss, abandonment, damage, or casualty occurred.
- (b) Where the shipping casualty occurs elsewhere, by the receiver of wrecks residing at or near any place at which the witnesses with respect to the casualty arrive or are found or can be conveniently examined ; or
- (c) By any other person appointed for that purpose by the Governor to make inquiry respecting such loss, abandonment, damage, or casualty.

Formal investigation of shipping casualties.

6 (1) A person authorized as aforesaid to make a preliminary inquiry shall, in any case where it appears to him requisite or expedient (whether upon a preliminary inquiry or without holding such inquiry) that a formal investigation should be held, and in any case where the Principal Collector of Customs so directs, apply to any district court to hold a formal investigation, and the district court shall thereupon hold the formal investigation.

(2) The court holding any such formal investigation shall hold the same with the assistance of one or more assessors of nautical, engineering, or other special skill or knowledge, to be appointed out of a list of persons for the time being approved for the purpose by the Governor, with the advice of the Executive Council, in such manner and according to such general rules as may be prescribed by the Governor, with the advice of the Executive Council, under section 13.

(3) Where a formal investigation involves or appears likely to involve any question as to the cancelling or suspension of the certificate of a master, mate, or engineer, the court shall hold the investigation with the assistance of not less than two assessors having experience in the merchant service.

(4) It shall be the duty of the person who has applied to a court to hold a formal investigation to superintend the management of the case, and to render such assistance to the court as in his power.

(5) Each assessor shall either sign the report or state in writing to the Board of Trade his dissent therefrom and the reasons for that dissent.

(6) The court after hearing the case shall make a report to the Board of Trade containing a full statement of the case, and of the opinion of the court thereon, accompanied by such report of, or extracts from, the evidence and such observations as the court thinks fit.

(7) The court may make such order as the court thinks fit respecting the costs of the investigation or any part thereof, and such order shall be enforced by the court as an order for costs in its ordinary jurisdiction.

(8) For the purposes of this Ordinance the court holding a formal investigation shall have all the powers it has when acting as a court in the exercise of its ordinary jurisdiction.

(9) Every formal investigation into a shipping casualty shall be conducted in such manner that if a charge is made against any person that person shall have an opportunity of making a defence.

Inquiry in case of loss of life from fishing vessel's boat.

7 When any loss of life arises by reason of any casualty happening to or on board any boat belonging to a fishing vessel, the Principal Collector of Customs may, if he thinks fit, cause an inquiry to be made or a formal investigation to be held as in the case of a shipping casualty, and the provisions of this Ordinance relating thereto shall apply accordingly.

Power as to Certificates of Officers.

Power of court of investigation or inquiry as to certificates.

8 (1) The certificate of a master, mate, or engineer may be cancelled or suspended—

(a) By a court holding a formal investigation into a shipping casualty under this Ordinance, if the court finds that the loss or abandonment of, or serious damage to, any ship or loss of life has been caused by his wrongful act or default, provided that the court holding the formal investigation shall not cancel or suspend a certificate unless one at least of the assessors concurs in the finding of the court.

(b) By a court holding an inquiry under this Ordinance into the conduct of a master, mate, or engineer, if the court finds that he is incompetent, or has been guilty of any gross act of misconduct, drunkenness, or tyranny, or that in a case of collision he has failed to render such assistance or give such information as is required under the fifth part of "The Merchant Shipping Act, 1894."

(2) Where any case before any such court as aforesaid involves a question as to the cancelling or suspending of a certificate, that court shall, at the conclusion of the case or as soon afterwards as possible, state in open court the decision to which it has come with respect to the cancelling or suspending thereof.

(3) The court shall in all cases send a full report on the case with the evidence to the Board of Trade, and shall also, if it determines to cancel or suspend any certificate, send the certificate cancelled or suspended to the Board of Trade with its report.

(4) A certificate shall not be cancelled or suspended by a court under this section, unless a copy of the report or a statement of the case on which the investigation or inquiry has been ordered has been furnished, before the commencement of the investigation or inquiry, to the holder of the certificate.

Delivery of certificate cancelled or suspended.

9 (1) A master, mate, or engineer whose certificate is cancelled or suspended by any court shall deliver the certificate to that court on demand.

(2) If a master, mate, or engineer fail to comply with this section, he shall for each offence be liable to a fine not exceeding five hundred rupees.

Re-hearing of Investigations and Inquiries.

Re-hearing of inquiries and investigations.

10 (1) The Board of Trade may, in any case where a formal investigation as aforesaid into a shipping casualty or an inquiry into the conduct of a master, mate, or engineer has been held, order the case to be re-heard either generally or as to any part thereof, and shall do so—

- (a) If new and important evidence, which could not be produced at the investigation or inquiry, has been discovered; or
- (b) If for any other reason there has in their opinion been ground for suspecting that a miscarriage of justice has occurred.

(2) The Board of Trade may order the case to be re-heard by the court by whom the case was heard in the first instance, or by the High Court, and the case shall be so re-heard accordingly.

Supplemental Provisions as to Investigations and Inquiries.

No inquiry in case of previous injury.

11 (1) An inquiry shall not be held into any matter which has once been the subject of an investigation or inquiry and has been reported on by a competent court or tribunal in any part of Her Majesty's dominions, or in respect of which the certificate of a master, mate, or engineer has been cancelled or suspended by a naval court.

(2) Where an investigation or inquiry has been commenced in the United Kingdom with reference to any matter, an inquiry with reference to the same matter shall not be held in the island.

Appeals.

12 The Board of Trade may order a re-hearing of any inquiry under section 3, but if an application for re-hearing either is not made or is refused, an appeal shall lie from any order or finding of the court holding the inquiry to the High Court in England, provided that an appeal shall not lie—

- (a) From any order or finding on an inquiry into a casualty affecting a ship registered in a British possession.
- (b) From a decision affecting the certificate of a master, mate, or engineer, if that certificate has not been granted either in the United Kingdom or in a British possession under the authority of "The Merchant Shipping Act, 1894."
- (c) The appeal shall be conducted in accordance with such conditions and regulations as may from time to time be prescribed by rules made in relation thereto under the powers contained in part 6 of "The Merchant Shipping Act, 1894."

Rules as to investigations and inquiries.

13 (1) The Governor may, with the advice of the Executive Council, make general rules from time to time for carrying into effect the provisions relating to formal investigations, and in particular with respect to the appointment and summoning of assessors, the procedure, the parties, the persons allowed to appear, the notice to those parties or persons or to persons affected, and the re-hearing of any investigation or inquiry by the court, or authority by whom the case was heard in the first instance.

(2) Any rule made under this section shall be published in the *Government Gazette*, and while in force shall have effect as if it were enacted in this Ordinance.

By His Excellency's command,

W. T. TAYLOR,
Acting Colonial Secretary.

Colonial Secretary's Office,
Colombo, September 21, 1899.

MINUTE.

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

An Ordinance to consolidate the Law regulating the carriage of Passengers and Goods by Boat.

- Preamble. **W**HEREAS it is expedient to consolidate the law regulating the carriage of passengers and goods by boat 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 for all purposes as "The Boats Ordinance, 1899."
- Repeal. 2 From and after the passing of this Ordinance the Ordinances mentioned in Schedule I. hereto shall be repealed.

CHAPTER I.

The Licensing of Boats.

- Definition. 3 In this Ordinance, unless the context otherwise requires,—
- "Proper authority" shall include the government agent of any province, the assistant government agent of any district, the chairman of any municipal or local board town, and the Assistant Government Agent of Nuwara Eliya.
- "Goods or passengers" shall include goods and passengers.
- "Boat" shall include all boats, padas, dhonies, kula boats, battals, ballams, canoes, and catamarans, whether propelled by steam or otherwise, and used in the sea adjacent to, or in the rivers, canals, lakes, and inland waters of this island.
- "Collector of customs" shall include the principal collector, deputy collector, assistant collector, or other principal officer of customs of any port or place.
- "Port" shall include all harbours, roadsteads, and places of anchorage in the island.
- Boats to be licensed. 4 Subject to the provisions contained in section 29, no boat shall be used for carrying goods or passengers for hire from any port or place in this island to any other port or place in the island, or in any portion of the sea adjacent to this island, or in any river, canal, lake, or inland water within the same, unless the owner thereof shall have obtained a license for the same from the proper authority having jurisdiction within the province or town in which such owner resides or exercises his calling under the provisions of this Ordinance.
- Proper authority to issue license on application and after inquiry. 5 (1) Any owner of a boat who may be desirous of obtaining a license to use such boat for the purpose of carrying goods or passengers for hire shall make an application in writing to that effect to such proper authority, which application shall be substantially in the Form D in Schedule II. hereto, and shall state accurately the cargo capacity of, and the number of passengers (if any) intended to be carried in, such boat, the length, breadth, and depth of such boat, the number of the crew to be carried by such boat, and whether such boat is propelled by steam or otherwise, and the class of boat for which such license is desired, and shall contain a true and full description of the names and residences of the owners or owner of the boat. Every such application shall be signed by the applicant, and the proper authority, on being satisfied, after making such inquiry as he shall deem necessary, that such boat is in good order and fit to be used for the purpose of carrying goods or passengers or both, as the case may be, shall issue a license to the owner of such boat.

(2) If it shall become necessary to license any boat belonging to two or more persons in partnership, or to a corporate body, or to a joint stock company, such application may be made by one of the partners, or by the persons managing the affairs of such partnership, body, or company.

License to be stamped.
Form and duration
of license.

6 (1) Each license for a boat shall bear a stamp of three rupees, such stamp to be supplied by the party applying for the license.

(2) The license for passenger boats shall be substantially in the Form A in Schedule II. hereto, the license for cargo boats shall be substantially in the Form B in Schedule II. hereto, and the license for boats carrying both passengers and cargo shall be in the Form C in Schedule II. hereto. Every such license shall specify the cargo capacity of such boat and the number of passengers, if any, to be carried by such boat, the number of the boat, and the number of the crew, the places between which such boat may ply, and the name of the boat, if any.

(3) Each license shall be in force until the thirty-first day of December in the year in and for which the same shall be granted, and no longer.

License to be
numbered and
registered.

7 The proper authority shall number each license issued by him consecutively, commencing at the beginning of every year with the number 1, and shall keep a book in which he shall register all the particulars stated in the license granted by him, and every entry in such register shall be numbered in accordance with the number of the license to which it has reference. Any authenticated copy or extract from the register shall be deemed *prima facie* evidence of the facts stated therein.

Proper authority
may withdraw
license.

8 It shall be lawful for the proper authority to withdraw a license, after the same shall have been issued, if he has reason to believe that a boat is out of repair and not fit to be used for the purpose for which it was licensed, or if the owner shall commit any breach of the provisions of this Ordinance or the by-laws made thereunder. Provided that when the proper authority withdraws a license after it is issued, he shall, if satisfied that the boat has been repaired and is fit to be used for the purpose of carrying goods or passengers, re-issue such license free of stamp duty.

Number of boat
to be painted
thereon.

9 The owner of every boat shall paint or cause to be painted, and shall keep painted, in English figures, and not less than nine inches in length, in white or yellow, on a black ground, or in black on a white or yellow ground, on a conspicuous part on both sides of the bow of such boat, in a legible and distinct manner, the number of such boat as mentioned in the license, preceded by a distinguishing letter in English denoting the port or place of registry; and in the case of any boat propelled by a sail or sails, such number and letter shall be similarly painted on such sail or sails; and the license of such boat may be withheld until it is so marked.

Notice of
transfer to be
given.

10 In case any boat so licensed as aforesaid shall be transferred to another by sale, gift, or otherwise, the person to whom the same shall be so transferred shall notify the same to the proper authority, in order that such transfer may be entered in the book of license, and a new license issued to the person to whom it shall be so transferred.

Notice to be
given if boat
destroyed or
rendered unfit
for use.

11 If any boat shall be sunk, destroyed, or rendered wholly unfit for use, the owner thereof shall notify the same to the proper authority, in order that the number may be erased from the book of licenses.

Owner to have
original license
and driver
duplicate and
ticket.

12 The original of the license shall be retained by the owner of the boat, but the person in charge of the boat shall have the duplicate of such license, and be ready to produce the same whenever thereunto required.

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

13 The proper authority may on his being satisfied that any license has been lost or destroyed by accident issue an exemplification of the license on the application of the owner of the boat.

Books and lists to be kept of boats licensed.

14 The proper authority shall and he is hereby required to keep a book or books in which shall be entered the lists of the boats licensed under this Ordinance, with all necessary particulars. It shall be lawful for any person at any time, during office hours, to demand inspection of the said lists, and also to take copies or extracts therefrom.

Inspection.

CHAPTER II.

Liabilities of Owners of Boats.

Liabilities of the owners of licensed boats.

15 The owner of every licensed boat used for the conveyance of goods for hire shall, in the absence of any specified contract between him or the person in charge of such boat and any other party for the conveyance of such goods, be liable for any loss of, or injury to, any goods, articles, or property whatsoever delivered to be carried therein for hire, which shall be occasioned by the neglect or misconduct of such owner, or of any boatman, bookkeeper, or other person or servant in his employ, or in charge of any such boat; and such liability shall be deemed to continue in the person who shall have made the application under section 5, unless and until he shall have given the notice of transfer required by section 10. Provided, however, that nothing in this section contained shall be construed to limit, or in anywise affect the liability of any such owner as a common carrier if he shall be such.

Proviso.

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

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

Increased rate of charge for such goods.

17 When any parcel or package containing any of the articles above specified shall be so delivered and its value and contents declared as aforesaid, and such value shall exceed the value of fifty rupees, it shall be lawful for the person receiving the same for carriage on hire to demand and receive an increased rate of charge, to be notified by some notice affixed in legible characters in some public and conspicuous part of the office, warehouse, or other receiving house, where such parcel or package was received for the purpose of conveyance, stating the increased rates of charge required to be paid over and above the ordinary rate of carriage as a compensation for the greater risk and care to be taken for the safe conveyance of such valuable articles;

and all persons handing or delivering any such parcels or package at any such office shall be bound by such notice, without further proof of the same having come to their knowledge.

Carriers to give receipts.

18 Whenever any goods shall have been received for conveyance for hire by any licensed boat, whether the same be such goods as are mentioned in section 16 or other goods, the person receiving the same for conveyance on hire shall, if thereto required when the rate of conveyance shall have been paid, or an engagement to pay the same shall have been accepted, sign a receipt for the said goods, setting out therein the name and residence of the owner; and if such receipt shall not be given when required, the person so receiving the same for conveyance, in addition to any other liability which he may incur by such refusal, shall not have or be entitled to any benefit or advantage under section 16, and shall be liable to refund any increased rate of charge he may have received in respect of the goods specified therein, and shall further be liable to a fine not exceeding twenty rupees.

Penalty in case of neglect.

Publication of notice to limit liability in respect of other goods.

19 No public notice or declaration by the owner of any licensed boat shall be deemed or construed to limit or in anywise affect his liability as aforesaid for or in respect of any articles or goods to be conveyed by him, but all and every such owner shall be liable to answer for the loss of, or any injury to, any articles and goods in respect whereof they may not be entitled to the benefits of section 16, any public notice or declaration by them made and given in anywise limiting such liability to the contrary notwithstanding.

Any owner may be sued.

20 Any one or more of the owners of any licensed boat shall be liable to be sued by his or their name or names only; and no action or suit commenced to recover damages for loss or injury to any parcel, package, or person shall abate for the want of joining any co-proprietor or co-partner in such boat.

Parties entitled to damages may also recover extra charges.

21 Where any such goods as are mentioned in section 16 shall have been delivered as aforesaid, and the value and contents declared as aforesaid, and the increased rate of charge (if any) paid, and such goods shall have been lost or damaged, the party entitled to recover damages in respect of such loss or damage shall also be entitled to recover such increased charge so paid as aforesaid, in addition to the value of such goods.

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

22 Nothing in section 16 of this Ordinance contained shall be deemed to protect the owner of any licensed boat from liability to answer for loss or injury to any goods or articles whatsoever arising from theft or fraudulent conduct of any boatman, bookkeeper, or other person or servant in his employ or in charge of such boat, or to protect any boatman, bookkeeper, or other person or servant from liability from any loss or injury occasioned by his or their own personal neglect or misconduct.

Owner liable to such damages only as are proved.

23 No owner of any licensed boat shall be concluded as to the value of any goods whereof the value shall be declared in pursuance of section 16, but he shall in all cases be entitled to require from the party suing in respect of any loss or injury proof of the actual value of the said goods by the ordinary legal evidence; and such owner shall be liable to such damages only as shall be proved as aforesaid, not exceeding the declared value, together with the increased charges as aforesaid.

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

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

CHAPTER III.

Miscellaneous.

By-laws.

25 It shall be lawful for the Governor, with the advice of the Executive Council, from time to time, or at any time, to make, and when made revoke, add to, or alter by-laws for any of the following purposes :

For regulating the number and description of lights to be carried by any class of boats used for the purposes of carrying passengers or goods, and for limiting the pace of such boats, and generally for providing for the safety and comfort of the passengers conveyed by any such boat, and for providing for the issue of licenses to the tindals of such boats, and for the recalling and taking away of such licenses in case of misconduct, and for regulating the number of boatmen to be employed in such boats.

Publication of by-laws.

26 Any by-law when made, added to, or altered shall be published in the *Government Gazette*, and when so published shall, until the same is revoked in manner aforesaid, be as valid, legal, and effectual as if such by-law had been inserted in this Ordinance.

Penalties.

27 Any person committing any of the following acts shall be guilty of an offence, and shall on conviction be liable to a fine not exceeding one hundred rupees :

- (1) Neglecting or omitting to specify truly in the application required by section 5 the name of any person who shall be an owner or part owner of any boat.
- (2) Neglecting or omitting to paint or to cause to be painted or to keep painted on any licensed boat the number and letter prescribed by section 9, in the manner therein enacted, during the continuance of such license.
- (3) Neglecting or omitting to paint or to cause to be painted or to keep painted on the sail or sails of any licensed boat propelled by a sail or sails the number and letter prescribed by section 9, in the manner therein enacted, during the continuance of such license.
- (4) Using a boat for the purpose of carrying goods or passengers for hire without license, or after such license shall have expired.
- (5) Refusing to allow or to permit any person deputed by the proper authority in writing under this Ordinance to examine any boat for the purpose of reporting thereon to the proper authority.
- (6) Permitting or suffering more passengers or persons to enter a boat than such boat is authorized by the license to carry.
- (7) Loading or suffering or permitting to be loaded in any boat goods or cargo in excess of the cubic measurement or weight stated in the application required by section 5 as the cargo capacity of such boat.
- (8) Plying a boat licensed under this Ordinance for hire in any port which has been declared by Proclamation to have been brought within the provisions of "The Masters Attendant's Ordinance, 1865," without having obtained a license under such Ordinance.
- (9) Committing a breach of any by-law made under the provisions of this Ordinance.

Saving clause.

28 Nothing in this Ordinance contained shall authorize any proper authority to issue a license to any owner of a boat to use a boat for the purpose of the conveyance of goods or passengers for hire in any port which has been

declared by Proclamation to have been brought within the provisions of "The Masters Attendant's Ordinance, 1865," nor shall the owner of any boat use for the purpose of conveyance goods or passengers for hire in any port which has been duly licensed under the provisions of the said Ordinance, whilst plying for hire within the limits of such port, be subject to the provisions of this Ordinance or be liable to prosecution for the breach of any provision herein.

Execution of Ordinance may be delegated to master attendant or collector of customs.

29 The Governor in Executive Council may by notification in the *Government Gazette* delegate the enforcement and execution of any provisions of this Ordinance in respect of boats which are used for carrying passengers by sea from any port or place to any other port or place to the master attendant or collector of customs at any such port or place, and may authorize such master attendant or collector of customs to perform all or any of the powers and duties vested in and imposed on the proper authority under this Ordinance, subject to such restriction as the Governor in Executive Council may from time to time think fit to impose.

Proof of license to be on the accused.

30 If in any prosecution or proceeding under this Ordinance any question shall arise as to whether any boat has been used for the conveyance of any passengers or goods for hire without a license, or as to whether a license has been obtained for any boat within the meaning thereof, or as to whether any person has made the declaration required by section 5 the proof that such passengers or goods were not conveyed for hire, or in the case of goods that the goods belong to himself, or that license has been obtained or the declaration made, shall be upon the accused, or the party against whom such prosecution or proceeding shall be had. Provided that it shall be lawful for the court to award a reasonable sum in lieu of costs to the accused against any person who may have made a vexatious complaint, and such sum shall be recovered in like manner as any fine imposed under the provisions of this Ordinance.

Proviso.

Burden of proof.

31 Where a person is charged with any offence against sub-section (4) of section 26, and it is established by the prosecution to the satisfaction of the court that there were more persons carried in such boat than were necessary for its working, such person shall be presumed to have used such boat for the purpose of carrying passengers for hire, unless and until he shows to the satisfaction of the court before which he is charged that none of the persons in such boat were carried for hire.

Informer's share of penalty.

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

Limitation of prosecution.

33 No prosecution shall be instituted against any person for any offence committed against any of the provisions of this Ordinance cognizable by the police court, unless the same shall be commenced within one month from the time of the commission of such offence.

Certain boats exempted from the Ordinance.

34 The provisions of this Ordinance shall not apply to boats the property of the Crown or of committees established under the provisions of "The Road Ordinance, 1861."

SCHEDULE I.

Ordinance No. 14 of 1865	The whole
Ordinance No. 8 of 1891	The whole

SCHEDULE II.

A.—License for Passenger Boat.

Whereas *A. B.*, of _____, in the _____ Province, has applied for a license under "The Boats Ordinance, 1899," for the carriage of passengers for hire, and has made and signed the application thereby required : license is hereby granted unto the said _____ to use the boat hereunder described for the purpose aforesaid from the date hereof until the 31st December next.

The boat for which this license is granted bears No. _____, is named the _____, and shall be manned by a crew of not more than _____ or less than _____ persons.

Shall not carry more than _____ passengers on any one voyage or trip. Has a cargo capacity of not less than _____.

Signed _____,
Proper Authority.

B.—License for Cargo Boat.

Whereas *A. B.*, of _____, in the _____ Province, has applied for a license under "The Boats Ordinance, 1899," for the conveyance of goods for hire, and has made and signed the application thereby required : license is hereby granted unto the said _____ to use the boat hereunder described for the purpose aforesaid from the date hereof until the 31st December next.

The boat for which this license is granted bears No. _____, is named the _____, and shall be manned by a crew of not more than _____ or less than _____ persons.

Has a cargo capacity of not less than _____ cubic feet by measurement, and not more than _____ tons by weight. Is not licensed to carry passengers.

Signed _____,
Proper Authority.

C.—License for Passenger and Cargo Boats.

Whereas *A. B.*, of _____, in the _____ Province, has applied for a license under "The Boats Ordinance, 1899," for the conveyance of passengers and goods for hire, and has made and signed the application thereby required : license is hereby granted unto the said _____ to use the boat hereunder described for the purposes aforesaid or either of them from the date hereof until the 31st December next.

The boat for which this license is granted bears No. _____, is named the _____, and shall be manned by a crew of not more than _____ or less than _____ persons.

Shall not carry more than _____ passengers on any one voyage or trip. Has a cargo capacity of not more than _____ cubic feet by measurement, and not more than _____ tons by weight.

Signed _____,
Proper Authority.

D.—Application containing particulars of Boat.

I, *A. B.*, of _____, do truly declare as follows :

I am the owner (joint owner or manager, as the case may be) of the boat hereunder described, and I desire a license for the said boat for the conveyance of passengers (or goods or passengers and goods) for hire between _____ and _____ for the period of one year (or as the case may be) from the _____ day of _____, 189 —.

The boat for which the license is required is named the _____, will be manned by a crew of not more than _____ or less than _____ persons. Is propelled by steam (or as the case may be), has a superficial area of _____ feet sufficient for the carriage of _____ passengers and _____ crew, or _____ persons in all.

Has a cargo capacity of _____ cubic feet by measurement and _____ tons by weight, is _____ feet long from bow to stern, is _____ feet broad amidship, is _____ feet deep amidship.

Declared at _____, the day of _____, 189 —.

(Signed) *A. B.*

By His Excellency's command,

W. T. TAYLOR,
Acting Colonial Secretary.

Colonial Secretary's Office,
Colombo, September 25, 1899.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 1,975. In the matter of the insolvency of Don Harmanis Senewiratne, of Maradana.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of the court on October 26, 1899, for the purpose of considering the grant of a certificate of conformity to the said insolvent.

By order of court,

Colombo, September 20, 1899. J. B. MISSE, Secretary.

In the District Court of Kandy.

No. 1,419: In the matter of the insolvency of Carthigeser Kanagaratnam, of Kandupelella in Matale.

WHEREAS Carthigeser Kanagaratnam has filed a declaration of insolvency, and a petition for the sequestration as insolvent of his own estate, under the Ordinance No. 7 of 1853, and it appears that he has been in actual custody within the walls of a prison for debt for more than 21 days: Notice is hereby given that the said court has adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on October 20 and November 3, 1899, will take place for the insolvent to surrender and conform to agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

Kandy, September 26, 1899. A. SANTIAGO, Secretary.

In the District Court of Galle.

No. 310. In the matter of the insolvency of Charles Weerasooriya, of Kataluwa.

WHEREAS the above-named Charles Weerasooriya, of Kataluwa, was on August 10, 1899, adjudged insolvent by the District Court of Galle, 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 October 20 and November 17, 1899, 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,

Galle, September 22, 1899. JAMES KRAUSE, Secretary.

In the District Court of Badulla.

No. 88. In the matter of the insolvency of Palan Kangany, of Gonakele estate in Passara.

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 November 29, 1899 to grant a certificate of conformity to the said insolvent.

By order of court,

Badulla, September 23, 1899. JNO. DHARMAKIRTI, Secretary.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. No. C 1,237.	}	In the Matter of the Last Will and Testament of Hamed Bin Saad or Ahamat Asseri, of Colombo, and late of Muscat in Arabia, deceased.
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THIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 21st day of September, 1899, in the presence of Mr. H. Tiruvilangam, Proctor, on the part of the petitioner, Saad Bin Abdulla, of Colombo; and the affidavit of the said petitioner, dated 20th September, 1899, having been read:

It is ordered that the will of Hamed Bin Saad or Ahamat Asseri, of Colombo, deceased, dated 13th November, 1898, and now deposited in this court, be and the same is hereby declared proved, unless any person interested shall, on or before the 12th day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any person interested shall, on or before the 12th day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
Additional District Judge.

The 21st day of September, 1899.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. No. 231.	}	In the Matter of the Estate of the late Jamuny Elodrishamy, deceased, of Waskaduwa.
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THIS matter coming on for disposal before G. C. Roosmalecoco, Esq., District Judge of Kalutara, on the 11th day of September, 1899, in the presence of Mr. C. A. L. Orr, Proctor, on the part of the petitioner Carunameny Thirolis Silva, of Maha Waskaduwa; and the affidavit of the said Carunameny Thirolis Silva, of Maha Waskaduwa, dated 7th September, 1899, having been read: It is ordered that the said Carunameny Thirolis Silva be and he is hereby declared entitled to have letters of administration to the estate of Jamuny Elodrishamy, deceased, issued to him, as husband of the said deceased, unless any person shall, on or before the 12th day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

G. C. ROOSMALECOCO,
District Judge.

The 11th day of September, 1899.

In the District Court of Colombo.

Order Nisi.

Testamentary
Jurisdiction.
No. C 1,233.

In the Matter of the Estate and Effects of Ambaladurage Christombu Fernando, late of Deltara, in Palle pattu of Salpiti Korale, and of his wife Kahapala-arachchige Enochy Fernando, late of Deltara, deceased.

Ambaladurage *alias* Ambalangodamahawaduge Fredrick Peiris, of Deltara in Palle pattu of Salpiti korale.....Petitioner.

And

1, Ambaladurage *alias* Ambalangodamahawaduge Thomis Peries; 2, Ambaladurage *alias* Ambalangodamahawaduge Nonno Peries, married to 3, Kahapola-arachchige Harmanis Fernando; 4, Ambaladurage *alias* Ambalangodamahawaduge Juliana Peries married to 5, Kahapola-arachchige Poloris Fernando; 6, Ambaladurage *alias* Ambalangodamahawaduge Abraham Peries; 7, Ambaladurage *alias* Ambalangodamahawaduge Carlina Peries; 8, Ambaladurage *alias* Ambalangodamahawaduge Saro Peries married to 9, Polkotuwage Theodoris Fernando, all of Deltara.....Respondents.

THIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 14th day of September, 1899, in the presence of Mr. D. J. Arseculeratne, Proctor, on the part of the petitioner Ambaladurage *alias* Ambalangodamahawaduge Fredrick Peries of Deltara; and the affidavit, dated the 1st day of September, 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 Ambaladurage Christombu Fernando and his wife Kahapala-arachchige Enochy Fernando, of Deltara, issued to him, as next of kin of the said deceased, unless the respondents above-named shall, on or before the 5th day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

F. R. DIAS,
Additional District Judge.

The 14th day of September, 1899.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary
Jurisdiction.
No. C 1,236.

In the Matter of the Joint Last Will and Testament of Wickremecarlo-arachchige Philip Fernando and his wife Batuwitige Sarah Fernando, of Mubandiram's lane, deceased.

Wickremecarlo-arachchige Benjamin Fernando, of Morowaka in the District of Matara Petitioner.

And

1, Wickremecarlo-arachchige Maria Fernando and her husband 2, Galkissegey Abraham Fernando, both of Kwala Lampur, in the Straits Settlements; 3, Wickremecarlo-arachchige Peternella Fernando and her husband 4, J. P. Fernando Wijeratne, both of Kandy; 5, Wickremecarlo-arachchige Abraham Fernando, now a prisoner in the Bogambra Jail, Kandy Respondents.

THIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 21st day of September, 1899, in the presence of Mr. Walter F. F. Prins, Proctor, on the part of the petitioner Wickremecarlo-arachchige Benjamin Fernando; and the affidavit of the said petitioner, dated 18th September, 1899, having been read: It is ordered that the will of Wickremecarlo-arachchige Philip Fernando and Batuwitige Sarah Fernando, deceased, dated 1st April, 1899, certified copy of which is deposited in this court, be and the same is hereby declared proved, unless the respondents abovenamed shall, on or before the 5th

day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, such probate limited to administration of the premises Nos. 15 15a, and 16, Mubandiram's lane, Colombo, unless the respondents above-named shall, on or before the 5th day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
Additional District Judge.

The 21st day of September, 1899.

In the District Court of Colombo.

Order Nisi.

Testamentary
Jurisdiction.
No. C/1,238.

In the Matter of the Goods and Chattels of the late Kandabodagey Don Cornelis Weerasooria Appuhamy, of Silversmith street, Colombo, deceased.

Kandabodagey Don Thomas Weerasooria, of Dematagoda in Colombo Petitioner.

And

1, Kekulandala Iddamalpanagey Dona Welhelmina Jayasekera Hamine; 2, Kandabodagey Dona Missie Baciliana Weerasooria Hamine, wife of Thomas Edwin Caldera; 3, Kandabodagey Dona Caroline Miciliana Weerasooria Hamine, wife of Wickramasinhe Arachchige Marthenis Appuhamy; 4, Kandabodagey Don David Weerasooria; 5, Kandabodagey Don Daniel Weerasooria; 6, Kandabodagey Don Edwin Weerasooria, all of Silversmith street in Colombo Respondents.

THIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 21st day of September, 1899, in the presence of Mr. J. S. Edmund de Livera, Proctor, on the part of the petitioner Kandabodagey Don Thomas Weerasooria, of Dematagoda; and the affidavit, dated the 20th day of September, 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 Kandabodagey Don Cornelis Weerasooria Appuhamy, of Silversmith street, issued to him, as son of the said deceased, unless the respondents above-named shall, on or before the 5th day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
Additional District Judge.

The 21st day of September, 1899.

In the District Court of Kalutara.

Order Nisi.

Testamentary
Jurisdiction.
No. 232.

In the Matter of the Estate of the late Samaraweeramudalige Don Andris Peter Wijeguneratna, deceased, of Tudugalla.

THIS matter coming on for disposal before G. C. Roosmalecoco, Esq., District Judge of Kalutara, on the 13th day of September, 1899, in the presence of Mr. C. A. L. Orr, Proctor, on the part of the petitioner Liane-arachchige Dona Jane Nonahamine; and the affidavit of the said Leane-arachchige Dona Jane Nonahamine, dated 7th September, 1899, having been read: It is ordered that the said Leane-arachchige Dona Jane Nonahamine, be and she is hereby declared entitled to have letters of administration to the estate of Samaraweeramudalige Don Andris Peter Wijeguneratne, deceased, issued to her, as widow of the said deceased, unless any person shall, on or before the 12th day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

G. C. ROOSMALECCOQ,
District Judge.

The 13th day of September, 1899.

In the District Court of Kandy.

Testamentary Jurisdiction. } In the Matter of the Estate of the late Ekanaike Wijeratne Dharmakirti Rajakaruna Wasala Mudiyansele Utku Banda, Dorakumbure Dissawa, deceased, of Dorakumbura in Matale. No. 1,997.

THIS matter coming on for disposal before John Henricus de Saram, Esq., District Judge of Kandy, on the 13th day of September, 1899, in the presence of Mr. C. Jayetileke, Proctor, on the part of the petitioner, Ana Lana Kana Runa Letchimanan Chetty, of Gongawela in Matale, executor of the last will and testament of Muna Kana Muna Muttappa Chetty, deceased, of Matale; and the affidavit of the said petitioner, dated 12th September, 1899, having been read :

It is ordered that the 1st respondent, Dorakumbure Mahawalawwe Mutu Banda, as grandson of Ekanaike Wijeratna Dharmakirti Rajakaruna Wasala Mudiyansele Utku Banda, Dorakumbure Dissawa, deceased, of Dorakumbura in Matale, be and he is hereby declared entitled to a fresh grant of administration in respect of the property of the said deceased left unadministered by U. B. Dorakumbure Ratemahatmaya, the sole administrator to whom a grant of administration was made, and who died without having administered the said estate, and that if the said first respondent is unwilling to be so appointed, the second respondent, the Secretary of this court, be appointed administrator, unless the said respondents shall, on or before the 9th day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,
District Judge.

The 13th day of September, 1899.

In the District Court of Kandy.

Testamentary Jurisdiction. } In the Matter of the Estate of Pakir Tamby Constable's daughter Jayinambo Natchia, deceased, of Gampola. No. 2,111.

THIS matter coming on for disposal before John Henricus de Saram, Esq., District Judge of Kandy, on the 7th day of September, 1899, in the presence of Mr. C. Jayetileke, on the part of the petitioner, Balage Don Denis de Silva, of Sinhayapitiya near Gampola; and the affidavit of the said petitioner, dated 6th September, 1899, having been read :

It is ordered that Kasi Lebbe Slema Lebbe and Slema Lebbe Ahamado Lebbe, both of Ambagamuwa street in Gampola, the first and second respondents as husband and son respectively of the deceased, be and they are hereby declared entitled to a grant of administration of the deceased person's property, and that letters of administration to his estate be accordingly issued to one of them, and in the event of the said first and second respondents being unwilling to be so appointed, that the Secretary of this court, the third respondent, be appointed administrator of the estate of the deceased, unless the said Kasi Lebbe Slema Lebbe, Slema Lebbe Ahamado Lebbe, and the Secretary of this court shall, on or before the 9th day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,
District Judge.

The 7th day of September, 1899.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the late Nakamuttu, wife of Kantar Katiravelu, of Vannarponnai, deceased. No. 923.

Ramanatar Kantaiyah, Secretary, District Court of Jaffna.....Petitioner.

Vs.

1, Parupatippillai widow of Kasinatar, of Nallur; 2, Katirechar Chinnappa; his wife 3, Ponnu, of Nallur; and 4, Kantar Katiravelu, of Vannarponnai.....Respondents.

THIS matter of the petition of Ramanatar Kantaiyah, Secretary, District Court of Jaffna, praying for

letters of administration to the estate of the above-mentioned deceased Nakamuttu, wife of Kantar Katiravelu, of Vannarponnai, coming on for disposal before C. Eardley-Wilmot, Esq., District Judge, on the 19th day of September, 1899, in the presence of Mr. Tambiah S. Cooke, Proctor, on the part of the petitioner; and the affidavit of the 1st respondent, dated the 24th day of August, 1898, having been read: It is declared that the petitioner, as Secretary of the District Court of Jaffna, 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 16th day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

C. EARDLEY-WILMOT,
District Judge.

This 20th day of September, 1899.

In the District Court of Tangalla.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. } In the Matter of the Estate of the late Nonis de Silva Wickremanaike, deceased, of Puwakdandawa. No. 302.

THIS matter coming on for disposal before Frank Bartlett, Esq., District Judge, Tangalla, on the 27th day of July, 1899, in the presence of Mr. D. E. Wijesuriya, Proctor, on the part of the petitioner, and Mr. F. E. LaBrooy, Proctor, on the part of the respondent; and the affidavit of Gardiyewasan Manawaduge Thiselhami, of Kataluwa, dated 5th May, 1899, having been read, and the evidence of Don Mathes de Silva Wickremanaike of Puwakdandawa taken, and all parties heard :

It is ordered that letters of administration be issued to the said Gardiyewasan Manawaduge Thiselhami, unless the respondent shall, on or before the 28th day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

F. BARTLETT,
District Judge.

The 16th day of September, 1899.

In the District Court of Tangalla.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. } In the Matter of the Estate of the late Dioguhumedige Don Dines de Silva, deceased, of Tangalla. No. 305.

THIS matter coming on for disposal before F. Bartlett, Esq., District Judge, Tangalla, on the 6th day of September, 1899, in the presence of Don Abraham de Silva Dioguhumedi, of Tangalla, on the part of the petitioner; and the affidavit of Don Abraham de Silva Dioguhumedi, of Tangalla, dated 6th September, 1899, having been read :

It is ordered that letters of administration of the said estate be granted to the said petitioner, unless the respondents—1, Siribaddana Hewage Babahamy, of Tangalla; 2, Dioguhumedige Nonnohami, of Gandara; 3, Don Bastian Perera Mihindukulasuriya, Kumesteru Arachchi of Gandara; 4, Dioguhumedige Nonnohamy, of Tangalla; 5, Dioguhumedige Mendias, of Tangalla; and 6, Dioguhumedige Hendrick Sinno, of Tangalla—shall, on or before the 31st day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

F. BARTLETT,
District Judge.

The 20th day of September, 1899.

In the District Court of Tangalla.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. } In the Matter of the Estate of the late
No. 306. } Mohamadu Lebbe Marikar Abdul
Latiff, deceased, of Hambantota.

THIS matter coming on for disposal before F. Bartlett, Esq., District Judge, Tangalla, on the 16th day of September, 1899, in the presence of Mr. E. G. Auwardt, Proctor, on the part of the petitioner; and the affidavit of Mohamadu Lebbe Marikar Packir Saibu, dated 16th September, 1899, having been read:

It is ordered that letters of administration be issued to him, unless Packir Saibu Raffiya Umma, of Hambantota, shall, on or before the 17th day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

F. BARTLETT,
District Judge.

The 16th day of September, 1899.

In the District Court of Trincomalee.

Testamentary Jurisdiction. } In the Matter of the Estate of the late
No. 171. } Arumukan Kantavanan, of Kaddai-
parichchan in Oddiyar pattu.

Tankan, widow of Kantavanan, of Kaddai-
parichchan Petitioner.
Vs.

1, Kantavanan Velantar; and 2, Sellan,
daughter of Kantavanan, of Kaddai-
parichchan Respondents.

THIS matter coming on for disposal before C. M. Lushington, Esq., District Judge of Trincomalee, on the 31st day of August, 1899, in the presence of Mr. S. Viswalingam, Proctor on the part of the petitioner; and the affidavit of the petitioner, dated 31st August, 1899, having been read: It is declared that the said Tankan widow of Kantavanan is entitled to have letters of administration of the estate of her deceased husband issued to her accordingly, unless any person shall, on or before the 4th day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

C. M. LUSHINGTON,
District Judge.

The 31st August, 1899.

In the District Court of Kegalla.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Intestate Estate
No. 75. } of Mohandiramelage Mudalyhamy, of
Kukulpone, deceased.

Mohandiramelage PUNCHY APPUHAMY, of
Kukulpone Petitioner.
Vs.

1, Henekarallage PUNCHY MENIKA; 2, Mohan-
diramelage Banda, Vel-vidane; 3, Mohan-
diramelage DINGIRALA, all of Kukulpone... Respondents.

THIS matter coming on for disposal before T. J. de Alwis, Esq., District Judge of Kegalla, on the 9th

day of August, 1899, in the presence of Mr. A. F. Herat, on the part of the petitioner aforesaid; and the affidavit of the said petitioner, dated the 8th day of August, 1899, having been read: It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the intestate estate of the deceased Mohandiramelage Mudalyhamy, of Kukulpone, issued to him, as the lawful son of the said deceased, unless the said respondents—1, Henekarallage PUNCHY MENIKA; 2, Mohandiramelage Banda, Vel-vidane; 3, Mohandiramelage DINGIRALA, all of Kukulpone—shall, on or before the 30th day of September, 1899, show sufficient cause to the satisfaction of this court to the contrary.

T. J. DE ALWIS,
District Judge.

The 31st day of August, 1899.

In the District Court of Kegalla.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Intestate Estate of
No. 76. } Hennekgedare Mudalibamy, of Korahetta, deceased.

Hennekgedare UKKURALA, of Korahetta Petitioner.

And

1, Hennekgedare PUNCHIRALA, of Korahetta; 2, Hennekgedare DINGIRI MENIKA, of Korahetta; 3, Hennekgedare UKKU MENIKA, of Hurimaluwa; 4, Hennekgedare DINGIRI APPUHAMY, of Puwakmote; and 5, Hennekgedare KIRI MENIKA, of Puwakmote.... Respondents.

THIS matter coming on for disposal before T. J. de Alwis, Esq., District Judge of Kegalla, on the 26th day of August, 1899, in the presence of Mr. Molligoda, Proctor, on the part of the petitioner Hennekgedare Ukkurala, of Korahetta; and the affidavit of the said petitioner, dated 18th day of July, 1899, having been read: It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the intestate estate of the deceased Hennekgedare Mudalibamy issued to him, as one of the brothers of the said deceased, unless the respondents—1, Hennekgedare PUNCHIRALA, of Korahetta; 2, Hennekgedare DINGIRI MENIKA, of Korahetta; 3, Hennekgedare UKKU MENIKA, of Hurimaluwa; 4, Hennekgedare DINGIRI APPU, of Puwakmote; and 5, Hennekgedare KIRI MENIKA, of Puwakmote—shall, on or before the 30th day of September, 1899, show sufficient cause to the satisfaction of this court to the contrary.

T. J. DE ALWIS,
District Judge.

The 26th day of August, 1899.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

In the Matter of the Last Will and Testament of
Hewadewege Regina Fernando, late of
4th Cross street, Pettah, Colombo.

Manenadewage Magris Fernando, of 4th Cross
street, Pettah, Colombo.....Petitioner.

Testamentary
Jurisdiction. Vs.
No. 285.

1, Hewadewege Alice Fernando ; 2, R. J.
Fernando ; and 3, Hewadewege Manuel
Fernando, all of Pettah, Colombo.....Respondents.

NOTICE is hereby given that on Friday, October 27,
1899, at the hours noted below, will be sold by
public auction at the respective premises the right, title,
and interest of the said Hewadewege Manuel Fernando
in the following property, for the recovery of the sum of
Rs. 1,064-82, to wit, Rs. 194-88 from the said Hewa-
dewege Alice Fernando, the sum of Rs. 121-22 from the
said R. J. Fernando, and the sum of Rs. 748-72 from the
said Hewadewege Manuel Fernando, viz. :—

At 1 P.M.

1. All that house and ground bearing assessment
No. 8, situated at Kotte road in Colombo ; bounded on
the north by Kotte road, on the east by the property of
Mr. Obeysekera, on the south by the property belonging
to a Moorman, and on the west by the property of Mr.
Misso ; containing in extent 1 acre more or less.

At 3 P.M.

2. The right, title, and interest of the said Hewa-
dewege Alice Fernando in the following property, viz. :—
All that boutique and ground bearing assessment No. 68,
situated at St. John's road in Pettah, Colombo ; bounded
on the east by the boutique No. 69 said to belong to
Denis Fernando, on the north by St. John's road, on the
south by the property of G. A. Fernando, and on the
west by the boutique No. 67 said to belong to Mr. Nugara ;
containing in extent 21 perches more or less.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Fiscal's Office.

Colombo, September 27, 1899.

In the Court of Requests of Colombo.

Vana Ena Vana Karuppan Chetty, of Sea
street, Colombo.....Plaintiff.

No. 9,720. Vs.

P. S. de Soya, of Alutmawata, Colombo.....Defendant.

NOTICE is hereby given that on Wednesday, October
25, 1899, 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. 240-04, with further
interest thereon at the rate of 9 per cent. per annum from
July 29, 1899, till payment in full, and Rs. 28-75 being
costs, viz. :—

All those houses and premises bearing assessment
Nos. 13, 14, and 15, situated at Modara within the Muni-
cipality of Colombo ; bounded on the north by the
properties of Welendage Manuel Silva and others, on
the east by the high road, on the south by the property
of G. Pinto, and on the west by the house occupied by
Christian Brothers ; containing in extent 1½ acre more
or less.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Fiscal's Office.

Colombo, September 27, 1899.

In the District Court of Colombo.

K. R. M. Pallaniappa Chetty, of Sea street,
Colombo.....Plaintiff.

No. C 12,085. Vs.

1, S. Nugara ; 2, M. Nugara ; and 3, A. B.
Nugara, all of Maradana, Colombo.....Defendants.

NOTICE is hereby given that on Tuesday, October
24, 1899, commencing at 12 o'clock noon,
will be sold by public auction at the respective premises
the right, title, and interest of the said second and third
defendants in the following properties, for the recovery
of the sum of Rs. 5,486-30, with further interest on
Rs. 4,950 at 9 per cent. per annum from January 11, 1899,
till payment in full, viz. :—

1. All that house and premises bearing assessment
No. 27, situated at Prince street, Pettah, Colombo ; and
bounded on the east by Prince street, on the north by
Baptist Church premises, on the south by the house
bearing assessment No. 26, and on the west by the pro-
perty of Mr. Rodrigo ; containing in extent 1 rood more
or less.

2. All those two houses and ground bearing assess-
ment No. 77 towards the 5th Cross street and No. 11
towards the 4th Cross street, situated at Pettah, Colombo ;
bounded on the north by the 5th Cross street, on the
east by the properties of Abdul Rahiman Marikar and
Simon Andris Silva, on the south by the 4th Cross street,
and on the west by the property of Savana Idroos Lebbe
Marikar ; containing in extent 1 rood more or less.

The life-interest of the said first defendant in the
following properties, viz. :—

3. All that house and premises bearing assessment
No. 27, situated at Prince street, Pettah, Colombo ; and
bounded on the east by Prince street, on the north
by Baptist Church premises, on the south by the house
bearing assessment No. 26, and on the west by the
property of Mr. Rodrigo ; containing in extent 1 rood
more or less.

4. All those two houses and ground bearing assess-
ment No. 77 towards the 5th Cross street and No. 11
towards the 4th Cross street, situated at Pettah, Colombo ;
and bounded on the north by the 5th Cross street, on the
east by the properties of Abdul Rahiman Marikar and
Simon Andris Silva, on the south by 4th Cross street,
and on the west by the property of Savana Idroos Lebbe
Marikar ; containing in extent 1 rood more or less.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Fiscal's Office,
Colombo, September 27 1899.

In the District Court of Colombo.

George Adam Jurgen Ondatjie, of Kollupitiya,
Colombo, executor of the last will and
testament of Peter Jurgen Ondatjie, of
Colombo, deceased.....Original Plaintiff.

Abdul Wahid Hadjiyar, of Mosque lane,
Wolfendahl, Colombo.....Substituted Plaintiff.

No. C 12,323. Vs.

1, Mohamed Jamèl Hassen ; 2, Chappan Aha-
mat ; and 3, Mohamed Samsodeen Hassen,
all of Slave Island, Colombo.....Defendants.

NOTICE is hereby given that on Thursday, October
26, 1899, at 3 o'clock in the afternoon, will be sold
by public auction at the premises the following property
mortgaged by defendants and decreed to be sold by the
decree entered in the above case, for the recovery of the
sum of Rs. 3,040-37½, with interest on Rs. 2,500 at 12 per

cent. per annum from March 1, 1899, till payment in full, viz. :—

All that part of a garden with the buildings standing thereon, bearing assessment No. 5, situate at Slave Island within the Municipality of Colombo; bounded or reputed to be bounded on the north by the portion of the same land, on the east by the garden of Allis Appu, on the south by the garden of Mr. Langslaw, Miskin, Sergeant Doole, Sinnen, and Assen Butler, and on the west by the lake; containing in extent 2 roods and 18 perches more or less, excluding the rail road passing through the said land.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Fiscal's Office,
Colombo, September 27, 1899.

In the District Court of Puttalam.

Muhamadu Mohiadin Ibrahim Nachchia, of Puttalam, administratrix of the estate of Sinna Colanda Sego Mohiadin, of Puttalam...Plaintiff.

No. 1,299. Vs.

Joseph Ratnayaka, of Chenakudirippu in Puttalam.....Defendant.

NOTICE is hereby given that on October 24, 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. :—

One-fourth of the land called Dalupatyaya, situate at Kongodamulla *alias* Kudumirissa in the Dunagaha pattu of the Alutkuru korale; the entire land is bounded on the north by the lands of Juan Vidane and Sambukutti Arachchige Heranis Silva and others, on the east by the land of Joronis, Vel-vidane, on the south by the land of Lintottage Saviel Fernando and others, and on the west by the land of Solanga Arachchige Gaiappu *alias* Gabriel Appu; containing in extent 85 acres more or less.

Amount to be levied Rs. 868-91, and interest thereon at 9 per cent. per annum from February 1, 1898, with a further rent of Rs. 125 for every six months from August 1, 1898.

SWAMPILLE JOSEPH,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, September 26, 1899.

In the District Court of Negombo.

Christobo Pereis Antho Pulle, of Bambukuliya Plaintiff.

No. 3,210. Vs.

1, Jayawardena Arachchige Don Juanis Martis; 2, Jayawardena Arachchige Dona Ana Martis, administratrix of the estate of the late Amarasinha Arachchige Gabriel Silva; 3, Amarasinha Arachchige Gregoris Silva Appuhami, all of Murutenna.....Defendants.

NOTICE is hereby given that on October 21, 1899, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property, specially hypothecated by bond No. 8,362, dated December 23, 1892 :—

The land called Kongahawatta and all the buildings standing thereon, situate at Murutenna in Dunagaha pattu of the Alutkuru korale; and bounded on the north by the live fence which separates the lands of Gregoris Silva Appuhami and others, on the east by the land belonging to the heirs of Costantino Fernando Vedarala, on the south by the cart road, and on the west by the land of Suse Dariju; containing in extent 2 acres and 2 roods more or less and declared liable to be sold in satisfaction of the decree entered in the above case.

Amount to be levied Rs. 2,149-75.

SWAMPILLE JOSEPH,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, September 25, 1899.

In the District Court of Kalutara.

Retiyalage Subaneris Perera, of Kahatapitiya in Rayigam korale.....Plaintiff.

No. 1,723. Vs.

Wettige Andris Silva, of Pinwatta.....Defendant.

NOTICE is hereby given that on Friday, October 27, 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, for the recovery of Rs. 439-89½, with further interest on Rs. 200 at 9 per cent. per annum from October 19, 1896, till payment in full and poundage, viz. :—

1. The soil and trees of the land called Wellimuttawa, in extent about 1 acre, and the tiled house constructed with cabook stones and plastered with chunam standing thereon, situated at Horana in Kumbuke pattu of Rayigam korale; and bounded on the north by Ambalamhena, on the east by a portion of Wellimuttawa, on the south by the high road, and on the west by Radagewatta *alias* water-course.

2. The tiled boutique constructed with cabook stones and plastered with chunam standing on the land called Wellimuttawa, situated at Horana in Kumbuke pattu of Rayigam korale; and bounded on the north by Ambalamhena, on the east by the boutique belonging to Pitikisichchige Don Abraham Vedarala, on the south by the high road, and on the west by the boutique belonging to Kumbukage Don Sanis Appu.

3. An undivided half share of the soil of the cinnamon growing thereon and of all the other trees of the land called Ralahaminnekurunduwatta, in extent about 8 acres, situated at Horana in Kubuke pattu of Rayigam korale; and bounded on the north by cinnamon land belonging to Sini Lebbe and another, on the east by a portion of Ralahaminnewatta, on the south by a portion of the same land, and on the west by the road leading to and from Anguruwatota.

4. One-fourth share of the soil and of the trees of the land called Kahatagahawatta, in extent about 6 acres, situated at Horana in Kumbuke pattu of Rayigam korale; and bounded on the north by the high road, on the east by cinnamon land, and on the south and west by field.

DANIEL F. JAYESURIA,
Deputy Fiscal's Office,
Bandaragama, September 23, 1899.

Central Province.

In the District Court of Kandy.

Emma Grace Wise and W. Wise Plaintiffs.

No. 12,886. Vs.

Wawenna P. Kadirawail Kangany Defendant.

NOTICE is hereby given that on October 21, 1899 commencing at 12 o'clock noon, will be sold by public auction at the premises the following property mortgaged by the defendant with the plaintiff upon bond dated October 8, 1897, and decree entered in the above case and hereinafter described, for the recovery of the sum of Rs. 1,297-80, with interest thereon at 9 per cent per annum from April 19, 1899, till payment in full and cost of suit :—

All that and those several allotments of land adjoining each other and now forming one property with the allotments of land hereinafter described :—

1. All that tract of land called Pattiagomatenna, situate in the village Pattiagoma in the district of Hewaheta, in the Central Province; bounded on the north by Packeer Tamby's and chena lands, on the east and south by Mass Prede and Gaskell's land, and on the west by the property of Mr. Donald Davidson; containing in extent 78 acres 3 roods and 11-56 perches.

2. One-half part or share of and in all that land called Puwakketiyaya Millaghamulahena of 3 pelas of paddy sowing extent in the whole; bounded on the east by ditch of Habiboo's garden, on the west by Waitilagam's property, on the south by ditch and the ditch of

the gardens of Packeer Tamby and Uduman Kandu, and on the north by the garden of Sinna Tamby, situate at Pattiagama as aforesaid.

3. All that piece of land called Ranghena of 2 pelas paddy sowing extent; bounded on the north by Mulakandura, west by the property of the said Waitilingam and ditch, and on the south by patana and kandura, on the east by field of Uduma Kandu, situate at Pattiagama as aforesaid; all aggregating 79 acres 3 roods and 26 perches in extent.

4. All that piece of land formerly a part of Naranhena estate and now forming one property, with all the allotments of land above described, situate at Pattiagama as aforesaid, containing in extent 14 acres 2 roods and 28 perches according to the survey made by Charles Vandort, Surveyor, dated June, 1871; and bounded, according to the survey plan, on the north by water-course, south by Rathapatheykandura, and on the east by Naranhena forest land, and on the west by Chetty's coffee plantations, together with all the buildings, plantations, stores, machinery, fixtures, furnitures, tools and implements, cattle and other dead and live stock of all the said allotments of land or thereto belonging, or in any wise appertaining or usually held or occupied, used, or employed therewith, or reputed to belong or be appurtenant thereto, and together with an undivided half part or share of and in all that buildings, plantations, stores, machinery, fixtures, furnitures, tools, implements, cattle or other dead and live stock on the said allotment of land.

F. J. SMITH,
Deputy Fiscal.

Fiscal's Office,
Kandy, September 26, 1899.

Southern Province.

In the District Court of Galle.

Pettahandi Abilian de Silva, of Mohottiwatta . . . Plaintiff.
No. 5,006. Vs.

Pinnadowe Lairis de Silva, of Mitiyagoda... Defendant.

NOTICE is hereby that on Saturday, October 28, 1899, at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, subject to the lease of it now pending in favour of the plaintiff, viz.:—

The entire soil and fruit trees of the garden called Etoluwe Egodabedda of the extent of 50 acres, situate at Mitiyagoda, together with all the buildings standing thereon.

This writ is issued to levy a sum of Rs. 2,214-57½.

C. T. LEEBRUGGEN,
for Fiscal.

Fiscal's Office,
Galle, September 26, 1899.

Province of Sabaragamuwa.

In the District Court of Colombo.

Widenmann Broicher & Company.....Plaintiffs.

No. C12,751. Vs.

1, Edmund Smythe, formerly of Mahalla estate, Kegalla, and presently in England, and others.....Defendants.

NOTICE is hereby given that on Saturday, October 21, 1899, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said first defendant in the following property, viz.:—

All that estate called and known as Mahalla estate, consisting of (1) an allotment of land No. 1,814 called

Ugakandehena, situate in the village Mahalla in Dehigampal korale, in the District of Kegalla; bounded on the north by Dambulla-oya, on the east by land said to belong to the Crown and land claimed by S. A. Dingirala, on the south by lands claimed by S. A. Dingirala and H. A. Mudalihami and land described in plan No. 116,438, and on the west by a water-course; containing in extent 38 acres and 26 perches.

(2) An allotment of land No. 1,815, situate in the village Mahalla aforesaid; bounded on the north by land claimed by R. Mituruhami and others, by a stream and Dambulla-oya, on the east by a water-course and lands described in plans No. 116,318 and 113,066, on the south-east and south by land described in plan No. 113,066, and on the west by land described in plan No. 113,066 and land claimed by G. Mituruhami and others; containing in extent 16 acres 3 roods and 5 perches.

(3) An allotment of land called Boralwuemukalana, situate at Mahalla aforesaid; bounded on the north by land said to belong to the Crown, on the east by lands claimed by H. Mudalihami and brother S. Dingirala and K. Dingirala Appuhami and another, on the south-east and south by land described in plan No. 113,067, on the south-west by lands claimed by R. Mituruhami and R. Mudalihami and others, and on the north-west by lands claimed by R. Mudalihami and others; containing in extent 43 acres and 2 roods.

(4) All that portion of the allotment of land called Walhena and seven other chenas, now called and known as Dambulu-oya estate, situated in the village Wahakula in Dehigampal korale, in the District of Kegalla; bounded on the north by the remaining portion of the said allotment of land called Walhena and seven other chenas, on the east by Crown land and a stream, on the south-east by Dambulla-oya and lands described in plans No. 116,438 and 113,066, on the south-west by lands claimed by R. Mituruhami and others, and on the west by lands described in plan No. 133,641 and a path; containing in extent 50 acres and 1 rood.

(5) Four allotments of land called Horagalamukalana, Amunepuranekumbura, Amunekumburalangahena, and Uswattagewattepurana, situate in the village Wahakula aforesaid; bounded on the north by land described in plan No. 133,402, on the north-east by land described in plan No. 134,309, on the east and south-east by land described in plan No. 134,309 and by a path, on the south by land claimed by R. Mituruhami and others, on the south-west by land described in plan No. 134,646, on the west by lands described in plans Nos. 134,646 and 133,402, and on the north-west by land described in plan No. 133,402; containing in extent 47 acres 1 rood and 29 perches, excluding therefrom about 35 acres sold to Mr. Thorton.

(6) All those three adjoining allotments of land called and known as Mirishena, Galbodahena, and Medahena, situate and lying at Mahalla in Dehigampal korale of Three Korales; bounded on the north by Tunnuduna rock standing on the boundary of the village Humbaswalana, on the east by the boundary of Situnkanda Dandubandiagala, 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 and 2 roods more or less.

(7) An allotment of land called and known as Galgodahena, situate and lying at Mahalla aforesaid; bounded on the north by Tunnuduna rock and Mukalanahena, on the east by Maladola and Mirishena, on the south by Maladola and Gompaskadahena, and on the west by a Maladola and Mukalanahena; containing in extent about 1 amunam of paddy sowing; all which said allotments of land are adjoining each other and form one estate, together with all the buildings, stores, machinery, fixtures, tools, implements, cattle and all other dead and live stock in and upon the said premises.

Writ issued to levy the sum of Rs. 43,173-19, with further interest at the rate of 8 per cent. per annum from June 29, 1899, till payment in full and costs Rs. 358-48.

TIMOTHY F. ABAYAKOON,
Deputy Fiscal.

Deputy Fiscal's Office,
Kegalla, September 26, 1899.

