



Ceylon Government Gazette

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PART I.—General: Minutes, Proclamations, Appointments, and General Government Notifications.
PART II.—Legal and Judicial.

PART III.—Provincial Administration.
PART IV.—Marine and Mercantile.
PART V.—Municipal and Local.

Separate paging is given to each Part in order that it may be filed separately.

Part II.—Legal and Judicial.

	PAGE		PAGE
Passed Ordinances	—	District Court Notices	589
Draft Ordinances	578	Minor Court Notices	578
Treaties, Conventions, &c.	—	Notices of Insolvency	577
Notifications of Criminal Sessions of Supreme Court... ..	—	Notices of Fiscals' Sales	590
List of Jurors	—	Miscellaneous Notices	—

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 1,837. In the matter of the insolvency of Sellapperumage Deonis Fernando, of Moratuwa.

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 December 17, 1896, for the purpose of granting a certificate of conformity to the above-named insolvent.

By order of court,

J. B. Misso,
Secretary.

Colombo, November 17, 1896.

No. 1,838. In the matter of the insolvency of Emanuel Silva Wijayasinha, of Colombo.

NOTICE is hereby given that the second sittings in this matter has been adjourned for December 17, 1896.

By order of court,

J. B. Misso,
Secretary.

Colombo, November 17, 1896.

577

In the District Court of Kandy.

No. 1,374. In the matter of the insolvency of Caderevel Canakapulle.

WHEREAS Caderevel Canakapulle, of Ettambagha-watta in Udispattu, 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 December 11, 1896, and January 8, 1897, 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,

A. SANTIAGO,
Secretary.

Kandy, November 11, 1896.

No. 1,372. In the matter of the insolvency of Paina Ramasami Kankani, of Selvakande in Madulkele.

NOTICE is hereby given that a public sitting of this court will be held on January 15, 1897, for the allowance to the insolvent his certificate of conformity.

By order of court,

A. SANTIAGO,
Secretary.

Kandy, November 14, 1896.

B 1

NOTICE is hereby given that the sittings of the Courts will be held at Pasyala from November 23 to 30, 1896, both days inclusive.

PETER DE SARAM,
Police Magistrate.

Avisawella, November 13, 1896.

NOTICE is hereby given that a suit (No. 6,174) has been instituted in the Court of Requests of Avisawella by the labourers of Glassel estate, against the proprietor thereof, to recover the sum of Rs. 95-20 due to them as wages.

Court of Requests,
Avisawella, November 16, 1896.

J. W. DIAS,
Chief Clerk.

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance for the repression of Crime in this Colony.

Preamble.

WHEREAS it is expedient to make further provision for the investigation of offences and for the repression and prevention of crime: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

PART I.

Investigation of Offences.

Governor may appoint inquirer.

1 (1) For the purposes of Part I. of this Ordinance the Governor may appoint any person or persons, by name or office, to be inquirer or inquirers for any area, the limits of which shall be specified in such appointment.

President of village tribunal *ex officio* an inquirer.

(2) Every president of a village tribunal shall within the limits of the jurisdiction of the village tribunal or tribunals of which he is president be by virtue of his office an inquirer for the purposes of this chapter.

Information to inquirer.

2 Every information given to an inquirer relating to the commission of a cognizable offence shall be given to him orally, and shall be reduced to writing by him and be read over to the informant; and every such information shall be signed by the person giving it, and the substance thereof shall be entered in a book to be kept by such inquirer, who shall append to such entry the date and hour on which such information was given.

Procedure where cognizable offence suspected.

3 If from information received or otherwise any inquirer has reason to suspect the commission of a cognizable offence, he shall forthwith send a report of the same to the police court having jurisdiction in respect of such offence, and shall proceed in person to the spot to investigate the facts and circumstances of the case, and to take such measures as may be necessary for the discovery and arrest of the offender.

Inquirer's power to require attendance of persons able to give information.

4 (1) An inquirer making an investigation under this chapter may by order in writing require the attendance before himself of any person being within the local limits of his jurisdiction, who from the information given or otherwise appears to be acquainted with the circumstances of the case, and such person shall be legally bound to attend as so required.

(2) If any such person refuses to attend as so required, such inquirer may thereupon in his discretion issue a warrant to secure the attendance of such person as required by such order as aforesaid.

Examination of witnesses by inquirer.

5 (1) An inquirer making any investigation under this chapter may examine orally any person supposed to be acquainted with the facts and circumstances of the case, and shall reduce into writing any statement made by the person so examined, but no oath or affirmation shall be administered to any such person.

(2) Such person shall be bound to answer truly all questions relating to such case put to him by such inquirer other than questions the answers to which would have a tendency to expose him to a criminal charge or to a penalty or forfeiture.

Statement to inquirer not to be signed or admitted in evidence.

6 No statement other than a dying declaration made by any person to an inquirer in the course of any investigation under this chapter shall, if reduced to writing, be signed by the person making it, or shall be used otherwise than to prove that a witness made a different statement at a different time.

No inducement to be offered.

7 No inquirer shall offer or make or cause to be offered or made any inducement, threat, or promise to any person charged with an offence to induce such person to make any statement having reference to the charge against such person. But no inquirer shall prevent or discourage by any caution or otherwise any person from making in the course of any investigation under this chapter any statement which he may be disposed to make of his own free will.

Search by inquirer.

8 (1) Whenever an inquirer making an investigation in a cognizable case considers that the production of any document or thing is necessary to the conduct of an investigation into any offence into which he is authorized to investigate, and there is reason to believe that a person to whom summons or order under section 66 has been or might be issued, will not produce such document or other thing as directed in the summons or order, or when such document or other thing is not known to be in the possession of any person, such inquirer may search or cause search to be made for the same in any place.

(2) Such inquirer shall, if practicable, conduct the search in person.

(3) If he is unable to conduct the search in person, and there is no other person competent to make the search present at the time, he may require any peace officer to make the search; and he shall deliver to such peace officer an order in writing specifying the document or other thing for which search is to be made and the place to be searched, and such peace officer may thereupon search for such thing in such place.

(4) The provisions of this Code as to search warrants and searches thereunder shall, so far as may be, apply to a search made under this section.

Inquirer may require bond for appearance of complainant and witnesses.

9 If upon an investigation under this chapter it appears to the inquirer making such investigation that there is sufficient reason to justify the commencement or continuance of criminal proceedings for a cognizable offence against any person, such inquirer shall require the complainant, if any, and so many of the persons who appear to such inquirer to be acquainted with the circumstances of the case as he may think necessary, to execute a bond to appear before a police court therein named and give evidence in the matter of the charge against the accused.

(2) The inquirer in whose presence the bond is executed shall deliver a copy thereof to each one of the persons who executed it, and shall then send to the police court the original.

(3) If any complainant or witness refuse to execute such bond, such inquirer shall report the same to the police court, which may thereupon in its discretion issue a warrant or summons to secure the attendance of such complainant or witness before itself to give evidence in the matter of the charge of the accused.

Additional powers of inquirers.

10 In addition to the powers hereinbefore mentioned, every inquirer shall within the local limits of his jurisdiction have the following powers :

- (a) Power to arrest or direct the arrest in his presence of any offender.
- (b) Power to issue a warrant or to order the removal of an accused person arrested under a warrant.
- (c) Power to authorize the detention of a person during any investigation.
- (d) Power, upon receiving an order from a magistrate, to investigate a non-cognizable offence and to exercise all the powers conferred on him by this chapter in respect of such investigation.

Magistrate may withdraw case from inquirer.

11 Any magistrate having jurisdiction to hold an inquiry into any offence which is being investigated by an inquirer may withdraw the case from such inquirer, and himself inquire into and try such case or commit the same for trial.

Diary of proceedings in investigation.

12 (1) Every inquirer making an investigation under this chapter shall day by day enter his proceedings in the investigation in a diary setting forth the time at which he began and closed the investigation, the place or places visited by him, and a statement of the circumstances ascertained through his investigation.

(2) Any criminal court may send for the diaries of a case under inquiry in such court, and may use such diaries, not as evidence in the case, but to aid it in such inquiry or trial. Neither the accused nor his agents shall be entitled to call for such diaries, nor shall he or they be entitled to see them merely because they are referred to by the courts; but if they are used by the inquirer who made them to refresh his memory, or if the court uses them for the purposes of contradicting such inquirer, the provisions of the Ceylon Evidence Ordinance, section 161 or section 145, as the case may be, shall apply.

Report of inquirer.

13 Every investigation under this chapter shall be completed without unnecessary delay, and as soon as it is completed the inquirer making the same shall forward to the police court within whose division such investigation was made a report setting forth the names of the parties, the nature of the information, and the names of the persons who appear to be acquainted with the circumstances of the case.

PART II.

Quartering of Police.

Quartering of police in districts where crime exists or is apprehended.

14 (1) When it appears to the Governor, with the advice of the Executive Council, from time to time, that by reason of the existence or apprehension of crime and outrage in any district, that it is desirable to quarter police in such district, or should a police force have been already established there to increase the same, he may by Proclamation which shall be published in the *Government Gazette*, declare that for the reason aforesaid such district requires police or additional police, and may order police to be quartered in such district or additional police to be employed there.

Cost thereof to be certified to the Governor.

(2) The Inspector-General of Police shall from time to time make out in such manner as the Governor may order an account of the total cost of the police or of any additional police employed in any district under this section, and shall certify the amount to the Governor.

Provision for payment of such cost.

(3) The whole or such part or the whole as the Governor, with the advice of the Executive Council, may order of the amount so certified shall be a charge payable by the inhabitants of the district in which such police or additional police are employed, and the Governor, with the like advice, may exempt from charge any inhabitants of the area declared to be chargeable.

In certain cases of murder, maiming, or injury, Governor may by warrant nominate person to investigate application for compensation.

Power of such person to compel attendance of witnesses at investigation.

Governor may award compensation.

Amount of compensation may be charged against inhabitants of village, and be paid in such instalments as the Governor may by warrant order.

Applications for compensation to be made, by whom.

Application for compensation must be made within three months.

Definition of expression "district."

Meaning of expression "village."

Charges payable by inhabitants of a district or village to be allotted rateably.

Who shall allot and collect charges. Power to issue writ.

15 (1) Where it appears from information on oath and in writing that any one has been murdered, maimed, or otherwise injured in his person, and an application is made for compensation, the Governor, with the advice of the Executive Council, may, if he thinks fit, after giving public notice in the *Government Gazette* and by beat of tom-tom in the village where such crime has been committed, by warrant nominate such person or persons, being or one of whom shall be an advocate of at least ten years' standing, as he thinks fit, to investigate the application, and after hearing all parties whom he or they deem to be interested, including any inhabitants of the village, to report to the Governor thereon. The parties shall be heard personally or by pleaders, and the evidence taken on oath in open court.

(2) For the purposes of such investigation the person or persons so nominated shall, with respect to empowering the attendance of witnesses and all other matters, have the same power as a district judge. Such public notice shall be given of the place and time at which the investigation will be held, and the investigation shall be proceeded with in such manner, and the report to the Governor shall be made in such manner, as the Governor may direct. The remuneration of such person or persons and the expenses of holding the investigation shall be fixed by the Governor, with the advice of the Executive Council, and shall be defrayed out of the general revenue.

(3) Upon such report the Governor, with the advice of the Executive Council, may dismiss the application if he thinks fit, or may award such sum for compensation as he thinks just.

(4) The said sum shall, if the Governor, with the advice of the Executive Council thinks just, be a charge payable by such village, and in such instalments as the Governor may by warrant order, and shall be paid to the personal representative of the person murdered or to the person maimed or injured, or, if he is dead, to his personal representative.

(5) Applications under this Ordinance may be made by the personal representative or one of the next of kin of any person murdered, or by any person maimed or injured, or by any person in that behalf authorized by the Governor.

(6) An application for compensation under this section shall not be entertained unless it is made within three months after the occurrence of the act causing the murder, maiming, or injury.

16 (1) For the purposes of this Ordinance with respect to quartering police in any district, or increasing the number of police employed therein, the expression "district" means any area the limits of which shall be defined in the Proclamation issued under the provisions of sub-section 1 of section 13.

(2) For the purposes of this Ordinance with respect to compensation in cases of murder, maiming, or injury, the expression "village" means any area the limits of which shall be defined in the public notice issued under the provisions of sub-section 1 of section 14.

(3) Any charge in respect of police, or any sum for compensation as aforesaid, which is for the time being a charge payable by any district or any village, shall be allotted rateably on all the inhabitants of the district or village other than those exempted by the Governor in pursuance of this Ordinance, and shall be payable by the inhabitants thereof.

(4) Such allotments shall be made, and such charges collected, by persons for the time being appointed by warrant of the Colonial Secretary for that purpose; and every person so appointed collector shall, for the purposes of such collection, have power to issue writs of execution addressed to the fiscal of the province for the recovery of the amount due in respect of any such allotment, and such writ shall be conclusive proof that the sum named in the writ is due from the person mentioned therein, and that the fiscal is authorized to collect the same.

Writs how to be executed.

(5) The writs issued under sub-section 4 shall be executed in the same manner as writs issued by a district court, and the fiscal shall account for the sums levied under such writ in manner directed from time to time by the Governor.

Requirements of warrant imposing a charge upon a district or village.

(6) Every warrant imposing a charge upon a district or a village in respect of such police, or such compensation as aforesaid, shall specify the time during which it is to be enforced, and shall be in the form prescribed by the Governor, and shall be conclusive proof that the sums named in the warrant are to be raised in the district or village as therein mentioned, and that the person named in the warrant is authorized to collect the same, and a copy of every such warrant shall be laid before the Legislative Council within one month after the date of the warrant if the Legislative Council is then sitting, if not within one month after the next meeting of the Legislative Council.

PART III.

General.

Amendment of 7th column of Schedule II. of Ordinance No. 3 of 1883.

17 In the 7th column of Schedule II. of the Criminal Procedure Code the words "police court" shall be inserted for the words "district court" as applying to section 315.

Power of police magistrate to order persons convicted under section 315 of Ordinance No. 2 of 1883 to be whipped.

18 Whenever a person is convicted before a police court of an offence under section 315 of the Ceylon Penal Code, such police court may, in addition to any punishment to which the offender may be sentenced by him for such offence, order such offender to be whipped in manner prescribed by sections 55 and 56 of the Ceylon Penal Code, anything in such Code or the Criminal Procedure Code, 1883, to the contrary notwithstanding. Provided that the number of lashes or strokes to be inflicted shall in no case exceed twenty.

Repeal

19 Part VI. of "The Village Communities' Ordinance, 1889," is hereby repealed.

By His Excellency the Governor's command,

W. T. TAYLOR,
Acting Colonial Secretary.

Colonial Secretary's Office,
Colombo, November 12, 1896.

MINUTE.

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

An Ordinance relating to Claims to Forest, Chena, Waste, and Unoccupied Lands.

Preamble.

WHEREAS it is expedient to make special provision for the speedy adjudication of claims to forest, chena, waste, and unoccupied lands: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Government agent or assistant government agent to publish notice calling for claims.

1 (1) Whenever it shall appear to the government agent of a province or to the assistant government agent of a district that any land situated within his province or district is forest, chena, waste, or unoccupied land, it shall be lawful for such government agent or assistant government agent to declare by a notice in the English, Sinhalese, and Tamil languages, to be published six times at least in the *Government Gazette* and in any two of the local newspapers, and to be posted on such land, and to be affixed in the several courts and in the several kachcheries of the island, that if no claim to such land is made to him within the period of two months from the date of such notice, every such land shall be at the disposal of the Crown, and may be dealt with on account of the Crown.

Survey.

(2) If any such land has not been previously surveyed, the government agent or assistant government agent shall at any time after the issue of such notice cause such land to be surveyed for the purposes of the inquiry under this Ordinance.

When no claim is made government agent or assistant government agent to declare the land the property of the Crown.

2 If no claim shall be made within the period of two months from the date of such notice as aforesaid, the government agent or assistant government agent shall make an order declaring such land to be the property of the Crown, and such order shall be final and conclusive.

Provisions for inquiry into claims to land.

3 (1) If any claim shall be preferred to such land, or to any interest in such land, the government agent of the province or assistant government agent of the district in which such land is situated shall, if the claim be preferred within two months of the date of the notice issued under the provisions of section 1, proceed to make inquiry into such claim.

(2) For the purpose of such inquiry the government agent or assistant government agent as aforesaid may exercise the powers conferred on commissioners appointed under the provisions of Ordinance No. 9 of 1872, for compelling the attendance of witnesses and the production of documents and for administering oaths to all persons who shall be examined before them, provided that the requirements of the proviso to section 2 of that Ordinance shall not be necessary for the purposes of this Ordinance.

Procedure in such cases.

4 The government agent or assistant government agent as aforesaid shall call upon the claimant to produce any evidence or documents upon which he may rely in proof of his claim; and after considering the same, and making any further inquiry that may appear proper, shall dispose of the claim by an order for the admission or rejection of the claim, or may enter, with the consent of the Governor, into an agreement with the claimant for the admission or rejection of any portion of such claim, or for the purchase of any portion of the land which is the subject of such claim, and embody such agreement in an order. Where any agreement has been entered into under this section, the order made in pursuance of such agreement shall be final and conclusive.

Procedure after making of the order of the government agent or assistant government agent.

5 If the government agent or assistant government agent as aforesaid shall order that the claim be rejected, either wholly or in part, he shall cause a copy of such order to be delivered to the claimant, and if such claimant shall not within fourteen days from the delivery to him of such copy give notice in writing to such government agent or assistant government agent as aforesaid, and to the commissioner to

be appointed as hereinafter provided, or in the event of no commissioner being appointed, to the district judge of the district in which such land is situated, that he intends to contest such order, the order shall be final and conclusive. And if such claimant shall not within fourteen days from the delivery of such notice to such commissioner or to such judge institute an action before such commissioner or judge, as the case may be, to establish his claim, such order shall be final and conclusive.

The Governor may within three months order action to be brought to try claim admitted.

6 The Governor, with the advice of the Executive Council, may, within three months after the date on which the claim of any claimant as aforesaid shall have been admitted under this Ordinance by the government agent or assistant government agent as aforesaid, direct an action to be brought to try the claim before the commissioner to be appointed as hereinafter provided, or in the event of no commissioner being appointed, before the district judge of the district in which such land is situated.

Special commissioner for trying claims.

7 It shall be lawful for the Governor, as occasion may require, from time to time to appoint a proper person for any province to be commissioner for the investigation and trial of claims under this Ordinance.

Notice of appointment of commissioners. Claims not cognizable in other courts.

8 Whenever any commissioner is appointed under this Ordinance for any province, notice thereof shall be given by Proclamation, copies of which shall be affixed in the several courts of the island; and from the date of the issue of such Proclamation no other court shall be competent to entertain any claim belonging to the class of claims for the investigation and trial of which such commissioner is appointed.

Special courts where to be held.

9 Every commissioner appointed under this Ordinance shall hold his court at such place or places within the limits of his jurisdiction as shall be by him considered most convenient; and for the purpose of every investigation and trial under the Ordinance, may administer oaths, and shall have and exercise within his province all and every the powers and jurisdiction of a district judge.

Plaintiff and defendant in actions under section 5.

10 (1) In every action instituted under section 5 of this Ordinance the claimant shall appear as plaintiff and the government agent or assistant government agent aforesaid shall appear as defendant on behalf of the Crown.

Plaintiff and defendant in actions under section 6.

(2) In any action ordered to be instituted by the Governor under section 6 of this Ordinance, the Attorney-General shall appear as plaintiff and the claimant shall appear as defendant.

Parties may appear by pleader.

(3) Either party to any action may appear by pleader or by agent.

Proceedings regulated by Civil Procedure Code.

11 In actions instituted under this Ordinance, except as hereinafter provided, the proceedings shall be regulated, so far as they can be, by the Code of Civil Procedure.

Procedure before hearing of action.

12 The commissioner or district judge, as the case may be, shall fix a day for the appearance of the parties and for the hearing of the action, of which due notice shall be given to the parties, their pleaders or agents; and on the day so fixed the parties or their agents shall bring their witnesses into court, together with any documents on which they intend to rely. If either party require the assistance of such commissioner or judge to procure the attendance of a witness on such day, he shall apply to such commissioner or judge in sufficient time before the day fixed for the hearing of the action, and such commissioner or judge shall issue a summons requiring such witness to attend the court on that day. It shall be competent to such commissioner or judge to require the personal attendance of a claimant on the day fixed for the hearing or at any subsequent stage of the action.

Procedure on hearing.

13 On the day fixed for the hearing of the action, or as soon after as may be practicable, the commissioner or district judge, as the case may be, shall proceed to examine the claimant or his agent (when his personal attendance

is not required), and the witnesses of the parties, and upon such examination, and after inspecting the documents of the parties and making any further inquiry that may appear necessary, shall proceed to pass such order in the case as he may consider just and proper.

Appeals.

14 (1) Any party to the action who is dissatisfied with the decision or order of the commissioner or district judge, as the case may be, may appeal to the Supreme Court against such order or decision, by lodging within three weeks from the date of such order or decision with such commissioner or district judge a petition of appeal addressed to the Supreme Court, provided such party shall file with the said appeal an affidavit setting out the value of the land with regard to which the order or decision has been given against him.

(2) Such commissioner or judge on receiving such affidavit and petition of appeal shall transmit the same, together with all proceedings taken by him, to the Registrar of the Supreme Court, and the said court shall make such order as the justice of the case may require, and such order shall be duly carried into effect.

(3) Stamp duty shall be charged upon every such petition of appeal and upon every such affidavit at the rates specified in part 2 of the schedule B to "The Stamp Ordinance, 1890," for similar instruments in the district courts, and upon subsequent proceedings at the rates specified in the said schedule for appeals from the district courts; and every such appeal shall be dealt with and disposed of in the same manner and subject to the same rules as appeals from district courts are dealt with and disposed of.

Records of cases where to be deposited.

15 The records of cases disposed of by commissioners appointed under this Ordinance or by district judges shall be deposited amongst the records of the district court of the district in which the land, the subject of the claim, is situated.

Limitation as to claims.

16 No claim to any land or to compensation or damages in respect of any land declared to be the property of the Crown under the provisions of this Ordinance shall be received after the expiration of one year from the date on which such declaration shall have been made; if within such year any claimant shall prefer a claim to such land or to compensation or damages in respect thereof before the commissioner appointed under this Ordinance for the province in which such land is situated, or in the event of no commissioner being appointed, before the district judge of the district in which such land is situated, and shall show good and sufficient reason for not having preferred his claim to the government agent or assistant government agent as aforesaid within the period limited under section 1 of this Ordinance, such commissioner or judge shall file the claim, making the claimant plaintiff and the government agent or assistant government agent as aforesaid defendant on behalf of the Crown in the action, and the foregoing provisions of this Ordinance shall be applicable to the investigation and trial thereof.

Provision for such claim if preferred within time.

If claim established and land sold, possession not to be given, but compensation.

17 (1) In any case in which the land has been sold, if such commissioner or judge shall be of opinion that the claim of the claimant is established, such commissioner or judge shall not award the claimant possession of the land in dispute, but shall order him to receive from the Crown, by way of compensation, a sum equal to the price at which the land was sold.

If claim established and land not sold, Crown to have option of retaining possession on paying amount awarded.

(2) In any case in which the land shall not have been sold, but shall have been otherwise dealt with on account of the Crown, and such commissioner or judge shall be of opinion that the claim to such land is established, such commissioner or judge shall order that the claimant be placed in possession of the said land.

Award to be
in full
satisfaction.

(3) The amount awarded under sub-section (1) shall be in full satisfaction of the claim of the claimant, and shall bar any future claim on his part in respect of the land claimed.

Prohibition of
building,
clearing, &c.,
pending
investigation.

18 Whenever a government agent has issued the notice prescribed in section 1 with regard to any land, it shall not be lawful for any person thereafter to acquire any right in or over such land, or to enter therein or thereon, or to build any house or hut, or to form a plantation, or to make clearings for the purpose of cultivating such land, or for any other purpose, or to cut or fell any trees upon such land, until such land has been declared not to be the property of the Crown. Any person acting in contravention of this section shall be guilty of an offence, and liable on conviction to simple or rigorous imprisonment for a term which may extend to three months, or to a fine which may extend to one hundred rupees, or to both.

Presumption as
to forest and
waste land.

19 For the purposes of this Ordinance :

(a) All forest, waste, unoccupied, or uncultivated lands, and all chenas and other lands which can be only cultivated after intervals of several years, shall be presumed to be the property of the Crown until the contrary thereof be proved.

Occupation of a
small portion of land
not to create
presumption of
ownership of a
large tract of land.

(b) The occupation by any person of one or more portions or parcels of land shall not be taken as creating a presumption of ownership against the Crown in his favour for any greater extent of land than that actually occupied by him.

Definition of
unoccupied land.

(c) The term "unoccupied land" includes uncultivated land and all land which at the time of the passing of this Ordinance was not in the actual physical possession of any person or persons, and also all lands which shall not have been in the uninterrupted possession of some person or persons for a period in excess of five years next before notice given by the government agent or assistant government agent under section 1 in respect of the same.

Application for
appointment of
guardian or
curator.

20 In any case in which the claimant is a minor or person of unsound mind, or in which any person shall claim for and on behalf of a minor or a person of unsound mind, the government agent shall apply to the district judge of the district in which such land is situated to appoint a fit person in manner provided by the Civil Procedure Code to represent such minor or person of unsound mind for the purposes of the claim and the investigation and trial thereof.

Crown rights of
disposition of
land reserved.

21 Nothing in this Ordinance contained shall preclude or prevent the Crown in any case in which no notice has been issued under section 1 in respect of any Crown land from selling, leasing, reserving, disposing, or otherwise dealing with the same, or from instituting in any court an action to recover such land.

By His Excellency the Governor's command,

Colonial Secretary's Office,
Colombo, November 19, 1896.

W. T. TAYLOR,
Acting Colonial Secretary.

MINUTE.

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

An Ordinance to incorporate the Consistory of the Dutch Reformed Church at Wolfendahl, Colombo.

Preamble.

WHEREAS in consequence of the prospective withdrawal of State aid to the Dutch Reformed Church at Wolfendahl, Colombo, on the retirement or death of the present chaplain or minister thereof, the consistory of the said church have applied to be incorporated for the purpose of effectually transacting the affairs of the said church according to its constitution as set forth in the schedule hereto, and of controlling, managing, and dealing with the property and funds thereof, and of raising moneys for the purposes of the said church :

And whereas certain immovable property belonging to the said church was by resolution of the said consistory purchased in the name of and conveyed to the treasurer of the funds belonging to the said church, and the funds of the said church have also by resolution of the said consistory been invested in the name of such treasurer :

Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Consistory of Dutch Reformed Church incorporated.

1 From and after the passing of this Ordinance the members of the consistory of the Dutch Reformed Church at Wolfendahl, Colombo, as described in the schedule hereto, shall be incorporated under the name of "The Consistory of the Reformed Dutch Church at Wolfendahl, Colombo," and by the said name they shall have perpetual succession, and shall and may use a common seal with power to change and alter the same at their pleasure.

Corporation may sue and be sued.

2 They and their successors by the same name may sue and be sued, implead and be impleaded, answer and be answered unto, defend and be defended, in all and any courts whatsoever, and before any judge, magistrate, or judicial officer within the island, in all manner of actions, suits, complaints, matters, and causes whatsoever.

May hold movable and immovable property.

3 They and their successors by the name aforesaid shall be able and capable in law of holding all such estate, movable and immovable, as hath been already acquired by them and of having, taking, and holding for ever hereafter other estate, movable and immovable, either by purchase, gift, devise, or legacy to and for the use and benefit of the said church, with full power to sell, mortgage, lease, exchange, or otherwise dispose of and deal with the same.

All securities for money to hold in name of corporation.

4 And all mortgages and other securities for money, lands, and tenements held in the island in the name of any person or persons as trustee or trustees of the said church, shall be and the same are hereby declared to be transferred and vested in the said "Consistory of the Reformed Dutch Church at Wolfendahl, Colombo," and their successors in the corporate name as fully as if the same had been assigned and transferred by the person or persons, trustee or trustees, in whose name or names the same are now held to the said corporation. And the said corporation shall have full power to assign, transfer, and dispose of all such mortgages and other securities to which they shall be entitled as the said corporation shall think proper.

Affixing of seal of corporation.

5 The seal of the corporation shall not be affixed to any instrument whatsoever except in the presence of the president of the consistory and of either the treasurer or bookkeeper, who shall sign their names to the instrument in token of their presence, and such signing shall be independent of the signing of any person as a witness.

Short title.

6 This Ordinance shall be called "The Ordinance for incorporating the Consistory of the Dutch Reformed Church at Wolfendahl, Colombo," and may be cited as such for all purposes.

To include churches at Bambalapitiya and Maligakanda.

7 For the purposes of this Ordinance the Reformed Dutch Church at Wolfendahl, shall be held to include the branch churches at Bambalapitiya and Maligakanda, and any churches to be hereafter erected by the consistory.

SCHEDULE.

1. The consistory shall consist of the minister or ministers (the senior of whom shall be the president), four elders, and six deacons, elected from and by the members of the congregation in the manner hereinafter set forth.

2. The nomination for an eldership or a deaconship shall, in the first instance, be made by the consistory then in office, and the name of the member so nominated shall be notified to the members of the congregation from the pulpit on three successive Sundays. If no valid objection, of which the consistory shall be the judge, shall be urged in writing to the election of such member, he shall be duly ordained and installed in office, according to the rites of the church.

3. The term of service of elders and deacons shall be four years. Upon withdrawal they shall be eligible for immediate re-election, but they shall not be eligible for a re-election for the second time until they shall have been out of office for at least twelve months.

4. For the due and efficient discharge of the duties of the consistory, the following offices shall be undertaken by such members of consistory as shall be nominated thereto by their brethren, viz. :—

- (1) Scriba.
- (2) Treasurer.
- (3) Bookkeeper.
- (4) Church Warden.
- (5) Director of the necessaries for the Sacrament.
- (6) Director of Burial Grounds.

5. Five members of consistory, of whom two shall be elders and three deacons, in addition to the minister when resident in Ceylon, shall constitute a quorum. The president shall have a casting vote in addition to his original vote.

6. Meetings for the transaction of business shall be held at least once a month on a written notice from the scriba; but the president may at any time summon a meeting for the transaction of business.

7. The notice convening meetings shall specify the business to be transacted, and no business other than that specified shall be entered into.

8. The president, on the requisition of five or more members, shall, within fourteen days of the date of such requisition, call a special meeting for the transaction of such special business as may be specified in the requisition.

9. The consistory shall cause a correct record of the proceedings of each meeting to be kept by the scriba, and the minutes so recorded shall be confirmed and authenticated by the signature of all the members present thereat at the meeting next ensuing.

10. The consistory shall cause proper books of account to be kept. At each monthly meeting, a statement of receipts and expenditure signed jointly by the treasurer and the bookkeeper shall be laid before it, which shall be duly audited by an elder and a deacon deputed for the purpose by the consistory, and finally passed at the ensuing meeting.

11. An annual statement of the receipts and disbursements shall be made up as soon as practicable after the close of each year, which, after being duly audited by an elder and deacon, shall be left in the church for the inspection of members of the congregation for a period of one day, after previous notice shall be given thereof.

12. The control and management of the property and funds of the church shall be vested in the consistory, which shall adopt measures with reference thereto by resolution passed by unanimity or majority of votes.

13. No member of the congregation shall be eligible to be an office bearer if pecuniarily indebted to the church.

14. The consistory may by resolution make such rules for the regulation of their ecclesiastical affairs as to them shall seem fit, provided that nothing be done at variance with the doctrines and discipline of the Dutch Reformed Church.

By His Excellency the Governor's command,

Colonial Secretary's Office,
Colombo, November 19, 1896.

W. T. TAYLOR,
Acting Colonial Secretary.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate, Goods and Chattels, and Rights and Credits of Wickrema Arachchigey Don Brampi de Alwis Appuhamy, of Kawudumunna in the Katugampola Meda pattu korale, in the District of Kurunegala, deceased.

No. C/806.

THIS matter coming on for disposal before Dodwell Francis Browne, Esq., District Judge of Colombo, on the 22nd day of October, 1896, in the presence of Edward Wilfred Perera, Proctor, on the part of the petitioner Wickrema Arachchigey Don Solomon de Alwis Appuhamy, of No. 41, 1st Cross street in the Pettah of Colombo; and the affidavit of the said Wickrema Arachchigey Don Solomon de Alwis Appuhamy, dated 12th October, 1896, having been read:

It is ordered that the said Wickrema Arachchigey Don Solomon de Alwis Appuhamy be and he is hereby declared entitled to have letters of administration to the estate of the said Wickrema Arachchigey Don Brampi de Alwis Appuhamy, deceased, issued to him, as an heir of the said deceased, unless the respondents—1, Wickrema Arachchigey Don Monis de Alwis Appuhamy; 2, Wickrema Arachchigey Don Arnolis de Alwis Appuhamy; 3, Wickrema Arachchigey Don Poloris de Alwis Appuhamy; 4, Wickrema Arachchigey Dona Nonno de Alwis Hamine, and her husband 5, Wickrema Arachchigey Don Brampi de Alwis Appuhamy; 6, Wickrema Arachchigey Dona Sanchy de Alwis Hamine, and her husband 7, Ganagey Alisan Appu, all of Payyagala in the District of Kalutara—shall, on or before the 26th day of November, 1896, show sufficient cause to the satisfaction of this court to the contrary.

D. F. BROWNE,
District Judge.

The 22nd day of October, 1896.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the late John Henry Ebell, senior, of Mutwal, Colombo, deceased.

No. 812.

THIS matter coming on for disposal before D. F. Browne, Esq., District Judge of Colombo, on the 7th day of November, 1896, in the presence of Gerard Francis Grenier, of Mutwal in Colombo, the petitioner; and the affidavit of the said Gerard Francis Grenier, dated the 7th November, 1896, having been read:

It is ordered that the said Gerard Francis Grenier be and he is hereby declared entitled to have letters of administration to the estate of John Henry Ebell, senior, deceased, issued to him, on behalf of his wife, one of the heirs of the said deceased, unless the respondents—1, Annie Elizabeth Grenier, *nee* Ebell, of Mutwal, Colombo; 2, Walter Edwin Ebell, of Mutwal, Colombo; 3, Samuel Spencer Ebell, of Bambalapitiya, Colombo; 4, Percival Henry Ebell, of Kollupitiya, Colombo; and 5, John Henry Ebell, junior, of Jaffna—shall, on or before the 19th day November, 1896, show sufficient cause to the satisfaction of this court to the contrary.

D. F. BROWNE,
District Judge.

The 7th day of November, 1896.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of Wickrama Achchipathirannahellagey Don Jusey Siriwardena, Vidane Arachchi of Dagonna, deceased.

No. 260.

1, Mallawa Arachchigey Gregoris Perera Appuhamy, of Katuwelligama; 2, Wickrama Achchipathirannahellagey Jornis Perera, of Dagonna.....Petitioners.

Vs.

1, Jayawardenagey Ana Hami, of Dagonna; 2, Mallawa Arachchigey Carolis Perera Appuhamy, of Katuwelligama; 3, Wickrama Achchipathirannahellagey Poralina Hami, of Mabodala; 4, Wickrama Achchipathirannahellagey Abraham Perera, of Dagonna; 5, Wickrama Achchipathirannahellagey Punchedi Nona Hamy, of Asgiri-Walpola; 6, Wickrama Achchipathirannahellagey Charles Perera, of Dagonna.....Respondents.

THIS matter of the petition of Mallawa Arachchigey Gregoris Perera Appuhamy, of Katuwelligama, and Wickrama Achchipathirannahellagey Jornis Perera, of Dagonna, praying for letters of administration to the estate of the above-named deceased Wickrama Achchipathirannahellagey Don Jusey Siriwardena, coming on for disposal before J. P. Lewis, Esq., District Judge, on the 26th day of October, 1896, in the presence of Mr. W. M. Rajapakse, Proctor, on the part of the petitioners, and the affidavit of Jayawardenagey Ana Hami, of Dagonna, dated 12th day of October, 1896, having been read:

It is ordered that the petitioners, as the son-in-law and son respectively of the said intestate, are entitled to have letters of administration to the estate of the said intestate issued to them, unless the respondents or any other person shall, on or before the 24th November, 1896, show sufficient cause to the satisfaction of this court to the contrary.

J. P. LEWIS,
District Judge.

Dated October 26, 1896.

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Meera Lebbe Abdul Cader, of Dandegara, deceased.

No. 3,168.

THIS matter coming on for disposal before F. J. de Livera, Esq., District Judge of Galle, on the 22nd day of September, 1896, in the presence of Mr. G. E. Abeyewardane on the part of the petitioner Abdul Cader Mohamadu Ibrahim, of Galupiyadda; and the affidavit of the said Abdul Cader Mohamadu Ibrahim, of Galupiyadda, dated 7th August, 1896, having been read, it is declared that the said Abdul Cader Mohamadu Ibrahim, of Galupiyadda, is the eldest son of the above-named deceased, and that he is as such entitled to have letters of administration of the estate of the above-named Meera Lebbe Abdul Cader, deceased, issued to him, unless the respondents—1, Abdul Cader Alima Umma and husband 2, Sella Marcar Mohamadu; 3, Abdul Cader Assen; 4, Abdul Cader Mohamadu Cassim, all of Galupiyadda—shall, on or before the 26th day of November, 1896, show sufficient cause to the satisfaction of this court to the contrary.

F. J. DE LIVERA,
District Judge.

Galle, September 22, 1896.

In the District Court of Chilaw.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate and Effects of Warnakulasuria Mahamandadige Semona Fernando, of Katuneriya, deceased.

No. 527.

Between

Jayasuria Kuranegey Peduru Perera, of Katuneriya Petitioner.

And

1, Warnakulasuria Mahawadugey Peduru Fernando; and 2, Warnakulasuria Mahawadugey Veronica Fernando both of Katuneriya Respondents.

THIS matter coming on for disposal before B. Constantine, Esquire, District Judge of Chilaw, on the

12th day of October, 1896, and on reading the petition and affidavit of the petitioner dated the 9th and 8th days of October, 1896, it is ordered that the petition of Jayasuria Kuranegey Peduru Perera, of Katuneriya, be and he is hereby declared entitled to have letters of administration to the estate of Warnakulasuria Mahamandadige Semona Fernando, of Katuneriya, issued to him, and that such letters of administration be accordingly issued to him, unless any person shall, on or before the 26th day of November, 1896, show sufficient cause to the contrary.

B. CONSTANTINE,

District Judge.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Charles Joseph Green, of Colombo Plaintiff.
No. 9,021/C. Vs.

1, Gabriel Rodrigo Amaratunga; and 2, Alice Maria Rodrigo Amaratunga, both of Mutwal, Colombo Defendants.

NOTICE is hereby given that on Monday, December 14, 1896, at 4.30 in the afternoon, will be sold by public auction at the premises the following mortgaged property, viz. :—

All that allotment of land marked A and shaded lake in the plan dated November 7, 1894, made by David Dawapuraratna, Licensed Registered Surveyor, together with the buildings, wells, and plantations thereon, bearing assessment Nos. 95 and 96, situated at the Madampitiya road, within the Municipal limits of Colombo; bounded on the north-east by the other part of this land bearing assessment No. 200, on the south-east by the property of R. Jusey de Silva and by the property of H. Thomas de Silva, on the south-west by the property of H. Thomas de Silva and by the Madampitiya road, and on the north-west by the property of M. Migel Perera, containing in extent 1 acre 3-81 perches according to the aforesaid plan.

SOLOMON SENEVIRATNE,

Fiscal's Office, Deputy Fiscal.
Colombo, November 18, 1896.

In the District Court of Negombo.

W. C. F. W. Karunaratna, administratrix of the estate of J. V. F. Seneviratna, Muhandiram... Plaintiff.
No. 2,122. Vs.

Jayakodiarachchige Don Francisco Appuhami Defendant.

NOTICE is hereby given that on December 19, 1896, 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. 8,502, dated March 26, 1890, viz. :—

A part of a garden called Munamalghawatta, situate at Katana; bounded on the north by the gardens formerly of Rev. Gudirinna now belonging to the above-named Jagathpathalage Velun Fernando Seneviratna, Muhandiram, and others, east by a half part of this land formerly belonging to the estate of the late Philippu Naida, now belonging to the above-named Jagathpathalage Velun Fernando Seneviratna, Muhandiram, south by a part of this land formerly of Mathes Fernando and others, now belonging to Pelis Appu, and on the west by the Pillewa land formerly of Elaris Perera, now belonging to Malle-

wetantrige Jeelis Appu; in extent 3 acres more or less; and declared liable to be sold in satisfaction of the decree.

Amount to be levied Rs. 603-12½, and interest on Rs. 500 at 12½ per cent. per annum from March 26, 1890.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, November 17, 1896.

Central Province.

In the Court of Requests, Kandy.

Sena Thana Meyna Kana Nana Kannappa Chetty Plaintiff.
No. 116. Vs.

W. G. Blok and G. Blok Defendants.

NOTICE is hereby given that on December 14, 1896, commencing at 12 o'clock noon, will be sold by public auction at the premises the following property of the defendants, viz. :—

The house bearing assessment No. 110, situate at Peradeniya road in Kandy; and bounded on the north by house No. 109 belonging to Haramanis Soysa, on the west by Peradeniya road, south by house No. 111 belonging to Abram Nainde, and on the east by Government line.

Amount of writ Rs. 234, with legal interest thereon from September 15, 1896, until payment in full.

Fiscal's Office,
Kandy, November 16, 1896.

C. S. VAUGHAN,
Fiscal.

Northern Province.

In the District Court of Jaffna.

Katiravelu Chellappa, of Manippay Plaintiff.
No. 757. Vs.

Charavanamuttu Kanapatippillai, of Manippay, Defendant.

NOTICE is hereby given that on Monday, December 14, 1896, at 10 o'clock in the forenoon, will be sold by public auction on the land hereinafter described the right, title, and interest of the said defendant in the following property, for the recovery of Rs. 270-40, with interest on Rs. 260 at 12 per cent. per annum from March 31, 1896, until payment in full, and costs of suit being Rs. 60-11 and charges, viz. :—

In a piece of land situated at Manippay called Paraiyanpanaivalavu containing or reputed to contain in extent 25 lachams varaku culture with its appurtenances; bounded or reputed to be bounded on the east by property of Chellappa Tampippillai and shareholder, north by property of Tankamma, wife of Ponnusami, and shareholder and land belonging to the temple of Vayiravar, west by a water-course, and south by a road.

Fiscal's Office, G. A. VAN HOUTEN,
Jaffna, November 11, 1896. for Fiscal.

In the Court of Requests of Jaffna.

Kanapatiyar Veluppillai, of Karaiyur.....Plaintiff.
No. 20,940. Vs.

Ramu Vayiravi, of Vannarponnai..... Defendant.

NOTICE is hereby given that on Thursday, December 10, 1896, at 10 o'clock in the forenoon, will be sold by public auction on the land hereinafter described the right, title, and interest of the said defendant in the following property, for the recovery of Rs. 100, and costs of suit being Rs. 23.25, and charges, viz.:-

In a piece of land situated at Vannarponnai east called Uvayadi and other parcels, containing or reputed to contain in extent 40 lachams paddy culture, with its appurtenances; bounded or reputed to be bounded on the east by the land belonging to the Friend-in-Need Society Hospital, Jaffna, and by property of Chellamma and others, north by property of Chinnakkuddi and others and by a road, west by a road, and south by property of Ponnampalam and others.

Fiscal's Office, G. A. VAN HOUTEN,
Jaffna, November 11, 1896. for Fiscal.

Southern Province.

In the District Court of Galle.

Don Johanes de Silva Karunaratna Appuhamy.....Original Plaintiff.

Arnolis de Silva Kudatchi Appuhamy, of Unawatuna.....Substituted Plaintiff.
No. 53,176. Vs.

1, Dona Ana Maria Wijesingha Hamine and others.....Original Defendants.

1, Charles Henry Dias Edirisingha Kodituwakku of Kitulampitiya, and others..Substituted Defendants.

NOTICE is hereby given that on Wednesday, December 9, 1896, commencing at 3 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendants in the following property, viz.:-

1. The soil and trees (excluding the planter's share of the second plantation) of the garden called Aratuwitagamawatta, situated at Baddegama.

2. One-twenty-fourth part of the soil of the garden called Mahawatta alias Kongahapittaniyewatta situated at Baddegama.

3. Two large jak trees and one del tree, now fallen down on the said garden, and six other old jak trees tanding thereon, which are belonging to the defendants by right of their ancestor named Don Juan de Silva Edirisingha Kodituwakku, deceased.

4. An undivided $\frac{1}{2}$ part of Hirigodawaturawa, in extent of 4 amunams of paddy, situated at Baddegama.

On Saturday, December 12, 1896, at 2 P.M., at the spot, viz.:-

5. An undivided $\frac{1}{2}$ and $\frac{1}{4}$ parts of the field Halgas-mullekumbura, in extent of 29 acres 1 rood 23.23 perches, situated at Hiyara.

This writ is issued to levy a sum of Rs. 210.08 less Rs. 68.10 recovered.

C. T. LEEBRUGGEN,
Deputy Fiscal.

Fiscal's Office,
Galle, November 17, 1896.

In the District Court of Galle.

Endoris de Silva Balasuriya, of Matara.....Plaintiff.
No. 4,167. Vs.

Punchi Hewage Disohamy and others, of Dangedara..... Defendants.

NOTICE is hereby given that on Wednesday, December 16, 1896, commencing at 2 o'clock in the afternoon, will be sold by public auction at the spot the following property, viz.:-

1. All that undivided $\frac{2}{3}$ parts of the soil and fruit trees of an allotment of land called Ulugedarawatta, together with the newly built house numbered 298 and presently bearing No. 360, situate at Dangedara.

2. All that undivided $\frac{2}{3}$ parts of the undivided $\frac{2}{3}$ parts of the fruit trees and soil of the garden called Kudalugedarawatta or Beligaswatta, situate at Dangedara, together with the house standing thereon.

3. All the undivided $\frac{2}{3}$ parts of the house and premises No. 14, situate at Lighthouse street, Fort, Galle; mortgaged upon the writing obligatory dated October 23, 1894, bearing No. 270, and declared bound and executable under the judgment entered in the above case.

This writ is issued to levy a sum of Rs. 3,294.50, with interest on Rs. 2,500 at 18 per cent. per annum from March 6, 1896.

C. T. LEEBRUGGEN,
Deputy Fiscal.

Fiscal's Office,
Galle, November 17, 1896.

North-Western Province.

In the District Court of Colombo.

Moona Kana Moona Keena Mohamado Meera Saibo, of Bankshall street, in Colombo.....Plaintiff.

No. 9,069/C. Vs.

Chena Moona Seyado Ibrahim, of Kurunegala...Defendant.

NOTICE is hereby given that on Saturday, December 12, 1896, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz.:-

Seven allotments of land known as Etanbagahamulahena, now garden, Bolagomayagekumbura, Miyewelehena, Mailagahamulahena, Eramudugahawalahena, Kongahamulahena, and Bulugaliakumburahena, with the plantations standing thereon, and containing about 68 acres in extent, situate at Heraliyawala, in Tiragandahe korale of the Weudawili hatpattu.

Amount to be levied Rs. 352.95, with interest thereon at 9 per cent. per annum from July 13, 1896, and poundage.

Fiscal's Office, N. S. CASSIM,
Kurunegala, November 16, 1896. for Fiscal.

In the District Court of Negombo.

Kawenna Kana Nana Kana Kanappa Chetty, of Negombo.....Plaintiff.
No. 2,240. Vs.

Kammahettimudalige Don Martinu Peris, of Dummaladeniya in Pitigal korale.....Defendant.

NOTICE is hereby given that on Saturday, December 19, 1896, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz.:-

1. The garden called Daminagahawatta, with the buildings standing thereon, situate at Dummaladeniya of the Pitigal korale south, Chilaw District; bounded on the

north by land of Helaris Appu, east by garden of Marthelis Wadurala and others, south by Dewata road, and on the west by high road, containing in extent 1 acre and 2 roods.

2. The garden called Madangahawatta, situate at Dummaladeniya aforesaid; bounded on the north and east by lands of Cornelis Peris and others, south by Dewata road, and on the west by land of Mathes Appu, containing in extent 1 acre and 1 rood. Valuation of property Rs. 1,400.

Amount recoverable Rs. 1,106.25, with interest on Rs. 1,000 at 30 per cent. per annum from December 2, 1893, minus the sum of Rs. 177 paid on account of interest.

Deputy Fiscal's Office, C. R. CUMBERLAND,
Chilaw, November 14, 1896. Deputy Fiscal.

In the District Court of Puttalam.

Sinna Tambi Santiago, of Kalpitiya.....Plaintiff.

No. 147/966.

Vs.

1, Nicholas Casimar, of Kalpitiya, and his wife 2, Marian Mercy, of Kalpitiya..... Defendants.

NOTICE is hereby given that on Monday, December 7, 1896, at 1 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendants in the following property, viz:—

One undivided one-eighth share of the cocoanut garden, situate at Mutwal in Kalpitiya, as property of the second-named execution debtor (Mrs. Casimar). The whole land is bounded on the north by the land belonging to Segadu Tambi Markar and others, south by the land belonging to the heirs of the late Seyadun Markar, west by the land

belonging to the heirs of the late Sinna Ahamado Neina Markar, and east by the seashore.

Deputy Fiscal's Office, G. A. BAUMGARTNER,
Puttalam, November 13, 1896. Deputy Fiscal.

In the District Court of Colombo.

Muna Bana Pena Lana Muttu Karuppen Chetty,
of Colombo.....Plaintiff.

No. C/7,193.

Vs.

1, C. Ramalingam, of Cheku street in Colombo, administrator of the estate of the late C. Tambyah; and 2, T. Sanmugam.....Defendants.

NOTICE is hereby given that on Friday, December 18, 1896, at 1 o'clock in the afternoon, will be sold by public action at the premises the right, title, and interest of the said estate of the late C. Tambyah in the following property, viz:—

Four pieces of lands adjoining each other and forming into one property, and known as Narayanawatta, of about 750 acres in extent, with the plantations standing thereon, situate at Walahapitiya in Yatakalan pattu of the Pitigal korale central, Chilaw District; bounded on the north by cart road, east by property of Advocate Ramanathan, south by a tank and by gardens of Marsalinu Fernando and others, and on the west by gardens of Walahapitiya villagers and by cart road.

Amount recoverable Rs. 1,087.25, with interest on Rs. 1,000 at 9 per cent. per annum from March 22, 1895, and poundage.

Deputy Fiscal's Office, C. R. CUMBERLAND,
Chilaw, November 16, 1896. Deputy Fiscal.