



# Ceylon Government Gazette

Published by Authority.

No. 6,230 — FRIDAY, FEBRUARY 21, 1908.

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

PART II.—Legal and Judicial.

PART III.—Provincial Administration.

PART IV.—Land Settlement.

PART V.—Mercantile, Marine, Municipal, Local, &c.

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

## Part II.—Legal and Judicial.

	PAGE		PAGE
Passed Ordinances .. .. .	—	Notices in Testamentary Actions .. .. .	122
Draft Ordinances .. .. .	117	Notices in Insolvency Cases .. .. .	127
Notices from Supreme Court Registry .. .. .	—	Notices of Fiscals' Sales .. .. .	125
Notices from Council of Legal Education .. .. .	—	Notices from District and Minor Courts .. .. .	127
Notifications of Criminal Sessions of Supreme Court .. .. .	128	Lists of Articled Clerks .. .. .	—
Lists of Jurors and Assessors .. .. .	—		

### DRAFT ORDINANCES.

#### MINUTE.

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

#### An Ordinance to prevent Thefts of Rubber.

Preamble.

WHEREAS it is expedient to make special provision to prevent thefts of rubber: 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 Rubber Thefts Prevention Ordinance, 1908."

Definitions.

2 In this Ordinance, unless the contrary intention appears—

"Rubber plant" includes any of the following plants, namely—

- (1) *Hevea brasiliensis* (Para rubber).
- (2) *Manihot Glaziovii* (Ceara rubber).
- (3) *Castilloa elastica*.
- (4) *Ficus elastica* (Rambong).
- (5) Any rubber-producing plant which the Governor, by notification in the *Government Gazette*, may declare to be a rubber plant for the purposes of this Ordinance.

“Rubber” includes marketable rubber prepared from the latex of any rubber plant and the latex of any such plant, whether fluid or coagulated, in any stage of the treatment to which it is subjected during the process of conversion into marketable rubber.

“Wet rubber” means the latex of any rubber plant, whether fluid or coagulated, in any stage of preparation before the completion of the drying process.

“Licensed dealer” means a person licensed to deal in rubber under this Ordinance.

“Licensed premises” means the place where a licensed dealer is authorized to deal in rubber.

“Purchase” includes the taking of rubber in exchange for other goods or on account of any claim or indebtedness.

“Peace officer” means any headman appointed in writing by a Government Agent to perform police duties.

“Government Agent” includes an Assistant Government Agent.

Purchase of rubber by unlicensed person prohibited.

3 From and after the commencement of this Ordinance it shall be unlawful for any person to purchase rubber unless he has been licensed under this Ordinance to deal in rubber, and any person who purchases rubber without being so licensed shall be guilty of an offence against this Ordinance.

Power of Government Agent to issue licenses to deal in rubber.

4 (1) The Government Agent may issue free of charge licenses under his hand authorizing the persons to whom the same are granted to deal in rubber.

(2) Every such license may be in the form marked A in the schedule or in such other form as the Governor may from time to time prescribe, and shall state the name and residence of the licensee and the premises at which he is authorized to deal in rubber.

(3) Every such license shall expire, unless it is determined otherwise, on the thirty-first day of December next following the date when it was issued.

Power of Government with regard to issue license, &c.

5 (1) The Government Agent may at his discretion refuse to grant a license to any applicant or to renew any license which has expired, and may revoke any license already issued.

(2) Any person who is aggrieved by the refusal of the Government Agent to grant or renew a license or by the revocation of a license may appeal to the Governor in Council, who may confirm or reverse such refusal or revocation as may appear just.

Duty of licensed dealers in rubber to paint words “Licensed Dealer in Rubber” on licensed premises.

6 Every licensed dealer shall cause the words “Licensed Dealer in Rubber” to be painted in conspicuous letters in the English, Sinhalese, and Tamil languages upon his licensed premises. Any licensed dealer who fails to comply with the provisions of this section shall be guilty of an offence, and shall be liable on conviction thereof to a fine not exceeding fifty rupees.

Provisions with regard to partners.

7 (1) Two or more persons carrying on business in partnership shall not be obliged to obtain more than one license in respect of the same premises. A license to two or more persons shall not be determined by the death or retirement from business of any one or more of the partners.

(2) No license shall be assignable or shall authorize any person to deal in rubber by reason of his being executor or administrator of any person to whom such license has been granted.

Offences.

8 (1) It shall be unlawful—

- (a) For any person to sell or to offer for sale or to deliver, or for any licensed dealer to purchase or to take delivery of, any rubber except between sunrise and sunset, or at any place other than licensed premises ; or
- (b) For any licensed dealer to purchase or to take delivery of rubber from any person who is not personally known to him, or from any person whom he knows or has reasonable grounds for believing is under the age of twelve years, or from any estate labourer ; or
- (c) For any licensed dealer to purchase or take delivery of wet rubber from any person whatsoever.

(2) Any person who does any act in contravention of this section shall be guilty of an offence against this Ordinance.

Book to be kept by licensed dealer.

9 (1) Every licensed dealer shall keep on the premises at which he is authorized to deal in rubber a book which shall be supplied to him by the Government Agent, and shall enter therein, immediately upon the delivery at his licensed premises of any rubber purchased by him in the form marked B in the schedule hereto, or in such other form as the Governor may prescribe, the following particulars, namely :

- (1) The day, month, and year of such delivery.
- (2) The weight of rubber delivered.
- (3) The name and residence of the person from whom the rubber was purchased.
- (4) The price paid for the rubber.
- (5) Where the person from whom the rubber is purchased is not a licensed dealer, the description and situation of the lands of which such rubber is or is alleged to be the produce.

(2) Whenever any rubber which has not been purchased is brought into any licensed premises, whether the same is or is not the produce of land in the possession or occupation of the licensed dealer, the licensed dealer shall forthwith enter in the said book, or in such other form as may be prescribed for the purpose, the following particulars with regard to such rubber, namely :

- (1) The day, month, and year when the rubber was brought into the licensed premises.
- (2) The weight of such rubber.
- (3) The manner in which the rubber was acquired, and, if grown on land in the possession or occupation of the licensed dealer, the description and situation of such land.

(3) Whenever the licensed dealer removes any rubber from his licensed premises, whether the same has been acquired by purchase or otherwise, the licensed dealer shall forthwith enter in the said book the date when the same was removed, and the name and residence of the person to whom the same was delivered.

Inspection of licensed premises.

10 It shall be lawful for any Police Magistrate, or for any police officer not below the rank of a sergeant, or for any headman not below the rank of korala or vidane arachchi authorized in writing by the Government Agent to inspect licensed premises, to enter any licensed premises at any time between sunrise and sunset and to call for, inspect, and take extracts from any book required to be kept by this Ordinance, and if the licensed dealer or any one on his behalf fails to produce any such book, or refuses to allow such extracts to be made, or if any entry, which ought to have been made is not in such book, or if any entry in such book is false in any particular, such licensed dealer shall be guilty of an offence, unless he proves to the satisfaction of the court that such entry was made without his knowledge or consent or through a *bonâ fide* mistake, and shall be liable to a fine not exceeding one hundred rupees, or to simple or rigorous imprisonment which may extend to one month.

Responsibilities of partners.

11 When a license is granted under this Ordinance to two or more persons carrying on business in partnership, every such person shall be liable for the acts and omissions of the other or other of them, unless the person held liable for the acts of his partner proves to the satisfaction of the court that he is innocent, and that he has in no way directly or indirectly contributed to the breach of the provisions of this Ordinance with which his partner is charged.

Forwarding of proceedings, on conviction of licensed dealer, to Government Agent.

12 When any licensed dealer is convicted of an offence against the Ordinance, the Police Magistrate shall forward a copy of the proceedings to the Government Agent for his information.

Duty of licensed dealer to keep scales on licensed premises.

13 Every licensed dealer shall keep on his licensed premises scales capable of weighing up to 100 lb. at the least, and whenever he is called upon to do so by any officer authorized by section 10 of this Ordinance to inspect licensed premises he shall forthwith weigh all the rubber on his premises, and shall give every facility and assistance to such officer to compare the weight of the stock of rubber upon such premises with the weights thereof as entered in the books which the licensed dealer is required by this Ordinance to keep.

Where discrepancy between weight of rubber in licensed premises and weight according to books.

14 Whenever the weight of rubber found on the premises of a licensed dealer does not agree with the weight which, according to his books, ought to be on such premises, he shall be deemed to be guilty of an offence against this Ordinance. Provided that if he satisfies the Government Agent that such discrepancy is due to natural causes, or has arisen through some *bonâ fide* mistake, or owing to some loss, the Government Agent may direct that no prosecution shall be instituted against the licensed dealer.

Where inspecting officer is refused admittance.

15 A licensed dealer shall at any time between sunrise and sunset give admittance to any officer who is authorized by section 10 of this Ordinance to inspect licensed premises, and if any such officer is refused admittance to inspect the licensed premises or the dealer's books the licensed dealer carrying on business in such premises shall be deemed to be guilty of an offence against this Ordinance. Provided, however, that if such officer has reasonable grounds for believing that any offence has been committed upon the licensed premises against this Ordinance, it shall be lawful for him to demand admittance and to inspect the same and the dealer's books, though it be after sunset and before sunrise, and unless he is admitted into the premises forthwith the licensed dealer shall be guilty of an offence against this Ordinance, and it shall be lawful for such officer to break into the licensed premises.

Possession of wet rubber reasonably suspected to have been stolen.

16 (1) Any person who is found in possession or charge of any wet rubber which is suspected to have been stolen may be charged with being in possession of rubber which is reasonably suspected of having been stolen; and if such person does not give an account to the satisfaction of the Police Magistrate as to how he came by such rubber, and the Police Magistrate is satisfied that, having regard to all the circumstances of the case, there are reasonable grounds for suspecting such rubber to have been stolen, such person may be convicted of an offence under this Ordinance.

(2) Where any police officer or peace officer finds any person in possession or charge of wet rubber which he suspects to have been stolen, such rubber may be seized, and such person may be brought before a Police Magistrate and charged as aforesaid.

(3) Upon a conviction under this section the Police Magistrate may direct the rubber in respect of which the accused was convicted, if the same has been seized, to be restored to any person who is satisfied is the lawful owner thereof, otherwise he shall order the same to be forfeited.

(4) An appeal shall lie to the Supreme Court from every conviction or order under this section, the provisions of section 335 of "The Criminal Procedure Code, 1898," notwithstanding.

Punishment  
for false  
information and  
complaints.

17 Whenever any person gives information or makes complaint against another person of an offence against the last foregoing section, and it appears to the Police Magistrate who takes cognizance of the case that such information or complaint was false and was maliciously or corruptly given or made, he may sentence the informant or complainant to pay a fine not exceeding fifty rupees, or to undergo simple or rigorous imprisonment for a term not exceeding one month, and he may also award such compensation not exceeding fifty rupees to be paid by the informant or complainant to the person against whom the information was given or the complaint was made, as the Police Magistrate thinks fit.

Punishment for  
offences.

18 Any person who is convicted of an offence against this Ordinance for which no punishment is specially provided by this Ordinance shall be liable to simple or rigorous imprisonment, which may extend to six months, or to a fine not exceeding two hundred rupees.

Power to frame  
rules.

19 It shall be lawful for the Governor in Council from time to time to make rules and to frame forms for giving effect to the provisions of this Ordinance.

SCHEDULE.

Form A.—License.

I hereby grant to \_\_\_\_\_ a license to carry on the business of a dealer in rubber at \_\_\_\_\_.

This license expires on the 31st day of December, 19—.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19—.

(Signed) \_\_\_\_\_,

Government Agent.

Form B.—Form prescribed by Section 9.

1	2	3	4	5	6	7	8
Date when Rubber is brought into Premises.	Name and Residence of Person from whom purchased.	If not purchased, how acquired.	Description and situation of Land in which Rubber was grown.	Weight.	Price paid per lb.	How disposed of (whether sold, and to whom).	Date of removal from Licensed Premises.

By His Excellency's command,

Colonial Secretary's Office,  
Colombo, February 17, 1908.

HUGH CLIFFORD,  
Colonial Secretary.

*Statement of Objects and Reasons.*

THE Ordinance applies to rubber, including marketable rubber, prepared from the latex of any rubber plant and to the latex of any such plant in any stage of the treatment to which it is subjected during the process of conversion into marketable rubber.

It prohibits the purchase of rubber by persons not licensed to deal in rubber. Government Agents are empowered to issue, free of charge, yearly licenses authorizing the licensees to deal in rubber; and, subject to appeal to the Governor in Council, they may refuse or revoke licenses.

Provision is made for the keeping of books by licensed dealers wherein entries are to be made of rubber bought and sold, and for the inspection of licensed premises.

Possession of wet rubber reasonably suspected to have been stolen renders the possessor liable to be convicted of an offence under the Ordinance, and punishment is prescribed for giving false information or making false complaints against any person of infringement of any of the provisions of the Ordinance.

The Governor in Council is empowered to make rules for giving effect to the provisions of the Ordinance.

Attorney-General's Chambers,  
Colombo, September 6, 1907.

WALTER PEREIRA,  
Acting Attorney-General.

## NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction.—No. 2,942.

In the District Court of Jaffna.

Testamentary Jurisdiction.—No. 1,979. Class 5.

In the Matter of the Intestate Estate of Mailvaganam Arasanayagam, late of "Hopewell," Union place, Slave Island, Colombo, deceased.

Mailvaganam Sivappiragasam of Union place, Colombo ..... Petitioner.

And

(1) Ponnammah, (2) Taiyalnayaki, (3) Manonmani, (4) Tiyyagarajah, (5) Annapoorani, (6) Suppiramaniam, all of Union place, Colombo, the 2nd, 3rd, 4th, 5th, and 6th by their guardian *ad litem* Sinnavarappiah of Union place, aforesaid ..... Respondents.

THIS matter coming on for disposal before Joseph Grenier, Esq., District Judge, on November 18, 1907, in the presence of Messrs. Homer and De Livera, Proctors, on the part of the petitioner above-named; and the affidavit of the said petitioner, dated November 6, 1907, having been read: It is ordered that the petitioner be, and he is hereby declared entitled, as a brother of the deceased above-named, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above-named or any other person interested shall, on or before December 12, 1907, show sufficient cause to the satisfaction of this court to the contrary.

November 18, 1907. JOSEPH GRENIER,  
District Judge.

The time to show cause is extended to February 28, 1908.

W. R. B. SANDERS,  
District Judge, Jaffna.

In the District Court of Colombo.

*Order Nisi declaring Will proved, &c.*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Archibald Macphail No. 2,993. of Colombo, deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., on February 10, 1908, in the presence of Leslie William Frederick de Saram, Proctor, on the part of the petitioner Frederick John de Saram of Colombo; and the affidavits dated February 5, 1908, and February 6, 1908, respectively, of (1) Leslie William Frederick de Saram as attesting Notary to the execution of the will of the said deceased and (2) the said petitioner, having been read:

It is ordered that the said will of the said Archibald Macphail, deceased, dated August 29, 1904, and now deposited in this court, be and the same is hereby declared proved, unless any person interested shall, on or before March 19, 1908, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Frederick John de Saram is the surviving executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any person interested shall, on or before March 19, 1908, show sufficient cause to the satisfaction of this court to the contrary.

February 10, 1908. JOSEPH GRENIER,  
District Judge.

In the District Court of Colombo.

*Order Nisi declaring Will proved.*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Ana Seyna Segoe No. 2,996. Mohideen, late of Dean's road, Maradana, Colombo, deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., District Judge of Colombo, on February 14, 1908, in the presence of Mr. J. V. de P. Ekanayaka, Proctor, on the part of the petitioners (1) Uduma Lebbe Marikar Slema Lebbe of Skinner's Road South and (2) Shaik Ibrahim Saibu Yacob Saibo of Dean's road, Maradana; and the affidavits (1) of the said 1st petitioner, dated February 12, 1908, and (2) of W. Gabriel Fonseka Wickramatunga Seneviratne, Notary Public, Uduma Lebbe Marikar Abdul Majid, and Samarappulige Sinnone Fernando, dated February 12, 1908, having been read: It is ordered that the will of Ana Seyna Segoe Mohideen, the above-named deceased, dated April 26, 1906, and now deposited in this court, be and the same is hereby declared proved, and it is further declared that the said (1) Uduma Lebbe Marikar Slema Lebbe and (2) Shaik Ibrahim Saibu Yacob Saibu are the executors named in the said will, and that they are entitled to have probate of the same issued to them accordingly, unless (1) Hayath Bee and her husband (2) S. S. Shaik Hayath Saibu, both of Dean's road, Maradana, Colombo, or any person interested shall, on or before February 27, 1908, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,  
District Judge.

February 14, 1908.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Hallinnekuge Peiris, late of Grandpass road in Colombo, deceased. No. 2,997 C.

Mahapatunage Podi Nona of Mampe in Salpiti korale ..... Petitioner.

And

Selohamy of Grandpass road ..... Respondent.

THIS matter coming on for disposal before Joseph Grenier, Esq., District Judge of Colombo, on February 17, 1908, in the presence of Mr. G. L. Cooray, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner, dated February 6, 1908, having been read:

It is ordered that the petitioner be, and she is hereby declared entitled, as the widow and an heir of the deceased above-named, to administer the estate of the said deceased, and that letters of administration do issue to her accordingly, unless the respondent above-named or any other person interested shall, on or before February 27, 1908, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,  
District Judge.

February 17, 1908.

In the District Court of Colombo.  
*Order Nisi declaring Will proved.*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Mandalawallia Manan Mohandirange Justina Perera Mories, late of "Rockside House," No. 45, Galpotta street in Colombo, deceased, widow of the late Simon Mories, late of Kuruwe street, Colombo, deceased.  
No. 3,000. C.

THIS matter coming on for disposal before Joseph Grenier, Esq., District Judge of Colombo, on February 17, 1908, in the presence of Mr. J. A. Perera, Proctor, on the part of the petitioner Mr. Edward Wilfred Perera, Proctor of Colombo, and the affidavits (1) of the said petitioner dated February 17, 1908, and (2) of M. C. Perera Gunawardhana, Notary Public, H. Girigoris Fernando, and Jonathan Silva Jayawardana, dated February 4, 1908, having been read: It is ordered that the will of the above-named Mandalawallia Manan Mohandirange Justina Perera Mories, deceased, dated May 3, 1907, and now deposited in this court, be, and the same is hereby declared proved; and it is further declared that the said Mr. Edward Wilfred Perera is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any person interested shall, on or before February 27, 1908, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,  
District Judge.

February 17, 1908.

In the District Court of Negombo.  
*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Wadurawakankaname-lage Arachchi Appu, deceased, of Kaleliya.  
No. 1,042 C.

THIS matter coming on for disposal before A. de A. Seneviratne, Esq., on January 23, 1908, in the presence of Messrs. Rajepakse and Corea, Proctors, on the part of the petitioner Wadurawakankaname-lage Siman Perera of Kaleliya; and the affidavit of the said petitioner, dated January 13, 1908, having been read: It is ordered that the petitioner be, and he is hereby declared entitled, as a son of the deceased above-named, to have letters of administration of the estate of the said deceased issued to him, unless the respondents (1) Jayaweera Liyanage Sinnithahamy, (2) Wadurawakankaname-lage Anohamy assisted by her husband Senanayakegey Saranelis, all of Kehelella, (3) Wadurawakankaname-lage Ensohamy, assisted by her husband Kuruppuappuhamillage Appurala Appuhamy of Paththelagedara, (4) Wadurawakankaname-lage Batin Nona, assisted by her husband Kudavitanegey Peter Sinno of Udugama, (5) Wadurawakankaname-lage Sarnelis of Kaleliya shall, on or before March 3, 1908, show sufficient cause to the satisfaction of this court to the contrary.

A. SENEVIRATNE,  
District Judge.

January 23, 1908.

In the District Court of Kandy.

*Order Nisi.*

In the Matter of the Estate of the late Baba Deen Singalaxana, deceased, of Wariyapola in Matale.  
No. 2,610.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., District Judge of Kandy, on February 1, 1908, in the presence of Mr. W. E. Grebe, Proctor, on the part of the petitioner Tuan

Kitchil Singalaxana of Wariyapola in Matale, and the affidavit of the said petitioner, dated January 29, 1908, having been read: It is ordered that the petitioner Tuan Kitchil Singalaxana of Wariyapola in Matale be, and he is hereby declared entitled to letters of administration to the estate of Baba Deen Singalaxana of Wariyapola in Matale, deceased, as the eldest son of the said deceased, unless (1) Cassim Jamdeen's daughter Gelaha Umma of Wariyapola in Matale, (2) Sithie Mymoon alias Nai Kitchil of Matale, (3) Hamim Singalaxana of Hapugastenne in Ratnapura, (4) Abdul Amit Singalaxana of Medagoda in Nawalapitiya, (5) Sithie Zamzam of Wariyapola in Kandy, (6) Amja Deen Singalaxana of Galle, (7) Haniffa Singalaxana of Wariyapola estate in Matale, shall, on or before the February 24, 1908, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,  
District Judge.

February 1, 1908.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Velanthur Mootatamby of Siruvilan, deceased.  
No. 1,904.

1, Murukar Suppar and wife 2, Ilad-chimy of Siruvilan ..... Petitioners.  
Vs.

1, Mootatamby Ponniah and 2, Yokamah, daughter of Mootatamby, both of Siruvilan ..... Respondents.

THIS matter of the petition of the above-named petitioners praying for letters of administration to the estate of the above-named deceased, Velanthur Mootatamby, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on June 17, 1907, in the presence of Mr. K. Sivaprakasam, Proctor, on the part of the petitioners; and affidavit of the petitioners dated June 7, 1907, having been read: It is declared that the 1st and 2nd petitioners are respectively the son-in-law and daughter of the said intestate, and as such are entitled to have letters of administration to the estate of the said intestate issued to them, unless the respondents or any other person shall, on or before July 19, 1907, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,  
District Judge.

June 17, 1907.

Time to show cause extended to February 27, 1908.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Ponnachy wife of Ponnampalam of Vannarponnai East deceased.  
No. 1,947.

Sithamparappillai Ponnampalam of Vannarponnai East ..... Petitioner.  
Vs.

(1) Sithamparappillai Thamocharampillai of Vannarponnai East now at Colombo and (2) Velupillai Ponnampalam of Vannarponnai East ..... Respondents.

THIS matter of the petition of the above-named petitioner praying for letters of administration to the estate of the above-named deceased Ponnachy wife of Ponnampalam, coming for disposal before W. R. B. Sanders, Esq., District Judge, on October 10, 1907, in the presence of Mr. K. Sivaprakasam, Proctor,

on the part of the petitioner; and affidavit of the said petitioner dated October 4, 1907, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as one of the lawful heirs of the said deceased, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above-named or any other person shall, on or before December 11, 1907, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,  
District Judge.

October 10, 1907.

Time to show cause extended to February 25, 1908.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of  
Jurisdiction. the late Parupati, wife of Aruna-  
No. 1,990. chalam Kandiah of Karadeevoo  
East, deceased.

Velayutar Kartigesoe of Karadeevoo  
East ..... Petitioner.

Vs.

(1) Arunachalam Kandaiyah of Karad-  
deevoo West and (2) Chinnachchi,  
wife of Velayutar Kartigasoe of Kara-  
deevoo West ..... Respondents.

THIS matter of the petition of Velayutar Kartigesoe of Karadeevoo East praying for letters of administration to the estate of the above-named deceased, Parupati, wife of Arunachalam Kandiah of Karadeevoo East, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on January 24, 1908, in the presence of Mr. T. C. Changarapillai, Proctor, on the part of the petitioner; and affidavit of the petitioner, dated January 20, 1908, having been read: It is declared that the petitioner is the next of kin of the said intestate, and as such is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before February 28, 1908, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,  
District Judge.

January 24, 1908.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Thankamuttupillai *alias* Vi-  
No. 1,992. saladchippillai, wife of Thampip-  
pillai Kanapattippillai of Alaveddy  
deceased.

Sangarappillai Saravanamuttu of Ala-  
veddy ..... Petitioner.

Vs.

(1) Chellachippillai, wife of Sinna-  
tamber Kanthappillai of Alaveddy  
and (2) Thampipillai Kanapattippillai  
of Alaveddy ..... Respondents.

THIS matter of the petition of the above-named petitioner praying for letters of administration to the estate of the above-named deceased Thankamuttupillai *alias* Visaladchippillai wife of Kanapathippillai coming on for disposal before W. R. B. Sanders, Esq., District Judge, on January 30, 1908, in the presence of Messrs. V. S. Ponnambalam & T. Mylevaganam, Proctors, on the part of the petitioner; and the affidavit of the said petitioner dated January

29, 1908, having been read: It is declared that the petitioner is the husband of one of the heirs of the said intestate, and as such entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents above-named or any other person shall, on or before February 27, 1908, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,  
District Judge.

January 30, 1908.

In the District Court of Galle.

*Order Nisi.*

Testamentary In the Matter of the Estate of Sul-  
Jurisdiction. tan Marikar Tangamma, deceased,  
No. 3,767. Galle Fort.

THIS matter coming on for disposal before K. W. B. Macleod, Esq., District Judge, Galle, on December 12, 1907, in the presence of Mr. W. E. Weerasooriya, Proctor, on the part of the petitioner Mahammad Ali Sheek Ismail; and the affidavit of the petitioner, dated December 9, 1907, having been read:

It is ordered and declared that the said Mahammad Ali Sheek Ismail is the husband of the deceased, and that he is as such entitled to have letters of administration issued to him accordingly, unless the respondents (1) Isa Lebbe Jenambu Natchia, (2) Mahamed Hanifa, (3) Segu Mohidin, and (4) Aaisha Umma, all of Leyn Baan street, Fort Galle, shall, on or before January 28, 1908, show sufficient cause to the satisfaction of this court to the contrary.

K. MACLEOD,  
District Judge.

December 11, 1907.

Date extended to February 27, 1908.

K. MACLEOD,  
District Judge.

In the District Court of Galle.

*Order Nisi declaring Will proved, &c.*

Testamentary In the Matter of the Last Will and  
Jurisdiction. Testament of Panadure Galap-  
No. 3,777. pattige Sinno Baba of Galupiyadda,  
deceased.

THIS matter coming on for disposal before K. W. B. Macleod, Esq., District Judge, Galle, on January 29, 1908, in the presence of Mr. C. L. Wickremasinghe, Proctor, on the part of the petitioners Panadure Galappatige Johanna and her husband (2) Katudampe Tantirige Wattuhamy *alias* Luwishamy, (3) Panadure Galappatige Nonahamy, all of Galupiyadda, on the part of the petition; and the affidavit of the 2nd and 3rd petitioners dated January 24, 1908, and the affidavit of Don Luvis de Silva Wickramanayaka and two others dated January 24, 1908, having been read:

It is ordered that the will of Panadure Galappatige Sinno Baba, deceased dated July 21, 1903, be and the same is hereby declared proved, unless the respondents—(1) Panadure Galappatige Cathirina and her husband (2) Galmangoda Guruge John, both of Patuwata in Dodanduwa, (3) Panadure Galappatige Punchinona of Degalla in Dodanduwa—shall, on or before February 28, 1908, show sufficient cause to the satisfaction of this court to the contrary.



It is further declared that the said (1) Panadure Galappattige Johanna and her husband (2) Katudampe Tantirige Wattuhamy *alias* Luvishamy, and (3) Panadure Galappattige Nonahamy are the executors named in the said will, and that they are such entitled to have probate of the same issued to them accordingly, unless the respondents shall on or before February 28, 1908, show sufficient cause to the satisfaction of this court to the contrary.

K. MACLEOD,  
District Judge.

January 29, 1908.

In the District Court of Tangalla.

*Order Nisi declaring Will proved, &c.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Wickramasekera Rajapakse  
No. 445. Patiranage Don Samel Appuhami,  
deceased, of Polonnaruwa.

THIS matter coming on for disposal before W. T. Southorn, Esq., District Judge of Tangalla, on January 31, 1908, in the presence of Munasing Arachchige Don Andris of Polonnaruwa; and the affidavit of the said Munasing Arachchige Don Andris dated January 31, 1908, having been read, and all parties heard:

It is ordered that letters of administration to the above mentioned estate be issued to the said Munasing Arachchige Don Andris, unless (1) Ekanayaka Hatarasing Arachchige Dona Mariana, (2) Wickramasekera Rajapaksa Patiranage Hinhami, (3) Wickramasekera Rajapakse Patiranage Don Davit,

(4) Wickramasekera Rajapakse Patiranage Kawenihami, (5) Wickramasekera Rajapakse Patiranage Charles, (6) Wickramasekera Rajapakse Patiranage Upatihami, (7) Wickramasekera Rajapakse Patiranage Dingihami, (8) Wickramasekera Rajapakse Patiranage Gimarahami, (9) Wickramasekera Rajapakse Patiranage Doni Juwanis, (10) Wickramasekera Rajapakse Patiranage Andrayas, all of Polonnaruwa, shall, on or before March 10, 1908, show sufficient cause to the satisfaction of this court to the contrary.

W. T. SOUTHERN,  
District Judge.

February 14, 1908.

In the District Court of Chilaw.

No. 739. In the Matter of the Intestate Estate  
of Hettiachchi Mudiyansele,  
Punchi Rala Appuhamy of Tam-  
bagalla, deceased.

THIS matter coming on for disposal before R. G. Saunders, Esq., District Judge of Chilaw, on December 10, 1907, it is hereby ordered that Hettiachchi Mudiyansele Heturala Appuhamy of Tambagalla be declared entitled to administer the estate of Hettiachchi Mudiyansele Punchi Rala, late of Tambagalla, deceased, and that letters of administration thereof be issued to him accordingly, unless sufficient cause be shown to the contrary on February 27, 1908.

R. G. SAUNDERS,  
District Judge.

February 19, 1908.

## NOTICES OF FISCALS' SALES.

### Western Province.

In the District Court of Negombo.

Muna Ana Lana Mena Kana Nana  
Kannappa Chetty by his attorney  
Awanna Muna Alagappa Chetty of  
Negombo . . . . . Plaintiff.

No. 6,312.

Vs.

(1) Pedrick Gabriel Mirando and wife  
(2) Kaludura Baby Emaline de Thabrew Hamine, (3) Edirimuni Malina Lateru Hamine, executrix of the last will and testament of Hemuddara Abraham de Silva Gunasekera, deceased, all of Liyanagemulla. . . . . Defendants.

NOTICE is hereby given that on March 21, 1908, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property, mortgaged by bond No. 15,012 dated December 26, 1902, viz.:

(1) The undivided 23/35 share of the land called Dawatagahakurunduwatta, situate at Liyanagemulla in Dasiya pattu of Alutkuru korale, and the tiled house and other buildings standing thereon; the said land being bounded on the north by Dawatagahakurunduwatta belonging to the estate of Pehandi Migel Silva, on the east by the land belonging to Hendrick de Silva Gunasekera Arachchi, on the south

by the land belonging to Mr. J. L. de Silva, Deputy Fiscal, deceased, and on the west by the high road; containing in extent 5 acres more or less.

(2) The five contiguous lots, namely, fourth, fifth, seventh, and eighth of Dawatagahakurunduwatta *alias* Bowelimuhandirangewatta, situate at Liyanagemulla, excluding from the said four lots the northern portion of 9 acres 1 rood in extent; the said four lots being bounded on the north by the land belonging to Suse de Silva, on the east by the field called Dikwela, south by the lands belonging to Migel Silva and others, and on the west by the high road; containing in extent 57 acres 2 roods and 16 perches more or less.

(3) The undivided  $\frac{1}{3}$  of the garden called Kande-watta *alias* Madamullawatta *alias* Madangahawatta, situate at ditto; the said land being bounded on the north by the garden of Jayaweera Abraham Fernando, on the east by the high road leading to Colombo, on the south by ela (water-course) separating a portion of this garden, and west by the Negombo lake; containing in extent 9 acres 1 rood and 17.60 perches more or less, and declared liable to be sold in satisfaction of the decree entered in the above case.

Amount to be levied Rs. 7,419.08, with interest at 9 per cent. per annum from April 24, 1906, till payment less Rs. 350.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, February 18, 1908.

In the District Court of Negombo.

Kurukulasuriya Bammannage Simion  
*alias* Simon Fernando, of Negombo. . . . . Plaintiff.

No. 6,917. Vs.

Kurukulasuriya Bammannage Disideri-  
yas Fernando of Kurana Bolawalana. Defendant.

**N**OTICE is hereby given that on March 18, 1908, commencing at 10 o'clock in the forenoon, will be sold by public auction at the respective premises the following property mortgaged by bond No. 4,677, dated October 15, 1897, and declared liable to be sold by the decree entered in the said case, viz.:—

1. The two contiguous portions called Siyambalagahawatta and  $\frac{2}{3}$  parts of Bogahakumbura, situate at 2nd Division Kurana, or the 2nd Division Kurana Bolawalana, within the old gravets of Negombo; and bounded on the north by land belonging to the heirs of the late Sinnochchi Fernando and by land of the said Peduru Fernando, on the east by the high road, on the south by the land belonging to the heirs of the late Senaderage Philippu Fernando in his name, and on the west by the land formerly of Paulu Fernando and now of Migel Fernando and by land belonging to the heirs of the said Philippu Fernando; containing in extent 2 acres more or less, inclusive of cadjan thatched house thereon.

2. An undivided  $\frac{1}{2}$  share of the land called Suriyagahawatta of 4 contiguous portions situate at Cota Campoe *alias* Campoe, within the gravets of Negombo; the entire land being bounded on the north by lands formerly of Juan Fernando and Caitan Fernando and now of Gabriel Fernando and Hugo Fernando, on the east by the canal bank road, on the south by land formerly of Juan Fernando then of Caitan Leitan and now of Don Anthony Weerasekera, and on the west by the road; containing in extent within the said boundaries 10 perches more or less.

Amount to be levied, Rs. 2,156.25.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, February 18, 1908.

### Central Province.

In the Court of Requests of Kandy.

Karunawellagamage Lucihamy and M.  
K. Banda . . . . . Plaintiffs.

No. 15,798. Vs.

Lianage Don Carlina Hamy and Gabadage  
Don Senerisappu, both of Brownrigg  
street, Kandy. . . . . Defendants.

**N**OTICE is hereby given that on March 16, 1908, at 12 noon, will be sold by public auction at the spot the right, title, and interest of the said defendants in the following property, viz.:—

An undivided  $\frac{1}{2}$  share out of the land called Kandamuwawa, with the tiled house and everything thereon, of about 1 pela paddy in extent, situate at Kaduganawa in Kandupalata of Yatinuwara; and bounded on the east by the fence of the land belonging to Haramanis Pinto Appuhamy, on the south by the ditch of the land belonging to Samson, on the west by the land belonging to Kaluhamy, renter, and on the north by the high road leading to Colombo.

This land is mortgaged upon bond No. 14,731, dated January 1, 1907.

Amount of writ, Rs. 167.75.

A. WOUTERSZ,  
Deputy Fiscal.

Fiscal's Office,  
Kandy, February 19, 1908.

### North-Western Province.

In the Court of Requests of Chilaw.

Muna Sidamberam Mudali and another  
of Chilaw. . . . . Plaintiffs.

No. 12,692. Vs.

Mohammadu Umma, wife of Asa Naina  
Marikar, and others, Noyes street,  
Chilaw. . . . . Defendants

**N**OTICE is hereby given that on Monday, March 16, 1908, at 1 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz.:—

The garden called Mamarattaditotam and Puliymarattaditotam and the plantations standing thereon, situate at Maikkulama in Munnessaram pattu of the Pitigal Korale North in the District of Chilaw; and bounded on the north by the new fence of Mattukarantotam, east by the fence of land belonging to Muhammadu Saibu and others, south by common fence of Semleertotam, and west by garden belonging to Muhammadu Tamby and others; containing in extent 15 acres.

(Subject to mortgage.)

Amount to be levied Rs. 298.41, with interest on Rs. 240 at 9 per cent. per annum from June 21, 1907, till payment and poundage.

A. V. HERAT,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Chilaw, February 14, 1908.

In the District Court of Colombo.

R. D. Johannes Fernando of Peliyagoda  
in the Ragam pattu of Alutkuru korale . . . . . Plaintiff.

No. 21,751 C. Vs.

(1) H. Manuel Fernando of Galkissa, (2)  
P. Engo Fernando also of Peliyagoda  
aforesaid, widow and administratrix  
of the estate of A. D. Sardiel Fernando  
of Peliyagoda, deceased. . . . . Defendant.

Pedro Mendis of Moratuwa, assignee of  
the insolvent estate of the first defend-  
ant. . . . . Added Defendant.

**N**OTICE is hereby given that on Saturday, March 21, 1908, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz.:—

1. All those contiguous allotments of land called (a) Mahakandeceniagollahena and (b) Kandabulugahamulahena, situated at the village Gammana in Udapola Medalasse korale of Dambadeni hatpattu in the District of Kurunegala, North-Western Province, (c) Kansahena now watta, situated at the village Kuriepotta in Udapola Medalasse korale aforesaid, (d) Kosgahamullahenawatta situated at the village Kuriepotta aforesaid, and (e) Kansahena also situated at the village Kuriepotta aforesaid, which said several contiguous allotments of land now form one property and the same is bounded as per plan of survey thereof dated February 3, 1901, and made by Edward B. Daniels, Licensed Surveyor, as follows: on the north by the garden of Appuhami claimed by Kirihami

Vidane; on the east by the chena of Lensuwa Henaya and others, garden of Lensuwa Henaya, and by the garden of Dingirihami; on the south by the garden of Dingiri Appu; and on the west by the chena of Dingiri Banda, garden of Ranhami, garden of Dingiri Appu and Mudalihami, garden of Appuhami and by the garden of Ranhami; and contains in extent 24 acres 3 rods and 13 square perches, exclusive therefrom the lot D.

2. All that allotment of land called Gammankandahena, situated at the village Kuriepotta aforesaid; bounded on the north and west by Galenda, on the east by Gammunagamidama; and on the south by the chena of Mudalihami and others as per deed

No. 28, 677 hereinbefore referred to, and containing in extent 6 acres more or less, together with the trees and plantations and buildings (if any) belonging to and each and every one of the properties above described, being the properties of the first defendant and Alawala Dewage Sardi Fernando, deceased.

Balance amount to be levied Rs. 6,782.50 with interest, costs of suit, and poundage.

C. V. REBEIRA,  
Deputy Fiscal.

Fiscal's Office,  
Kurunegala, February 18, 1908.

### NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,291. In the matter of the insolvency of Mohamed Salim Carim of Dematagoda in Colombo.

WHEREAS the above-named Mohamed Salim Carim has filed a declaration of insolvency, and a petition for the sequestration as insolvent of his own estate, under the Ordinance No. 7 of 1853, and it appears that he has been in actual custody within the walls of a prison for debt for more than 21 days: Notice is hereby given that the said court has

adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on March 19, 1908, and April 2, 1908, will take place for the insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,  
J. B. Misso,  
Secretary.

Colombo, February 14, 1908.

### DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Badulla by seven labourers of Cobo estate against the proprietor thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting Rs. 70.

February 7, 1908.

F. A. PUNCHIHEWA,  
Chief Clerk.

NOTICE is hereby given that three months from the date hereof the records enumerated in the schedule annexed will be destroyed, under the provisions of Ordinance No. 12 of 1894.

Any person interested in any record may personally, by proctor, or by duly authenticated petition claim, upon good cause shown, that such record may not be destroyed.

#### Schedule.

- (1) Non-summary Police Court cases from 1848 to 1896.
- (2) Summary Police Court cases from 1848 to 1896.
- (3) Court of Requests cases from 1848 to 1893.
- (4) Inquest proceedings from 1848 to 1893.

JOHN SCOTT,  
Police Magistrate and  
Commissioner of Requests.

The Courts,  
Nuwara Eliya, February 19, 1908

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Western Circuit will be holden at the Court-house at Colombo on Friday, March 20, 1908, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

E. ONDATJE,  
for Fiscal.

Fiscal's Office,  
Colombo, March 18, 1908.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Kurunegala will be holden at the Court-house at Kandy on Monday, March 30, 1908, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

C. V. REBEIRA,  
for Fiscal.

Fiscal's Office,  
Kurunegala, February 15, 1908.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Badulla will be holden at the court-house at Kandy on Monday, March 30, 1908, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

H. WHITE,  
Fiscal.

Fiscal's Office,  
Badulla, February 17, 1908.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Western Circuit will be holden at the Court-house at Colombo on Friday, March 20, 1908, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

R. B. HELLINGS,  
Fiscal.

Fiscal's Office,  
Ratnapura, February 19, 1908.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Districts of Avisawella and Kegalla will be holden at the court-house at Kandy on Monday, March 30, 1908, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

R. B. HELLINGS,  
Fiscal.

Fiscal's Office,  
Ratnapura, February 17, 1908.