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and General Government Notifications.

PART II.—Legal and Judicial.

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PASSED ORDINANCES.

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

No. 12 of 1896.

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

WEST RIDGEWAY.

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 Dutch Reformed 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 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 Dutch Reformed 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 Dutch Reformed 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.

Passed in Council the Second day of December, One thousand Eight hundred and Ninety-six.

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

Assented to by His Excellency the Governor the Eighth day of December, One thousand Eight hundred and Ninety-six.

W. T. TAYLOR,
Acting Colonial Secretary.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 1,841. In the matter of the insolvency of Frederick Alexander Poulter, of Bambalapitiya.

WHEREAS the above-named Frederick Alexander Poulter was on December 3, 1896, adjudged insolvent by the District Court of Colombo, and an order has been made by the said court placing the estate of the said insolvent under sequestration in the hands of the Fiscal: Notice thereof is hereby given to all concerned, and notice is also hereby given that the said court has appointed that two public sittings of the court will be held, to wit, on January 7 and 21, 1897, for the said insolvent to surrender and conform, and for such other proceedings in the said matter as may then be competent under the Ordinance No. 7 of 1853, intituled "An Ordinance for the due collection, administration, and distribution of Insolvent Estates."

By order of court,

J. B. Misso,
Secretary.

Colombo, December 8, 1896.

No. 1,842. In the matter of the insolvency of Saviel Perera Mathes Pulle, of New Chetty street, Colombo.

WHEREAS the above-named Saviel Perera Mathes Pulle was on December 10, 1896, adjudged insolvent by the District Court of Colombo, and an order has been made by the said court placing the estate of the said insolvent under sequestration in the hands of the Fiscal: Notice thereof is hereby given to all concerned,

By order of court,

J. B. Misso,
Secretary.

Colombo, December 8, 1896.

and notice is also hereby given that the said court has appointed that two public sittings of the court will be held, to wit, on January 21, 1897, and February 11, 1897, for the said insolvent to surrender and conform, and for such other proceedings in the said matter as may then be competent under the Ordinance No. 7 of 1853, intituled "An Ordinance for the due collection, administration, and distribution of Insolvent Estates."

By order of court,

J. B. Misso,
Secretary.

Colombo, December 14, 1896.

No. 1,844. In the matter of the insolvency of Sekadiar Mohideen Rawter, of New Moor street, Colombo.

WHEREAS the above-named Sekadiar Mohideen Rawter was on December 10, 1896, adjudged insolvent by the District Court of Colombo, and an order has been made by the said court placing the estate of the said insolvent under sequestration in the hands of the Fiscal: Notice thereof is hereby given to all concerned, and notice is also hereby given that the said court has appointed that two public sittings of the court will be held, to wit, on January 14 and 28, 1897, for the said insolvent to surrender and conform, and for such other proceedings in the said matter as may then be competent under the Ordinance No. 7 of 1853, intituled "An Ordinance for the due collection, administration, and distribution of Insolvent Estates."

By order of court,

J. B. Misso,
Secretary.

Colombo, December 16, 1896.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Kurunegala.

Order Nisi.

Testamentary } In the Matter of the Intestate Estate
Jurisdiction. } of the late Basnayake Mudianselage
No. 566. } Herathami, deceased, of Munamale.

1, Disanayake Mudianselage Muttu Menica;
and 2, Basnayake Mudianselage Dingiri
Menica, both of Munamale Petitioners.

1, Basnayake Mudianselage Dingiri Banda;
2, Basnayake Mudianselage Ranghami; 3,
Basnayake Mudianselage Punchi Banda;
and 4, Basnayake Mudianselage Menikhami,
all of Munamale Respondents.

THIS matter coming on for disposal before Edward Thomas Noyes, Esq., Acting District Judge, on the 4th day of November, 1896, in the presence of Muttu Menica and Dingiri Menica, the petitioners, in person; and the affidavit of the above-named petitioners, dated 14th November, 1896, having been read:

It is declared that the said Disanayake Mudianselage Muttu Menica and Basnayake Mudianselage Dingiri Menica, as widow and daughter respectively of the late Basnayake Mudianselage Herathami, are entitled to have letters of administration of his intestate estate issued to them, unless Basnayake Mudianselage Dingiri Banda, Ranghami, Punchi Banda, and Menikhami, the above-named respondents, shall, on or before the 19th day of

January, 1897, show sufficient cause to the satisfaction of this court to the contrary.

E. T. NOYES,
Acting District Judge.

December 4, 1896.

In the District Court of Kurunegala.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Ranhotipedidureyalage Hawadiya,
No. 564. } Vel-dureya, deceased, of Jakaduwa.

Sakkrapedidureyalage Egodagedara Samadari,
of Jakaduwa Petitioner.

THIS matter coming on for disposal before Edward Thomas Noyes, Esq., Acting District Judge, on the 30th day of November, 1896, in the presence of Mr. C. P. Markus, Proctor, on the part of the petitioner; and the affidavit of Sakkrapedidureyalage Egodagedara Samadari, the petitioner, dated November 25, 1896, having been read:

It is declared that the said Sakkrapedidureyalage Egodagedara Samadari, as the lawful widow of the deceased intestate, is entitled to have letters of administration of the estate of the said deceased issued to her accordingly, unless any one shall, on or before the 6th day of January, 1897, show sufficient cause to the satisfaction of this court to the contrary.

E. T. NOYES,
Acting District Judge.

The 30th day of November, 1896.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Kanny Tamby Sekanna Lebbe Segoe Allie Alim
Saibo, of Hulftsdorp street in Colombo Plaintiff.
No. 6,281/C. Vs.

1, Ismail Lebbe Marikar Yunus Lebbe; 2,
Oemmani Oemmah, both of Old Moor
street in Colombo; 3, Mohamedo Lebbe
Casy Lebbe Marikar, of Silversmith street,
Colombo.....Defendants.

NOTICE is hereby given that on Tuesday, January
12, 1897, at 4 o'clock in the afternoon, will be
sold by public auction at the premises the following
mortgaged property decreed to be sold by the decree
entered in the above case, viz. :—

All that allotment of land with two contiguous build-
ings standing thereon, bearing assessment Nos. 8 and 9,
situated at Silvermith street, within the Municipal
limits of Colombo; and bounded on the north by the
property of Mamedoe Tamby Saibo Dore and others and
now the property of Hadjie Markar Samsie Lebbe and
others (presently property acquired by Government for
a road), on the east by the property of Slema Lebbe
Uduma Lebbe Marikar; and Oemmani Oemmah and now
the property of Ismail Lebbe Yunus Lebbe, on the south
by Silversmith street, and on the west by the property
of Meyanna Wappu Marikar, containing in extent 1 rood
and 3-52 square perches as per figure of survey dated
February 19, 1889, made by F. Bartholomeusz, Surveyor.

J. S. DRIEBERG,
Deputy Fiscal.

Fiscal's Office,
Colombo, December 16, 1896.

In the Court of Requests of Colombo.

Alfred Martin, of Colombo, trading as Alfred
Martin & Co.....Plaintiff.
No. 7,630. Vs.

Polina de Bruin, of No. 71, Dam street,
Colombo.....Defendant.

NOTICE is hereby given that on Monday, January 11,
1897, at 12 o'clock noon, will be sold by public
auction at the premises the right, title, and interest
of the said defendant in the following property, viz. :—

The land and the buildings standing thereon, bearing
assessment No. 57, situated at St. Sebastian street,
Colombo; bounded on the north by the property bearing
No. 56 belonging to Majidu Tamby, on the east by
Crown property, on the south by the property bearing
No. 24 belonging to Mr. Vanderstraaten, and on the west
by the high road; containing in extent 15 square
perches more or less.

J. S. DRIEBERG,
Deputy Fiscal.

Fiscal's Office,
Colombo, December 16, 1896.

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 Mut-
wal, Colombo.....Defendants.

NOTICE is hereby given that on Friday, January 22,
1897, 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
K. 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.

J. S. DRIEBERG,
Deputy Fiscal.

Fiscal's Office,
Colombo, December 16, 1896.

In the District Court of Colombo.

R. M. P. L. S. A. Suppramaniapulle, of Sea
street, Colombo Plaintiff.
No. C/6,991 Vs.

John H. P. Dassanayeke, of Bellans in
Matugama Defendant.

NOTICE is hereby given that on Monday, January
11, 1897, commencing at 11 o'clock in the forenoon,
will be sold by public auction at the premises the right, title,
and interest of the said defendant in the following property,
for the recovery of Rs. 411-03 (minus Rs. 14-20 recovered),
with interest thereon at 9 per cent. per annum from
January 7, 1895, viz. :—

(1) Half part of the soil and of the trees (excluding
the planter's share of Pallegedarawatta and the planter's
two-thirds share of Ganegalawatta) of the three adjoining
lands called Dahanaggekanda *alias* Dassanayekegekanda,
Pallegedarawatta, and Ganegalawatta, situated at Ran-
gedara; bounded on the north, east, south, and west by
the Crown lands; containing in extent about 400 acres.

(2) One-fourth part of the soil and of the plumbago
pits standing on the land called Ankutuwaleaswedduma,
situated at Bellane; bounded on the north by Berewa-
kumbura and Mahanegoda, east by Vileliaddearawe and
Mahakurundawatta, south by Punchikurunduwatta, and
on the west by Potukumbura; containing in extent about
27 bushels of paddy sowing.

Deputy Fiscal's Office,
Kalutara, December 15, 1896.

G. H. KEUNEMAN,
Deputy Fiscal.

Central Province.

In the Court of Request of Matale.

Karupen Kangany, of Balakaduwa.....Plaintiff.
No. 1,728. Vs.

Sena Rawanna Mohammadoo Abubaker Osina
Lebbe, of Matale Defendant.

NOTICE is hereby given that on January 18, 1897,
at 12 o'clock noon, will be sold by public auction
at the premises the following property of the defendant,
viz. :—

The land called Tittawellandewatta *alias* Sappuwe-
watta of about 20 acres in extent, with the plantations
and everything thereon, situate at Palapathwala in Gam-
pahasiya pattuwa, of Matale; and bounded on the east by
Trincomalee road, south by land belonging to Inda-
joti Unnanse, west by Migahamulahena and by the
fence of lands belonging to others, and on the north by
the fence of lands belonging to Aliyasa and others.

Amount of writ, Rs. 224-25.

Fiscal's Office,
Kandy, December 14, 1896.

C. S. VAUGHAN,
Fiscal.

Southern Province.

In the District Court of Galle.

Kuna Pana Kuna Kuttayan Chetty, now at Tewakotta in India, by his attorney Kuna Pana Kuna Vellayan Chetty, of Kaluwella.....Plaintiff.

No. 1,912. Vs.

1, Mohidin Bawa Lebbe Mohamadu *alias* Mohamadu Tamby; 2, Mohidin Bawa Lebbe Abdul Bahaman, both of Gintota....Defendants.

NOTICE is hereby given that on Wednesday, January 13, 1897, at 2.30 o'clock in the afternoon, will be sold by public auction at the spot the following property, viz. :—

All that soil and fruit trees of that allotment of land marked No. 22 of the garden called Gintota Maradane Kurunduwatta, situated at Gintota Welipitimodara, containing in extent one acre, together with all the rights, members, and appurtenances thereto belonging, as well as all the plantations thereon and the substantially built house on it; property mortgaged by the writing obligatory dated November 16, 1892, and marked letter B, and declared executable under the judgment entered in the above case.

This writ is issued to levy a sum of Rs. 373.75, with interest on Rs. 250 at 16½ per cent. per annum from May 16, 1893, till payment.

C. T. LEEMBRUGGEN,
for Fiscal.Fiscal's Office,
Galle, December 14, 1896.

In the District Court of Galle.

R. M. A. R. A. R. Narayanan Chetty, of Galle...Plaintiff.
No. 4,375. Vs.

Pitcha Candu Sarangu Lewa Umma, widow and administratrix of the estate of Slema Lebbe Cuppa Tamby, late of Dangedara....Defendant.

NOTICE is hereby given that on Saturday, January 9, 1897, commencing at 2 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. :—

1. The boutique and premises No. 192, situate in the New street at Galle bazaar.

2. The southern half part of the boutique and premises No. 223, situate in the Green Market street at Galle bazaar.

This writ is issued to levy a sum of Rs. 1,424.12½, with interest on Rs. 1,000 at 9 per cent. per annum from August 2, 1896, till payment in full.

C. T. LEEMBRUGGEN,
for Fiscal.
Fiscal's Office,
Galle, December 15, 1896.

In the District Court of Galle.

Kuna Pana Kuna Kuttian Chetty, now of Tewakotta in India, by his attorney Kuna Pana Kuna Vellayan Chetty, of Kaluwella.....Plaintiff.

No. 1,909. Vs.

1, Mohidin Bawa Lebbe Mohamadu *alias* Mohamadu Tamby; 2, Mohidin Bawa Lebbe Abdul Bahaman, both of Gintota...Defendants.

NOTICE is hereby given that on Wednesday, January 13, 1897, at 2.30 o'clock in the afternoon, will be sold by public auction at the spot the following property, viz. :—

All that soil and fruit trees of that allotment of land marked No. 22 of the garden called Gintota Maradane Kurunduwatta, situated at Gintota Welipitimodara, con-

taining in extent one acre, together with all the rights, members, and appurtenances thereto belonging, as well as all the plantations thereon and the substantially built house on it; property mortgaged by the writing obligatory dated May 26, 1892, and marked letter B, and declared executable under the judgment entered in the above case.

This writ is issued to levy a sum of Rs. 981.27, with interest on Rs. 750 at 16½ per cent. per annum from May 12, 1893, till payment.

C. T. LEEMBRUGGEN,
for Fiscal.Fiscal's Office,
Galle, December 14, 1896.

In the District Court of Galle.

Sampson de Abrew Wijegooneratna Rajapaksa,
Gate Mudaliyar, of Welitara.....Plaintiff.

No. 53,501. Vs.

Ango Mendis Wickramasinha Lama Etani and another, of Welitara.....Defendants.

NOTICE is hereby given that on Saturday, January 16, 1897, commencing at 2.30 o'clock in the afternoon, will be sold by public auction at the spot the following property, viz. :—

1. An undivided half part of the tiled house of eleven carpenters' cubits and an undivided half part of a house of eleven carpenters' cubits, covered with cadjans, standing on the land called Bassalingewatta, situate at Dadalla; property specially mortgaged in and upon the footing of the bond marked letter A, and dated February 10, 1877, and declared specially bound and executable under the judgment entered in the above case.

2. An undivided half part of the soil and trees of the above-mentioned land Bassalingewatta, situated at Dadalla.

3. An undivided half part of all the soil and trees of the land called Eladegodawatta subject to a lease now pending over it, situate at Dadalla.

This writ is issued to levy a sum of Rs. 429.72½, with interest on Rs. 300 at 12 per cent. per annum from February 10, 1877, till payment in full.

C. T. LEEMBRUGGEN,
for Fiscal.
Fiscal's Office,
Galle, December 15, 1896.

Province of Uva.

In the District Court of Colombo.

Don Theodoris Weeresirie and Don Hendrick Weeresirie, trading as Don Theodoris Weeresirie & Co., of Colombo.....Plaintiffs.

No. C/8,812. Vs.

J. C. Lawrie, of Park estate.....Defendant

NOTICE is hereby given that on Saturday, January 9, 1897, commencing at 12 o'clock noon, will be sold by public auction at the Park estate bungalow the right, title, and interest of the said defendant in and to the unexpired term of five years' lease in and to the tea estate or plantation called the Park estate, containing in extent 400 acres more or less, with the buildings and plantations thereon, situated at Lunugala in Pattipola korale of the Province of Uva; and bounded or reputed to be bounded on the east by the boundary of Ehummedumekanda, on the south by the boundary of Melrose estate, on the west by the high road and patana land, and on the north by Uskolabeddekele and Crown patana land.

C. A. MURRAY,
Fiscal.Fiscal's Office,
Badulla, December 12, 1896.