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PART I.—General: Minutes, Proclamations, Appointments, and General Government Notifications. PART III.—Provincial Administration.  
 PART II.—Legal and Judicial. 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 .. .. .	153
Draft Ordinances .. .. .	147	Notices in Insolvency Cases .. .. .	156
Notices from Supreme Court Registry .. .. .	—	Notices of Fiscals' Sales .. .. .	157
Notices from Council of Legal Education .. .. .	—	Notices from District and Minor Courts .. .. .	162
Notifications of Criminal Sessions of Supreme Court .. .. .	—	Sale of property under section 60 (6), of the C. P. C. .. .. .	162
Lists of Jurors and Assessors .. .. .	—	Lists of Articled Clerks .. .. .	—

### DRAFT ORDINANCES.

#### MINUTE.

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

#### An Ordinance to establish in Ceylon a Public Officers' Security Fund.

**Preamble.** WHEREAS it is expedient to enable public officers in the service of the Island who are required to give security for the faithful performance of their duties to furnish such security without inconvenience; and whereas it is expedient for this purpose that a guarantee fund should be formed; 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 (1) This Ordinance may be cited as "The Public Officers' Guarantee Ordinance, 1908."

**Repeal.** (2) The Ordinances specified in the schedule hereto are hereby repealed.

**Interpretation of terms.** 2 In this Ordinance, unless the context otherwise requires—  
 "Fund" means the fund established by this Ordinance;  
 "Directors" means the Directors of the fund established under this Ordinance.  
 "Office" means an office in the public service of Ceylon the holder of which is required to give security for the faithful performance of his duties.  
 "Officer" means the holder of an office as defined above.

*Establishment of Fund.*

Establishment  
of Public  
Officers'  
Guarantee  
Fund.

3 (1) A fund is hereby established which shall consist of the contributions herein directed to be made and of the interest accruing thereon.

(2) The fund so established shall be called "The Public Officers' Guarantee Fund."

*Administration of Fund.*

Directors of  
fund.

4 (1) The fund shall be under the management of two persons holding office in the public service of Ceylon to be from time to time appointed by the Governor.

(2) Such persons shall respectively hold office during the pleasure of the Governor, and shall be styled Directors of the Public Officers' Guarantee Fund.

Clerical  
assistance.

5 The Directors may employ such clerical assistance as may be necessary, and the expense thereby incurred shall be a first charge on the fund.

Collection of  
contributions.

6 The Treasurer shall collect all sums due to the fund, and shall deduct from the salary of each officer contributing to the fund the amount due to the fund by such officer.

Paying of  
contributions.

7 The Treasurer shall, except as otherwise by this Ordinance provided, pay into the fund, on or before the tenth day of each month, all sums received by him up to the time of making such payment.

Mode of dealing  
with moneys of  
the fund.

8 All moneys received on account of the fund shall be paid into the fund, and no moneys of the fund shall be appropriated or drawn out except on a cheque or order signed by both Directors.

Investment of  
funds.

9 The Directors shall from time to time invest the moneys of the fund in Imperial or any Colonial Government bonds or other securities for the time being approved by the Governor in Council. All investments under this section shall be in such official titles as the Governor may by rule direct.

Annual report  
of Directors.

10 The Directors shall cause to be prepared and published in the *Government Gazette*, as soon after the thirtieth day of June in each year as may be practicable, a full statement showing the working of the fund and all claims thereon, and containing full particulars of all transactions connected with the working of the fund during the twelve months ending on the said thirtieth day of June.

*Giving of Security.*

Requiring  
officer to give  
security.

11 It shall be lawful for the Governor to require any person in the public service of Ceylon to give security for the faithful performance of his duties, and the Governor may from time to time determine the amount for which security is to be given by such person, and the amount from time to time so determined shall be the amount for which security is to be given by such person.

Increase in  
amount of  
security.

12 The amount so determined shall be deemed to be sufficient security for such officer in any appointment in the public service of Ceylon for which a like amount of security is or may be required; and if any such officer is at any time permanently appointed to an office in respect of which a higher amount of security is required to be given than the amount for which he already contributes to the fund, he shall only be required, in addition to the amount of security he has already given, to contribute on the difference between such amounts.

Entrance fee.

13 Each officer who is in receipt of a salary of one thousand five hundred rupees or more on first contributing to the fund in respect of a permanent appointment shall pay into the fund a fee of fifteen rupees, which shall be carried to the credit of such officer in the books of the fund. And each officer who is in receipt of a salary of less than rupees

one thousand five hundred a year shall on first contributing to the fund in respect of a permanent appointment pay into the fund a fee of rupees seven and cents fifty, provided that should he be promoted to an office of more than rupees one thousand five hundred a year, he shall, on such promotion, pay into the fund a further fee of rupees seven and cents fifty, which shall be carried to the credit of such officer in the books of the fund.

*Contributions to Fund.*

Contributions of officers giving security.

14 Every person who is appointed to an office shall pay into the fund in the manner hereinafter provided, and subject to the terms and conditions contained in this Ordinance or in any regulations framed hereunder, a monthly contribution of one-twelfth part of one per cent. per annum of the amount for which security is required to be given by such officer.

Power to require contributions from certain officers.

15 Any person in the public service of Ceylon before the coming into operation of this Ordinance, who was required to give security for the faithful performance of his duties, may be required by the Governor to give such security by contributing to the fund; and such person shall thereupon contribute to the fund as if he had been appointed on the day when he is so required by the Governor to contribute to the fund: Provided always that the fund shall be in no way liable to make good any amount payable in respect of any act or default of such person done or made before the day on which such officer actually makes his first payment to the fund.

Release of officer contributing further security except in certain cases.

16 Every officer contributing to the fund shall be released from all further liability to give security for the faithful performance of his duties unless the Governor otherwise directs.

Payment of contribution by officer provisionally appointed.

17 Where any person is provisionally appointed to an office he shall pay the same contribution to the fund as if he were permanently appointed, but if the appointment is not confirmed the amount of his contribution to the fund shall be deemed to have been contributed by an acting officer.

Contributions from officers on leave.

18 When an officer is absent on leave, whether vacation or other leave, his contribution to the fund shall continue to be due and payable by him; but if he is absent on vacation leave, no contribution shall be required from the person who is appointed to act for him in respect of such acting appointment.

Contributions by persons acting for officers on leave other than vacation leave.

19 Where any person is appointed to act for an officer who is absent on leave other than vacation leave, the person so acting shall pay in respect of such acting appointment the like contributions to the fund as are required from the holder of such office.

Such contributions shall be computed from the date of such acting appointment, and a monthly contribution shall be required in respect of each month or portion of a month computed from the date aforesaid.

Contributions to be payable in advance.

20 All contributions to the fund shall be deemed to be due and payable in advance, and, except as provided in section 35 of this Ordinance, no repayment of any part of such contribution shall be made in respect of any vacation of office during the period for which the contribution is so paid in advance.

And for whole month in which appointment is made.

21 Where any officer is appointed permanently to an office on any day of the month other than the first, he shall forthwith pay the same contribution to the fund as if he had been appointed on the first day of that month.

Reduction of contributions after five years.

22 Where an officer has held a permanent appointment and has contributed to the fund for a period of five years, his contribution shall from thenceforth be reduced to a monthly contribution of one one-hundred-and-twentieth part of one

per cent. upon the amount of security required to be given by such officer, save and except in the following cases :

(1) Should the amount of security required from such officer be increased, whether by his acceptance of another permanent appointment or otherwise, the reduction of his monthly contribution to one one-hundred-and-twentieth part of one per cent. shall only apply to the amount of security upon which for five years he has paid a monthly contribution of one-twelfth part of one per cent. per annum. Provided always that as soon as the sum total of such contributions is equal in amount to the sum total of one per cent. per annum for five years, calculated upon the higher amount of security required to be given by such officer, his monthly contribution shall thenceforward be reduced to one one-hundred-and-twentieth part of one per cent. upon the whole of such higher amount of security.

Resumption of full contributions.

(2) Should it appear to the Directors that the fund requires that the contributions should not be reduced, or, if they have been reduced, that the payment of the full monthly, or a portion of the full, contribution of one-twelfth of one per cent. should be resumed, it shall be lawful for the Directors, with the approval of the Governor, to direct that no such reduction as provided in this section (or only a fraction of such reduction) shall thenceforth take place until such time as they may think fit, and any officer who has ceased to contribute the full amount shall thenceforth re-commence to pay the full amount of his contribution upon the security required of him at that time. Provided always that nothing herein contained shall render any contributor liable to repay to the fund the amount of any reduction in his contribution of which he has already had the benefit under the provisions of this section.

#### Case of Defaulting Officer.

Provision where officer is in default.

23 (1) Where any officer himself, or, if he is absent on vacation leave, the person appointed to act for him, is in default of duly accounting or of duly delivering to the public officer or other person authorized or entitled to receive the same all property which ought to be so delivered, or is otherwise in default, the amount due by such officer or person in default shall be certified by the Controller of Revenue, and the amount so certified shall be deemed to be due by such officer, and where any person who is appointed to act for an officer who is on leave, other than vacation leave, is in default as hereinbefore mentioned, the amount so certified to be due from such person shall be deemed to be due from him alone and not from the officer for whom he was acting.

(2) A certificate signed by the Controller of Revenue stating that the amount specified is due to the Government of Ceylon by any person holding an office in the public service of Ceylon shall, without proof of the signature or of any other matter or thing therein contained, be deemed *prima facie* evidence in all courts of justice and for all other purposes that the sum so specified is due to the Government of Ceylon by such person.

Payment of the amount certified to be due by the officer in default.

24 On the application of the Controller of Revenue, the Directors, if there are sufficient moneys to the credit of the fund to enable them so to do, shall pay to the Controller of Revenue from the fund the amount certified to be due from an officer in default, unless the amount so certified exceeds the amount for which the officer was required to give security, in which case the Directors shall pay an amount equal to the amount for which security was required from the officer.

General liability of officer in default.

25 (1) The liability of an officer or person in default for the amount certified to be due by him shall continue, and may be enforced against all or any part of his property in the same

manner as if he had not contributed to the fund, and notwithstanding any payment made by the Directors from the fund in respect of the amount due by such officer.

(2) No person other than the Governor or the Controller of Revenue shall be entitled to claim that the amount due by any officer in default shall be paid by the Directors from the fund, and no person other than the Governor; the Controller of Revenue, the Directors, or the Attorney-General shall be entitled to claim that process shall be issued against any officer in default or against his property for the due recovery of the amount due by him.

Provision where amount due from officer in default is recovered from such officer.

26. (1) Where the whole or any part of the amount due by an officer in default is recovered from him, if the Controller of Revenue has received from the fund the whole amount due by such officer, he shall return to the fund an amount equal to the amount recovered from such officer.

(2) If the Controller of Revenue has not received from the fund the whole amount but a part only, he shall repay to the fund any amount he may have in hand, after deducting from the amounts received from both sources the amount due by the officer in default.

Provision where the fund is not sufficient to meet claims.

27. If the moneys to the credit of the fund are not sufficient to pay all amounts certified to be due by officers in default, the Directors shall pay the claims so far as they are able so to do, and for this purpose shall realize all the securities held by them on account of the fund; and the Treasurer shall thereafter retain all contributions paid to the fund by officers who were contributors at the time when default was made, and appropriate the same in liquidation of such claims until they are fully paid.

The Governor may, if he shall think fit, call upon officers who have ceased to be contributors to the fund to join in making good any loss arising from default made during the period when they were contributors to the fund in such proportions as he may think expedient, but not exceeding, in the case of any one officer, the amount that he might have been required to pay had he continued to be a contributor to the fund.

#### *Miscellaneous Provisions.*

Computation of year of fund.

28. The year for the purpose of this fund shall be from the 1st day of July in one year to the 30th day of June in the next year, both days inclusive.

Income of fund.

29. The interest on investments received within each year shall be deemed to be the income of the fund and shall be carried to a separate head of account, and all claims against this fund shall be charged to this account.

Whenever the income of any one year or the accumulated incomes of two or more years shall show a surplus, after payment of all claims, of not less than rupees seven hundred and fifty, then nine-tenths of the amount of such surplus shall be carried to the credit of the contributors in the ratio of the amounts then standing to their respective credits, and the remaining one-tenth shall be carried to the credit of the reserve account as described in section 33.

Contributions of persons other than officers to be deemed income.

30. Where any person other than an officer is appointed to act for an officer, any contributions in respect of such acting appointment shall be carried to the account of the income of the fund and shall be treated accordingly.

Contributions of officers who act for other officers how treated.

31. Where any officer is appointed to act for another officer, any contributions of the former officer in respect of such acting appointment (less the one-tenth of such contributions) shall be carried to the personal account of such former officer.

Contributions from permanent officers how to be dealt with.

32. Subject to section 33 hereof, contributions from officers holding permanent appointments shall be carried to their respective personal accounts in the fund.

Payments to reserve fund.

33 An amount equal to one-tenth part of the contributions of officers whether holding permanent appointments or otherwise shall, at the close of each year, be transferred to the credit of a fund, to be called the reserve fund, from the accounts credited with such contributions respectively.

Provisions where income of fund is not sufficient to meet claims becoming due.

34 If the moneys to the credit of the income of the fund are not sufficient to pay the claims at any time made on the fund, the Directors shall appropriate to the payment of such claims the amounts then standing in the books of the fund to the credit of the officers, taking and writing off an equal percentage from the amounts standing to each such officer's credit. If the whole of such amounts is not sufficient, then the Directors shall appropriate the reserve fund so far as may be necessary to the payment of such claims.

Return of portion of contributions in certain cases.

35 Where an officer ceases to hold an appointment in the public service of the Island in respect of which security is required to be given by him, or dies, the amount appearing in the books of the fund to his credit when the accounts are adjusted, as on the 30th day of June next after such cesser or death, shall be returned by the Directors to him or his representatives, but no payment shall be made under this clause until the accounts for that year have been duly adjusted, and the amount to the credit of the officer, after taking into account all transactions and after deducting the proper proportion of the liabilities of the fund for that year, has been ascertained and settled.

Return of money to officer.

36 No return of any money paid into the fund shall be made to any officer or his representatives, unless and until the Controller of Revenue certifies that the officer has duly accounted and is free from liability to the Government.

Limitation of right of contributor to the fund.

37 No officer contributing to the fund shall be deemed to have any interest in the fund or its management entitling him to take legal proceedings in respect of the fund or its management or against the Directors in respect thereof.

No immunity against prosecution for fraud, &c.

38 Nothing in this Ordinance, nor any proceedings with respect to any matter therein mentioned, shall be taken in any way to prevent any person from being prosecuted or convicted for any fraud or other offence which he may commit.

Power to make regulations.

39 It shall be lawful for the Governor, with the advice and assistance of the Directors, from time to time to make regulations for the carrying out the provisions of this Ordinance and for the due and efficient auditing of the accounts of the fund, and from time to time to amend, vary, or alter such regulations, and such regulations shall be published in the *Government Gazette*, and shall have the same force and effect as if they form a portion of this Ordinance.

Governor to determine any question as to true construction of any provision of this Ordinance.

40 Any question which may arise as to the true construction to be given to any provision of this Ordinance shall be referred for determination to the Governor, whose decision shall be final.

#### SCHEDULE.

Ordinances repealed.

No. of Ordinance.	Title.
14 of 1890.	"The Public Officers' Security Ordinance, 1890."
12 of 1897	"The Public Officers' Security Amendment Ordinance, 1897."
9 of 1903	"The Public Officers' Security Ordinance, 1903."

By His Excellency's command,

HUGH CLIFFORD,  
Colonial Secretary.

Colonial Secretary's Office,  
Colombo, February 1, 1908.

*Statement of Objects and Reasons.*

THE object of this Ordinance is to establish a Public Officers' Guarantee Fund under the direction of two persons holding high office in the Public Service.

2. The different methods in which security might at present be given by persons in the employment of the Government of Ceylon for the due discharge of their duties will be dispensed with, and indeed, in other respects also, "The Public Officers' Security Ordinance, 1890," will be superseded.

3. By the proposed legislation the responsibility incurred by Government in the care and custody of bonds deposited under the Ordinance of 1890, the necessity for a periodical examination of security bonds, and the risk of claims thereon being possibly defeated by legal technicalities will be removed, and a simpler system of securing Government against default of Public Servants introduced.

4. Provision is made for the collection, from the salaries of officers contributing to the fund, of all sums due thereto, for the investment by the Directors of moneys belonging to the fund in Imperial or Colonial Government or other securities approved by the Governor in Council, for the formation of a reserve fund for the purpose of paying claims for which the income of the fund and the amounts standing in the books to the credit of officers may prove insufficient, and for the preparation and publication by the Directors of statements showing full particulars of all transactions connected with the working of the fund.

5. The other provisions of the Ordinance relate in the main to details as to the amounts to be contributed to the fund by officers required to give security, to contributions from officers on leave and from officers acting for those on leave other than vacation leave, and to reductions of the amount of contributions after five years, and return of contributions to officers who cease to hold appointments.

6. In case of default by any officer in the discharge of his duties, the claim of the Government for loss sustained may be enforced against all or any part of his property, but it cannot be satisfied out of moneys belonging to the fund except at the instance of the Governor or the Controller of Revenue. When the claim is so satisfied, recoveries by sale, &c., of the officer's property will be paid *pro tanto* into the fund.

Attorney-General's Chambers,  
Colombo, December 30, 1907.

WALTER PEREIRA,  
Acting Attorney-General.

**NOTICES IN TESTAMENTARY ACTIONS.**

In the District Court of Colombo.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Liyanage Maria Perera, late of No. 77, Pansala road, Kotahena in Colombo, deceased, widow of the late Gonapinuwalage Charles Fernando, deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., District Judge of Colombo, on February 10, 1908, in the presence of Mr. E. W. Perera, Proctor, on the part of the petitioners Kankanige Maria Perera and Hettiarachchige Martin Perera, both of No. 77, Pansala road, aforesaid; and the affidavits of (1) the 2nd petitioner, dated February 7, 1908, and (2) of Frederick Nell Hortensius Dornhorst Prins, Notary Public of Colombo, Gabriel de Silva of No. 86, Wall street, Kotahena, Colombo, and Don Gregory de Silva of No. 77a, Pansala road, Kotahena, Colombo, also dated February 7, 1908, having been read: It is ordered that the will of Liyanage Maria Perera, the above-named deceased, dated November 19, 1907, and now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Kankanige Maria Perera and Hettiarachchige Martin Perera are the executrix and the executor named in the said will, and that they are entitled to have probate of the same issued to them accordingly, unless any person interested shall, on or before March 12, 1908, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,  
District Judge.

February 10, 1908.

In the District Court of Colombo.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Alma Natchia of No. 3,001 C. 15b, Skinner's road south, Maradana Colombo, deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., District Judge of Colombo, on February 20, 1908, in the presence of Mr. C. A. Pereira, Proctor, on the part of the petitioner Seeni Tamby Mohamado Casim, of 15b, Skinner's road south aforesaid; and the affidavits (1) of the said petitioner, dated February 3, 1908, and (2) of M. Carolis Perera, notary public, and witnesses Katu Bawa Tamby and Ibrahim Lebbe Usubu Lebbe, all of Colombo, dated February 10, 1908, having been read:

It is ordered that the will of Alma Natchia, the above-named deceased, dated March 19, 1907, and now deposited in this court, be, and the same is hereby declared proved; and it is further declared that the said Seeni Tamby Mohamado Cassim is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless (1) Seeni Tamby Kadija Umma, husband (2) Katta Seeni Tamby, (3) Seeni Tamby Sinnatchy Umma, husband (4) Ahamado Lebbe Casie Lebbe Marikar, (5) Seeni Tamby Sarifa Umma, husband (6) Uduma Lebbe Marikar Mohamado Hanifa, all of 15b, Skinner's road south aforesaid, or any person interested, shall, on or before March 19, 1908, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,  
District Judge.

February 20, 1908.

In the District Court of Colombo.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Last Will and  
Jurisdiction. Testament of Kirikankanange  
No. 3,002C. Peter Louis Perera Wijeyeratne  
Jayawardena, late of Dehiwala,  
deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., District Judge of Colombo, on February 20, 1908, in the presence of Mr. W. A. S. de Vos, Proctor, on the part of the petitioner Kirikankanange John Solomon Perera Wijeyeratne Jayawardena of Dehiwala; and the affidavit (1) of the said petitioner, dated February 11, 1908, and (2) of David Dias Dissanayake, Notary Public of Dehiwala, dated February 18, 1908, having been read:

It is ordered that the will of Kirikankanange Peter Louis Perera Wijeyeratne Jayawardena, the above-named deceased, dated January 31, 1908, and now deposited in this court, be, and the same is hereby declared proved; and it is further declared that the said Kirikankanange John Solomon Perera Wijeyeratne Jayawardena 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 March 26, 1908, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,  
District Judge.

February 20, 1908.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate  
Jurisdiction. of Charles Hutchens Burgess, late  
No. 3,004. of the Ceylon Technical College,  
Colombo, deceased.

William Sandilands Templeton of  
Colombo ..... Petitioner.

THIS matter coming on for disposal before Joseph Grenier, Esq., District Judge of Colombo, on February 20, 1908, in the presence of Richard Francis de Saram, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner, dated February 17, 1908, having been read:

It is ordered that the petitioner be, and he is hereby declared entitled, as the lawful attorney of John Burgess, the father of the deceased above-named, to administer the estate of the said deceased, and that letters of administration do issue 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.

JOSEPH GRENIER,  
District Judge.

February 20, 1908.

In the District Court of Colombo.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Last Will and  
Jurisdiction. Testament of Ahamado Lebbe  
No. 3,007 C. Marikar Arisi Marikar Hadjiar,  
late of Messenger street in Colombo,  
deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., District Judge of Colombo, on February 26, 1908, in the presence of Mr. Arthur Alvis, Proctor, on the part of the petitioner Arisi Marikar Hadjiar Izzeddeen; and the affidavits (1) of the said petitioner, dated February 20, 1908, and (2)

of Mr. Richard Francis de Saram, dated February 25, 1908, having been read:

It is ordered that the will of Ahamado Lebbe Marikar Arisi Marikar Hadjiar, the above-named deceased, dated March 13, 1904, and now deposited in this court, be, and the same is hereby declared proved, and it is further declared that the said Arisi Marikar Hadjiar Izzeddeen 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 March 26, 1908, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,  
District Judge.

February 26, 1908.

In the District Court of Kandy.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Simon Elbert de Fonseka,  
No. 2,609. deceased, of Cross street, Kandy.

THIS matter coming on for disposal before Charles Ambrose LaBrooy, Esq., Additional District Judge of Kandy, on February 14, 1908, in the presence of Messrs. Goonewardene and Wijegoonewardene, Proctors, on the part of the petitioner Engellina Francius Dona Fonseka, presently of Katugastota, Kandy; and the affidavit of the said petitioner, dated January 22, 1908, having been read:

It is ordered that the 3rd respondent, W. M. de Silva, Secretary of the District Court of Kandy, be, and he is hereby declared entitled to letters of administration to the estate of Simon Elbert de Fonseka of Cross street, Kandy, deceased, as the Secretary of the District Court of Kandy, unless (1) Mary Margaret Fonseka, (2) Harriet Engellina Fonseka, both of Katugastota, Kandy, by their duly appointed guardian *ad litem* Jackson de Silva of Trincomalee street, Kandy, (3) W. M. de Silva, Secretary of the District Court of Kandy, shall, on or before March 13, 1908, show sufficient cause to the satisfaction of this court to the contrary.

C. A. LABROOY,  
Additional District Judge.

February 14, 1908.

In the District Court of Kandy.

*Order Nisi.*

Testamentary In the Matter of the Estate of Mana  
Jurisdiction. Mohamado Abdul Cader, deceased.  
No. 2,614.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., District Judge of Kandy, on February 17, 1908, in the presence of Messrs. Beven and Beven, Proctors, on the part of the petitioner Muna Kana Seyado Ibrahim Saibo of Main street, Colombo; and the affidavit of the said petitioner, dated December 23, 1907, having been read:

It is ordered that the petitioner Muna Kana Seyado Ibrahim Saibo of Main street, Colombo, be, and he is hereby declared entitled to letters of administration to the estate of Mana Mohamado Abdul Cader, deceased, as the son of the said deceased, unless (1) Aiysa Umma of Kayalpathanam in South India, (2) Pathuma Natchia of Kayalpathanam in South India, (3) Seyadu Pathuma of Kayalpathanam in South India, (4) Noohu Pathuma of Kayalpathanam in South India, shall, on or before March 23, 1908, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,  
District Judge.

February 17, 1908.



In the District Court of Kandy.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Dunukewle Maligawattegedera Tumpane Appuhamy, deceased, of Dunukewle in Udapalata.  
No. 2,615.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., District Judge of Kandy, on February 17, 1908, in the presence of Mr. Sproule, Proctor, on the part of the petitioner Maligawattegedera Punchihamy of Dunukewle; and the affidavit of the said petitioner, dated February 15, 1908, having been read:

It is ordered that the petitioner Maligawattegedera Punchihamy of Dunukewle, be, and she is hereby declared entitled to letters of administration to the estate of Dunukewle Maligawattegedera Tumpane Appuhamy of Dunukewle in Udapalata, deceased, as the widow of the said deceased, unless (1) Maligawattegedera Kiri Banda, (2) Maligawattegedera Ukku Banda, (3) Maligawattegedera Ukku Menika, (4) Maligawattegedera Seyatu, (5) Maligawattegedera Pinhamy, (6) Maligawattegedera Mutu Menika, (7) Maligawattegedera Singho Appu, (8) Maligawattegedera Heen Appu, (9) Maligawattegedera Mudalihamy, (10) Maligawattegedera Mudiansa, (11) Maligawattegedera Kalu Menika, (12) Maligawattegedera Punchi Menika, all of Dunukewle in Udapalata, shall, on or before March 9, 1908, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,  
February 17, 1908. District Judge.

In the District Court of Kandy.

Testamentary Jurisdiction. In the Matter of the Estate of the late Giriagama Loku Kumarihamy, deceased, of Giriagama in Medasiya pattu of Harispattu.  
No. 2,616.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., District Judge of Kandy, on February 18, 1908, in the presence of Messrs. Beven and Beven, Proctors, on the part of the petitioner E. B. Giriagama of Trincomalee street, Kandy; and the affidavit of the said petitioner, dated February 14, 1908, having been read:

It is ordered that the petitioner E. B. Giriagama of Trincomalee street, Kandy, be, and he is hereby declared entitled to letters of administration to the estate of Giriagama Loku Kumarihamy of Giriagama in Medasiya pattu of Harispattu, deceased, as the grandson of the said deceased, unless (1) P. B. Giriagama, Schoolmaster, Mission school, Nawalapitiya, (2) J. A. Giriagama, Kachcheri, Kandy, (3) Alice Giriagama, wife of F. Marambe, President of Kandangomuwa in Kuruwita korale of Ratnapura, shall, on or before March 9, 1908, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,  
February 18, 1908. District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Rasamma, wife of Nagamuttu Muttutamby, of Araly North, deceased.  
No. 1,991.

Nagamuttu Muttutamby of Navaly South . . . . . Petitioner.

Vs.

Sethupillai, widow of Vlauther Sittampalam, of Araly North . . . . . Respondent.

THIS matter of the petition of Nagamuttu Muttutamby, of Navaly South, praying for letters of administration to the estate of the above-named

deceased Rasamma, wife of Nagamuttu Muttutamby, of Araly North, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on January 27, 1908, in the presence of Mr. A. Chelvadurai, Proctor, on the part of the petitioner; and the affidavit of the said petitioner, dated December 19, 1907, having been read: It is ordered that the petitioner be, and he is hereby declared entitled, as husband of the said deceased, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondent above-named or any other person shall, on or before March 10, 1908, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,  
January 27, 1908. District Judge.

In the District Court of Matara.

*Order Nisi declaring Will proved.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Don Eliyas Palihakkara Amarasekara, deceased, of Babarenda.  
No. 1,619.

THIS matter coming on for disposal before G. F. Plant, Esq., District Judge of Matara, on January 28, 1908, in the presence of Messrs. Keuneman, on the part of the petitioner Don Niculas Palihakkara Amarasekara; and the affidavit of Don Niculas Palihakkara Amarasekara, dated December 31, 1907, having been read: It is further declared that the said Don Niculas Palihakkara Amarasekara of Babarenda is an heir of the estate, and that he is as such entitled to have letters of administration of the said estate issued to him accordingly, unless the respondents (1) Vitaranage Dona Gimara Hamine of Babarenda, widow of the deceased, (2) Don Carolis Palihakkara Amarasekara of Babarenda, (3) Dona Carlina Palihakkara Amarasekara Hamine, and husband (4) Kulatunga Mudalige Don Andris Appuhamy, both of Babarenda, (5) Dona Proluja Palihakkara Amarasekara Hamine, and husband (6) Don Samel Mallijaraja Abesekara, both of Lunama in East Giruwa pattu, (7) Don Davith Palihakkara Amarasekara, Police Officer of Babarenda, (8) Don Hendrick Palihakkara Amarasekara of Henegama, (9) Dona Eslin Palihakkara Amarasekara Hamine and husband (10) Don Cornelis Gunasekara, both of Babarenda, shall, on or before February 27, 1908, show sufficient cause to the satisfaction of this court to the contrary.

G. F. PLANT,  
January 28, 1908. District Judge.

Date extended for publication till March 10, 1908.

In the District Court of Matara.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Tumbedura Karolis de Silva, deceased, of Karaputugala.  
No. 1,622.

THIS matter coming on for disposal before G. F. Plant, Esq., District Judge of Matara, on February 2, 1908, in the presence of Mr. Bultjens, Proctor, on the part of the petitioner Sudusinha Don Davith of Karaputugala; and the affidavit of Sudusinha Don Davith, dated January 28, 1908, having been read: It is declared that the said Sudusinha Don Davith of Karaputugala is son-in-law of the said deceased, and that he is as such entitled to have letters of administration of the said estate issued to him accordingly, unless any person or persons shall, on or before February 26, 1908, show sufficient cause to the satisfaction of this court to the contrary.

G. F. PLANT,  
February 2, 1908. District Judge.

Extended to March 19, 1908.

## In the District Court of Puttalam.

## Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Mirasu Kideru Ahamado Marakar, son of Kideru Tamby Marakar of Gopalapattanam in Pattu Kata Thaluka in India, deceased.  
No. 263.

THIS matter coming on for disposal before Arthur Charles Allnutt, Esq., District Judge of Puttalam, on February 20 1908, in the presence of Mr. Wilfred A. Muttukumara, Proctor, on the part of the petitioner Pana Lana Seyna Chilliah Pillai; and his affidavit, dated February 20. 1908, and petition dated February 20, 1908, having been read:

It is ordered that the last will and testament of Mirasu Kideru Ahamado Marakar, the above-named deceased, dated February 15, 1906, and now deposited in this court, be, and the same is hereby declared proved, and that letters of administration *cum testamento annexo* limited in manner set forth in the petition be issued to the said Pana Lana Seyna Chilliah Pillai as a creditor of the said deceased, unless the respondent Kideru Ahamado Marakar Seyadu Mohamado or any other person interested shall, on or before March 17, 1908, show sufficient cause to the satisfaction of this court to the contrary.

February 26, 1908.

A. C. ALLNUTT,  
District Judge.

## In the District Court of Chilaw.

## Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of the late Senarath Gunasekera Kaluaratchilage Unguhamy of Kaluatchimulla, deceased.  
No. 764.

Jayalat Kaluaratchilage Aron Singho of Kaluatchimulla ..... Petitioner.

And

(1) Jayalat Kaluaratchilage Punchi Singho, (2) Jayalat Kaluaratchilage Appu Singho, (3) Jayalat Kaluaratchilage Herat Singho, all of Kaluatchimulla..... Respondents.

THIS matter coming on for disposal before R. G. Saunders, Esq., District Judge of Chilaw, on February 24, 1908, in the presence of the petitioner; and after reading his affidavit, dated February 24, 1908: It is ordered that the petitioner be declared entitled to the probate of the above will in terms thereof, unless the respondents or any other person interested shall, on or before March 18, 1908, show sufficient cause to the contrary to the satisfaction of this court.

R. G. SAUNDERS,  
District Judge.

February 24, 1908.

## NOTICES OF INSOLVENCY.

## In the District Court of Colombo.

No. 2,288. In the matter of the insolvency of Albert Klein of Kollupitiya in Colombo.

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 March 19, 1908, for approval of the conditions of sale of all that coconut estate called French garden, situated at Tangalle, in extent about 9½ acres together with the buildings standing thereon.

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

Colombo, February 27, 1908.

## In the District Court of Kandy.

No. 1,541. In the matter of the insolvency of W. Simon of Nuwara Eliya.

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 March 20, 1908, for the consideration of the grant of a certificate of conformity.

By order of court,  
W. M. DE SILVA,  
Secretary.

February 26, 1908.

## In the District Court of Kandy.

No. 1,553. In the matter of the insolvency of Tana Pana Sameyappa of Tel-deniya.

WHEREAS Kavena Omer Marikar of Udispattu has filed a declaration of insolvency and a petition for the sequestration of the estate of Tana Pana Sameyappa, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Tana Pana Sameyappa insolvent accordingly, and that two public sittings of the court, to wit, on March 16, 1908, and on April 2, 1908, 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,  
W. M. DE SILVA,  
Secretary.

February 27, 1908.

## In the District Court of Badulla.

No. 100. In the matter of the insolvency of Ena Kader Sayibu of Kohilakandara.

NOTICE is hereby given that the first meeting of the creditors of the above-named insolvent will take place on March 25, 1908, for examination of the insolvent.

By order of court,  
THOS. ABEYWARDENE,  
Secretary.

February 29, 1908.

## NOTICES OF FISCALS' SALES.

## Western Province.

In the Court of Requests of Colombo.

- (1) W. Hendrick Mendis of Walana,  
 (2) G. Baron Fernando of Moratuwa,  
 (3) G. Charles Fernando of Moratuwa,  
 (4) G. Juliana Fernando of Moratuwa,  
 and (5) Abraham Perera of Moratuwa... Plaintiffs.

No. 4,432. Vs.

Halpewatuge James Silva of No. 226,  
 Colpetty in Colombo ..... Defendant.

NOTICE is hereby given that on Monday, March 30, 1908, at 3.30 P.M. will be sold by public auction at the premises the right, title, and interest of the said 1st, 2nd, 3rd, and 4th plaintiffs in the following property, for the recovery of the sum of Rs. 211.50 :—

All that five undivided eight parts or shares of the following property, viz. :—

1. All the land called the Brandery, now bearing assessment No. 226, situated at Colpetty within the Municipality of Colombo; bounded on the north by the garden formerly of Abraham de Moses, now belonging to the Roman Catholic Church, on the east by the high road, on the south by the other part of this garden separated by a passage, and on the west formerly by the sea shore, now railway line; containing in extent 1 square rood and 18 square perches, and of the buildings and appurtenances belonging thereto.

E. ONDATJE,  
 Deputy Fiscal.

Fiscal's Office,  
 Colombo, March 3, 1908.

In the District Court of Negombo.

Theodore Koertz Carron of Negombo ..... Plaintiff.  
 No. 6,472. Vs.

- (1) Weda Paulis Silva, (2) Weda Sarnelis Silva, and Surety (3) Weda Simon Silva Kankanama, all of Udammitta... Defendants.

NOTICE is hereby given that on March 28, 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. 775, dated March 14, 1904, and declared liable to be sold by the decree entered in the above case, viz. :—

All those 4 contiguous portions of the land called Gorakagahawatta and Madugahawatta, and the buildings standing thereon, situate at Udammitta, in the Ragam pattu of Alutkuru korale; and bounded on the north by the land of Weda Lawaris Silva, on the east by the land of Weda Silby Silva, on the south by the land of Arambage Banchia, and on the west by a cart road; containing in extent 1 acre and 2 roods more or less.

Amount to be levied, Rs. 2,340, with interest thereon at 9 per cent. per annum from March 15, 1907.

FRED. G. HEPPONSTALL,  
 Deputy Fiscal.

Deputy Fiscal's Office,  
 Negombo, March 3, 1908.

## Central Province

In the District Court of Kandy.

Sena Thana Kana Roona Nallakarupen Chetty of No. 207, Trincomalee street, in Matale ..... Plaintiff.  
 No. 15,124. Vs.

- (1) Periya Karupen Chetty's son Sinnayah Chetty of Wattegama; (2) Mana Weena Muttu Cangany of Galwatta in Elkandura ..... Defendants.

And

W. M. de Silva, administrator of the estate of the deceased, 1st defendant ..... Substituted Defendant.

NOTICE is hereby given that on March 30, 1908, commencing at 12 noon, and if necessary on following days, commencing at same hour, will be sold by public auction at the premises the following property mortgaged upon bond No. 3,781, and dated September 25, 1896, and decreed to be sold by the judgment entered in this case :—

1. All that land called and known as Pattarawelahena of about 1 amunam and 2 pelas in paddy sowing extent, situate at Udangomuwa Udasiya pattu of Matale; bounded on the east by Ganeura, south by Undiyagedarahena, west by Kuda-oya, and on the north by Walawewatta and the limit of Kalubandagehena, with the exception of the field on the western side near Kuda-oya.

2. An undivided half share of and in all that land called Pattanewelahena alias Puwakgahawelahena of about 16 acres in extent, situate at Udangomuwa; bounded on the east by Girambehena now the property of J. Holloway, south by Siyambalagahamulahena belonging to Wenatitan Chetty, west by oya, and on the north by Pokunewattahena Ratwatta belonging to Wenatitan Chetty, with all the plantations thereon.

3. All that land called Deniyakumbura, situate at Hangerankande in Udasiya pattu, Matale; bounded on the east, south, west, and north by the water-course.

4. All that land called Watagodahena; bounded on the north-east by water-course and land described in plan No. 160,968, south by Galwelahena claimed by Tikiri Banda, and west by Batalegallehena or Watagodahena claimed by W. Tikiri Banda, and a path.

5. All that land called Mahaputukumbura; bounded on the north by land described in plan No. 160,967, east by land described in plan No. 42,814 and 160,967, west by a path and land described in plan No. 160,967, and south by land described in plan No. 160,970.

6. All that land called Mahapaluwatta; bounded on the north by land described in plan No. 160,968, east by land described in plan No. 42,814 and a water-course; south by land described in plan No. 160,970, west by land described in plan No. 160,968; containing in extent 1 acre 3 roods and 2 perches.

7. All that land called Mahakumburehena; bounded on the north by land described in plan No. 160,968 and 160,969, east by land described in plan No. 42,814, south by reservation along the Alugolle-ela, west by a path; containing in extent 3 acres 3 roods and 33 perches.

8. All that land called Katuwellaheeriyahena; bounded on the west and north by the reservation along the Alugolle-ela, east by land described in plan No. 42,814 and reservation along the Atigahapitiye-ela, south by reservation along the Dambalagolle-ela and Bilingollehena; containing in extent 35 acres, all the above described 3, 4, 5, 6, 7 and 8 lots are now made into one land, and are bounded on the north by a water-course, north-east and east by Mahatenna or Sakkarawatta estate described in title plan No. 42,814, trenches by reservation by Attarapitiya-ela and Elakanduwa estate described in plan No. 126,075, south by reservation.

9. All that land called Pokunewattahena, situate at Udangomuwa; and bounded on the east by Walawwehena, south by the limit of Pitiyahenayalehena, west by Galweta, and on the north by Maha-oya; containing in extent 1 acre 3 roods and 29 perches.

10. All that land called Girambemedapolagawahena, situate at Elkaduwa in Udasiya pattu; containing in extent 1 amunam of paddy sowing; bounded on the east by the limit of Hangurankademakulkanuwa and by mango tree, south by ela, west by the rock and Udagedarahena, and north by Walawwehena.

11. All that land called Hegalahena, situate at Udangomuwa; containing in extent of about 1 pela and 5 lahas paddy sowing extent, bounded on the east by Naranpanawehena, south by water-course, west by Appuhamy's hena, and on the north by Horatala's hena.

12. All that land called Pattanewelatennehena, situate at Udangomuwa; containing in extent 2 amunams of paddy sowing extent, bounded on the north-east by the Gangime, south by the remaining portion of this land, and west by the fence of the field and oya.

13. All that land called and known as Arapanawatta *alias* Patanewelahena, situate at Udangomuwa; and bounded on the east by Girambehena belonging to Wenatitan Chetty, west by oya, and on the north by Maha-ela; containing in extent 7 acres and 4 perches.

14. All that land called Pattanewelahena, situate at Udangomuwa; bounded on the east and south by Pattanewelakumbura, west by oya, and north by Pattanewelakumbura and Pokunewatta; containing in extent 3 acres 2 roods and 22 perches.

Amount of writ, Rs. 5,171, and interest.

A. V. VOUTERSZ,  
Deputy Fiscal.

Fiscal's Office,  
Kandy, March 3, 1908.

### Northern Province.

In the District Court of Jaffna.

Leena Peena Alagappa Chetty of  
Vannarponne ..... Plaintiff.

No. 4,741. Vs.

Ena Mana Ihatparanautham of Vannarponne ..... Defendant.

NOTICE is hereby given that on Monday, April 6, 1908, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of Rs. 895.32, with interest on Rs. 736 at the rate of 18 per cent. per annum from February 24, 1908, and charges, viz. :—

In an undivided  $\frac{1}{3}$  share with its appurtenances of a piece of land situated at Vannarponne West, called

Moottanaiyanalvalu, containing or reputed to contain in extent 3 culics with one boutique, and its verandah on the back; bounded or reputed to be bounded on the east by road, north by the property of Muhammadu Usantamby Sultan Abdul Cader and shareholders, and west and south by the property of Suppiramaniapillai Ponnampalpillai.

V. THAMBIPILLAI,  
Deputy Fiscal.

Fiscal's Office,  
Jaffna, February 29, 1908.

In the District Court of Jaffna.

Lena Pena Alagappa Chetty of Vannarponnai ..... Plaintiff.

No. 4,741. Vs.

Ena Mana Thaeparanautham of Vannarponnai ..... Defendant.

NOTICE is hereby given that on Saturday, April 4, 1908, at 10 o'clock in the forenoon, will be sold by public auction at the Fiscal's Office, Jaffna, the right, title, and interest of the said defendant in the following property for the recovery of Rs. 895.32, with interest on Rs. 736 at the rate of 18 per cent. per annum from February 24, 1908, and charges, viz. :—

Five ordinary shares of Rs. 100 each bearing Nos. 102 to 106 in the Jaffna Commercial Corporation, Limited, of the aggregate value of Rs. 500 issued by the said corporation in favour of Rakkappar Mailvaganampillai, the defendant's late father, and now belonging to the judgment-debtor by right of inheritance (mudusom).

V. THAMBIPILLAI,  
Deputy Fiscal.

Fiscal's Office,  
Jaffna, March 2, 1908.

In the District Court of Jaffna.

R. M. M. S. T. Suppiramaniam Chettiar  
of Vannarponnai ..... Plaintiff.

No. 5,626. Vs.

Muttiah Asaippillai of Vannarponnai  
West ..... Defendant.

NOTICE is hereby given that on Tuesday, March 31, 1908, at 10 o'clock in the forenoon, will be sold by public auction at the spot the following property, hypothecated to the plaintiff and decreed to be sold by decree entered in the above action, for the recovery of Rs. 3,629.50, with interest thereon at the rate of 15 per cent. per annum from November 21, 1907, until payment in full and charges, viz. :—

A piece of land situated at Vannarponnai East, called Ikkirithoddam; containing or reputed to contain in extent 10 $\frac{1}{2}$  lachams of varagu culture with house and cultivated plants; bounded or reputed to be bounded on the east and south by road, west by the property belonging to the Wesleyan Mission, and north by the property of Nagaratnam wife of Rajaratnam.

V. THAMBIPILLAI,  
Deputy Fiscal.

Fiscal's Office,  
Jaffna, February 28, 1908.

## Southern Province.

In the District Court of Galle.

Mahagoda Vitanage Arya Dharmawardenana of Bataduwa ..... Plaintiff.

No. 8,244. Vs.

Laddu Saradoris de Silva of Haranagala, and others ..... Defendants.

NOTICE is hereby given that on Saturday, March 28, 1908, commencing at 9 o'clock in the forenoon, will be sold by public auction at the premises the following mortgaged property, viz. :—

1. All that portion of land planted with cinnamon of the extent of 2 acres and 3 roods of the land Godaudawatta, 3 acres in extent, situate at Haranagala.

2. All the fruit trees and soil together with the 9 cubits tiled-house standing on Mahabamunuwatta, of the extent of about 1 acre and 2 roods, situate at Telwatta.

3. All the fruit trees and soil of Kudabamunuwatta, about 1 acre in extent, at Telwatta.

4. All that undivided 22/60th part of the soil and soil share trees of Algewatta, 3 acres in extent, situate at Uduwaragoda.

5. All that undivided 1/60th of the soil and soil share trees of Wellagederawatta, 2 acres and 2 roods in extent, at Uduwaragoda.

6. All that undivided 1/60th of soil and soil share trees of Lokumuttagewatta, alias Pansalewatta, 2 acres in extent, at Uduwaragoda.

7. All that undivided 1/60th part of the soil and soil share trees and 1/10 part of the planter's share of the 1st plantation of Sanda Padinchiwaun Danketiawatta, 3 acres in extent, at Uduwaragoda.

The right, title, and interest of the defendant in the following property, viz. :—

8. 1/10th of  $\frac{1}{2}$  of Ahalagahawatta together with 1st and 3rd plantations thereon, situate at Telwatta.

9. 1/10th of  $\frac{1}{2}$  of all the fruit trees and soil of Eramudugahawatta, about an acre in extent, situate at Telwatta.

10. 1/10th of  $\frac{1}{2}$  of all the fruit trees and soil of Wellabodawatta, about  $\frac{1}{2}$  acre in extent, at Telwatta.

11. The 7 cubits house belonging to Laddu Heenhamy standing on Dombagahawatta at Telwatta.

12. 1/10th of lot No. 2 of Wellabodawatta alias Pelawatta at Telwatta.

Writ amount Rs. 2,790·71, with interest on Rs. 1,000 at 9 per cent. per annum from August 3, 1906, and a further sum of Rs. 1,000 with interest as aforesaid, and also Rs. 602·46 being costs.

C. T. LEEBRUGGEN,  
for Fiscal, Southern Province.

Fiscal's Office,  
Galle, February 27, 1908.

In the District Court of Galle.

James Abraham Sirimane of Bentara..... Plaintiff.

No. 8,395. Vs.

Don Hendrick Munasinha and Don Salman Samaranyaka, both of Induruwa ..... Defendants.

NOTICE is hereby given that on Saturday, April 4, 1908, commencing at 2 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.  $\frac{1}{2}$  of all the fruit trees and soil of Korlagewatta about 5 acres in extent, situate at Bentara, together with  $\frac{1}{2}$  part of the tiled plastered house and kitchen wherein the 1st defendant resides.

2.  $\frac{1}{2}$  of  $\frac{1}{2}$  of all the fruit trees and soil of Soppagewatta,  $1\frac{1}{2}$  acre in extent, situate at Indurugama.

3. The entire soil and fruit trees together with  $\frac{1}{2}$  of the thatched house standing thereon of Senasagewatta, about half an acre in extent, at ditto.

4.  $\frac{4}{5}$  of  $\frac{1}{2}$  of Siyambalagahawatta, about 1 acre and 2 roods in extent, at ditto.

5.  $\frac{3}{5}$  parts of the soil of Polattewela, situate at Kosgodagama.

6.  $\frac{1}{2}$  of  $\frac{1}{2}$  part of the soil of Alutgahabokkagoibima, at ditto.

Writ amount Rs. 895·49, with interest on Rs. 800 at 9 per cent. from January 16, 1907.

H. A. BURDEN,  
Deputy Fiscal.

Fiscal's Office,  
Galle, March 3, 1908.

## Eastern Province.

In the District Court of Trincomalee.

Arumugam Supramaniapillai of No. 1

Division, Trincomalee..... Plaintiff.

No. 314. Vs.

Sathasivampillai Chellappa of No. 8  
Division, Trincomalee ..... Defendant.

NOTICE is hereby given that on Thursday, April 2, 1908, at 11 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. :—

1. A piece of land situated at Division No. 1, Trincomalee, with a tiled house of 3 rooms and mandapan, well, coconut trees, and other plantations standing thereon; bounded on the north by road, on the east by the dowry land of M. M. Nainakan, on the south by the land of Vairapi Murugan, and on the west by the land of Kathirasipillai wife of Somasagarampillai and others.

2. A piece of land situated at Division No. 2, Trincomalee, with coconut trees and other plantations and wells standing thereon; bounded on the east by the land of Rasa William Allegacoon, Mudaliyar, on the south by road and by the Naval canteen belonging to Government, on the west by Naval canteen belonging to Government and by Kinkudurai-valavu belonging to K. Thamothisirampillai and by the land belonging to Teruvankadasala Chetty, and on the north by road.

Writ amount, Rs. 1,508·62 $\frac{1}{2}$ .

S. RAJU,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Trincomalee, March 3, 1908.

## North-Western Province.

In the District Court of Kurunegala.

Hunduram Simon de Silva Appuhami of  
Pollattapitiya in Kurunegala..... Plaintiff.

No. 3,251. Vs.

(1) Herat Mudiyansele Ranhami, (2)  
Wellewe Weerasakera Mudiyansele  
Menikhamy, both of Potuhera in Uda-  
pola Medalasse korale..... Defendants.

NOTICE is hereby given that on Tuesday, March 31, 1908, commencing at 10 o'clock in the morning, will be sold by public auction at the premises the right, title, and interest of the said defendants in

the following property, mortgaged by bond No. 4,371, dated January 3, 1907, and attested by J. P. S. Jayawardene, Notary Public, viz. :—

1. Kadumberiyagahamulawatta of about 1½ seer kurakkan sowing extent with the plantations and everything thereon, situate at Potuhera; and bounded on the north by Puwakkotuwakumbura, east, south, and west by garden belonging to Mudalihami.

2. Dorakumbura of about 1 pela of paddy sowing extent, situate at Potuhera aforesaid; and bounded on the north by garden, east by the limitary ridge of the field of Mudalihami, south by the field of Bandirala, west by the limitary ridge of the field of Ungurula.

3. An exact undivided ½ share of Dangahamulawatta of about 2 seers of kurakkan sowing extent with the plantations and everything thereon, situate at Potuhera aforesaid; and bounded on the north by ant-hill (binhumbaha), east by high road leading to Colombo and by rail road, south by the fence of the garden of Mudiyanse and others, west by fence of the chena belonging to Mudalihami Korala.

4. An undivided exact ½ share of Ketakalagahamulawatta of 5 lahas of kurakkan sowing extent with the plantations and everything thereon, situate at Potuhera aforesaid; and bounded on the north by the limit of Recopattu korale, east by the garden of Punchirala, south by land of Menikhami, and west by fence of the garden of Kirihami and others.

5. An undivided ½ share of Dorakumbura of 3 pelas of paddy sowing extent, situate at Potuhera aforesaid; and bounded on the north by garden of Ranhami and others, east by the limitary ridge of the field of Punchirala and others, south by the limitary ridge of the field of Ranhami and others, and west by the limitary ridge of the field of Ranhami and others.

6. An undivided exact ½ share of Kossehekadakumbura of 2 pelas paddy sowing extent and its adjoining pillewa of 2 seers kurakkan sowing extent with everything thereon, situate at Potuhera aforesaid; and bounded on the north by the limitary ridge of Dorakumbura, east by garden and field belonging to Ranhami and others, south by the fence of the garden of Kiri Banda and Mudiyanse Vidane, and west by the limitary ridge of the field of Bandirala.

7. An undivided exact ½ share of Pallewela of 2 pelas paddy sowing extent and its adjoining pillewa of about 3 seers kurakkan sowing extent with the plantations and everything thereon, situate at Potuhera aforesaid; and bounded on the north by the limitary ridge of the field of Ukkurula and others, east by the limitary ridge of the field of Lapaya Heneya and others, south by the limitary ridge of the field of Appuhami, and west by ditch and fence of the garden of Mina Muhammadu Bawa, Police Vidane.

8. An undivided ½ share of Puwagahakotuwakumbura of 12 lahas paddy sowing extent, situate at Potuhera aforesaid; and bounded on the north by the limitary ridge of the field of Appuhami and others, east by the limitary ridge of the field of Muhammadu Bawa, Police Officer, south by the garden of Ranhami and others, and west by the limitary ridge of the field of Ranhami and others.

9. An undivided ½ share of Dorakumbura, Dangahamulawatta of 5 lahas kurakkan sowing extent with the plantations and everything thereon, situate at Potuhera aforesaid; and bounded on the north by ditch and enderu fence of the garden belonging to Kiri Banda and others, east by the fence of the garden of Appuhami and others, south by the field of Ranhami and others, and west by ditch of the garden of Menikhami.

10. An undivided ½ share of Parangedera Meegahamulawatta of 3 lahas kurakkan, situate at Potuhera aforesaid; and bounded on the north by Puwakkotuwakumbura, east by the field of Muhammadu Bawa, Police Vidane, south by the fence of the garden of Tikiri Ethena and others, and west by field.

11. Ketakalalande Kahatagahamulawatta, now garden, of about 3 lahas kurakkan sowing extent with the tiled buildings, plantations, and everything thereon, situate at Potuhera aforesaid; and bounded on the north by the fence of the garden of Mudalihami and others, east by ditch and fence of the garden of Punchirala and Ranhami, south by the hedge of the field of the said Punchirala and Ranhami, and west by the fence of the garden of Appuhami.

12. Kekunagahakumbura of 2 pelas paddy sowing extent and its adjoining Meegahamulawatta of about 2 lahas kurakkan sowing extent with the plantations and everything thereon, situate at Potuhera aforesaid; and bounded on the north by the limitary ridge of Rukgahakumbura of Ungurula, east by the limitary ridge of Rukattanakumbura, south by limitary ridge of the field of Sumanatissa Unnanse and by enderu fence of the garden, and west by Rodawetiya of the chena of Ranhami.

13. Rukkattanekumbura of 3 pelas paddy sowing extent and its adjoining pillewa with everything thereon, situate at Potuhera aforesaid; and bounded on the north by the limitary ridge of the field of Lensuwaheneya and others, east by the ditch of the garden of Mudalihami, south by the limitary ridge of the field of Dingira, and west by stream.

14. An undivided exact ½ share of Alawattehena of about 5 seers kurakkan sowing extent, with the plantations and everything thereon, situate at Potuhera aforesaid; and bounded on the north by the fence of the garden of John Perera, east by the high road, south by land belonging to Kiri Bandirala and others, and west by the garden of Punchirala and others.

15. An undivided ½ share of the northern undivided ½ share of Batalawatta of about 3 seers kurakkan sowing extent, with everything thereon, situate at Potuhera aforesaid; and bounded on the north by the high road leading to Colombo and by land of John Perera, east by high road, south by rail road and by garden belonging to Kiri Bandirala and others, and west by the limit of Alawattehena.

Amount to be levied Rs. 2,233.04, with legal interest thereon from October 10, 1907, till payment in full and costs, to be taxed hereafter, with poundage.

C. V. RIBEIRA,  
Deputy Fiscal.

Fiscal's Office,  
Kurunegala, March 3, 1908.

In the District Court of Negombo.

Sawanna Thana Lena Muna Muttaiah  
Chetty of Negombo.....Plaintiff,  
No. 5,831. Vs.

Alexander Charles Gunaratna of Kudagammana .....Defendant.

NOTICE is hereby given that on Saturday, March 28, 1908, commencing at 10 o'clock in the morning, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

1. An undivided half share of the garden Horagollewatta, which the vendor held and possessed by right of purchase, of 7 bushels paddy sowing extent, situate at Nehinigammana in Katugampola Meda pattu korale in Katugampola hatpattu; bounded on the east by land belonging to Appu Singho, Peace Officer, and others, south by Ma-oya, on the west also by the garden belonging to Appu Singho, Peace Officer, and on the north by the field.

2. The garden Kosgahamulawatta of about two bushels paddy sowing extent, situate at the same village; and bounded on the east by garden belonging to Appu Singho, Peace Officer, south by Ma-oya and west by the garden belonging to Kaluhami and others, and on the north also by the garden belonging to Appu Singho, Peace Officer, and others.

3. Kumbukgahamulakehelwatta of about two bushels paddy sowing extent, situate at the same village; and bounded on the east by garden belonging to Kaluhami and others, south by Ma-o-ya, west by garden belonging to Appu Singho, Peace Officer, and on the north by land belonging to Mr. Gunaratna.

4. The garden Hitgahawatta and the adjoining Harankahawewatta of about 8 bushels paddy sowing extent, situate at the same village; and bounded on the east by the land of William Perera Appuhami, south by the garden of Maiyappu, west by the garden belonging to Kaluhami and others, and on the north also by lands belonging to Kaluhami and others.

5. Ambagahamulahena of about two bushels paddy sowing extent, situate at the same village; bounded on the east by lands belonging to Kaluhami and others, south by field, west by land of William Perera Appuhami, and on the north by the garden of Kaluhami.

6. Diganehena of four bushels paddy sowing extent, situate at the same village; bounded on the east by the land of William Perera Appuhami, south by garden of Babappu, west by garden of Subaseris, and on the north by garden and field belonging to Pelippuwa.

7. Pananmatawela of four bushels paddy sowing extent, situate at the same village; and bounded on the east and south by land Godabima, west by field of William Perera Appuhamy and others, north by land Godabima belonging to the same person.

8. The field Puwakgahakotuwakumbura of four bushels paddy sowing extent, situate at the same village; bounded on the east and south by the land Godabima, on the west by field belonging to William Perera Appuhamy, and on the north by Godabima belonging to the same person.

9. An undivided half share of the land Kotagampitiyahena of 12½ bushels paddy sowing extent, situate at the same village; and bounded on the east by the jungle Ratmaharakele, west by the footpath, and north by the land of Appuhamy Arachchi, and south by the jungle Ratmaharakele and footpath.

Amount to be levied Rs. 525.75, with interest on Rs. 460 at 9 per cent. per annum from December 8, 1904, till payment in full, and interest not to exceed the principal.

C. V. REBETRA,  
Deputy Fiscal.

Fiscal's Office,  
Kurunegala, March 3, 1908.

In the District Court of Chilaw.

K. K. V. E. A. M. Sivaparangiri Pulle,  
by his attorney Ramalingam Pulle of  
Madampe ..... Plaintiff.

No. 3,556. Vs.

Warnakula Aditta Arsanilaitta Stephen  
Lowe Appuhamy and another of Ma-  
dampe ..... Defendants.

NOTICE is hereby given that on Thursday, April 2, 1908, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz.; specially mortgaged with the plaintiff.

1. An undivided ¼ share of the garden called Paragahayaya, Niriawatta *alias* Dangahawatta or Meellagahawatta of about 500 coconut trees plantable extent, with the soil and the plantations standing thereon situated at Marawila in Yatakalam patu Pitigal Korale Central, in the District of Chilaw.

2. An undivided ¼ share of the garden called Pahalawatta *alias* Dangahawatta or Meellagahawatta lying adjoining to Paragahayaya Niriawatta of about 40 coconut trees plantable extent, with the soil and the plantations standing thereon, situated at Marawila.

3. An undivided ¼ of 1/5 share of the field called Paragahayaya Talgahakumbura of about 3 acres in extent, situated at Marawila.

4. An undivided ¼ share of the garden called Paragahayayekahatagahawatta of about 3½ acres in extent, with the soil and the plantations standing thereon, situated at Marawila, excluding from the entire land 39 coconut trees to Suse Fernando as planter's share.

5. An undivided ¼ share from 24 coconut trees excluding the soil from the portion of the garden called Paragahayaya, situated at Marawila.

6. An undivided ¼ share of the garden called Bogahawatta of about 175 coconut trees plantable extent, with the soil and the plantations thereon, situated at Halpanwela.

At 3 P.M.

7. An undivided ¼ of 1/5 share of the field called Viyanagekumbura of about 15 parras paddy sowing extent, situated at Madampe.

On Friday, April 3, 1908, at 10 o'clock forenoon,  
at the premises.

8. One-fourth share of the land called Mukalane Paragahayaya, situated at Kachchurawa.

At 2 P.M.

9. A portion of the land called Wewehemmemukalana, with the soil and the plantations thereon, situated at Tabbowa.

Amount to be levied, Rs. 1,515.37, with interest thereon at 9 per cent. per annum from the date of decree till payment in full and poundage.

A. V. HERAT,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Chilaw, March 3, 1908.

In the District Court of Negombo.

S. A. R. S. Palaniappa Chetty by his  
attorney S. A. R. S. Arumugam Palle  
of Negombo ..... Plaintiff.

No. 6,280. Vs.

(1) Walpolakankanamalage Don Juse  
Appuhamy and surety (2) Jayalath  
Imihamillage Peris Sinno Appuhamy  
Vedarala of Haldanduwana ..... Defendants.

NOTICE is hereby given that on Monday, March 30, 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, specially mortgaged with the plaintiff:—

1. The land called Ambagahapillewa, situate at Haldanduwana in Otarpalata of the Pitigal korale in the District of Chilaw; and bounded north by the land appearing in the figure of survey bearing No. 79,895, east by the high road, south by the land belonging to Don Francisco and three others, and west by the land appearing in the figure of survey No. 79,856; containing in extent 3 acres.

2. The western one-half of Viharawatta, situate at Mohottimulla in aforesaid palata and korale, being bounded north by Higgahakumbura claimed by L. B. Lukas Appu and another, east by the remaining one-half of this land belonging to the heirs of Jayasekeramudalige Don Allis, Police Vidane, south by Tembiligahakumbura claimed by Lukas Silva and others, and west by the land said to belong to the Crown; containing in extent 1 acre 2 roods and 13½ perches.

3. The undivided one-third of the land called Horakele, situate at the villages Haldanduwana Buggampola aforesaid; the said land being bounded north by the field belonging in the name of Jayalath Imihamillage Sinno Appuhamy, to his heirs, and to others, east by the land belonging to Caranis Vidaneralla Mannaheneya and others, south by the land called Horakele belonging to the second defendant and others and by the land belonging to Wanselistu Fernando, Notary, and west by the garden belonging to Andia Wahumpuraya and others, and by the lands said to belong to the Crown; containing in extent 52 acres.

4. The undivided one-third of Kumbukgahawatta, situate at Haldanduwana aforesaid; the said land

being bounded north by the field belonging to Bastian Fernando Malayappa Pulle, east by the land belonging to Caranis Appuhamy, south by the garden belonging to Wanselistu Fernando, Notary, and others, and west by the garden formerly of Elias Appu and now of his heirs; containing in extent about 4 acres.

Amount Rs. 1,732.12, with interest at 9 per cent. per annum from March 29, 1906, till payment.

A. V. HERAT,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Chilaw, February 26, 1908.

## SALE OF PROPERTY UNDER SECTION 60 (6) OF THE CRIMINAL PROCEDURE CODE.

District Court, Kandy, No. 1,793.

NOTICE is hereby given that on Monday, March 30, 1908, at 12 noon, the Hon. the Government Agent for the Central Province will put up to public auction, at his office in Kandy, the under-mentioned property of Kanda Tamby *alias* K. Ahamadu Meera Tamby, accused in District Court, Kandy, case No. 1,793, who has absconded, which property was attached on January 21, 1907, under the Order of Attachment issued in the said case.

*Property referred to.*

1. House No. 518, situated at Peradeniya road at Getambe; bounded on the east by rail road, south by the property of Nina Numa Naina Marikar bearing assessment No. 54, west by the high road, and north by bare land bearing assessment No. 516.

2. Premises bearing assessment No. 578 to 584; bounded on the east by the high road, west by the Mahaweli-ganga, south by Carolis Appu's bearing assessment No. 577, and on the north, by R. D. Garbriel Appu's house bearing assessment No. 585, both situated in the town of Kandy.

By His Excellency's command,

Colonial Secretary's Office,  
Colombo, March 3, 1908.

HUGH CLIFFORD,  
Colonial Secretary.

## DISTRICT AND MINOR COURTS NOTICES

NOTICE is hereby given that the criminal cases of the District Court of Matara, from the year 1858 to the year 1899, will be destroyed on May 30, 1908, and that 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; in which event it shall be competent to the court to make such order thereon as to it shall seem meet.

G. F. PLANT,  
District Judge.

District Court,  
Matara, February 26, 1908.

NOTICE is hereby given that civil cases of the District Court of Matara, from the years 1832 to 1837, and from the years 1847 to 1852, exclusive of land cases, will be destroyed on May 30, 1908, and that 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; in which event it shall be competent to the court to make such order thereon as to it shall seem meet.

G. F. PLANT,  
District Judge.

District Court,  
Matara, February 27, 1908.



**Destruction of Records in the District Court, Court of Requests, and Police Court of Ratnapura.**

NOTICE is hereby given, in terms of the Ordinance No. 12 of 1894, that the following records of the above-mentioned courts, to wit:—

1. Money cases over 10 years in the District Court and 5 years in the Court of Requests, except cases in which (a) mortgage decrees have been entered; (b) unclaimed suitors' moneys are lying in deposit; (c) satisfaction of judgment, decree, or order has not been recorded; and (d) judgment being revived or writ issued 10 years have not elapsed;
2. Lunacy cases over 5 years old, save those in which an adjudication of lunacy has been recorded;
3. All inquest proceedings over 10 years old;
4. District Court criminal cases over 5 years old;
5. Summary Police Court cases over 5 years old;
6. Non-summary Police Court cases over 5 years old;
7. Petitions, reports, cattle vouchers, &c., over 5 years old;

will, three months from the date hereof, be destroyed,

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

ALLAN BEVEN,  
District Judge, Commissioner of  
Requests, and Police Magistrate.

District Court and Minor Courts,  
Ratnapura, February 29, 1908.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Hatton-Nuwara Eliya held at Nawalapitiya by five labourers of Midland Group estate against the proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 46.91.

H. G. PARANAVITANA,  
Chief Clerk.

February 21, 1908.