



Ceylon Government Gazette

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PART II.—Legal and Judicial.

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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. 4 of 1905.

An Ordinance to provide for the imposition of an Export Duty on Cardamoms.

HENRY A. BLAKE.

Preamble.

WHEREAS it is expedient to provide for imposition of an export duty to be levied on cardamoms for the purpose of increasing the consumption of Ceylon cardamoms in foreign lands : Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Commencement of Ordinance.

1 This Ordinance shall come into operation at such time as the Governor shall, by Proclamation published in the *Government Gazette*, appoint, and may be cited as "The Cardamom Cess Ordinance, 1905."

Short title.

Commencement of levy of export duty and rate of duty.

2 From and after the time when this Ordinance shall come into operation there shall be raised, levied, and paid upon all cardamoms, the produce of this island, exported beyond the seas, a duty not exceeding one cent per pound, the rate leviable to be determined by the Governor, with the advice of the Executive Council, from time to time, upon consideration of such recommendations as may be made by the joint committee appointed by the Planters' Association of Ceylon on the seventeenth day of February, 1905, and by the Ceylon Chamber of Commerce on the twenty-eighth day of February, 1905, or by the successors in office of such

<p>Levy of export duty to be enforced under Ordinance No. 17 of 1869.</p> <p>Proceeds of duty how to be supplied.</p> <p>Duration of the Ordinance.</p>	<p>committee, and such duty shall be independent of, and in addition to, any duty which may be imposed under the provisions of "The Medical Wants Ordinance, 1880, Amendment Ordinance, 1882."</p> <p>3 The duty under this Ordinance shall be levied at the Customs on the entry for exportation of cardamoms, and shall be payable to, and shall be collected and received by, the proper officers of the Customs Department, and the payment thereof shall be enforced under the provisions of the Ordinance No. 17 of 1869, intituled "An Ordinance for the General Regulation of Customs in the Island of Ceylon."</p> <p>4 The proceeds of the levy hereby enacted shall be applied towards the increasing the consumption of Ceylon cardamoms in such manner as may from time to time be desired and determined by the committee referred to in section 2 of this Ordinance or by the successors in office of such committee, provided that the manner in which the proceeds of the said levy shall be administered shall be subject to the approval of the Governor, with the advice of the Executive Council.</p> <p>5 This Ordinance shall remain in force for a period of two years.</p> <p>Passed in Council the Twenty-fifth day of July, One thousand Nine hundred and Five.</p> <p style="text-align: right;">A. G. CLAYTON, Clerk to the Council.</p> <p style="text-align: center;">Assented to by His Excellency the Governor the Third day of August, One thousand Nine hundred and Five.</p> <p style="text-align: right;">A. M. ASHMORE, Colonial Secretary.</p>
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Ordinance enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

No. 5 of 1905.

An Ordinance to further amend "The Medical Wants Ordinance, 1880."

HENRY A. BLAKE.

<p>Preamble.</p> <p>Short title.</p> <p>Amendment of section 2 of Ordinance No. 17 of 1880.</p> <p>Amendment of section 23.</p>	<p>WHEREAS it is expedient to amend "The Medical Wants Ordinance, 1880," hereinafter referred to as "the principal Ordinance:" Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:</p> <p>1 This Ordinance may be cited as "The Medical Wants (Amendment) Ordinance, 1905," and the principal Ordinance, "The Medical Wants Ordinance, 1880, Amendment Ordinance, 1882," and this Ordinance shall be read and construed as one, and may be cited together as "The Medical Wants Ordinances, 1880, 1882, and 1905."</p> <p>2 In section 2, sub-section (2), of the principal Ordinance for the words "or any of those products" there shall be substituted the words "rubber or any of such products."</p> <p>3 In section 23 of the principal Ordinance after the words "15th or 19th clause of this Ordinance" there shall be inserted the words "or in respect of any medicines or drugs supplied on the order of the superintendent of any estate."</p>
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Passed in Council the Twenty-fifth day of July, One thousand Nine hundred and Five.

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Third day of August, One thousand Nine hundred and Five.

A. M. ASHMORE,
Colonial Secretary.

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

No. 6 of 1905.

An Ordinance to repeal Ordinance No. 1 of 1870, intituled "An Ordinance relating to the Fixed Civil Establishments of the Colony," and Ordinance No. 8 of 1872, intituled "An Ordinance for amending the Ordinance No. 1 of 1870."

HENRY A. BLAKE.

Preamble.

WHEREAS it is expedient to repeal Ordinance No. 1 of 1870, intituled "An Ordinance relating to the Fixed Civil Establishments of the Colony," and Ordinance No. 8 of 1872, intituled "An Ordinance for amending the Ordinance No. 1 of 1870:" Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Repeal of Ordinances No. 1 of 1870 and No. 8 of 1872.

1 Ordinance No. 1 of 1870, intituled "An Ordinance relating to the Fixed Civil Establishments of the Colony," and Ordinance No. 8 of 1872, intituled "An Ordinance for amending the Ordinance No. 1 of 1870," are hereby repealed.

Saving of Governor's power to authorize payment of pensions, &c.

2 Notwithstanding the repeal of the above-mentioned Ordinances, it shall be lawful for the Governor to issue his warrant for the payment of the several pensions, retired allowances, and gratuities which have been already granted or which may hereafter be granted in conformity with the provisions contained in the minutes of Government relating thereto now in force, or which may hereafter be made and issued.

Passed in Council the Twenty-fifth day of July, One thousand Nine hundred and Five.

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Third day of August, One thousand Nine hundred and Five.

A. M. ASHMORE,
Colonial Secretary.

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

No. 7 of 1905.

An Ordinance to amend Ordinance No. 12 of 1894, intituled "An Ordinance to authorize the destruction of valueless Documents preserved in Courts of Justice."

HENRY A. BLAKE.

Preamble.

WHEREAS it is expedient to amend in certain respects the Ordinance No. 12 of 1894, intituled "An Ordinance to authorize the destruction of Valueless Documents preserved in Courts of Justice" and hereinafter referred to as "the principal Ordinance:" 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 and the principal Ordinance shall be read together as one Ordinance, and this Ordinance may be cited as "The Destruction of Valueless Records Ordinance, 1905."

Amendment of second schedule with regard to classes of documents which may be destroyed under section 6.

2 In form B in the second schedule to the principal Ordinance there shall be added after the 7th clause of the enumeration of documents therein contained the following further clause, namely:

8. Summary criminal cases over five years old.

Passed in Council the Twenty-fifth day of July, One thousand Nine hundred and Five.

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Third day of August, One thousand Nine hundred and Five.

A. M. ASHMORE,
Colonial Secretary.

DRAFT ORDINANCE.

MINUTE.

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

An Ordinance to consolidate and amend the Law relating to Irrigation Works and to the Cultivation of Paddy Lands in this Island.

Preamble.

WHEREAS it is expedient to consolidate and amend the Ordinances relating to Irrigation Works and to the Cultivation of Paddy Lands in this Island : Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Short title.

1 This Ordinance may be cited as "The Irrigation Works and Paddy Cultivation Ordinance, 1905," and shall come into operation at such date as the Governor shall by proclamation in the *Government Gazette* appoint.

Repeal.

2 There shall be repealed, as from the commencement of this Ordinance, the Ordinances specified in schedule I. to this Ordinance to the extent in the third column of that schedule mentioned.

Provided that—

- (a) Any district already constituted an irrigation district or declared an irrigated district, under "The Irrigation and Paddy Cultivation Ordinance, 1889," or under any Ordinance by the said Ordinance repealed, and any district for which rules have already been framed by the Government Agent under section 10 of "The Paddy Cultivation Ordinance, 1867," shall be deemed to have been duly constituted irrigation districts under this Ordinance ; and
- (b) Any rule now in force made under the said "Irrigation and Paddy Cultivation Ordinance, 1889," or under any Ordinance by the said Ordinance repealed, shall continue in force until otherwise provided ; and
- (c) Any headman or other officer, village council or committee elected, appointed, or established under the said "Irrigation and Paddy Cultivation Ordinance, 1889," or under any Ordinance by the said Ordinance repealed, shall continue and be deemed to have been duly elected, appointed, and established under this Ordinance ; and
- (d) All rates, subscriptions, contributions, charges, and assessments established, leviable, or made under the said "Irrigation and Paddy Cultivation Ordinance, 1889," or under any Ordinance by the said Ordinance repealed, shall not be in any wise prejudicially affected by reason of the passing of this Ordinance, but may be enforced, levied, or given effect to as fully and effectually as if they had been established, authorized, or made under this Ordinance ; and
- (e) Any specification, plan, estimate, or report prepared or made in pursuance of any of the provisions of the said "Irrigation and Paddy Cultivation Ordinance, 1889," or under any Ordinance by the said Ordinance repealed, shall be deemed to have been duly prepared or made under, and for the purposes of, this Ordinance ; and
- (f) Any enactment referring to any Ordinance or enactment hereby repealed shall be construed to refer to this Ordinance or to the corresponding enactment in this Ordinance.

Interpretation clause.	3 In this Ordinance, unless the context otherwise requires— “Proprietor” means the owner of lands irrigable by any irrigation work, and includes the cultivator or person in possession of any such land and any person or persons nominated by a government agent to represent the Crown when Crown lands are benefited or are to be benefited by such irrigation work.
“Occupant.”	“Occupant” includes a person having the charge, management, or control of any land or premises.
“District.”	“District” means any korale, pattu, or village, or any other subdivision of a province which may from time to time be defined by the Governor by proclamation in the <i>Government Gazette</i> .
“Majority of proprietors.”	For the purposes of chapters VII. and VIII. “majority of proprietors” means a majority consisting of two-thirds at least of the proprietors present. Provided that such majority shall represent at least one-third of the acreage benefited by such irrigation works, and if they do not represent one-third, then the votes of the proprietors representing two-thirds of the acreage to be benefited shall constitute the majority.

CHAPTER II.

IRRIGATION FUNDS.

Abolition of Central Board of Irrigation.	4 (1) The board created by “The Irrigation and Paddy Cultivation Ordinance, 1889,” and known as “The Central Irrigation Board of Ceylon,” shall cease to exist as from the commencement of this Ordinance. (2) But nothing in this section shall tend to invalidate any sanction or direction given or any act or thing done by the Central Board of Irrigation in exercise of the powers conferred on the board by the said “Irrigation and Paddy Cultivation Ordinance, 1889.”
Close of the irrigation fund.	5 The irrigation fund which was by the above-mentioned Ordinance vested in the said Central Irrigation Board shall be closed as from the thirty-first day of December, 1904, and any sums then standing to the credit of the fund shall pass to and form part of the revenue of the Colony, and the debts and liabilities of the board at such date shall become the debts and liabilities of the Colony.

CHAPTER III.

IRRIGATION DISTRICTS.

Governor in Executive Council may proclaim irrigation districts.	6 (1) It shall be lawful for the Governor, with the advice of the Executive Council, by proclamation for that purpose to be published in the <i>Government Gazette</i> , to declare any district an irrigation district for the encouragement and extension of paddy cultivation therein, and for the better enforcement of the ancient customs of such district in regard to irrigation and the cultivation of paddy lands and the maintenance of the water-rights of such proprietors.
Government agent to call public meeting of proprietors.	(2) The government agent shall, as soon as may be after the publication of such proclamation as aforesaid, call a public meeting of proprietors within such district for the purpose of determining by a majority of votes, as hereinafter provided, whether this Ordinance shall be carried into operation with the aid of headmen or of village councils, or of both. Provided that, in case the extent of the district should render more meetings than one necessary, the government agent may form several divisions of each district and hold a meeting in each division.
Proviso.	Provided further that whenever Crown lands are to be benefited by any irrigation work, the government agent may by writing under his hand nominate any fit person or persons to represent the Crown at any such meetings. The number of votes of such nominated person or persons shall bear the same proportion to the votes possessed by private landowners at any meeting as the area of the Crown land bears to that owned by private individuals.

Public notice of such meeting.

7 The government agent shall, one month at least before the day of holding any such meeting, cause notices to be published throughout such district, in such manner as shall appear to him best adapted for giving the greatest publicity thereto, of the day and place appointed for holding such meeting, and of the object for which the same is to be held; and shall in such notices call upon all proprietors within any such district or division to attend in person, or by proxy in writing, at such meeting.

Proceedings at such meetings. Appointment of committee to draw up rules.

8 (1) Every meeting so convened shall be held at the time and place appointed, in the presence of the government agent; and at every such meeting every proprietor within the district or division for which the meeting has been called, who shall be present thereat either in person or by proxy in writing, shall be entitled to vote.

(2) It shall be the duty of the government agent to explain to the proprietors the results that would, according to this Ordinance, follow from the adoption of the different modes of carrying the Ordinance into operation, and the provisions generally of the Ordinance.

(3) The proprietors at such meeting shall appoint a committee of not more than twelve nor less than three persons to be associated with the government agent or with any person duly authorized by the government agent for the purpose of drawing up rules for the encouragement and extension of paddy cultivation and the enforcement of the said ancient customs, and for consulting with and advising him in matters connected with irrigation in the district.

Provided that where more meetings than one are held for any district it shall be the duty of the government agent to see that each division is allowed to appoint its proportion of the committee to make up the number for the entire district. Provided also that if any members of such committee shall die or leave the district, or shall refuse to act, it shall be lawful for the government agent to appoint others in their stead.

(4) The government agent shall enter or cause to be entered in the minutes of such meeting the questions or resolutions proposed thereat, and the number of votes given for and against the same; and shall, at the close of such meeting, sign the said minutes, and publicly declare the result of the votes given thereat, and shall cause the said minutes to be deposited in the provincial or district kachcheri.

Objections to votes how decided.

9 If at any such meeting any question shall be raised as to the right of any person to vote, it shall be lawful for the government agent then and there to make such inquiry as he may deem requisite, and to declare whether such person has the right of voting or not; and the decision so made shall be final. And an entry shall be made in the minutes of such meeting of any such question and of the decision thereon.

Majority to decide.

10 All questions or resolutions proposed at any meeting held under the provisions of section 8 shall be determined by a majority consisting of two-thirds at least of the persons present and entitled to vote thereat.

Government agent may make rules in districts where proprietors cannot publicly meet.

11 If owing to the sparseness of the population or the circumstances of the inhabitants of any district, or from any other cause, no public meeting of the proprietors within such district can be convened or held in manner hereinbefore provided, it shall be lawful for the government agent, after making due inquiry, to draw up such rules as are referred to in section 8 and generally for carrying out the purposes of this Ordinance. And this Ordinance shall in such districts be carried out with the aid of irrigation headmen appointed by the government agent, and such headmen shall have the powers and protections, and be subject to the duties and responsibilities, which headmen appointed provisionally or permanently under chapter IV. have or are subject to.

Mode of enforcing customs and rules.

12 Whenever an act shall be committed contrary to the said customs or rules, or a complaint be made or a question arise having relation to the matters provided for by this Ordinance, such act, complaint, or question shall be investigated and dealt with in manner provided in chapter IV. or chapter VI., according to the nature of each case.

CHAPTER IV.

IRRIGATION HEADMEN.

Headman to be elected. Their duties.

13 If the result of the meeting referred to in section 8 should render it necessary, there shall be elected in the manner hereinafter provided one or more headmen for the district or division for which the meeting has been called, whose duty it shall be, subject to the direction and control of the government agent, to attend to all matters connected with the irrigation and cultivation of the paddy lands therein, and the maintenance of rights and works connected therewith, and to prevent, so far as in his power lies, any act, whether of commission or omission, contrary to the ancient customs in reference thereto, or whereby damage may accrue to any of the proprietors.

Elections how conducted, &c. Appointment by government agent failing election.

14 (1) The headmen shall be elected by a majority of the proprietors present at any such meeting as aforesaid, either in person or by proxy in writing.

(2) It shall be lawful for the government agent at any time to dismiss any headman elected or appointed under this Ordinance or under any Ordinance hereby repealed, who shall be guilty of any misconduct in the execution of his office; and in every such case, or in the case of any vacancy by death or resignation, the government agent shall, by proper and reasonable notices, summon a meeting of the proprietors of the district or division in respect of which a new headman is required; and at such meeting another headman shall and may be elected by such majority as aforesaid. In case no person shall be elected at any such meeting for the office of headman, the government agent shall himself appoint a person to such office, and it shall be further lawful for the government agent to appoint a headman provisionally until one can be elected.

(3) No person who has been convicted of any infamous crime shall be eligible to be elected or appointed a headman.

Duties of headmen.

15 Whenever any act shall be committed contrary to such ancient customs, or whereby damage may accrue to any of the proprietors within any such district or division as aforesaid, the headman thereof shall forthwith repair to the spot, and, if the act complained of be of a nature to call for prompt action to prevent injury, shall take such steps as shall be necessary to place matters in the state in which they were, and thus to remedy the evil likely to arise; and shall forthwith report the matter to the government agent. Provided that whenever the headman can safely defer taking any steps until he shall have been able to communicate with the government agent, it shall be his duty to desist from action until he shall have received the instructions of the government agent. And provided further, that in cases where the headman shall have taken prompt action to prevent injury, such prompt action shall not be held to prevent the act complained of being investigated by the village council in districts where both systems exist.

Proviso.

Mode of recovering expenditure incurred by headmen.

16 Whenever a headman shall incur any expenditure in the execution of his duty as aforesaid, and the person in consequence of whose act such expenditure was incurred shall deny his liability to pay the same, or fail to satisfy it, the government agent shall, on his being satisfied that such expenditure was properly incurred, and that it is reasonable, sign a certificate thereof setting out the name of the person in consequence of whose act such expenditure was incurred, the amount thereof, the nature of the act complained against, and the name of the headman by whom the expenditure was incurred, and transmit the same to such person. And if such

person shall fail to pay the same within ten days from the service of the certificate, the government agent shall proceed to recover the same as provided in chapter IX. of this Ordinance.

Liability of headmen.

17 If any headman shall fail or neglect to perform the duties devolving upon him, or shall act in excess of the authority hereby conferred upon him, or in bad faith, or without probable cause, or wantonly and maliciously, he shall, besides being answerable in damages to the person injured by his act or omission, be guilty of an offence, and be liable to a fine not exceeding fifty rupees.

Resistance to headmen.

18 Any person unlawfully resisting, molesting, or obstructing any headman in the execution of any duty imposed upon him by this Ordinance shall be guilty of an offence, and be liable to a fine not exceeding fifty rupees.

Payment to irrigation headmen.

19 It shall be at the discretion of the committee appointed under section 8, or for the government agent if no committee shall have been appointed, to award remuneration to irrigation headmen for their services as such, either in kind from the produce of the district or division for which each such headman shall be appointed, or in money, and the proprietors of the irrigable lands within such district or division shall be liable to make such remuneration, and, in case of default, the same shall be recovered from them as is provided in chapter IX. of this Ordinance.

CHAPTER V.

RULES FOR ENFORCING CUSTOMS.

Rules how to be made valid and binding.

20 All rules framed under the provisions of section 8 or 11 shall be transmitted by the government agent to the Governor, for the approval or disallowance thereof by the said Governor, with the advice of the Executive Council; and in case such rules shall be approved, notice of such approval shall be given by Proclamation; and the said rules shall be published in the *Government Gazette*, and in the district in such manner as to the Government Agent shall seem expedient, and shall thereupon become binding upon all proprietors within the said district, and shall be as legal, valid, and effectual as if the same had been inserted herein.

Rules may be added to, amended, or repealed.

21 The government agent may, if to him it shall seem advisable, and shall, upon the requisition of a reasonable number of the proprietors of the district where any rules for the enforcement of ancient customs are in force, call a public meeting of the proprietors for the purpose of adding to, amending, or repealing such rules, or any of them, or he may in any case in which he shall have drawn up rules under the provisions of section 11 himself, add to, amend, or repeal any such rules, or draw up new rules in lieu thereof. Provided that any alteration of any rules so in force, whether by way of addition, amendment, or repeal, made by proprietors under the provisions of this section, shall be determined on at a public meeting duly convened in manner provided by chapter III., and by such a majority as is required by section 10, and under and subject to the provisions with regard to original rules contained in the said chapter, and that all such alterations and all alterations by way of addition, amendment, or repeal, and all new rules made by the government agent under the provisions of this section, shall be transmitted to the Governor for approval or disallowance, and shall, if approved, be published as in section 20 provided.

CHAPTER VI.

VILLAGE COUNCILS.

How village councils are to be convened, and their mode of procedure.

22 Whenever it shall seem to him necessary to convene a village council in any district in which the proprietors have under section 8 determined to adopt the aid of such councils, the government agent shall cause notice to be given in the village where the party complained against resides, or where the act or omission is alleged to have

taken place, in such manner as shall appear to him best calculated for making the same generally known to the parties concerned, of the time and place appointed by him for the investigation of such complaint; and at the appointed time and place the complaint shall be publicly inquired into by the government agent, or some person deputed by him for the purpose as president, assisted by a village council chosen in manner hereinafter provided. Every such inquiry shall take place in the presence of the party complained against, who shall have full liberty to make his defence before such council, unless, in case of his absence, it is proved to the satisfaction of the council that he has had notice of the intended meeting, and has no valid excuse for being absent therefrom. And if such village council shall, at the close of the inquiry, be of opinion that the party complained against has committed a breach of the rules, and such opinion shall be concurred in by such Government agent or person deputed as aforesaid, the village council shall forthwith award and adjudge that the person so offending do pay a penalty not exceeding thirty rupees.

Deputation to convene village councils, and to act as presidents thereof, need not be special.

Provided that village councils to try breaches of rules may be convened by any person deputed by the government agent in any irrigation district, and such deputation, as well as the deputation to be given by the government agent under this section to any person to act as president in inquiring into any complaint of the nature herein referred to, need not be special in each case: a general deputation to any person in the district to convene village councils when necessary, or to act as president thereof, will be sufficient.

Village council how constituted.

23 The village council shall consist of not less than three nor more than seven men, selected by the president of such council from among the proprietors of paddy lands situated in the district. The government agent, or the person deputed by him for the purpose, shall be the president of such council, and shall conduct and keep a record of the proceedings thereof; but he shall not vote upon any question arising for the determination of the council unless the votes of the members shall be equally divided, when he shall have a casting vote.

Government agent or person authorized by him to try breaches of rules.

24 It shall be lawful for the government agent, or any person by him authorized thereto under his hand (hereinafter referred to as the inquirer), to inquire into breaches or alleged breaches of any rules made under section 11, and to hear, try, and determine all questions concerning the same, and to adjudge and award that parties complained against do pay the penalty fixed by section 22 or any penalty prescribed by such rules. Provided that no sentence of imprisonment awarded by an inquirer in default of payment of a penalty shall be enforced unless confirmed by the government agent.

Proceedings to be filed of record in the kachcheri.

25 It shall be the duty of the government agent or the inquirer to record in writing the proceedings at such inquiry, and to transmit such record to the kachcheri to be there filed of record.

And to be summary and free from any formalities.

26 The proceedings before the village council, government agent, or inquirer shall be summary, and not subject to the formalities of judicial proceedings, and it shall be the duty of such council, government agent, or inquirer to do substantial justice on all questions coming before them or him, and no advocate, proctor, or agent shall be permitted to appear on behalf of any person concerned in or affected by such proceedings.

No appeal or injunction allowed, but party aggrieved may petition the Governor after applying for relief in the first instance to the government agent.

27 No appeal shall lie to any court against the decision or award of any such council, government agent, or inquirer on any plea or pretext whatsoever, nor shall any injunction be issued by any court in respect of any matter of which they or he may take cognizance by virtue of this Ordinance; but it shall be competent to the government agent to take action in any case in which any person feeling aggrieved by any such decision may apply to him for relief, and to make, or direct to be made, further inquiry into the matter in question, or to order a new inquiry, or to modify or reverse the decision.

Proviso.	Provided always that it shall be the right of any person feeling aggrieved as aforesaid to apply to the Governor by petition if he should fail to obtain the desired relief in the first instance from the government agent; and it shall be lawful for the Governor, with the advice of the Executive Council, to direct further inquiry or to confirm, modify, or reverse such decision.
Proviso.	Provided also that the powers conferred by this section on the government agent to take action in any case in which an aggrieved person may apply to him for relief, shall not be exercised unless application for that purpose shall be made to him by a written petition within fourteen days, exclusive of Sundays and public holidays, from the date on which the decision complained of shall have been given; and no petition to the Governor under this section shall be entertained unless the same is received within fourteen days, exclusive of Sundays and public holidays, from the date on which the decision of the Government Agent shall have been communicated to the petitioner.
Penalty for breach of rules how enforced.	28 Whenever any person shall be adjudged by such council, government agent, or inquirer to pay any penalty as aforesaid, the president of such council, the government agent, or inquirer may, unless the same be forthwith paid, sentence the defaulter to simple or rigorous imprisonment for any period not exceeding fourteen days, provided that no sentence of imprisonment shall be carried into execution unless confirmed by the Government Agent. And every fiscal or deputy fiscal shall, within the province or district for which he is respectively empowered to act, execute such sentence, and the provisions of sections 5, 8, and 81 of "The Prisons Ordinance, 1877," shall extend and apply to warrants of commitment issued by such president, government agent, or inquirer in pursuance of such sentence.
Appropriation of penalties.	29 In awarding any penalty, it shall be competent for such council, government agent, or inquirer to direct such portion thereof as they or he shall deem fit to be paid when recovered to the person injured or aggrieved by the act or omission in respect of which such penalty has been imposed (on condition that such person, if he shall accept the same, shall not have or maintain any suit for the recovery of damages for the loss or injury sustained by him by reason of such act or omission), and such other portion thereof when recovered, as they or he shall deem fit, to the persons employed to do the work which ought to have been done, or to repair the mischief done, by the defendant. The balance, if any, shall be appropriated in aid of such minor irrigation works as the government agent shall determine.

CHAPTER VII.

CONSTRUCTION, REPAIR, AND IMPROVEMENT OF IRRIGATION WORKS.

Means to provide for construction, repair, or improvement of irrigation works, &c.	30 In order to provide means for the construction, repair, or improvement of irrigation works, it shall be lawful for the government agent to call a meeting of the proprietors of the allotments of land likely to be benefited by any proposed work, to determine by a majority of the proprietors present, either in person or by proxy in writing, whether it is expedient that such works be, in whole or in part, constructed, repaired, or improved, or such channels be kept free from obstruction and in proper order; and, if so, whether or not Government aid is necessary for such work. If the majority present shall determine that such aid is not necessary, they shall proceed to determine further the rate of subscription in money or of contribution in labour payable by each proprietor towards the work, and their decision shall be recorded and shall be binding on all the proprietors of allotments of land benefited by such works.
Where Government aid is not deemed necessary.	
Mode of applying for Government aid.	31 If a majority of the proprietors shall determine, or if in the case of any such district as is referred to in section 11 it shall appear to the government agent, that

Government aid is necessary for the construction, repair, or improvement of any irrigation works, the government agent shall make application to Government, with or without conditions, for such aid; such application shall be accompanied by a specification showing the allotments of land likely to be benefited by the proposed work, and the names, so far as he can ascertain the same, of the proprietors of such allotments and the extents as nearly as he can ascertain them of the lots to be benefited; and it shall be lawful for the Governor, if it shall appear expedient to him to do so, to cause a plan and an estimate of the work to be prepared.

Sanction of
Governor to
work.

32 Upon such application and after such further inquiry, if any, as may be deemed expedient, the Governor may, if he thinks fit, sanction the execution of the work subject to such conditions, if any, as may seem just; and such sanction shall be published in each village affected by the work by beat of tom-tom.

33 (1) Whenever any irrigation work is undertaken under the provisions of this chapter the proprietors of the several allotments of land to be benefited by the work (as set out in the specification prepared as hereinbefore provided) shall (except where the Governor has by conditions passed under section 32 exempted any of them) become and be severally bound to repay the cost of such work.

(2) Such specification shall be conclusive on the point that the several allotments of land therein mentioned are liable for the repayment of the said cost, which shall be a first charge upon the said several allotments, and shall take precedence over all mortgages, hypothecations, and encumbrances whatsoever.

Acquisition of
land for
irrigation
purposes.

35 If land be wanted for keeping water-courses and channels free from obstruction, or for the construction, repair, or improvement of any work connected with irrigation, and there is any hindrance to the acquisition thereof, the Governor may declare that the land is needed for public purposes, and may order proceedings for obtaining possession of the same for Government, and for determining the compensation to be paid to the parties interested, and such land shall be deemed to be needed for a public purpose within the purview of Ordinance No. 3 of 1876 and any other Ordinance that may hereafter be in force providing for the acquisition of land for public purposes.

CHAPTER VIII.

COST OF IRRIGATION WORKS, AND OF THEIR MAINTENANCE.

Contribution by
proprietors in
repayment of
sum expended.

36 The sum expended in the execution of any irrigation work, together with interest thereon at 4 per cent. per annum, shall be payable in ten equal yearly instalments. The government agent shall assess the proportion due for each allotment, including such allotments as may belong to the Crown, by dividing the sum expended in executing the work by the total number of acres of the several allotments benefited by the work as appearing in the specification as aforesaid, and thus apportion the amount due upon each allotment, and the government agent shall thereupon transmit to the proprietor of each land a requisition calling upon him to pay to such government agent, on the days in each year specified in the said requisition, the amount of the contribution due for the allotment of which he is proprietor, to make up the amount expended. If the proprietor be absent from the village, or if there be more than one proprietor for any allotment, or if from any cause the requisition cannot be served on the proprietor, the government agent shall cause such requisition to be affixed in some conspicuous part of the allotment, and the government agent shall further cause a notice to be published in the village, by beat of tom-tom, on three different occasions, specifying the allotments which will have to contribute towards the cost, the sum each allotment is assessed at, and the time within which the different instalments due upon each allotment are to be paid to the government agent.

Proprietors may determine either that the sum expended may be repaid in ten annual instalments, or that the lands may be liable to a charge in perpetuity for interest and cost of upkeep.

Such charge to be fixed by the Governor in Executive Council.

Such option may be exercised even as respect works already constructed, commenced, or determined upon.

Annual rate for maintenance.

Government agent to assess rate to be contributed by lands benefited by irrigation works for maintenance of same.

Recovery of rate for maintenance.

37 Provided that it shall be competent to a majority of the proprietors, at a meeting of the proprietors of the allotments of land benefited or to be benefited by any proposed work convened under section 30, or at any other meeting to be held for that purpose (and which said meeting it shall be lawful for the government agent to convene to determine either that the sum to be expended from the irrigation fund in the execution of any work shall be repaid in ten annual instalments, as hereinbefore provided, or that the lands benefited or to be benefited by the said work shall be liable to a charge in perpetuity for interest on the sum so expended and the cost of upkeep. Such charge in perpetuity shall be at a rate to be fixed from time to time by the Governor, with the advice of the Executive Council, and shall not be in excess of two rupees per acre per annum.

Provided further, that whenever Crown lands are benefited by any irrigation work it shall be lawful for the Crown to sell either by public auction or by private contract the whole or any portion or portions of such Crown lands, and to impose such charge in perpetuity on the lands so sold not exceeding two rupees per acre per annum as the Governor, with the advice of the Executive Council, may from time to time fix, notwithstanding that a charge in perpetuity at a different rate per acre has been fixed and agreed to by a majority of the proprietors of the lands benefited by such work, or that the meeting of proprietors has elected to pay by ten annual instalments. Notice that such Crown lands will be sold subject to such higher charge in perpetuity shall be given to intending purchasers by publication in at least three consecutive issues of the *Government Gazette* prior to any such sale. Provided further, that the provisions of chapter IX. of the principal Ordinance shall in all respects apply to such higher charge in perpetuity imposed under the provisions of this Ordinance as well as to the charge fixed and agreed to by a majority of the proprietors under the provisions of the principal Ordinance.

38 In any case in which any irrigation work shall have been already constructed or commenced, or determined upon for construction with Government aid under any Ordinance hereby repealed, it shall be lawful for a majority of the proprietors of the allotments of land benefited or to be benefited by such irrigation work, at a meeting to be convened as provided for in the last preceding section, to convert the repayment by annual instalments into a charge in perpetuity, as hereinbefore provided.

39 Whenever any irrigation work has been or shall hereafter be constructed, and it has not been or shall not be determined in manner provided by section 43 that the lands benefited by such work shall be liable to a charge in perpetuity, such lands and the proprietors thereof shall forthwith become and be severally bound and liable to an annual charge or rate for the maintenance of such irrigation work. The said rate shall be assessed in the manner hereinafter prescribed, and shall be a first charge upon the several lands benefited as aforesaid, and shall take precedence over all mortgages, hypothecations, and encumbrances whatsoever.

40 The government agent of the province in which any such irrigation work has been constructed shall, so soon as the proprietors are benefited by any work, assess the rate which each land (including Crown lands) benefited by such work shall contribute annually for the maintenance of such work, and shall revise such assessment once at least in every five years, and a copy of every such assessment and revised assessment shall be served on each of the proprietors, and every such assessment and revised assessment shall be published in the village in the manner prescribed by section 36 of this Ordinance.

41 The rate so assessed shall be due and payable in respect of each land on the thirty-first day of March in every year; and the recovery of the rate shall be made under, and

Procedure in case of default in making specification.

be subject to, the provisions contained in chapter IX. of this Ordinance.

42 Whenever it appears to the Governor in Executive Council with respect to any irrigation work undertaken or completed under the provision of this Ordinance or of any Ordinance thereby repealed—

- (1) That the specification showing the allotments of land likely to be benefited by the proposed work, which according to such Ordinance ought to have been made, has not in fact been made; or
- (2) That any such specification which has been made is invalid or of doubtful validity by reason of non-compliance with the requirements of such Ordinance—

(a) With regard to the calling or holding of a meeting of the proprietors of the allotments of land likely to be benefited by the proposed work, or with regard to the passing of any resolution or determination at such meeting; or

(b) With regard to making application for Government aid under section 31—

it shall be lawful for the Governor in Executive Council to direct the government agent to prepare a specification showing the allotments of land which have been or are likely to be benefited by the work, and every specification so made shall have for all purposes the like force and validity as if it had been duly made under the provisions of the Ordinance under which the work was undertaken.

Effect of specification made under foregoing section.

43 Where a specification has been made under the foregoing sub-section, the proprietors of the allotments of land shown in the specification as benefited or likely to be benefited by the work shall be entitled to determine, in accordance with section 36 of this Ordinance, either that the sum expended from the irrigation fund in the execution of the work shall be repaid in ten annual instalments, or that the lands named in the specification shall be liable to a charge in perpetuity for interest on the sum so expended and the cost of upkeep.

CHAPTER IX.

RECOVERY OF MONEY DUE UNDER THIS ORDINANCE.

Seizure and sale of property of defaulters.

44 (1) If default be made in the payment of any instalment, charge, or rate due under this Ordinance in repayment of any amount expended on the construction, repair, improvement, or maintenance of any irrigation work, it shall be lawful for the government agent or any person authorized by writing under his hand to seize the land herein declared specially bound and liable for such repayment or any crop or produce thereof, or any movables thereon, to whomsoever such land, crop, or movables may belong; and if the amount of such instalment, charge, or rate, together with any costs payable under section 46, shall not be sooner paid or tendered, to sell the property so seized by public auction at any time not less than twenty-one days from the date of such seizure.

(2) If default be made in the payment of any other sum payable under this Ordinance, it shall also be lawful for the government agent or any person authorized by writing under his hand to proceed to seize any property whatsoever belonging to the defaulter, wheresoever the same may be found, and to sell the same by public auction at any time not less than twenty-one days from the date of seizure, if such sum together with any costs payable under section 46, shall not be sooner paid or tendered.

Proviso.

Provided that no seizure of any land shall be made under this section if the defaulter surrenders sufficient free and unclaimed movable property to satisfy the total amount due by him.

- Proviso.** Provided also that no land seized under sub-section (1) shall be sold until and unless the crop or produce thereof, and the movables thereon, if any, shall have been first sold, and shall have failed to realise sufficient to cover the total amount due.
- (3) In all cases, the sale of immovable property shall be conducted on the spot, unless the government agent shall otherwise direct or unless the defaulter shall consent to the sale being conducted elsewhere.
- Keeping a person in charge of property seized.** 45 It shall be lawful for the person making the seizure to place and keep a person in possession of the property so seized as aforesaid pending such sale if authorized thereto by general or special instructions issued by the government agent.
- Costs of seizure and sale.** 46 It shall be lawful for the government agent, or any person authorized by him as aforesaid, to demand, take, and receive from such defaulter, or from the owner or any joint owner of any property lawfully seized, the several sums of money mentioned as follows :
- (a) For cost of proceeding to seize property,—a charge not exceeding fifty cents for every ten rupees due.
- (b) For keeping a person in possession,—a charge not exceeding fifty cents per day.
- (c) For the expenses of sale,—a charge not exceeding twenty-five cents for every ten rupees of the nett proceeds of the sale.
- Return of overplus to owner or person making default.** 47 In the event of a sale of property seized, the government agent at whose instance such seizure was made shall, after deducting the amount due as aforesaid, and also the costs payable under section 46 (which said costs such agent is hereby authorized to retain), restore the overplus, if any, arising from such sale to the owner or joint owners of the property sold.
- Certificate of sale.** 48 (1) If land be sold, a certificate substantially in the form given in Schedule II. hereto, signed by the government agent, shall be sufficient to vest the land sold in the purchaser, and in the case of land sold under sub-section (1) of section 44 or section 54, the same shall so vest free from all incumbrances whatsoever, any law or custom to the contrary notwithstanding. Such certificate shall be liable to the stamp duty fixed on conveyances of immovable property, and to any registration or other charges authorized by law, such duty and charges being payable by the purchaser.
- (2) If the land so sold be purchased on behalf of the Crown by the government agent, who is hereby authorized to bid for and purchase the same, the certificate, which shall not be liable to any stamp duty, shall be substantially in the form given in Schedule III. hereto.

CHAPTER X.

MISCELLANEOUS.

- Plan or survey of channels, water-courses, tanks, and ponds to be conclusive.** 49 Whereas it is necessary to keep irrigation channels, water-courses, ponds, and tanks free from obstruction and to prevent encroachment thereon : It is hereby enacted that if by any plan or survey, purporting to have been made under the authority of the Surveyor-General, it shall appear that any channel, water-course, pond, or tank has been encroached upon by any person, such plan or survey shall be deemed and taken to be conclusive proof of the facts exhibited therein, unless satisfactory proof to the contrary shall be established.
- Removal of obstruction or encroachment.** 50 It shall be lawful for the government agent to give order verbally, or by notice in writing, to any person obstructing or encroaching upon any channel, water-course, pond, or tank situate within his province, forthwith to remove such obstruction or encroachment or abate the same. And if any such person to whom such order

shall have been given shall refuse or neglect to comply with the same within a reasonable time, or if there be any doubt as to who is the proper person to whom such order should be given, it shall be lawful for the said government agent to cause any such obstruction or encroachment to be forthwith removed or abated; and for that purpose it shall be lawful for the said government agent, or any person thereto authorized in writing by the government agent, where necessary, to enter into any garden, enclosure, or other premises, and to cause to enter therein such persons with such instruments and things as may be necessary, and to proceed to do therein, or cause to be done all such things as may be necessary for such removal or abatement, and for the removal of the earth or substances put into or obstruction made of such channel, water-course, pond, or tank. And the government agent shall proceed to recover the costs which have been incurred in effecting such removal or abatement from the party on account of whose non-compliance with any such order such costs were incurred, in manner provided in chapter IX. of this Ordinance.

Notice by government agent to remove obstruction of water-course or ela used for irrigation purposes, and to provide proper drainage works.

51 (1) If any person by clearing or draining any land or premises, or by doing any act whatsoever in or upon the same shall cause any channel, water-course, or ela used for irrigation purposes to be blocked up or in any way obstructed by silt, earth, or any other substance, it shall be lawful for the government agent of the province within which such land or premises may be situate, to order the owner or occupant thereof, by written notice, within a reasonable time to be specified in such notice to—

- (a) Remove forthwith any such silt, earth, or other substance;
- (b) Make, lay down, and carry out to the satisfaction of the government agent all such drains, pipes, and other works as may be necessary to carry the water from such land or premises either over or under the channel, water-course, or ela, so as not to injure the same, or the fields below the same.

(2) Where the government agent, in order to avoid injuring such fields, requires any drain or channel to be carried through or across any land, the cost of carrying the drain or channel across the land shall be borne by the person required to do such work, and the compensation, if any, due to the owner or occupier of any land in respect of the passage of the drain or channel across such land shall be assessed by the government agent and shall be defrayed by the person required to do the work.

The owner or occupant if aggrieved by such assessment may within ten days from the date when the same is communicated to him by petition appeal to the district judge of the district, who shall summarily determine the amount of compensation payable, and such determination shall be final and conclusive.

Service of notice.

(3) A copy of such notice shall be affixed in some conspicuous place on such land or premises, and another copy shall be sent by registered letter through the post, addressed to such owner or occupant, and if so sent shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of post.

(4) In proving such service, it shall be sufficient to prove that the letter was properly addressed and registered at the post office.

Proviso.

Provided, however, that nothing in this section contained shall apply to—

- (a) Any channel, water-course, or ela which has been or may hereafter be cut, opened, or constructed for irrigation purposes within a period of not less than one year after such land or premises or portions thereof shall have been cleared and drained for cultivation, except in so far as such channel, water-course, or ela may be so blocked

up or obstructed by reason of any further and additional clearing carried on, or any further and additional drains opened, on such land or premises or portions thereof after such channel, water-course, or ela has been so cut, opened, or constructed as aforesaid; or

- (b) Any channel, water-course, or ela which has been or may hereafter be cut, opened, or constructed for irrigation purposes through, and without payment of compensation to the owner of, any land or premises not cleared and drained for cultivation.

Person noticed may apply to district court for injunction.

52 (1) The owner or occupant against whom any order is made under the last preceding section shall—

- (a) Perform within the time specified in the order the act directed thereby; or
 (b) Apply within ten days from the date of the service of the said notice, by petition to the district judge of the district in which such land or premises may be situate, for an injunction to restrain the government agent from enforcing such order, on the ground that the same is contrary to law. And every such petition shall be accompanied by an affidavit containing a statement of the facts on which the application is based.

(2) Upon receiving such application the district judge shall forthwith cause copies of the said petition and affidavit to be served on the government agent, and shall fix an early day for inquiry into the matter and give notice thereof, both to the applicant and the government agent. If the district judge, after taking such evidence as the parties may adduce, or he himself may require, is satisfied that the order is contrary to law, he shall issue such injunction as aforesaid, but if he is not so satisfied he shall make absolute the order of the government agent, and in either case he shall award such costs as he shall deem meet.

In default of person noticed, government agent may cause to be removed obstruction by silt, earth, or other substance, and prevent a recurrence of the same.

53 If such owner or occupant to whom such order shall have been given shall refuse or neglect to comply with the same, the said government agent shall, if no injunction as aforesaid shall have been served upon him within thirty days from the expiration of the time specified in the notice issued under section 51, cause any such silt, earth, or other substance to be forthwith removed, and shall provide such drains, pipes, and other works as may be necessary; and for that purpose the government agent shall have power, and he is hereby authorized, to enter into any land or premises, and to cause to enter therein such persons with such instruments and things as may be required.

Costs to be a first charge, and recoverable under chapter IX.

54 (1) The costs which have been incurred by the government agent under section 53 shall be certified under his hand, and shall be a first charge on such land or premises, and on any crop or produce thereof, and on any movables thereon.

(2) The government agent shall proceed to recover such costs by seizing and selling such land, premises, crop, produce, or movables, in manner provided in section 47, and the provisions of chapter IX. of this Ordinance shall, *mutatis mutandis*, apply to every such seizure and sale.

Offences.

55 (1) Any person who shall wilfully or maliciously block up or obstruct or cause to be in any way blocked up or obstructed, or who shall encroach on any irrigation tank, channel, or water-course, or who shall breach or cut through the banks or sides of the same whether the same runs through or is situated on Crown land or private land, shall be guilty of an offence punishable with rigorous imprisonment which may extend to six months, or with fine which may extend to one hundred rupees, or with both.

(2) Any person who shall wilfully cause waste of water conserved by any irrigation work, or who not being entitled to the use of such water shall wrongfully draw

off or convert to his own use any such water, shall be guilty of an offence punishable with rigorous imprisonment which may extend to six months, or with fine which may extend to one hundred rupees, or with both.

(3) If the proprietor of any land irrigated by any irrigation work shall suffer or permit water obtained from such work or from any water-course or channel connected therewith to run to waste on his land, or shall obtain water for such land from such work, water-course, or channel in a manner not authorized thereto, such proprietor shall, in addition to any other punishment, penalty, or liability which he may incur or be liable to under this Ordinance, be liable to pay double the rate for the time being assessed under section 37 of this Ordinance for every year or portion of any year in which he has so suffered or permitted such water to run to waste or has obtained it in an unauthorized manner, and such double water-rate shall be recovered in manner provided by chapter IX.

56 It shall be lawful for the government agent by an order signed by him to certify that he is content that any offence under the preceding section shall be tried by a village council convened in the same manner as a village council convened to try breaches of rules under this Ordinance, or if he so desires by a village tribunal should such tribunal have been established under the authority of "The Village Communities' Ordinance, 1889," for the subdivision in which such offence shall have been committed.

57 All the powers, duties, and obligations entrusted to, or imposed on, the government agent by this Ordinance, shall and may be executed and performed by any assistant government agent within the limits of his district.

58 (1) Whenever it appears that the inhabitants of any village or group of villages forming a subdivision for the purposes of part IV. of "The Village Communities' Ordinance, 1889," are unable, by reason of poverty, sparseness of population, or other cause, to bring into cultivation any Crown lands served by any irrigation work constructed or repaired under the provisions of this Ordinance or any Ordinance thereby repealed, the Governor in Executive Council may, by order to be published in the *Government Gazette*, set apart such allotment of Crown land for the purpose of being brought into cultivation under this section, and may empower the village committee of the subdivision to proceed to bring the same into cultivation in manner hereinafter appearing.

(2) Subject to the approval of the government agent, any village committee which has been authorized as aforesaid may make advances from the funds applicable to village purposes to persons desirous of cultivating the allotment of Crown land so set apart as aforesaid for the purpose of enabling them to purchase seed paddy and other requisites for cultivation.

(3) The government agent shall not sanction the making of such advances until he is satisfied that the adequate provision has been made, by village rule, for the recovery of such advances.

(4) When the village committee of any subdivision has been empowered as aforesaid, it shall be lawful for the inhabitants in the manner provided by Part III. of "The Village Communities' Ordinance, 1889," and subject to the conditions therein contained, to make rules for all or any of the following purposes :

(a) For prescribing the conditions under which advances may be made from the village fund and for securing the repayment of the same with or without interest.

(b) For the clearing and cultivation of the Crown land allotted as aforesaid by means of labour contributed by the inhabitants in pursuance of rule passed under section 6 (17A) of the above-named Ordinance.

(c) Generally for the cultivation and regulation of the land so allotted.

Jurisdiction when given to village councils and village tribunals.

Powers given to government agent may be executed by any assistant agent.

(5) Breaches of rules made under this section shall be punishable as if such rules were made under section 6 of "The Village Communities' Ordinance, 1889."

(6) The Governor may in his discretion issue Crown grants in respect of any land which has been brought into cultivation under this section in such manner and to such persons as may appear equitable.

SCHEDULE I.

No. and Year.	Title.	Extent of Repeal.
No. 23 of 1889 ...	An Ordinance relating to Irrigation and Cultivation of Paddy Lands...	The whole Ordinance
No. 6 of 1892 ...	An Ordinance to amend "The Irrigation and Paddy Cultivation Ordinance, 1889" ...	do.
No. 10 of 1901 ...	An Ordinance to amend "The Irrigation and Paddy Cultivation Ordinances, 1889 and 1892" ...	do.

SCHEDULE II.

Whereas the sum of _____ rupees was due to our Sovereign Lord the King for _____ in respect of the land _____, hereinafter more fully mentioned and described, and a further sum of _____ rupees was likewise due for costs, which said sums have not been paid by the owner or proprietor thereof; and whereas the said land was seized in conformity with the Ordinance No. _____ of _____, and sold also in conformity therewith, on the _____ day of _____, and the same was purchased by _____, of _____, for the sum of _____ rupees, which has been duly paid by the said _____.

Now known Ye that I, _____ (Government Agent), by virtue and in exercise of the power in me vested in this behalf by the said Ordinance, do hereby certify that the following property, to wit (*here describe the property with special accuracy by metes and bounds*) has been sold to _____ and purchased by the said _____, for the sum of _____ rupees, which he has duly paid, and that the said premises are and shall henceforward be vested in the said _____, his heirs, executors, administrators, and assigns. (*Add free from all incumbrances, in the case of land sold under sub-section 1 of section 44 or under section 54.*)

Given under my hand this _____ day of _____, 190 —.

Signed _____,
Government Agent.

SCHEDULE III.

Whereas the sum of _____ rupees was due to our Sovereign Lord the King for _____ in respect of the land _____ hereinafter more fully mentioned and described, and a further sum of _____ rupees was likewise due for costs, which said sums have not been paid by the owner or proprietor thereof; and whereas the said land was seized in conformity with the Ordinance No. _____ of _____, and sold also in conformity therewith, on the _____ day of _____, and the same was purchased for and on behalf of our Sovereign Lord the King by (the Government Agent) for the sum of _____ rupees, which has been duly credited to Our said Lord the King in part satisfaction (*or full, as the case may be*) of the sum due as aforesaid and _____ rupees for costs:

Now know Ye that I, the said (Government Agent), by virtue and in exercise of the power in me vested in this behalf by the said Ordinance, do hereby certify that the following property, to wit (*here describe the property with special accuracy by metes and bounds*) has been sold and purchased by the said _____ for and on behalf of our said Lord the King for the sum of _____ rupees, and that the said premises are and shall henceforward be absolutely vested in our said Lord the King, his heirs, and successors. (*Add free from all incumbrances, in the case of land sold under sub-section 1 of section 44 or under section 46.*)

Given under my hand this _____ day _____, 190 —.

Signed _____,
Government Agent.

By His Excellency's command,

A. M. ASHMORE,
Colonial Secretary's Office,
Colombo, August 9, 1905.

Statement of Objects and Reasons.

THE principal object of the Draft Ordinance is to consolidate the three Ordinances now in force relating to Irrigation and to introduce an administrative reform of some importance.

2. Under the existing Ordinance the cost of the irrigation works is to a large extent defrayed from the special fund known as "The Irrigation Fund," the administration of which is entrusted to the Central Irrigation Board.

The Central Irrigation Board also performs important duties with regard to sanctioning and recommending to Government the construction of irrigation works and in other respects.

3. The Draft Ordinance abolishes both the Central Irrigation Board and the Irrigation Fund, with the result that irrigation works, as regards the determination of the works to be undertaken and the control of the expenditure, will be on the same footing as other public works.

4. Advantage has been taken of the occasion to introduce some minor amendments and to make good certain defects in the existing Ordinance.

ALFRED G. LASCELLES,
Attorney-General.

Colombo, August 10, 1905.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Samuel Reynoldus de Andra-
No. 2,409. do, deceased, of Mahawatta, Grand-
pass, Colombo.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the Eighth day of August, 1905, in the presence of Messrs. Prins and Brito on the part of the petitioner Sarah Michaela de Andrado; and the affidavit of the said petitioner, dated 21st July, 1905, having been read:

It is ordered that Sarah Michaela de Andrado be declared entitled to have letters of administration to the estate of the said deceased be issued to him, unless John Marie de Silva of Mahawatta, Grandpass, Colombo, guardian *ad litem* of the minors Simon Reynoldus de Andrado and Hector Macharis de Andrado, respondents, shall, on or before the 31st day of August, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,
District Judge.

The 8th day of August, 1905.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Wannekuwattewaduge Sarah
No. 2,415 C. Robertina Fernando, deceased, of
Galkissa.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 3rd day of August, 1905, in the presence of Messrs. Silva and Perera on the part of the petitioner John Martin Fernando; and the affidavit of the said petitioner, dated the 3rd day of August, 1905, having been read: It is ordered that the said petitioner be declared entitled to have letters of administration to the estate of the said deceased issued to him, unless (1) Agnes Elizabeth Fonseka, (2) George Marshal Fonseka, (3) Arthur Henry Fonseka, (4) Maria Carlina Cooray, (5) James Simon Cooray, (6) Evangeline Aden de Soysa Jayatilleke Arsecularatne,

(7) Anny Flora Beatrice de Soysa Jayatilleke Arsecularatne, (8) Mahamarakkalage Hendrick Fernando, (9) Isabella Engeltina Fernando, (10) Nanny Helena Fernando, (11) John Francis Soysa, and (12) James Abraham Fernando, shall, on or before the 24th day of August, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,
District Judge.

The 3rd day of August, 1905.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of the late Madigepolalekanage
No. 873. Siadoris Fonseka of Pallansena,
deceased.

Karia Karawanage Maria Madelena Fernando
of PallansenaPetitioner.

Vs.

(1) Madigepolalekanage Marthelis Fonseka of Pallansena, (2) Madigepolalekanage Helena Fonseka and her husband Tammitage Marselinu Perera of Madampe, in the North-Western Province, (3) Madigepolalekanage Simon Fonseka of PallansenaRespondents.

THIS matter coming on for disposal before G. W. Woodhouse, Esq., District Judge of Negombo, on the 12th day of July, 1905, in the presence of Mr. J. E. de Zoysa, Proctor, on the part of the petitioner Kariakarawanage Maria Madelena Fernando of Pallansena; and the affidavit of the petitioner, dated the 4th day of July, 1905, having been read:

It is ordered that the aforesaid petitioner be declared entitled to have letters of administration to the estate of the late Madigepolalekanage Siadoris Fonseka issued to her, unless the respondents above-named or any other person on their behalf shall, on or before the 23rd day of August, 1905, show sufficient cause to the satisfaction of this court to the contrary.

G. W. WOODHOUSE,
District Judge.

July 12, 1905.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Estate of Uda-
Jurisdiction. walahewage Thelenis Silva of
No. 877. Pallawewa, deceased.

Philippange Punchi Nono Hamy of Palla-
wewa Petitioner.
Vs.

1, Udawalahewagey Manthis Hamy
and her husband 2, Saranelis of Demot-
tawa ; 3, Udawalahewagey Thamis
Nona and her husband 4, Lokuaruma-
gey Punchi Sinno ; 5, Udawalahewa-
gey Thomis Silva ; 6, Udawalahewa-
gey Agida Hamy ; 7, Udawalahewa-
gey Dois Silva ; 8, Udawalahewagey
Machecho Nona Hamy ; 9, Udawala-
hewagey Welbina Hamy ; 10, Uda-
walahewagey Luis Silva ; 11, Uda-
walahewagey Mayis Hamy ; 12, Uda-
walahewagey Mary Nona ; 13, Uda-
walahewagey Yupin Nona—all of
Pallawewa Respondents.

THIS matter coming on for disposal before G. W.
Woodhouse, Esq., District Judge of Negombo,
on the 20th day of July, 1905, in the presence of Mr.
W. M. Rajepaksa, Proctor, on the part of the peti-
tioner Philippange Punchi Nona Hamy of Pallawewa ;
and the affidavit of Philippange Punchi Nono, dated
8th June, 1905, having been read :

It is further declared that the said Philippange
Punchi Nono Hamy of Pallawewa is entitled to have
letters of administration of the above estate issued to
her accordingly, unless the respondents or any other
person in their behalf shall, on or before the 1st day of
September, 1905, show sufficient cause to the satis-
faction of this court to the contrary.

W. F. H. DE SARAM,
District Judge.
August 2, 1905.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Liyanage Don Semeneris
No. 411. Wederala, late of Botale, deceased.

THIS matter coming on for disposal before W. R.
B. Sanders, Esq., District Judge of Kalutara,
on the 28th day of July, 1905, in the presence of Rana-
waka-achige Pintappuhamy of Botale, the respondent ;
and the affidavit of the petitioner Weerekoon Mal-
hamillage Sanchy Nona of Botale, dated the 26th day
of June, 1905, having been read :

It is ordered that the said petitioner Weerekoon
Malhamillage Sanchy Nona be declared entitled to
have letters of administration to the estate of the
deceased Liyanage Don Semeneris Wederala issued to
her, unless the respondent Ranawaka-achigePintappu-
hamy of Botale, for himself and as guardian *ad litem*
of the minor respondent Liyanage Joslyn Nona of
Botale, shall, on or before the 25th day of August,
1905, show sufficient cause to the satisfaction of this
court to the contrary.

W. R. B. SANDERS,
District Judge.
The 28th day of July, 1905.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Samarage Don Prolis Jaya-
No. 412. singhe, deceased, of Arakavila.

THIS matter coming on for disposal before W. R.
B. Sanders, Esq., District Judge of Kalutara,
on the 28th day of July, 1905, in the presence of the

1st and 2nd respondents ; and the affidavit of the
petitioner Balasoorigey Dona Punchy Hamy of
Arakavila, dated the 13th day of June, 1905, having
been read :

It is ordered that the said Balasoorige Dona Punchy
Hamy of Arakavila be declared entitled to have letters
of administration to the estate of the deceased Sama-
rage Don Prolis Jayasinghe issued to her, as widow
of the said deceased, unless the respondent Balasoori-
ge Don Sarnelis Appuhamy of Batugampola, for him-
self and as guardian *ad litem* of the minor respondents
(2) Samarage Don Charles, (3) Samarage Babun
Nona, (4) Samarage Sopi Nona, (5) Samarage Lucy
Nona, and (6) Samarage Podi Nona of Arakavila,
shall, on or before the 25th day of August, 1905, show
sufficient cause to the satisfaction of this court to the
contrary.

W. R. B. SANDERS,
District Judge.

The 28th day of July 1905.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Henadirage Don Salis Appu
No. 413. of Madurawela, deceased.

THIS matter coming on for disposal before W. R.
B. Sanders, Esq., District Judge of Kalutara,
on the 14th day of July, 1905, in the presence of Mr.
O. G. de Alwis, Proctor, on the part of the petitioner
Henadirage Don Podi Appu, Police Headman of Madu-
rawela ; and the affidavit of the said petitioner, dated
14th July, 1905, having been read :

It is ordered that the said petitioner Henadirage
Don Podi Appu, Police Headman, be and he is hereby
declared entitled to have letters of administration to
the estate of the deceased Henadirage Don Salis Appu
issued to him, as brother of the deceased, unless the
first respondent Jasinge Podi Nona Hamy of Madura-
wela, for herself and as guardian *ad litem* over the
minor respondents (2) Henadirage Leishamy, (3)
Henadirage Baron Singhe, (4) Henadirage Babanona-
hamy, (5) Henadirage Nona Hamy, (6) Henadirage
Don Arnolis, and (7) Henadirage Lenohamy, shall, on
or before the 24th day of August, 1905, show suffi-
cient cause to the satisfaction of this court to the con-
trary.

W. R. B. SANDERS,
District Judge.

The 14th day of July, 1905.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Henry Dionysius Gauder,
No. 2,442. deceased, of Kandy.

THIS matter coming on for disposal before John
Henricus de Saram, Companion of the Most Dis-
tinguished order of Saint Michael and Saint George,
District Judge of Kandy, on the 3rd day of July, 1905,
in the presence of Mr. N. Jansze, Proctor, on the part
of the petitioner Eliza Anne Gauder of Trincomalee
street in Kandy ; and the affidavit of the said peti-
tioner, dated 1st July, 1905, having been read : It is
ordered that the petitioner Eliza Anne Gauder of
Trincomalee street in Kandy, be and she is hereby
declared entitled to letters of administration to the
estate of Henry Dionysius Gauder, deceased, of Kandy,
as the widow of the said deceased, unless (1) Mary
Florence Grace Linton Gauder, (2) Oswald Linton
Gauder, (3) Edith Muriel Linton Gauder, (4) Lionel
Godfrey Linton Gauder, (5) Alice Mildred Linton
Gauder, all of Trincomalee street in Kandy, by their

guardian *ad litem* Louise Agnes Atwell of Trincomalee street in Kandy, shall, on or before the 4th day of August, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,
District Judge.

The 3rd day of July, 1905.

On the motion of Mr. N. Jansze the date for showing cause against the *Order Nisi* is extended to 1st September, 1905.

J. H. DE SARAM,
District Judge.

August 4, 1905.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Pallegedara Punci Naide
No. 2,446. Arachchi, deceased, of Pallehapu-
wida in Matale South.

THIS matter coming on for disposal before Charles Ambrose LaBrooy, Esq., Acting District Judge of Kandy, on the 24th day of July, 1905, in the presence of Mr. Jayetileke, Proctor, on the part of the petitioner Pallegedara Appu, late Arachchilla of Pallehapuvida in Matale; and the affidavit of the said petitioner, dated 24th July, 1905, having been read:

It is ordered that the petitioner Pallegedara Appu, late Arachchilla of Pallehapuvida in Matale, be and he is hereby declared entitled to letters of administration to the estate of the late Pallegedara Punci Naide Arachchi, deceased, of Pallehapuvida in Matale South, as the son of the said deceased, unless any person shall, on or before the 21st day of August, 1905, show sufficient cause to the satisfaction of this court to the contrary.

C. A. LABROOY,
Acting District Judge.

The 24th day of July, 1905.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Kathiravelu Saravanamuttu *alias*
No. 1,640. Elaiyatamby of Batticottai West,
deceased.

E. Saravanamuttu Veluppillai of Batticottai West.....Petitioner.

Vs.

Valliammai, widow of Saravanamuttu *alias*
Elaiyatamby of Batticottai West....Respondent.

THIS matter of the petition of E. Saravanamuttu Veluppillai praying for letters of administration to the estate of the above-named deceased Kathiravelu Saravanamuttu *alias* Elaiyatamby coming on for disposal before C. Eardley-Wilmot, Esq., District Judge, on the 6th day of July, 1905, in the presence of A. Modliar Veluppillai, Proctor, on the part of the petitioner; and affidavit of the petitioner, dated the 29th day of June, 1905, having been read: It is declared that the petitioner is the sole heir 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 2nd day of August, 1905, show sufficient cause to the satisfaction of this court to the contrary.

C. EARDLEY-WILMOT,
District Judge.

The 6th day of July, 1905.

Time for showing sufficient cause extended to 25th August, 1905.

C. EARDLEY-WILMOT,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Ramar Kanthar of Manthuvil,
No. 1,643. deceased.

Sellachchy, widow of Kanthar of Meesalai...Petitioner.

Vs.

1, Parupathy, widow of Ramar of Thavalai Iyattalai; and 2, Ramar Veluppillai of Manthuvil Respondents.

THIS matter of the petition of the above-named petitioner praying for letters of administration to the estate of the above-named deceased Ramar Kanthar of Manthuvil coming on for disposal before C. Eardley-Wilmot, Esq., District Judge, on the 29th day of July, 1905, in the presence of Mr. V. Coomaraswamy, Proctor, on the part of the petitioner; and affidavit of the petitioner, dated the 30th day of June, 1905, having been read: It is declared that the petitioner is the lawful widow of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondents or any other person shall, on or before the 23rd day of August, 1905, show sufficient cause to the satisfaction of this court to the contrary.

E. EARDLEY-WILMOT,
District Judge.

This 29th day of July, 1905.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Ponnammah, wife of Kandiah of
No. 1,645. Vannarponnai East, deceased.
Class III.

Kandiah Saravanamuttu Kandiah of
Vannarponnai EastPetitioner.

Vs.

1, Nagamuttu, widow of Suppiah of Vannarponnai East; and 2, Annappillai, widow of Tampiah of Vannarponnai East..... Respondents.

THIS matter of the petition of Kandiah Saravanamuttu Kandiah of Vannarponnai East praying for letters of administration to the estate of the above-named deceased Ponnammah, wife of Kandiah, coming on for disposal before C. Eardley-Wilmot, Esq., District Judge, on the 2nd day of August, 1905, in the presence of Mr. A. Canagaratnam, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated the 1st day of August, 1905, having been read: It is declared that the petitioner is the lawful husband 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 and

other person shall, on or before the 29th day of August, 1905, show sufficient cause to the satisfaction of this court to the contrary.

C. EARDLEY-WILMOT,
District Judge.

This 2nd day of August, 1905.

In the District Court of Galle.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Last Will and
Jurisdiction. Testament of Dona Cathirina Abey-
No. 3,590. wickrama Wijeysekera Haminey,
late of Ahangama, deceased.

THIS matter coming on for disposal before G. A. Baumgartner, Esq., District Judge, Galle, on the 25th day of July, 1905, in the presence of Mr. D. G. Goonawardane, Proctor, on the part of the petitioner Ahangama Vitanage Don Abraham de Silva Abeyegunasekera Appuhamy of Ahangama; and the affidavit of the petitioner, dated 30th June, 1905, having been read in evidence: It is ordered that the will of Dona Cathirina Abeyewickrama Wijeysekera Haminey, deceased, dated 21st February, 1903, No. 1,467, be and the same is hereby declared proved, unless the respondents—(1) Don Hendrick Abeyewickrama Wijeysekera Appuhamy, (2) Don Alexander de Silva Jayawickrama, Police Officer of Walawe, (3) Dona Ranasin Abeyewickrama Wijeysekera, wife of (4) Ahangama Vitanage Don Simon de Silva Abeyegunasekera, both of Ahangama, (5) Dona Gimara Abeyewickrama Wijeysekera, wife of (6) Don Bastian de Silva Jayawickrama, both of Walawe—shall, on or before the 23rd day of August, 1905, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Ahangama Vitanage Don Abraham de Silva Abeyewickrama Appuhamy is the executor named in the said will, and that he is as such entitled to have probate of the same issued to him accordingly, unless the respondents shall, on or before the 23rd day of August, 1905, show sufficient cause to the satisfaction of this court to the contrary.

G. A. BAUMGARTNER,
The 25th day of July, 1905. District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Kahawe Dadalle Hewage Siyadoris
No. 3,591. de Silva of Pitiwella.

THIS matter coming on for disposal before G. A. Baumgartner, Esq., District Judge of Galle, on the 25th day of July, 1905, in the presence of Mr. C. L. Wickremasinghe, Proctor, on the part of the petitioner Paranavidanage Francis de Silva of Werallana; and the affidavit of the petitioner, dated 21st July, 1905, having been read in evidence: (1) It is ordered and decreed that the said Paranavidanage Francis de Silva is son-in-law of the deceased; and that he is as such entitled to have the letters of administration issued to him accordingly. (2) It is further ordered that the 1st respondent be appointed guardian *ad litem* of the 3rd, 4th, and 5th respondents, unless the respondents—(1) Manikku Badaturuge Anthonona of Pitiwella, (2) Kahawe Dadalle Hewage Ameynana of Werallana, (3) Kahawe Dadalle Hewage Babanona, (4) Kahawe Dadalle Hewage Nolis Appu, (5) Kahawe Dadalle Hewage Mendis Appu of Pitiwella, (6) Kahawe Dadalle Hewage Punchinona and her husband (7) Kiriya Baduge Arnolis de Silva, both of Koggala—shall, on or before the 23rd day of August, 1905, show sufficient cause to the satisfaction of this court to the contrary.

G. A. BAUMGARTNER,
The 25th day of July, 1905. District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Kahakachchi Patabendige
No. 1,458. Punchi Nona, deceased, of Matara.

THIS matter coming on for disposal before T. R. E. Loftus, Esq., District Judge of Matara, on the 5th day of July, 1905, in the presence of Proctor C. A. Gunaratna, and of Jayawira Kurundu Patabendige Abanchi Appu; and the affidavit of Jayawira Kurundu Patabendige Abanchi Appu, dated 5th June, 1905, having been read and taken:

It is ordered that the said Jayawira Kurundu Patabendige Abanchi Appu be and he is hereby declared entitled to have letters of administration to the estate of the said deceased Kahakachchi Patabendige Puchi Nona, and that letters of administration be issued to him accordingly, as husband of the said deceased, unless the respondents—(1) Jayawira Kurundu Patabendige Baronchihami of Nupe, (2) Kahakachchi Patabendige Carolis de Silva of Nupe, (3) Jayawira Kurundu Patabendige Charlis Sinno of ditto, (4) Jayawira Kurundu Patabendige Arnolihami of ditto, (5) Jayawira Kurundu Patabendige Selly Nona—shall, on or before the 4th day of August, 1905, show sufficient cause to the contrary.

It is further ordered that the 2nd respondent Kahakachchi Patabendige Carolis de Silva of Nupe be appointed guardian *ad litem* over the 4th and 5th respondents, viz., (4) Jayawira Kurundu Patabendige Arnolishami and (5) Jayawira Kurundu Patabendige Selly Nona.

THOS. R. E. LOFTUS,
District Judge.

The 5th day of July, 1905.

Order Nisi extended to 4th September, 1905.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Hewa Badgamagey Don Deonis
No. 1,460. Appuhamy, deceased, of Gabadaweediya, Matara.

THIS matter coming for disposal before T. R. E. Loftus, Esq., District Judge of Matara, on the 18th day of July, 1905, in the presence of Mr. R. B. Gooneratne, Proctor, on the part of the petitioner Rajapaksa Hewatantrigey Dona Caterina Hamine of Gabadaweediya; and the affidavit of the said petitioner, dated 11th July, 1905, having been read: It is ordered that the said Rajapaksa, Hewa Tantrigey Dona Caterina Hamine be and she is hereby declared entitled to have letters of administration to the estate of the deceased Hewa Badgamagey Don Deonis Appuhamy issued to her, as widow of the said deceased, unless the respondents—(1) Hewa Badgamagey Baby Kusumawati, (2) Do. Charlina, (3) Do. William, minors, by their guardian *ad litem* (4) Semameru Patiranagey Don David de Silva, (5) Hewa Badgamagey Budda Dasa, (6) Do. Hinni Hamine, (7) Do. Welmina, (8) Do. Cornelia, (9) Do. Budda Dinna, minors, by their guardian *ad litem* (10) Don Niculas Weeratunga—shall, on or before the 22nd day of August, 1905, show sufficient cause to the satisfaction of this court to the contrary.

C. H. ALTENDORFF,
District Judge.

The 18th day of July, 1905.

In the District Court of Tangalla.

Order Nisi

Testamentary In the Matter of the Estate of the late
Jurisdiction. Siyolis de Silva Wickramanayaka
No. 386. and Babinona Wickramanayaka,
deceased, of Beliatta.

THIS matter coming on for disposal before L. W. C. Schrader, Esq., District Judge of Tangalla, on the 4th day of August, 1905, in the presence of Mr. W. Jayawickreme, Proctor, on the part of the petitioner Don Hendrick de Silva Wickramanayaka of Beliatta; and the affidavit of the said petitioner, dated 4th August, 1905, having been read:

It is ordered that letters of administration to the above-mentioned be issued to Don Hendrick de Silva Wickramanayaka, unless the respondents—(1) Owinis de Silva Wickramanayaka and (2) Aruma Badaturuge Kristina *alias* Kirihamy, both of Beliatta—shall, on or before the 12th day of September, 1905, show sufficient cause to the satisfaction of this court to the contrary.

L. W. C. SCHRADER,
The 4th day of August, 1905. District Judge.

In the District Court of Tangalla.

Order Nisi

Testamentary In the Matter of the Estate of the late
Jurisdiction. Sawunda Hennedige Heen Appu,
No. 387. deceased, of Tangalla.

THIS matter coming on for disposal before L. W. C. Schrader, Esq., District Judge of Tangalla, on the 2nd day of August, 1905, in the presence of Mr. F. E. LaBrooy, Proctor on the part of the petitioner Sawunda Hennedige Davit Appu of Tangalla; and the affidavit of the said petitioner, dated 2nd August, 1905, having been read:

It is ordered that letters of administration to the above-mentioned estate be issued to Sawunda Hennedige Davit Appu, unless the respondents—(1) Abe-suria Patabendige Lei ihamy, (2) Sawunda Hennedige Maulis, (3) Madduma Patabendige Abenchihamy, (4) Sawunda Hennedige Nonahamy, (5) Sawunda

Hennedige Kaluhamy, (6) Sawunda Hennedige Nikulashami, (7) Sawunda Hennedige Ango Appu, (8) Sawunda Hennedige Abenchihami, all of Tangalla—shall, on or before the 12th day of September, 1905, show sufficient cause to the satisfaction of this court to the contrary.

L. W. C. SCHRADER,
The 2nd day of August, 1905. District Judge.

In the District Court of Kurunegala.

Order Nisi

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of the late Sena Pana Awenna
No. 809. Viena Vana Kanappa Chetty of
Kurunegala, deceased.

Rawenna Mana Una Odeappa Chetty of
Kurunegala.....Petitioner.

And

(1) Unnamale, widow of the intestate,
(2) Kalingame, mother of the intestate,
(3) Natchame, sister of the intestate,
(4) Seede, sister of the intestate, (5)
Suppaiya, brother of the intestate,
all of Kallal Siwakange, Madura Zilla,
South IndiaRespondents.

THIS matter coming on for disposal before K. W. B. Macleod, Esq., District Judge of Kurunegala, on the 9th day of August, 1905, in the presence of Messrs. C. P. & C. H. Markus on the part of the petitioner; and the affidavit of the petitioner, dated the 7th day of August, 1905, having been read:

It is ordered that Rawenna Mana Una Odeappa Chetty of Kurunegala, the said petitioner, be declared entitled to have letters of administration to the estate of the late Sana Pana Awenna Viena Vana Kanappa Chetty of Kurunegala issued to him, unless the respondents aforesaid or any other person interested shall, on or before the 19th day of September, 1905, show sufficient cause to the satisfaction of the court to the contrary.

K. MACLEOD,
The 9th day of August, 1905. District Judge.

NOTICES OF INSOLVENCY.

In the District Court of Negombo.

No. 74. In the matter of the insolvency of Hettiarachchigey Marthinu Perera Appuhamy of Nalla.

WHEREAS the above-named Hettiarachchigey Marthinu Perera Appuhamy has filed a declaration of insolvency, and a petition for the sequestration of the estate of the said Hettiarachchigey Marthinu Perera Appuhamy has also been filed, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Hettiarachchigey Marthinu Perera Appuhamy insolvent accordingly, and that two public sittings of the court, to wit, on September 29, 1905, and October 30, 1905, 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.

N. PARANAVITANA,
Secretary.

Negombo, August 15, 1905.

In the District Court of Kandy.

No. 1,507. In the matter of the insolvency of Sana Supramanian Cangany of Asborne estate, Hatton.

NOTICE is hereby given that September 8, 1905, is fixed for the consideration of the grant of a certificate of conformity to the above-named insolvent.

By order of court,

W. M. DE SILVA,
Kandy, August 9, 1905. Secretary.

In the District Court of Kandy.

No. 1,510. In the matter of the insolvency of Suna Pana Kana Nana Lena Sokkalingam Chetty 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 September 1, 1905, for the appointment of an assignee.

By order of court,

W. M. DE SILVA,
Kandy, August 11, 1905. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Ratnapulli Siyoris of Maliban street,
Colombo.....Plaintiff.

No. 20,502 C. Vs.

1, Aynappulige Simon Fernando of Marties' lane, Kehelwatta in Colombo; 2, Pattiagey John Fernando of Kehelwatta in Colombo.....Defendants.

NOTICE is hereby given that on Monday, September 11, 1905, at 4 o'clock in the afternoon, will be sold by public auction at the premises the following property, mortgaged and decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 420, with interest on Rs. 300 at 12 per cent. per annum from July 17, 1904, till October 14, 1904, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit Rs. 98.75, viz.:-

All that land with the buildings thereon now bearing assessment Nos. 5 and 6, situated at Marties' lane in the St. Sebastian Ward of the Municipality of Colombo; bounded or reputed to be bounded on the north by the allotment B, property of Pattiagey John Fernando, on the south by the road (Gomes' lane), on the east by another road (Marties' lane), and on the west by the property of Abraham Fernando and Simon Fernando, now the property of Pattiagey John Fernando; containing or reputed to contain in extent 2 square roods and $\frac{1}{16}$ a perch more or less.

E. ONDATJE,
Deputy Fiscal.Fiscal's Office,
Colombo, August 16, 1905.

In the District Court of Colombo.

P. M. R. M. Veelasami Pillai of Sea street,
Colombo.....Plaintiff.

No. 21,805. Vs.

(1) E. G. Gunetileka and (2) L. B. Gunetileka, both of Mabola.....Defendants.

NOTICE is hereby given that on Thursday, September 14, 1905, at 9.30 o'clock A.M., will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 4,003.75, with interest at 9 per cent. per annum on Rs. 1,500 from February 22, 1905, on Rs. 1,500 from March 5, 1905, and on Rs. 1,000 from April 18, 1905, till payment in full, to wit:-

The land called Uंबरellagahawatta and the field adjoining thereto, with the buildings and plantations standing thereon, situated at Mabola in Ragam pattu of Alutkuru korale; and bounded on the north by the land belonging to the estate of N. S. Fernando, on the east by the road leading to Negombo, on the south by the land belonging to Perakenujayatileka and others, and on the west by the old canal leading to Negombo; containing in extent 20 acres more or less.

E. ONDATJE,
Deputy Fiscal.Fiscal's Office,
Colombo, August 16, 1905.

In the District Court of Negombo.

Pana Lana Thena Thenappa Chetty, by
his attorney Pana Lana Thena Pillappa
Chetty of Negombo.....Plaintiff.

No. 5,094. Vs.

1, Mutukuda-arachchige Gregoris Dias
Rupasinha Senanayaka, Registrar;
2, Mutukuda-arachchige Charles Dias
Appuhamy, both of Nilpanagoda....Defendants.

NOTICE is hereby given that on September 30, 1905, 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. 25,403, dated December 8, 1898, viz.:-

1. An undivided half of the land situate at Nilpanagoda in Dasiya pattu of Alutkuru korale; bounded on the north-east and east by the land in the figure of survey No. 57,591, on the south-east by the land in the figure of survey No. 57,591 and by the land belonging to Jayasinha-arachchige Don Andris Appu, on the south and south-west by the land belonging to Jayasinha-arachchige Don Andris Appu, on the west by a road, and on the north-west by the land in plans Nos. 57,592 and 57,591; containing in extent 3 acres 3 roods and 26 perches more or less.

2. The land called Wanumiralanda situate at Nilpanagoda in Dasiya pattu of Alutkuru korale; bounded on the north by the land in the figure of survey No. 85,539, on the east by a road, on the south by the lands in the figure of survey Nos. 126,206 and 126,207 and by the land claimed by D. B. Sanchia, on the south-west by the land in plan No. 126,211, and on the west by the land in the figure of survey No. 110,714; containing in extent 5 acres and 28 perches more or less.

3. The land situate at Alutapola in Dunagaha pattu of Alutkuru korale; bounded on the north by the land belonging to Liyanage Haramanis Appu, on the east by the land in the figure of survey No. 57,591, on the south by the Crown land, and on the west by the land belonging to Gregoris Appuhamy; containing in extent 2 acres and 16 perches more or less; and declared liable to be sold in satisfaction of the decree entered in the above case.

Property not mortgaged.

4. The land called Kebellegahawatta situate at Nilpanagoda in Dasiya pattu of Alutkuru korale; bounded on the north by the land belonging to Mutukuda arachchige Gregoris Dias Rupasinha Senanayaka, Muhandiram, and others, on the east by the land of Bulatsinhalage Charles Appuhamy, on the south by the land belonging to the Crown and now belonging to the said Mutukuda-arachchige Girigoris Dias Rupasinha Senanayaka, Muhandiram, and on the west by a narrow road and by the land belonging to the said M. Girigoris Dias Rupasinha Senanayaka, Muhandiram, and others; containing in extent 11 acres and 6 perches more or less (belonging to the defendants).

5. An undivided half share of the land called Dawatagahawatta, situate at Nilpanagoda in Dasiya pattu of Alutkuru korale; bounded on the north by the land belonging to the heirs of Satarasinha-arachchige Pinhamy, on the east by the land belonging to the heirs of Don Thomis Gunawardana, Vel-vidane Arachchi, on the south by the land belonging to W. B. de Derck Kury Appuhamy, and on the west by the land belonging to Pelanis Kurey Appuhamy and another; containing in extent 4 acres more or less (belonging to the second defendant).

6. An undivided one-fourth of the land called Madangahawatta, situate at Nilpanagoda in Dasiya pattu of Alutkuru korale; bounded on the north by the land belonging to the first and second defendants, on the east by the field belonging to the first and second defendants, on the south by the land belonging to Herath Appuhamy, and on the west by the land belonging to the first and second defendants; containing in extent 4 acres more or less (belonging to the second defendant).

7. Half share of the field called Munamalgahakumbura *alias* Millagahakumbura, situate at Nilpanagoda in Dasiya pattu of Alutkuru korale; bounded on the north by the field belonging to Alawaladewage Undiya, on the east by the land belonging to Seenchi Fernando and another, on the south by the land belonging to Alawaladewage Andris Fernando and another, and on the west by the land belonging to Wijesuriyahinguruwanage Sauseris Appuhamy and Piloris Fernando; containing in extent 6 parras of paddy sowing more or less.

Amount to be levied Rs. 4,592.25, with interest on Rs. 3,000 at 15 cents on Rs 10 per mensem from June 8 to September 22, 1903, and thereafter at 9 per cent. per annum till payment in full.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, August 15, 1905.

In the District Court of Negombo.

Muna Ana Lana Mena Kana Mena Kannappa Chetty of Negombo.....Plaintiff.

No. 5,639. Vs.

(1) Juanwarunage Maria Fernando, administratrix of the estate of the late Paulu Peris, (2) Manuelperiswaduge Philippu Peris, both of 2nd Division. Udayartoppu.....Defendants.

NOTICE is hereby given that on September 18, 1905, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property specially hypothecated by bond No. 14,256, dated August 8, 1901, viz.—

The land consisting of the three contiguous lots, viz.: half of Ambagahawatta, one-half of Talgahawatta, and one-half of Talgahawatta, situate at 2nd Division, Udaya toppu, within the old gravets of Negombo, with the trees, plantations, and buildings, and all other things standing thereon, the said land being bounded on the north by the land belonging to Manam Avis Silva, on the east by the land belonging to defendants and in the name of Paulu Peris, on the south by the high road, and on the west by the lands belonging to Christogu Rodrigu Mathes Pulle and others; containing in extent 1 acre and 2 roods more or less; and declared liable to be sold in satisfaction of the decree entered in the above case.

Amount to be levied Rs. 2,365.87½, with interest on Rs. 1,800 at 15 per cent. per annum from August 9 to September 22, 1904, and thereafter at 9 per cent. per annum till payment.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, August 15, 1905.

In the District Court of Colombo.

Abraham Pieris of Union Place, Slave Island, Colombo.....Plaintiff.

No. 21,240. Vs.

H. D. M. Alexander of Mattakkuliya, Colombo.....Defendant.

NOTICE is hereby given that on September 25, 1905, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz.—

The land called Nagahagodellawatta, situate at Opatha in Dasiya pattu of Alutkuru korale; bounded on the north by Kalugahawatta presently belonging to the estate of the late Siadoris Perera, Vidane, on the east by Delgahawatta presently belonging to the estate of the late Siadoris Perera, Vidane, on the south by Millagahawatta presently belonging to Siano Appuhamy and by a path leading to Velikutitiya, and on the west by Meegahawatta presently belonging to Siadoris Appu and Velun Appu; containing in extent 18 acres more or less.

Subject to a primary mortgage for about Rs. 3,500 in favour of one Ana Rawanna Agamadu Pulle.

Amount to be levied Rs. 1,441.06, with interest thereon at 9 per cent. per annum from January 18, 1905, till payment in full, and costs of action.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, August 15, 1905.

Northern Province.

In the District Court of Jaffna.

Nakesuparakurukkal Murukesa Aiyar of Nellore, administrator of the estate of the late Parupatappattini Amma, wife of Suprama Aiyar Ramasantira Aiyar ..Plaintiff.

No. 3,028. Vs.

1, Suprama Aiyar Ramasantira Aiyar; 2, Kasinatar Arumukam; 3, Perampalam Chinnappu, all of Vannarponne West...Defendants.

1, Kasinatar Arumukam (2nd defendant); 2, Perampalam Tillainatar of Vannarponne West; and 3, Chanmukakkurukkal Chuppiramaniakkurukkal of Nellore ..Sureties.

NOTICE is hereby given that on Monday, September 18, 1905, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said first surety in the following property for the recovery of Rs. 2,221.89 viz.—

In an undivided half share with its appurtenances of a piece of land situated at Vannarponne West called Chandaiyanvayal and other parcels, containing or reputed to contain in extent 35 lachams paddy culture; bounded or reputed to be bounded on the east by property of Kanakamuttu, wife of Kanapatipillai, and others; north by property of Ponnu, wife of Ponniah, and others; west by property of Visayaledchumi, wife of Chivappirakasam, and others; and south by property of Rasamma, wife of Chinnatampi, and others.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, August 10, 1905.

In the District Court of Jaffna.

Chitamparam, widow of Swaminatar
Chuppiramaniam of Mallakam Plaintiff.

No. 3,540. Vs.

(1) Mailvakanam Chitamparanatar,
(2) Chitamparanatar Vaithilingam of
Inuvil Defendants.

NOTICE is hereby given that on Monday, September 18, 1905, at 10 o'clock in the forenoon, will be sold public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 1,618.75, with interest on Rs. 875 at the rate of 12 per cent. per annum from December 9, 1903, until payment in full, and costs of suit being Rs. 103.57, viz:—

1. In a piece of land called Mukkuvichchiollai, situated at Inuvil, and containing or reputed to contain in extent 15 lachams varaku culture, with its appurtenances, including share of well on the north-eastern corner; bounded or reputed to be bounded on the east by property of Vethavanam Muttatampi, north by property of Arumukam Murukesu and Ramanatar Kalingar, west by property of Ramanatar Katiritampi and others, and south by property of Velasippillai, wife of Muttuccumar, and others.

2. In a divided 25 lachams on the west with share of well on the western boundary of a piece of land situated at Inuvil called Ilantaysiddi, containing or reputed to contain in extent 50 lachams varaku culture; the said 25 lachams bounded or reputed to be bounded on the east by property of Katiritampi Mutaliyar, Sivasampu, and others; north by property of Katiritampi Mutaliyar, Sivasampu, and others; west by property of Vethavanam Muttatampi; and south by property of the heirs of the late Katirkamar Velayutar.

3. In an undivided 6 lachams with its appurtenances (including share of water of well standing on the southern land called Pallamtoddam and belonging to Kulantayar Velayutar and others, together with the right of path and water-course) of a piece of land situated at Inuvil called Navanichchiollai Vankiady and Navanichchiollai, containing or reputed to contain in extent 24 lachams varaku culture, with its appurtenances; bounded or reputed to be bounded on the east by property of Kasinatar Kalinkar; north by property of Chellattai, wife of Katirkamar Chinnatampi and Chinnappillai, wife of Vinasitampi; west by property of Kannattai, wife of Murukar; and south by lane.

V. THAMBIPILLAI,
for Fiscal.

Fiscal's Office,
Jaffna, August 12, 1905.

Southern Province.

In the District Court of Galle.

Muna Kuna Mana Letchiman Chetty of
Kaluwella Plaintiff.

No. 6,727. Vs.

Mira Lebbe Marikkar Abdul Aziz of
Gintota and others Defendants.

NOTICE is hereby given that on the under mentioned dates will be sold by public auction at the premises the following property, viz:—

On Saturday, September 16, 1905, at 2 P.M.

1. All that defined one-half part of the soil and trees of the garden called Totewatta, in extent 2 roods and 28.1 perches, situated at Gintota, together with all the buildings standing thereon.

2. One-sixth part of the soil and trees of a defined portion of the garden called Totewatta of the extent of about 2 acres situated at ditto.

On Monday, September 18, 1905, at 12 noon.

3. The field called Keminkadakumbura, in extent 20 kurunies of paddy, and the field called Kanuketiye-kumbura of the extent of 20 kurunies of paddy, both adjoining each other, situated at Amugodayaya in Gangaboda pattu.

4. The field called Nugagahawita Walapalla, in extent 15 kurunies of paddy, and $\frac{1}{4}$ parts of the field Manakumbura, which field contains in extent 20 kurunies of paddy, both adjoining each other, situated at ditto, being property mortgaged by the defendants upon the writing obligatory, dated January 18, 1898, No. 801, and held bound and executable under the judgment entered in the above case.

Amount of writ Rs. 4,323.17 $\frac{1}{2}$, with interest on Rs. 3,758.75 at 15 per cent. per annum from June 24, 1902, till February 2, 1904, and thence at 9 per cent. per annum till payment in full.

C. T. LEEMBRUGGEN,
Deputy Fiscal.

Fiscal's Office,
Galle, August 15, 1905.

North-Western Province.

In the District Court of Puttalam.

Mohiadeen Wawa Marikar Hydroos
Lebbe Marikar Plaintiff.

No. 1,513. Vs.

Sego Ibrahim Neina Marikar Lebbe
Thamby Marikar of Pulichchakulam... Defendant.

NOTICE is hereby given that on Thursday, September 14, 1905, commencing 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. One-fifth share of land called Battulu-oya or Kiriyan Kalliya Wavun Thottem of 27 acres in extent, situate at Battulu-oya in Anaivulundan pattu, Chilaw District.

2. One-fifth share of the land called Kenattadi Vittai of about 18 acres in extent, situate at Pudukudiruppu.

3. One-fifth share of the land called Periyathottem of 7 acres in extent, situate at Battulu-oya.

4. One-fifth share of the land called Sinnathottem, situate at Battulu-oya.

5. Three-seventh shares of the land called Pulichchakulam Wavun Thottem of 18 acres in extent, situate at Pulichchakulam.

6. The land called Vavunthottem, situate at Pudukudiruppu.

7. The land called Mohiadeen Ravuterthottem, situate at Pudukudiruppu.

8. The land called Adampulleythottem, situate at Pudukudiruppu.

9. The land called Thambythottem, situate at Battulu-oya, of 18 acres in extent.

Amount to be levied Rs. 7,257.66, with interest on Rs. 5,000 at Re. 1.25 per Rs. 100 per mensem from November 11, 1901, and poundage.

E. LAWSON KOCH,
Deputy Fiscal.

Deputy Fiscal's Office,
Chilaw, August 15, 1905.

In the District Court of Chilaw.

Kurukulasuriya Manuel Fernando of Negombo Plaintiff.

No. 2,878. Vs.

Kodi Marakkalage Martino Fernando of Kandaladia Defendant.

NOTICE is hereby given that on Thursday, September 14, 1905, 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 specially mortgaged with the plaintiff, viz.:—

One thousand nine hundred coconut trees and the soil appertaining thereto, together with the tiled house standing thereon from the land called Dombagahanda, situate at Kandaladia in Kammal pattu, Chilaw District; bounded on the north by the mouth of the river Velvankan-moya, east by Gin-oya, south by garden of Francisco Fernando Muppu, west by seashore; containing in extent about 20 acres.

Amount to be levied Rs. 2,573.31, with interest on Rs. 2,408.31 at per cent. per annum from April 28, 1903, and poundage.

E. LAWSON KOCH,
Deputy Fiscal's Office, Deputy Fiscal,
Chilaw, August 15, 1905.

In the District Court of Chilaw.

Una Muna Muna Ravenna Mana Annamale Chetty, by his attorney U. M. M. R. M. Arunasalam Chetty of Madampe.... Plaintiff.

No. 2,913. Vs.

James Perera Ranasinha of Vennappuwa Ulhitiyawe Defendant.

NOTICE is hereby given that on Wednesday, September 13, 1905, 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.:—

Five-twelfth shares of Mirishenewatta of 21 acres in extent, with the plantations standing thereon, situate at Pambola in Munnessaram pattu, Chilaw District; the entire land is bounded on the north by land of Mr. Mel, east by land of Stephen Moraes, south by land of Pedro Perera Ranasinha, west by land of Mr. Mel.

Amount to be levied, Rs. 1,084.53, with interest thereon at 9 per cent. per annum from June 2, 1903, and poundage.

E. LAWSON KOCH,
Deputy Fiscal's Office, Deputy Fiscal,
Chilaw, August 15, 1905.

In the District Court of Chilaw.

Pana Lana Sena Karthen Chetty of Madampe Plaintiff.

No. 3,180. Vs.

Warnakula Aditta Sembukuttige Silvestry Janse of Katuneriya Defendant.

NOTICE is hereby given that on Tuesday, September 12, 1905, commencing 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, specially mortgaged with the plaintiff, viz.:—

1. The garden Mawataboda Kosgahawatta, with the plantations and buildings standing thereon, of 2 acres 2 roods 36 perches in extent, situate at Katuneriya in Kammal pattu, Chilaw District; and bounded on the north by garden called Kosgahawatta of Allino Fernando and others, east by high road, south by Ambagahawatta of Alberto Fernando and others, west by Talgahawatta of Ana Janse.

2. The garden called Kohombagahawatta of 3 roods 5 perches in extent, with the plantations standing thereon, situate at Katuneriya aforesaid; bounded on the north by Kosgahawatta belonging to the heirs of Paulo Janse Muppu, east by Kosgahawatta of Salman Fernando, south by garden of Juan Fernando and others, west by Ehetugahawatta belonging to the Roman Catholic Church.

3. The southern $\frac{1}{2}$ share of Talgahawatta of 3 acres 6 perches in extent, situate at Katuneriya aforesaid; bounded on the north by Talgahawatta belonging to Victoria Janse, east by garden belonging to Abaran Fernando, south by garden belonging to Juse Fernando, west by road.

4. The northern $\frac{1}{2}$ share of Talpakure Kahata-gahawatta of 4 acres 2 roods 14 perches in extent, situate at Katuneriya; the entire land is bounded on the north by garden of Suse Fernando and others, east by Madangahawatta belonging to Clementu Perera Annavi, south by Talgahawatta of Victoria Janse, west by the old road.

5. One-fourth share of Madangahawatta of 5 acres in extent, situate at Katuneriya aforesaid; the entire land is bounded on the north by Diulgahawatta of Anthony Fernando and others, east by high road, south by Kohombagahawatta belonging to Pedro Janse, west by Talgahawatta of Victoria Janse.

6. One-fourth of Kongahawatta of 3 acres and 21 perches in extent, situate at Katuneriya, excluding from the entire land 1 acre and 1 rood; bounded on the north by garden of Pedro Janse and others, east by high road south by garden of Ana Fernando and others, west by garden of Victoria Janse.

7. One-sixth share of Madangahawatta, which share lies adjoining to the east of the $\frac{1}{4}$ of this land belonging to Victoria Janse; the entire garden is bounded on the north by Ambagahawatta of Ana Fernando and the heirs of Juse Fernando, east by Migahawatta of Ana Fernando and the heirs of Paulu Janse Muppu, south by a narrow path, west by the high road.

8. The northern $\frac{1}{4}$ share of Higgahawatta (where the garden is divided into four equal shares from east to west) and $\frac{1}{2}$ share of the building standing thereon; the entire garden is of the extent of 2 acres, situate at Katuneriya aforesaid; bounded on the north by dewata road, east by Madangahawatta of Salman Fernando, south by Madangahawatta now belonging to Dona Lucihamy and others, west by high road.

Amount to be levied Rs. 6,181.04, with interest thereon at 9 per cent. per annum from August 16, 1904, and poundage.

E. LAWSON KOCH,
Deputy Fiscal's Office, Deputy Fiscal,
Chilaw, August 15, 1905.

In the District Court of Chilaw.

Sina Kana Runa Sina Sedambaram Chetty of Madampe Plaintiff.

No. 3,192. Vs.

Warnakulasuriya Kalugamaga Jagarias Fernando Annavirala, administrator of the estate of the late W. K. J. Robert Fernando Defendant.

NOTICE is hereby given that on Saturday, September 30, 1905, commencing 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, specially mortgaged with the plaintiff, viz.:—

1. The garden called Talgahawatta of 1 acre in extent, situate at Ulhitiyawe in Kammal pattu, Chilaw District.

2. Three-twelfth shares of Madangahawatta or Pedro Appuge-edama, situate at Ulhitiyawe aforesaid.

3. Seventy-three ninety-sixth shares of the gardens Kosgahawatta and Kadjugahawatta, about 1½ acre in extent, situate at Vennappuwa in Kammal pattu aforesaid.

4. One-twelfth share of Bokkuwewatta or Kosgahawatta of 4 acres in extent, situate at Vennappuwa aforesaid.

5. The garden called Kohambegahawatta of 1½ acre in extent, situate at Vennappuwa aforesaid.

Amount to be levied Rs. 12,695.46, with interest on Rs. 13,228.56 at 9 per cent. per annum from September 28, 1904, and poundage.

E. LAWSON KOCH,
Deputy Fiscal.

Deputy Fiscal's Office,
Chilaw, August 15, 1905.

In the District Court of Chilaw.

Ana Sona Ana Sokkalingam Chetty, by his attorney A. S. A. Parianen Chetty of Negombo Plaintiff.

No. 3,238. Vs.

Assanesu Pulle Seyadu Abdul Raguman of Chilaw Defendant.

NOTICE is hereby given that on Saturday, September 9, 1905, 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 specially mortgaged with the plaintiff, viz. :—

1. The soil and productive trees of the lands called Panamarattadygalakany and Venkany of about 6 acres in extent, situate at Maikkulam in Munnesaram pattu, Chilaw District.

2. The gala land called Panichchamarattadygalakany and the waste land of 5 acres in extent, situate at Maikkulam aforesaid.

3. The field called Podinellukotuwa of 2 acres and 5 perches in extent, situate at Maikkulam aforesaid.

4. The soil and productive trees of the residing garden of 3 roods and 3 perches in extent, situate at Maikkulam aforesaid.

Amount to be levied Rs. 1,886.87, with interest thereon at 9 per cent. per annum from November 30, 1904, and poundage.

E. LAWSON KOCH,
Deputy Fiscal's Office,
Chilaw, August 15, 1905.

In the District Court of Negombo.

R. K. N. K. *alias* R. K. N. K. V. Velaiden Chetty of Negombo Plaintiff.
No. 5,813. Vs.

Warnakulasuriya Veerakuttige Davido Fernando of Uthitiyawa Defendant.

NOTICE is hereby given that on Saturday, September 9, 1905, 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 specially mortgaged with the plaintiff, viz. :—

The land called Talgahawatta of 4 acres 7 perches in extent, situate at Vennappuwa in Kammal pattu, Chilaw District ; bounded on the north by garden of Migel Fernando and the defendant, east by gardens of Santiago Tessera and the defendant, south by dewata road, west by gardens of Francisco Perera.

The land called Kongahawatta of 50 cocoanut plants plantable extent, situate at Vennappuwa aforesaid ; bounded on the north by gardens of Paulu Fernando, east by gardens formerly of Paulu and presently of Jeramias Perera and others, south by gardens of Pedro Fernando, west by gardens of Santiago Fernando.

The land called Bogahawatta of 55 cocoanut trees plantable extent, situate at Vennappuwa Uthitiyawa ; bounded on the north by garden of Migel Fernando, Peace Officer, east by garden being planted by Saviel Perera, south by garden of Tamel Perera and others, west by gardens of Davidu Perera.

Amount to be levied Rs. 1,718.87, with interest on Rs. 500 at 30 per cent. per annum and on Rs. 625 at 12 per cent. per annum from November 27, 1904, till March 3, 1905, and thereafter at 9 per cent. per annum and poundage.

E. LAWSON KOCH,
Deputy Fiscal's Office,
Chilaw, August 11, 1905.

DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Avisawella by one labourer of Erract estate against the proprietor or proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of his wages amounting to Rs. 13.22.

This 5th day of August, 1905.

P. E. KALUPAHANE,
Chief Clerk.

Lists of Uncertificated Insolvents in the District Court of Puttalam for the Half-year ended June 30, 1905.

Nil.

District Court,
Puttalam, August 8, 1905.

J. ARTHUR DE SILVA,
Acting District Judge.