



# Ceylon Government Gazette

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

PART II.—Legal and Judicial.

PART III.—Provincial Administration.

PART IV.—Land Settlement.

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

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### PASSED ORDINANCES.

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

No. 24 of 1908.

An Ordinance to amend "The Fiscals' Ordinance, 1867."

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to amend "The Fiscals' Ordinance, 1867" (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 and construction.

1 This Ordinance may be cited as "The Fiscals' Ordinance (Amendment) Ordinance, 1908," and shall be read and construed as one with the principal Ordinance.

Addition of a new section 83 A to Ordinance No. 4 of 1867.  
Power to holder of office to sue on bond executed in favour of Fiscal.

2 After section 83 of the principal Ordinance the following section shall be added and numbered 83 A:

83 A. Whenever any bond, whether made before or after the enactment of this section, in pursuance of any written law, is expressed to have been made with the Fiscal of a province, or with any person in his capacity as such Fiscal, as party obligee, such bond shall be deemed to have been made with the Fiscal for the time being of the province; and upon each occurrence of a change of Fiscal, the new Fiscal shall be deemed to take the place of, and to be substituted for, the Fiscal whom he succeeds, and shall become such party as fully and completely in all respects as if he were originally made such party on the occasion of the making of the bond.

Repeal of sections 16 (7) and 16 (8).

3 Sub-sections (7) and (8) of section 16 of the principal Ordinance are hereby repealed.

Passed in Council the Fourteenth day of October, One thousand Nine hundred and Eight.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Eighteenth day of November, One thousand Nine hundred and Eight.

HUGH CLIFFORD,  
Colonial Secretary.

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

No. 25 of 1908.

An Ordinance to prescribe the Taxation on mechanically propelled Vehicles according to a uniform Scale, and to regulate the use of such Vehicles.

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to prescribe for the taxation of mechanically propelled vehicles according to a uniform scale and to regulate their use: 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 and commencement.

1 This Ordinance may be cited as "The Motor Car Ordinance, 1908," and shall come into operation at such date as the Governor, by Proclamation in the *Government Gazette*, shall appoint.

Discontinuance of local taxes on mechanically propelled vehicles.

2 (1) The annual tax leviable on carriages under—  
(a) Section 128 of "The Municipal Councils' Ordinance, 1887;"  
(b) Section 19 of "The Nuwara Eliya Board of Improvement Ordinance, 1896;" and  
(c) Section 36 of "The Local Boards' Ordinance, 1898;" shall not, after the commencement of this Ordinance, be levied on mechanically propelled vehicles.

(2) After the commencement of this Ordinance, the provisions of section 8 of "The Vehicles Ordinance, 1901," with regard to the issue of licenses on vehicles, shall not extend to mechanically propelled vehicles.

Substitution of new tax according to scale in schedule.

3 (1) In lieu of the taxes levied under the above-mentioned Ordinances, there shall be levied upon all mechanically propelled vehicles in the Island an annual tax in accordance with the scale set out in the schedule hereto.

(2) Such annual tax shall be due and payable on the first day of February in each year, the first of such payments being due on the first day of February, 1909.

Payment of tax to local or public revenue.

4 (1) Where the owner of any mechanically propelled vehicle resides within the limits of a Municipal town, the annual tax imposed by this Ordinance shall be payable to and recoverable by the Chairman of the Municipal Council, and the amount of the tax shall be credited to the Municipal Fund.

(2) Where such owner resides within the limits of Nuwara Eliya as defined for the purposes of "The Nuwara Eliya Board of Improvement Ordinance, 1896," the said tax shall be payable to, and recoverable by, the Chairman of the Board of Improvement, and the amount of the tax shall be credited to the fund of the Board.

(3) Where such owner resides within the limits of a Local Board town, the said tax shall be payable to, and recoverable by, the Chairman of the Board, and the amount of the tax shall be credited to the local fund.

(4) Where such owner does not reside within the limits of any such town as aforesaid, the said tax shall be payable to, and recoverable by, the Government Agent of the province, and the amount of the tax shall be credited to general revenue.

Power to make  
rules.

5 (1) The Governor in Executive Council may for the whole of Ceylon or for any part thereof make, and when made may revoke, alter, or vary, regulations for regulating and controlling the use of mechanically propelled vehicles, and for protecting persons and property from danger or damage from the use of such vehicles, and generally for carrying out the purposes and objects of this Ordinance. Such rules may—

- (a) Provide for the registration of mechanically propelled vehicles.
- (b) Prescribe the numbers or identification marks to be exhibited by such vehicles, and the manner and position in which they shall be affixed.
- (c) Prescribe the lamps or other lights to be carried by such vehicles, and the times and the manner in which they shall be carried and used.
- (d) Provide for the licensing of the drivers of such vehicles.
- (e) Impose such restrictions upon the weight and construction of mechanically propelled vehicles as may appear necessary to protect public roads, bridges, culverts, and thoroughfares, and streets from excessive damage, and to ensure the safety of the public.
- (f) Prescribe the rule of the road to be observed by drivers of such vehicles, and give such other directions with regard to the driving and management thereof as may appear necessary or conducive to the public safety and convenience.

(2) Such regulations may provide penalties for the contravention thereof not exceeding in the case of a first offence a fine of fifty rupees and an additional fine not exceeding five rupees a day for a continuing offence; and in case of a second or subsequent offence not exceeding a fine of one hundred rupees, and an additional fine not exceeding ten rupees for a continuing offence.

(3) All such rules when made, added to, amended, or altered shall be published in the *Government Gazette*, and upon such publication they shall be deemed to be within the powers conferred by this Ordinance on the Governor, and shall be legal, valid, and effectual as if the same had been enacted herein.

#### SCHEDULE.

##### *Scale on which Tax is Leviable.*

##### Mechanically propelled Vehicles for the Conveyance of Passengers.

	Rs.
Cars not exceeding 10 cwt. unloaded .. ..	20
Cars exceeding 10 cwt. and not exceeding 15 cwt. unloaded .. ..	25
Cars exceeding 15 cwt. and not exceeding 20 cwt. unloaded .. ..	30
Cars exceeding 20 cwt. unloaded .. ..	35
When let for hire, double the above rates.	
Motor bicycles .. ..	5
Motor tricycles, including tri-cars .. ..	10
Trailers .. ..	3

##### Mechanically propelled Vehicles for the Conveyance of Goods.

- (1) Each tractor, with or without a load, and whether let for hire or not, the same rate as for motor cars of corresponding weight.
- (2) Each trailer .. ..

Passed in Council the Twenty-first day of October, One thousand Nine hundred and Eight.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Eighteenth day of November, One thousand Nine hundred and Eight.

HUGH CLIFFORD,  
Colonial Secretary.

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

No. 26 of 1908.

An Ordinance to amend "The Small Towns Sanitary Ordinance, 1892."

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to amend "The Small Towns Sanitary Ordinance, 1892" (hereinafter referred to as "the principal Ordinance"), in certain particulars: 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 Small Towns Sanitary (Amendment) Ordinance, 1908," and the principal Ordinance and this Ordinance shall be read and construed as one Ordinance.

Commencement.

(2) This Ordinance shall come into force at such date as the Governor, by Proclamation in the *Government Gazette*, shall appoint.

Substitution of new section 5 (1) establishing Sanitary Boards. Constitution of Sanitary Boards and vesting in them of fund formerly vested in Provincial Board.

2 For sub-section (1) of section 5 of the principal Ordinance the following sub-section shall be substituted:

5 (1) (a) For every revenue district in the Island and for every province which is not divided into revenue districts there shall be a Sanitary Board constituted as hereinafter provided:

(b) In provinces which are not divided into revenue districts, and in revenue districts which are not administered by Assistant Government Agents, the Sanitary Board shall consist of the Government Agent, the Provincial Engineer, the Provincial Surgeon, and not more than four nor less than two members nominated by the Governor.

(c) In revenue districts which are administered by Assistant Government Agents, the Sanitary Board shall consist of the Assistant Government Agent, the senior officer of the Public Works Department stationed in the district, the senior officer of the Medical Department so stationed, and not more than four nor less than two members nominated by the Governor.

(d) The nominated members of the Sanitary Board shall continue to be members of the Board during the Governor's pleasure.

(e) The fund composed of the moneys levied under the authority of this Ordinance, which was heretofore vested in the Provincial Board of Health constituted under section 2 of Ordinance No. 8 of 1866, shall, after the enactment of this section, be vested in the Sanitary Boards established by this section, and shall be applied, subject to existing debts and liabilities, in the manner hereinafter provided with respect to moneys levied under this Ordinance after the enactment of this section.

(f) All moneys levied after the enactment of this section in any town or village under the authority of this Ordinance shall form a fund which shall be vested in the Sanitary Boards established by this section, and shall be applied to the sanitation and conservancy of such town or village and to the maintenance of the public health therein, and to the payment of all expenses incurred in levying such fund and in and about the carrying out of the provisions of this Ordinance.

Substitution of new clause for 5 (2) (d).

3 For clause (d) of section 5 (2) of the principal Ordinance the following section shall be substituted:

(d) All fines for offences under "The Nuisances Ordinance, 1862," committed in towns or villages subject to the operation of this Ordinance, whether imposed by Police Courts or by Village Tribunals, except so much thereof as may be awarded to informers under section 17 of the said Ordinance.

Substitution of a new section for section 10 of the principal Ordinance.  
Chairman.

4 For section 10 of the principal Ordinance the following section shall be substituted :

10. For the purposes of this Ordinance, the Government Agent of the province or the Assistant Government Agent of the district shall be *ex-officio* Chairman of the Sanitary Board of his province or district, and shall when present preside at the meetings thereof. If the *ex-officio* Chairman is absent at any meeting, any member authorized by him shall preside at such meeting.

Substitution of a new section for section 11 of the principal Ordinance.  
Quorum.

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

11. All acts whatsoever authorized or required by virtue of this Ordinance to be done by any Sanitary Board may and shall be decided upon and done by the majority of members present at any duly convened meeting thereof, such members not being less than four in number. Provided that when the votes of the members present in regard to any question shall be equally divided, the Chairman shall, besides his vote as a member, have a casting vote.

Substitution of the expression "Sanitary Board" for "Board of Health."

6 (1) For the expression "Board of Health" wherever it occurs in the principal Ordinance or in any Ordinance amending the principal Ordinance, there shall be substituted the expression "Sanitary Board;" for the expression "Board of Health of the province" there shall be substituted the expression "Sanitary Board of the province or district;" and for the expression "Board of Health of any province" there shall be substituted the expression "Sanitary Board of any province or district."

(2) For the word "province" in line 9 of section 7 of the principal Ordinance there shall be substituted the words "province or district."

Addition of a new section to the principal Ordinance.  
Powers given to Government Agents may be executed by any Assistant Government Agent.

7 After section 27 of the principal Ordinance the following section shall be added and numbered 28 :

28. All the powers, duties, and obligations entrusted to or imposed on the Government Agent by this Ordinance may be executed and performed by any Assistant Government Agent within the limits of his district.

Passed in Council the Twenty-first day of October, One thousand Nine hundred and Eight.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Eighteenth day of November, One thousand Nine hundred and Eight.

HUGH CLIFFORD,  
Colonial Secretary.

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

### No. 27 of 1908.

An Ordinance to provide for the Publication of a Revised Edition of the Legislative Enactments of this Island.

HENRY MCCALLUM.

Preamble.

WHEREAS a revised edition of the Legislative Enactments of this Island has been prepared by Francis Jagoe Smith, Esq., M.A. (Oxon.), a Member of the Ceylon Civil Service, and Hermann Albert Loos, Esq., B.A. (Cantab.), Barrister-at-Law and Crown Counsel for the Island, and it is expedient to legalize the publication of the same : 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 shall be cited for all purposes as "The Revised Edition Ordinance, 1908."

Legalization of new edition.

2 Every copy of the said revised edition shall be stamped with the Seal of the Island, and, subject to the exception in the next following section, the copies so stamped shall be deemed to be and shall be, without any question whatsoever, in all courts of justice the only proper Statute Book of the Island up to the date of the latest of the Ordinances contained therein.

Provision with regard to Electricity Ordinance, 1895.

3 Provided that "The Electricity Ordinance, 1895," though not included in the said revised edition, shall continue in force until "The Electricity Ordinance, 1906," has been brought into operation.

Effect of Ordinance on enactments which had not come into operation.

4 Nothing in this Ordinance shall be construed as bringing into operation any of the enactments included in the said revised edition before the date at which such enactment, if it had not been so included, would have come into operation.

Passed in Council the Twenty-first day of October, One thousand Nine hundred and Eight.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Eighteenth day of November, One thousand Nine hundred and Eight.

HUGH CLIFFORD,  
Colonial Secretary.

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

No. 28 of 1908.

An Ordinance to amend "The Mines and Machinery Protection Ordinance, 1896."

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to amend "The Mines and Machinery Protection Ordinance, 1896" (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. Construction.

1 This Ordinance may be cited as "The Mines and Machinery Protection Ordinance, 1908," and shall be read and construed as one with the principal Ordinance.

Addition of new section as regards powers of Assistant Government Agents.  
Power of Assistant Government Agent to exercise powers of Government Agent.

2 After section 2 of the principal Ordinance there shall be added the following section, which shall be numbered 2 A:

2 A. An Assistant Government Agent shall, with regard to mines and factories in his district, have the powers and duties by this Ordinance assigned to the Government Agent, and all declarations, reports, intimations, and notices required by this Ordinance or by any rules made thereunder to be made or given to the Government Agent shall, in the case of such mines and factories, be made or given to the Assistant Government Agent.

Passed in Council the Twenty-first day of October, One thousand Nine hundred and Eight.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Governor the Eighteenth day of November, One thousand Nine hundred and Eight.

HUGH CLIFFORD,  
Colonial Secretary.

## NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

## Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Gamachchige Bempu Appu of Indolamulla in Ganga-boda pattu of Siyane korale, deceased.

Gamachchige Siman Appu of Indolamulla aforesaid ..... Petitioner.

(1) Liyana-arachchiappuhamilage Nonchi Hamy, (2) Gamachchige Pabilis Appu, (3) Gamachchige Davith Appu, (4) Gamachchige Julis Appu, (5) Gamachchige Podi Nona, (6) Gamachchige Baba Nona, (7) Gamachchige Marthelis Appu, (8) Gamachchige Menchi Nona, all of Indolamulla aforesaid .. Respondents.

The respondents 3 to 8 by their guardian *ad litem* the 1st respondent.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo, on October 21, 1908, in the presence of Messrs. De Livera and Jacolyn, Proctors, on the part of the petitioner above-named; and the affidavit of the petitioner dated October 6, 1908, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as the eldest son and an heir of the deceased above-named, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above-named or any other person or persons interested shall, on or before November 26, 1908, show sufficient cause to the satisfaction of this court to the contrary.

HERMANN A. LOOS,  
District Judge.  
October 29, 1908.

The date for showing cause to the above *Order Nisi* is extended to December 17, 1908.

By order of court,

J. B. MISSE,  
Secretary.  
November 28, 1908.

In the District Court of Colombo.

## Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Latpandurage Juanis Perera Jayawardana late of Karagampitiya, in the Palle pattu of Salpiti korale, deceased.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo, on November 18, 1908, in the presence of Messrs. Ranasingha and Wijetunga, Proctors on the part of the petitioner John Perera Jayawardana of Karagampitiya aforesaid, and the affidavits (1) of the said petitioner dated October 16, 1908, and (2) of four of the attesting witnesses also dated October 16, 1908, having been read:

It is ordered that the will of the said Latpandurage Juanis Perera Jayawardana, deceased, dated July 23, 1908, and now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said John Perera Jayawardana 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 or persons interested shall, on or before December 17, 1908, show sufficient cause to the satisfaction of this court to the contrary.

HERMANN A. LOOS,  
District Judge.  
November 18, 1908.

In the District Court of Colombo.

## Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Johanna Perera Gunawardana; late of Skinner's road south, Colombo.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo, on November 23, 1908, in the presence of Mr. John Leopold Perera, Proctor, on the part of the petitioner Edward Perera Gunawardana of Skinner's road south, Colombo; and the affidavits (1) of the said petitioner dated September 26, 1908, and (2) of the Notary and an attesting witness dated November 12, 1908, having been read: It is ordered that the will of the said Johanna Perera Gunawardana, deceased, dated November 21, 1906, and now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Edward Perera Gunawardana 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 or persons interested shall, on or before December 17, 1908, show sufficient cause to the satisfaction of this court to the contrary.

HERMANN A. LOOS,  
District Judge.  
November 23, 1908.

In the District Court of Colombo.

## Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Alexander Marshall Brown, merchant, of 22, West Nile street, Glasgow, who resided at Gryffe Castle, Bridge of Weir, Renfrewshire, Scotland, deceased.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo, on November 26, 1908, in the presence of Messrs. F. J. and G. de Saram, Proctors, on the part of the petitioner Alexander Fairlie of Colombo; and the affidavit of the said petitioner dated November 20, 1908, and the order of the Supreme Court dated November 13, 1908, having been read:

It is ordered that the will of the above-named Alexander Marshall Brown, deceased, dated February 15, 1906, an extract registered of which from the books of the Council and Session at Edingburgh is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Alexander Fairlie is the attorney of Katherine Ritchie Broadfort or Brown, the executrix named in the said will, and that he is entitled to have letters of administration with the said will annexed issued to him accordingly, unless any person interested shall, on or before December 17, 1908, show sufficient cause to the satisfaction of this court to the contrary.

HERMANN A. LOOS,  
District Judge.  
November 26, 1908.

In the District Court of Negombo.

## Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Kuruppu Arachchige Andris Appu, deceased, of Botale.

THIS matter coming on for disposal before J. Koertz, Esq., Acting District Judge of Negombo, on November 25, 1908, in the presence of Messrs. De Silva and Perera, Proctors, on the part of the petitioner Kuruppu Arachchige Panchirala of Botale;

and the affidavit of the said petitioner, dated November 25, 1908, having been read :

It is ordered that the petitioner is hereby declared entitled to have letters of administration to the estate and property of the deceased above-named, unless (1) Kalachchi Kankanamalage Podinona, widow of Kuruppu Arachchige Andris Appu, (2) Kuruppu Arachchige Alice Nona, (3) Kuruppu Arachchige Peter Sinno, (4) Kuruppu Arachchige Podihamy, and (5) Kuruppu Arachchige Daniel Sinno, all of Botale, the respondents, shall, on or before December 11, 1908, show sufficient cause to the satisfaction of this court to the contrary.

J. KOERTZ,  
Acting District Judge.

November 25, 1908.

In the District Court of Kalutara.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Alexander Telfer Geddes, deceased, of Paratte in Panadure. No. 547.

THIS matter coming on for disposal before P. E. Pieris, Esq., District Judge of Kalutara, on November 20, 1908, in the presence of Mr. B. O. Dias, Proctor, on the part of the petitioner Ellen Margaret Geddes of Bambalapitiya; and the affidavit of the said petitioner, dated November 18, 1908, having been read: It is ordered that the will of Alexander Telfer Geddes of Paratte in Panadure, deceased, dated June 21, 1877, and now deposited in this court, be, and the same is hereby declared proved, unless any person or persons interested shall, on or before December 16, 1908, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Ellen Margaret Geddes of Bambalapitiya is the executrix named in the said will, and that she is entitled to have probate of the same issued to her accordingly, unless any person or persons interested shall, on or before December 16, 1908, show sufficient cause to the satisfaction of this court to the contrary.

P. E. PIERIS,  
District Judge.

November 25, 1908.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Kathiravelu Murugesar Sinnatampi of Anaicottai, deceased. No. 2,102.

Sinnatampi Saravanaipavam of Anaicottai. Petitioner.  
1, Valliammai widow of Murugesar Sinnatampi of Anaicottai; 2, Sithemparanatar Kandiah, and wife 3, Chellamma of ditto..... Respondents.

THIS matter of the petition of Sinnatampi Saravanaipavam of Anaicottai, praying for letters of administration to the estate of the above-named deceased Kathiravelu Murugesar Sinnatampi of Anaicottai, coming on for disposal before J. H. Vanniasingham, Esq., Acting District Judge, on November 10, 1908, in the presence of Messrs. Tambiah S. Cooke and P. S. J. Chrysostom, Proctors, on the part of the petitioner; and affidavit of the petitioner dated November 5, 1908, having been read: It is declared that the petitioner is the son and one of the heirs of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before December 15, 1908, show sufficient cause to the satisfaction of this court to the contrary.

November 12, 1908, R. N. THAINE,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Sinnatambiar Sittamparanatar of No. 2,105. Karavaddy East, deceased.

Sinnatambiar Arumukam of Karavaddy West ..... Petitioner.

Vs.

(1) Sithamparanather Sinnatamby, (2) Sinnatambiar Vallipuram and wife, (3) Eletchunippillai, (4) Arianachchippillai daughter of Sithamparanather, all of Karavaddy East ..... Respondents.

THIS matter of the petition of the above-named petitioner, praying for letters of administration to the estate of the above-named deceased Sinnatambiar Sittamparanather, coming on for disposal before R. N. Thaine, Esq., District Judge, on November 13, 1908, in the presence of Mr. M. S. Kandiya, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated November 13, 1908, having been read: It is ordered that the petitioner be and he is hereby declared entitled, as the brother of the said deceased, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above-named or any other person shall, on or before December 9, 1908, show sufficient cause to the satisfaction of this court to the contrary.

November 13, 1908. R. N. THAINE,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. late Sinnachchi wife of Murukar No. 2,108. Kasi of Analaitivu, deceased.

Velanthur Ramanathar of Karativu West. . . . . Petitioner.  
Murukar Kasi of Analaitivu ..... Respondent.

THIS matter of the petition of Velanthur Ramanathar of Karativu West, praying for letters of administration to the estate of the above-named deceased Sinnachchi wife of Murukar Kasi of Analaitivu, coming on for disposal before R. N. Thaine, Esq., District Judge, on November 19, 1908, in the presence of Messrs. Tambiah S. Cooke and P. S. J. Chrysostom, Proctors, on the part of the petitioner; and affidavit of the petitioner dated November 18, 1908, having been read: It is declared that the petitioner is one of the creditors of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before December 17, 1908, show sufficient cause to the satisfaction of this court to the contrary.

November 19, 1908. R. N. THAINE,  
District Judge.

In the District Court of Mannar.

Testamentary In the Matter of the Estate, Goods, Jurisdiction. Chattels, Rights, and Credits of the late Arokia Maria, wife of Thamo No. 150. tharampillai of Mannar, deceased.

Neechelappillai Anthonippillai of Mannar. . . . . Petitioner.

Vs.

Innasiappillai wife of Anthonippillai of Mannar ..... Respondent.

THIS matter coming on for disposal before M. Stevenson, Esq., District Judge of Mannar, on November 30, 1908, in the presence of Mr. A. L. Savundaranayagam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated November 30, 1908, having been read: It is ordered that



the said Neechelappillai Anthonippillai be and he is hereby declared entitled to have letters of administration to the estate of the deceased issued to him as her father, unless the respondent above-named or any other person shall, on or before December 22, 1908, show sufficient cause to the contrary.

M. STEVENSON,  
District Judge.

November 30, 1908.

In the District Court of Galle.

*Order Nisi.*

Testamentary In the Matter of the Estate of  
Jurisdiction. Mawanna Kana Runa Karpen  
No. 3,834. Chetty, late of Kaluwella in Galle,  
deceased.

THIS matter coming on for disposal before K. W. B. Macleod, Esq., District Judge, Galle, on September 7, 1908, in the presence of Mr. D. G. Goonewardene, Proctor, on the part of the petitioner Pana Lana Pana Palaniappa Chetty of Kaluwella in Galle; and the affidavit of the petitioner, dated September 1, 1908, having been read: It is ordered and declared that the said Pana Lana Pana Palaniappa Chetty is the attorney of the 1st respondent, Muttu Atchy, widow of Mayandi Chetty, and that he as such is entitled to have letters of administration issued to him accordingly, unless the respondents (1) Muttu Atchy, widow of Mayandi Chetty, and (2) Meenatchy Atchy, widow of Suppramanian Chetty, both of Dewakotta in India, shall, within six weeks from date of service of this *Order Nisi* show sufficient cause to the satisfaction of this court to the contrary.

K. MACLEOD,  
District Judge.

September 7, 1908.

In the District Court of Galle.

Testamentary In the Matter of the Estate of Don  
Jurisdiction. Andris Samarajiwa of Hathuwapiyadigama, deceased.  
No. 3,843.

THIS matter coming on for disposal before K. W. B. Macleod, Esq., District Judge, Galle, on November 3, 1908, in the presence of Mr. A. D. Jayasundara, Proctor, on the part of the petitioner Samaratinga Vidane Arachchige Selenchi Hamy; and the affidavit of the petitioner dated November 2, 1908, having been read: It is ordered that the 7th respondent be appointed guardian *ad litem* over the 3rd, 4th, 5th, and 6th respondents for the purpose of this application, unless the respondents shall, on or before December 8, 1908, show sufficient cause to the contrary.

It is further ordered and declared that the said Samaratinga Vidane Arachchige Salenchi Hamy is widow of the deceased, and that she is as such entitled to have letters of administration issued to her accordingly, unless the respondents — (1) Dona Johana Samarajiwa wife of (2) Siadoris de Silva Dhirasekara both of Habaraduwa, (3) Bastian Samarajiwa, (4) Dionis Samarajiwa, (5) Jandoris Samarajiwa, (6) Baby Samarajiwa, (7) Don Hendrick Samarajiwa, all of Hathuwapiyadigama—shall, on or before December 8, 1908, show sufficient cause to the contrary.

K. W. B. MACLEOD,  
District Judge.

Galle, November 3, 1908.

In the District Court of Galle.

*Order Nisi.*

Testamentary In the Matter of the Estate of Kalahe  
Jurisdiction. Patiranage Don Johanis de Silva,  
No. 3,844. late of Dangedera in Galle,  
deceased.

THIS matter coming on for disposal before L. W. Booth, Esq., District Judge, Galle, on November

12, 1908, in the presence of Mr. D. G. Goonewardene, Proctor, on the part of the petitioner Kalahe Patiranage Peiris de Silva of Pilana; and the affidavit of the petitioner, dated November 3, 1908, having been read: It is ordered and declared that the said Kalahe Patiranage Peiris is not an heir of the deceased, and that letters of administration be issued to him accordingly, unless (1) Dona Carlina Samarakoon, (2) Kalahe Patiranage Mengaltina Alahakoon, wife of (3) Henry Wijeratne Alahakoon, all of Dangedera, shall, on or before December 16, 1908, show sufficient cause to the satisfaction of this court to the contrary.

L. W. BOOTH,  
District Judge.

November 12, 1908.

In the District Court of Galle.

Testamentary In the Matter of the Intestate  
Jurisdiction. Estate of Warnasuria Patabendige Babiana *alias* Nona Baba,  
No. 3,846. late of Kataluwa, deceased.

THIS matter coming on for disposal before L. W. Booth, Esq., District Judge, Galle, on November 12, 1908, in the presence of Mr. G. Ranasoorya, Proctor, on the part of the petitioner Hettihewage Seelappu *alias* Abaran de Silva; and the affidavit of the petitioner dated November 6, 1908, having been read:

It is ordered that the 2nd respondent be appointed guardian *ad litem* of the 3rd, 4th, and 5th respondents, unless the respondents shall, on or before December 17, 1908, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Hettihewage Seelappu *alias* Abaran de Silva is the widower, and that he is such as entitled to have letters of administration issued to him accordingly unless the respondents—(1) Dona Carlina Wickramasinghe, wife of (2) Hettihewage Andris de Silva, both of Kataluwa, (3) Hettihewage Jane Nona de Silva, (4) Hettihewage Peter de Silva, minors by their guardian *ad litem* the 2nd respondent, (5) Hettihewage James de Silva of the Lunatic Asylum, (6) Hettihewage Davith de Silva, (7) Hettihewage Simon de Silva, all of Kataluwa, (8) Hettihewage Christina de Silva, (9) Don Adirion Wickramasinghe Maha Vidane Appu, both of Koggala, (10) Adriana de Silva, wife of (11) Semba Kuttige Don Jacovis de Silva, both of Galupiadda, (12) Hettihewage Babanona de Silva of Kataluwa—shall, on or before December 17, 1908, show sufficient cause to the satisfaction of this court to the contrary.

L. W. BOOTH,  
District Judge.

November 12, 1908.

In the District Court of Kurunegala.

*Order Nisi.*

Testamentary In the Matter of the Intestate  
Jurisdiction. Estate of the late Kuliya  
No. 937. Baddalge Naide Gurunne of  
Embowa, deceased.

Kuliyaipitiya Baddalge Wijendera Naide  
of Embowa in Katugampola korale... Petitioner.

And

(1) Kuliyaipitiya Baddalge Punchi Naide of Polpitiya in Udapola Otota korale,  
(2) Kuliyaipitiya Baddalge Kiri Naide of Matowa in Tiragandahe korale, (3) Kuliyaipitiya Baddalge Appu Naide of Embowa in Katugampola korale... Respondents.

THIS matter coming on for disposal before C. P. Markus, Esq., Acting District Judge of Kurunegala, on November 17, 1908, in the presence of the petitioner Kuliypitiya Baddalge Wijendera Naide of Embowa; and his affidavit dated November 16, and petition dated November 17, 1908, having been read:

It is ordered that the said petitioner, as the eldest son of the deceased, be declared entitled to have letters

of administration to the estate of the late Kuliypitiya Baddalge Naide Gurunnehe, deceased, unless the respondents or any other person shall show sufficient cause to the contrary on or before December 18, 1908.

C. P. MARKUS,  
Acting District Judge.

November 17, 1908.

## NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,277. In the matter of the insolvency of Merennage Manuel Fernando of Grandpass in Colombo.

NOTICE is hereby given that the second sitting in the above matter will take place at the sitting of this court on January 14, 1909.

By order of court,

C. B. PAULICKPULLE,  
Colombo, November 28, 1908. for Secretary.

In the District Court of Colombo.

No. 2,315. In the matter of the insolvency of Mututantrige Francis Fernando of Moratuwa.

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 January 14, 1909, for the annulment of the adjudication in the above matter.

By order of court,

C. B. PAULICKPULLE,  
Colombo, November 28, 1908. for Secretary.

In the District Court of Colombo.

No. 2,321. In the matter of the insolvency of Bernard John Perira of Main street, in the Pettah of 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 January 21, 1909, for the grant of a certificate of conformity to the insolvent.

By order of court,

C. B. PAULICKPULLE,  
Colombo, November 28, 1908. for Secretary.

In the District Court of Colombo.

No. 2,337. In the matter of the insolvency of Vavenna Mohammado Yoosoof of Second Division Maradana, Colombo.

WHEREAS the above-named Vavenna Mohammado Yoosoof has filed a declaration of insolvency and a petition for the sequestration as insolvent of his own estate, under the Ordinance No. 7 of 1853, and it appears that he has been in actual custody within the walls of a prison for debt for more than 21 days: Notice is hereby given that the said court has adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on January 14 and January 23, 1909, will take place for the insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

C. B. PAULICKPULLE,  
Colombo, November 30, 1908. for Secretary.

In the District Court of Colombo.

No. 2,338. In the matter of the insolvency of Rayna Rawenna Mana Ramakristna Naido of No. 24, Bankshall street, Colombo.

WHEREAS the above-named Rayna Rawenna Mana Ramakristna Naido has filed a declaration of insolvency, and a petition for the sequestration of his estate has been also filed by L. M. K. Mohamado Lebbe Tamby Marikar, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Rayna Rawenna Mana Ramakristna Naido insolvent accordingly; and that two public sittings of the court, to wit, on January 14, 1909, and on January 28, 1909, 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,

C. B. PAULICKPULLE,  
Colombo, November 28, 1908. for Secretary.

In the District Court of Negombo.

No. 84. In the matter of the insolvency of Henry Salgado of Kurana Katunayaka in Negombo.

WHEREAS the above-named Henry Salgado has filed a declaration of insolvency and a petition for the sequestration of his estate has been filed by Tuppahige Thomas Suwaris of Kurana Katunayaka, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Henry Salgado insolvent accordingly, and that two public sittings of the court, to wit, on December 14 next and January 12, 1909, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

N. PARANAWITANA,  
Negombo, November 26, 1908. Secretary.

In the District Court of Kegalla.

No. 35. In the matter of the insolvency of Don Thepanis Wijesundara of Indurana.

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 January 14, 1909, for the insolvent to surrender and conform to, agreeably to the provisions of the Insolvency Ordinance, No. 7 of 1853.

By order of court,

C. P. W. GUNASEKARA,  
Secretary.

## NOTICES OF FISCALS' SALES.

## Western Province.

In the Court of Requests of Colombo.

T. P. R. M. Perianan Chetty of No. 103,  
Sea street in Colombo ..... Plaintiff.  
No. 9,938. Vs.

(1) S. M. Mohamado Alie and (2) Kona  
Ibrahim, both of No. 83, Wilson  
street in Colombo ..... Defendants.

NOTICE is hereby given that on Tuesday, December 29, 1908, will be sold by public auction at the respective premises the right, title, and interest of the said first defendant in the following property, subject to the life interest of the claimant, Mammala Marikar Segu Mohamado, for the recovery of the sum of Rs. 300, with legal interest thereon from August 7, 1908, full payment in full and costs of suit, Rs. 44.75, and poundage, viz. :—

At 3.30 P.M.

The house and premises bearing assessment No. 83, situated at Wilson street within the Municipality of Colombo; bounded on the north by the property of Umma, on the east by the house bearing assessment No. 82, on the south by Wilson street, and on the west by the house bearing assessment No. 84, containing in extent 20 perches more or less.

At 4 P.M.

The house and premises bearing assessment No. 38, situated at Belmont street as aforesaid; and bounded on the north by the property of Sel-atchy Pu-atchy alias Salatchy Atchy, on the east by the property of Church and Slema Lebbe, on the south by Belmont street, and on the west by the house No. 39; containing in extent 15 perches more or less.

E. ONDATJE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, December 2, 1908.

In the District Court of Colombo.

Godakandage Hendrick Perera Appu-  
hamy of Alutnawata in Colombo ..... Plaintiff.

No. 24,315 C. Vs.

H. A. Jayawardena of Grandpass,  
Colombo ..... Defendant.

NOTICE is hereby given that on Saturday, January 9, 1909, at 4 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, for the recovery of the sum of Rs. 8,789.57, with interest thereon at 9 per cent. per annum from April 8, 1908, till payment in full and costs of action out of the sum of Rs. 9,302.88, viz. :—

All that house and ground called and known as Jayawardena Walawwa, now bearing assessment No. 20, situated at Grandpass road within the Municipality of Colombo; bounded on the north and north-east by the properties of the late Jeronis Soysa

and Mammala Marikar Slema Lebbe, on the west and north-west by the New road or Layard's Broadway, on the south and south-west by the properties of Don Adrian Perera Jayatilake Kankany and Meera Lebbe Casi Lebbe, on the east and south-east by Grandpass road. The boundaries as ascertained on survey being on the north-west by the New road or Layard's Broadway, on the north-east by the property of Mammala Marikkar Slema Lebbe now belonging to Pathumuttu widow of I. L. Ibrahim Lebbe and the property of the late Jeronis Soysa now belonging to Mrs. Gabriel Fonseka, on the south-east by the property of the late Jeronis Soysa now belonging to Mrs. Gabriel Fonseka and Grandpass road, and on the south-west by the property of Don Adrian Perera Jayatilake Kankany now belonging to Stephen Abayaratne, and the property of Meera Lebbe Casi Lebbe now belonging to L. Bartholomeusz Perera; containing in extent 2 acres more or less.

E. ONDATJE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, December 2, 1908.

In the District Court of Negombo.

Muna Muna Sawanna Thana Sathappa  
Chetty of Negombo. .... Plaintiff.

No. 7,385. Vs.

Peter Dabarera of 2nd division of Udayar-  
toppu in Negombo ..... Defendant.

NOTICE is hereby given that on December 29, 1908, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property, mortgaged by bonds Nos. 15,823 dated August 8, 1904, bond No. 10,132 dated June 29, 1905, and bond No. 10,570 dated February 16, 1906, and declared liable to be sold by the decree entered in the above case, viz. :—

(1) The land called Handiyawatta, situate at 1st division, Udayartoppu, within the gravets of Negombo; and bounded on the north by the Main street, on the east by a portion of this land belonging to John Dabarera, on the south by the land belonging to Annas Dabarera, and on the west by the road called Green street, containing in extent 148/100 perches more or less, and the buildings standing thereon.

(2) The eastern portion bearing English letter A of the two contiguous lands called Mawatabodawatta and Ratadelgahawatta, situate at Kota Campoe within the gravets of Negombo; and bounded on the north by the land belonging to Mr. Milliani Henry Sansoni, Proctor, on the east by the 4th Cross road, on the south by the Main street, and on the west by the portion bearing letter B of this land, containing in extent 11 perches more or less, and the buildings standing thereon.

Amount to be levied Rs. 6,600.22 with interest on Rs. 6,373 at 9 per cent. per annum from October 9, 1908, till payment in full.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Fiscal's Office,  
Negombo, December 1, 1908.

## Central Province.

In the District Court of Kandy.

Kuna Runa Kavanna Wena Wena Mey-  
appa Chetty of India ..... Plaintiff.  
No. 16,912. Vs.

(1) Muniandiya Pulle's son Letchimanan  
Pulle, (2) Muniandiya Pulle's son  
Muttiah, (3) Muniandiya Pulle's wife  
Muttiah (widow), all of Halangoda,  
Matale ..... Defendants.

NOTICE is hereby given that on December 30,  
1908, commencing at 12 o'clock noon, will be  
sold by public auction at the premises the right, title,  
and interest of the said defendants in the following  
property, viz. :—

All that garden called and known as Nugagahamula  
and Leemagahamulawatta, containing in extent 8  
acres 2 roods and 25 perches, and bounded on the north  
by Natchiappen Kanganigewatta and fence, east by  
agala and Gansabhawa road, south by Udawalawwa-  
watta and arecanut fence, and west by field and  
fence, situated at Halangoda, Kohonsiya pattu in  
Matale.

Amount of writ Rs. 2,257·99½ and interest.

E. T. MILLINGTON,  
Deputy Fiscal.

Fiscal's Office,  
Kandy, December 2, 1908.

## Northern Province.

In the District Court of Jaffna.

R. M. M. S. T. Suppiramaniam Cheddiar  
of Vannarponnai ..... Plaintiff,  
No. 5,551. Vs.

Vaitilingam Kandiah of Valveddy ..... Defendant.

NOTICE is hereby given that on Monday, January  
4, 1909, 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. 1,500 with interest  
thereon at the rate of 15 per cent. per annum from  
March 30, 1907, until payment in full (and costs of  
suit being reserved), but deducting Rs. 100 out of  
interest and charges, viz. :—

In a piece of land situated at Tanakkarakurichchy  
called Kilakkukaladdy, containing or reputed to  
contain in extent 96 lachams of varagu culture;  
bounded or reputed to be bounded on the east by  
the property of Sinnatamby and others and lane,  
north by the property of Ayamuttu and others,  
west by the property belonging to the temple of  
Athy Vairavar and by the property of Vairamuttu  
and others, and on the south by the property of  
Kantar Velupillai and others.

V. THAMBIPILLAI,  
Deputy Fiscal.

Fiscal's Office,  
Jaffna, November 23, 1908.

I JOHN PENRY LEWIS, Fiscal for the Central Province, do hereby appoint Mr. P. B. Ratnayaka to be  
Marshal from December 1, 1908, for the division of Nuwara Eliya, under Ordinance No. 4 of 1867,  
and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be  
his warrant.

Fiscal's Office,  
Kandy, November 25, 1908.

J. P. LEWIS,  
Fiscal.