



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.

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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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DRAFT ORDINANCES.

MINUTE.

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

An Ordinance for Regulating the Procedure on Appeals from the Supreme Court of Ceylon to His Majesty in Council.

Preamble.

WHEREAS it is expedient to make better provision for regulating the Procedure on Appeals from the Supreme Court of Ceylon to His Majesty in Council: 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 Appeals (Privy Council) Ordinance, 1909," and shall come into operation on such date as the Governor in Executive Council shall, by Proclamation in the *Government Gazette*, appoint.

Interpretation.

2 In this Ordinance and in the Rules in Schedule I. hereto, unless the context otherwise requires—

"Appeal" means Appeal to His Majesty in Council.

"His Majesty" includes His Majesty's heirs and successors.

"Judgment" includes decree, order, sentence, or decision.

“ Court ” means the Supreme Court of Ceylon consisting of either not less than three Judges, or of not less than two Judges, or of a single Judge, according as the matter in question is one which by virtue of the Ordinance or Ordinances constituting and regulating the Supreme Court or of any Rules made thereunder properly appertains to a Court of not less than three Judges, or to a Court of not less than two Judges, or of a single Judge.

“ Record ” means the aggregate of papers relating to an Appeal (including the pleadings, proceedings, evidence, and judgments) proper to be laid before His Majesty in Council on the hearing of the Appeal.

“ Registrar ” means the Registrar or other proper officer having the custody of the records in the Court appealed from.

Repeals.

3 The Ordinances specified in Schedule II. hereto are hereby repealed to the extent mentioned in that Schedule.

Rules for regulating Appeals from Supreme Court to Privy Council.

4 From and after the commencement of this Ordinance the right of parties to civil suits or actions in the Supreme Court to appeal to His Majesty in Council against the judgments and orders of such Court shall be subject to and regulated by—

- (a) The limitations and conditions prescribed by the Rules set out in Schedule I. hereto, or by such other Rules as may from time to time be made by His Majesty in Council; and
- (b) Such general Rules and Orders of Court as the Judges of the Supreme Court may from time to time make in exercise of any power conferred upon them by any enactment for the time being in force.

Power of Supreme Court to regulate procedure under Ordinance.

5 (1) The Judges of the Supreme Court or any three of them, of whom the Chief Justice or Acting Chief Justice shall be one, may from time to time make such general rules and orders of Court as to them shall seem meet for regulating the form and manner of proceeding, where not specially provided for by the Rules in Schedule I. hereto or by any Rules made by His Majesty in Council, to be observed in any proceedings before the Supreme Court under this Ordinance or under such Rules as aforesaid.

(2) In particular and without prejudice to the generality of the power conferred by the foregoing sub-section such Rules may—

- (a) Declare in any case where express provision in that behalf is not made by the Ordinances constituting and regulating the Supreme Court, whether the several matters and proceedings referred to in the Rules in Schedule I. hereto properly appertain to a Court of not less than three Judges, or to a Court of not less than two Judges, or to a single Judge;
- (b) Require the Appellant to deposit the amount required to defray the cost of translating, transcribing, indexing, and transmitting to His Majesty in Council a correct copy of the Record of the action and prescribe the time, which shall not exceed three months from the date of the hearing of the application for leave to appeal, within which such deposit shall be made;
- (c) Prescribe the fees to be paid to the Registrar of the Supreme Court for examining and certifying copies of the Record for transmission to the Registrar of the Privy Council.

Pending Appeals; where case has not been brought before Court in review.

6 (1) Where, at the commencement of this Ordinance, application has been made to the Supreme Court under section 780 of “ The Civil Procedure Code, 1889, ” to have a judgment brought before the Court by way of review, but such judgment has not been brought up before the Court in review, or has been brought up in review and the judgment of the Court in review has not been pronounced, then the party desiring to

appeal shall, unless the Court shall have refused to grant the certificate referred to in section 781 of the said Civil Procedure Code, apply within thirty days from the commencement of this Ordinance for leave to appeal in accordance with Rule 2 of the Rules in Schedule I. hereto, and all further proceedings with regard to the Appeal shall be regulated by the said Rules.

(2) Where in any such case as aforesaid the party desiring to appeal has given security in pursuance of section 780 of the said Civil Procedure Code for the payment of the costs of the hearing in review, the Court, upon the application of the person by whom such security was given, shall order such security to be discharged or the amount thereof to be paid to him.

Pending Appeals; where case has been heard in review, but order allowing Appeal has not been made.

7 (1) Where, at the commencement of this Ordinance, judgment of the Court in review has been pronounced, but the periods limited by section 783 of the Civil Procedure Code for applying for leave to appeal and for giving the security and making the deposit required by that section have not expired, the party desiring to appeal may proceed in manner prescribed by the said section, and the Court, if it is satisfied that the Appellant has complied with the requirements of such section within the periods thereby prescribed, shall grant final leave to appeal, and such Appeal shall be subject in all respect to the Rules in Schedule I.

(2) Where, at the said date, the periods mentioned in sub-section (1) have expired and the Appellant has failed to comply with any of such requirements within the prescribed period, the Appeal shall be deemed to stand dismissed for non-prosecution without an express order of the Court.

Procedure with regard to Appeals which have been allowed under section 784 of the Civil Procedure Code.

8 The provisions of the Rules in Schedule I. hereto relating to Appellants who have obtained final leave to appeal shall be applicable to Appellants whose Appeals the Court, at the commencement of this Ordinance, shall have allowed in manner provided by section 784 of the said Civil Procedure Code.

SCHEDULE I.

Rules.

Amount in respect of which an Appeal lies as of right.

Appeals at the discretion of the Court.

Application for leave to appeal.

Security to be given by Appellant.

1. Subject to the provisions of these rules, an Appeal shall lie—

(a) As of right, from any final judgment of the Court, where the matter in dispute on the Appeal amounts to or is of the value of five thousand rupees or upwards, or where the Appeal involves directly or indirectly some claim or question to or respecting property or some civil right amounting to or of the value of five thousand rupees or upwards; and

(b) At the discretion of the Court, from any other judgment of the Court, whether final or interlocutory, if, in the opinion of the Court, the question involved in the Appeal is one which, by reason of its great general or public importance or otherwise, ought to be submitted to His Majesty in Council for decision.

2. Application to the Court for leave to appeal shall be made by petition within thirty days from the date of the judgment to be appealed from, and the applicant shall give the opposite party notice of his intended application.

3. Leave to appeal under rule 1 shall only be granted by the Court in the first instance—

(a) Upon condition of the Appellant, within a period to be fixed by the Court but not exceeding three months from the date of the hearing of the application for leave to appeal, entering into good and sufficient security, to the satisfaction of the Court, in a sum not exceeding three thousand rupees for the due prosecution of the Appeal, and the payment of all such costs as may become payable to the respondent in the event of the Appellants not obtaining an order granting him final leave to appeal, or of the Appeal being dismissed for non-prosecution, or of His Majesty in Council ordering the Appellant to pay the Respondent's costs of the Appeal (as the case may be).

- Other conditions. (b) Upon such other conditions (if any) as to the time or times within which the Appellant shall take the necessary steps for the purpose of procuring the preparation of the Record and the dispatch thereof to England as the Court, having regard to all the circumstances of the case, may think it reasonable to impose.
- Revocation of acceptance of security. 4. At any time before giving final leave to appeal the Court may, upon cause shown, revoke the acceptance of any such security and make further direction thereon.
- Power to order further security. 5. If at any time after final leave to appeal is allowed, but before the transmission of the copy of the Record to His Majesty in Council, such security appears inadequate, the Court may order the Appellant to furnish within a specified time other and sufficient security.
- Failure to comply with order. 6. If the Appellant fails to comply with such order, the proceedings shall be stayed, and the Appeal shall not proceed without an order in that behalf of His Majesty in Council, and in the meantime execution of the decree appealed against shall not be stayed.
- Judgment to be executed on security being given for restitution. 7. Where the judgment appealed from requires the Appellant to pay money or perform a duty, the Court shall have power, when granting leave to appeal, to direct that the said judgment shall be carried into execution if the person in whose favour it was given shall, before the execution thereof, enter into good and sufficient security, to the satisfaction of the Court, for the due performance of such order as His Majesty in Council shall think fit to make thereon.
- Court may stay execution on Appellant giving security. 8. Provided, nevertheless, that if the Appellant shall establish to the satisfaction of the Court that real and substantial justice requires that, pending such Appeal, execution should be stayed, the Court may order the execution of such judgment to be stayed if the Appellant shall give sufficient security for the due performance of such order as His Majesty in Council shall think fit to make thereon.
- Security when not required in case of immovable property. 9. In any case where the subject of litigation shall consist of immovable property, and the judgment appealed from shall not change, affect, or relate to the actual occupation thereof, no security shall be demanded, either from the Respondent or Appellant, for the performance of the judgment to be pronounced or made upon such Appeal; but if such judgment shall change, affect, or relate to the occupation of any such property, then such security shall not be of greater amount than may be necessary to secure the restitution free from all damage or loss of such property or of the intermediate profit which, pending any such Appeal, may probably accrue from the intermediate occupation thereof.
- Security in case of movable property. 10. In any case where the subject of litigation shall consist of money or other chattels, or of any personal debt or demand, the security to be demanded, either from the Respondent or Appellant, for the performance of the judgment to be pronounced or made upon such Appeal shall be either a bond to be entered into in the amount or value of such subject of litigation by one or more sufficient surety or sureties, or such security shall be given by way of mortgage or voluntary condemnation of or upon some immovable property situate and lying within this Island, and being of the full value of such subject of litigation over and above the amount of all mortgages and charges of whatever nature upon or affecting the same.
- Preparation of Record subject to supervision of Court. 11. The preparation of the Record shall be subject to the supervision of the Court, and the parties may submit any disputed question arising in connection therewith to the decision of the Court, and the Court shall give such directions thereon as the justice of the case may require.
- Exclusion of documents from Record. 12. The Registrar, as well as the parties and their legal Agents, shall endeavour to exclude from the Record all documents (more particularly such as are merely formal) that are not relevant to the subject-matter of the Appeal, and generally to reduce the bulk of the Record as far as practicable, taking special care to avoid the duplication of documents and the unnecessary repetition of headings and other merely formal parts of documents; but the documents omitted to be copied or printed shall be enumerated in a list to be placed after the index or at the end of the Record.

- Objection to inclusion of any document. 13. Where in the course of the preparation of a Record one party objects to the inclusion of a document on the ground that it is unnecessary or irrelevant and the other party nevertheless insists upon its being included, the Record as finally printed (whether in Ceylon or in England) shall, with a view to the subsequent adjustment of the costs of and incidental to such document, indicate in the index of papers, or otherwise, the fact that, and the party by whom, the inclusion of the document was objected to.
- Printing of Record. 14. The Record shall be printed in accordance with the Rules set forth in the Appendix hereto. It may be so printed either in Ceylon or in England.
- Procedure when Record is printed in Ceylon. 15. Where the Record is printed in Ceylon, the Registrar shall, at the expense of the Appellant, transmit to the Registrar of the Privy Council forty copies of such Record, one of which copies he shall certify to be correct by signing his name on or initialling every eighth page thereof, and by affixing thereto the Seal of the Court.
- Procedure when Record is to be printed in England. 16. Where the Record is to be printed in England, the Registrar shall, at the expense of the Appellant, transmit to the Registrar of the Privy Council one certified copy of such Record, together with an index of all the papers and exhibits in the case. No other certified copies of the Record shall be transmitted to the Agents in England by or on behalf of the parties to the Appeal.
- Procedure where part of Record is printed in Ceylon and part is to be printed in England. 17. Where part of the Record is printed in Ceylon and part is to be printed in England, Rules 15 and 16 shall, as far as practicable, apply to such parts as are printed in Ceylon and such as are to be printed in England respectively.
- Reasons for judgment of Court to be dispatched. 18. The reasons given by the Judge, or any of the Judges, for or against any judgment pronounced in the course of the proceedings out of which the Appeal arises shall by such Judge or Judges be communicated in writing to the Registrar, and shall by him be transmitted to the Registrar of the Privy Council at the same time when the Record is transmitted.
- Consolidation of Appeals. 19. Where there are two or more applications for leave to appeal arising out of the same matter, and the Court is of opinion that it would be for the convenience of the Lords of the Judicial Committee and all parties concerned that the Appeals should be consolidated, the Court may direct the Appeals to be consolidated, and grant leave to appeal by a single Order.
- Withdrawal of Appeal before final leave to appeal is allowed. 20. An Appellant who has obtained an order granting him conditional leave to appeal may at any time prior to the making of an order granting him final leave to appeal withdraw his Appeal on such terms as to costs and otherwise as the Court may direct.
- Delay of Appellant in getting final leave to appeal. 21. Where an Appellant, having obtained an order granting him conditional leave to appeal, and having complied with the conditions imposed on him by such Order, fails thereafter to apply with due diligence to the Court for an order granting him final leave to appeal, the Court may, on an application in that behalf made by the Respondent, rescind the order granting conditional leave to appeal, notwithstanding the Appellant's compliance with the conditions imposed by such Order, and may give such directions as to the costs of the Appeal and the security entered into by the Appellant as the Court shall think fit, or make such further or other order in the premises as, in the opinion of the Court, the justice of the case requires.
- Application for final leave to appeal. 22. On an application for final leave to appeal, the Court may inquire whether notice or sufficient notice of the application has been given by the Appellant to all parties concerned, and, if not satisfied as to the notices given, may defer the granting of the final leave to appeal, or may give such other directions in the matter as, in the opinion of the Court, the justice of the case requires.
- Prosecution of Appeal after final leave to appeal has been granted. 23. An Appellant who has obtained final leave to appeal shall prosecute his Appeal in accordance with the Rules for the time being regulating the general practice and procedure in Appeals to His Majesty in Council.
- Withdrawal of Appeal after final leave to appeal has been granted. 24. Where an Appellant, having obtained final leave to appeal, desires, prior to the dispatch of the Record to England, to withdraw his Appeal, the Court may, upon an application in that behalf made by the Appellant, grant him a certificate to the effect

that the Appeal has been withdrawn, and the Appeal shall thereupon be deemed, as from the date of such certificate, to stand dismissed without express Order of His Majesty in Council, and the costs of the Appeal and the security entered into by the Appellant shall be dealt with in such manner as the Court may think fit to direct.

Delay of Appellant in getting Record despatched to England.

25. Where an Appellant, having obtained final leave to appeal, fails to show due diligence in taking all necessary steps for the purpose of procuring the dispatch of the Record to England, the Respondent may, after giving the Appellant due notice of his intended application, apply to the Court for a certificate that the Appeal has not been effectually prosecuted by the Appellant, and if the Court sees fit to grant such a certificate, the Appeal shall be deemed, as from the date of such certificate, to stand dismissed for non-prosecution without express Order of His Majesty in Council, and the costs of the Appeal and the security entered into by the Appellant shall be dealt with in such manner as the Court may think fit to direct.

Death or change of status of a party to the Appeal before the dispatch of the Record to England.

26. Where at any time between the order granting final leave to appeal and the dispatch of the Record to England the Record becomes defective by reason of the death, or change of status, of a party to the Appeal, the Court may, notwithstanding the order granting final leave to appeal, on an application in that behalf made by any person interested, grant a certificate showing who, in the opinion of the Court, is the proper person to be substituted or entered on the Record in place of, or in addition to, the party who has died, or undergone a change of status, and the name of such person shall thereupon be deemed to be so substituted or entered on the Record as aforesaid without express Order of His Majesty in Council.

Death or change of status of a party to the Appeal after dispatch of the Record to England.

27. Where the Record subsequently to its dispatch to England becomes defective by reason of the death, or change of status, of a party to the Appeal, the Court shall, upon an application in that behalf made by any person interested, cause a certificate to be transmitted to the Registrar of the Privy Council showing who, in the opinion of the Court, is the proper person to be substituted, or entered on the Record in place of, or in addition to, the party who has died, or undergone a change of status.

Printing of Case.

28. The Case of each party to the Appeal may be printed either in Ceylon or in England, and shall, in either event, be printed in accordance with the Rules set forth in the Appendix hereto, every tenth line thereof being numbered in the margin, and shall be signed by at least one of the counsel who attends at the hearing of the Appeal, or by the party himself if he conducts his Appeal in person.

Further provisions.

29. The Case shall consist of paragraphs numbered consecutively, and shall state, as concisely as possible, the circumstances out of which the Appeal arises, the contentions to be urged by the party lodging the same, and the reasons of appeal. References by page and line to the relevant portions of the Record as printed shall, as far as practicable, be printed in the margin, and care shall be taken to avoid, as far as possible, the reprinting in the Case of long extracts from the Record. The taxing officer, in taxing the costs of the Appeal, shall, either of his own motion or at the instance of the opposite party, inquire into any unnecessary prolixity in the Case, and shall disallow the costs occasioned thereby.

Taxation of costs.

30. Where the Judicial Committee directs a party to bear the costs of an Appeal incurred in Ceylon, such costs shall be taxed by the proper officer of the Court in accordance with the Rules for the time being regulating taxation in the Court.

Execution of judgment of His Majesty in Council.

31. Any Order which His Majesty in Council may think fit to make on an Appeal from a judgment of the Court may be enforced and executed in manner hereinafter appearing:—

Whoever desires to enforce or to obtain execution of any Order of His Majesty in Council shall apply by petition, accompanied by a certified copy of the decree or order made in appeal and sought to be enforced or executed, to the Court.

Such Court shall, when the court which made the first decree appealed from is the Supreme Court, enforce and execute such order in the manner and according to the rules applicable to the enforcement and execution of its original decrees; but when the court which made the first decree appealed from is a court other

than the Supreme Court, shall transmit the Order of His Majesty to the court which made such decree, or to such other court as His Majesty by his said Order may direct, and shall (upon the application of either party) give such directions as may be required for the enforcement or execution of the same; and the court to which the said Order is so transmitted shall enforce and execute it accordingly, in the manner and according to the rules applicable to the enforcement and execution of its original decrees.

Right to admit Appeal without reference to these Rules.

32. Nothing in these Rules contained shall be deemed to interfere with the right of His Majesty upon the humble Petition of any person aggrieved by any judgment of the Court, to admit his Appeal therefrom upon such conditions as His Majesty in Council shall think fit to impose.

Appendix.

1. Records and Cases in Appeals to His Majesty in Council shall be printed in the form known as demy quarto (*i.e.*, 54 ems in length and 42 in width).

2. The size of the paper used shall be such that the sheet when folded and trimmed will be 11 inches in height and 8½ inches in width.

3. The type to be used in the text shall be Pica type, but Long Primer shall be used in printing accounts, tabular matter, and notes.

4. The number of lines in each page of Pica type shall be 47 or thereabouts, and every tenth line shall be numbered in the margin.

SCHEDULE II.

Ordinances Repealed.

No. and Year.	Short Title.	Extent of Repeal.
1 of 1889	“The Courts Ordinance, 1889”	Section 42 and sub-section (1) of section 53 as respectively amended by Ordinance No. 24 of 1901
2 of 1889	“The Civil Procedure Code, 1889”	Chapter LXIII. (sections 779 to 789) as amended by Ordinance No. 23 of 1901, and chapter LXIV.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, November 12, 1909.

HUGH CLIFFORD,
Colonial Secretary.

Statement of Objects and Reasons.

THE object of this Ordinance is to introduce the Draft Colonial Appeal Rules, which have been approved by the Judicial Committee of the Privy Council. These Draft Colonial Appeal Rules were prepared to give effect to the views of the Colonial Conference, 1907; that the conditions which give the right of appeal to the Privy Council should be uniform in the case of all the Colonial subjects of His Majesty.

2. In many Colonies that Draft Colonial Appeal Rules will be introduced by means of an Order of His Majesty in Council. But in Ceylon, where the procedure on appeals to the Privy Council is regulated by Ordinance, it is considered desirable that the rules should be embodied in an Ordinance.

3. The Draft Ordinance repeals the existing enactments regulating procedure on appeals from the Supreme Court to the Privy Council; and enacts that such appeals shall be subject to the Colonial Appeal Rules, which, with some modifications, are appended in a schedule.

4. The most important changes in procedure which will be effected by the Ordinance are the following:—

- (a) The preliminary hearing in review by a Full Court of three Judges will be dispensed with; and the appeal will lie directly from the judgment of the Supreme Court.
- (b) No alteration is made in the class of judgments from which appeal is allowed as of right, but the Supreme Court is empowered to give special leave to appeal in other cases where the question involved “is one which, by reason of its great general or public importance or otherwise, ought to be submitted to His Majesty in Council for decision.”
- (c) Application for leave must be made within thirty days from the date of the judgment to be appealed from. In most Colonies twenty-one days is considered a fair time, but in view of the present procedure in that respect this period has been extended.
- (d) Special provision is made to prevent delay in applying for final leave to appeal to facilitate the withdrawal of appeals and to obviate delay in despatching the record to England.

Attorney-General's Chambers,
Colombo, October 26, 1909.

ALFRED G. LASCELLES,
Attorney-General.

MINUTE.

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

An Ordinance further to amend "The Nuwara Eliya Board of Improvement Ordinance, 1896."

- Preamble. **W**HEREAS it is expedient further to amend "The Nuwara Eliya Board of Improvement Ordinance, 1896" (hereinafter referred to as "the principal Ordinance"): Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:
- Short title. 1 This Ordinance may be cited for all purposes as "The Nuwara Eliya Board of Improvement (Amendment) Ordinance, 1909" and this Ordinance and the principal Ordinance and the Ordinances amending the same may be cited collectively as "The Nuwara Eliya Board of Improvement Ordinances, 1896 to 1909."
- Addition to section 30 (19). 2 The following words shall be added in continuation of sub-section (19) of section 30 of the principal Ordinance (as amended by Ordinance No. 14 of 1898), namely: "For the removal and disposal of night soil and house refuse; and for charging and recovering fees from owners or occupiers for such removal and disposal when carried out by the Board of Improvement or by any contractor on their behalf."

By His Excellency's command,

HUGH CLIFFORD,
Colonial Secretary.

Colonial Secretary's Office,
Colombo, November 17, 1909.

Statement of Objects and Reasons.

THE object of this Ordinance is to empower the Board of Improvement to make by-laws for the removal and disposal of night soil, and for charging and recovering fees for the service.

ALFRED G. LASCELLES,
Attorney-General.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Kongenige Ellen Anthony of Mutwal in Colombo, deceased. No. 1,376.

Kodikara Arachchige Victor Silva of Alutnawata in Colombo Petitioner.

And

Kongenige Agnes Anthony of Mutwal in Colombo Respondent.

THIS matter coming on for disposal before Hermann A. Loos, Esq., District Judge of Colombo, on November 18, 1909, in the presence of Mr. A. E. de Soyza, Proctor, on the part of the petitioner above-named; and the affidavit of the petitioner dated

November 17, 1909, having been read: And Kongenige Carlo Anthony, to whom administration of the estate of the said deceased had been granted, having died without transferring the property of the estate to the heirs:

It is ordered that the said petitioner be and he is hereby declared entitled, as a cousin of the deceased above-named, to administer the estate of the said deceased, and that letters of administration *de bonis non* do issue to him accordingly for the purpose of transferring the property to the heirs, unless the respondent above-named or any other person or persons interested shall, on or before December 2, 1909, show sufficient cause to the satisfaction of this court to the contrary.

HERMANN A. LOOS,
District Judge.

November 18, 1909.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and
Jurisdiction. Testament of the late Gammeda-
No. 3,478: liyanage Hendrick Perera of Pa-
munugama, deceased.

THIS matter coming on for disposal before Her-
mann A. Loos, Esq., District Judge of Colombo,
on November 15, 1909, in the presence of Mr. E. G.
Jayawardene, Proctor, on the part of the petitioner
Jayakodi Aratchi Gurunanselage Dona Scholastica
Nanayakkara Hamine of Pamunugama; and the
affidavit (1) of the said petitioner dated November 3,
1909, and (2) of the five attesting witnesses dated
November 4, 1909, having been read:

It is ordered that the will of the said Gammeda-
liyanage Hendrick Perera, deceased, dated September
4, 1909, of which the original has been produced and
is now deposited in this court, be and the same is
hereby declared proved; and it is further declared
that the said Jayakodi Aratchi Gurunanselage Dona
Scholastica Nanayakkara Hamine is the executrix
named in the said will, and that she is entitled to have
probate of the same issued to her accordingly, unless
any person or persons interested shall, on or before
December 2, 1909, show sufficient cause to the satis-
faction of this court to the contrary.

HERMANN A. LOOS,
November 15, 1909. District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of the late Kuna Veyna Suna
No. 3,479. Suppramanian Chetty of 103, Sea
street, Colombo, deceased.

Kanammai, by her attorney Veyna
Kulanthaiyan Chetty of Sea street,
Colombo Petitioner.

And

(1) Alemelu, (2) Vengadasalem Chetty,
(3) Nagammai, (4) Raman Chetty, all
of Walayapatty Tirumayam, Taluk, in
Puducotte, in South India Respondents.

THIS matter coming on for disposal before Her-
mann A. Loos, Esq., District Judge of Colombo,
on November 17, 1909, in the presence of Mr. V. A.
Harichandra, Proctor, on the part of the petitioner
above-named; and the affidavit of the said petitioner
dated November 11, 1909, having been read, and also
the power of attorney dated May 18, 1909:

It is ordered that the said petitioner be and he is
hereby declared entitled, as the widow and an heir of
the deceased above-named, to administer the estate
of the said deceased, and that letters of administration
do issue to her attorney above-named accordingly,
unless the respondents above-named or any other
person or persons interested shall, on or before Decem-
ber 16, 1909, show sufficient cause to the satisfaction
of this court to the contrary.

HERMANN A. LOOS,
November 17, 1909. District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and
Jurisdiction. Testament of Ranatun Vidane-
No. 3,480 C. rallage Mathes Appuhamy of
Ellalamulla in the Udugaha pattu
of Siyane korale, deceased.

THIS matter coming on for disposal before
Hermann A. Loos, Esq., District Judge of
Colombo, on November 17, 1909, in the presence of

Mr. W. P. Gunewardene, Proctor, on the part of the
petitioner Ranatun Vidanerallage Don Sinno Appu-
hamy, Vidane Arachchi of Ellalamulla aforesaid; and
the affidavit (1) of the said petitioner, dated November
15, 1909, and (2) of the attesting Notary and witnesses
also dated November 15, 1909: It is ordered that
the will of the said Ranatun Vidanerallage Mathes
Appuhamy deceased, dated February 21, 1909, of
which the original has been produced, and is now
deposited in this court, be and the same is hereby
declared proved, and it is further declared that the
said Ranatun Vidanerallage Don Sinno Appuhamy,
Vidane Arachchi, is the executor named in the said
will, and that he is entitled to have probate of the
same issued to him accordingly, unless any person or
persons interested shall, on or before December 2,
1909, show sufficient cause to the satisfaction of this
court to the contrary:

HERMANN A. LOOS,
District Judge.

November 17, 1909.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of the late Tanippulidewage Jere-
No. 3,481 C. mias Fernando of Dias place,
Colombo, deceased.

Tanippulidewage Romanis Fernando
of Dias place, Colombo Petitioner.

THIS matter coming on for disposal before
Hermann A. Loos, Esq., District Judge of
Colombo, on November 17, 1909, in the presence of
Mr. W. P. Gunewardene, Proctor, on the part of the
petitioner above-named; and the affidavit of the said
petitioner dated November 16, 1909, having been
read:

It is ordered that the said petitioner be and he is
hereby declared entitled, as the father and sole 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 any person or
persons interested shall, on or before December 2,
1909, show sufficient cause to the satisfaction of this
court to the contrary.

HERMANN A. LOOS,
District Judge.

November 17, 1909.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Tantulage Madelena Fernando
No. 595. Wickramasooria Hamine of Wa-
lana, deceased.

THIS matter coming on for disposal before A. C.
G. Wijeyekoon, Esq., Acting District Judge of
Kalutara, on November 12, 1909, in the presence of
Mr. Solomon Fernando, Proctor, on the part of the
petitioner Mututantrige Cornelis Coorey of Walana in
Panadure; and the affidavit of the said petitioner
dated November 8, 1909, having been read: It is
ordered that the Secretary of this court be and he is
hereby declared entitled to administer the estate of
the said deceased, and that letters of administration
do issue to him accordingly, unless the respondent
Beminahenedige Charles Henry Peiris of Walana
shall, on or before December 2, 1909, show sufficient
cause to the satisfaction of this court to the contrary.

A. C. G. WIJEYEKOON,
Acting District Judge.

November 12, 1909.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Patirage Podi Sinno of Wela-
No. 596. pura Kalutara, deceased.

THIS matter coming on for disposal before A. C. G. Wijeyekoon, Esq., Acting District Judge of Kalutara, on November 12, 1909, in the presence of Mr. A. De Abrew, Proctor, on the part of the petitioner Patirage Jorsin of Bentota; and the affidavit of the said petitioner dated November 11, 1909, having been read:

It is ordered that the petitioner Patirage Jorsin of Bentota be and he is hereby declared to administer the estate of the said deceased, as brother of the said deceased; and that letters of administration do issue to him accordingly, unless the respondents (1) Patirage Jossi Nona, her husband (2) Kalavilupatirage Podi Appu of Kaluvila shall, on or before December 15, 1909, show sufficient cause to the satisfaction of this court to the contrary.

A. C. G. WIJEYEKOON,
November 12, 1909. Acting District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Pathumma Nachia, minor
No. 2,218. daughter of Sultan Mohiteen Mo-
hamatu Assena Lebbai, of Vannar-
ponnai, deceased.

Sultan Mohiteen Mohamatu Assena
Lebbai of Vannarponnai Petitioner.

Vs.

(1) Seythahamatu Mohiteen Abdul
Cader and wife (2) Muttu Meera
Nachia of Vannarponnai Respondents.

THIS matter of the petition of Sultan Mohiteen Mohamatu Assena Lebbai of Vannarponnai, praying for letters of administration to the estate of the above-named deceased Pathumma Nachia, coming on for disposal before R. N. Thaine, Esq., District Judge, on October 8, 1909, in the presence of Mr. V. Kathiravelu Pillai, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated October 4, 1909, having been read: It is ordered that the petitioner be and he is hereby declared entitled, as the father of the said deceased, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above-named or any other person shall, on or before November 30, 1909, show sufficient cause to the satisfaction of this court to the contrary.

R. N. THAINE,
October 14, 1909. District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Mohamatu Aysah, wife of
No. 2,219. Sultan Mohiteen Mohamatu Assena
Lebbai, of Vannarponnai, deceased.

Sultan Mohiteen Mohamatu Assena
Lebbai of Vannarponnai Petitioner.

Vs.

(1) Seythahamatu Mohiteen Abdul
Cader and wife (2) Muttu Meera
Nachia of Vannarponnai Respondents.

THIS matter of the petition of Sultan Mohiteen Mohamatu Assena Lebbai of Vannarponnai, praying for letters of administration to the estate of

the above-named deceased Mohamatu Aysah, coming on for disposal before R. N. Thaine, Esq., District Judge, on October 8, 1909, in the presence of Mr. V. Kathiravelu Pillai, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated October 4, 1909, having been read: It is ordered that the petitioner be and he is hereby declared entitled, as the husband of the said deceased, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above-named or any other person shall, on or before November 30, 1909, show sufficient cause to the satisfaction of this court to the contrary.

R. N. THAINE,
District Judge.

October 14, 1909.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Pakkiyam, wife of Thurai-
No. 2,221. appah Cheddiar Kantiah Cheddiar
of Vannarponnai East, deceased.

Thuraiappah Cheddiar Kantiah Cheddiar
of Vannarponnai East Petitioner.

Vs.

(1) Kandasamy Mudaliar Rajaratnam
of Vannarponnai East and (2) Kanda-
samy Mudaliar Thurairasa of Chekku
street, Colombo Respondents.

THIS matter of the petition of Thuraiappah Cheddiar Kantiah Cheddiar of Vannarponnai East, praying for letters of administration to the estate of the above-named deceased Pakkiyam, wife of Thuraiappah Cheddiar Kantiah Cheddiar, coming on for disposal before R. N. Thaine, Esq., District Judge, on October 19, 1909, in the presence of Mr. K. Sivapirakasm, Proctor, on the part of the petitioner; and affidavit of the petitioner dated October 16, 1909, having been read: It is declared that the petitioner is the lawful husband 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 November 30, 1909, show sufficient cause to the satisfaction of this court to the contrary.

R. N. THAINE,
District Judge.

October 19, 1909.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Kanagamma, wife of Muttu
No. 2,226. Nagalingam, of Iruvil, deceased.
Muttu Nagalingam of Iruvil Petitioner.

Vs.

(1) Sinnakkuddy, wife of Nannitamby
Ampalavanar of Iruvil, and (2)
Valliammai, wife of Kanthar Nanni-
tamby of ditto Respondents.

THIS matter of the petition of Muttu Nagalingam of Iruvil, the above-named petitioner, praying for letters of administration to the estate of the above-named deceased Kanagamma, wife of Muttu Nagalingam, coming on for disposal before R. N. Thaine, Esq., District Judge, on October 27, 1909, in the presence of Mr. S. P. Lawton, Proctor, on the part of the petitioner; and the affidavit of the said petitioner, dated October 25, 1909, having been read: It is

ordered that the petitioner be and he is hereby declared entitled, as the lawful husband of the said deceased, 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 shall, on or before November 30, 1909, show sufficient cause to the satisfaction of this court to the contrary.

R. N. THAINE,
District Judge.
October 27, 1909.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Maruthanayakam, wife of
No. 2,229. Saenathayrayar Kandiah, of Maravanpulo, deceased.

Sanmukam Kaylayar of Maravanpulo Petitioner.

Vs.

(1) Saenathayrayar Kandiah, (2) Kanthar Thampiah, and (3) Saethalingam Kandiah, all of Maravanpulo Respondents.

THIS matter of the petition of Sanmukam Kaylayar of Maravanpulo, praying for letters of administration to the estate of the above-named deceased Maruthanayakam, wife of Saenathayrayar Kandiah, coming on for disposal before R. N. Thaine, Esq., District Judge, on November 2, 1909, in the presence of Mr. S. Kandayya, Proctor, on the part of the petitioner; and affidavit of the petitioner dated November 1, 1909, having been read: It is declared that the petitioner is one of the heirs of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before November 29, 1909, show sufficient cause to the satisfaction of this court to the contrary.

R. N. THAINE,
District Judge.
November 2, 1909.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the
Jurisdiction. late Vairavanathar Sinnappoo of
No. 2,230. Thavalai Iyattalai, deceased.

Chinnappillai, widow of Chinnappoo of Thavalai, Iyattalai Petitioner.

Vs.

(1) Chinnattamby Moottatamby of Thavalai Iyattalai, (2) Chinnappoo Kandiah of ditto, (3) Chinnan, daughter of Chinnappoo of ditto Respondents.

THIS matter of the petition of Chinnappillai, widow of Chinnappoo, praying for letters of administration to the estate of the above-named deceased, Vairavanathar Sinnappoo, coming on for disposal before R. N. Thaine, Esq., District Judge, on November 4, 1909, in the presence of Mr. K. Thampiah, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated November 1, 1909, having been read: It is ordered that the petitioner be and she is hereby declared entitled, as the lawful widow of the said deceased, to administer the estate of the said deceased, and that letters of administration do issue to her accordingly, unless the respondent above-named or any other person shall, on or before November 29, 1909, show sufficient cause to the satisfaction of this court to the contrary.

E. V. CASIPPILLAI,
District Judge.
November 8, 1909.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of
Jurisdiction. Dedimuni Odiris de Silva, deceased,
No. 3,885. of Mohottiwatta.

THIS matter coming on for disposal before W. E. Thorpe, Esq., District Judge, Galle, on June 21, 1909, in the presence of Mr. C. L. Wickremasinghe on the part of the petitioner Dedimuni Carolis; and the affidavit of the petitioner dated June 15, 1909, having been read:

It is ordered that the 9th respondent be appointed guardian *ad litem* over the minors the 10th, 11th, 12th, 13th, and 14th respondents, unless any person shall, on or before July 29, 1909, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered and declared that the said Dedimuni Carolis is a son of the deceased, and that he is such entitled to have letters of administration issued to him accordingly, unless the respondents—(1) Haljoti Podisa Hamy, (2) Dedimuni Sirimeris Hamy, (3) Dedimuni Meci Hamy, (4) Charles de Silva Jayasekera in Ahungalla, (5) Dedimuni William Sinno, (6) Dedimuni Siman Hamy, wife of (7) Haljoti Charles, both of Pathegama, (8) Kirahandi John Hamy, wife of (9) Latuwahandi Arlis de Silva, (10) Pettahandi Seetin, (11) Pettahandi Handy Sinno, (12) Pettahandi Hendrick *alias* Gimanda Tero, (13) Pettahandi Banil, and (14) Pettahandi Seetin Nona, all of Balapitiya, respondents—shall, on or before July 29, 1909, show sufficient cause to the satisfaction of this court to the contrary.

W. E. THORPE,
District Judge.

June 21, 1909.

The date for showing cause against the *Order Nisi* is extended to December 15, 1909.

W. E. THORPE,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of Don
Jurisdiction. Carolis Dias Jayaweera Abeyse-
No. 3,903. kara, deceased, of Galmangoda.

THIS matter coming on for disposal before W. E. Thorpe, Esq., District Judge, Galle, on September 23, 1909, in the presence of Mr. C. L. Wickremasinghe, Proctor, on the part of the petitioner Anderawaas Patabendi Christina de Waas Goonawardana; and the affidavit of Anderawaas Patabendi Christina de Waas Goonawardana dated September 7, 1909, having been read:

It is ordered that the 6th respondent be appointed guardian *ad litem* over the 1st, 2nd, 3rd, 4th, and 5th respondents, unless the respondents shall, on or before October 26, 1909, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Anderawaas Patabendi Christina de Waas Goonawardana 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—(1) Danister Dias Jayaweera Abeysekara, (2) Newton Dias Jayaweera Abeysekara, (3) Harry Dias Jayaweera Abeysekara,

(4) Beatrice Dias Jayaweera Abeyssekara, (5) Rachel Dias Jayaweera Abeyssekara, (6) Agalias Dias Jayaweera Abeyssekara, all of Galmangoda—shall, on or before October 26, 1909, show sufficient cause to the satisfaction of this court to the contrary.

W. E. THORPE,
District Judge.

September 23, 1909.

The date for showing cause against the *Order Nisi* is extended to November 29, 1909.

W. E. THORPE,
District Judge.

September 23, 1909.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of Kosgallana Durage Emanis, deceased, No. 3,913. of Ampegama.

THIS matter coming on for disposal before W. E. Thorpe, Esq., District Judge, Galle, on October 28, 1909, in the presence of Mr. D. W. Subasinghe, Proctor, on the part of the petitioner Munagodage Gatho; and the affidavit of the petitioner dated October 27, 1909, having been read: It is ordered and declared that the said Munagodage Gatho 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—(1) Kosgallana Durage Laiso, wife of (2) Mahadurage Bastian, both of Metaramba in Talpe; (3) Kosgallana Durage Mitcho, wife of (4) Walawe Durage Danoris; (5) Kosgallana Durage Selencho, wife of (6) Deegaladurage Arnolis; (7) Kosgallana Durage Jandoris; (8) Kosgallana Durage Katcho, wife of (9) Munugodage James; (10) Kosgallana Durage Uparis, all of Ampegama—shall, on or before December 1, 1909, show sufficient cause to the satisfaction of this court to the contrary.

W. E. THORPE,
District Judge.

October 28, 1909.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Doctor Don Manuel Aryaratna, deceased, of Bentota. No. 3,915.

THIS matter coming on for disposal before W. E. Thorpe, Esq., District Judge, Galle, on November 12, 1909, in the presence of Mr. A. D. Jayasundere, Proctor, on the part of the petitioner Emmie Aryaratna; and the affidavit of Emmie Aryaratna dated August 3, 1909, having been read:

It is ordered that the 2nd respondent be appointed guardian *ad litem* over the 1st respondent, unless the respondents shall, on or before December 16, 1909, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Emmie Aryaratna is the widow of the deceased, and that she is entitled as such to have letters of administration issued to her accordingly, unless (1) Enid Muriel Aryaratna, (2) James Abraham Sirimana shall, on or before December 16, 1909, show sufficient cause to the satisfaction of this court to the contrary.

W. E. THORPE,
District Judge.

November 12, 1909.

In the District Court of Tangalla.

Order Nisi.

Testamentary In the Matter of the Estate of the Jurisdiction. late Don Juwanis Atapattu, deceased, of Dedduwawala. No. 481.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Tangalla, on November 4, 1909, in the presence of Don Davit Atapattu of Dedduwawala, the petitioner; and the petition and the affidavit of the said Don Davit Atapattu of Dedduwawala dated November 4, 1909, having been read:

It is ordered that Don Davit Atapattu of Dedduwawala be appointed guardian *ad litem* over the minors (1) Atapattu Don Andris, (2) ditto. Ketchamine, (3) ditto. Babunhamine, (4) ditto. Don Peter, (5) ditto. Podimahatmaya, and that he be and the same is hereby declared entitled to letters of administration of the estate of his deceased father Don Juanis Atapattu, unless the respondents (1) Senerat Dona Gimarahamine, (2) Atapattu Kalu Mahatmaya, (3) ditto Dona Babahamine, all of Dedduwawala, or any other person interested shall, on or before November 25, 1909, show sufficient cause to the satisfaction of this court to the contrary.

ALLAN BEVEN,
District Judge.

November 4, 1909.

The date for showing cause against the *Order Nisi* is extended till December 7, 1909.

ALLAN BEVEN,
District Judge.

November 22, 1909.

In the District Court of Tangalla.

Order Nisi.

Testamentary In the Matter of the Estate of the Jurisdiction. late Abraham Galappattegei Baba Nona, deceased, of Seenimodera. No. 482.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge, Tangalla, on November 16, 1909, in the presence of Abraham Galappattegei Andris Appu of Mawelle, the petitioner; and the affidavit and petition of the said Abraham Galappattegei Andris Appu dated November 16, 1909, having been read:

It is ordered that the aforesaid Abraham Galappattegei Andris Appu of Mawelle, as brother of the deceased Abraham Galappattegei Baba Nona be and the same is hereby declared entitled to letters of administration of the estate of the deceased Abraham Galappattegei Baba Nona, unless the respondents (1) Ediriwickramasuriyapatabendige Samitchi Appu, (2) ditto Alice Nona of Mawelle, or any other person interested shall, on or before December 8, 1909, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the aforesaid Abraham Galappattegei Andris Appu be and he is hereby appointed guardian *ad litem* over the respondents above-named for the purposes of this case.

ALLAN BEVEN,
District Judge.

November 16, 1909.

In the District Court of Tangalla.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the Jurisdiction. late Baba Tajul Arfin Doole, J.P., U.P.M., Gate Mudaliyar of Hambantota. No. 485.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Tangalla, on November 17, 1909, in the presence of Messrs. G. E. and G. P. Keuneman, Proctors, on the part of the

petitioner; and the affidavit and petition of Baba Hajarim Doole, Mudaliyar of East Giruwa pattu of Ambalantota, dated November 17, 1909, having been read:

It is ordered that the will of the deceased Baba Tajul Arfin Doole dated September 29, 1908, be and the same is hereby declared proved unless the respondents (1) Zubaidur Rahim, widow, of Hambantota, (2) Tuan Wanijoe Doole of Kirinda, (3) Neyi Tasmera Doole of Hambantota, (4) Tuan Kamaldeen Doole of Batticaloa, (5) Baba Tassim Doole of Mundakayam, South India, (6) Baba Shafin Doole of Hambantota, (7) Baba Ranawijoe Doole of Hambantota, (8) Neyi Tasmaniya Doole of Matara, (9) Baba Ribu Doole of Ahangama, (10) Baba Mundu Doole of Hambantota, (11) Neyi Mega Doole of Hambantota, (12) Baba Elmu Doole of Hambantota, (13) Baba Rindu Doole of Hambantota, (14) Neyi Sumaniya Doole of Hambantota, (15) Nona Doole of Hambantota, (16) Tuan Mohamed Lahireen Taleph of Hambantota, (17) Baba Lahim Taleph of Mundakayam, South India, (18) Baba Zoon Taleph of Hambantota, (19) M. H. Jayaman, Shroff Mudaliyar of Hambantota, respondents, shall, on or before January 6, 1910, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said Baba Hajarim Doole, Mudaliyar of East Giruwa pattu, is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless the respondents above-named shall, on or before January 6, 1910, show sufficient cause to the contrary.

It is further ordered that M. H. Jayaman, Shroff Mudaliyar of the Hambantota Kachcheri, the 19th respondent be and he is hereby appointed guardian

ad litem over the 10th, 11th, 12th, 13th, and 15th respondents above-named for the purposes of this case.

ALLAN BEVEN,
District Judge.

Tangalla, November 17, 1909.

In the District Court of Kurunegala.

Order Nisi.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Wadige Gunasekera Hettipala Mudiyansele Menikhami of Wilagedera in Pitigalkorale.

No. 977.

Jayasinghe Appuhamillage Peter Perera Appuhami of Wilagedera. Petitioner.

THIS matter coming on for disposal before P. E. Pieris, Esq., District Judge of Kurunegala, on November 4, in the presence of Mr. Moonemalle, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October 5, 1909, and the petition dated November 2, 1909, having been read:

It is ordered that the will of Wadige Gunasekera Hettipala Mudiyansele Menikhami, deceased, dated August 1, 1909, and now deposited in this court, be and the same is hereby declared proved.

It is further declared that the said petitioner is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, and that he is entitled to administration, unless any person shall, on or before December 15, 1909, show sufficient cause to the satisfaction of this court.

P. E. PIERIS,
District Judge.

November 4, 1909.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,368. In the matter of the insolvency of Moona Meera Saibo of No. 43, Church street, Slave Island, Colombo, in his individual capacity and as partner of the firm of "Sayna Kawenna Meeanna," carrying on business 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 January 20, 1910, for the grant of a certificate of conformity to the insolvent.

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

Colombo, November 19, 1909.

In the District Court of Colombo.

No. 2,373. In the matter of the insolvency of Sivanandam Pulle Caderavaloo Palle of No. 50, Gintunpitiya street, Colombo.

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

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

Colombo, November 22, 1909.

In the District Court of Colombo.

No. 2,376. In the matter of the insolvency of S. Meera Mohideen of Slave Island, Colombo.

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

By order of court,
D. M. JANSZ,
Colombo, November 22, 1909. Secretary.

In the District Court of Colombo.

No. 2,380. In the matter of the insolvency of Don Louis Jayawardana of No. 60, Barber street, Colombo.

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

By order of court,
D. M. JANSZ,
Colombo, November 22, 1909. Secretary.

In the District Court of Kalutara.

No. 130. In the matter of the insolvency of Mohammado Lebbe Abdulla of Miripenna in Alutgama.

NOTICE is hereby given that a certificate as of the first class has this day been granted to the insolvent in the above matter.

By order of court,
WM. DE SILVA,
Kalutara, November 22, 1909. Secretary.

In the District Court of Kalutara.

Insolvency Jurisdiction. In the matter of the insolvency of Wannakuwattawaduge James Peter Fernando of Horetuduwa in Panadure.

NOTICE is hereby given that the sitting of this court in the above matter is adjourned to November 29, 1909, for insolvent's balance sheet.

By order of court,

WM. DE SILVA,
Secretary.

Kalutara, November 18, 1909.

In the District Court of Kalutara.

No. 132. In the matter of the insolvency of Albert C. Weerasinghe of Panadure.

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 December 16, 1909, for the grant of a certificate of conformity to the insolvent.

By order of court,

WM. DE SILVA,
Secretary.

Kalutara, November 19, 1909.

In the District Court of Kalutara.

Insolvency Jurisdiction. In the matter of the insolvency of Telge Thomas Pieris of Panadure.

NOTICE is hereby given that the sitting of this court in the above matter is adjourned to December 3, 1909, for examination of insolvent.

By order of court,

WM. DE SILVA,
Secretary.

Kalutara, November 18, 1909.

In the District Court of Jaffna.

No. 61. In the matter of the insolvency of Meera Saibo Mohiadeen Saibo of Vannarponnai West.

WHEREAS Meera Saibo Mohiadeen Saibo has filed a declaration of insolvency, and Meera Saibo Muhammadu Lebbe Marakayar a petition for the sequestration of the estate of Meera Saibo Mohiadeen Saibo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Meera Saibo Mohiadeen Saibo insolvent accordingly; and that two public sittings of the court, to wit, on January 14, 1910, and on January 28, 1910, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,

R. KANTAIYAH,
Secretary.

November 18, 1909.

In the District Court of Galle.

No. 392. In the matter of the insolvency of S. M. Ismail of Talapitiya.

NOTICE is hereby given that the certificate meeting of the above-named insolvent will take place at the sitting of this court on January 10, 1910.

By order of court,

V. R. MOLDRICH,
Secretary.

Galle, November 23, 1909.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

The Commissioners of the Loan Board. . . . Plaintiffs.
No. 28,223. Vs.

Watutantrige James Alwis of Colpetty,
Colombo Defendant.

NOTICE is hereby given that on Tuesday, December 21, 1909, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged by the defendant to the plaintiffs by bond No. 9,486, dated February 5, 1908, attested by Frederick John de Saram of Colombo, Notary Public, and decreed to be sold by the decree entered in the above action for the recovery of the sum of Rs. 4,112, with interest thereon at the rate of 9 per cent. per annum from March 26, 1909, till payment in full, and costs of suit, viz. :—

All that allotment of land with the buildings constructed thereon bearing assessment No. 175 situated at Kollupitiya, within the Municipality of Colombo; bounded on the north by the other part of the garden belonging to Don Cornelis Appuhamy, on the east by the high road, on the south by the other part of the same garden, and on the west by the

garden of Don Gabriel; containing in extent 29 and 66/100 square perches, according to the figure of survey dated July 8, 1865, and made by A. A. Anthoneysz, Licensed Surveyor, and all the estate, right, title, interest, claim, and demand whatsoever of the defendant, into, upon, or out of the said premises as on February 5, 1908.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, November 24, 1909.

In the District Court of Colombo.

Darley, Butler & Co. Plaintiffs.
No. 29,174. Vs.

A. L. M. Mohamed of Colombo. Defendant.

NOTICE is hereby given that on Thursday, December 30, 1909, at 9 o'clock in the forenoon, will be sold by public auction at No. 38, Main street, Pettah, Colombo, the following property of the defendant for the recovery of the sum of Rs. 1,508.41 with interest thereon at 9 per cent. per annum from June 16, 1909, till payment in full and Rs. 115.87 costs of suit, viz. :—

Five glass almiraes, 4 boxes of velvet, 13 mortar caps, 8 caps, 6 small woolen shawls, 6 caps, 2 rolls of alpaca, 2 bundles of alpaca, 10 rolls cannanore,

3 rolls of linen, 1 roll of flannel, 3 rolls of cashmere cloth, 26 accordions, 4 straw hats, 8 umbrellas, 14 fez, 7 ladies' shawls, 88 small towels, 5 camboys, 14 violin boxes, 30 small banians, 35 boxes of shoes, 7 boxes of soap, 1 packet of leather, 7 boxes varnish belts, 7 pairs of shoes, 7 watch guards, 25 powder boxes, 4 purses, 5 small boxes of combs, 34 boxes ties, 5 boxes of buttons, 10 banians, 19 cricket handkerchiefs, 5 scraps, 8 wool hats, 14 shirts, 20 boxes of collars, 24 packets of socks, 2 hats, 77 large towels, 3 looking glasses, 1 bentwood chair, 1 counter, 2 cash boxes, 31 whips, 26 packets of wall paper, 1 picture, 4 large racks, 4 hanging lamps, 18 wall lamps (large and small), 8 table lamps, 38 oil cans, 1 lot of shades, 1 lot of chimneys, 1 lot of wires, 1 box of soap, 3 lamp shades, 11 glasses, 1 coir matting, 1 glass, 1 long table, 2 curtain poles, 1 lot of wood, 2 small glass almirahs, 1 lot of planks, 3 boards, 1 show case, 1 measuring yard, 2 violins, 1 lot of sundries.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, November 24, 1909.

In the District Court of Negombo.

Punchihettiarachchige Rosahamy and husband Plaintiffs.
No. 6,533. Vs.

(3) Punchihettiarachchige Raphiel Appu, (4) Punchihettiarachchige Anthony Appu, (5) Punchihettiarachchige Augustino Appu, all of Kaluwairippuwa, (6) P. Helena Hamy, (7) K. Akalis Appu, both of Doranagoda Defendants,

NOTICE is hereby given that on December 21, 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 3rd, 4th, and 5th defendants in the following property, viz. :—

All that land called Kosgahawatta, situate at Kaluwairippuwa in the Dunagaha pattu of Alutkuru korale; and bounded on the north by the land of Don Pelis, Police Vidanarala, on the east by the land of Jusey Appu and others, on the south by the land of Juan Appu, and on the west by the cart road; containing in extent 4 acres 3 roods and 22 perches more or less.

Amount to be levied, Rs. 122-62½.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, November 23, 1909.

In the District Court of Negombo.

Sāwanna Tana Lena Muna Lechchimanan Chetty of Negombo Plaintiff.
No. 6,574. Vs.

(1) Weda Davith Silva, (2) Handun Avanis Silva, both of Udammitta Defendants.

NOTICE is hereby given that on December 18, 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 defendants in the following property, viz. :—

The land called Galigan Eliya Bogahawatta, situate at Ekalakurunduwatta in the Ragam pattu of Alutkuru korale; and bounded on the north by the land of Suramba, on the east by the land of Gabriel Croos, on the south by the land of Wardena Girigoris Silva and others, and on the west by the land of Weda Sanchi Hamy and others; containing in extent 6 acres more or less.

Amount to be levied, Rs. 300, with interest thereon at 18 per cent. per annum from February 20, 1907, till payment.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, November 23, 1909.

In the District Court of Negombo.

Thena Muna Rawanna Mana Muttu
Raman Chetty of Negombo Plaintiff.

No. 7,457. Vs.

(1) Segu Tamby Sinna Tamby Marikakayar, (2) Ahamado Lebbe Moham-mado Casin, both of 3rd division, Hunupitiya, in Negombo Defendants.

NOTICE is hereby given that on December 20, 1909, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property, mortgaged by bond No. 29,987, dated August 14, 1903, and declared liable to be sold by the decree entered in the above case, viz. :—

The portion marked B of the garden called Ambagahawatta, with the tiled house standing thereon, situate at 3rd division, Hunupitiya, within the old gravets of Negombo; and bounded on the north by the portion of this land marked letter A, on the east by the 3rd Cross street, on the south by the land belonging to the 1st defendant, and on the west by this land belonging to Kuppa Tamby Casi Lebbe Marikkar; containing in extent 1 rood and 3 68/100 perches more or less.

Amount to be levied, Rs. 883-95, with interest on Rs. 700 at 9 per cent. per annum from March 17, 1909, till payment in full

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, November 23, 1909.

Northern Province.

In the District Court of Jaffna.

James W. Silva Amarasooria of Galle,
by his general attorney, Ramalinkam
Muttukumaru of Vaddukkodai East.... Plaintiff.

No. 6,505. Vs.

(1) Arumukam Chelliah of Chundikkuly,
(2) Sinnappu Muttu of Chundikkuly... Defendants..

NOTICE is hereby given that on Monday, December 20, 1909, at 10 o'clock in the forenoon, will be sold by public auction at the spot the following property hypothecated to the plaintiff and decreed to be sold by decree entered in the above action for the recovery of Rs. 1,584-27, with interest on Rs. 1,566-52 at the rate of 12 per cent. per annum from March 4, 1909, until payment in full and costs of suit being Rs. 136-25, and charges, viz. :—

A divided 26½ lachams of varagu culture on the north, with its appurtenances of a piece of land situated at Chundikkuly Parukukadu called Ayam-perumalthoddam, containing or reputed to contain in extent 17½ lachams of varagu culture, Do. Moththan-tharai, containing or reputed to contain in extent 15 lachams of varagu culture, Do. Kakkaiyantharai, containing or reputed to contain in extent 5½ lachams of varagu culture; Do. Kullanthoddam, containing or reputed to contain in extent 7 lachams of varagu

culture, Do. situated at Chiviateru called Pirayady-valavu, containing or reputed to contain in extent 4 lachams of varagu culture.

The said 26½ lachams of varagu culture with its appurtenances is bounded or reputed to be bounded on the east and north by the property of Kailu Kathiravelu, west by lane, and on the south by the property of Nakamany Thambipillai.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, November 20, 1909.

In the District Court of Jaffna.

John Joseph Tissaveerasinghe of Jaffna . . . Plaintiff.
No. 6,547. Vs.

(1) Pettachy Ramasamy Cheddy of South India, and (2) Pettachy Cheddy Alagappa Cheddy, trading under the name and style, of Leyna Peyna in Jaffna, by their Jaffna agent, Leyna Peyna Alagappa Cheddy. Defendants.

NOTICE is hereby given that on Saturday, December 18, 1909, at 10 o'clock in the forenoon, will be sold by public auction in front of the Kayts jetty, the right, title, and interest of the said defendants in the following property for the recovery of Rs. 1,612.89, with interest thereon at 9 per cent. per annum from November 6, 1909, and charges, viz. :—

A boat registered under No. 1,097 called Mathuraimēenachy, now riding at anchor at the Kayts harbour, and all her appurtenances.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, November 20, 1909.

In the District Court of Colombo.

Karthikesu Chelliah of Dam street in Colombo . . . Plaintiff.
No. 27,692. Vs.

(1) Sinnaddy Suppiah and his wife (2) Tangamma, both of Urugodawatta in Colombo . . . Defendants.

NOTICE is hereby given that on Friday, December 17, 1909, at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property hypothecated to the plaintiff and decreed to be sold by decree entered in the above action for the recovery of Rs. 4,513.25, with interest on Rs. 4,000 at the rate of 12 per cent. per annum from October 5, 1908, and thereafter at the rate of 9 per cent. per annum till payment in full and costs and charges, viz. :—

A piece of land situated at Kokkuvil called Mattanai and Ninaithathumudiththan, containing or reputed to contain in extent 15 lachams of varagu culture with its appurtenances, including share of well on the northern limit; bounded or reputed to be bounded on the east by the property of Ponnamma, wife of Ponniah, north by the property of Sinnaddy Suppiah, west by channel, and on the south by lane.

2. A piece of land situated at Kokkuvil called Mattanai and Ninaithathumudiththan, containing or reputed to contain in extent 15 lachams of varagu culture with houses and other appurtenances, including share of well on the southern boundary; bounded or reputed to be bounded on the east by the property of the heirs of the late Moody Kanthar and others, north by lane, west by channel, and on the south by the property of Sinnaddy Suppiah.

3. A piece of land situated at Kondavil called Akkuthai, containing or reputed to contain in extent 8 lachams of varagu culture with half share of the well and other appurtenances; bounded or reputed to be bounded on the east by water-course, north by the property of Sinnaddy Suppiah, west by the property of Chellam, wife of Seeny, and on the south by the property of Sinnaddy Suppiah.

Sale to commence at 2 P.M.

4. A piece of land situated at Kondavil called Akkuthai, containing or reputed to contain in extent 4 lachams of varagu culture; bounded or reputed to be bounded on the east by a water-course, north, west, and south by the property of Sinnaddy Suppiah.

5. A piece of land situated at Kondavil called Akkuthai, containing or reputed to contain in extent 7½ lachams of varagu culture with share of well and other appurtenances; bounded or reputed to be bounded on the east by the property of Sinnaddy Suppiah, north by the property of the heirs of the late Ponnuppillai and by lane, west by lane, and on the south by the property of Sinnaddy Suppiah and others.

6. A divided 4 lachams of varagu culture on the south of a piece of land situated at Kondavil called Akkuthai, containing or reputed to contain in extent 8 lachams of varagu culture; the said 4 lachams is bounded or reputed to be bounded on the east by water-course, north, west, and south by the property of Sinnaddy Suppiah.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, November 20, 1909.

In the District Court of Colombo.

Karthikesu Chelliah of Dam street in Colombo . . . Plaintiff. *Buy*
No. 27,692. Vs.

(1) Sinnaddy Suppiah and his wife (2) Tangamma, both of Urugodawatta road, in Colombo . . . Defendants.

NOTICE is hereby given that on Saturday, December 18, 1909, at 10 o'clock in the forenoon will be sold by public auction at the spot the following property hypothecated to the plaintiff and decreed to be sold by decree entered in the above action, for the recovery of Rs. 4,513.25, with interest on Rs. 4,000 at the rate of 12 per cent. per annum from October 5, 1908, and thereafter at the rate of 9 per cent. per annum till payment in full and costs and charges, viz. :—

1. A piece of land situated at Kondavil called Akkuthai, containing or reputed to contain in extent 7 lachams of varagu culture; bounded or reputed to be bounded on the east and south by water-course, north by the property of Sinnaddy Suppiah, and on the west by the property of Sellan, wife of Seeny.

2. A piece of land situated at Kondavil called Akkuthai, containing or reputed to contain in extent 3 lachams of varagu culture with share of well on the western limit; bounded or reputed to be bounded on the east by water-course, west and south by the property of Sinnaddy Suppiah, and on the north by the property of the heirs of the late Ponnau.

3. A piece of land situated at Kondavil called Akkuthai, containing or reputed to contain in extent 5 lachams of varagu culture with share of well; bounded or reputed to be bounded on the east and north by the property of Sinnaddy Suppiah, west by the property of Ponnamma, wife of Appukkuddy, and on the south by the property of Sinnaddy Suppiah and others.

V. THAMBIPILLAI,
Deputy Fiscal.

Fiscal's Office,
Jaffna, November 20, 1909.

Southern Province.

In the District Court of Galle.

M. R. M. P. L. Palaniappa Chetty of
Galle.....Plaintiff.

No. 9,567. Vs.

(1) T. Hegan Hami and (2) T. Caro Appu,
both of BussaDefendants.

NOTICE is hereby given that on Wednesday, December 29, 1909, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises, the right, title, and interest of the said defendants in the following property, viz. :—

1. The entire soil and trees of the garden called Kapuwannekurunduwa *alias* Henewa, together with the buildings thereon, wherein the defendant resides, in extent of about 3 acres, situate at Ratgama, Bussa.

2. 1/15 part of the garden Millagahawatta in extent of about 2 acres and 1/5 part of the first plantation made thereon by Tommadura Panas, situate at ditto.

3. Half part of Dines Arachchiralagewatta *alias* Kapuwannewatta, in extent of about $\frac{1}{2}$ an acre, situate at ditto.

4. An undivided $\frac{1}{2}$ part of the soil and trees of Dines Arachchiralagewattekebella, in extent of about $\frac{1}{2}$ an acre, situate at ditto.

Writ amount, Rs. 485.85 with interest on Rs. 400 at 18 per cent. per annum from April 22, 1909, till June 21, 1909, and thereafter on the aggregate at 9 per cent. per annum till payment.

C. T. LEEBRUGGEN,
for Fiscal.Fiscal's Office,
Galle, November 23, 1909.

In the District Court of Galle.

The Attorney-General of Ceylon Plaintiff.

No. 9,659. Vs.

Edward Denister Perera Abeyewardene
of Magalla..... Defendant.

NOTICE is hereby given that on Saturday, December 18, 1909, at 2 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following hypothecated property, viz. :—

All that land called Bedigama *alias* Bedigantota, situate at Bedigama in Magam pattu of the Hambantota district; bounded on the north by Watawana, east by Julgaswala *alias* Diulgaswakada, south by Sudugalpota *alias* Katukepuwana, and west by Walawe-ganga and field, containing in extent 464 acres.

Writ amount, Rs. 13,559.14, with interest on Rs. 5,130.72 at 9 per cent. per annum and fine thereon at 6 per cent. per annum from June 24, 1909, till date of Decree *Nisi* and on the aggregate sum at 9 per cent. per annum till payment in full, plus stamp duty Rs. 103.75.

L. S. WOOLF,
Deputy Fiscal.Deputy Fiscal's Office,
Hambantota, November 18, 1909.

In the District Court of Matara.

Don Teadoris Wirasuriya of Polatu-
modara..... Plaintiff.

No. 3,690. Vs.

Don Bastian de Silva Wiraratna of Kata-
luwa..... Defendant.

NOTICE is hereby given that on Monday, December 20, 1909, at 12 o'clock noon, 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 Rs. 2,524.86, viz. :—

The field called Nadukumbura, containing in extent 8 acres 1 rood and 11 perches, situated at Beminiawila; and bounded on the east by allotment of land No. 6,627 belonging to Mr. Pole Carew, south by allotment of land No. 1,606 belonging to the estate of Wawwe Mudaliyar, west by Kanamanakumbura being lot No. 4,065, and north by land called Kodipilipanguwa being lot No. 4,091.

J. E. SENENAYAKE,
Deputy Fiscal.Deputy Fiscal's Office,
Tangalla, November 22, 1909.

Eastern Province.

In the District Court of Batticaloa.

Manuel Istakky of Koddamunai..... Plaintiff.

No. 3,046. Vs.

(1) K. Tangammah, widow of Sinna
Tamby Vanniah, of Kaddaikalaar, (2)
S. P. H. Sinna Tamby of Periakalaar,
(3) Swamy Tindal Anthony Pillay of
Pulyantivu, (4) Jacco Rasa Maria of
Pulyantivu..... Defendants.

NOTICE is hereby given that on the days and times specified herein below will be sold by public auction at the premises the right, title, and interest of the said 1st defendant in the following properties, viz. :—

On Saturday, December 11, 1909, at 10 A.M.

(1) An undivided 5/12 share of a paddy field called Periakalmunaively Sevaravayal, situated at Kalmunaikandom in Karavaga pattu, in the District of Batticaloa, Eastern Province; and bounded on the north by the paddy field called Neelenvayal or Mullakarenavayal belonging to S. V. Sinnatamby Vanniah and others, on the south by the field called Meddumuttaddu, on the east by Kalladykulattukaddu, and on the west by Siruvelapattuakal; in extent 5 acres and 8 perches, with all outlets, inlets, and water rights.

On Monday, December 13, 1909, at 10 A.M.

(2) An undivided 5/12 share of an estate called Miravodai, situated at Karunkadditivu in Akkara pattu, in the District of Batticaloa, Eastern Province; and bounded on the north and west by roads, on the south by the estate belonging to K. V. Markandu and others, and on the east by seashore; in extent 120 acres, with house, well, coconut trees, plantations, and produce with all rights.

Amount to be levied, Rs. 496.50, with interest on Rs. 400 at 9 per cent. per annum from September 29, 1908, till payment in full.

T. SINNATAMBY,
for Fiscal.Fiscal's Office,
Batticaloa, November 15, 1909.

North-Western Province.

In the District Court of Chilaw.

G. L. John Perera Appuhamy of Pamunugama..... Plaintiff.

No. 4,095. Vs.

S. R. Kadirawale, Registrar, and wife. Parawady, both of Udappancare Defendant.

NOTICE is hereby given that on Friday, December 17, 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, specially mortgaged with the plaintiff by bond No. 5,980 dated November 15, 1904, viz. :—

The northern one-fourth share from and out of the garden, lot No. 984, of about 20 acres in extent and the cadjan thatched house standing thereon, situated at Kiriyankaliya in Anaivulundam pattu in the District of Chilaw.

Amount to be levied, Rs. 1,141.70 with interest thereon at 9 per cent. per annum from September 29, 1909, till payment in full and poundage.

A. V. HERAT,
Deputy Fiscal.
Deputy Fiscal's Office,
Chilaw, November 22, 1909.

DISTRICT AND MINOR COURTS NOTICES.

In the Court of Requests of Avissawella.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Avissawella by two labourers of Sirisanda estate, against the proprietor or proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 18.

November 15, 1909.

P. E. KALUPAHANA,
Chief Clerk.

DRAFT ORDINANCE.

(Continued from page 844.)

MINUTE.

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

An Ordinance to amend "The Branch Roads Ordinance, 1896."

Preamble.

WHEREAS it is expedient to amend "The Branch Roads Ordinance, 1896" (hereinafter referred to as "the principal Ordinance"), in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Short title and construction.

1 This Ordinance may be cited as "The Branch Roads (Amendment) Ordinance, 1909," and shall be read and construed as one with the principal Ordinance.

Substitution of a new section.

2 For section 42 of the principal Ordinance there shall be substituted the following section :

Extension of Ordinance to roads other than cart roads.

42. (1) The Governor in Executive Council may by Proclamation extend the application of this Ordinance or of any specified provisions thereof to the construction, maintenance, and improvement, or to the maintenance and improvement only, of any road or bridge to which this Ordinance would not, but for such Proclamation, be applicable.

(2) Nothing in this Ordinance shall be held to preclude the Governor in Executive Council from extending the application of this Ordinance to the maintenance and improvement of roads and bridges which have previously been maintained by means of money or labour provided by any District Road Committee, or to the construction, maintenance, and improvement of roads or bridges which connect, or will, when completed, connect two principal thoroughfares.

By His Excellency's command,

HUGH CLIFFORD,
Colonial Secretary.

Colonial Secretary's Office,
Colombo, November 24, 1909.

Statement of Objects and Reasons.

THE object of the Draft Ordinance is to remove doubts as to the power of the Governor in Executive Council, under section 42 of the Branch Roads Ordinance, to extend the provisions of the Ordinance to roads which have previously been maintained by the District Road Committee and to roads forming a connecting link between principal thoroughfares.

2. The consent of a majority of the proprietors of two-thirds of the acreage in the district will of course be, as before, a condition precedent to the application of the Ordinance to any road.

Colombo, July 13, 1909.

ALFRED G. LASCELLES,
Attorney-General.