



Ceylon Government Gazette

Published by Authority.

No. 6,283 — FRIDAY, DECEMBER 18, 1908.

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 PART II.—Legal and Judicial. | PART IV.—Land Settlement.
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DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to provide for the erection and maintenance of permanent Landmarks to define the Boundaries of Land alienated by the Crown.

Preamble. **W**HEREAS it is expedient to make provision for the erection and maintenance of permanent landmarks to define the boundaries of land alienated by the Crown: 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 Crown Landmarks Ordinance, 1908," and shall come into operation on such date as the Governor shall, by Proclamation in the *Government Gazette*, appoint.

Commencement.

Definition. 2 In this Ordinance, unless the context otherwise requires, the expression "Government Agent" includes an Assistant Government Agent.

Erection of Crown landmarks. 3 Whenever, after the commencement of this Ordinance, any land is sold, leased, or alienated by the Crown, or is admitted or declared by any order passed under Ordinance No. 1 of 1897 to be the property of any claimant, the Governor may cause the boundaries of such land to be defined by permanent marks, in this Ordinance referred to as "Crown landmarks," of such material and size as may be prescribed by the regulations for the time being in force concerning sales of land.

Duty of owner to keep Crown landmarks in repair.	<p>4 It shall be the duty of the owner or the person for the time being in possession or occupation of any land, the boundaries of which have been defined by Crown landmarks to keep such landmarks in good repair, and also to define the boundary line connecting the several landmarks by keeping the same clear of vegetation.</p>
Where owner fails to keep Crown landmarks in repair.	<p>5 (1) Whenever it appears that any Crown landmark has been removed, or is out of repair, or that the owner or occupier has failed to define the boundary line between the landmarks, the Government Agent may call upon the owner or occupier to replace or repair such Crown landmark or to define the boundary line.</p> <p>(2) Where any land is held by several persons in undivided shares, the Government Agent may call upon any one or more of the co-proprietors to replace or repair the Crown landmarks or to define the boundary line as aforesaid; and any such co-proprietor, on producing a certificate from the Government Agent that such work has been performed to his satisfaction, may recover from his co-proprietors their proportionate share in the expense so incurred.</p>
Service of notice.	<p>6 (1) Notice in writing of every requisition to replace or to repair Crown landmarks or to define the boundary line shall be served in the manner prescribed by section 14 of this Ordinance, on the owner or occupier of the land requiring him to perform such work within such time as the Government Agent may think reasonable.</p>
Landmarks for adjoining lots.	<p>(2) Where a Crown landmark serves, or is intended to serve, as a boundary between two or more adjoining lands, the owners of which would both be liable to set up or repair the landmark, the requisition shall be served on the owner or occupier of each such land.</p>
Certificate.	<p>7 The Government Agent shall when Crown landmarks have been replaced or repaired, or the boundary line has been defined to his satisfaction within the time prescribed in the notice, or within such further time as the Government Agent shall allow, grant a certificate to that effect to the owner or occupier.</p>
Procedure where order is not complied with.	<p>8 If after service of notice the required work is not completed within the time prescribed in the notice, it shall be lawful for the Government Agent to cause such work to be done, and the cost incurred thereby shall be chargeable and recoverable as hereinafter provided.</p>
Parties may require Government Agent to set up or repair the landmarks.	<p>9 The person on whom a notice to replace or repair Crown landmarks or to define boundaries is served may request the Government Agent to set up or repair such landmarks, and the Government Agent may have such landmarks set up or repaired, and the cost shall be certified and recovered as hereinafter provided.</p>
Procedure in case of dispute.	<p>10 If any dispute shall arise as to the position in which any Crown landmark shall be placed, the same shall be settled by the Government Agent, who may direct the land to be re-surveyed. The expense of any such survey shall be borne by the landowner, and shall be recovered in manner provided by section 12.</p>
Certificate of expense.	<p>11 The cost of setting up or repairing Crown landmarks under sections 8 and 9, and the cost of survey (if necessary) for ascertaining the true position of any boundary, shall be certified in writing by the Government Agent under his hand, and such certificate shall be held to be conclusive proof of the amount paid, and that everything necessary to be done under this Ordinance up to the time of making such certificate for the purpose of requiring the landmarks to be set up or repaired has been done as required by the Ordinance.</p>
Summons to show cause.	<p>12 In the event of any person charged with the expense incurred by the Government Agent in setting up or repairing Crown landmarks under this Ordinance, and the expense of surveys if any, refusing or neglecting to pay the expense so</p>

incurred, a summons shall be served upon such person requiring him to show cause before a Police Magistrate why the said cost or proportion of cost (stating the amount) should not be paid by him, and if he fail to show such cause, or if he fail to appear, the Police Magistrate on proof of service of the summons and on reading the Government Agent's certificate issued under section 11 may make an order for payment of the amount.

How recoverable.

13 The amount ordered to be paid under section 12 may be recovered in the manner provided by law for the recovery of fines before Police Magistrates, although exceeding the amount that is within their ordinary jurisdiction, and when so recovered shall be paid to the Government Agent.

Service of notices.

14 Notices under this Ordinance may be served personally on the owner or occupier or by having the same affixed in a conspicuous manner on the land to which the notice refers.

By His Excellency's command,

H. L. CRAWFORD,
Acting Colonial Secretary.

Colonial Secretary's Office,
Colombo, November 30, 1908.

Statement of Objects and Reasons.

THE object of the Draft Ordinance is to provide for the erection and maintenance of permanent landmarks to define the boundaries of lands alienated by the Crown after the coming into operation of the Ordinance.

2. For this purpose the Draft Ordinance—

(1) Empowers the Governor to cause the boundaries of lands alienated by the Crown to be defined by permanent landmarks of such material and size as may be prescribed by the land sale regulations in force.

(2) Casts upon the owners for the time being of such lands the duty of maintaining the landmarks, replacing or repairing those which have been removed or fallen into disrepair, and of keeping the boundary line connecting the landmarks clear of vegetation.

(3) Empowers Government Agents to call upon owners to replace or repair the landmarks and define the boundaries, and if they fail to do so to cause the work to be done and recover the cost by proceedings in the Police Court.

3. Lands alienated by the Crown include lands declared or admitted by any order passed under "The Waste Lands Ordinance, 1897," to be the property of any claimant.

Attorney-General's Chambers,
Colombo, December 11, 1908.

ALFRED G. LASCELLES,
Attorney-General.

NOTICES IN TESTAMENTARY ACTIONS.

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

Testamentary Jurisdiction.
No. 3,211 C.
In the matter of the Last Will and Testament of the late Nana Suppramaniam Chetty of Colombo, deceased.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo, on December 4, 1908, in the presence of Mr. Sam Munasingha, Proctor, on the part of the petitioner Frederick Wells Jansz of New Bazaar, Colombo; and the affidavits (1) of the said petitioner dated December 3, 1908, and (2) of the attesting Notary, dated December 2, 1908, having been read: It is ordered that the will of the above-named Nana Suppramaniam

Chetty, deceased, dated June 29, 1908, and now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Frederick Wells Jansz, is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly unless (1) Muttumalay of Vincent street, New Bazaar, (2) Nana Suppramaniam Valiamma of Vincent street, New Bazaar, and (3) Nana Suppramaniam Selliah of Vincent street, New Bazaar, or any person interested shall, on or before January 14, 1909, show sufficient cause to the satisfaction of this court to the contrary.

HERMANN A. LOOS,
District Judge.

December 4, 1908.

In the District Court of Colombo.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. No. 3,217. In the Matter of the Last Will and Testament with codicil thereto of Walter Roope sometime of No. 11, Guildford street, Russell Square, and afterwards of 34, Upper Baker street, both in the county of London, England, deceased.

THIS matter coming on for disposal before Frederick Morgan de Saram, Esq., District Judge of Colombo, on December 15, 1908, in the presence of Mr. Leslie Wm. Frederick de Saram, Proctor, on the part of the petitioner, Frederick John de Saram of Colombo, and the order of the Supreme Court dated September 1, 1908; and the affidavit of the said petitioner dated December 14, 1908, having been read:

It is ordered that the will of the above-named Walter Roope, deceased, dated June 27, 1904, with codicil thereto dated August 10, 1904, an exemplification whereof under the seal of the High Court of Justice in England is now deposited in this court be, and the same is hereby declared proved; and it is further declared that the said Frederick John de Saram is the attorney of Frederick Roope, brother of the said deceased, and Frederick Freeman Philpot of 12, Bedford Row in the said county of London, Solicitor, the executors named in the said will, and that he is entitled to have letters of administration with the said will and codicil annexed of the estate in Ceylon of the said deceased issued to him accordingly, unless any person interested shall, on or before December 22, 1908, show sufficient cause to the satisfaction of this court to the contrary.

F. M. DE. SARAM,
District Judge.

December 15, 1908.

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction. No. 3,815. In the Matter of the Estate of the late Hakkini Ameliashami, late of Kosgoda, deceased.

THIS matter coming on for disposal before K. W. B. Macleod, Esq., District Judge, Galle, on July 23, 1908, in the presence of Mr. D. W. Subasinghe, Proctor, on the part of the petitioners (1) Lathuva Handi Pabaliashami, wife of (2) Kaludura Samaris de Thabrew; and the affidavit of Kaludura Samaris de Thabrew dated July 20, 1908, having been read:

It is ordered and declared that the said (1) Lathuva Handi Pabaliashami, wife of (2) Kaludura Samaris de Thabrew, both of Kosgoda, are daughter and son-in-law of the deceased, and that they are as such entitled to have letters of administration issued to them accordingly, unless the respondents—(1) Lathuva Handi Jayanaris de Silva, (2) Lathuva Handi Nandoris de Silva, (3) Lathuva Handi Darlis de Silva, (4) Lathuva Handi Ujeris de Silva, all of Kosgoda—shall, on or before August 28, 1908, show sufficient cause to the satisfaction of this court to the contrary.

K. W. B. MACLEOD,
District Judge.

July 23, 1908.

The date extended to December 23, 1908.

L. W. BOOTH,
District Judge.

November 19, 1908.

In the District Court of Matara.

Order Nisi.

Testamentary Jurisdiction. No. 1,669. In the Matter of the Last Will and Testament of the late Mahammadu Lebbe Maricar Raiya Umma, deceased, of Kadeweediya.

THIS matter coming on for disposal before B. J. Dutton, Esq., District Judge, Matara, on December 10, 1908, on the motion of Messrs. Keuneman, on the part of the petitioner Alia Markar Mahammadu Hanifa of Kadeweediya; and the affidavit of the said petitioner dated November 5, 1908, having been read:

It is ordered that the will of Mahammadu Lebbe Maricar Raiya Umma, deceased, dated August 17, 1908, and now deposited in this court be, and the same is hereby declared proved, unless the respondents—(1) Aliya Markar Mahammadu Ibrahim, (2) Aliya Markar Mahammadu, (3) Aliya Markar Abdul Rahiman, (4) Aliya Markar Pattu Muttu Natchia, (5) Omer Saibu Mahammadu Abdul Cader, (6) Omer Saibu Abubaker, 5th and 6th minors by their guardian, (7) Seiyadu Ahamadu Lebbe Omer Saibu—shall, on or before January 11, 1909, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Seiyadu Ahamadu Lebbe Omer Saibu be, and he is hereby appointed guardian over the minors 5th and 6th respondents, and it is ordered that the petitioner Alia Markar Mahammadu Hanifa is executor of the said will, and that as such he is entitled to have probate of the same issued to him accordingly, with a copy of the will annexed.

B. J. DUTTON,
District Judge.

December 10, 1908.

In the District Court of Kurunegala.

Order Nisi.

Testamentary Jurisdiction. No. 938. In the Matter of the Intestate Estate of Amarakoon Mudiyanalage Kalu Banda, of Hettimulla, Hewawissa korale, deceased.

Lansakara Kulatunga Mudiyanalage Ukku Amna of Alawela.....Petitioner.

Vs.

(1) Amarakoon Mudiyanalage Banda,
(2) Amarakoon Mudiyanalage Punchi Banda, (3) Amarakoon Mudiyanalage Dingiri Banda, all of Alawela in Hewawissa korale..... Respondents.

THIS matter coming on for disposal before C. P. Markus, Esq., Acting District Judge of Kurunegala, on December 4, 1908, in the presence of Messrs. Palipane, Proctors, on the part of the petitioner; and the affidavit of the said petitioner, dated December 3, 1908, and his petition of the same date having been read:

It is ordered that the said petitioner, as the widow of the deceased, is entitled to letters of administration to the estate of the above-named deceased, and that the same be issued to her accordingly, unless the above-named respondents or any other interested person shall, on or before January 8, 1909, show sufficient cause to the contrary to the satisfaction of this court.

C. P. MARKUS,
Acting District Judge.

December 4, 1908.

In the District Court of Puttalam.

Testamentary. In the Matter of the Intestate Estate
Jurisdiction. of Joseph Marian David de Ro-
No. 256. sairo, deceased, late of Udappu, in
the district of Puttalam.

Between

Santiago Pillai Solomons of Puttalam... Petitioner.

Vs.

(1) Seraphina de Rosairo, wife of Longinus de Rosairo of Kalpitiya, (2) Mary Anne Mercy Casimer, wife of Nicholas Casimer of Kalpitiya, (3) John Solomon Marian de Rosairo (address not known), (4) Louis G. Anandappa, (5) Mary Clara Frances Anandappa, (6) Josephine Mary Carmel Anandappa, (7) Mary Margaret Anandappa, (8) Clement Augustin Anandappa, (9) Mary Agnes Anandappa, (10) Leo Anthony Anandappa, (11) Basil Marian Anandappa, (12) Eustace Bede Anandappa, and (13) Mary Johanna Grace Anandappa, all of Forbes road, Colombo, (14) Mary Margaret Solomons of Puttalam, and (15) Latimer Sanderesekera Marian Pillai of Puttalam Respondents.

THIS matter coming on for disposal before A. C. Allnutt, Esq., District Judge of Puttalam, on December 10, 1908, in the presence of Mr. Adam Muttukumara, Proctor for petitioner, and his affidavit and petition dated December 10, 1908, having been duly read: It is hereby ordered that the petitioner Santiagopillai Solomons of Puttalam above-named, be and he is hereby appointed administrator of the intestate estate of Joseph Marian David de Rosairo, deceased, unless the respondents or any other person or persons shall show sufficient cause to the satisfaction of this court on or before December 21, 1908.

And it is further ordered that the aforesaid 4th respondent, be and he is hereby appointed guardian *ad litem* over the minors the 8th, 9th, 10th, 11th, 12th, and 13th respondents and the 15th respondent, be and he is hereby appointed guardian *ad litem* over the minor the 14th respondent, unless the respondents or any other person or persons shall show sufficient cause to the satisfaction of this court on or before December 21, 1908.

A. C. ALLNUTT,
District Judge.

December 10, 1908.

In the District Court of Badulla.

Order Nisi.

Testamentary. In the Matter of the Intestate Estate
Jurisdiction. of Pitiyegedera Dhanapala Mu-
No. B 299. diyanselage Kriwante Vedarala,
late of Godunna in Viyaluwa,
deceased.

Pitiyegedere Dhanapala Mudiyanse-
lage Siyatu Gamarala of Godunna, in Viya-
luwa Petitioner.

And

(1) Pitiyegedere Dingiri Menika, (2)
Pitiyegedere Dhanapala Mudiyanse-
lage Appuhami, (3) Pitiyegedere

Dhanapala Mudiyanse-
lage Punchirala,
(4) Pitiyegedere Dhanapala Mudiyan-
selage Ukku Menika, all of Godunna,
(5) Pitiyegedere Dhanapala Mudiyan-
selage Hudu Menika of Talgaha-
kumbura in Maliyadda, (6) Pitiye-
gedere Dhanapala Mudiyanse-
lage Kalu Menika of Galaniha in Gampaha
korale Respondents.

THIS matter coming on for disposal before G. F. Roberts, Esq., District Judge of Badulla, on November 25, 1908, after reading the affidavit and petition of the above-named petitioner dated November 23, 1908: it is ordered that the petitioner Pitiyegedere Dhanapala Mudiyanse-
lage Siyatu Gamarala of Godunna, be and he is hereby declared entitled to have letters of administration issued to him to administer the estate of the deceased, Dhanapala Mudiyanse-
lage Kiriwante Vedarala, late of Godunna in Viyaluwa, deceased, unless the above-named respondents shall, on or before December 22, 1908, show sufficient cause to the satisfaction of this court to the contrary.

G. F. ROBERTS,
District Judge.

November 25, 1908.

In the District Court of Ratnapura.

Order Nisi.

Testamentary. In the Matter of the Intestate Estate
Jurisdiction. of Ranasingha Mudiyanse-
No. 569. lage Pan-
chamahatmaya of Galukagama,
deceased.

Seneviratne Mudiyanse-
lage Dingirimenike
of Galukagama, now of Dambuluwana... Petitioner.

And

(1) Ranasingha Mudiyanse-
lage Dingiri-
mahatmaya, (2) Ranasingha Mu-
diyanse-
lage Mudiyanse,
(3) Ranasingha
Mudiyanse-
lage Punchiappuhamy,
(4) Ranasingha Mudiyanse-
lage Lokuma-
hatmaya, all of Kiriella, (5) Ranasingha
Mudiyanse-
lage Kirimenike of Galuka-
gama, (6) Ranasingha Mudiyanse-
lage Rammenike of Delgomuwa, (7) Rana-
singha Mudiyanse-
lage Dingirimenike
of Deheragoda, Respondents.

THIS matter coming on for disposal before W. H. B. Carbery, Esq., District Judge of Ratnapura, on November 2, 1908, in the presence of Mr. C. F. Dharmaratne, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner dated September 16, 1908, having been read:

It is ordered that the said petitioner, be and she is hereby declared entitled as the widow of the deceased above-named, to administer the estate of the said deceased, and that letters of administration do issue to her accordingly, unless the respondents above-named or any other person interested shall, on or before January 6, 1909, show sufficient cause to the satisfaction of this court to the contrary.

W. H. B. CARBERY,
District Judge.

November 2, 1908.

NOTICES OF INSOLVENCY.

In the District Court of Kandy.

No. 1,563. In the matter of the insolvency of Dominico Hewage Geeris Appu of Mount Vernon estate, Kotagala.

WHEREAS Idalayange Cornelis Appu has filed a declaration of insolvency, and a petition for the sequestration of the estate of Dominico Hewage Geeris Appu under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Dominico Hewage Geeris Appu insolvent accordingly; and that two public sittings of the court, to wit, on January 7, 1909, and on January 21, 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,
W. M. DE SILVA,
Secretary.

December 8, 1908.

In the District Court of Jaffna.

No. 52. In the matter of the insolvency of Kadirkama Chetty Thuraiappah Cheddi of Vannarponnai East.

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 29, 1909, for the grant of a certificate of conformity to the insolvent.

By order of court,
R. KANTAIYAH,
Secretary.

Jaffna, December 8, 1908.

In the District Court of Galle.

No. 377. In the matter of the insolvency of Kiriwandalage Cornelis of Dangedera in Galle.

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 February 23, 1909, for examination of the insolvent.

By order of court,
D. M. JANSZ,
Secretary.

Galle, December 11, 1908.

NOTICES OF FISCALS' SALES.

Western Province.

In the Court of Requests of Colombo.

Kuna Meena Miskin of Pettah, Colombo ... Plaintiff.

No. 7,271. Vs.

- (1) Meedin Lebbe Mustaffa, Lebbe of Kumanemulla in the Gangaboda pattu, (2) Ahamado Lebbe Arina Ummah of Ogodapola in the Meda pattu of Siyane korale, and (3) Madar Lebbe Mohamado Lebbe of Ogodapola in the Meda pattu of Siyane korale: ... Defendants.

NOTICE is hereby given that on Saturday, January 16, 1909, will be sold by public auction at the respective premises the following property, mortgaged with the plaintiff and ordered to be sold by the order of court dated July 17, 1908, for the recovery of the sum of Rs. 283.50 with interest thereon at the rate of 9 per cent. per annum from May 21, 1908, till payment in full and the costs Rs. 28.75, viz. :—

At 1 P.M.

The eastern one-half part of the field called Helambagahakumbura, situated at Radawana in the Gangaboda pattu of Siyane korale; and which said entire field is bounded on the east and south by the canal of Radagekumbura, on the west by the liminary dam of the field of Jeeris, Police Vidane, and on the north by the liminary dam of Nindairawelakumbura; containing within the boundaries about 3 bushels of paddy sowing in extent.

At 3.30 P.M.

2. An undivided one-third part of the portion of land called Pelangahalanda, situated at Ogodapola in the Meda pattu of Siyane korale; which said entire portion of land is bounded on the east by the ditch of the field belonging to Ahamado Lebbe Casie Lebbe, on the south by the remainder of this land, on the west by the live fence, and on the north by Dewata; containing in extent within the boundaries 6 acres

and 3 roods to all and singular the appurtenances, rights, and easements thereof or thereto in any wise belonging or appertaining; and all the estate, right, title, and interest, claim, and demand whatsoever of the defendants into, upon, or out of the said property.

Fiscal's Office,
Colombo, December 16, 1908.

E. ONDATJE,

Deputy Fiscal.

In the Court of Requests of Colombo.

William Bernard de Fry of Bambalapatiya, Colombo ... Plaintiff.

No. 9,548. Vs.

- (1) Akbar Thangamma, and (2) Colonda Marikkar Mohamado Sheriff, both of No. 171, 2nd division, Maradana, Colombo ... Defendants.

NOTICE is hereby given that on Monday, January 11, 1909, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the following property ordered to be sold by the order of court dated October 12, 1908, for the recovery of the sum of Rs. 290, with interest thereon at the rate of 9 per cent. per annum from June 4, 1908, till payment in full and costs of suit, Rs. 28.75, viz. :—

All that portion with the house thereon from and out of the two allotments of land bearing assessment No. 171, situated at Maradana, within the Municipality of Colombo; and which said portion is bounded on the north by the land of Assen Meera Lebbe Samsudeen, on the east by the land of Amala Marikar Mohamado and by the land of Siddi Lebbe Marikkar Hadjar Ahamado Salib, on the south by the land of Pitcha Kinduru Kanni, and on the west by the land of the said Assen Meera Lebbe Samsudeen; containing in extent 4 square perches and 73/100 of a perch.

Fiscal's Office,
Colombo, December 16, 1908.

E. ONDATJE,

Deputy Fiscal.

In the District Court of Colombo.

V. P. L. K. R. Palaniappa Chetty of Sea street, Colombo..... Plaintiff.
No. 27,627. Vs.

Lady Catherine de Soysa of Colombo..... Defendant.

NOTICE is hereby given that on Tuesday, January 12, 1909, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 12,503.75, with interest at 9 per cent. per annum on Rs. 5,000 from September 16, 1908, on Rs. 2,500 from September 17, 1908, and on Rs. 5,000 from September 22, 1908, till payment in full, viz. :—

All that house and ground bearing assessment No. 17, situated at Fourth Cross street, Pettah, within the Municipality of Colombo; bounded on the north by the property bearing assessment No. 16 belonging to Don Carolis, on the east by premises belonging to Don Carolis, on the south by premises bearing assessment No. 18 said to belong to Carimjee Jefferjee, and on the west by Fourth Cross street, Pettah; containing in extent 20 perches more or less.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, December 16, 1908.

In the District Court of Colombo.

Veena Rana Suna Weerappa Chetty of Sea street, Colombo..... Plaintiff.
No. 27,691. Vs.

W. Don Baron Appuhamy of Yatawaka, in Urapola, Veyangoda..... Defendant.

NOTICE is hereby given that on Friday, January 15, 1909, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,627.50, with interest at the rate of 9 per cent. per annum on Rs. 1,497.50 from October 5, 1908, till payment in full, viz. :—

An undivided half of the entire land called Dambugahalanda *alias* Katuwalanda, situated at Urapola in the Udugaha pattu of Siyane korale; and bounded on the east by the land belonging to Sardiel, Police Vidanerala, and the lands belonging to others, on the south by the ditch, on the west by the high road leading from Hanwella to Pasyala, and on the north by the land belonging to Moor people; containing in extent about 20 acres more or less.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, December 16, 1908.

In the District Court of Colombo.

Nana Lana Suna Awanna Viswanathan Chetty of Sea street, Colombo..... Plaintiff.
No. 27,768. Vs.

John Clovis de Silva of Hunupitiya, Colombo..... Defendant.

NOTICE is hereby given that on Tuesday, January 12, 1909, at 1.30 o'clock in the afternoon, will be sold by public auction at No. 4, "Lynn Bank," Lake road, Hunupitiya, Colombo, the following movable property of the defendant for the recovery of the sum of Rs. 1,251.25, with interest on Rs. 1,250 at 9 per cent. per annum from October 16, 1908, till payment in full, viz. :—

1 piano, 1 piano stool, 1 tamarindwood chifonier, 1 tamarindwood almirah with mirror, 1 tamarindwood counting table with drawers, 1 tamarindwood square table with 2 drawers, 1 tamarindwood couch

4 tamarindwood arm chairs, 8 tamarindwood arm chairs, 25 pictures (large and small), 2 ebony high back chairs, 1 bentwood rocking chair, 12 arm chairs, 1 dining table, 1 screen, 1 marble wash-hand stand, 1 tamarindwood almirah, 1 small whatnot with mirror, 5 rattan chairs, 2 jakwood lounges, 1 teak teapoy, 1 nadun hatstand, 1 large whatnot, 3 ebony ladies' chairs, 1 tamarindwood octagonal table, 1 satinwood glass almirah, 1 teakwood bench, 4 rattan mats, 3 coir mattings, and 50 flowerpots with plants.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, December 16, 1908.

Central Province.

In the District Court of Kandy.

Modugamuwa Malwatta Mohottige William Appuhamy of Alutnuwara in Bintenna..... Plaintiff.
No. 16,879. Vs.

(1) Boange Walawwe Pllamatawwa Wijesundera Rajakaruna Nawaratna Bandaranayake Mudiyanselege Loku Banda, (2) Boange Walawwe Pilamatawwa Wijesundera Rajakaruna Nawaratna Bandaranayake Mudiyanselege Medduma Banda, (3) Boange Walawwe Pilamatawwa Wijesundera Rajakaruna Nawaratna Bandaranayake Mudiyanselege Loku Banda, junior, *alias* Edmund Mark Pilamatawwa, the 1st and 2nd of Ambilmeegama, Yatinuwara, and 3rd of Doranagama of Harris pattu..... Defendants.

NOTICE is hereby given that, on January 18, 1909, commencing at 12 o'clock noon, will be sold by public auction at the premises, the following property mortgaged upon bond No. 6,361 dated October 30, 1902, and decreed to be sold by the judgment entered in the above case, viz. :—

1. Karandegollekumbura of 3 pelas of paddy sowing extent, situate at Rambukwella in Gampaha Korale West, Uda Dumbara; bounded on the east by the stone fence of Konegekumbura, south by oya, west by the limit of oya of Ran Banda's field, and on the north by a chena land called Karandegollehena.

2. Karandegollehena of 1 pela of paddy sowing extent, or 10 nellies of kurakkan sowing extent, situate at Rambukwella aforesaid; bounded on the east by the stone fence of Dewaleasswedduma, south by the stone fence of the chena belonging to Atapattugedara Arachchi, west by a field, and on the north by Konegedarahena and stone fence.

3. Thoppemandehena of 10 nellies of kurakkan sowing extent, situate at Rambukwella aforesaid; bounded on the east by a field, south by a fence, west by Kandeheeriya, and on the north by a fence.

4. The field called Thoppemandegalagawa-amuna of 1 amuna of paddy sowing extent, situate at Rambukwella aforesaid; bounded on the east by a stream, south by a fence, west by a chena, and on the north by Wewekumbura.

On January 20, 1909, at 12 o'clock noon, at the premises.

5. Ekkassekumbura of 1 amuna of paddy sowing extent, situate at Haliela in Gampaha korale of Uda Dumbara West; bounded on the east by a stone fence, south by a stream, west by a chena, and on the north by a fence.

6. Ekkassehena of 2 amunas of paddy sowing extent, situate at Haliela aforesaid; bounded on the east by a field, south by a stream, west by Galheeriya, and on the north by a stream.

On January 25, 1909, at 12 o'clock noon, at the premises.

7. Kalawekumbura of 3 amunams of paddy sowing extent, situate at Udathawa in Kandapahala korale of Uda Dumbara; bounded on the east by an oya, south by Heendandu-ela of Polwattakumbura, west by an oya and the limit of Udakumbura, and on the north by Samandewalekumbura and the limit of Valapattukumbura.

8. Ranakussekkumbura of 1 amunam of paddy sowing extent, situate at Udathawa aforesaid; bounded on the east by a stream, south by Palleodeniya, west by Pahalakumbura, and on the north by a tank and a stream.

9. Manawilakumbura of 1 pela and 5 lahas of paddy sowing extent, situate at Udathawa aforesaid; bounded on the east by Bibile-ela, south by Mahawelikadekumbura, west by Heendandu-ela, and on the north by the limit of Welgammahalage Vatupallekumbura.

9. Welikadekumbura *alias* Mahawelikadekumbura of 1 amunam and 1 pela of paddy sowing, situate at Udathawa aforesaid; bounded on the east by Bibile-ela, south by the limit of Kudawekadekumbura, west by Heendandu-ela, and north by the limit of Mawewattakumbura.

10. Kudawekadekumbura of 3 pelas of paddy sowing extent, situate at Udathawa aforesaid; bounded on the east by Bibile-ela, south by Welikadekumbura, west by Heendandu-ela, and on the north by Mahawelikadekumbura.

11. Palleodeniya-kumbura of 1 amunam and 1 pela of paddy sowing extent, situate at Udathawa aforesaid; bounded on the east by the limit of Kapupullekumbura, south by Heewideniyakumbura, west by the limit of Udeodeniya, and on the north by Rankussekkumbura.

12. Udeodeniya-kumbura *alias* Kumbalekumbura of 1 amunam of paddy sowing extent, situate at Udathawa, aforesaid; bounded on the east by Palleodeniya, Heendandu-ela, south by Egodegalaykumbura, west by the limit of the field of Madurugas-pitiya Arachchi, and on the north by Kumbalkumbura.

13. Madewelakumbura of 1 amunam of paddy sowing extent, situate at Udathawa aforesaid; bounded on the east by Polwatta-ela and a bank, south by limit of Kaluhenamadewalekumbura, west by a fence, and north by the limits of Kawrale's field and Mudelihamy's fields.

14. Baithpolakumbura of 1 pela of paddy sowing extent, situate at Udathawa aforesaid; bounded on the east by the limit of Dehiattakumbura, south by Egodegallekumbura, west by the limit of Balappuwekumbura, and on the north by the limit of Udadeniya.

15. Pihiletuduwekumbura of 3 amunams of paddy sowing extent, situate at Udathawa aforesaid; bounded on the east by Pallegedarawatta and a stream, south by Hendelkotuwa-ela, west by Kaluhanaya's garden, and on the north by Kotuwawekumbura.

16. Arakotuwa of 1 amunam of paddy sowing extent, situate at Udathawa aforesaid; bounded on the east by Appuhamy Arachchi's field, south also by Appuhamy Arachchi's field, west by Neluwa-ela, kumbura, and on the North by an oya.

17. Kohowilawatta of 2 pelas of paddy sowing extent, situate at Udathawa aforesaid; bounded on the east by Vedegedera Meddume Arachchi's garden, south by an oya, west by a stone fence, and on the north by a bank and stream.

And that on January 27, 1909, at 12 o'clock noon, at the premises.

18. All that allotment of land called Walapotukumbura, situate in the village Hassalaka in Kandapahala korale in the district of Uda Dumbara, Central Province; bounded on the north by land claimed by

H. Kumarihamy and Dingiri Banda and by Crown land, east and south-east by Crown land, south by land claimed by P. Kumarihamy and a water-course, and west by land claimed by P. Kumarihamy and H. Kumarihamy; containing in extent 2 acres 1 rood and 34 perches as per Crown title plan No. 132,623 dated October 8, 1884.

Amount of writ Rs. 2,706.89.

A. V. WOUTERSZ,
Deputy Fiscal.

Fiscal's Office,
Kandy, December 14, 1908.

Northern Province.

In the District Court of Jaffna.

(1) Veluppillai Kanapathippillai, and wife (2) Sunthara Amma of Karativu East Plaintiffs.
No. 6,031. Vs.

(1) Sithamparappillai Sinniah, and wife (2) Sinnakkuddi of Karativu East, (3) Taivanai, daughter of Ampalavanar of Karativu East. Defendants.

NOTICE is hereby given that on Monday, January 11, 1909, at 10 o'clock in the forenoon, will be sold by public auction at the spot the following property decreed to be sold in the above action for the recovery of Rs. 5,630.83, with interest on Rs. 5,000 at the rate of 6 per cent. per annum from July 9, 1908, until payment in full and costs of suit being Rs. 320.65 and charges, viz. :—

A piece of land situated at Kalapoomy, in Karativu East called Thoppitkadu, containing or reputed to contain in extent 128 lachams of varagu culture, with palmyras, old and young, coconut and margosa trees, and cultivated plants; bounded or reputed to be bounded on the east by the property of Apiraman and others, north by the property of Sivakamy and others, west by the property of Taivanai and others, and south by seashore.

(2) A piece of land situated at Kalapoomy, in Karativu East called Manakkai, containing or reputed to contain in extent 33 lachams of paddy culture and 4 kullies; bounded or reputed to be bounded on the east by channel and by the property of Veerakatty, north by the property of Sivakamy and others, west by the property of Veluppillai and others, and south by the property of Namuppillai and others.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, December 12, 1908.

In the District Court of Colombo.

S. V. S. Veluthar Mudaliyar of 2nd Cross street, Pettah, Colombo. Plaintiff.
No. 27,908. Vs.

M. M. Mohideen of Jaffna Defendant.

NOTICE is hereby given that on Monday, January 11, 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 recovery of Rs. 802.50, with interest thereon at the rate of 9 per cent. per annum from November 11, 1908, till payment in full, viz. :—

In an undivided $\frac{1}{3}$ share with its appurtenances of a piece of land situated at Vannarponnai West called Palluvilythoddam; containing or reputed to contain in extent 28 lachams paddy culture with huts, wells, palmyras, and cultivated and spontaneous plants;

bounded or reputed to be bounded on the east by the property of Meyatheen Saibe Kadduvava, north by the property of Meyatheenkaradu Vavameyatheen, west by the property of Ussansaibo Athamvava and others, and on the south by lane.

In an undivided $\frac{1}{3}$ share with its appurtenances of a piece of land situated at Vannarponnai West called Palluvilythoddam; containing or reputed to contain in extent 8 lachams varagu culture with well, huts, palmyras, and cultivated and spontaneous plants; bounded or reputed to be bounded on the east by the property of Mukammadu Ebrahim Meerasaibo, north by the property of Ussan Saibu Aathamvava, west by the property of Asana Marakkair Matharusaibo, and on the south by lane.

In an undivided $\frac{1}{3}$ of $\frac{1}{3}$ share with its appurtenances of a piece of land situated at Vannarponnai West called Palluvilythoddam; containing or reputed to contain in extent 14 lachams of paddy culture with huts, well, palmyras, and cultivated and spontaneous plants; bounded or reputed to be bounded on the east by the property of Ayathurai Ayah Suppayah, north by the property of Lokampa Amma, wife of Sivasankarakkurukkal, west by the property of Katesesar Vayramuttu, and on the south by the property of Tankamuttu, wife of Katheravelu and others.

V. THAMBIPILLAI,
Deputy Fiscal.

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

Southern Province.

In the District Court of Galle.

A. R. A. R. S. M. Ramanathan Chetty
of Galle..... Plaintiff.

No. 9,010. Vs.

Mohamed Hanifa Mohamed Cassim and
others of Galle Defendants.

NOTICE is hereby given that on Monday, January 11, 1909, at 3 o'clock in the afternoon, will be sold by public auction at the spot the following mortgaged property, viz:—

1. All that defined allotment of land called Pettigalawatta *alias* Ela-addarawatta together with the house No. 27 standing thereon, situate at Pettigalawatta, in extent 3·4 perches.

On the same day at this office at 12 noon.

2. All that and those the mortgage bond No. 2,539, dated September 13, 1905, attested by C. S. Abeyaratna, of Galle, Notary Public, in favour of 1st defendant the sum of Rs. 1,500, and interest thereon at 12 per cent. per annum from the said date.

On Wednesday, January 13, 1909, at 2 P.M.,
at the spot.

3. All the soil and trees of the garden called Baasgewatta *alias* Kiralaowitawatta, in extent 7 acres and 35 perches, situate at Unawatuna.

On Monday, January 18, 1909, at 2 P.M., at the
spot.

4. All that allotment of land bearing assessment No. 297, situate at Circular street of Galle Bazaar and the boutique standing thereon, formerly marked No. 2 and presently bearing No. 304, in extent 7·50 perches.

On Saturday, January 23, 1909, at 2 P.M.
at the spot.

5. An undivided $\frac{5}{12}$ part of the soil and trees (exclusive of planter's share of the 2nd, 3rd, and 4th plantations) of the central lot of Oroppegawatta,

together with the stone-built tiled house of seven cubits standing thereon, situate at Pitiwella, in extent 1 acre 3 roods and 8·29 perches.

Writ amount Rs. 34,868·17, with interest on Rs. 33,971·25 at 9 per cent. per annum from September 21, 1908.

C. T. LEEMBRUGGEN,
for Fiscal.

Fiscal's Office,
Galle, December 16, 1908.

In the District Court of Colombo.

K. G. de Silva of Moratuwa Plaintiff.
No. 25,892. Vs.

Kirikankanange Andoris de Silva of the
Lunatic Asylum by his guardian *ad
litem* (2) Kirikankanange David de
Silva of Ambalangoda..... Defendants.

NOTICE is hereby given that on Saturday, January 30, 1909, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz:—

1. Half share of land and all the plantations of all that northern half of Andiyawatta, situated at Ambalangoda.

On Saturday, February 6, 1909, commencing
at 2 P.M., at the spot.

2. An allotment of land called Pelendaboda estate, in extent 14 acres, with all the trees and plantations standing thereon, situate at Madampe.

Writ amount Rs. 4,471·50, with interest on Rs. 3,000 at $7\frac{1}{2}$ per cent. from February 10, 1908, till March 3, 1908, and thereafter on the aggregate amount at 9 per cent. per annum and costs Rs. 183·75 less Rs. 4,100.

C. T. LEEMBRUGGEN,
for Fiscal.

Fiscal's Office,
Galle, December 16, 1908.

Eastern Province.

In the Court of Requests of Batticaloa.

Kannapper Vyramuttu of Kallady Plaintiff.
No. 13,060. Vs.

Veerapattirer Kanthavanam, of ditto... Defendant.

NOTICE is hereby given that on the following days and hours will be sold by public auction at the premises the right, title, and interest of the said defendant in the following properties, viz:—

On Monday, January 18, 1909, at 9 A.M.

1. (a) One bull, black; age, 8; brandmarks, *as. ef.* white spot.

(b) One cow, black; age, 6; brandmarks, *as. ef.* white spot on the forehead; white tail. (Sale at Karavetty.)

At 2 P.M.

2. An undivided $\frac{1}{3}$ share of a jungle land called Olimaduchenai, lot No. 761,231, situated at Ponnankaneychenai, in Manmunai North-West, in the District of Batticaloa, Eastern Province; and bounded on the north by the land of Notary Kanthappa and others, south, east, and west by Crown lands; in extent 35 acres, with all rights.

On Tuesday, January 19, 1909, at 10 A.M.

3. A garden called Kathirewelyarvalavu, situated at Kallady in Manmunai East, in the District of Batticaloa; and bounded on the north by Crown land and garden of K. Maarimuttu, on the south by the

dowry garden of S. Kanapatypillay and temple land, on the east by the other share of this garden belonging to Vally, on the west by the gardens of the defendant and K. Seeney Tampy; in extent north to south eastern side 21 fathoms, western side 26 fathoms, east to west 36 fathoms, with coconut trees and other produce.

On Wednesday, January 20, 1909, at 9 A.M.

4. A garden situated at Koddamunai in Manmunai North, in the District of Batticaloa, Eastern Province; and bounded on the north by the garden of V. Ayer, on the east by lane, on the west by the garden of Kanagasabey and others, on the south by sandy road; in extent east to west 10 fathoms, north to south 41 fathoms, with house, well, and produce.

Amount to be levied, Rs. 271.58.

T. SINNATAMBY,
Deputy Fiscal.
Fiscal's Office,
Batticaloa, December 11, 1908.

North-Western Province.

In the District Court of Puttalam.

(1) Mena Yana Avenna Annamalai Chetty,
and (2) P. L. T. Supperamaniam..... Plaintiffs.
No. 1,204. Vs.

J. S. Philips, Secretary of the District Court of Puttalam and administrator of the estate of Mary Navaratne, deceased, late of Puttalam..... Defendant.

NOTICE is hereby given that on Monday, January 11, 1909, at 2 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz:—

An undivided 12½ acres or ¼ share of the land belonging to the estate of the late Mary Navaratne out of the entire portion of land called Tammanna

Vellutotam, situated at Chanaikudiruppu in Puttalam pattu of Puttalam District; bounded on the north by the land belonging to Nalla Ibrahim Saibo and others, east by the land belonging to the children of the late Frederick Navaratne; south by the Anuradhapura road, and on the west by the land purchased by H. R. Fonseka and wife, the said Mary Navaratne from Alfred Navaratne, and containing in extent 75 acres together with all the coconut trees and the things contained within the said boundaries.

J. ARTHUR DE SILVA,
Deputy Fiscal's Office, Deputy Fiscal.
Puttalam, December 15, 1908.

In the District Court of Puttalam.

Mena Yana Mena Venkadasalem Chetty
of Puttalam:..... Plaintiff.
No. 1,974. Vs.

Seku Ibrahim Nayina Marakayar Wawa,
Marakayar of Tely, and another..... Defendants.

NOTICE is hereby given that on Saturday, January 9, 1909, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendants, in the following property viz:—

A portion of a coconut garden called Viddadittennamtoddam, situated at Tely in Akkarai pattu, in the District of Puttalam, containing in extent about 7 acres; bounded on the north by the property of Hydroos Levvai Naiyana Muhamadu Levvai, east by the road, and on the south and west by the property of the heirs of the late Muhallan Mohaiyadeen Wawa Saibu Levvai and others.

Judgment Rs. 1,232.62½, costs Rs. 170.75, with interest on Rs. 950 at 21 per cent. per annum from January 21, 1908, to March 16, 1908, and at 9 per cent. per annum on the aggregate thereafter.

J. ARTHUR DE SILVA,
Deputy Fiscal's Office, Deputy Fiscal.
Puttalam, December 12, 1908.

DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Nuvara Eliya by nineteen labourers of Court Lodge estate, Kandapola, against the proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 180.

The Minor Courts,
Nuvara Eliya, December 5, 1908.

J. G. GUNASEKARA,
Chief Clerk.

I, CHARLES MORANT LUSHINGTON, Fiscal for the Southern Province, do hereby appoint Mr. L. R. de Soysa to act as Marshall for the District of Balapitiya in the Southern Province, from December 24, 1908, to January 3, 1909, under the provisions of the Fiscals' Ordinance No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshall for which this shall be his warrant.

Galle, December 15, 1908.

C. M. LUSHINGTON,
Fiscal.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the Western Circuit will be holden at the Court-house at Colombo, on Monday, January 11, 1909, at 11 o'clock of the morning of the said day.

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

E. GNDATJE,
for Fiscal.
Fiscal's Office,
Colombo, December 12, 1908.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Ratnapura will be holden at the Court-house at Colombo, on Monday, January 11, 1909, at 11 o'clock of the morning of the said day.

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

R. B. HELTINGS,
Fiscal.
Fiscal's Office,
Ratnapura, December 14, 1908.