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and General Government Notifications.

PART II.—Legal and Judicial.

PART III.—Provincial Administration

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Part II.—Legal and Judicial.

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PASSED ORDINANCES.

Ordinance enacted by the Lieutenant-Governor of Ceylon,
with the advice and consent of the Legislative
Council thereof.

No. 4 of 1899.

An Ordinance to amend and consolidate the Law relating
to Pilots appointed by the Governor of Ceylon.

E. NOEL WALKER.

Preamble.

WHEREAS it is expedient to amend and consolidate the law relating to pilots appointed by the Governor of Ceylon: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited for all purposes as "The Pilots' Ordinance, 1899."

Interpretation clause.

2 In this Ordinance the following words and expressions have the following meanings, unless a different intention appears from the subject or context—

"Master attendant" means the master attendant of any port, and includes his deputies and assistants.

"Port" means any port brought under the operation of this Ordinance under section 3.

“Vessel” includes any ship or boat or any other description of vessel used in navigation of above 100 tons register.

“Master” includes any person having for the time being the charge, command, or control of any vessel.

“Pilot” means any person appointed by the Governor under section 5 for the purposes of conducting vessels to or out of any port named in such appointment.

Governor to declare ports brought under the operation of this Ordinance and to define their limits.

3 The Governor may from time to time, with the advice of the Executive Council, by Proclamation declare the ports which are to be brought within the operation of this Ordinance, and define the limits of such ports respectively.

Pilotage required.

4 It shall be unlawful to bring into or remove out of any port any vessel without having a pilot on board, unless authority in writing so to do has been obtained from the master attendant or some officer empowered by such master attendant to give such authority; and if any vessel shall be brought into or removed out of any port contrary to the provisions of this Ordinance, the master of such vessel shall be liable to a fine not exceeding two hundred rupees for every such offence.

Appointment of pilots.

5 (1) The Governor shall continue from time to time to appoint fit, proper, and qualified persons to be pilots for the purpose of conducting vessels into or out of any port.

(2) The Governor may from time to time remove any pilot so appointed and appoint another in his stead.

(3) All such pilots shall be under the control and subject to the orders of the master attendant of the port for which they may be appointed.

Amount of outward pilotage to be paid in advance.

6 No pilot shall be in anywise bound to conduct any vessel to sea, neither shall any vessel proceed to sea, until the full amount of the outward pilotage of such vessel and the charges due on account of such vessel to the master attendant's department shall be first paid or secured to be paid to the satisfaction of such pilot and master attendant.

Pilots in certain cases to demand payment over and above the amount of pilotage.

7 Every pilot in charge of any vessel in, or entering, or proceeding from, any port, who shall remain on board any such vessel for a period exceeding forty-eight hours, either on account of stress of weather or under quarantine, shall be entitled to demand and receive over and above the amount of pilotage charged under port rules made or to be made under the authority of section 6 of “The Masters Attendant's Ordinance, 1865,” the sum of five rupees for each and every day he shall so remain on board any vessel.

Penalty : pilot for misconduct.

8 Every pilot who shall refuse, neglect, or delay to take charge of any vessel when required to do so by the master attendant, unless upon good and sufficient cause to justify such refusal, neglect, or delay, and every pilot who shall quit any such vessel or decline the piloting thereof after he has taken charge thereof, or shall by drunkenness or otherwise render himself incapable of conducting any vessel or do any injury to the same or to the tackle or furniture thereof, shall, in addition to his civil liability, be guilty of an offence, and be liable on conviction to a fine not exceeding two hundred rupees.

Penalty on person acting as pilot without authority.

9 It shall be lawful for any pilot within the limits of the port for which he is appointed to supersede in the charge of any vessel any person not appointed to act as a pilot within such limits, and every person assuming or continuing in the charge and conduct of any vessel, not being a pilot or not being duly appointed to act as a pilot within the limits in which such vessel shall actually be, after any pilot duly appointed to act within such limits shall have offered to take charge of such vessel, shall be guilty of an offence, and be liable to a fine not exceeding two hundred rupees. Provided always that, notwithstanding anything in this Ordinance contained, any person shall and may lawfully and without being subject to any penalty by this Ordinance imposed assume or continue in

Proviso.

the charge or conduct of any vessel as a pilot where and so long as a pilot duly appointed shall not have offered to take charge of such vessel or made a signal for that purpose, or where and so long as such vessel shall be in distress, or under circumstances which shall have rendered it necessary for the master or person in charge of such vessel to avail himself of the best assistance which at the time could be procured.

Pilot's liability limited.

10 The liability of a pilot for neglect or want of skill shall not exceed the sum of one thousand five hundred rupees, and in the event of his being entitled to fees on account of pilotage in respect of the voyage in which he was engaged when he became so liable, his liability shall not exceed the said sum and the amount payable to him as such fees.

Non-liability of Government, owner, or master where pilot is employed.

11 The Governor or the owner or master of a ship shall not be answerable to any person whatsoever for any loss or damage occasioned by the fault or incapacity of any pilot acting in charge of that ship within the limits of any port brought under the operation of this Ordinance.

Penalty : pilot offending against Ordinance or port rule.

12 If any pilot shall in any case fail or neglect to observe any lawful directions of the master attendant, or to do anything required by him by this Ordinance or by any port rule made or to be made under the authority of section 6 of "The Masters Attendant's Ordinance, 1865," or shall do or omit to do anything contrary to the true and plain meaning of this Ordinance or of any such port rule, he shall be guilty of an offence, and be liable on conviction to a fine not exceeding two hundred rupees.

Ordinance not to extend to Government vessels or ships of war.

13 Nothing in this Ordinance contained shall extend to any vessel belonging to or in the service of Her Majesty, or to any vessel of war belonging to any foreign prince or state, nor affect any law relative to the Customs, nor any order or direction which shall have been lawfully made or given in pursuance of the provisions of any such law.

offences against this Ordinance and debts due thereunder to be respectively punishable and recoverable in police courts and courts of requests.

14 All offences against this Ordinance shall and they are hereby declared to be fully cognizable and punishable by police courts, and all sums becoming due by reason of any of the provisions thereof shall and they are hereby declared to be recoverable before courts of requests, though such offences and sums should exceed the ordinary jurisdiction of those courts.

Repealing clause.

15 The Ordinances mentioned in the schedule shall be repealed to the extent specified in the third column thereof, provided that such repeal shall not affect any penalty or punishment incurred in respect of any offence committed against any enactment hereby repealed.

SCHEDULE.

Ordinances repealed.

Number and Year.	Title.	Extent of Repeal.
6 of 1865 ...	"The Masters Attendant's Ordinance, 1865"	Sections 17, 18, 19, 20, 21, 22, and so much of section 34 as refers to pilots
9 of 1898 ...	"An Ordinance to amend the Masters Attendant's Ordinance, No. 6 of 1865"	The whole Ordinance

Passed in Council the Eighteenth day of October, One thousand Eight hundred and Ninety-nine.

J. J. THORBURN,
Acting Clerk to the Council.

Assented to by His Excellency the Lieutenant-Governor the Twentieth day of October, One thousand Eight hundred and Ninety-nine.

W. T. TAYLOR,
Acting Colonial Secretary.

Ordinance enacted by the Lieutenant-Governor of Ceylon,
with the advice and consent of the Legislative
Council thereof.

No. 5 of 1899.

An Ordinance to consolidate and amend the Law relating
to the Possession and Sale of Opium.

E. NOEL WALKER.

Preamble.	<p>WHEREAS it is expedient to consolidate and amend the law relating to the possession and sale of opium: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:</p>
Short title.	<p>1 This Ordinance may be cited as "The Opium Ordinance, 1899."</p>
Repeal.	<p>2 The Ordinances mentioned in the first schedule are hereby repealed, provided that such repeal shall not affect—</p> <p>(a) The past operation of anything duly done or suffered under the said Ordinances hereby repealed; nor</p> <p>(b) Any right, privilege, obligation, or liability acquired, accrued, or incurred thereunder; nor</p> <p>(c) Any penalty or forfeiture incurred in respect of any breach of the provisions of the said Ordinances hereby repealed; nor</p> <p>(d) Any legal proceeding or remedy in respect of such right, privilege, obligation, liability, penalty, or forfeiture as aforesaid.</p> <p style="margin-left: 40px;">Where any unrepealed Ordinance refers to any Ordinance or to the provision of any Ordinance hereby repealed, such unrepealed Ordinance shall be deemed to refer to this Ordinance or the corresponding provision of this Ordinance.</p>
Interpretation clause.	<p>3 For the purposes of this Ordinance the word "opium" shall include any preparation in which opium forms a component part.</p>
Proper authority.	<p>4 The "proper authority" hereinafter mentioned shall be in any province the government agent of the province, and in any town wherein a municipal council or local board has been or may hereafter be established the chairman of such council or board, and in the town of Nuwara Eliya the Assistant Government Agent of Nuwara Eliya.</p>
Possession of opium exceeding one pound in weight without license illegal.	<p>5 It shall not be lawful for any person, other than a wholesale or retail vendor of opium duly licensed as hereinafter provided, to possess opium in any quantity beyond one pound in weight without a license authorizing such possession to be granted as hereinafter provided.</p>
Sale of opium without a license illegal.	<p>6 It shall not be lawful for any person to sell or to offer or expose for sale, or to suffer or permit to be sold, either by wholesale or retail, opium without a license authorizing such sale to be granted as hereinafter provided.</p>
Proper authority may grant licenses.	<p>7 The proper authority may grant licenses for the possession of opium beyond one pound in weight or for the sale of opium.</p>
License to sell by wholesale.	<p>A license to sell opium by wholesale will authorize the licensee to possess at one time any quantity of opium. A fee of two hundred and fifty rupees shall be payable for</p>

every such license. No such licensee shall sell less than ten pounds in weight of opium at any one time.

To possess opium.

A license to possess opium will authorize the licensee to possess opium in the quantity mentioned in the license, such quantity to be fixed at the discretion of the proper authority granting the license. A fee of fifty rupees shall be payable for such a license.

To sell by retail.

A license to sell opium by retail will authorize the licensee to possess at one time opium in any quantity not exceeding fifty pounds in weight, and shall be granted in manner hereinafter provided.

Number of licenses to sell by retail and conditions to be attached thereto to be annually published.

8 The proper authority shall, on or before the 1st day of December in each year, cause to be published twice at least in the *Government Gazette* and in one or more of the local newspapers a notice declaring the number of licenses for the sale by retail of opium within the limits of any province, part of a province, or any town, which shall be granted for the year commencing the first day of January next. The number of such licenses so to be granted shall be in the discretion of the said proper authority, but shall in no case exceed the number to be fixed by the Governor from time to time by Proclamation in the *Gazette* in respect of any province, part of a province, or any town.

Notice to fix date for sale by auction.

9 By the notice so to be published as aforesaid the said proper authority shall fix a date and place at which such licenses shall be put up to sale by public auction, and shall notify the conditions under which such licenses shall be issued. It shall be in the discretion of the said proper authority to fix an upset price at which each such license shall be put up; and in the event of no bid over the upset price being offered, the said proper authority shall be at liberty in his discretion to postpone any such sale.

Sales to be for ready money.

10 Every such sale shall be for ready money only; and if the highest bidder on being declared the purchaser shall not forthwith pay down the amount of his bid, the proper authority may in his discretion either declare the next highest bidder or any other bidder the purchaser, or forthwith put up the license for re-sale.

Issue of license.

11 Immediately after any bidder is declared the purchaser of any license, the said proper authority shall issue a license in the form hereinafter mentioned to the purchaser. But it shall be lawful for the said proper authority in his discretion to refuse to issue any such license; and in case of such refusal the purchase money so paid shall be refunded to the purchaser and the license may be re-sold either at once or at such future time as the said proper authority shall appoint.

Re-sale at risk of purchaser.

12 In the event of any such re-sale as in section 10 mentioned realizing a smaller amount than that at which the highest bidder at the previous sale had been declared the purchaser, such highest bidder shall be liable for the difference, which shall be recoverable by action in the court of requests having in other respects jurisdiction in that behalf, notwithstanding that such difference exceeds the sum of three hundred rupees.

Form and duration of licenses.

13 The licenses mentioned in section 7 shall be substantially in the forms set out in the second schedule hereto annexed, with such alterations and additions as the circumstances require, and shall continue in force from the day on which they are respectively granted until the thirty-first day of December then next ensuing, and shall specify the place where and the conditions upon which the same are granted, and in every license the locality of the house, shop, or place to which the said license applies shall be clearly defined in the said license.

Fees to go to municipal fund or local board or General Treasury.

14 The fees payable on licenses granted under this Ordinance by the chairman of a municipal council or local board or by the Assistant Government Agent of Nuwara Eliya shall form part of the municipal, local board, or board of improvement fund of the town to which such licenses shall apply, and in other cases shall be payable to the General Treasury.

Conditions may be attached to licenses.

15 (1) The proper authority may at his discretion refuse to grant any license, or may attach such conditions thereto as he may deem expedient, provided that such conditions shall, in the case of a license to sell opium by retail, *inter alia* include the following:—

(a) No opium shall be sold between the hours of 8 at night and 6 in the morning.

(b) The quantity to be sold at any one time to any individual, except to a licensed retail vendor, shall not exceed 180 grains.

(c) Opium shall not be consumed on the premises.

(d) Opium offered for sale shall not be adulterated or deteriorated in any way.

(e) Opium shall not be sold to any individual apparently under the age of fifteen years.

(f) Wearing apparel or other goods shall not be received in barter for opium

(g) Daily accounts shall be kept in a form to be prescribed by the proper authority, of the quantities of opium received, sold, and remaining on hand at the end of each day.

Licenses may be revoked.

(2) The proper authority may revoke such license in the event of—

(a) Any conditions or any of the provisions of this Ordinance being infringed in respect thereof; or

(b) For any reason whatsoever on giving fifteen days' notice to the licensee and on paying to him a sum bearing the same proportion to the sum paid for the license, as the unexpired part of the period for which the license runs does to the whole period in respect of which it was issued.

Penalty for breaches of Ordinance. Sale of bhang or ganja absolutely prohibited.

16 Any person who shall possess or sell or offer for sale, or suffer or permit to be sold, any opium in breach of or in any way contrary to any of the provisions of this Ordinance, or otherwise than in accordance with the license in that behalf granted under this Ordinance, or possess or sell or offer for sale, or suffer or permit to be sold, any bhang or ganja, or any substance containing bhang or ganja, and every holder of a license for the sale by wholesale or retail of opium who sells or allows any person to sell opium to any person apparently under the age of fifteen years, shall be guilty of an offence, and be liable on the first conviction to a fine not exceeding fifty rupees, or to simple or rigorous imprisonment not exceeding three months, or to both; and on every subsequent conviction to a fine not exceeding one hundred rupees, or to imprisonment, simple or rigorous, not exceeding six months, or to both.

Sale of opium to children prohibited.

Search into places where opium, bhang, or ganja is kept or sold.

17 It shall be lawful for any police officer or municipal or local board or board of improvement inspector to enter and inspect any shop or place where opium is allowed to be sold, or in which there shall be reasonable cause for suspicion that bhang or ganja or any substance containing bhang or ganja is kept, possessed, or sold, or that opium exceeding one pound in weight is kept or possessed without a license or contrary to the conditions thereof, or that the illicit sale of opium is being carried on, and to seize any opium or bhang

or ganja or any substance containing bhang or ganja which may be found therein, and the vessels holding the same, and to take into custody the persons suspected to be keeping, possessing, or selling the same.

It shall be lawful for the police court having jurisdiction in the place where such seizure shall have taken place to cause the bhang or ganja, or the substance containing bhang or ganja, to be destroyed, and the opium and the vessels holding the same so seized as aforesaid to be sold, and the proceeds of such sale shall be paid into the municipal, local board, or board of improvement fund if the seizure shall have taken place within municipal, local board, or board of improvement limits, and in other cases shall be paid into the General Treasury.

Informer's share of fine.

18 It shall be lawful for the court before which any person shall be convicted of any offence under this Ordinance to direct a portion of the fine actually recovered and realized, not exceeding one-half, to be paid to the informer.

Ordinance not to apply to opium sold for *bonâ fide* medicinal purposes.

19 Nothing in this Ordinance contained shall be held to prevent any medical practitioner, chemist, or druggist from selling by retail or possessing opium *bonâ fide* for medicinal purposes, the burden of proof whereof shall lie upon the person alleging the same in his defence. Provided, however, that no person shall under this section possess more than five pounds of opium at one time without a license.

Hospitals, &c., exempted.

20 Nothing in this Ordinance contained shall apply to any opium kept, dispensed, or supplied by or in any Government or military hospital or dispensary, or any dispensary established in pursuance of the Ordinance No. 17 of 1880, intituled "An Ordinance to provide for the Medical Wants of Immigrant Labourers in certain Planting Districts," and Ordinance No. 9 of 1882, intituled "The Medical Wants Ordinance, 1880, Amendment Ordinance, 1882," or any Ordinance to be hereafter enacted to provide for such medical wants.

Limitation of prosecution.

21 No prosecution shall be entertained for any offence under this Ordinance unless instituted within three months from the date of the commission of the offence.

SCHEDULE I.

No. and Year.	Title.
4 of 1878 ...	"The Opium and Bhang Ordinance, 1878."
9 of 1889 ...	"An Ordinance relating to the sale by retail of Opium and Bhang within the Colombo Municipality."
2 of 1893 ...	"An Ordinance relating to the sale by retail of Opium and Bhang within Municipalities and Local Board Towns."
9 of 1897 ...	"The Opium and Bhang Ordinance, 1897."

SCHEDULE II.

1.—License to Possess Opium.

I, _____, Government Agent of the _____ Province (or Chairman of the Municipal Council or Local Board of _____, or Assistant Government Agent of Nuwara Eliya, as the case may be), do hereby license _____ to possess opium in any quantity not exceeding _____ lb. at (describe the place where the opium may be kept or possessed), subject to the following conditions (here insert the conditions).
Given at _____, this _____ day of _____, 189 —.

Government Agent.
(or Chairman of Municipal Council
or Local Board of _____
or Assistant Government Agent of
Nuwara Eliya).

2.—License to Sell Opium by Wholesale or Retail.

I, _____, Government Agent of the _____ Province (or Chairman of the Municipal Council or Local Board of _____, or Assistant Government Agent of Nuwara Eliya, *as the case may be*), do hereby license _____ to sell opium by wholesale (or retail, *as the case may be*) at the shop No. _____, situated at _____, subject to the following conditions (*here insert the conditions*).

Given at _____, this _____ day of _____, 189 —.

Government Agent
(or Chairman of Municipal Council
or Local Board of _____
or Assistant Government Agent of
Nuwara Eliya).

Passed in Council the Eighteenth day of October, One thousand Eight hundred and Ninety-nine.

J. J. THORBURN,
Acting Clerk to the Council.

Assented to by His Excellency the Lieutenant-Governor the Twentieth day of October, One thousand Eight hundred and Ninety-nine.

W. T. TAYLOR,
Acting Colonial Secretary.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 1,985. In the matter of Edward B. de Hoedt, of Hill street, Colombo, insolvent.

WHEREAS Edward B. de Hoedt, now in the jail of Hulftsdorp, 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 November 16 and 30, 1899, will take place for the said 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,

J. B. Misso,
Colombo, October 12, 1899. Secretary.

No. 1,986. In the matter of Vitanage Don Abraham of Imbulgama, insolvent.

WHEREAS Vitanagey Don Abraham, now in the jail of Hulftsdorp, 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 November 16 and 30, 1899, will take place for the

said 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,

J. B. Misso,
Colombo, October 17, 1899. Secretary.

No. 1,966. In the matter of the insolvency of Richard Alexander Vandort, of No. 65, Dan street, Colombo.

NOTICE is hereby given that a meeting of creditors of the above-named insolvent will take place at the sitting of the court on November 30, 1899, for the purpose of granting a certificate of conformity to the insolvent.

By order of court,

J. B. Misso,
Colombo, October 20, 1899. Secretary.

In the District Court of Kandy.

No. 1,364. In the matter of the insolvency of M. W. A. Dharmawardana, of Kandy.

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 24, 1899, for further proof of claims against the insolvent.

By order of court,

A. SANTIAGO,
Kandy, October 17, 1899. Secretary.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo
Order Nisi declaring Will proved, &c.

Testamentary } In the Matter of the Estate of the
 Jurisdiction. } late Nanayakkara Atulugamage
 No. C 695. } Simon Silva, deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., Acting District Judge of Colombo, on the 21st day of November, 1895, in the presence of J. H. Senanayake, Proctor, on the part of the petitioner Dehiwalalianage Johana Silva, of Gangodawila; and the affidavit of the said Dehiwalalianage Johana Silva, dated 18th October, 1895, having been read:

It is ordered that the said Dehiwalalianage Johana Silva be and she is hereby declared entitled to have letters of administration to the estate of Nanayakkara Atulugamage Simon Silva, deceased, issued to her, as widow of the said deceased, unless the respondents—1, Nanayakkara Atulugamage Eusina Silva; 2, Nanayakkara Atulugamage Endi Silva; 3, Nanayakkara Atulugamage Jossilin Silva; 4, Nanayakkara Atulugamage Missia Silva; 5, Nanayakkara Atulugamage Pieris Silva; 6, Nanayakkara Atulugamage Hendrick Silva; 7, Nanayakkara Atulugamage Edward Silva; and 8, Nanayakkara Atulugamage Podinona Silva, all of Gangodawila in the Palle pattu of the Salpiti korale—shall, on or before the 30th day of April, 1896, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,
 Acting District Judge.

This 21st day of November, 1895.

The date for showing cause against the above *Order Nisi* is extended till the 19th October, 1899.

FELIX R. DIAS,
 Additional District Judge.

The 21st September, 1899.

The date for showing cause against the above *Order Nisi* is further extended till the 16th November, 1899.

FELIX R. DIAS,
 Additional District Judge.

The 19th October, 1899.

In the District Court of Colombo.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
 Jurisdiction. } Panagodage Thommay Fernando,
 No. C 1,240. } of Moratumulla in Moratuwa, deceased.

Panagodage Stephen Fernando, of Moratumulla.....Petitioner.

And

- 1, Panagodage Selestina Fernando, married to Meringhege Alexander Fernando, of Fishers' Hill, Colombo; 2, Panagodage Ilaria Fernando, married to Weerahennedige Juan Fernando, of Laxapatiya in Moratuwa; 3, Rosa Maria Fernando, married to Francisohettige Romuald de Silva, of Moratuwa.....Respondents.

THIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 12th day of September, 1899, in the presence of Mr. D. J. Arseculeratne, Proctor, on the part of the petitioner Panagodage Stephen Fernando, of Moratumulla; and the affidavit, dated the 2nd day of October, 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 Panagodage Thommay Fernando issued to him, as a child of the said deceased, unless the respondents

above-named shall, on or before the 2nd day of November, 1899, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,
 Additional District Judge.

The 12th day of October, 1899.

In the District Court of Colombo.

Order Nisi.

Testamentary } In the Matter of the Estate and Effects
 Jurisdiction. } of Ambaladurage Christombo Fer-
 No. C 1,233. } nando, late of Deltara in the Palle
 pattu of Salpiti korale, and of his
 wife Kahapola Arachchige Enotchy
 Fernando, late of Deltara, deceased.

Ambaladurage *alias* Ambalangoda Mahawaduge Fredrick Peries, of Deltara in Palle pattu of Salpiti korale Petitioner.

And

- 1, Ambaladurage *alias* Ambalangoda Mahawaduge Thomis Peries; 2, Ambaladurage *alias* Ambalangoda Mahawaduge Nonno Peries, married to 3, Kahapola Arachchige Harmanis Fernando; 4, Ambaladurage *alias* Ambalangoda Mahawaduge Juliana Peries, married to 5, Kahapola Arachchige Peloris Fernando; 6, Ambaladurage *alias* Ambalangoda Mahawaduge Abraham Peries; 7, Ambaladurage *alias* Ambalangoda Mahawaduge Carlina Peries; 8, Ambaladurage *alias* Ambalangoda Mahawaduge 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* Ambalangoda Mahawaduge 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 Christombo Fernando and his wife Kahapola Arachchige Enotchy 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.

FELIX R. DIAS,
 Additional District Judge.

The 14th day of September, 1899.

The date for showing cause against the above *Order Nisi* is extended to 2nd November, 1899.

FELIX R. DIAS,
 Additional District Judge.

The 5th day of October, 1899.

In the District Court of Colombo.

Order Nisi.

Testamentary } In the Matter of the Goods and Chattels
 Jurisdiction. } of Philip Silva Juanpulle, of Colombo,
 No. C 1,244. } deceased.

V. V. R. A. Carpen Chetty, of Sea street, Colombo Petitioner.

And

- 1, Mary Laitie Ramanaden, widow of the said Philip Silva Juanpulle; 2, Theresa Silva; 3, Lucy Silva; 4, Cecilia Silva; 5, Anne Silva, all of New Chetty street, Colombo.....Respondents.

THIS matter coming on for disposal before F. R. Dias, Esq., Additional District Judge of Colombo, on the 26th day of October, 1899, in the presence of Mr. Ohlmus,

Proctor, on the part of the petitioner V. V. R. A. Carpen Chetty, of Sea street, Colombo; and the affidavit of the said petitioner, dated the 25th day of October, 1899, having been read: It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Philip Silva Juanpulle, of Colombo, issued to him, as a creditor of the said deceased, unless the respondents above-named shall, on or before the 2nd day of November, 1899, show sufficient cause to the satisfaction of this court to the contrary.

F. R. DIAS,
Additional District Judge.

The 26th day of October, 1899.

In the District Court of Kandy.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Ana Ena Ibrahim Saibo, deceased,
No. 2,115. } of Pilapatwela in Matale.

THIS matter coming on for disposal before John Henricus de Saram, Esq., District Judge of Kandy, on the 11th day of October, 1899, in the presence of Mr. C. Jayetileke on the part of the petitioner Kalingu Pathumma, of Pilapatwela in Matale; and the affidavit of Peena Nagoor Meera, of Pilapatwela in Matale, dated 7th October, 1899, having been read:

It is ordered that the petitioner Kalingu Pathumma be and she is hereby declared entitled to have letters of administration to the estate of the late Ana Ena Ibrahim Saibo, deceased, of Pilapatwela in Matale, issued to her, as widow of the said deceased, unless Ibrahim Saibo Mohideen Pitche and Ibrahim Saibo Ahamado, by their guardian *ad litem* Peena Nagoor Meera, all of Pilapatwela in Matale, shall, on or before the 10th day of November, 1899, show sufficient cause to the satisfaction of this court to the contrary.

October 11, 1899. J. H. DE SARAM,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Chithemparanather Paramanather,
No. 1,017. } of Karampaikurichy, deceased.

Kathirkamer Arunachalam, of Karampaikurichy..... Petitioner.

Vs.

1, Kunchinachan, wife of Arunachalam, of Karampaikurichy; 2, Venayakar Kathirkamer and wife 3, Amuthattai, of Karampaikurichy; 4, Manikkam, widow of Paramanather, of Karampaikurichy..... Respondents.

THIS matter of the petition of Kathirkamer Arunachalam, of Karampaikurichy, praying for letters of administration to the estate of the above-named deceased Chithemparanather Paramanather, of Karampaikurichy, coming on for disposal before C. Eardley-Wilmot, Esq., District Judge, on the 29th day of September, 1899, in the presence of Mr. Tambiah S. Cooke, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated the 26th day of September, 1899, having been read: It is declared that the petitioner is the next of kin of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before the 31st day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

C. EARDLEY-WILMOT,
District Judge.

This 29th day of September, 1899.

In the District Court of Jaffna.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Venasitamby Kanthayah, of Than-
No. 1,018. } makkerny, deceased.

Punniar Kumaravelu, of Thanmakkerny Petitioner.

Vs.

Chinnachchy, widow of Chithemparapillai,
of Periapallai Respondent.

THIS matter of the petition of Punniar Kumaravelu, of Thanmakkerny, praying for letters of administration to the estate of the above-named deceased Venasitamby Kanthayah, of Thanmakkerny, coming on for disposal before C. Eardley-Wilmot, Esq., District Judge, on the 30th day of September, 1899, in the presence of Mr. Tambiah S. Cooke, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated the 27th day of September, 1899, having been read: It is declared that the petitioner is one of the heirs of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before the 31st day of October, 1899, show sufficient cause to the satisfaction of this court to the contrary.

C. EARDLEY-WILMOT,
District Judge.

This 30th day of September, 1899.

In the District Court of Galle.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Habibu Umma, deceased, of Katu-
No. 3,293. } goda.

THIS matter coming on for disposal before F. J. de Livera, Esq., District Judge of Galle, on the 11th day of October, 1899, in the presence of Mr. W. P. Amarasinghe, Proctor, on the part of the petitioner Kasi Lebbe Markar Asana Markar, of Katugoda; and the affidavit of Kasi Lebbe Markar Asana Markar, of Katugoda, dated 4th October, 1899, having been read: It is declared that the said Kasi Lebbe Markar Asana Markar, of Katugoda, is husband of the above-named deceased, and that he is as such entitled to have letters of administration of the estate of the above-named deceased issued to him, unless the respondent Saibudore Mohammedu, of Katugoda, for himself and as guardian *ad litem* of the deceased's minor children, shall, on or before the 2nd day of November, 1899, show sufficient cause to the satisfaction of this court to the contrary.

F. J. DE LIVERA,
District Judge.

The 11th October, 1899.

In the District Court of Tangalla.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Arnolis Alwis Jayasinha, deceased, of
No. 308. } Tangalla.

THIS matter coming on for disposal before F. Bartlett, Esq., District Judge, Tangalla, on the 28th day of September, 1899, in the presence of Mr. F. E. LaBrooy, Proctor, on the part of the petitioner; and the affidavit of Balabaduge Nonno, of Tangalla, dated 28th September, 1899, having been read:

It is ordered that letters of administration be issued to Balabaduge Nonno, of Tangalla, unless the respondents—Janohami Abesinhe Wickramasuriya, of Tangalla; Don Salman Jayasinha and Disneris Jayasinha, both of Tihawa—shall, on or before the 26th day of November, 1899, show sufficient cause to the satisfaction of this court to the contrary.

F. BARTLETT,
District Judge.

The 20th day of October, 1899.

In the District Court of Kurunegala.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Intestate Estate of the late Sitti Juwari Umma, of Urupakada in the District of Kurunegala, deceased.
No. 630.

Rahim Cootillan, of Urupakada in Tirigandahe korale.....Petitioner.

Vs.

1, Tajudeen Rahim Cootillan; 2, Mahamat Rahim Cootillan, of Urupakada.....Respondents.

THIS matter coming on for disposal before Keith Macleod, Esq., District Judge, Kurunegala, on the 28th day of September, 1899, in the presence of Mr. R. O. Felsingier on the part of the petitioner; and the affidavit of the petitioner, dated 28th September, 1899, having been read: It is declared that the said Rahim Cootillan, of Urupakada, the applicant, as husband of the said deceased, is entitled to letters of administration of the estate of the deceased issued to him accordingly, unless the respondents shall, on or before the 3rd day of

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

K. MACLEOD,
District Judge.

The 28th day of September, 1899.

In the District Court of Chilaw.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Intestate Estate of the late Herathithamilage Dingirhamy, of Koswatta, deceased.
No. 573.

THIS matter coming on for disposal before William Edward Thorpe, Esq., District Court of Chilaw, on the 20th day of September, 1899; and on reading the application and affidavit of the petitioner Randanapathirannehelage Sinnappuhamy, of Koswatta, dated the 11th day of September, 1899: It is ordered that the said petitioner be and he is hereby declared entitled to administer the estate of the late Herathithamilage Dingirhamy, of Koswatta, deceased, and that letters of administration to the said estate may be granted to him, unless sufficient cause be shown to the contrary on the 23rd day of November, 1899.

W. E. THORPE,
District Judge.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Negombo.

Sembukuttiarachchige Carolis Silva Appuhami, of Katana.....Plaintiff.
No. 3,343. Vs.

1, Savina Perera; 2, Ana Fernando, her husband; 3, Christogu Fernando Pedro Pulle; 4, Suse Fernando Jacob Pulle; 5, Salman Fernando Jacob Pulle; 6, Madalena Fernando, her husband; 7, Alensu Fernando Nicholan Pulle; and 8, Thomme Fernando Jacob Pulle, all of HeinmullaDefendants.

NOTICE is hereby given that on November 18, 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. 11,197 dated September 25, 1896, viz. :—

1. An undivided $\frac{1}{4}$ share of the portion of the land called Mahawatta, situate at Etgala in the Dunagaha pattu of the Alutkuru korale; the entire land is bounded on the north by the garden belonging to the heirs of Suse Fernando Ramanathan Pulle, on the east by the portion of this land belonging to the heirs of Gabriel Fernando Philippu Pulle, on the south by the lands of Suse Peeris Saviel Pulle and others, and on the west by the land of Peduru Fernando Ramadan Pulle, annavi; containing in extent 1 acre and 2 roods more or less.

2. An undivided $\frac{1}{2}$ shares of one-fifth share of the land called Millagahawatta, at Bambukpilya in do.; the said one-fifth share is bounded on the north by the land of Pedro Fernando Palappa and others, on the east by a dewata road, on the south by the portion of this land of Anthoni Perera Domingo Pulle, and on the west by the land of Mathes Peries Paulo Pulle and others; containing in extent 3 acres more or less.

3. An undivided $\frac{1}{4}$ share of the land called Kongahawatta, at Heinmulla in do.; the entire land is bounded on the north by the field or agara land belonging

to Philippu Feraando Anthoni Pulle, Police Headman, and others, on the east also by lands belonging to the said Philippu Fernando Anthoni Pulle, Police Headman, and others, on the south by the road Mahamawatta, and on the west by the portion of this land of the said Ana Fernando; containing in extent 3 acres more or less.

4. The portion of land called Kongahawatta *alias* Kebellagahawatta *alias* Jambughawatta, at do., bounded on the north by the lands formerly belonged to Alensu Fernando Bastian Pulle and others and now belonging to Philippu Fernando Anthoni Pulle, Police Headman, on the east by the portion of Kongahawatta, marked No. 3 (the first-mentioned land in the decree), on the south by the road Mahamawatta, and on the west by the field or land which formerly belonged to Nicholan Fernando Christogu Pulle and now belonging to Philippu Fernando Christogu Pulle, containing in extent 1 acre more or less.

5. The land called Halgahawatta, at Obberiya in do.; bounded on the north by the agara field of Christogu Fernando Ananda, on the east by the garden of Saviel Fernando Wengadastry, on the south by the land of Gabriel Fernando Wengadastry and others, and on the west by the garden of Saviel Fernando Wengadastry and others; containing in extent 1 acre and 2 roods more or less.

6. An undivided $\frac{3}{4}$ shares of the land called Banadiawita, at Manaweriya in do.; the entire land is bounded on the north by the land purchased by Lorensu Fernando and Bastian Fernando, on the east by the road, on the south by the road Mahamawatta and by land purchased by Anthoni Waas and canal called Toppu-ela, on the south-west and west by the said Toppu-ela, containing in extent 3 roods and 24 perches more or less, and declared liable to be sold in satisfaction of the decree entered in the above case.

Amount to be levied Rs. 1,571-50, and interest on Rs. 1,100 at $12\frac{1}{2}$ per cent. per annum from September 25, 1898.

SWAMPILLE JOSEPH,
Deputy Fiscal.

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

Central Province.

In the District Court of Kandy.

Ambanwala Haluwadanawalawwe Tickiri Kumarihamy, of Kobbekaduwa of Yatinuwara, administratrix of the estate of the late Kobbekaduwa Pahalawalawwe Kuda Banda, deceased.....Plaintiff.

No. 12,840. Vs.

Pilamatalawe Boange Udahawalawwe Kuda Banda, Gan-arachchiDefendant.

NOTICE is hereby given that on November 24, 1899, commencing at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the defendant of the following property, to wit:—

That the field called Udamahakumbura of 5 pelas of paddy sowing extent, Udamahakumburawatta of 2 pelas adjoining one another, of 1 amunam and 3 pelas in the whole, situate at Dehigoma in Gangapalata of Yatinuwara; and bounded on the east by boundary ridge of Kutupellekumbura and water-course, on the south by the boundary ridge and ditch of Pallemahakumbura, on the west by a ditch and the ridge called Depawella.

2. Ginigatgodahena of 3 amunams of paddy sowing extent and adjoining the field called Wellasange of 15 lahas in extent, situate at Dehigoma as aforesaid; and both lands being bounded on the east by a ditch, on the south by bank of the field and the field belonging to Ganhatadewale, on the west by the boundary of Dodanwala Mahawalawwehena and the boundary of deniya, and on the north by a ditch and dry stream.

3. Medawattaweta-assa of 6 pelas of paddy sowing extent, situate at Dehigoma as aforesaid; and bounded on the east by field and ditch, south by a field, west by ditch, and on the north by a field.

Amount of writ Rs. 868-25.

F. J. SMITH,
Deputy Fiscal.Fiscal's Office,
Kandy, October 24, 1899.

In the District Court of Kandy.

Thomas Dickson, of RabanwattaPlaintiff.

No. 12,981. Vs.

C. M. Alla Pitche, of HulugangaDefendant.

NOTICE is hereby given that on November 18, 1899, commencing at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the defendant of the following property, to wit:—

1. An undivided one-half part or share of and in all that allotment of land called Pambechettiya Mahagulayawatennapatana, situate in the Kosgoma in Palispattuwa in the District of Lower Dumbura, in the Central Province; bounded on the north by the land said to belong to the Crown, on the east and south-east by land said to belong to the Crown, by Pamunukettiya-ella, and by land claimed by natives; on the south and south-west by land claimed by natives and by a road; on the west by a road; and on the north-west by land said to belong to the Crown, by a road, and by Watagulle-ella; containing in extent, exclusive of the road and reservation, 30 links wide, passing through the land, 22 acres 3 roods and 6 perches.

2. An undivided one-half part or share and in all that allotment of land called Dalukoyahena, situate at Kosgoma as aforesaid; and bounded on the north and east by a road, on the south by land described in plan No. 76,322, and on the west by land claimed by Karupen and Seyadu Cader; containing in extent 1 acre and 21 perches.

3. An undivided one-half part or share of and in all that allotment of land called Dalukoyahena, situate at Kosgoma as aforesaid; and bounded on the north by land described in plan No. 80,295, on the east by land described in plan No. 76,322, on the south-east and south by land described in plan No. 80,291, and on the west by the Dalukoya; containing in extent, exclusive of the road and water-course passing through the land, 3 acres and 36 perches.

4. An undivided one-half part or share of and in all that allotment of land called Dalukoyahena, situate at Kosgoma as aforesaid; and bounded on the north by Katuwelohenakandura, east by land described in plan No. 76,356; south by land described in plan No. 80,296, and on the west by Dalukoya; containing in extent 2 acres in the whole.

5. An undivided one-half part or share of and in all that allotment of land called Dalukoyahena, situate at Kosgoma as aforesaid; bounded on the north by land described in plan No. 80,296, on the east by land described in plan No. 76,323, on the south by land described in plan No. 80,292, and on the west by Dalukoya; containing in extent, exclusive of the road and water-course passing through the land, 2 acres and 21 perches in the whole.

Amount of writ Rs. 3,102-96½, with interest thereon at 9 per cent. per annum from August 29, 1899, till payment in full and costs of suit.

F. J. SMITH,
Deputy Fiscal.Fiscal's Office,
Kandy, October 24, 1899.

Southern Province.

In the District Court of Galle.

Kuna Pana Kuna Kuttian Chetty, of KaluwellaPlaintiff.

No. 4,579. Vs.

1, Abdulla Amina Umma, of Dangedara, and four othersDefendants.

NOTICE is hereby given that on Saturday, November 18, 1899, commencing at 2.30 o'clock in the afternoon, will be sold by public auction at the premises the following property, viz:—

1. All the soil and trees and the buildings standing on a surveyed and partitioned lot of Chenawatta *alias* Kekiribokkewatta, containing in extent 16 perches, situate at China Garden.

2. All the soil and trees and buildings standing on the surveyed and the partitioned lot C of the garden called Madangahawatta, situate at Dangedara.

3. The whole of the plantation made by Isubu Umma and all the remaining trees and soil and the well and the bathing-room standing on the northern one-half part of the garden Weliwatta *alias* Madapatalawatta *alias* Ossengewatta, situate at Dangedara.

Mortgaged by writing obligatory No. 6,729, dated May 30, 1888, and declared executable under the judgment entered in the above case.

Amount of writ Rs. 3,174-94½.

Fiscal's Office, C. T. LEMBRUGGEN,
Galle, October 23, 1899. for Fiscal.

Eastern Province.

In the District Court of Batticaloa.

Kandaperumal Charles Velupillay, of Batticaloa.....Plaintiff.

No. 1,760. Vs.

Francis Van Derput, official administrator of the estate of the late Robert Kadramer Defendant.

NOTICE is hereby given that on Saturday, November 25, 1899, at about 9 o'clock in the morning, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz:—

A paddy field called Kumburtheevuveli with tank and athuchchulai, situate at Kiran in Korale pattu, in the District of Batticaloa; and bounded on the east by Upparu, on the west by the land belonging to the Crown, on the north by Mantarai-ar and Upparu, and on the south by river, land belonging to the Crown, and land belonging to the villagers.

Out of the extent of more or less 276 acres, 112 acres with all its outlet and inlet rights.

Amount to be levied Rs. 560.

Fiscal's Office,
Batticaloa, October 17, 1899.

T. SINNATAMBY,
Deputy Fiscal.

In the District Court of Batticaloa.

Notary Daniel Nagapper Notary Karuvel
Tamby, of Navetkudah.....Plaintiff.

No. 2,058. Vs.

Francis Van Derput, official administrator of
the estate of the late Robert Kadramer, of
Batticaloa.....Defendant.

NOTICE is hereby given that on Saturday, November 25, 1899, at about 12 o'clock noon, will be

sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. : —

A paddy field called Kumburutheevuveli with tank and athucholai, situate at Kiram in Korale pattu, in the District of Batticaloa ; bounded on the east by Upparu, on the west by the land belonging to the Crown, on the north by Manturai-ar and Upparu, and on the south by river, land belonging to the Crown, and land belonging to the villagers.

Out of the extent of more or less 276 acres, 112 acres with all its outlet and inlet rights.

Amount to be levied Rs. 3,335.43, with further interest on Rs. 3,335.43 at 9 per cent. per annum from August 8, 1899, till September 12, 1899.

Fiscal's Office,
Batticaloa, October 17, 1899.

T. SINNATAMBY,
Deputy Fiscal.