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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.

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Separate paging is given to each Part in order that it may be filed separately.

Part II.—Legal and Judicial.

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PASSED ORDINANCES.

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

No. 9 of 1909.

An Ordinance to amend Ordinance No. 13 of 1889, intituled "An Ordinance amending the Law relating to Indian Coolies employed on Ceylon Estates."

HENRY MCCALLUM.

Preamble.

WHEREAS it is expedient to amend Ordinance No. 13 of 1889, intituled "An Ordinance amending the Law relating to Indian Coolies employed on Ceylon Estates," in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title and commencement.

1. (1) This Ordinance may be cited as "The Indian Coolies' Ordinance, 1909," and shall be read and construed as one with Ordinance No. 13 of 1889 and the Ordinance amending the same.

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

- Amendment of section 3. (1) For the definition of the word "labourer" in section 3 of the principal Ordinance, the following definition shall be substituted:
- "Labourer" means any labourer and kangani (commonly known as Indian coolies) whose name is borne on an estate register, and includes the Muhammadans commonly known as "Tulicans."
- (2) The following definitions shall be added at the end of section 3:
- "Check-roll" means the record kept on an estate showing the work done by labourers employed under a monthly contract of service with the estate, the wages earned by them, the advances made, and the monthly balance of wages due to them.
- "Register" means the book required to be kept by section 22.
- Addition of new section 4 A. 3 The following section shall be added immediately after section 4 of Ordinance No. 13 of 1889, and shall be numbered 4 A:
- 4 A No criminal proceedings shall be instituted against any labourer for any offence under section 11 of Ordinance No. 11 of 1865, as amended by "The Servants' and Labourers' Ordinance, 1905," after thirty-six months shall have elapsed from the date when such offence is alleged to have been committed.
- Limitation of prosecution of labourers for certain offences. 4 The following section shall be substituted for section 6 of Ordinance No. 13 of 1889:
- (1) It shall be the duty of every employer to pay the wages of the labourers in his employment monthly within one month from the expiration of the month during which the wages have been earned.
- (2) Where wages are payable at a daily rate, the monthly wages shall be computed according to the number of days on which the labourer was able and willing to work and actually demanded employment, whether the employer was or was not able to provide him with work. Provided that an employer shall not be bound to provide for any labourer more than six days' work in the week.
- (3) When the contract of service is determined by one month's previous notice or warning by the labourer to the employer or by the employer to the labourer, all wages due to the labourer for his period of service shall be paid in full to him by the employer on the day when such contract is so determined as aforesaid.
- (4) In computing the amount of wages due to a labourer for any period of service, the labourer shall be debited with the amount of all advances of money made to him by his employer and with the value of all food, clothes, or other articles supplied to him, which the employer is not liable in law to supply at his own expense.
- (5) The wages of a labourer shall not be deemed to have been duly paid as required by this section, unless—
- (a) The full amount thereof, subject only to the deductions allowed by sub-section (4), has been paid directly to the labourer himself: or
- (b) At least one-half of such full amount, after such deductions as aforesaid, has been paid directly to the labourer himself, and the balance has been paid to some person expressly authorized by the labourer to receive the same on his behalf or on his account, and the receipt of such person for such payment has been delivered to the labourer.
- (6) Where, owing to the absence of any labourer or to any other unavoidable cause, it has not been possible to pay him his wages within the time limited by this section, the employer may retain the sum due to such labourer and shall thereafter pay it to him at the earliest possible opportunity.
- Substitution of new section 6. Payment of wages.

(7) Any employer who fails to pay the wages of any labourers in his employment within the period limited by sub-section (1) shall be guilty of an offence, and shall be liable on conviction to a fine which may extend to fifty rupees on a first conviction, and to two hundred rupees on a second or subsequent conviction. If any fine imposed under this section is not paid within twenty-one days of the date when the same is imposed, the Government Agent may recover the amount thereof in the manner provided by section 23 of "The Medical Wants Ordinance, 1880."

Addition of new sections.

5 The following sections shall be added to Ordinance No. 13 of 1889 and shall be numbered from 19 to 30:

Immunity of labourers from arrest on civil process.

19. From and after the commencement of this Ordinance no kangani, subordinate kangani, or labourer shall be liable to arrest under the provisions of "The Civil Procedure Code, 1889," in execution of a decree for money.

Notice to determine contract of service.

20. A notice or warning of the intention of any labourer to determine his contract of service, if given by any other person on behalf of the labourer, shall not begin to run or be in any way effectual in law, unless and until the labourer has personally signified to his employer his desire to determine his contract of service.

Declarations that labourers have been duly paid.

21. (1) It shall be the duty of every employer to forward to the Government Agent of the Province in every month a declaration under his hand that the wages of the labourers in his employment have been duly paid as required by this Ordinance.

(2) Every such declaration shall be forwarded so as to reach the kachcheri within thirty-four days of the last day of the month for which the wages were earned, and shall be in form I. in schedule C hereto.

(3) Where an employer has given notice in writing to the Government Agent with regard to any estate under his charge that the duty of forwarding the declaration required by this section has been entrusted to an assistant superintendent, such assistant superintendent shall thereupon be bound to comply with the requirements of this section.

(4) Any employer, or any assistant superintendent who is bound as aforesaid to comply with the requirements of this section, who fails in any month to furnish the declaration required by this section within the prescribed time, shall be guilty of an offence, and shall be liable, on a first conviction, to a fine which may extend to twenty rupees, and, on a second or subsequent conviction, to a fine which may extend to one hundred rupees.

(5) Any employer or assistant superintendent bound as aforesaid who knowingly furnishes a declaration which is false or incorrect in any material particular shall be guilty of an offence, and shall be liable on conviction to imprisonment of either description which may extend to three months, or to a fine not exceeding five hundred rupees, or to both.

Duty of employer to prepare and keep a complete register of labourers.

22 (1) It shall be the duty of every employer to prepare and keep up to date a complete register of all labourers employed on his estate, whether borne on the check-roll or working on any form of contract. Such register shall be as nearly as material in form II. in schedule C hereto. Every employer shall, within three months from the commencement of this Ordinance, forward to the Government Agent of the Province a copy of such register certified under his hand to be correct. Any employer who fails to forward a copy of the register certified as aforesaid within the appointed time shall be guilty of an offence, and shall be liable on conviction to a fine which may extend to twenty rupees, and to a further fine not exceeding five rupees for every day during which such default shall continue.

(2) Every employer shall forthwith enter on the register the names of any labourer who shall be taken into employment on his estate, whether on monthly contract of service or any other form of contract. He shall also, whenever a labourer dies or quits service, record the fact and the date thereof in the register.

Any employer who fails to comply with the requirements of this sub-section shall be guilty of an offence, and shall be liable on conviction to a fine not exceeding twenty rupees.

Prohibition of employment of labourers without discharge ticket or certificate.

25. (1) From and after the commencement of this Ordinance no employer shall take into his employment, or allow to be employed on any contract on his estate, any labourer other than a boy or girl who has been born in Ceylon and has not previously been employed on an estate, unless he has received in respect of such labourer—

- (a) A discharge ticket issued and forwarded to him by some other employer in accordance with section 24; or
- (b) In the case of a newly imported labourer, a certificate issued from the coolie depôt at Ragama in accordance with section 25; or
- (c) A certificate issued by a Police Magistrate in accordance with section 26.

(2) Any employer who shall take into his employment or shall allow to be employed on any contract on his estate any labourer in contravention of this section shall be guilty of an offence, and shall be liable on conviction thereof to a fine which may extend to five hundred rupees, or to imprisonment of either description for a term not exceeding six months, or to both.

Duty of employer to issue and forward discharge ticket, and penalty for default.

24. (1) Whenever any labourer quits the service of any employer, having given the notice or warning required by law, or having been authorized to do so by his employer by means of the document known as a *tundu*, it shall be the duty of the employer to prepare a discharge ticket as nearly as material in the form III. in schedule C. If the labourer entered the service of the employer on a discharge ticket, the employer shall file such discharge ticket in his office and shall prepare a new discharge ticket.

(2) Where the labourer quits the service of his employer in order to take service with some other employer in Ceylon, the former employer shall forthwith forward the discharge ticket to the new employer. But in no case shall the discharge ticket be given to the labourer.

(3) Where a labourer has given the notice or warning required by law, but has not, at the time when he quits the service of his employer, secured any other employment, it shall be the duty of the employer to give him a memorandum in the form IV. in schedule C stating that the labourer has duly given notice and that a formal discharge ticket will be issued to any new employer on application; and also stating the amount of the labourer's unliquidated liability, if any. Upon such application being made it shall be the duty of the employer to forward to the new employer within five days of the date of application a discharge ticket, on which shall be stated the amount of the labourer's unliquidated liability, if any, to the estate or to any kangani employed thereon.

(4) Where any employer, having taken into his employment any labourer upon a discharge ticket showing that such labourer was indebted to any previous employer, issues a discharge ticket for such labourer to another employer, he shall state on such last named discharge ticket the amount of the labourer's unliquidated liabilities, if any.

(5) Where a kangani and the labourers in his gang give notice of their intention to quit the service of any employer, it shall be the duty of the employer, if the kangani is

indebted to the estate in respect of moneys advanced to him on account of the labourers in his gang, to state on any memorandum or discharge ticket issued in respect of any such labourer the name of the kangani to whose gang the labourer belongs, and the amount to which the kangani is indebted to the estate as aforesaid.

(6) Any employer who fails to prepare or to forward a discharge ticket, or to give to any labourer a memorandum in any case where he is required by this section to do so, shall be guilty of an offence, and shall be liable on conviction thereof to a fine which may extend to one hundred rupees, and a further fine not exceeding five rupees for every day during which such default shall continue.

Issue of
certificates
from Ragama.

25 (1) The Superintendent of the cooly depôt at Ragama, or such other officer as may be authorized by the Governor for the purpose, shall prepare certificates in the form V. in schedule C with regard to all labourers and their children despatched from the depôt and shall forward the same to the employers to whom the labourers are despatched.

(2) Whenever the Superintendent of the cooly depôt at Ragama or such other officer as aforesaid has despatched any labourer to any estate and has forwarded with respect to such labourer the certificate mentioned in the preceding subsection, such labourer shall be deemed to have entered into a contract of hire and service with the superintendent of such estate for the period of one month, renewable and determinable in manner provided by section 5 of this Ordinance.

(3) In the event of any other depôt being established for the reception of Indian immigrant labourers, the Governor may authorize the officer in charge of such depôt to issue certificates for the purpose of this Ordinance; and such certificates shall, for the purposes of this Ordinance, be equivalent to certificates issued from the depôt at Ragama.

Certificates
issued by
Police
Magistrates.

26. (1) On the application of any labourer any Police Magistrate, if he is satisfied by affidavit that such labourer has not been employed on an estate in Ceylon for the thirty-six months immediately preceding the date of application, or that he has quitted the service of his employer on reasonable cause, shall issue to the intending employer of such labourer a certificate to such effect in the form VI. in schedule C.

(2) No stamp duty shall be chargeable on affidavits sworn or affirmed for the purposes of this section.

Power of Police
Magistrate to
order issue of
new discharge
tickets.

27. (1) Any Police Magistrate, if he is satisfied that any discharge ticket has been lost or destroyed, may, on the application of the labourer to whom the discharge ticket refers or of his employer, order or authorize the employer by whom such discharge ticket was given, or, if such employer is no longer in charge of the estate on which the labourer was employed, then the person for the time being in charge of such estate, on payment to him by the applicant of a fee of fifty cents for each discharge ticket, to prepare and forward to the new employer a duplicate of the lost or destroyed discharge ticket.

(2) Any person failing to prepare and forward a duplicate discharge ticket on the order of a Police Magistrate when the prescribed fee has been tendered to him, or issuing a duplicate discharge ticket without the authority of such order, shall be guilty of an offence, and shall be liable on conviction thereof to a fine not exceeding one hundred rupees.

Offences in
relation to
discharge
tickets and
registers of
labourers.

28. Any person who—

- (a) Knowingly prepares or issues a discharge ticket which is false in any material particular; or
 - (b) Fraudulently makes use of a genuine discharge ticket;
- or

- (c) Knowingly makes any false entry, alteration in or addition to the register required to be kept by this Ordinance; or
- (d) Not being an employer as defined in section 3 of this Ordinance, issues a discharge ticket in respect of any labourer—

shall be guilty of an offence, and shall be liable on conviction thereof to a fine which may extend to one thousand rupees, or to imprisonment of either description for a term not exceeding six months, or to both.

Power of Governor to alter forms.

29. The Governor in Executive Council may from time to time make such alterations as he may deem requisite in any of the forms prescribed in schedule C hereto, or may prescribe new forms to be used in substitution for any of such forms.

Sanction to the institution of criminal proceedings.

30. No criminal proceedings shall be instituted in respect of any alleged offence under sections 21, 22, 24, and 28 without the previous sanction in writing of the Colonial Secretary.

Addition of schedule to Ordinance No. 13 of 1889.

6 Schedule C to this Ordinance shall be appended as schedule C to Ordinance No. 13 of 1889.

SCHEDULE C.

Form I.

(Section 21.)

Declaration.

_____ Estate in the District of _____.

I hereby declare, in terms of section 21 of Ordinance No. 13 of 1889, as amended by "The Indian Coolies' Ordinance, 1909," that the wages of the labourers employed on the above-named estate for the month ending the _____ day of _____, 19____, have been duly paid in accordance with the requirements of the said Ordinance.

(Signed) _____,
Superintendent.

Dated the _____ day of _____, 19____.

Form II.

(Section 22.)

Register of Labourers.

Number : _____.
 Name : _____.
 Approximate age : _____.
 Sex : _____.
 Race and caste : _____.
 Village : _____.
 Taluk : _____.
 District : _____.
 Father's name : _____.
 Mother's name : _____.
 Height, viz., tall, short, or medium : _____.
 Colour, viz., dark, light, or medium : _____.
 Distinguishing marks (if any) : _____.
 General appearance : _____.
 Kangan's name : _____.
 Date of engagement : _____.
 Estate where last employed : _____.
 Unliquidated liability, if any, to other estates : _____.
 Whether employed permanently, or on contract work, or on both : _____.
 Number of Ragama certificate (if any) : _____.

Form III.

(Section 24.)

Discharge Ticket.

In pursuance of section 24 of Ordinance No. 13 of 1889, as amended by "The Indian Coolies' Ordinance, 1909," this is to certify that the labourer whose name and description are appended has been duly discharged from my service.

(1) This labourer—

- (a) Was one of the coolies on my original register.*
 (b) Came to me with a certificate from the Cooly Depôt.*
 (c) Came to me on Discharge Ticket from ——— Estate in the ——— District.*
 (d) Came to me on notice from ——— Estate in the ——— District with unliquidated liability amounting to Rs. ———.*
 (e) Came to me with a certificate from the Police Magistrate at ———.*

(2) The reason for his discharge is ———.

* Strike out the lines which do not apply.

Description of Labourer.

Number on Estate Register ———.
 Name: ———.
 Approximate age: ———.
 Sex: ———.
 Race and caste: ———.
 Village: ———.
 Taluk: ———.
 District: ———.
 Father's name: ———.
 Mother's name: ———.
 Name of kangani: ———.
 Height, viz, tall, short, or medium: ———.
 Colour, viz, dark, light, or medium: ———.
 Distinguishing marks (if any) ———.
 General appearance: ———.
 Date of engagement: ———.
 Estate where last employed: ———.
 Unliquidated liability, if any, to other estates: ———.
 Whether employed permanently, or on contract work, or both: ———.
 Number of Ragama certificate (if any): ———.

Superintendent.

Dated _____, 19—, _____ Estate _____, District.

Form IV.

(Section 24 (3)).

Memorandum with regard to Labourer leaving on Notice
 _____ Estate, _____ District.

Memorandum that the labourer whose name and description are appended hereto left this estate on the _____ day of _____, 19—, and that a formal Discharge Ticket will be issued to his employer on application. The amount of his [or her] unliquidated liability is Rs. _____.

Date: _____, 19—. (Signed) _____,
 Superintendent.

Name and Description of Labourer.

Name: _____, Father's name: _____.
 Sex: _____, General appearance: _____.

Note.—In the case of a gang of labourers leaving on notice add the following particulars:—

- (1) Name of kangani of gang: ———.
 (2) Amount of collective unliquidated liability of gang: ———.

Form V.
(Section 25.)

No. of Certificate.

Ragama Certificate.

I hereby certify that the labourer whose name and description are appended was despatched from the *Dépôt* at Ragama to _____ Estate on the _____ day of _____, 19—.

Name and Description of Labourer.

Number on Estate Register : _____.
 Name : _____.
 Approximate age : _____.
 Sex : _____.
 Race and caste : _____.
 Village : _____.
 Taluk : _____.
 District : _____.
 Father's name : _____.
 Mother's name : _____.
 Name of kangani : _____.
 Height, viz., tall, short, or medium : _____.
 Colour, viz., dark, light, or medium : _____.
 Distinguishing marks (if any) : _____.
 General appearance : _____.
 Date of engagement : _____.
 Estate where last employed : _____.
 Unliquidated liability, if any, to other estates : _____.
 Whether employed permanently, or on contract work, or both : _____.
 Number of Ragama certificate (if any) : _____.

(Signed) _____

Dated _____ 19—. Superintendent.

Form VI.
(Section 26.)

Certificate of Police Magistrate.

Police Court of _____.

I hereby certify, in terms of section 26 of Ordinance No. 13 of 1889, as amended by "The Indian Coolies' Ordinance, 1909," that I am satisfied that the labourer whose name and description are appended has not been employed on any estate in Ceylon during the thirty-six months immediately preceding the date of this certificate (* or has left _____ estate on reasonable grounds).

Number on Estate Register : _____.
 Name of labourer : _____.
 Approximate age : _____.
 Sex : _____.
 Race and caste : _____.
 Village : _____.
 Taluk : _____.
 District : _____.
 Father's name : _____.
 Mother's name : _____.
 Name of kangani : _____.
 Height, viz., tall, short, or medium : _____.
 Colour, viz., dark, light, or medium : _____.
 Distinguishing marks (if any) : _____.
 General appearance : _____.
 Date of engagement : _____.
 Estate where last employed : _____.
 Unliquidated liability, if any, to other estates : _____.
 Whether employed permanently, or on contract work, or both : _____.
 Number of Ragama certificate (if any) : _____.

(Signed) _____

Dated _____, 19—. Police Magistrate.

* Strike out if not required.

Passed in Council the Seventh day of April, One thousand Nine hundred and Nine.

A. G. CLAYTON,
Clerk to the Council.

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

HUGH CLIFFORD,
Colonial Secretary.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Kariakaranagey Dona Rebecca Hamine, deceased, and her husband Nanayakkara Ambagahadoowagey Don Charles Appuhamy. No. 3,354.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo, on May 18, 1909, in the presence of Mr. T. D. J. Cornelius, Proctor, on the part of the petitioner Nanayakkara Ambagahadoowagey Don Charles Appuhamy; and the affidavits (1) of the said petitioner dated May 14, 1909, and (2) of the Notary and one of the attesting witnesses dated May 14, 1909, having been read:

It is ordered that the will of Kariakaranagey Dona Rebecca Hamine, deceased, dated February 18, 1903, and now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Nanayakkara Ambagahadoowagey Don Charles Appuhamy of Fort in Colombo, is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any person interested shall, on or before June 17, 1909, show sufficient cause to the satisfaction of this court to the contrary.

HERMANN A. LOOS,
District Judge.

May 18, 1909.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate Jurisdiction. of the late Catherine Rhoda Ohlmus of Wellawatta, deceased, widow of the late Edward Ohlmus. No. 3,356.

John Walter Francis Ohlmus of Wellawatta in Colombo Petitioner.

And

(1) Roseline Charlotte Ohlmus of Wellawatta, (2) Winifred Catherine Van Hoff, wife of (3) George Van Hoff both of Colpetty lane, (4) Lilian Gertrude Ohlmus, (5) Florence Maud Ohlmus, (6) Arthur Cecil Ohlmus, (7) Anne Millicent Ohlmus, (8) Beatrice Hilda Ohlmus, (9) Elsie Mabel Ohlmus, (10) Janette Elaine Ohlmus, all of Wellawatta Respondents.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo on May 17, 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 May 15, 1909, having been read:

It is ordered that the said petitioner, be and he is hereby declared entitled as the eldest son and an heir of the deceased above-named, to administer the estate of the said deceased, and 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 June 24, 1909, show sufficient cause to the satisfaction of this court to the contrary.

HERMANN A. LOOS,
District Judge.

May 21, 1909.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Estate of the Jurisdiction. late Kuruwiti Arachchige Don Santiago Appuhamy of Godigomuwa, deceased. No. 541.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Negombo, on May 21, 1909, in the presence of Messrs. Rajapakse and Corea, Proctors, on the part of the petitioner Kuruwiti Arachchige Don Lorensu Appuhamy of Madampella; and the affidavit of the said petitioner dated May 18, 1909, having been read:

It is ordered that the petitioner is entitled to have letters of administration with a copy of the will annexed of the estate of the late Kuruwiti Arachchige Don Santiago Appuhamy, issued to him unless (1) Kuruwiti Arachchige Dona Agidahamy, (2) Kuruwiti Arachchige Dona Carlinahamy, (3) Maipalamudalige Augustino Paaris, (4) Halahahonge Dona Eugina Hami, (5) Setungamudalige Elaris, (6) Setungamudalige Anohamy, (7) Setungamudalige Dona Joratina Hami, the respondents shall, on or before June 15, 1909, show sufficient cause to the satisfaction of this court to the contrary.

ALLAN BEVEN,
District Judge.

May 21, 1909.

In the District Court of Negombo.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the Jurisdiction. late Lintotage Pedro Fernando of No. 1,097. Katana, deceased.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Negombo, on May 13, 1909, in the presence of Mr. Goonewardene, on the part of the petitioners Lintotage Graciano Fernando and Pattage Peter Fernando, both of Katana; and the affidavit of the petitioners dated April 20, 1909, having been read:

It is ordered that the will of Lintotage Pedro Fernando Annavi of Katana and Sinnathammelage Theresia Fernando, dated December 29, 1908, be and the same is hereby declared proved, unless (1) Lintotage Solomon Fernando, (2) Lintotage Josepin Fernando by their guardian *ad litem* W. S. Banaventure Fernando of Waradola, (4) Sinnathammelage Theresia Fernando, (5) Lintotage Hectar Jerame Fernando, (6) Agnes Fernando, (5) and (6) minors by their guardian *ad litem*, (7) Sinnathammelage Selestian Fernando, all of Katana, the respondents shall, on or before June 16, 1909, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Lintotage Graciano Fernando and Pattage Peter Fernando, both of Katana, are the executors named in the said will, and that they are entitled to have probate of the same issued to them accordingly, unless the said respondents shall, on or before June 16, 1909, show sufficient cause to the satisfaction of this court to the contrary.

ALLAN BEVEN,
District Judge.

Negombo, May 13, 1909.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Muttu Kumara Pulle's son,
No. 2,695. Coomarasin, deceased, of Ken-
galla in Lower Dumbara.

THIS matter coming on for disposal before Bertram Hill, Esq., Acting District Judge of Kandy, on May 13, 1909, in the presence of Messrs. Goonewardene and Wijegunewardene, on the part of the petitioner Madurai Amma of Kengalla aforesaid; and the affidavit of the said petitioner dated March 18, 1909, having been read: It is ordered that the petitioner Madurai Amma of Kengalla aforesaid, be and she is hereby declared entitled to letters of administration to the estate of Muttu Kumara Pulle's son, Coomarasin of Kengalla in Lower Dumbara, deceased, as the widow of the said deceased, unless (1) Coomarasin Rasaratnam, (2) Coomarasin Kanakaratham, (3) Coomarasin Ammani, (4) Coomarasin Ramalingam, (5) Coomarasin Visalatchi, all of Kengalla, by their guardian *ad litem* Pena Ramasamy of Gurudeniya in Lower Dumbara shall, on or before June 17, 1909, show sufficient cause to the satisfaction of this court to the contrary.

BERTRAM HILL,
Acting District Judge.

May 13, 1909.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Amerasinghe Vitanage Mar-
No. 2,701. tinus Perera, deceased, of Tal-
watta, in Kandy.

THIS matter coming on for disposal before Bertram Hill, Esq., Acting District Judge of Kandy, on May 10, 1909, in the presence of Mr. J. D. Jonklaas, Proctor, on the part of the petitioner Amerasinghe Vitanage Romanis Perera of Felix Villa, Dematagoda, Colombo; and the affidavit of the said petitioner dated May 10, 1909, having been read: It is ordered and decreed that the petitioner Amerasinghe Vitanage Romanis Perera of Felix Villa, Dematagoda, Colombo, be and he is hereby declared entitled to letters of administration to the estate of Amerasinghe Vitanage Martinus Perera of Talwatta in Kandy, deceased, unless (1) Amerasinghe Vitanage Johannes Perera of Talangama in Salpiti korale, Colombo, (2) Amerasinghe Vitanage Dochchina Perera, (3) Amerasinghe Vitanage Podi Nona Perera, both of No. 124, Hulftsdorp, Colombo, shall, on or before June 17, 1909, show sufficient cause to the satisfaction of this court to the contrary.

BERTRAM HILL,
Acting District Judge.

May 10, 1909.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Chanmugam Somasuntharam
No. 2,163. of Karadivu East, deceased.

Theivanaipillai, widow of Kantar Sanmugam, of Karadivu East Petitioner.
Chivakaman, widow of Sanmugam Kandiah, of Karadivu East Respondent.

THIS matter of the petition of Theivanaipillai, widow of Kantar Sanmugam, praying for letters of administration to the estate of the above-named deceased Chanmugam Somasuntharam, coming on for disposal before R. N. Thaine, Esq., District Judge, on April 19, 1909, in the presence of Messrs. Tambiah

S. Cooke and P. S. J. Chrysostom, Proctors, on the part of the petitioner, and affidavit of the petitioner dated April 8, 1909, having been read: It is declared that the petitioner is the mother of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondent or any other person shall, on or before May 28, 1909, show sufficient cause to the satisfaction of this court to the contrary.

R. N. THAINE,
District Judge.

April 19, 1909.

The date for showing cause to the above *Order Nisi* is extended to June 9, 1909.

R. N. THAINE,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Saddanathar Mailvaganam of
No. 2,164. Kopay South, deceased.

Saddanathar Seenivasagam of Kopay
South Petitioner.

Vs.

Achchikuddy, widow of Mailvaganam,
of Kopay South Respondent.

THIS matter of the petition of Saddanathar Seenivasagam, of Kopay South, praying for letters of administration to the estate of the above-named deceased, Saddanathar Mailvaganam of Kopay South, coming on for disposal before R. N. Thaine, Esq., District Judge, on April 19, 1909, in the presence of Messrs. Tambiah S. Cooke and P. S. J. Chrysostom, Proctors, on the part of the petitioner: and affidavit of the petitioner dated April 7, 1909, having been read: It is declared that the petitioner is the brother of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before May 28, 1909, show sufficient cause to the satisfaction of this court to the contrary.

R. N. THAINE,
District Judge.

April 19, 1909.

The date for showing cause to the above *Order Nisi* is extended to June 9, 1909.

R. N. THAINE,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Uduma Lebbe Mohamedu, de-
No. 3,854. ceased, of Talapitiya.

(1) Kuppe Tamby Mestri Uduman,
(2) Uduman Ahmado, (3) Uduman
Cassim Bawa. (4) Uduman Pathe
Muttu, wife of (5) Noor Baay, (6)
Uduman Sadi Umma, wife of (7) Packir
Bawa Mohideen Respondents.

THIS matter coming on for disposal before W. E. Thorpe, Esq., District Judge, Galle, on January 18, 1909, in the presence of Mr. D. W. Sabasinghe, Proctor, on the part of the petitioner Cassim Hameedo Umma of Talapitiya: and the affidavit of the petitioner dated January 10, 1909, having been read:

It is ordered and declared that the said Cassim Hameedo Umma is the widow of the deceased, and that she is as such entitled to have letters of administration issued to her accordingly, unless the respondents, shall, on or before February 25, 1909, show sufficient cause to the satisfaction of this court to the contrary.

F. H. DE VOS,
District Judge.

January 18, 1909.

Date extended to April 5, 1909.

W. E. THORPE,
District Judge.

February 25, 1909.

Date extended to June 7, 1909.

W. E. THORPE,
District Judge.

April 26, 1909.

In the District Court of Batticaloa.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of Mohammado Levai Hadjiar
No. 547. Akamado Levai Hadjiar of Katan-
kuddy, deceased.

Abubakkar Levai Mohamado Meera
Saibu of Katankuddy Petitioner.

Vs.

(1) Pichaikando Levai Hadjiar Sinat-
ummah, widow of Akemado Levai
Marakayer, (2) Akemado Levai Mara-
kayar Veelaumma, (3) Akemado Levai
Marakayer Madinaummah by her
guardian *ad litem* Pichaikando Levai
Hadjiar Sinetummah, the 1st respond-
ent, all of Katankuddy Respondents.

THIS matter coming on for disposal before G. W. Woodhouse, Esq., District Judge, Batticaloa, on May 8, 1909, in the presence of Mr. Sebukeyaler, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner dated April 8, 1909, having been read: It is ordered that the said petitioner, be and he is hereby declared entitled as the son-in-law and nephew 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 shall, on or before June 8, 1909, show sufficient cause to the satisfaction of this court to the contrary.

G. W. WOODHOUSE,
District Judge.

May, 8 1909.

In the District Court of Trincomalee.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Last Will and
Jurisdiction. Testament of Innasi Vaity of
No. 266. No. 10 Division, Trincomalee,
deceased.

THIS matter coming on for disposal before G. M. Cookson, Esq., District Judge of Trincomalee, on May 19, 1909, in the presence of Mr. M. M. Subramaniam, Proctor, on the part of the petitioner Appavupillai Santhanasamy Pillai of No. 2 division, Trincomalee; and the affidavit of the said petitioner dated May 17, 1909, and that of Joseph Arumugam Viswalingam, Mareanpillai Veythepillai, Nagapper

Anthony Nagamuttu Sebastampillai, Kumaruvalu Arumugam, and Achimuttu, daughter of Valanther, having been read:

It is ordered that the will of the said Innasi Vaity, deceased, dated May 1, 1909, be and the same is hereby declared proved.

It is further declared that the said petitioner Appavupillai Santhanasamy Pillai is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any person interested in the said estate shall, on or before June 14, 1909, show sufficient cause to the satisfaction of this court to the contrary.

G. COOKSON,
District Judge.

May 26, 1909.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Seyadu Mahamadu of Vennap-
No. 794. puwa, deceased.

Mohammadu Abdul Rahaman of Ven-
nappuwa.....Petitioner.

And

(1) Beevi Patumma, (2) Kavenna Neina
Muhammadu Saibu, (3) Mahamadu
Saleha Umma, (4) Naur Kanni, now
in jail, (5) Mahammadu Kaludu Um-
ma, (6) Sina Sina Uduma Lebbe, (7)
Mahammadu Amina Umma..... Respondents.

THIS matter coming on for disposal before Thomas Webb Roberts, Esq., District Judge of Chilaw, on April 19, 1909, in the presence of Mr. Ney Alexander Dharmaratna, Proctor, on the part of the petitioner Mohammadu Abdul Rahaman; and the affidavit and petition of the said petitioner dated April 15, 1909, having been read: It is ordered that the petitioner Mohamadu Abdul Rahaman of Vennappuwa, be and he is hereby declared entitled to have letters of administration to the estate of Seyadu Mahamadu of Vennappuwa, deceased, as the brother of the said deceased, unless the respondents above-named or any other person shall, on or before June 11, 1909, show sufficient cause to the satisfaction of the court to the contrary.

T. W. ROBERTS,
District Judge.

April 19, 1909.

In the District Court of Badulla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of Koodaligamage Velun Perera,
No. B 331. late of Kirona Ellegama in Viya-
luwa, deceased.

Asweddumegedara Dissanayeke Mudi-
yanselage Ukku Menika of Idamepan-
guwa in Viyaluwa korale..... Petitioner.

And

Koodaligamage Julius Perera, a minor,
by his guardian *ad litem* Koodali-
gamage Haramanis Perera of Kirona
Ellegama in Viyaluwa korale..... Respondent.

THIS matter coming on for disposal before C. V. Brayne, Esq., District Judge of Badulla, on March 31, 1909, in the presence of Mr. Frederick

Taldena, Proctor, on the part of the petitioner; after reading the affidavit of the petitioner dated March 25, 1909, and her petition dated March 31, 1909: It is ordered that the petitioner Asweddumegedere Dissanayake Mudiyansele Ukku Menika of Idarnepanguwa in Wiyaluwa, as widow of the deceased, Koodaligamage Velun Perera, late of Kirona Ellegama in Wiyaluwa, be and she is hereby declared entitled to administer the estate of the said deceased, and that letters of administration to the said estate be granted to her,

unless the respondent above-named shall, on or before May 12, 1909, show sufficient cause to the satisfaction of this court to the contrary.

March 31, 1909.

C. V. BRAYNE,
District Judge.

The above *Order Nisi* is extended till June 9, 1909.

May 12, 1909.

C. V. BRAYNE,
District Judge.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,301. In the matter of the insolvency of Palamandadige Thusew Fernando of Moratuwa.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on June 17, 1909, for the appointment of an auditor.

By order of court,
P. DE KRETZER,
Secretary.

Colombo, May 28, 1909.

In the District Court of Colombo.

No. 2,330. In the matter of the insolvency of Condagamage Julius Graro of Bambalapitiya in Colombo.

NOTICE is hereby given that the above-named insolvent has been allowed a certificate as of the first class, but the issue thereof has been suspended for a period of two years.

By order of court,
P. DE KRETZER,
Secretary.

Colombo, May 26, 1909.

In the District Court of Colombo.

No. 2,334. In the matter of the insolvency of Don William Samaraweera of Lunupokuna in Colombo.

NOTICE is hereby given that the above-named insolvent has been allowed a certificate as of the third class.

By order of court,
P. DE KRETZER,
Secretary.

Colombo, May 26, 1909.

In the District Court of Colombo.

No. 2,337. In the matter of the insolvency of Vavenna Mohammado Yoosof of 2nd Division, Maradana, 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 July 1, 1909, for the grant of a certificate of conformity to the insolvent.

By order of court,
P. DE KRETZER,
Secretary.

Colombo, May 29, 1909.

In the District Court of Colombo.

No. 2,341. In the matter of the insolvency of P. L. Davithamy of No. 29, 5th Cross street, Pettah, Colombo.

NOTICE is hereby given that the above-named insolvent has been allowed a certificate as of the third class.

By order of court,
P. DE KRETZER,
Secretary.

Colombo, May 26, 1909.

In the District Court of Colombo.

No. 2,353. In the matter of the insolvency of Weerasinghe Arachchige Aron Perera of Henaratgoda, in the Ragam pattu of Alutkuru korale.

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 July 1, 1909, for the grant of a certificate of conformity to the insolvent.

By order of court,
P. DE KRETZER,
Secretary.

Colombo, May 28, 1909.

In the District Court of Colombo.

No. 2,366. In the matter of the insolvency of Seka Marikar Ahamadu Lebbe Marikar of Messenger street, in Colombo.

WHEREAS the above-named Seka Marikar Ahamadu Lebbe Marikar has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Tambiah Murugesapillai, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Seka Marikar Ahamadu Lebbe Marikar insolvent accordingly, and that two public sittings of the court, to wit, on July 1, 1909, and on July 15, 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,
P. DE KRETZER,
Secretary.

Colombo, May 29, 1909.

In the District Court of Galle.

No. 394.

In the matter of the insolvency of
Miskin Bawa Mohamedu Cassim
of Galupiadda.

WHEREAS Miskin Bawa Mohamedu Cassim 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 July 5, 1909, and July 13, 1909, will take place for the insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

D. M. JANSZ,
Secretary.

District Court,
Galle, May 26, 1909.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Henry Mellor Braybrooke, and (2)
Arthur Philip Braybrooke, both of
Turnbridge Wells, Kent, England,
as trustees of the Last Will and
Testament of the late Philip Watson
Braybrooke, deceased, and another Plaintiffs.

No. 27,513. Vs.

Meyanna Muhammadu Mohideen, other-
wise called and known as Meera Pulle
Mohammadu Mohideen, of Colombo . . Defendant.

NOTICE is hereby given that on Tuesday, June 29, 1909, at 4 o'clock in the afternoon, will be sold by public auction at the premises the following property decreed to be sold by the decree entered in the above action for the recovery of the sum of Rs. 10,491.91, with interest thereon at 9 per cent. per annum from November 6, 1908, till payment in full, less a sum of Rs. 2,828.54 paid on January 25, 1909, and costs of suit, viz. :—

All that and those allotments of land adjoining each other, and now forming one property, together with the buildings standing thereon called Doewewatta, situated at Forbes road in Maradana, within the Municipality of Colombo, and described as follows, to wit :—

(1) All that piece of garden marked letter B from and out of the garden called Doewewatta, situated at Maradana, on the northern side of Forbes road, within the Municipality of Colombo; bounded or reputed to be bounded on the north by the lake, on the east by the other part marked letter C, on the south by Forbes road, and on the west by a part of the same garden marked letter A, belonging to Pathummah Natchia; containing in extent 16 square perches according to the title deed thereof, bearing No. 1,996 dated January 31, 1893, and attested by John Neill Keith of Colombo, Notary Public.

(2) All that piece of garden marked letter C from and out of the garden called Doewewatta, situated at Maradana, on the northern side of the Forbes road, within the Municipality of Colombo; bounded on the north by the lake, on the east by the property of Pally Constable Pakeer Tamby, on the south by the Forbes road, and on the west by a part of the same garden marked letter B; containing in extent 16 perches according to the title deed thereof, bearing No. 1,704 dated November 23, 1886, and attested by John Neill Keith of Colombo, Notary Public.

(3) All that western half part or share of and in the remaining part of a garden called Doewewatta with

the buildings standing thereon, now bearing assessment No. 13a, situated at Forbes road in Maradana, within the Municipality of Colombo; which said western half part or share is bounded on the north by the lake, now converted into a grass field, on the east by the other half part of the same garden belonging to Jayanambo Natchia, on the south by a portion of this garden sold to Meera Pulle Mohammado Mohideen, and on the west by the other part of the same garden belonging to Meera Pulle Mohammado Mohideen; containing in extent 13 square perches and 6/100 of a perch according to the title deed thereof, bearing No. 2,918 dated February 24, 1900, and attested by W. Gabriel Fonseka Wickramatunga Seneviratne of Colombo, Notary Public, which said premises were surveyed on July 14, 1902, by Juan de Silva, Licensed Surveyor, and are described in the plan made by him, as follows :—

Plan of three allotments of lands marked A, B, and C, annexed in one block with the buildings standing thereon, together with the portion marked D, on which a boutique stands, being parts of a garden called Doewewatta, situated at Forbes road, in Maradana ward, within the Municipality of Colombo, belonging to Meera Pulle M. M. Marikar; the entire block is bounded on the north by a grass field, on the east by the properties of Kolanda Marikar; and Iyyal Mohammado Lebbe Marikar, on the south by Forbes road, and on the west by the property of Iyyal Mohammado Lebbe Marikar; containing in extent 1 rood and 8 29/100 perches.

Fiscal's Office,
Colombo, June 1, 1909.

E. ONDATJE,
Deputy Fiscal.

In the District Court of Colombo.

N. K. Mohideen Saibo and Company of
Colombo Plaintiff.

No. 28,548. Vs.

Victor R. E. Reynolds of Udapolla Defendant.

NOTICE is hereby given that on Monday, June 28, 1909, at 11 o'clock in the forenoon, will be sold by public auction at the Deputy Fiscal's Office, Avisawella, the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 4,200, with legal interest thereon from March 4, 1909, till payment, viz. :—

Twenty shares bearing Nos. 101 to 105 inclusive, 136 to 140 inclusive, and 1,023 to 1,032 inclusive of the Udapolla Rubber Company.

Deputy Fiscal's Office,
Avisawella, May 25, 1909.

A. RANESINGHE,
Deputy Fiscal.

R. 2/100

In the District Court of Negombo.

Sawanna Thana Lena Muna Leechi-
manan Chetty of Negombo Plaintiff.

No. 6,689. Vs.

(1) Weda Saraneris Silva, (2) Weda
Endoris Silva, (3) Weda Ayanoris
Silva, all of Udammitta Defendants.

NOTICE is hereby given that on June 28, 1909, commencing at 10 o'clock in the forenoon, will be sold by public auction at the respective premises the following property, mortgaged by bond No. 7,377 dated March 13, 1901, and declared liable to be sold by the decree entered in the above case, viz. :—

(1) The undivided $\frac{1}{4}$ of the allotment of land called Ekalakurunduwatta, situate at Udammitta in the Ragam pattu of the Alutkuru korale; the said allotment being bounded on the north by the land in favour of Mr. Rajapaksa, on the east by the land belonging to Suddappu, on the south by the land belonging to Weda Siman Silva Kankanama, and on the west by the land belonging to the 1st defendant; containing in extent within the said boundaries about 2 acres and 2 roods.

(2) The undivided $\frac{1}{4}$ of the allotment of land called Ekalakurunduwatta, situate at ditto; the said allotment being bounded on the north by the land belonging to Sayaneris Kankanama and others, on the east by the road 20 feet wide, on the south by the land belonging to the 1st defendant, and on the west by a portion of this land belonging to Handun Juanis Silva; containing in extent within the said boundaries about 1 acre.

(3) The undivided $\frac{1}{4}$ of the allotment of land called Ekalakurunduwatta, situate at ditto; the said allotment being bounded on the north by the land belonging to the estate of Mr. Samson de Abrew Rajapakse, on the east by another portion of this land belonging to Samel Silva Vidana, on the south by the land belonging to Weda Siman Silva, and on the west by another portion of this land belonging to Kalumit Gabriel de Silva, Peace Officer; containing in extent within the said boundaries about 2 acres and 2 roods.

(4) The undivided $\frac{1}{4}$ of the allotment of land called Ekalakurunduwatta, situate at ditto; the said allotment being bounded on the north by a portion of this land belonging to Samel Silva Vidana, on the east by the road 20 feet wide, on the south by a portion of this land belonging to Kalumit Gabriel de Silva, Peace Officer, and on the west by another portion of this land belonging to Handun Avanis Silva; containing in extent within the said boundaries about 1 acre.

(5) The undivided $\frac{1}{4}$ share of the land called Halgahawatta, situate at ditto; the said land being bounded on the north by Mr. Rajapaksa's land, on the east by the Ekalakurunduwatta, and on the south and west also by Andris Silva Arachchi's land; containing in extent within the said boundaries about 2 acres and 2 roods.

(6) The allotment of land called Ekalakurunduwatta, situate at Ekala in ditto; the said allotment being bounded on the north by lands belonging to Mr. Samson Rajapaksa and others, on the east by a portion of this land belonging to Arumadura Layisahamy, on the south by the land belonging to Gomis Silva Vedarala, and on the west by the land belonging to Andris Silva Abeyasekara, Vel-Vidane, and others; containing in extent within the said boundaries about 2 acres and 2 roods.

(7) The allotment of land called Ekalakurunduwatta, situate at ditto; the said allotment of land being bounded on the north by a portion of this land belonging to Arumadura Layisahamy, on the east by the road 20 feet wide, on the south by the lands belonging to Handun Mathis Silva and others, and on the west by the road; containing in extent within the said boundaries about 1 acre.

(8) The land called Kurunduwatta, situate at Etmalagare and appertaining to Ekalakurunduwatta; the said land being bounded on the north by the boundaries of the allotment of land allotted to Kadupiti Alvis Silva and his wife, on the east by the land belonging to Weda Daniel Silva, on the south by the land belonging to Maggona Bastian Silva, and on the west by the land belonging to Maggona Thelenis Silva; containing in extent within the said boundaries about 2 acres and 2 roods.

(9) The portion of garden called Kosgahawatta and the portion of Makullagahawatta, consisting of three contiguous lots, situate at Udammitta in ditto, together with the buildings standing thereon; the said two portions of lands being bounded together on the north by the lands of Panis Silva, on the east by the land of Ledoris Soysa, on the south by the high road, and on the west by the land of Andris Silva and others; containing in extent within the said boundaries about 1 acre and 2 roods.

Amount to be levied Rs. 3,274-66, with interest on Rs. 3,274-66 at 9 per cent. per annum from May 29, 1907, till payment.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, June 1, 1909.

In the District Court of Negombo.

Pattage Harmanis Fernando of Kimbulapitiya Plaintiff. B 7/2

No. 7,488. Vs.

(1) Irippuge Francisco Fernando, (2)
Irippuge Gordiano Fernando, both of
Dandugama Defendants.

NOTICE is hereby given that on June 30, 1909, commencing at 10 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property, viz. :—

(1) An undivided $\frac{1}{2}$ share of the land called Makullagahawatta, with the cadjan thatched house standing thereon, situate at Tudella in the Ragam pattu of Alutkuru korale (belonging to both the defendants); bounded on the north by the land belonging to Irippuge Gordiano Fernando and others, on the east by the lands belonging to Mr. Jacob de Mel, on the south by the ditch separating the land belonging to A. E. Rajapaksa, Mudaliyar, and on the west by the Dewata road; containing in extent about 8 acres (excluding the rail road).

(2) The land called Kahatagahawatta *alias* Makullagahawatta, situate at ditto (belonging to the 2nd defendant); bounded on the north by the lands belonging to Jayasingha Elaris Perera and others, on the east and south by the lands belonging to Irippuge Francisco Fernando and others, and on the west by Dewata road; containing in extent about 1 acre (excluding the rail road).

(3) The land called Delgahawatta and the field called Delgahakumbura, situate at Dandugama in ditto (belonging to both the defendants) and the house standing thereon; the said land and the field are bounded on the north by the land belonging to Haputantirige Juse Fernando and others, on the east by a water-course, on the south by the lands belonging to Haputantirige Selestino Fernando, and on the west by the land belonging to Kutandige Francisco Fernando and the lands of others; containing in extent the land about 2 acres and 2 roods, and the field about 5 parras of paddy sowing extent.

(4) The land called Kattagahawatta, situate at Kudahakapola in ditto (belonging to the 2nd defendant); is bounded on the north by the lands belonging to Kutandige Simon Fernando and others, on the

east by a dewata road, on the south by the lands belonging to Wellage Juse Silva and others, and on the west by the field belonging to Hattimuni Davith Silva and others; containing in extent about 3 acres (excluding the rail road).

(5) The land called Kongahawatta, situate at ditto, with the cadjan thatched house standing thereon (belonging to both the defendants); bounded on the north by the land belonging to Vellage Santiago Silva, on the east by the land belonging to Mr. Jacob de Mel, on the south by the live fence of the land belonging to the late Thirimadura Paulu Silva and others, and on the west by Dewata road; containing in extent about 2 acres and 2 roods.

(Out of the above-mentioned lands the 1st, 3rd, 4th, and 5th lands are already subject to a lease).

Amount to be levied, Rs. 2,130.97, with further interest on Rs. 1,966.60 at 9 per cent. per annum from March 12, 1909, till payment in full.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, June 1, 1909.

Central Province.

In the District Court of Kandy.

In the Matter of the Estate of Herath Mudiyansele Dingiri Menika, deceased.

Herathmudiyansele Ranmenika of
Castle Hill street in Kandy Petitioner.
No. 2,349 A. And

(1) Samarasinghe Mudiyansele Punchi Rala, Korala, and (2) Samarasinghe Mudiyansele Dingiri Banda, Arachchi, both of Kandy Respondents.

NOTICE is hereby given that on July 7, 1909, commencing at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said petitioner in and to the following property, to wit:—

1. Half share of the house and premises bearing present assessment No 13, situate at Cross street, Kandy; bounded on the east by the wall of the houses Nos 11 and 12 belonging to Mr Goonesekera, south by the wall of the house No 46 belonging to Udalgama Appuhamy, Lekammahatmaya, on the west by the half share of the house and premises No 14, in Castle Hill street, belonging to Herathmudiyansele Dingiri Menika, and on the north by the Cross street.

Amount of writ, Rs. 132.63 and poundage.

Fiscal's Office, A. V. WOUTERSZ,
Kandy, June 1, 1909. Deputy Fiscal.

In the District Court of Kandy.

In the Matter of the Estate of Herath Mudiyansele Dingiri Menika, deceased.

Herathmudiyansele Ranmenika of
Castle Hill street, Kandy Petitioner.
No. 2,349 B. And

(1) Samarasinghe Mudiyansele Punchi Rala, Korala of Kandy, (2) Samarasinghe Mudiyansele Dingiri Banda, Arachchi of Kandy Respondents.

NOTICE is hereby given that on July 7, 1909, commencing at 12 noon, will be sold by public auction at the premises the right, title, and interest

of the said petitioner in and to the following property, to wit:—

Half share of the house and premises bearing present assessment No. 13, situate at Cross street, Kandy; bounded on the east by the wall of houses Nos. 11 and 12 belonging to Mr. Goonesekera, south by the wall of the house No. 46 belonging to Udalgama Appuhamy, Lekammahatmaya, west by the half share of the house and premises No. 14, in Castle Hill street, belonging to Herath Mudiyansele Dingiri Menika, and on the north by the Cross street.

Amount of writ, Rs. 267.50 and poundage.

A. V. WOUTERSZ,
Deputy Fiscal.

Fiscal's Office,
Kandy, June 1, 1909.

In the Court of Requests, Kandy.

S. V. S. P. M. Muttiah Palle of No. 11,
Trincomalee street, Kandy Plaintiff.
No. 17,727. Vs.

(1) B. Joseph Mendis, Teamaker, (2) Ana Lana Ramasamy Kangany, both of Belwood estate, Lower Hewaheta Defendants.

NOTICE is hereby given that on June 26, 1909, commencing at 12 noon, will be sold by public auction at the premises the right, title, and interest of the 1st defendant in and to the following land, to wit:—

1. The land called Bادهleyakumburehena, now a garden of about 8 acres more or less, situate at Nugaliyadda, in Gandahe korale of Lower Hewaheta; and bounded on the east by the high road leading to Kirimetiya and Kandura, south by the boundary of Kirimetiya estate, kandura, and Crown land, on the west by the boundary of Ambalamane estate, and on the north by the land of Hendrick Appu, Kankanama, land belonging to Podisingha, and the boundary of Moragolle estate.

Amount of writ, Rs. 241.30.

A. V. WOUTERSZ,
Deputy Fiscal.

Fiscal's Office,
Kandy, June 1, 1909.

Northern Province.

In the District Court of Jaffna.

Murukesar Maruthappapillai of Anai-koddai, now at Colombo Plaintiff.
No. 4,922. Vs.

Kanthar Vytilingam of Thavady, personally and as representative of the estate of his late wife Muttupillai Defendant.

NOTICE is hereby given that on Wednesday, June 30, 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 late Muttupillai in the following property for the recovery of Rs. 298, with interest thereon at the rate of 12 per cent. per annum from August 28, 1907, until payment in full and charges, viz.:—

In an undivided half share with its appurtenances of a piece of land situated at Vannarponnai West, called Neerhochhithalvu; containing or reputed to contain in extent 18 lachams varaku culture with well and palmyras; bounded or reputed to be bounded on the east by lane, north by the property of Sinnatamby Sivasampu and brother and Nannipillai, widow of Kanapathypillai and shareholder,

west by the property of Kantar Vayittialingam and shareholder, and on the south by the property of Teiavanaipillai, widow of Eliyatamby, and Letchumy, wife of Kanthappar.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, May 29, 1909.

In the District Court of Jaffna.

Murukesar Maruthappapillai of Anai-koddai, now at Colombo. Plaintiff.

No. 4,922. Vs.

Kanthar Vyttilingam of Tavady, personally and as representative of the estate of his late wife Muthippillai Defendant.

NOTICE is hereby given that on Friday, July 2, 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 late Muthippillai in the following property for the recovery of Rs. 298, with interest thereon at the rate of 12 per cent. per annum from August 28, 1907, until payment in full and charges, viz. :—

In an undivided half share with its appurtenances of a piece of land situated at Kokkuvil, called Andipulam; containing or reputed to contain in extent 24½ lachams varagu culture with well, cultivated plants, and palmyras; bounded or reputed to be bounded on the east by the property of Kantar Vayittialingam and Letchumippillai, wife of Kantappa, north by the property of Nannippillai, widow of Kanapathipillai, west by the property of Chinnakuthy, wife of Chinniah, and front of a bye-lane, and on the south by the property of Veluppillai Arulampalam and wife Chellamuttu.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, May 29, 1909.

In the District Court of Jaffna.

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

No. 5,551. Vs.

Vaitilingam Kandaiah of Valveddy Defendant.

NOTICE is hereby given that on Tuesday, June 29, 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 cost of suit being reserved, but deducting Rs. 100 out of interest and charges, viz. :—

1. In a piece of land situated at Karanavai-veerappathyrayankurichchi called Kiliyanthanai; containing 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 Kantar and others, west by the property of Kathiresan and others, and on the south by marshy ground and sea.

2. In an undivided ¾ share of a piece of land situated at Karanavaicholankakurichchi called Kilathu; containing or reputed to contain in extent 120 lachams paddy culture; bounded or reputed to be bounded on the east by the property of Swaminatar and others, north by waste land, west by the property of Seeniar and others, and on the south by the property of Sinnathamby and others.

3. In a piece of land situated at Karanavai-cholankakurichchi called Attikkaddaiady; containing or reputed to contain in extent 5½ lachams varagu

culture; bounded or reputed to be bounded on the east by the property of Vathanayaky and others, north by the property of Tankam and others, west by the property of Kiruddinar and others, and on the south by the property of Mylvakanam and others.

Sale to be commenced at 2 P.M.

4. In a piece of land situated at Tanakkarakurichchi called Chathiranthai; containing or reputed to contain in extent 5½ lachams varagu culture with its appurtenances including ¼ share of the well; bounded or reputed to be bounded on the east by lane, north by the village limit of Valvettikurichchi, 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 Valvettikurichchi called Karavattanaippulam; containing or reputed to contain in extent 3½ lachams varagu culture, with its appurtenances; bounded or reputed to be bounded on the east by lane, north by the property of Valoo, west by the property of Vallippillai and others, and on the south by the village limit of Tanakkarakurichchi.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, May 27, 1909.

In the District Court of Jaffna.

Mohamedu Meeranachchia, wife of Mohamadu Abdul Cader of Vannarponnai West Plaintiff.

No. 6,040. Vs.

Segu Mohayadeen Sakaly Naina Mari-kar Mohamadu Abdul Cader of Vannarponnai West Defendant.

NOTICE is hereby given that on Monday, June 28, 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. 1,123.33, with interest on Rs. 900 at 9 per cent. per annum from April 25, 1909, until payment in full and charges, viz. :—

In an undivided 9/17 share with its appurtenances of a piece of land situated at Vannarponnai West, called Ittyady; containing or reputed to contain in extent 2 lachams varaku culture and 11 11/18 kullies with godowns, well, palmyras, and cultivated plants; bounded or reputed to be bounded on the east by lane, north by road, west by bye-lane, and on the south by the property of Ragumathunachchia, wife of Moheyadeen Saibu.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, May 29, 1909.

Southern Province.

In the Court of Requests of Balapitiya.

Robolge Eranhami Lenora Appuhami of Kommala Plaintiff.

No. 3,259. Vs.

Pitigala Muhandirange Don Davit Guna-sekara and others, all of Pitigala Defendants.

NOTICE is hereby given that on Saturday, June 26, 1909, commencing at 12 o'clock in the noon will be sold by public auction at the premises the following mortgaged property, viz. :—

1. Manatege Wele Ihalakebella, situate at Pitigala.

2. 2/3 parts of the entire soil and trees of Rada-petterehenawatta, together with the tiled eleven cubits house standing on the said land towards the west, situate at Pitigala.

3. 1/2 part of the entire soil and trees of Gangabodagedarawatta *alias* Vidanelagewatta, situate at Pitigala.

Writ amount Rs. 122·27.

C. T. LEEMBRUGGEN,
for Fiscal.

Fiscal's Office,
Galle, June 1, 1909.

In the District Court of Matara.

bu Endoris de Silva Balasuriya of Nupe in
Matara Plaintiff.

No. 4,382. Vs.

Hewawassan Rewulge Heradris Alwis
of Hatnapeadigama Defendant.

NOTICE is hereby given that on Saturday, July 10, 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 divided western 1/2 portion of the land Wellalawatta, situate at Hatnapeadigama.

2. All those 12 and 1/2 of the old jak trees and all those undivided 8/9 parts of the soil and remaining trees of the land Gampahawatta and all that tiled house of 9 cubits standing thereon at ditto.

3. All those undivided 2/15 parts of the soil and trees of Kahatagahadeniya (exclusive of the planter's undivided 1/3 share of the trees of the 2nd and 3rd plantations thereof) at ditto.

4. All the soil and trees of Kapugewatta *alias* Gajanaikawatta at ditto.

5. All that 1/2 part of the undivided 11/14 parts of the soil and trees of Managewatta *alias* Gajanaikawatta at ditto.

Writ amount Rs. 1,897·50, with legal interest from January 7, 1909, and poundage and cost.

C. T. LEEMBRUGGEN,
for Fiscal.

Fiscal's Office,
Galle, June 1, 1909.

In the District Court of Galle.

57 Dora Caroline Soysa, executrix of the
last will and testament of the late S.
Peter Soysa of Moratuwa Plaintiff.

No. 8,352. Vs.

G. E. F. Abeysinha of Galle Defendant.

NOTICE is hereby given that on Monday, June 28, 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 defendant in the following property, subject to any mortgage, viz:—

1. All those newly built three contiguous boutiques bearing assessment Nos. 42a, 42b, and 42c and the carpenter's shop No. 42d, together with an undivided 47/72 parts of the soil covered thereby standing on the land Ela-adderawatta *alias* Pettigalawatta, situate at Galupeadda; in extent about 25 perches.

2. All that thatched house No. 45, together with an undivided 47/72 parts of the soil covered thereby, standing on the said land Ela-adderawatta *alias* Pettigalawatta at ditto; in extent 8·9 perches.

3. All that undivided 47/72 parts of the soil covered by the house No. 34, 62 feet in length and 17 1/2 feet in breadth, standing on the said land Ela-adderawatta *alias* Pettigalawatta at ditto

4. All that undivided 47/72 parts of the soil covered by the two boutiques Nos. 73 and 74 and the entirety of the shed adjoining thereto, with 47/72 parts of the soil covered thereby, standing on the said land Ela-addarawatta *alias* Pettigalawatta at ditto; in extent about 4 perches.

5. All that undivided 47/72 parts of the soil covered by the houses Nos. 68 and 68a standing on the said land Ela-addarawatta *alias* Pettigalawatta at ditto; in extent about 3 perches.

6. All that undivided 47/72 parts of the soil of a portion of Ela-addarawatta *alias* Pettigalawatta at ditto; in extent about 3 perches.

7. All that thatched shed, 50 feet in length and 20 feet in breadth, together with 47/72 parts of the soil covered thereby, standing on the said land Ela-addarawatta *alias* Pettigalawatta at ditto.

8. All that undivided 47/72 parts of the soil covered by the houses Nos. 72 and 72a standing on the said land Ela-addarawatta *alias* Pettigalawatta at ditto; in extent about 8 perches.

Writ amount, Rs. 1,994·01.

C. T. LEEMBRUGGEN,
for Fiscal.

Fiscal's Office,
Galle, June 1, 1909.

In the District Court of Tangalla.

bu Abesinliana-arachchige Dingi Appu of
Wirawila Plaintiff.

No. 949. Vs.

Yaddehige Don Kaluappu and 4 others,
all of Hambantota Defendants.

NOTICE is hereby given that on Saturday, June 26, 1909, at 2 P.M., will be sold by public auction at the spot the right, title, and interest of the said defendants, in the following property, viz:—

The entire land known as lot No. 7,279 in plan No. 3,199; containing in extent 10 acres, situate at Tihawa; and bounded on the east by lot No. 12,164, south by lot No. 7,282, west by lot No. 7,278, and north by lot No. 7,277.

Writ amount Rs. 1,100·62, together with legal interest on Rs. 837·85 from December 12, 1908, till payment.

L. S. WOOLF,
Deputy Fiscal.

Deputy Fiscal's Office,
Hambantota, May 27, 1909.

Eastern Province.

In the District Court of Batticaloa.

R 57 Adambawa Muhamadotampy of Kattan-
kuddi Plaintiff.

Vs.

(1) Meeralevve Marikair Akamatulevve-
pody, (2) Ibrahim Kandopody Maryan-
kandu of Sammanturai Defendants.

NOTICE is hereby given that on Saturday, July 3, 1909, commencing at 9 A.M., will be sold by public auction at the premises the right, title, and interest of the said defendants in the following properties specially hypothecated to the plaintiff by bond No. 4,497 dated December 27, 1909, attested by Notary E. Kosu Muhamatu.—

At 9 A.M.

The paddy land called Ootomadyely belonging to the 2nd defendant, situated at Ooteyarnadukandom in Malkomputty in Sammanturai pattu, in the District of Batticaloa, Eastern Province; and bounded on the north by land of Mamkapody and others, south by

land of Ahamadulveve and others, east by land of Vairamuttu and others, and west by channel, in extent 10 acres with all its rights.

At 11 A.M.

The right, title, and interest in and over the assignment bond No. 1,643 in favour of the 1st defendant, dated September 24, 1903, of the mortgage and other bond No. 5,073, dated August 22, 1898, for the sum of Rs. 300, mortgaging the southern just one-half share of the land called Edaykandataadypoomey, situated at Malkomputtykandom in Sammanturai, in Sammanturai pattu in the District of Batticaloa, Eastern Province; and bounded on the north by the other share of this land belonging to A. Pakiriveve, east by land of Kandappen and others, south by Veeraiady-arū, and west by land of Saravanai and others; containing in extent 6 acres 2 roods and 6½ perches.

Amount to be levied, Rs. 2,411.62.

T. SINNATAMBY,
Deputy Fiscal.

Fiscal's Office,
Batticaloa, May 27, 1909.

North-Western Province.

In the District Court of Chilaw.

K. R. M. I. T. Letchimanan Chetty of
Sea street in Colombo Plaintiff.
No. 3,979. Vs.

Simon Jayamanna of Madampe, now⁷of
Udubaddawe in the District of Kurunegala Defendant.

NOTICE is hereby given that on Saturday, June 26, 1909, at 2 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) The undivided half share exclusive of the other half share belonging to the co-shareholders of and from the land Dewatapitiyewatta *alias* now called Dampitiyawatta with the coconut and other trees thereon, situate at Paranagama and Wilapola in Yagam pattu korale of Katugampola hatpattu, in the District of Kurunegala, and comprising the following eleven contiguous allotments, to wit: An exact half share of the land Kahatagahamulahena at Paranagama aforesaid, of about 8 lahas of kurakkan sowing extent, three-quarter share of the land Kongahamulahena, situate as aforesaid of about 8 lahas extent kurakkan sowing, the Makullagahamulahena, situate at ditto, about 5 lahas extent, five-sixth share of the land Madangahamulahena, situate at Wilapola,

about 6 lahas extent, the land Goroggahamulahena situate at Wilapola, about 3 lahas kurakkan sowing extent, an exact half share of Kahatagahamulahena at Paranagama, about 2 lahas extent, the land called Elagawahena at ditto, about 2 lahas kurakkan sowing, the land called Hawulehena at Wilapola, about 1 parrah extent, the northern one-fifth share of the land called Paspanguwehena at ditto, about 5 lahas extent, half share of the land called Nedungahamulahena at ditto, about 6 lahas extent, and the land called Kahatagahamulahena at ditto; and bounded at present on the north by Paranagamagangoda, on the east by Demandaluwevelyaye and ota, on the south by Yodaalewatta, and on the west by the cart road to Paranagama; containing in extent about 50 acres.

(2) The land now called Yodaclawatta with the coconut and other trees standing thereon, situate at Wilapola aforesaid; comprising the following eight contiguous allotment, to wit, one-third share of Wanehena, situate at Wilapola, about 5 lahas kurakkan sowing, one-third share of Kolongahamulahena, situate at Wilapola aforesaid, of 1 parrah of kurakkan sowing, one-sixth share of Kahatagahawatta, situate at Wilapola aforesaid, about 30 bushels kurakkan sowing extent, one-eighteenth share of Hayapanguwehena, situate at Wilapola aforesaid, about 8 parrahs of kurakkan sowing extent, one-fourth share of Hayapanguwehena, situate at Wilapola aforesaid, about 2 pelas kurakkan sowing, extent, one-seventh share of Yodaclawattahenyaya, situate at Wilapola aforesaid, about 2 ammunams of kurakkan sowing, the 25 acres extent of the land called Yodayalahenyaya, situate at ditto, about 3 ammunams of kurakkan sowing extent, and one-fourth of one-sixth share of the land Hayapanguwehena, situate at Wilapola aforesaid, of about 2 pelas kurakkan sowing extent; bounded at present on the north by the above-named Dampitiyewatta belonging to the defendant and Francis Wanigaratna, on the east by Yoda-ela and Dandagomuwe-oya, on the south by Kalumediriya tree and live fence, and on the west by live fence; containing about 250 acres in extent.

(3) An undivided half share of and from the twelve contiguous allotments now called Dampitiyewatta with coconut and other trees thereon, situate at Paranagama and Wilapola aforesaid; and bounded on the north by Paranagamagangoda, on the east by Demandaluwevelyaye and ota, on the south by Yodaclawatta belonging to the defendant, and on the west by the cart road to Paranagama; and containing about 5 acres in extent.

Amount to be levied Rs. 7,000 together with interest thereon at 9 per cent. per annum from November 18, 1908, till payment, costs, and poundage.

T. G. WILLETT,
Deputy Fiscal.

Fiscal's Office,
Kurunegala, June 1, 1909.

I CHARLES MORANT LUSHINGTON, Fiscal for the Southern Province, do hereby appoint Mr. L. R. de Zoysa to act as Marshal for the District of Balapitiya, in the Southern Province, from June 3 to 6, 1909, under the provisions of the Fiscals' Ordinance, No. 4 of 1867, and authorize him to perform the

duties and exercise the authority of Marshal, for which this shall be his warrant.

C. M. LUSHINGTON,
Fiscal.
Fiscal's Office,
Galle, May 31, 1909.