



# 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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## Part II.—Legal and Judicial.

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### DRAFT ORDINANCES.

#### MINUTE.

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

#### An Ordinance to amend "The Municipal Councils' Ordinance, 1887."

Preamble.

WHEREAS it is expedient to amend in certain particulars "The Municipal Councils' Ordinance, 1887," hereinafter referred to as "the principal Ordinance," and "The Municipal Councils' Amendment Ordinance, 1896": 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 Municipal Councils' (Amendment) Ordinance, 1909," and shall be read and construed as one with the principal Ordinance.

New definition of street.

2 For the definition of street in section 3 of the principal Ordinance the following definition shall be substituted:

"Street" means any road, street, square, court, alley, passage, river, or canal, whether a thoroughfare or not, over which the public have a right of way, together with the land (not being private property), whether covered or not by any pavement, verandah, or other structure which lies between the roadway and the main wall of any house adjacent thereto; as well as all drains, embankments, and ditches belonging to or appertaining to a street, also all public places, and also the roadway over any public bridge or causeway within the town, and such waste land adjoining any street or road as may have been reserved for its protection or benefit.

Repeal of disqualification of naval and military officers.

3 In section 9 of the principal Ordinance for the words "No person being an officer in Her Majesty's army or navy on full pay or in active employment as such officer, and no officer or servant of the Municipality so long as he remains in the employ of the Municipality, except the Chairman, shall be qualified to be a Councillor," there shall be substituted the following words, namely :

No officer or servant of the Municipality so long as he remains in the employ of the Municipality, except the Chairman, shall be qualified to be a Councillor.

Amendment of section 123.

4 (1) For clause (15) of sub-section (a) of section 123 of the principal Ordinance the following clause shall be substituted :

(15) The establishment and regulation of markets, including marts for the sale of cattle and other live stock.

(2) The following clauses shall be added after clause (28) of sub-section (a) of the said section, namely :

(29) The regulation and inspection of hairdressers' and barbers' saloons.

(30) The licensing of money changers.

(31) The standardization of milk.

(32) The regulation and inspection of places of public entertainment.

(33) The construction, maintenance, and inspection of sewers, drains, privies, water-closets, and all other requirements connected with the proper sanitation of public and private premises.

Substitution of new schedule for schedule C.

5 For schedule C of the principal Ordinance the following schedule shall be substituted, namely :—

SCHEDULE C.	Rs. c.
For every bicycle or tricycle ..	2 0
For every bicycle- or tricycle-car or cart ..	3 0
For every carriage of whatever description other than a cart, hackery, jinrickshaw, bicycle- or tricycle-car, or cart ..	5 0
For every cart or hackery of whatever description ..	4 0
For every jinrickshaw ..	2 50
For every horse, pony, or mule ..	2 50
For every bullock or ass ..	1 0

Children's carriages the wheels of which do not exceed 24 inches in diameter are exempted.

Substitution of a new section for section 140.

6 For section 140 of the principal Ordinance, as amended by "The Municipal Councils' Amendment Ordinance, 1902," the following section shall be substituted :

140. (1) The Standing Committee on Finance and Assessment shall have power and authority to revise, insert in, or delete from the assessment books any assessment at any time during the year, increasing, decreasing, adding, or cancelling the same as they shall see fit, and to give effect thereto from such date during the year as they shall think proper.

(2) It shall be lawful for the Municipal Council from time to time, and so often as they shall think necessary, to remit wholly or in part the amount payable in respect of the rate or rates on the annual value of any houses or buildings of any description or of any land or tenement whatsoever within the Municipality, in any case where such house, building, land, or tenement is proved to the satisfaction of the Council to belong to or to be in the occupation of any *bona fide* charitable institution, or to have suffered damage by an act of God.

Amendment of section 160.

7 In section 160 of the principal Ordinance the words "as hereinafter provided" shall be inserted after the word "may" in line 2 thereof.

Addition of  
new sections  
160 c and 160 d.

Power of  
Council to  
appoint street  
lines.

8 After section 160 B of the principal Ordinance, the following sections shall be inserted :

160 c (1) For the purpose of laying out or making new streets, or widening, opening, or otherwise improving any street, the Council may, without the sanction of the Governor in Executive Council, appoint and cause to be set out on the ground street lines defining the limits to which the street is to be laid out, made, widened, or improved, notwithstanding that such lines pass through buildings and lands which are private property. The Council shall be deemed to have appointed street lines, when they shall by resolution have approved a plan showing such street lines.

(2) Where a street is to be used by foot passengers only, the street lines shall not be less than or more than twenty feet apart.

(3) Where a street is or is to be used for foot passengers and wheeled vehicles, the street lines shall not be less than or more than forty feet apart, provided that (a) in the case of an existing street, the Council may, by reason of the ground being closely built upon, by resolution adopt a width of less than forty feet ; (b) where an existing street is in any part forty feet or more in width, it shall be lawful for the Council to appoint a width greater than forty feet, but not exceeding one-tenth more than the width, of such street at its widest part.

(4) With the sanction of the Governor in Executive Council first obtained in that behalf, the Council may appoint street lines of greater width than is provided for in the two last preceding sub-sections.

(5) From and after the date on which the Council shall have appointed street lines for any existing or proposed street, no building, fence, or other erection or thing shall be erected, re-erected, or placed upon or overhang the land lying between the lines defining the future street, except in accordance with the provisions of this Ordinance.

(6) From and after the publication, in such manner as the Council may direct, of the appointment of street lines defining the position, width, and direction of any proposed, new, widened, or improved street, the land lying between such street lines shall be deemed a street, and shall in all respects be governed by the sections of this Ordinance dealing with projections, encroachments, or obstructions in or over any street, so far as such projection, encroachment, or obstruction shall have been made subsequently to the date upon which the street lines were appointed to be observed.

(7) The Council may appoint levels at which the lowest floors, entrances, and other means of communication with any existing or proposed street shall be placed, notwithstanding that the ground surface may not be made up to such intended street level ; and any subsequent alteration of entrances and other means of communication with the street which may become necessary in consequence of the disregard of the instructions issued in this behalf shall not be any hindrance to the Council making the street to the intended level, nor form the ground of a claim for compensation against the Council.

Power of  
Chairman to  
authorize  
survey.

160 d Whenever it shall appear to the Chairman that an examination or survey of any private lands, buildings, or premises is necessary for any Municipal purpose, it shall be lawful for the Chairman to direct any officer of the Council to make such survey, and it shall thereupon be lawful for such officer and his servants and workmen—

- (1) To enter upon and survey and take levels of such land.
- (2) To dig or bore into the sub-soil.
- (3) To do all other acts necessary to ascertain whether the land is adapted for such purpose.

- (4) To set out the boundaries of land to be acquired, or of street lines or the intended lines of any work proposed to be made thereon.
- (5) To mark such levels, boundaries, or lines by placing permanent marks on existing buildings, trees, or other things, or by building new marks, or by cutting trenches, as the case may require, and such marks shall thereafter be deemed Municipal property within the meaning of section 168 of this Ordinance.
- (6) Where otherwise the survey cannot be completed, or levels taken, or the boundaries and lines marked, to cut down and clear away obstructions to the execution of such work.

Provided that full compensation shall be paid for any damage done. Provided further, that no person shall enter into any building or upon any enclosure attached to a dwelling-house (except with the consent of the occupant thereof) without previously giving such occupier or leaving on the premises at least three days' notice of his intention to do so.

Amendment of section 176.

9 In section 176 of the principal Ordinance the words "six or more" in line 2 thereof are hereby repealed.

Amendment of section 183.

10 In section 183 of the principal Ordinance the word "public" in line 8 thereof is hereby repealed.

Substitution of new section for section 197.

11 For section 197 of the principal Ordinance, the following section shall be substituted :

197. No house or building shall hereafter be built upon a lower level than will allow of the drainage of such house or building being led into some public sewer or drain either then existing, or to be hereafter made, or into the sea, or other place into which the Municipal Council are empowered to empty the sewers.

Insertion of a new section numbered 197 A. Directions as regards the ground surface of buildings.

12 After section 197 of the principal Ordinance the following section shall be inserted and numbered 197 A :

197 A (1) The ground surface of every existing and intended building constructed or adapted to be used wholly or partly for human habitation shall be made dry and impervious to ground air and moisture.

The ground surface of every cook-house, scullery, wash-house, laundry, latrine, ash-pit, stable, cattle shed, or place where animals are kept, and any space upon which slops are likely to be thrown or from or upon which foul water may flow, shall be covered with an impervious floor having a fall from the walls and towards the surface channels and other outlets for the drainage of not less than one inch in every four feet.

Such surfaces shall ordinarily be covered by a layer of cement render not less than three-quarters of an inch in thickness composed of two parts of clean sand to one of good Portland cement, finished to a true and even and smooth surface, laid on a good foundation of concrete or brickwork in mortar not less than four inches in thickness, solidly bedded on properly formed and consolidated ground, or, when the Chairman shall approve or require such materials and dimensions, in no case less effective or less durable than those before specified shall be used.

Where the ground is or is liable to become damp, then there shall be provided, in addition to and below the foregoing, a layer not less than six inches in thickness of hard dry material, such as stone, gravel, hard clinker, or broken bricks solidly compacted and thoroughly drained.

Where by reason of the low level of the surface of the ground, or by reason of the ground having been used as a tip for rubbish, or where there is decomposing material in the soil, then the whole site covered by the building must be raised with a layer of clean earth not less than twelve inches in thickness, and if so directed by the Chairman, the whole

or any part of the surface of the ground shall be cleared of surface soil to such depth and in such manner as he may deem to be necessary, or, in addition to or in lieu of all or any of the foregoing provisions, the Chairman may require the whole of the ground surface included within such building to be covered with a continuous layer of good cement concrete of such quality and thickness and in such manner as he may direct.

Where it is intended that any part of the ground floor is to be of timber, then all or any of the foregoing provisions may be required to be complied with, and in addition any spaces under such timber floor shall be thoroughly ventilated by openings to the external air so arranged that there shall be a free current of air through all such spaces.

Where the surface of the ground under such wooden floors is not required to be covered with either a layer of concrete or brick work or cement render, then there shall be a clear air space of at least six inches in height between the underside of every timber and the surface of the ground under such floor.

If the owner of any building neglects to comply with the requirements of this section, he shall be liable to a fine not exceeding fifty rupees, and to a further fine not exceeding twenty rupees for each day after such conviction during which such non-compliance continues.

Provided that this section shall not apply to any existing building the ground surface of which has been paved to the satisfaction of the Chairman in accordance with any existing law or by-law and which is so maintained.

(2) Where the covering of any ground surface referred to in the preceding section has been excavated, broken, disturbed, or has perished, the owner shall forthwith make good the same, and in default thereof he shall be liable to a penalty not exceeding fifty rupees for each offence, and to a further penalty not exceeding twenty rupees for each day after such conviction during which such offence continues.

Substitution  
of a new  
section for  
section 198.

13 For the section which was substituted as section 198 of the principal Ordinance by "The Municipal Councils' Amendment Ordinance, 1896," the following section shall be substituted, namely :

198. (1) Every person intending to erect any building shall apply in writing to the Chairman for permission to erect such building. The application shall be accompanied by drawings and specification, and shall conform in all respects to the by-laws made under section 123 (a) (6).

Provided that the Chairman may, without the deposit of all or any of the drawings, on written application give permission upon such conditions as he may think necessary for the erection of any building of not greater area than eight hundred square feet having a ground floor only to be built at a distance of not less than twenty feet from any street or existing building or boundary of the property, and such permission shall be governed by all other requirements hereinafter contained as if the drawings and specification had received the approval of the Chairman.

(2) Within thirty-five days (exclusive of Sundays and public holidays) from the date of the receipt by the Chairman of the said application, drawings, and specification, it shall be lawful for the Chairman, by notice in writing, to require any alterations to be made in the drawings and specification as may appear necessary to the Chairman in respect of the provisions of this Ordinance, and of all or any of the following, namely :

- (a) Space to be left about the building to secure free circulation of air and to facilitate scavenging.
- (b) Ventilation and drainage.

- (c) Security against fire, and in case of places of public resort or entertainment, including places for religious worship, the means of egress in the event of fire or accident.
- (d) Level and width of foundation, level of lowest floor, and stability of the structure.
- (e) Line of frontage if the intended building abuts on or is within thirty feet of a street, or within thirty feet of the street lines appointed for such street.
- (f) Front elevation, where the building is intended to be, or may hereafter become, one of a row of contiguous buildings abutting on or within thirty feet of a street.
- (g) Setting back of the intended building for such improvement of the street, road, lane, or passage, as shall have been decided upon in terms of section 160.
- (h) Nature and quality of the materials to be used, and the manner of construction proposed to be adopted.

And it shall be the duty of the applicant to make the alterations in the drawings and specification set forth in the Chairman's notice in reply to the application, and until such alterations have been made to the satisfaction of the Chairman and the drawings and specification have been endorsed with his approval, the intended buildings shall not be commenced to be erected.

Provided that if the Chairman shall fail to signify his approval or his required amendments within thirty-five days of the date of the receipt of the original drawings and specification, or of the date of the receipt of the amended drawings and specification, when such amendments have been demanded by the Chairman, then the Chairman on demand shall forthwith return one copy of the drawings and specification as finally submitted by the applicant with approval endorsed thereon. The remaining copy of plans, drawings, and specification shall be retained by the Chairman and become the property of the Council.

(3) It shall not be lawful for any person to begin to lay any portion of the foundation, or build any part of the walls, or lay any drain, or otherwise begin to erect any building, until he is in possession of the plans and specification of the intended building bearing the Chairman's approval endorsed thereon; and further, it shall not be lawful for any person to begin to lay any portion of the foundation, or build any part of the walls, or lay any drain, or resume erection of any building when the erection has been delayed or suspended for a period of three months, until the expiration of four clear days from the receipt by the Chairman of notice from the applicant of his intention to begin or resume the erection of the buildings, and such notice shall quote the number affixed to the note of approval appended to the drawing.

(4) The intended building shall be commenced within six months of the date on which the permission of the Chairman shall have been notified to the applicant, otherwise the said permission shall be deemed to be void, provided that the Chairman may on cause shown revive a permission granted under this section.

(5) For the purpose of this and the following section the expression "erect any building" shall include—

- (a) The construction, reconstruction, or alteration of any building or part of a building which involves the use of new foundations, or increased or altered superconstruction on existing foundations.
- (b) The conversion into a dwelling-house of any building not originally constructed for human habitation.
- (c) The conversion into more than one dwelling-house of a dwelling-house originally constructed as one dwelling-house only, or of one room of a dwelling-house into more than one room by means of partitions.

- (d) The conversion of any verandah into a room or rooms, division or divisions, by means of partitions.
- (e) The conversion of two or more dwelling-houses or rooms into one dwelling-house or room.

Provided that in the case of the alterations specified in (b), (c), (d), and (e), it shall be necessary to furnish only such plan and specification as shall be specially prescribed in the by-laws in this behalf.

(6) For the purposes of this and the following section the approved drawings and specification shall mean the copies retained by the Chairman.

Substitution  
of a new section  
for section 199.

14 For the section which was substituted as aforesaid as section 199 of the principal Ordinance the following section shall be substituted, namely :

199. (1) Any person who shall erect or cause to be erected any building—

- (a) Without obtaining the approval of the Chairman endorsed upon the drawings and specification.
- (b) Without giving four days' notice of intention to begin or resume the construction of the building.
- (c) Otherwise than in accordance with the approved drawings and specification, except where the deviation from the approved drawings or specification had been<sup>re</sup>sanctioned in writing by the Chairman, shall be guilty of an offence, and be liable to a fine not exceeding fifty rupees for each offence, and further, to a fine not exceeding ten rupees for every day during which the building is kept standing, or the deviation of the building from the approved drawings or specification shall continue.

Provided that if any building or part thereof shall have been erected so as to extend towards the street beyond the line of frontage determined and required by the Chairman, then such building or so much of it as the Chairman may specify shall be demolished and entirely removed within the time specified by the Chairman. If such building or such part of a building is not demolished and entirely removed within the time specified by the Chairman, the owner of the building or of the premises on which such building stands shall be liable to a fine of one rupee per day for every square foot of ground occupied by the building which the Chairman has required to be demolished and removed for every day during which such building or part of such building is kept standing contrary to the orders of the Chairman.

(2) But no compensation shall be due to the owner of any property whereon any intended building is prevented from being erected by reason of the operation of the requirements specified in section 198 (2), clauses (a), (b), (c), (d), and (h). In the event of any dispute arising touching the amount of compensation, the same shall be referred by the Chairman to the District Judge, who shall ascertain and determine the amount of compensation payable, subject to appeal to the Supreme Court, such appeal to be governed by the provisions of "The Civil Procedure Code, 1889," relating to appeals.

(3) Any person having erected a building in accordance with the provisions of this Ordinance may apply in writing for a certificate from the Chairman or officer deputed by him that such building has been erected in accordance with the provisions of this Ordinance. When the Chairman or officer deputed by him shall after inspection be satisfied that any building has been erected in accordance with the provisions of this Ordinance, he shall within fifteen days of such written application grant a certificate in writing to this effect, and such certificate shall be accepted as evidence that the building has been erected in accordance with the provisions of this Ordinance.

Amendment of section 229.

15 The following sub-section shall be added after sub-section (e) of section 229 of the principal Ordinance, namely :

(f) For prohibiting the sale, exposure, and hawking about of any cattle, fish, beef, mutton, or other meat, or offal, poultry, vegetables, or fruits in places other than such markets.

Addition of a new section numbered 225 A.

16 The following section shall be added after section 225 of the principal Ordinance and numbered 225 A :

Additional penalty for non-compliance with, or contravention of, sections 176, 177, 179, 181 A, 184, 185, 187, 188, 194, 195, 196, 197, 202, 206, 209, 209 A, 213, 214, 215, 216, and 223.

225 A. Any person who by himself or by an agent acting on his behalf—

(a) Fails to comply with any notice, order, or requisition given or made by the Chairman under sections 176, 177, 179, 181 A, 185, 187, 188, 195, 202, 206, 209, 209 A, 213, 214, 215, 216, and 223 within the time, if any, prescribed thereby ; or

(b) Acts in contravention of sections 184, 194, 196, or 197—

shall, in addition to any other penalty provided by the said sections, be guilty of an offence, and shall be liable on conviction to a fine not exceeding fifty rupees, and to a further fine not exceeding twenty rupees a day during which such non-compliance or contravention continues.

Amendment of section 259.

17 In section 259 of the principal Ordinance the words "hides" and "plumbago" shall be inserted after the word "bones" in line 10 of the said section.

Amendment of section 280.

18 In the proviso to section 280 of the principal Ordinance for the words "no such fee shall exceed the sum of fifty rupees and" in lines 10 and 11 of the said section there shall be substituted the words "no such fee shall exceed the sum of five hundred rupees."

Substitution of a new section for section 290.

19 For section 290 of the principal Ordinance the following section shall be substituted :

Increased power to delegate duties.

290. All duties and powers which the Municipal Council or Chairman are or is empowered to perform and exercise by this or any other Ordinance may be performed and exercised by any Municipal officer or officers authorized thereto in writing by the Council or by the Chairman, subject to the directions and control of the Council or the Chairman, as the case may be, for such period and to such extent as may be specified in such written authority.

Substitution of new sections for sections 41 and 43 of Ordinance No. 1 of 1896. Prevention of sale of polluted milk.

20 For sections 41 and 43 of "The Municipal Councils' Amendment Ordinance, 1896," the following sections shall be respectively substituted, namely :

41. For the purpose of preventing the spread of infectious disease it shall be lawful for the Chairman to require any dairyman or milk vendor to furnish forthwith, upon demand, a full and complete list of the names and addresses of all his customers, and to give such assistance to discover the residence of all or any of them as the Chairman (making the inquiry) may deem necessary ; and every such dairyman or milk vendor shall, for the purposes of such inquiry only, be deemed to be within the Municipality of the Chairman making the inquiry, whether he is actually resident within the Municipality or outside its limits, and whenever it shall appear to the Chairman of the Municipal Council, or be certified to such Chairman by the Medical Officer of Health that the spread of infectious disease is in his opinion attributable to the milk supplied by any dairyman or milk vendor, the Chairman may require such dairyman or milk vendor wholly to discontinue such supply, distribution, or sale of milk.



Prevention of  
sale of  
adulterated  
milk.

43. It shall not be lawful for any person selling or supplying milk to any person or persons resident in any Municipality to store, keep, or deposit any milk in any room used for sleeping or dwelling in or in any other place or way calculated to render such milk unwholesome or injurious to health, or to sell or supply any milk which shall have been produced from any diseased animal, or which shall have been in any place or way exposed to infection from any person suffering from any infectious disease, or which shall have been upon or in any dairy premises or milk store from which the sale of milk has been directed to be discontinued on account of infectious disease as provided in section 41 of this Ordinance, or to possess, supply, sell, or offer for sale any milk which is not genuine within the meaning of the regulations framed under section 123 (a) (31) of "The Municipal Councils' Ordinance, 1887."

By His Excellency's command,

Colonial Secretary's Office,  
Colombo, December 4, 1908.

HUGH CLIFFORD,  
Colonial Secretary.

*Statement of Objects and Reasons.*

THE object of the Draft Ordinance is to revise and amend "The Municipal Councils' Ordinance 1887," and bring it into accordance with modern requirements.

2. The Draft Ordinance generally gives effect to the amendments recommended by the Special Committee of the Municipal Council, Colombo, appointed to report on the draft amending Ordinance prepared by the Council's lawyers.

3. The following are the more important changes effected by the Draft Ordinance:—

(a) By section 3 the disqualification of naval and military officers in active service from being Councillors is repealed.

(b) Section 4 empowers the Municipal Council to make by-laws: for the regulation of hairdressing saloons, the licensing of money changers, the standardization of milk, the regulation of places of public entertainment, and for the construction, maintenance, and inspection of sewers, drains, privies, &c.

(c) Section 8 empowers (1) Municipal Councils to appoint street lines for the purpose of making or improving streets; (2) the Chairman of a Municipal Council to authorize any officer of the Municipal Council to enter upon private lands and buildings and examine and survey them, if such survey or examination is necessary for any Municipal purpose.

(d) Section 12 regulates the construction and composition of the ground surface of buildings.

(e) Section 16 imposes a penalty for the non-compliance with, or contravention of, the sections of "The Municipal Councils' Ordinance, 1887," specified in the section.

Attorney-General's Chambers,  
Colombo, December 4, 1908.

ALFRED G. LASCELLES,  
Attorney-General.

**NOTICES IN TESTAMENTARY ACTIONS.**

In the District Court of Colombo.

*Order Nisi.*

Testamentary  
Jurisdiction.  
No. 3,159.

In the Matter of the Intestate Estate  
of the late Hettiakandagey Edwin  
Arnold Fernando of Moratuwa in  
the Palle Pattu of Salpiti korale,  
deceased.

Carimjee Jafferjee of 4th Cross street,  
Pettah, Colombo ..... Petitioner.

And

Hettiakandagey Charles Fernando of  
Idama in Moratuwa aforesaid ..... Respondent.

THIS matter coming on for disposal before  
Hermann A. Loos, Esq., District Judge of  
Colombo, on September 29, 1908, in the presence of  
Mr. H. Tiruvilangam, Proctor, on the part of the  
petitioner above-named; and the affidavit of the said  
petitioner, dated September 17, 1908, having been  
read:

It is ordered that J. B. Misso, Esq., of Colombo,  
be, and he is hereby declared entitled, as Secretary of  
this court, to administer the estate of the said deceased,  
and that letters of administration do issue to him  
accordingly, unless the respondent above-named or  
any other person or persons interested shall, on or  
before November 12, 1908, show sufficient cause to  
the satisfaction of this court to the contrary.

HERMANN A. LOOS,  
District Judge.

September 29, 1908.

The date for showing cause against this *Order Nisi*  
is extended to January 28, 1909.

HERMANN A. LOOS,  
District Judge.

In the District Court of Colombo.

*Order Nisi.*

54/1-  
Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Jayakodi Arachchige Johannis Appuhamy of Bandarabatawela, in the Meda pattu of Siyané korale, deceased.

Vithanapathirennehalge Porlina Hamy of Bandarabatawela aforesaid . . . . . Petitioner.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo, on December 9, 1908, in the presence of Mr. E. R. F. de S. Wijeyeratne, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner dated November 25, 1908, having been read:

It is ordered that the said petitioner, be and she is hereby declared entitled, as widow and sole heir of the deceased above-named, to administer the estate of the said deceased, and that letters of administration do issue to her accordingly, unless any person or persons interested shall, on or before January 28, 1909, show sufficient cause to the satisfaction of this court to the contrary.

HERMANN A. LOOS,  
December 9, 1908. District Judge.

4/1-  
In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Ellegodagamage Porlentina Hamy of Egoda Kolonnawa, in Ambatalenpahala Alutkuru Korale South, deceased.

Wickramage Elias Perera of Egoda Kolonnawa, in Colombo . . . . . Petitioner.  
And

(1) Wickramage Charles Perera, (2) Wickramage James Perera, (3) Wickramage Leanora Perera, all of Egoda Kolonnawa, in Ambatalenpahala, Alutkuru Korale South . . . . . Respondents.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo, on January 8, 1909, in the presence of Mr. O. A. Jayasekera, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner dated January 6, 1909, having been read: It is ordered that the said petitioner, be and he is hereby declared entitled, as 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 February 11, 1909, show sufficient cause to the satisfaction of this court to the contrary.

HERMANN A. LOOS,  
January 8, 1909. District Judge.

24/1-  
In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Major William Murray, late of Ossemsley Manor, Christchurch, in the County of Southampton, England, deceased.

THIS matter coming on for disposal before H. A. Loos, Esq., District Judge of Colombo, on January 8, 1909, in the presence of Mr. Sydney Julius of Messrs. Julius & Creasy, Proctors, on the part of

the petitioner William Hugh Murray of Nayapana estate, Pusselawa; and the affidavit of the said petitioner dated December 29, 1908, having been read:

It is ordered that the will and codicils of Major William Murray, deceased, dated September 8, 1892, June 13, 1901, and July 14, 1901, respectively, an exemplification whereof is produced and now deposited in this court, be and the same are hereby declared proved; and it is further declared that the said William Hugh Murray is the attorney of the executrix named in the said will, and that he is entitled to have letters of administration with copies of the said will and codicils annexed issued to him accordingly, unless any person interested shall, on or before February 11, 1909, show sufficient cause to the satisfaction of this court to the contrary.

H. A. LOOS,  
January 8, 1909. District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Welipenne Patirage Dona Cornelia Perera of Welikanda in Colombo, deceased.

Welipenne Patirage Don Henry Solomon Perera of Alutmawata, in Colombo . . . . . Petitioner.

And

(1) Etiligoda Vidanagamage Eugene Silva,  
(2) Etiligoda Vidanagamage Benjamin Silva, (3) Kalu Arachchige Manis Perera, all of Wall's lane, Alutmawata, in Colombo . . . . . Respondents.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo, on January 8, 1909, in the presence of Mr. O. A. Jayasekera, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner dated January 5, 1909, having been read:

It is ordered that the said petitioner, be and he is hereby declared entitled, as a brother and next of kin of the deceased above-named, to administer the estate of the said deceased, and the letters of administration do issue to him accordingly, unless the respondents above-named or any other person or persons interested shall, on or before February 11, 1909, show sufficient cause to the satisfaction of this court to the contrary.

HERMANN A. LOOS,  
January 8, 1909. District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament or Settlement of Mrs. Jane Polson or McGlashan, widow of John McGlashan, late of Berdeen, Scotland, deceased.

THIS matter coming on for disposal before H. A. Loos, Esq., District Judge of Colombo, on January 8, 1909, in the presence of Mr. Sydney Julius, Proctor, on the part of the petitioner Villiers Alexander Julius of Colombo; and the affidavit of the said petitioner dated December 24, 1908, having been read:

It is ordered that the will of Mrs. Jane Polson or McGlashan, deceased, dated November 15, 1906, an extract registered copy whereof is produced and now deposited in this court, be and the same is hereby declared proved; and it is further declared that the

said Villiers Alexander Julius is the attorney of the executors named in the said will and that he is entitled to have letters of administration with copy of the will annexed issued to him accordingly, unless any person interested shall, on or before February 11, 1909, show sufficient cause to the satisfaction of this court to the contrary.

H. A. Loos,  
District Judge.

January 8, 1909.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Palihakarage Don Francis de Silva of Pita Cotte in Palle pattu of Salpiti korale, deceased.

Andawattegey Elizabeth de Silva of Pita Cotte aforesaid.....Petitioner.

And

- (1) Palihakaragey Paulina de Silva, (2) Palihakaragey Roseline de Silva, (3) Palihakaragey Agnes de Silva, (4) Palihakaragey Mary de Silva, (5) Palihakaragey Edwinn de Silva, (6) Palihakaragey Jane de Silva, (7) Palihakaragey Clement de Silva, (8) Palihakaragey Peter de Silva, (9) Palihakaragey Wilfred de Silva, all of Pita Cotte aforesaid, (10) Palihakaragey Don Cornelis de Silva of Nedimale in Colombo..... Respondents.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo, on January 14, 1909, in the presence of Mr. W. A. S. de Vos, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner dated January 9, 1909, 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 issued to her accordingly, unless the respondents above-named or any other person or persons interested shall, on or before February 11, 1909, show sufficient cause to the satisfaction of this court to the contrary.

HERMANN A. LOOS,  
District Judge.

January 14, 1909.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Lizzie Modder, wife of Dr. Eugene Ellis Modder of Kalutara.

Eugene Ellis Modder of Kalutara.....Petitioner.

And

- (1) Vyvil Ellis Stanford Modder of Kandy, (2) Eugene Astley Clive Modder of Dehra Doen, India, and (3) Eugenie Eila Modder of Kalutara..... Respondents.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo, on January 15, 1909, in the presence of Mr. V. L. S. Swan, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner dated January 11, 1909, having been read:

It is ordered that the said petitioner, be and he is hereby declared entitled as husband 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 January 28, 1909, show sufficient cause to the satisfaction of this court to the contrary.

HERMANN A. LOOS,  
District Judge.

January 15, 1909.

In the District Court of Kalutara.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Waduge Hendrick Fernando No. 545. of Nalluruwa, deceased.

THIS matter coming on for disposal before P. E. Peiris, Esq., District Judge of Kalutara on December 23, 1908, in the presence of Mr. Solomon Fernando, Proctor, on the part of the petitioner Warusahennedige Johana Soysa of Wakada; and the affidavit of the said petitioner dated December 17, 1908, having been read:

It is ordered that the petitioner Warusahennedige Johana Soysa of Wakada, be and she is hereby declared entitled, to administer the estate of the said deceased as widow of the said deceased, and that letters of administration do issue to her accordingly, unless the respondents (1) Waduge Bastian Fernando of Nalluruwa, (2) Waduge Helena Fernando of Dibbedda, (3) Warusahennedige Caroline Soysa and her husband, (4) Merennege Harmanis Salgado of Wakada, (5) Warusahennedige James Soysa of Dibbedda, (6) Warusahennedige Johana Soysa of Dibbedda, (7) Warusahennedige Selestina Soysa and her husband (8) Waduge Moses Fernando of Dibbedda, (9) Warusahennedige Harmanis Soysa, (10) Warusahennedige Lianora Soysa of Dibbedda, minors by their guardian Helena Fernando, (11) Waduge Maria Fernando of Nalluruwa, (12) Gampolage Bastiana Fonseka and her husband (13) Parangige Hendrick Peiris of Wekada, (14) Gampolage Helena Fonseka, (15) Gampolage William Fonseka, (16) Gampolage Joronis Fonseka, minors by to their guardian Waduge Maria Fernando, (17) Salman Fernando, late Aratahchi of Walapola Pattia, (8) Joseph Fernando of Nalluruwa, (19) Waduge Romanis Fernando of Wekada, (20) Waduge Francina Fernando of Dibbedda, (21) Waduge Maria Fernando of Kaludawala, (22) Waduge Ana Fernando and her husband (23) Waduge Kamel Fernando of Wekada, (24) Waduge Francina Fernando, and (25) Ponnahennedige Andris Dias of Kaludawala, (26) Waduge Carlina Fernando, and (27) Wedige Manimel Peiris of Wekada, (28) Waduge Orlina Fernando, by her guardian Waduge Romanis Fernando of Wekada, (29) Waduge Alia Fernando and her husband (30) Warusahennedige James Soysa of Dibbedda, (31) Waduge Solomon Fernando, (32) Waduge Cicilia Fernando, (33) Waduge Abraham Fernando, (34) Waduge Edimand Fernando of Pinwala, by their guardian Louis-hennedige John Fernando of Pinwala shall, on or before January 28, 1909, show sufficient cause to the satisfaction of this court to the contrary.

P. E. PEIRIS,  
District Judge.

December 23, 1908.

In the District Court of Kandy.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Hanifa Umma alias Ahyathu Umma, deceased, of Watuwala, Harispattu.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., District Judge of Kandy,

on December 16, 1908, in the presence of Messrs. Beven and Beven, Proctors, on the part of the petitioner Noowanna Abdul Majeed of King street, Kandy; and the affidavit of the said petitioner, dated December 15, 1908, having been read :

It is ordered that the petitioner Noowanna Abdul Majeed of King street, Kandy, be and he is hereby declared entitled to letters of administration to the estate of Hanifa Umma *alias* Abiyathu Umma of Watuwala in Harispattu, deceased, as the husband of the said deceased, unless (1) Ana Abdul Razak, (2) Ana Abdul Samadoo, both of King street, Kandy, by their guardian *ad litem* M. M. Seyadoo Ali of Tennakumbura shall, on or before January 28, 1909, show sufficient cause to the satisfaction of this court to the contrary. •

FELIX R. DIAS,  
District Judge.

December 16, 1908.

In the District Court of Kandy.

*Order Nisi* declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Arthur Padwick of Manor House, Horsham, Sussex, England, and sometime of Kataboole estate, Kotmalie, in the Island of Ceylon, and lately of Carlabeck estate, Nanu-o-ya, in the said Island, deceased.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., District Judge of Kandy, on January 8, 1909, in the presence of Mr. Vanderwall, Proctor, on the part of the petitioner Edward Douglas Padwick of Yarrow estate, Pussellawa, in the said Island; and the affidavits of the said petitioner and of Joseph John Perera of Colombo, dated December 7, 1908, and January 6, 1909, having been read: It is ordered that the will of Arthur Padwick of Manor House, Horsham, Sussex, England, and sometime of Kataboole estate, Kotmalie, in the Island of Ceylon, and lately of Carlabeck estate, Nanu-o-ya, in the said Island, deceased, dated June 17, 1897, and now deposited in this court, be and the same is hereby declared proved, unless any person shall, on or before January 28, 1909, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Edward Douglas Padwick of Yarrow estate, Pussellawa, in the said Island, is one of the executors named in the said will, and that he is entitled to have probate of the same issued to him accordingly, power being reserved of making a like grant to Francis George Padwick of Rochdale, Lancashire, England, the other executor in the last will named, whenever he shall appear and apply for the same, unless any person shall, on or before January 28, 1909, show sufficient cause to the satisfaction of this court to the contrary.

F. R. DIAS,  
District Judge.

January 8, 1909.

In the District Court of Tangalla.

*Order Nisi* declaring Will proved, &c.

Testamentary In the Matter of the Estate of Senarat Jurisdiction. Arachchige Don Migel Appuhami and Hatarasing Arachchige Dona Katona, both of Watarakgoda.

THIS matter coming on for disposal before W. T. Southern, Esq., District Judge of Tangalla, on November 17, 1908, in the presence of Senarat Arachchige Don Migel Appuhami of Watarakgoda, on

the part of the petitioner; and the affidavit of the said petitioner dated November 17, 1908, having been read and all parties heard:

It is ordered that the will of the said Senarat Arachchige Don Migel Appuhami and Hatarasing Arachchige Dona Katona dated December 1, 1897, and now deposited in this court, be and the same is hereby declared proved, and that letters of administration with copy of the will annexed be issued to the said petitioner, unless (1) Don Dionis Senarat of Watarakgoda, (2) Don Samel Senarat of Galulla, (3) Don Andris Senarat of Watarakgoda, and (4) Don Charles Senarat of Watarakgoda shall, on or before January 30, 1909, show sufficient cause to the satisfaction of this court to the contrary.

W. T. SOUTHERN,  
District Judge.  
January 11, 1909.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the Jurisdiction. late Mohamatu Ibrahim Segumatharu of Vannarponnai, deceased.

(1) Allapitche Abdul Cader and wife  
(2) Sulaika Umma, both of Vannarponnai ..... Petitioners.

Vs.

(1) Mohamatu Meerapilly Sultan Abdul Cader, wife (2) Kanyah Ummah, (3) Allapitche Mohamadu Usantamby, wife (4) Umukulumma, (5) Sultan Abdul Cader Mahamatukany, (6) Sultan Abdul Cader Vavasaiho, and (7) Sultan Meyateenachia, widow of Meerasaibo ..... Respondents.

THIS matter of the petition of the above-named petitioners praying for letters of administration to the estate of the above-named deceased Mohamatu Ibrahim Segumatharu of Vannarponnai coming on for disposal before R. N. Thaine, Esq., District Judge, on December 4, 1908, in the presence of Mr. V. Kathiravelu Pillai, Proctor, on the part of the petitioners; and affidavit of the 1st petitioner, dated November 16, 1908, having been read: It is declared that the 1st petitioner is a brother-in-law 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 January 29, 1909, show sufficient cause to the satisfaction of this court to the contrary.

R. N. THAINE,  
District Judge.  
December 4, 1908.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the Jurisdiction. late Sapapatiar Ilagoppillai *alias* Ragunatar of Vaddukkoddai west, who dead at Kuala Lumpur in the Straits Settlements, deceased.

Parupatipillai, widow of Sapapatiar Ilagoppillai *alias* Ragunatar of Vaddukkoddai west ..... Petitioner.

Vs.

(1) Ragunathar Rasa of Vaddukkoddai west, (2) Ponnammah, wife of Saravanamuttu Sinnaturai of Vaddukkoddai west, (3) Sapapatiar Chellaturai of Vaddukkoddai west ..... Respondents.

THIS matter of the petition of Parupatipillai, widow of Sapapatiar Ilagoppillai *alias* Ragunatar of Vaddukkoddai west praying for letters of

administration to the estate of the above-named deceased Sapapatiar Ilagoppillai *alias* Ragunatar of Vaddukodai west, coming on for disposal before R. N. Thaine, Esq., District Judge, on December 17, 1908, in the presence of Messrs. Swapirakasam and Katiresu, Proctors, on the part of the petitioner; and the affidavit of the said petitioner, dated December 14, 1908, having been read: It is declared that the petitioner is the widow of the said intestate and as such

is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondents or any other person shall, on or before January 27, 1909, show sufficient cause to the satisfaction of this court to the contrary.

R. N. THAINE,  
District Judge.

December 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 a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 18, 1909, for the grant of a certificate of conformity to the insolvent.

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

Colombo, January 14, 1909.

In the District Court of Colombo.

No. 2,328. In the matter of the insolvency of Wijeyesinghe Arachchige Don Pieris of Dematagoda, in Colombo.

NOTICE is hereby given that the above-named insolvent has been allowed a certificate of the Third Class.

By order of court,  
C. B. PAULICKPULLE,  
for Secretary.

Colombo, January 18, 1909.

In the District Court of Kalutara.

No. 125. In the matter of the insolvency of Don Louis Weerasekere of Molligoda.

NOTICE is hereby given that the second sitting of this court in the above matter is adjourned to January 27, 1909, for examination of insolvent.

By order,  
WM. DE SILVA,  
Secretary.

Kalutara, January 14, 1909.

In the District Court of Kalutara.

No. 126. In the matter of the insolvency of Don Podi Sinno Weerasekere of Molligoda.

NOTICE is hereby given that the second sitting of this court in the above matter is adjourned to January 27, 1909, for examination of the insolvent.

By order,  
WM. DE SILVA,  
Secretary.

Kalutara, January 14, 1909.

In the District Court of Kalutara.

No. 127. In the matter of the insolvency of Ismail Lebbe Marikar Mohamed Haniffa of Henemulla.

NOTICE is hereby given that the certificate meeting in the above case is fixed for February 3, 1909.

By order,  
WM. DE SILVA,  
Kalutara, January 14, 1909. Secretary.

In the District Court of Kalutara.

No. 129. In the matter of the insolvency of Theodore Albert de Alwis of Panadure.

NOTICE is hereby given that the first sitting of this court in the above matter is adjourned to January 28, 1909.

By order,  
WM. DE SILVA,  
Kalutara, January 13, 1909. Secretary.

In the District Court of Galle.

No. 387. In the matter of the insolvency of Daluwatte Patabendige James de Silva of Weligama.

WHEREAS Daluwatte Patabendige James de Silva 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 February 16, and March 5, 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.

D. M. JANSZ,  
Galle, January, 19, 1909. Secretary.

In the District Court of Kegalla.

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

NOTICE is hereby given that the second sitting of this court fixed for this day is adjourned for February 18, 1909.

By order of court,  
C. P. W. GUNASEKARA,  
Kegalla, January 14, 1909. Secretary.

## NOTICES OF FISCALS' SALES.

## Western Province.

In the Court of Requests of Colombo.

M. V. Muttu Caruppen Chetty, presently of India, appearing by his attorney Muttu Caruppen Chetty of Sea street, Colombo ..... Plaintiff.  
No. 8,295. Vs.

(1) C. H. S. de Silva, and (2) C. de Silva, wife and husband, both of Panadura. Defendants.

NOTICE is hereby given that on Friday, February 19, 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 defendants in the following property, for the recovery of the sum of Rs. 300 and costs of suit Rs. 36.75 and poundage, viz. :—

All that lot No. 2 of a garden and of the low ground and buildings standing thereon, bearing assessment No. 67, situated at Wellawatte within the Municipality of Colombo, bounded on the north by lot No. 1 of this garden, the property of Dona Sophia de Silva Hamine, on the east by the ditch of the cinnamon gardens, on the south by lot No. 3 of this garden, the property of Don Louis Martines de Silva Wijeratne Wickrame-ratne Mudaliyar, and on the west by the high road, 36 ft. wide, including side drains, leading from Colombo to Galle; containing in extent 2 acres 3 roods and 32 perches (save and except therefrom the portion in extent 2 roods and 38 perches, gifted to Nickegaha Hendrick and Nickagaha Justina).

E. ONDATJE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, January 19, 1909.

In the District Court of Colombo.

Jayasuriya Arachchige Peter de Saram of St. Joseph's street, Colombo ..... Plaintiff.  
No. 26,527. Vs.

Francis Henry Perera of Cotta in the Palle pattu of Salpiti korale ..... Defendant.

NOTICE is hereby given that on Saturday, February 20, 1909, will be sold by public auction at the respective premises the following property ordered to be sold by the order of court dated November 17/18, 1908, for the recovery of the sum of Rs. 3,618.75, with interest on Rs. 3,000 at 15 per cent. per annum from April 23, 1908, till June 26, 1908, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit, viz. :—

At 1 P.M.

(1) All that land called Millagahawatta with all the plantations and trees standing thereon, situated at Gonawela in the Adikari pattu of Siyane korle, and bounded on the north by the land of T. Jusey Saram and others, on the east by the property of Don Juvanias Wijeysondera Saram Arachchi, on the south by the land of K. Sardiell Perera, and on the west by the land belonging to J. David Saram and others, containing in extent 8 bushels of paddy sowing.

At 1.30 P.M.

(2) All that  $\frac{1}{2}$  part of the land called Millagahawatte-pillewa with the plantations and trees standing thereon, situated at Gonawela aforesaid, which entire land is bounded on the north by the land of M. Duliana Perera,

on the east by the threshing floor of Rukattanagaha-kumbura, on the south by the other portion of the same land, and on the west by Kongodagedeniya, containing in extent 1 bushel of paddy sowing.

At 2 P.M.

(3) All that  $\frac{2}{3}$  of  $\frac{1}{4}$  of the divided land called Keta-kelagahawatta and of the plantations standing thereon, situated at Gonawela aforesaid, and bounded on the north and east by the fields, on the south by a portion of the same land of N. Juanis Perera, and west by the land of D. E. Wijewardena, Muhandiram, containing in extent 2 bushels and 1 peck paddy sowing.

At 2.30 P.M.

(4) All that  $\frac{1}{2}$  part of the land called Ketakelagahawatta and the plantations and trees standing thereon, situated at Gonawela aforesaid, and bounded on the north by the other portion of this land of Bastian Perera, on the east by the field, on the south by another portion of the land partitioned by Juliana Perera, and on the west by Kongodagewatta, containing in extent 2 bushels of paddy sowing.

At 3 P.M.

(5) All that portion of the land called Ketakelagahawatta with the plantations and trees standing thereon, situated at Gonawela aforesaid, and bounded on the north by the land of N. Ana Perera, on the east by the field of Gabriel Gomis, on the south by the land of Jacovis Dias, and on the west by Kongodagewatte, containing in extent 2 bushels of paddy sowing.

At 3.50 P.M.

(6) All that  $\frac{2}{3}$  parts of the land called Makullagahakumbura, situated at Gonawela aforesaid, and bounded on the north by Millagahakumbura and Pinliyadda, on the south by the field of Don Elias Wijewardana, on the east by the land of Christian Naide, and on the west by the land of J. Dias, which entire land contains in extent 4 bushels of paddy sowing.

At 4 P.M.

(7) All that  $\frac{2}{3}$  part of the land called Delgahawatta with the plantations standing thereon, situated at Gonawela aforesaid, which said  $\frac{2}{3}$  part is bounded on the north by the one-third part of this land belonging to Don Frederick Appuhamy, on the east by the fence of the garden of Don Frederick Appuhamy, on the south by the garden of Don Frederick Appuhamy and the ditch of the garden of Marthelis Dias Appuhamy, and on the west by the cart-road, containing in extent 5 bushels of paddy sowing.

E. ONDATJE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, January 19, 1909.

In the District Court of Colombo.

Baron de Livera, carrying on business under the name, style, and firm of "The Cargo Boat Despatch Company" ..... Plaintiff.  
No. 27,516. Vs.

The Swadeshi Steam Navigation Company ..... Defendants.

NOTICE is hereby given that on Tuesday, February 16, 1909, at 3.30 o'clock in the afternoon, will be sold by public auction at the Colombo harbour

the following property of the defendants, for the recovery of the sum of Rs. 3,215·51, with interest thereon at 9 per cent. per annum from January 18, 1909, till payment in full and costs, viz. :—

The steam ship called Lawoe.

Fiscal's Office,  
Colombo, January 19, 1909.

E. ONDATJE,  
Deputy Fiscal.

In the District Court of Colombo.  
Edwards Edward Keegel of Colombo,  
administrator of the estate of the  
late Ann Matilda Keegel of Hatton,  
deceased . . . . . Plaintiff.

No. 27,567. Vs.

John Bonifacio Misso, Secretary of the  
District Court of Colombo, adminis-  
trator of the estate and effects of  
Maggonage Joseph Fernando of Wella-  
watta, deceased . . . . . Defendant.

NOTICE is hereby given that on Tuesday, Febru-  
ary 23, 1909, at 4 o'clock in the afternoon, will  
be sold by public auction at the premises the following  
property, specially and primarily mortgaged by bond  
No. 3,008, dated July 30, 1902, and declared bound  
and executable under the decree entered in the above  
action for the recovery of the sum of Rs. 2,184, with  
legal interest thereon from October 7, 1908, till pay-  
ment in full, and costs of suit Rs. 200·70, viz. :—

All that allotment of land called Kongahawatta  
*alias* Nugagahawatta, bearing lot No. 209 in the re-  
gistered plan No. 2, situated in the village Wellawatta  
(Pamankada road) in the Pallepattu of Salpiti korale;  
bounded on the north by a road, on the east by lot  
No. 208, on the south by lot No. 211 A; and on the  
west by lot 210; containing in extent 23 perches and  
37 hundredths of a perch, according to the plan dated  
July 14, 1892, authenticated by F. C. H. Clarke,  
Surveyor-General, together with all the buildings and  
plantations thereon, and all rights, ways, members,  
easements, privileges, and advantages whatsoever  
to the said premises belonging, and all the estate, right,  
title, interest, claims, and demand whatsoever of  
Maggonage Joseph Fernando deceased, and of the  
defendant as administrator of the estate into, out, of,  
or upon the same.

E. ONDATJE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, January 20, 1909.

In the District Court of Colombo.  
K. B. M. I. T. Letchmanan Chetty of  
Sea street, Colombo . . . . . Plaintiff.

No. 27,778. Vs.

(1) N. D. W. Samarasekera of Grand-  
pass, Colombo, and (2) J. G. Perera  
of Negombo, presently of Pettah,  
Colombo . . . . . Defendants.

NOTICE is hereby given that on Wednesday,  
February 17, 1909, at 3.30 o'clock in the after-  
noon, will be sold by public auction at the premises  
the right, title, and interest of the said second  
defendant in the following property, for the recovery  
of the sum of Rs. 763·61, with interest at 15 per cent.  
per annum from November 15, 1908, to November 18,  
1908, and thereafter at 9 per cent. per annum till  
payment in full, and costs of suit, viz. :—

All that premises bearing assessment No. 47,  
situated at Sea street, within the Municipality of  
Colombo, bounded on the north by the premises  
No. 48, Sea street; on the east by the road called Sea  
street; on the south by the premises No. 46, Sea street;

and on the west by the other part of the premises  
No. 46, Sea street; containing in extent 1 rood more or  
less.

E. ONDATJE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, January 19, 1909.

### Northern Province.

In the District Court of Jaffna.

R. M. M. S. T. Suppiramanian Cheddiar  
of Vannarponnai . . . . . Plaintiff.

No. 5,551. Vs.

Vaitialingam Kantaiyah of Valveddi . . . . Defendant.

NOTICE is hereby given that on Monday, Febru-  
ary 22, 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. :—

1. In a piece of land situated at Karanavay Veera-  
pathiraiyankurichchy, called Kiliyanthanai, contain-  
ing or reputed to contain in extent 800 lachams paddy  
culture; bounded or reputed to be bounded on the  
east by the property of Manuelpillai and others and  
by waste land, north by the property of Kanthar and  
others, west by the property of Kathiresan and others,  
and on the south by marshy ground and sea.

2. In an undivided  $\frac{1}{2}$  share of a piece of land  
situated at Karanavay Cholankakurichchy, called  
Kelathu, containing or reputed to contain in extent  
120 lachams paddy culture; bounded or reputed to be  
bounded on the east by the property of Swaminathar  
and others, north by waste land, west by the property  
of Seeniar and others, and on the south by the prop-  
erty of Sinnatamby and others.

3. In a piece of land situated at Karanavay  
Cholankakurichchy, called Athikkaddaiady, contain-  
ing or reputed to contain in extent 5 $\frac{1}{2}$  lachams varaku  
culture; bounded or reputed to be bounded on the  
east by the property of Vethanayaky and others,  
north by the property of Tankam and others, west by  
the property of Keruddinar and others, and on the  
south by the property of Mailvaganam and others.

Sale to commence at 2 P.M.

4. In a piece of land situated at Tanakkarakurich-  
chy, called Chathiranthai, containing or reputed to  
contain in extent 5 $\frac{1}{2}$  lachams varaku culture, with its  
appurtenances including  $\frac{1}{2}$  share of the well; bounded  
or reputed to be bounded on the east by lane, north  
by the village limit of Valvettykurichchy, west by the  
property of Chinnatty and others, and on the south by  
the property of Chinnappillai.

5. In a piece of land situated at Valvettykurichchy,  
called Karavattanaippulam, containing or reputed to  
contain in extent 3 $\frac{1}{2}$  lachams varaku culture, with its  
appurtenances, bounded or reputed to be bounded  
on the east by lane, north by the property of Veloo,  
west by the property of Vallippillai and others, and  
on the south by the village limit of Tanakkarakuri-  
chchy.

V. THAMBIPILLAI,  
Deputy Fiscal.

Fiscal's Office,  
Jaffna, January 18, 1909.

**Southern Province.**

In the Court of Requests of Colombo.

C. S. Antony of Mutwal, Colombo.....Plaintiff.  
No. 6,515. Vs.

Tumbodura Abeynayaka Aron de Silva  
of Kosgoda and another ..... Defendants.

NOTICE is hereby given that on Saturday, February 20, 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 1st defendant in the following property, viz. :—

1. An undivided  $\frac{1}{4}$  share of Dambelawewatta *alias* Sidduwayatikerabodadenawellekurunduwatta, situate at Magala; in extent 90 acres.

2. An undivided 11/19 share from and out of the land marked lot No. 3 called Dambelawewatta *alias* Siduwayatikerabodadenawellekurunduwatta, situate at Magala; in extent 19 acres.

Writ amount, Rs. 267.08, with legal interest thereon from November 29, 1907, and costs, Rs. 58.25.

C. T. LEEBRUGGEN,  
for Fiscal.

Fiscal's Office,  
Galle, January 15, 1909.

In the District Court of Galle.

M. S. S. P. Supparamanian Pillai of India.. Plaintiff.  
No. 9,151. Vs.

Uduma Lebbe Marikar Mohamedo Anifa  
of Gangedara and others.....Defendants.

NOTICE is hereby given that on Saturday, February 13, 1909, commencing at 2 o'clock in the afternoon will be sold by public auction at the premises, the following mortgaged property, viz. :—

1. All that allotment of land called Gedarawatta, bearing Municipal assessment No. 306, in extent 22.82 perches and the tiled masonry built house of 11 cubits thereon, situate at Dangedara.

2. All that allotment of land called Digganewatta *alias* Iddaramullewatta at ditto, in extent 22 perches, exclusive of the divided portion 8.43 perches in extent and of the house bearing assessment No. 307, standing thereon.

Writ amount, Rs. 1,246.57 $\frac{1}{2}$ , with interest on Rs. 1,073 at 9 per cent. per annum from September 15, 1908.

C.-T. LEEBRUGGEN,  
for Fiscal.

Fiscal's Office,  
Galle, January 14, 1909.

**Eastern Province.**

In the District Court of Trincomalee.

(1) Katiramampai Kathiravalupillai, and (2) Sangarapillai Seganathapillai, executors of the Last Will and Testament of Dr. M. Eliyatamby, deceased of No. 51 division, Trincomalee.....Plaintiffs.  
No. 142 Vs.

(1) Canapatipillai Vallipurampillai and his wife (2) Vallipillainayagam of No. 1 division, Trincomalee.....Defendants.

NOTICE is hereby given that on Friday, February 19, 1909, at 11 o'clock in the forenoon, will be sold by public auction at the spot the right, title,

and interest of the said defendants in the following mortgaged property, viz. :—

1. A piece of land situated at division No. 1, Trincomalee, together with a tiled house and four coconut trees thereon and all other appurtenances relating to this property; bounded on the north-east by the road called Swaminathamodaliyartheru, on the south-east by the land of Sinnakunchu, widow of the deceased Arunasalapillai, on the south-west by the land of Vallipillainayagam, wife of Vallipurampillai and others, and on the north-west by the house and ground of the deceased Jacob Petersz; containing in extent on the eastern and western sides 8 fathoms each, and on the northern and southern sides 16 fathoms each.

On Thursday, February 18, 1909, at 10 A.M.

2. A paddy field lot W 168 called Konankulamumari, situated at Kinnia in Tamblegam pattu, Trincomalee; bounded on the south-east by land described in plan No. 106,957, and on all other sides by lands claimed by the late Mailvagana Modaliyar; containing in extent 13 acres 1 rood and 17 perches.

3. A paddy field lot X 198 called Konankulavayal, situated at Kinnia in Tamblegam pattu, Trincomalee; bounded on the north-west by land described in plan No. 106,956, and on all other sides by lands claimed by the late Mailvagana Modaliyar; containing in extent 25 acres 2 roods and 29 perches.

4. A paddy field lot P 198, situated at Kinnia in Tamblegam pattu, Trincomalee; bounded on the north by land described in plan No. 139,507, on the north-east by Crown land and land described in plan No. 108,354, on the south-east and south by land described in plan No. 108,354, on the south-west by lands described in plans No. 108,354, and 106,953, and lands claimed by the late Mailvagana Modaliyar, and on the west by land described in plan No. 139,523; containing in extent 14 acres 2 roods and 3 perches.

Writ amount Rs. 2,969.63.

S. RAJU,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Trincomalee, January 18, 1909.

**North-Western Province.**

In the District Court of Chilaw.

M. Appu Sinno Appuhamy of Tabbowa.. Plaintiff.  
No. 3,923. Vs.

G. Don Juse Appu and another of Tabbowa ..... Defendants.

NOTICE is hereby given that on Monday, February 22, 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, viz. :—

(1) Seven-eighth share of the land called Mahadambumukalana of about 5 acres in extent with the plantations and the buildings standing thereon, situated at Tabbowa, in Meda palata of Pitigal Korale Central in the District of Chilaw; and bounded on the north by land belonging to Mr. Leo. De Croos, east by land belonging to the heirs of Romanu Fernando Registrar, south by land belonging to Robertu Kurera and Siman Kurera Peace Officer, and on the west by land belonging to Tambaiya Shroff, and now belonging to Bastian Fernando.

(2) The land called Mahadambumukalana of about 6 acres in extent with the plantations and the buildings standing thereon, situated at Tabbowa aforesaid; and bounded on the north by a portion of this land, east



by the boundary of the land belonging to Bastian Fernando Police Headman and Juse Appuhamy, south by field belonging to the natives, and on the west by land belonging to Tambaiya Shroff, and now belonging to Bastian Fernando.

(3) The land called Mahadambumukalana of about 1 acre in extent with the plantations and the buildings standing thereon, situated at Tabbowa aforesaid, and bounded on the north by land belonging to Siman Peace Officer and others, east by land belonging to Bastian Fernando Police Headman and others, south by high road, and on the west by Gansabhawa road.

Amount to be levied Rs. 683.97 with interest thereon at 9 per cent. per annum from April 10, 1908, till payment in full and poundage.

Deputy Fiscal's Office,  
Chilaw, January 18, 1909.

A. V. HERAT,  
Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Colombo.

Muttucuttige Janis Perera, Fifth Cross street, Pettah, Colombo..... Plaintiff.

No. 25,963. Vs.

D. D. Jamis Appuhamy of Wahakula in Kegalla District..... Defendant.

NOTICE is hereby given that on Saturday, February 13, 1909, commencing at 10 o'clock in the forenoon, will be sold by public auction at the

premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 762.44, with interest thereon at 9 per cent. per annum from January 8, 1908, till payment in full, costs of action, and poundage, viz. :—

The calicut-tiled house standing on the land called Nekatigewatta of 2 pelas paddy sowing extent, situated at Wahakula in Dehigampal korale, Egodapota pattu in Three Korles of the Kegalla District; and bounded on the east by wella, on the south by Ranatungewatta and dola, on the west by high road, and on the north by Alutgedarawatta, and the following movable property lying in the said house:—one satinwood almirah, one jakwood box with ebony work, one jakwood bed, two couches of nadunwood, one jak round table, one jak round table with three pieces, one jak round table with two pieces, 3 Japanese chairs, one jakwood safe, one satinwood almirah with table, two nadun chairs, five jakwood chairs, one nadun chair, one jakwood easy chair, one nadun easy chair, two hanging lamps, one clock, one looking glass, one ladies' easy chair, three deer horns, one globe lamp, one jakwood stand, one jakwood screen; materials of the thatched house, one camp bed, one brass lamp, one brass betel stand, one jakwood almirah with table, one jakwood writing table, one glass almirah, three hat pegs, one reading lamp, two steel trunks, one tin box, three jakwood boxes, one jak sofa, one glass vase, iron pipes 93 fathoms in length, and the cemented tank for water.

E. R. GOONEWARDENE,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Kegalla, January 18, 1909.

## DISTRICT AND MINOR COURTS NOTICES.

### List of Uncertificated Insolvents in the District Court of Negombo during the Half-Year ended December 31, 1908.

Nil.

District Court,  
Negombo, January 12, 1909.

C. V. BRAYNE,  
District Judge.

### Statement of Fees Drawn by Official Administrators in the District Court of Negombo during the Year 1908.

No.	Whose Estate.	Amount of Fees. Rs. c.	Remarks.
630	Gabriel Paris Kankanama	19 75	—

District Court,  
Negombo, January 12, 1909.

C. V. BRAYNE,  
District Judge.

### Return of all Moneys Received and Paid on Account of Estates under Official Administration for the Half-Year ended December 31, 1908.

Nil.

District Court,  
Anuradhapura, January 13, 1909.

J. S. DE SARAM,  
District Judge.

Return of all Moneys Received and Paid on Account of Estates under Official Administration for the Half-Year ended December 31, 1908, in the District Court of Kegalla.

Nil.

District Court,  
Kegalla, January 15, 1909.

E. SUETER,  
District Judge.

List of Uncertificated Insolvents in the District Court of Kegalla for the Half-Year ended December 31, 1908.

No. of Case.	Date of Institution. 1908.	Name of Insolvent.	Remarks.
35 ..	June 18 ..	Don Thepanis Wijesundera of Indurana ..	Case stands fixed for February 18, 1909, for the Insolvent to surrender and conform.
36 ..	September 16 ..	Velaithen, Head Kangany of Atale estate, now of Urumiwela estate..	Case stands fixed for January 18, 1909, for the insolvent to surrender and conform.

District Court,  
Kegalla, January 15, 1909.

E. SUETER,  
District Judge.

Return showing the Number of all Testamentary Cases under Official Administration for the Half-Year ending, December 31, 1908.

Whose Estate.	Value. Rs. c.	The Officer to whom it is proposed to issue Letters.	Remarks.
(1) Estate of Ranasinhe Arachchige Isabella or Isohamy of Anwarama, deceased ..	3,200 0 ..	Secretary, District Court, Kegalla ..	Letters not yet issued, case No. 252, and the same is under inquiry.
(2) Meedeniyalage Belinda of Panakawa, deceased ..	1,169 50 ..	do. ..	Appointment as administrator has been made, but letters not yet issued, case No. 253.

District Court,  
Kegalla, January 15, 1909.

E. SUETER,  
District Judge.

LIST OF JURORS AND ASSESSORS.

EASTERN PROVINCE.

LIST of Jurors residing in the District of Trincomalee, who are both qualified to serve as Jurors and assessors in terms of the 257th clause of the Criminal Procedure Code, No. 15 of 1898, during the year 1909.

N.B.—\* This mark prefixed to a name signifies special jurors.

SPECIAL JURORS.

S. S. B. Kumarakulasinghe, kachcheri mudaliyar, division No. 3	Trincomalee	Tamoterampillai Ratnasingam, 4th clerk, Kachcheri, division No. 8	Trincomalee
Peter Abraham, superintendent, minor roads, division No. 2	do.	Velupillai Swaminather, landed proprietor, division No. 5	do.
Francis Marshal Thambiah, chief clerk, Irrigation Department,	Fort Frederick	Vengadasala Chettiar Chinniah, mudaliyar, landed proprietor, division No. 5	do.
A. E. Brace, superintendent, Light house	Foul Point	Sathasivampillai Sellappah, landed proprietor, division No. 8	do.
Samuel Frederick Johnpulle, head clerk, kachcheri, division No. 2	Trincomalee	S. Murugesapillai, head master, Wesleyan Mission High School, division No. 2	do.
James Nicholas Savirimuttu, clerk, Irrigation Department	Fort Frederick		

Bastiampillai James Arasaratnam, land clerk, Kachcheri, division No. 2	Trincomalee	Saravanamuttu Nadarajapillai, notary public, division No. 6	Trincomalee
Kartikesar Subramaniam, foreman, Royal Engineer's Department, division No. 6	do.	Katirkamatampi Tamoterampillai, agent, Ceylon Steamship Co., Ltd., division No. 2	do.
Sittampalam Sanmugam, landed proprietor, division No. 5	do.	John Backus Ariyanayagam, second clerk, Kachcheri	Sampaltivu
Arumugam Vannitampi, head clerk, Public Works Department, division No. 2	do.		

## ENGLISH-SPEAKING JURORS.

* S. S. B., Kumarakulasinghe, kachcheri mudaliyar, division No. 3	Trincomalee	* Arumugam Vannitampi, head clerk, Public Works Department, division No. 2	Trincomalee
* Peter Abraham, superintendent, Minor Roads, division No. 2	do.	* Saravanamuttu Nadarajapillai, notary public, division No. 6	do.
* Francis Marshal Thambiah, chief clerk, Irrigation Department	Fort Frederick	* Katirkamatampi Tamoterampillai, agent, Ceylon Steamship Co., Ltd., division No. 2	do.
* A. E. Brace, superintendent, Light-house	Foul Point	* John Backus Ariyanayagam, second clerk, Kachcheri,	Sampaltivu
* Samuel Frederick Johnpulle, head clerk, Kachcheri, division No. 2	Trincomalee	Taiyalpagapillai Opilamani, landed proprietor, division No. 8	Trincomalee
* James Nicholas Savirimuttu, clerk, Irrigation Department	Fort Frederick	James Alfred de Jong, landed proprietor, division No. 2	do.
* Tamoterampillai Ratnasingam, fourth clerk, Kachcheri, division No. 8	Trincomalee	Eliyatambi Vesuviah, head master, Roman Catholic High School, division No. 5,	do.
* Velupillai Swaminather, landed proprietor, division No. 5	do.	Tampiah Kanagaratnam, clerk, Irrigation Department, division No. 5	do.
* Vengadasala Chettiar Chinniah, mudaliyar, landed proprietor, division No. 5	do.	Paramu Sivasagaram, teacher, Roman Catholic High School, division No. 2	do.
* Sathasivampillai Sellappah, landed proprietor, division No. 8	do.	Kanakarayer Theakarajah, clerk, Irrigation Department	Fort Frederick
* S. Murugesapillai, head master, Wesleyan Mission High School, division No. 2	do.	Muttu Muhamed Aboobakkar, clerk, Irrigation Department, division No. 7	Trincomalee
* Bastiampillai James Arasaratnam, land clerk, Kachcheri, division No. 2	do.	Visuvanather Manickam, clerk, Irrigation Department	Fort Frederick
* Kartikesar Subramaniam, foreman, Royal Engineer's Department, division No. 6	do.	Kannamuttur Richard Chelliah, clerk, Irrigation Department	do.
* Sittampalam Sanmugam, landed proprietor, division No. 5	do.	James Wilson Osborne, clerk, Irrigation Department, division No. 6	Trincomalee

## TAMIL-SPEAKING JURORS.

Vairavanather Ponniah, shopkeeper, division No. 8	Trincomalee	Namasivayam Katirkamatampi, shopkeeper, division No. 6	Trincomalee
Katiritampi Mootatampi, contractor, division No. 2	do.	Periatampi Konamalai, landed proprietor, division No. 3	do.
Vengadasala Chetty Thiruvengada Chetty, landed proprietor, division No. 7	do.	Katirkamatampi Nagaratnam, landed proprietor, division No. 1	do.
Vapumaracair Neinakhan, landed proprietor, division No. 4	do.	Ponnaturai Vanniyam Chellatampi Vanni-am, landed proprietor, division No. 6	do.
Kartikesar Pasupathipillai, landed proprietor, division No. 5	do.	Mailvaganam Somasagarampillai, division officer, division No. 5	do.
S. E. Abdul Rasool, shopkeeper, division No. 10	do.	Eliyatamby Sivagurunather, landed proprietor, division No. 2	do.
Tampiah Aiyaturai, landed proprietor, division No. 3	do.	Supramaniam Kanagasingam, landed proprietor, division No. 9	do.
Murugapper Rasaiiah, record-keeper, kachcheri, division No. 9	do.	Velupillai Somasundaram, landed proprietor, division No. 8	do.
Namasivayampillai Viswalingam, landed proprietor, division No. 5	do.	Mamunalebbai Mohamed Mohaideen, landed proprietor, division No. 4	do.

Deputy Fiscal's Office,  
Trincomalee, January 7, 1909.

H. W. MILLIGAN,  
Deputy Fiscal.