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PART II.—Legal and Judicial.

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### 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, 190 ."

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, or has received from the Government Agent a permit authorizing him to do so. Any person who purchases rubber without being so licensed, or without such permit, 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.

(4) The Government Agent may in his discretion issue permits in writing under his hand authorizing the Superintendents or Assistant Superintendents for the time being of the estates therein named to purchase rubber.

Such permits shall remain in force until revoked by the Government Agent.

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

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

(2) Any person who is aggrieved by the refusal of the Government Agent to grant or renew a license, or to grant a permit, or by the revocation of a license or permit, 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

Responsibilities  
of partners.

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.

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 he 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,

HUGH CLIFFORD,  
Colonial Secretary.

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

*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.

## MINUTE.

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

## An Ordinance to amend "The Vehicles Ordinance, 1901."

Preamble.

WHEREAS it is expedient to amend in certain particulars "The Vehicles Ordinance, 1901" (hereinafter referred to as "the principal Ordinance"): Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Vehicles (Amendment) Ordinance, 1901," and this Ordinance, the principal Ordinance, and Ordinance No. 1 of 1902, intituled "An Ordinance to amend 'The Vehicles Ordinance, 1901,'" shall be read and construed as one Ordinance.

Substitution of new section with regard to numbering vehicles.

2 For section 11 of the principal Ordinance the following section shall be substituted:

11. At the time when any vehicle shall be licensed the proper authority shall see that a number corresponding to that under which such vehicle is entered in the register is painted, branded, stamped, or cut, as he shall consider best, on some conspicuous part thereof, or shall cause such number to be so painted, branded, stamped, or cut, and shall thereafter issue to the applicant the license aforesaid.

The proper authority shall also, on the deposit with him by the applicant of a sum of one rupee, issue to him a plate to be fixed upon the vehicle as hereinafter provided. The plate shall have legibly painted or marked on it a number corresponding with the number mentioned in the license of the vehicle; and the year in which the license is granted shall be indicated on the plate by means of figures, letters, or colours.

The plate shall be fixed upon the vehicle in such manner that the year, if indicated by letters or figures, and the number shall be at all times plainly and distinctly visible.

In the case of carts, the plate shall be fixed on the off or right side of the frame opposite to and within the circumference of the wheel and in front of the axle. The plate shall be kept and continued so fixed during the continuance of the license; and the proprietor of the vehicle shall, at the expiration of the period for which the license has been granted, return the plate to the office from which he received it. On such return, if the plate be found to be in good order and condition, the deposit aforesaid shall be returned to the proprietor, or a new plate for a fresh period, if necessary, issued to him free of cost. When any plate has become indistinct or defaced by use or otherwise, the proprietor shall return the same to the proper authority, and shall be entitled, on making a further deposit as aforesaid, to receive a fresh plate. Any proprietor who fails to return as aforesaid any plate which has become indistinct or defaced shall be guilty of an offence, and shall be liable to the punishment prescribed by section 42 of this Ordinance.

By His Excellency's command,

HUGH CLIFFORD,  
Colonial Secretary.

Colonial Secretary's Office,  
Colombo, April 6, 1908.

*Statement of Objects and Reasons.*

THE Draft Ordinance amends section 11 of "The Vehicles Ordinance, 1901," with the object of making better provision for the identification of vehicles. The Ordinance provides for the identification of vehicles by means of numbered plates, and in the case of carts prescribes the position in which the plate has to be attached to the cart.

Colombo, March 31, 1908.

ALFRED G. LASCELLES,  
Attorney-General.

**NOTICES IN TESTAMENTARY ACTIONS.**

In the District Court of Colombo.

*Order Nisi declaring Will proved.*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Soris Victoria Suse Victoria, late of Brassfounders' street, Colombo, deceased.

*Q. 4.00*  
*R 875*  
**T**HIS matter coming on for disposal before Joseph Grenier, Esq., District Judge of Colombo, on April 3, 1908, in the presence of Mr. P. G. Cooke, Proctor, on the part of the petitioner Anthony Francis Candappah of New Chetty street, Colombo; and the affidavits (1) of the said petitioner, dated April 1, 1908, and (2) of the Notary, M. Carolis Perera Gunawardhana of Colombo, dated March 31, 1908, having been read:

It is ordered that the will of Soris Victoria Suse Victoria, the above said deceased, dated January 6, 1908, and now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Anthony Francis Candappah is the sole executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless (1) Maria Nedis Fernando, (2) Maria Annamal Victoria, (3) Lazarus Victoria, (4) Joachim Victoria, and (5) Paulina Victoria, or any person interested shall, on or before May 7, 1908, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,  
District Judge.

April 3, 1908.

In the District Court of Batticaloa.

*Order Nisi.*

In the Matter of the Estate and effects of the late Kasemallevve Levvetamby of Sammanturai.

*Q. 4.00*  
*R 874*  
Maracairlevve Ahamadulevve of Sammanturai ..... Petitioner.

Vs.

1, Tavedupody Avaummah, widow of Levvetamby; 2, Levvetamby Pattummah; 3, Levvetamby Sinneummah; 4, Kasemallevve Sinnnetamby, all of Sammanturai ..... Respondents.

**T**HIS action coming on for disposal before G. W. Woodhouse, Esq., District Judge, Batticaloa, on March 27, 1908, in the presence of Mr. A. M. Sheriff, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner, dated March 26, 1908, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son-in-law 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 or any other person interested shall, on or before April 30, 1908, show sufficient cause to the satisfaction of this court to the contrary.

G. W. WOODHOUSE,  
District Judge.

March 27, 1908.

In the District Court of Batticaloa.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate and Effects of the late Ahamado Levaipody Adambawa of Saindamaradu, deceased.

Meerakuttipodi Seenittamby of Saindamaradu ..... Petitioner.

Vs.

1, Adambawa's widow U. Patumma, for herself and as guardian *ad litem* over the minors (1) A. Ahamado Levvai, (2) A. Aliyar, (3) A. Meeralevvai, and (4) A. Mohammado Isuppu; 2, Adambawa Mohammado Ismail; 3, Adambawa Katesaumma, all of Saindamaradu. Respondents.

**T**HIS matter coming on for disposal before G. W. Woodhouse, Esq., District Judge of Batticaloa, on March 11, 1908, in the presence of Mr. A. B. Canagasabay, Proctor, on the part of the petitioner; and his affidavit and petition, respectively dated December 18, 1907, and March 10, 1908, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son-in-law 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 March 31, 1908, show sufficient cause to the contrary.

G. W. WOODHOUSE,  
District Judge.

March 11, 1908.

This *Order Nisi* is extended to April 28, 1908.

G. W. WOODHOUSE,  
District Judge.

March 31, 1908.

In the District Court of Badulla.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Samuel Muttiah, deceased, of Badulla.

Eva Clara Muttiah of Badulla ..... Petitioner.

And

(1) Pearl Muttiah and (2) Dorothy Muttiah, minors, appearing by their duly appointed guardian *ad litem* C. Canagasabai of the Colonial Stores, Colombo. Respondents.

**T**HIS matter coming on for disposal before W. A. G. Hood, Esq., District Judge, Badulla, on April 10, 1908, in the presence of Mr. Stephen Perera, Proctor, on the part of the petitioner Eva Clara Muttiah of Badulla; and the affidavit and petition of the petitioner, dated April 10, 1908, having been read:

It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Samuel Muttiah issued to her as his widow, unless the respondents Pearl Muttiah and Dorothy Muttiah, minors, appearing by their guardian *ad litem* C. Canagasabai of the Colonial Stores, Colombo, shall, on or before May 6, 1908, show sufficient cause to the satisfaction of this court to the contrary.

W. A. G. HOOD,  
District Judge.

April 10, 1908.

In the District Court of Ratnapura.

*Decree Nisi.*

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Victor Hugo James Bolonna of Ratnapura, deceased.  
No. 564.

Batagoda Lianage Paulina Silva of Ratnapura ..... Petitioner.

And

1, Benjamin Bolonna; 2, Victor Bolonna, by their guardian *ad litem* 3, Batagoda Lianage Thomas Alexander Silva of Ratnapura ..... Respondents.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Ratnapura, on April 2, 1908, in the presence of Mr. H. S. W. Meynert,

Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner, dated March 21, 1908, having been read:

It is ordered that the petitioner be, and she is hereby declared entitled, as widow of the deceased, to administer the estate of the said deceased, and that letters of administration do issue to her accordingly, unless the respondents above-named or any other person interested shall, on or before May 12, 1908, show sufficient cause to the satisfaction of the court to the contrary.

ALLAN BEVEN,  
District Judge.

April 2, 1908.

## NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,296. In the matter of the insolvency of Mahawattege Juanis Perera and Mahawattege Lewis Perera, both of Madampitiya, in Colombo.

WHEREAS the above-named Mahawattege Juanis Perera and Mahawattege Lewis Perera have filed a declaration of insolvency, and a petition for the sequestration of the estate of the said Mahawattege Juanis Perera and Mahawattege Lewis Perera has also been filed under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Mahawattege Juanis Perera and Mahawattege Lewis Perera insolvents accordingly, and that two public sittings of the court, to wit, on May 21, 1908, and on June 11, 1908, will take place for the said insolvents 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. Mrsso,

Colombo, April 16, 1908.

Secretary.

In the District Court of Jaffna.

No. 55. In the matter of the insolvency of Veeragattippillai Mayilvaganam of Vannarponnai East.

WHEREAS Veeragattippillai Mayilvaganam of Vannarponnai East has filed a declaration of insolvency, and Kanapatippillai Duraisamy a petition

for the sequestration of the estate of Veeragattippillai Mayilvaganam under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Veeragattippillai Mayilvaganam insolvent accordingly, and that two public sittings of the court, to wit, on May 29, 1908, and on June 12, 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,

R. KANTAIYAH,  
Secretary.

Jaffna, April 16, 1908.

In the District Court of Kandy.

No. 1,550. In the matter of the insolvency of Varaddana Mudiyansele Keerala of Doragomuwa.

NOTICE is hereby given that the second sitting in the above matter has been fixed for May 25, 1908.

By order of court,

W. M. DE SILVA,  
Secretary.

District Court,  
Kandy, April 14, 1908.

## NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

James Ratnasara of Borella in Colombo... Plaintiff.

No. 26,243.

Vs.

(1) Emalia Perera and (2) Don Johanes Wijeyetunga (wife and husband), both of Welicada in the Palle pattu of Salpiti korale ..... Defendants.

NOTICE is hereby given that on Saturday, May 23, 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, for the recovery of the sum of Rs. 1,500, with interest thereon at 15 per cent. per annum from

November 8, 1907, till March 25, 1908, and thereafter at 9 per cent. per annum till payment in full and costs (not taxed) and poundage, viz.:—

All that allotment of land with the buildings standing thereon, containing in extent 2 roods and 22 1/2 perches (marked lot Nos. 6 and 5B as per figure of survey thereof, dated December 31, 1906, by Mr. C. H. Frida, Licensed Surveyor, and situated at Welicada in the Palle pattu of Salpiti korale; bounded on the north-east by lot Nos. 5a and 4, on the south-east by the property of Girigoris Cooray, on the south-west by lot No. 7, and on the north-west by a road of 6 feet wide.

Fiscal's Office,  
Colombo, April 22, 1908.

E. ONDATJE,  
Deputy Fiscal.



In the District Court of Chilaw.

Wijetunga Arachchige Bartholomeus  
Appuhami of Dummaladeniya ..... Plaintiff.  
No. 3,719. Vs.

Jayakodiarachchige Don Marsal Appu-  
hamy of Kaluwairippuwa ..... Defendant.

NOTICE is hereby given that on May 16, 1908, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

(1) An undivided  $\frac{5}{8}$  share of the land called Delgahawatta, and of the buildings and appurtenances standing thereon, situate at Kaluwairippuwa in the Dunagaha pattu of Alutkuru korale,  $\frac{1}{8}$  share therefrom subject to a present lease, the said land being bounded on the north by the land of Jayakodiarachchige Don Sardiel Appu, on the east by the portion of this land belonging to Don Sardiel Appu and others, on the south by the land belonging to the heirs of Attapattu Mudaliyar, and on the west by the land formerly of Jayakodiarachchige Don Salen Appuhamy and now of Don Pelis Appuhamy; containing in extent 4 acres 1 rood and 8 perches more or less.

2. An undivided  $\frac{5}{8}$  share of all the appurtenances of the land called Delgahawatta, situate at Kaluwairippuwa in the Dunagaha pattu of Alutkuru korale,  $\frac{1}{8}$  share therefrom being subject to the present lease, the said land being bounded on the north by the land belonging to the heirs of Sardiel Appuhamy, on the east by the land belonging to the heirs of Attapattu Mudaliyar, on the south by the land of the late Ranasinha-arachchige Don Pelis, Police Headman, and on the west by the land formerly of Jayakodiarachchige Ransohamy and now belonging to Church; containing in extent 2 acres and 2 roods more or less.

3. An undivided  $\frac{3}{4}$  share of all the appurtenances of the land called Horagahamukalana *alias* Kaluwalanda, situate at Kaluwairippuwa in the Dunagaha pattu of Alutkuru korale,  $\frac{1}{8}$  share therefrom being subject to the present lease, the said land being bounded on the north and east by cart road, on the south by the land of Savari Kankanama, and on the west by the land of Don Hendrick Appuhamy and others; containing in extent 2 acres more or less.

4. An undivided  $\frac{1}{4}$  share of all the appurtenances and buildings standing on the land called Mahawatta *alias* Gorakagahawatta, situate at Kaluwairippuwa in the Dunagaha pattu of Alutkuru korale, the said land being bounded on the north by the land of Don Mathes Appuhamy and others, on the east by the ditch which separates the land formerly of Don Bastian Appuhamy and now of Solanga-arachchige Don Juse Appuhamy, on the south by the ditch separating the land of Kosta, and on the west by the ditch separating the portion of this land formerly of Don Bastian Appu and now of Solanga-arachchige Don Juse Appu; containing in extent 6 acres 2 roods and 3 perches more or less.

5. The field called Munamalghakumbura and the adjoining Dalupotta, together with all the appurtenances and trees standing thereon, the said field and the adjoining Dalupotta being bounded on the north by the ditch separating the land of Don Pelis Appuhamy, on the east by the ditch separating the land of Solanga-arachchige Don Gregoris Appuhamy, on the south by the land of the late Jokinu Appuhamy; and on the west by the field of Don Juse Appuhamy; containing in extent 2 acres and 30 perches more or less.

Amount to be levied, Rs. 2,589-92.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, April 22, 1908.

Central Province.

In the District Court of Colombo.

Layana Rawanna Mana Pana Lana  
Natchiappa Chetty of Sea street,  
Colombo..... Plaintiff.

No. 25,344.

Vs.

(1) Carolina Sambo and her husband  
(2) Muthan Adigar Sambo, both of Maligakanda ..... Defendants.

NOTICE is hereby given that on May 25, 1908, at 12 o'clock in the noon, will be sold by public auction at the spot the right, title, and interest of the said first defendant in the following property, viz. :—

The life rent or estate for life of the first defendant in an allotment of land with the buildings and plantations thereon, bearing assessment Nos. 14 and 15, situate at Katukele Lake road, Kandy, within the Municipality of Kandy, and bounded on the east by Katukele Lake road, south by the property belonging to Weerappa Pulle and others, on the west by the property belonging to the Convent, and on the north by the property belonging to Kailason Pulle; containing in extent 40 yards in breadth along the road and 400 yards in length.

Amount of writ, Rs. 1,200 and interest.

A. V. WOUTERSZ,  
Deputy Fiscal.

Fiscal's Office,  
Kandy, April 22, 1908.

Northern Province.

In the District Court of Negombo.

Sena Sinnatty of Negombo in the room  
of Sena Nana Kuna Pana Arumugam  
Chetty of Negombo..... Plaintiff.

No. 6,582.

Vs.

(1) P. A. Tambiah, (2) T. Sellamma of  
Kudagammana, (4) A. B. Thurajappah  
of Negombo..... Defendants.

NOTICE is hereby given that on Tuesday, May 19, 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 1st and 2nd defendants in the following property, for the recovery of Rs. 545-70, with interest on Rs. 469-70 at the rate of 9 per cent. per annum from October 10, 1906, and charges, viz. :—

In an undivided  $\frac{1}{2}$  share of a piece of land situated at Chiviateru called Adalaiyadippulam, containing or reputed to contain in extent 4 lachams of varagu culture and  $\frac{3}{4}$  of a culy with its appurtenances including  $\frac{1}{4}$  share of the well standing on the southern land together with the right of way and watercourse 4 cubits wide leading to and from the said well, and  $\frac{1}{2}$  share of the lane leading to this land from the east and the two

coconut trees standing on the west of this lane; bounded or reputed to be bounded on the east by front of lane and a by-lane 6 cubits wide, north by the property of Benjamin Santiaguppillai, west by the property of Sinnatamby Mailu and others, and south by the property of Anthonippillai Ponnyah.

V. THAMBIPILLAI,  
Deputy Fiscal.

Fiscal's Office,  
Jaffna, April 14, 1908.

In the District Court of Negombo.

Sena Sinnatty of Negombo in the room of  
Seena Nana Kuna Pana Arumugam  
Chetty of Negombo.....Plaintiff.

No. 6,582. Vs.

(1) P. A. Tambiah, (2) T. Sellamma of  
Kudgammana, (4) A. B. Thuraiappah  
of Negombo. ....Defendants.

NOTICE is hereby given that on Monday, May 18, 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 1st and 2nd defendants in the following property, for the recovery of Rs. 545.70 with interest on Rs. 469.70 at the rate of 9 per cent. per annum from October 10, 1906, and charges, viz.:—

In a piece of land situated at Anaikkoddai called Paruttikadu, containing or reputed to contain in extent 11 lachams of varagu culture and 15 culies with its appurtenances, including house, kitchen, and portico and share of well, bounded or reputed to be bounded on the east by the property of Sanmugam Vairamuttu, north by the property of Kasinather Nagamuttu, west by lane, and south by the property of Nagamma wife of Mailvaganam, and others.

V. THAMBIPILLAI,  
Deputy Fiscal.

Fiscal's Office,  
Jaffna, April 14, 1908.

Southern Province.

In the District Court of Galle.

Uduma Lebbe Markar Mohamado Cassim of Talapitiya ..... Plaintiff.

No. 8,610. Vs.

(1) Segu Mohidin Sepha Umma and (2)  
Cassim Lebbe Abdul Cazoar, both of  
Galupeadda.....Defendants.

NOTICE is hereby given that on Wednesday, May 20, 1908, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the following mortgaged property, viz.:—

1. All that undivided  $\frac{1}{4}$  part of all the fruit trees and soil, together with the eleven cubits house bearing assessment No. 117A, and the other buildings appertaining thereto standing in lots marked letters B and C of Otuwatta *alias* Rayawatta, of the extent of 1 acre and 34.96 perches, situate at Galupeadda.

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

2. An undivided  $\frac{3}{8}$  of  $\frac{1}{4}$  and  $\frac{1}{8}$  of  $\frac{1}{4}$  of the land Rayatottam and  $\frac{3}{8}$  of  $\frac{1}{4}$ ,  $\frac{1}{8}$  of  $\frac{1}{4}$  and  $\frac{1}{4}$  of the main house standing thereon at Galupeadda.

3. An undivided  $\frac{3}{8}$  of  $\frac{1}{4}$ ,  $\frac{1}{8}$  of  $\frac{1}{4}$ , and  $\frac{1}{4}$  of the boutique and premises bearing assessment No. 238 situate in Green Market street, Galle bazaar.

4. An undivided  $\frac{3}{8}$  of  $\frac{1}{4}$ ,  $\frac{1}{8}$  of  $\frac{1}{4}$ , and  $\frac{1}{4}$  of the boutique and premises bearing assessment No. 283, situate in New street, Galle bazaar.

Writ amount, Rs. 1,744 and poundage.

C. T. LEEMBRUGGEN,  
for Fiscal.

Fiscal's Office,  
Galle, April, 22, 1908.

In the District Court of Colombo.

Albert Emmanuel de Silva of Colombo....Plaintiff

No. 24,740. Vs.

(1) Annie Emelia *alias* Annie Evelyn  
Goonawardena and Dona Cecilia  
Weerasuriya, widow of the late Robert  
Lewis Goonawardena, both of Colombo. Defendants.

NOTICE is hereby given that on Saturday, May 30, 1908, commencing at 3 P.M., will be sold by public auction at the premises the following mortgaged property, viz.:—

All those the following four tracts of land, which are contiguous and form one property, together with all the buildings and stores thereon, to wit:—

1. All that tract of land comprising parts of Talligallakanda, Thalagasgodakanda, and Indiketiyekelle, in extent 296 acres 1 rood and 14 perches, situated near Ambalangoda; and bounded on the north and east by Godawellekumbura, Thaligallekanda, and Millagahawela, south by Millagahawella and Indicadiakelle, and on the west by Thalagosgodewella and Oonagahawella.

2. A tract of land comprising parts of Yabedekele, Kirinugakanda, Binwallekanda, Millagahakanda, Indiketiyekelle, Cobeituduwekele, and Goolanegodakele, in extent 405 acres 1 rood and 36 perches, at Ambalangoda; and bounded on the north by Yabadekelle, Kirinugakanda, east and south by Cobeituduwekele and Goolanagodakelle, and on the west by Indigahawella, Millagahawella, and Indiketiyekelle.

3. A tract of land comprising parts of Gallenaidegewelekanda, Inguellakanda, Thalligallakanda, and Indiketiyekelle, in extent 556 acres 2 roods and 27 $\frac{1}{2}$  perches, at Ambalangoda; and bounded on the north by Motalooakumbura and Inguellakumbura, east by Gallenaidegewelakanda, Yabedewella, and Yabadekella, south by Millagahawella, and west by Thaligallekanda and Godawelakumbura.

4. A tract of land comprising Yabedekele, Diviyagahakele, and part of Kirinugakanda, in extent 596 acres and 2 perches, at Ambalangoda, and bounded on the north by Gorakaduwellu, Diviyagahawella, Adoowella, Puwakgahawella, and Cotoowella, east and south by Kirinugakanda and Kirinugawella, and on the west by Gallanadagahawellakanda and Yabedewella (exclusive of the portion in extent 646 acres 3 roods and 3 perches sold by Robert Lewis Goonawardena).

Writ amount Rs. 37,554.52, with interest thereon at 9 per cent. per annum from April 16, 1907, and costs Rs. 282.30.

C. T. LEEMBRUGGEN,  
for Fiscal.

Fiscal's Office,  
Galle, April 15, 1908.

## DISTRICT AND MINOR COURTS NOTICES.

### Destruction of Records in the District Court, Court of Requests, and Police Court of Mannar.

**N**OTICE 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 ten 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' money 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 have been recorded.
3. Justice of the Peace cases.
4. All inquest proceedings over 10 years old.
5. District Court criminal cases over 5 years old.
6. Summary Police Court cases over 5 years old.
7. Non-summary Police Court cases over 5 years old.
8. 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 causes shown that such record may not be destroyed.

G. F. R. BROWNING,

District Judge, Commissioner of Requests,  
and Police Magistrate.

District Court and Minor Courts,  
Mannar, April 15, 1908.

In the Court of Requests of Avisawella.

No. 5,846.

**N**OTICE is hereby given that a suit has been instituted in the Court of Requests of Avisawella by seven labourers of the Sunnycroft estate at Ruanwella, against the proprietor or proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 25.

A. J. WIKRAMASINHA,

April 15, 1908.

Acting Chief Clerk.

**B**Y 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 Matara, Tangalla, and Hambantota will be holden at the Court-house at Matara on Monday, May 11, 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.

Deputy Fiscal's Office,  
Matara, April 13, 1908.

G. F. DE LIVERA,  
Deputy Fiscal.