

# lon Government Gazette

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## No. 6,370 — FRIDAY, MAY 6, 1910.

General: Minutes, Proclamations, Appointments, and General Government Notifications. Legal and Judicial.

Part III.—Provincial Administration.
Part IV.—Land Settlement.
Part V.—Mercantile, Marine, Municipal, Local, &c.

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

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#### TESTAMENTARY NOTICES ACTIONS.

In the District Court of Colombo.

Order Nisi.

No. 3,608.

In the Matter of the Intestate Estate of the late Catherine Regina Rodrigoe, formerly of Colombo, lately of 24, Randolph crescent, Maida Vale, London, deceased.

Mark Gregory Kornitsz of the Mansion Hotel, 

(1) Frederick Alroy Rodrigoe, (2) Marcus William Bernard Rodrigoe of 148, Warwick, London, and (3) Don Romulus Abeywickreme of Docklands Hotel, Mutwal, Colombo......Respondents.

THIS matter coming on for disposal before Allan Drieberg, Esq., District Judge of Colombo, in the presence of Messrs. Vanderstraaten and Vanderstraaten, Proctors, for the petitioner above-named; and the affidavit of the petitioner dated March 11, 1910, having been read: and the power of attorney in favour of the petitioner dated n. ( ) November 19, 1909. . E.

It is ordered that the said petitioner be and he is hereby declared entitled as attorney of the husband of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above-named or any other person or persons interested shall, on or before May 12, 1970, show sufficient cause to the satisfaction of this court to the contrary.

> A. DRIEBERG. District Judge.

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

Jurisdiction. No. 607.

Testamentary In the Matter of the Last Will and Testa ment of the late Kurukulasuriya Patabendige Anthonis de Silva Arsakuleratne. President Muhuppu of Katukurunda, deceased.

THIS matter coming on for disposal before P. E. Peiris, Esq., District Judge of Kalutara, on April 19, 1910, in the presence of Mr. D. de Silva, Proctor, on the part of the petitioner (1) Kurukulasuriya Patabendige Peter de Silva Arsakuleratne, Doctor of Ragama (2) Weerawarne kurukulasuria Busabaduge Domingo Fernando Jayawardana of Maggona, (3) Joseph Christian Goonawardena of Kalamulla; and the affidavit of the said petitioners dated April 19, 1910, having been read:

It is ordered that the last will and testament of the late Kurukulasuriapatabendige Anthonis de Silva Arsakuleratne, President, Muhuppu of Katukurunda, deceased, dated September 3, 1909, be and the same is hereby declared proved, unless any person or persons interested shall, on or before May 18, 1910, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said (1) Kurukulasuriapatabendige Peter de Silva Arsakuleratne, Doctor of Ragama, (2) Weerawarnekurukulasuria Busabaduge Domingo Fernando Jayawardane of Maggona, (3) Joseph Christian Goonewardens of Kalamulla, are the executors named in the said will, and that they are entitled to have probate of the same issued to them accordingly, unless any person or persons interested shall, on or before May 18, 1910, show sufficient cause to the satisfaction of this court to the contrary.

April 19, 1910.

F. E. PIERIS. District Judge.

April 2, 1910. 229

In the District Court of Kalutara. Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Bodiabaduge Bastian Perera of Paiyagala, No. 610. deceased.

HIS matter coming on for disposal before P. E. Pieris, Esq., District Judge of Kalutara, on April 23, 1910, in the presence of Mr. J. Fernando, Proctor, on the part of the petitioner, Sattambiralalage Inacia Perera of Paiyagala; and the affidavit of the said petitioner dated April 14, 1910, having been read:

It is ordered that the petitioner Sattambiralalage Inacia Perera of Paiyagala, be and she is hereby declared entitled to administer the estate of the said deceased as widow of the said deceased, and that letters of administration do issue to her accordingly unless the respondents—(1) Bodiabaduge Juan Perera, (2) Bodiabaduge Maximano Perera, (3) Busaboduge Ana Fernando, and (4) Bodiabaduge Manuel Perera—shall, on or before May 25, 1910, show sufficient cause to the satisfaction of this court to the contrary.

April 23, 1910.

P. E. PIERIS, District Judge.

In the District Court of Kandy.

In the Matter of the Estate of the late Hilda Testamentary Furisdiction. May Wallbeoff, deceased, of Kandy. No. 2,768.

THIS matter coming on for disposal before Felix L. Reginald Dias, Esq., District Judge of Kandy, on April 11, 1910, in the presence of Mr. A. M. Vanderstraaten, Proctor, on the part of the petitioner, Henry Edward Bartholomeusz of Kandy; and the affidavit of the said petitioner dated April 11, 1910, having been read: It is ordered that the petitioner Henry Edward Bartholomeusz of Kandy be and he is hereby declared entitled to letters of administration to the estate of the late Hilda May Wallbeoff of Kandy, deceased, as the father of the said deceased, unless Hilda Millicent Wallbeoff by her guardian ad litem Goodwin Maurice Bartholomuesz of Elpitiya shall, on or before May 12, 1910, show sufficient cause to the satisfaction of this court to the contrary.

April 11, 1910.

F. R. DIAS. District Judge.

In the District Court of Galle.

Testamentary In the Matter of the Estate of Appuhennedifurisdiction. ge Leisihamy, deceased, of Galupiadda. Jurisdiction.

Thorpe, Esq. District Judge, Galle, on April 22, 1910, in the presence of Mr. D. G. Goonewardane, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated February 10, 1910, having been read: It is ordered and declared that the said Balapitiyege Bastian de Silva is the husband of the deceased and that he is as such entitled to have letters of administration issued to him accordingly, unless the respondents (1) Balapitiyege Adela,

(2) ditto Walter de Silva, (3) ditto Matilda, (4) ditto Edmund de Silva (5) ditto Arthur de Silva, (6) ditto Francis de Silva, appearing by their guardian ad litem Sarukkali Patabendige Charles de Silva, all of Galupiadda shall, on or before June 1, 1910, show sufficient cause to the satisfaction of this court to the contrary.

April 22, 1910,

W. E. THORPE, District Judge.

In the District Court of Galle. Order Nisi.

Testamentary In the Matter of the Estate of Don 1 Gunesekera, deceased, of Dope. Jurisdiction. No. 3,937.

THIS matter coming on for diposal before W. E. Thorpe, Esq., District Judge of Galle, on March 24, 1910, in the presence of Mr. C. L. Wickremasinghe, on the part of the petitioner dated March 21, 1910, having been read: It is ordered that the 3rd respondent be appointed guardian ad litem over the 1st and 2nd respondents, unless the respondents shall, on or before May 12, 1910, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Amy Samaranayaka is the widow of the deceased, and that she is as such entitled to have letters of administration to her accordingly, unless the respondents (1) Marget Gunasekara, (2) Vidane Gunasekara, (3) Peter Samaranayaka of Arachimulla shall, on or before May 12, 1910, show sufficient cause to the satisfaction of this court to the contrary.

March 24, 1910.

W. E. THORPE, District Judge.

In the District Court of Matara. Order Nisi.

In the Matter of the Estate of the Testamentary Jurisdiction. Omeru Lebbe Markar Kasi Muttu Natchia, No. 1,751. deceased, of Kadeweedia.

HIS matter coming on for disposal before B. J. Dutton, Esq., District Judge of Matara, on April 29, 1910, on the motion of Messrs. Keuneman, on the part of the petitioner Abdul Raheman Maticham Mohama Daba; and the affidavit of the said petitioner dated April 21, 1910, having been read:

It is ordered that the 2nd repsondent Omeru Lebbe Markar Mohamadu Casim, be and he is hereby appointed guardian ad litem over the 1st respondent Abdul Rahaman Maticham Jenebu Natchia.

It is further declared that the said Abdul Rahaman Maticham Mohamadu Taba as husband of the deceased, is entitled to have letters of administration issued to him accordingly, unless the above 1st respondent by her proposed guardian the 2nd respondent or any other person interested shall, on or before June 6, 1910, show sufficient cause to the satisfaction of this court to the contrary.

April 29, 1910.

B. J. DUTTON, District Judge.

#### NOTICES OF INSOLVENCY.

In the District Court of Colombo.

In the matter of the insolvency of Lindamul-No. 2,379. lage George de Silva of Moratuwella in Moratuwa.

OTICE 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 2, 1910, for proof of further claims.

By order of court,

D. M. JANSZ,

Colombe, May 3, 1910.

· Secretary.

In the District Court of Colombo.

No. 2,405. In the matter of the insolvency of Joseph Alosyuis Martinus of Sedawatta in Ambatalenpahala.

HEREAS the above-named Joseph Aloysius Martinus has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by D. Hendrick Perera under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Joseph Aloysius Martinus insolvent accordingly; and that two public sittings of the court, to wit, on May 26, 1910, and on June 16, 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,

D. M. Jansz,

Colombo, May 2, 1910.

Secretary.

In the District Court of Colombo.

No. 2,406.

In the matter of the insolvency of Rambukkana Mahawasala Tantrimudalige Don John Dissanaike of Kittanpahuwa in Ambatalenpahala.

HEREAS the above-named Rambukkana Mahawasala Tantrimudalige Don John Dissanaike has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by C. G. Perera under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Rambukkana Mahawasala Tantrimudalige Don John Dissanaike insolvent accordingly; and that two public sittings of the court, to withou June 2, 1910, and on June 23, 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,

D. M. JANSZ.

Colombo, May 2, 1910.

Secretary.

In the District Court of Galle.

No. 403.

In the matter of the Insolvency of Waradana James de Silva of Balapitiya.

"HEREAS Waradana James de Silva has filed a decla-. ration of insolvency, and a petition for the sequestration of the estate of Waradana James de Silva under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said W. James de Silva, insolvent accordingly; and that two public sittings of the court, to wit, on May, 31, 1910, and on June 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,

V. R. MOLDRICH, Secretary.

April 30, 1910.

#### FISCALS' SALES. NOTICES OF

Western Province.

In the District Court of Colombo.

Duncan Dunbar Dickson of Sirinaggar, Cashmere, 

No. 29,622.

 $v_s$ .

John Fernando of The Emms, Kotahena street, in Colombo ..... Defendant.

TOTICE is hereby given that on Tuesday, May 31, 1910, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises in the following property, specially and primarily mortgaged by bond No. 8,463 dated July 22, 1902, and declared bound and executable under the decree entered in the above action, for the recovery of the sum of Rs. 5,384.51, with legal interest thereon from November 5, 1909, till payment in full and costs of suit taxed at Rs. 266. 87, viz. :—

All that garden and the buildings standing thereon bearing assessment No. 40, situated at Gintupitiya street, within the Municipal limits of Colombo; and bounded or reputed to be bounded on the north by Gintupitiva street. on the east by the property of Don Daniel Appuhamy, on the south by the property of Gabriel Pulle, and on the west by the garden of Welaiden Pulle, containing in extent 13 square perches and 36/100 of a square perch and all the estate, right, title, interest, property, claim, and demand whatsoever of the defendant in, to, out of, or upon the

Fiscal's Office, Colombo, May 4, 1910. E. ONDATJE, Deputy Fiscal.

In the District Court of Colombo. Arthur Charles Gerard Wijekoon, (2) Harold No. 29,841

(1) Usubu Lebbe Ahamadu Natchia and her husband (2) Kaila Marikar Younus Lebbe, both of Old Moor street, Colombo ..... Defendants.

OTICE is hereby given that on Monday, May 30, 1910, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the following property specially and primarily mortgaged with the plaintiffs by bond No. 850 dated November 1, 1907, and declared specially bound and executable under the decree entered in the above action for

the recovery of the sum of Rs. 5,149.33, with interest thereon at the rate of 9 per cent. per annum from February 11, 1910, till payment in full and costs of suit, viz:

All those premises with the buildings standing thereon bearing assessment Nos. 6 and 7, Kuruwe street, situated between Kuruwe street and New Moor street, within the Municipality of Colombo; bounded on the north-east by Kuruwe street, on the north-west by premises bearing assessment Nos. 8 and 9, on the south-west by premises bearing assessment No. 70, and on the south-east by New Moor street; containing in extent 2-and 79/100 square perches according to the figure of survey thereof dated February 21, 1907, made by Chas. A. O. Buyzer, Licensed and Registered. Surveyor, together with all and singular the rights, servitude appurtenances, and easements thereunto belonging, and all the right, title, interest, claim, and demand of the defendants in, to, upon, or out of the said premises.

Fiscal's Office, Colombo, May 4, 1910. E. ONDATJE, Deputy Fiscal.

In the District Court of Colombo.

Anthony Xavier Anandappa of New Chetty street, 

(1) Dona Isabella Goonatilleka Siriwardena Hamine and her husband (2) George Samaratunga 'Randunu, both of Dandagomuwa, in the Meda pattu of Siyane korale ...... Defendants.

NOTICE is hereby given that on Saturday, June 4, 1910, at 1 o'clock in the afternoon, will be sold by public auction at the premises the following property ordered to be sold by the order of court dated March 4, 1910, for the recovery of the sum of Rs. 2,181.50, with interest on Rs. 1,500 at 12 per cent. per annum from May 29, 1909, till December 3, 1909, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit or realization of decree, viz. :-

All that land called Wasanpahahena, situated at Dandagomuwa in the Meda pattu of Siyane korale; and bounded on the north by land belonging to a gentleman and by land belonging to Wickramachchi Menikrala, on the east by a lake (wewa), on the south by land belonging to Dadayakkara Muhandiram Mahatmaya, and on the west by land belonging to Selenchi Appuhamy and by land belonging to Simmichchiya, containing in extent within these boundaries 18 acres and 2 roods together with all the buildings and plantations thereon and the appurtenances thereof or thereunto in anywise belonging or used or enjoyed therewith or reputed or known as part or parcel thereof, and all the estate, right, title, interest, claim, and demand whatsoever of the defendants, in, to, upon, or out of the said property.

Fiscal's Office, Colombo, May 4, 1910. E. Ondatje, Deputy Fiscal.

In the Court of Requests of Panadure.

Balapuwaduge Apolonia Catherina Mendis of Digarolla, administratrix of the estate of the deceased Hettiyakandage Francis Aloysius Fernando of Digarolla.

Plaintiff.

Wannakkuwattewaduge Charles Louis Fernando of Horetuduwa Defendant.

at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property mortgaged by the defendant with plaintiff and ordered to be sold by the order of court dated April 1, 1910, for the recovery of Rs. 300 and costs of suit, Rs. 25 25, viz.:—

All that eastern half part of a portion of the land called Pokunewatta together with all the trees, plantations, buildings, and other improvements thereon situated at Hofetuduwa; and bounded on the north by a defined portion of the land belonging to Mututantrige Andiris Fernando, on the east by the Pokunekumbura, on the south by the properties of Kariyakarawanapatabendimahavidanelage Don David Fernando and Sellaperumage Francisco Fernando, and on the west by the properties of Vidanelage Peduru de Mel and Wannakkanwattewaduge Selonehy Naide; containing in extent 2 roods and 4 and 76/100 perohes.

Deputy Fiscal's Office, Kalutara, May 5, 1910. B. P. J. Gomes, Deputy Fiscal.

### Central Province.

· In the Court of Requests of Kandy.

Wijetun Mudianselegedera Dingiri Banda, Arachdii of Walalgoda in Kinigoda korale of Four korales Plaintiff.

No. 4,553. Vs.

Wijekoon Mudiansolegedera alias Pallepitia Mudianselegedera Dingiri Banda of Dedunupitiya in Pallepalata of Tumpane, legal representative of the estate of the deceased, Ukku Banda.... Defendant.

OTICE is hereby given that on May 28, 1910, commencing at 12 noon, will be sold by public auction at the premises the following of the said defendant mortgaged upon bond No. 12,085 dated January 11, 1900.

The eastern two paddy pelas extent of the newly asweddumized field of 5 pelas in extent out of the plot of land bearing registration No. 1, situate at Dedunupitia of Tumpane; containing in extent 21 acre 3 roods and 32 perches; and the said 2 pelas are bounded on the east by the 3 feet high road, south by elas of Galkote, west by stones fixed as the ridge of the remaining portion, and on the north by ella.

Amount of writ, Rs. 390 95.

Fiscal's Office, Kandy, May 3, 1910. A. V. WOUTERSZ, Deputy Fiscal.

In the District Court of Kandy.

Nigel Inglesant Lee of Kandy ....... Plaintiff. No. 20,134.

Marpone Ekanayake Pandita Sundera Rajakaruna Wasala Mudianseralahamillage Tikiri Kumarihamy of Doratiawa in Weudawili hatpattu of Seven korales . . . . . . . . Defendant.

MOTICE is hereby given that on June 4, 1910, commencing at 12 noon, will be sold by public auction

at the premises, the life interest of the said defendant in and to the following property, to wit:—

1. All that house and ground bearing present assessment No. 140, situate at Colombo street in Kandy; bounded on the east by high road, on the south by house No. 139, on the west by Crown land, and on the north by house No. 141; containing in extent 7 and 13/100 square perches.

containing in extent 7 and 13/100 square perches.

2. An undivided 1/2 part or share out of the house and premises No. 70, now bearing No. 73, of 14 and 84/100 perches in extent, situate at Trincomalee street in Kandy; bounded on the east by Crown land, Pavilion ground, on the south by Mr. Drieberg's land or house, on the west by Trincomalee street, and on the north by the property of Rambukwellewalawwe, belonging to the estate of James Henry Cirihagama.

3. All that house and ground bearing assessment No. 74a, situate at Trincomalee street of Kandy; bounded on the east by Pavilion ground, on the south by Appochamy Notary's house, on the west by high road, and on the north by the property of Senanayake; containing in extent about I chundu of paddy sowing, the same are mortgaged upon bond No. 194 dated September 18, 1906.

Amount of writ, Rs. 401 45 and interest.

Fiscal's Office, Kandy, May 3, 1910. A. V. Woutersz, Deputy Fiscal.

In the District Court of Kandy.

2/20

Ana Lana Ponnappa Chetty of Kandy ...... Palintiff.
No. 20,446. Vs.

Suna Pana Lana Thennappa Chetty of Kandy. Defendant.

NoTICE is hereby given that on May 28, 1910. at 12
noon, will be sold by public auction at this office, the right, title, interest, claim, and demand of the said defendant in and to the mortgage bond No. 4,877, dated November 28, 1963, for a sum of Rs. 2,500 and interest, attested by A. M. Casim, Notary Public.

Amount of writ, Rs. 2,134.88.

Fiscal's Office, Kandy, May, 3, 1910. A. V. Woutersz. Deputy Fiscal.

## Northern Province.

ul-

Murukesar Veluppillai of Anaikkoddai ..... Plaintiff.

No. 6,559.

Nakamma, widow of Pandaram Nakalinkam alias
Tampu of Vannarponnai West, administratrix
of the estate of the late Pandaram Nakalinkam
alias Tampu of Vannarponnai West, (2) Cathiravelu Pandaram of Vannarponnai East, (3) Sabapathy Cheddiar Muttukumarasamy Cheddiar of
Vannarponnai West ...... Defendants.

NOTICE is hereby given that on Tuesday, May 31, 1910, at 10 o'clock in the forencon will be sold by public auction at the spot the following property decreed to be sold by decree entered in the above action for the recovery of Rs. 667 25, with interest on Rs. 500 at the rate of 12 per cent. per annum from April 8, 1909, until payment in full, and costs of suit being Rs. 103 32 and charges, viz.

Appiece of land situated at Vannarponnai West, called Parantanpuliady, containing or reputed to contain in extent 2 lachams of varagu culture with its appurtenances; bounded or reputed to be bounded on the east by the property of Ummusalummah, wife of Muhammadu Avuthal Catharu Muhammadu, north by the property of the heirs of the late Ummusalummah, wife of Vavamuhiadeen, west by the property of Nakammah, and on the south by lane.

Fiscal's Office, Jaffna, May 2, 1910.

V. THAMBIPULAI, Deputy Fiscal. In the District Court of Jaffna.

Murukesar Veluppillai of Anaikkoddai ..... Plaintiff.

No. 6,559.

Vs.

Nakamma, widow of Pandaram Nakalinkam alias Tampu of Vannarponnai West, administratrix of the estate of the late Pandaram Nakalinkam alias Tampu of Vannarponnai West, (2) Kathiravelu Pandaram of Vannarponnai East, (3) Sabapathy Cheddiar Muttukumarasamy Cheddiar of Vannarponnai West . . . . . . . . . . Defendants.

NOTICE is hereby given that on Wednesday, June 1, 1910, at 10 o'clock in the forenoon will be sold by public auction at the spot the following property decreed to be sold in the above action for the recovery of Rs. 667.25

with interest on Rs. 500 at the rate of 12 per cent. per annum from April 8, 1909, until payment in full and costs of suit being Rs. 103 32 and charges, viz.:—

A piece of land, situated at Kavutharimunai, called Suppan Cheddypulam, containing or reputed to contain in extent 15 acres and 4 kullies with its appurtenances, bounded or reputed to be bounded on the east by the property of Sabapathy Cheddiar Kumarasamy Cheddiar, north by the property of Varonikkal, widow of Athirian, and shareholders, west by the property of Erusalam, wife of Yakkarasu, and shareholders, and Ekamparam and shareholders, and on the south by Crown property.

Fiscal's Office, Jaffna, May 2, 1910. V. THAMBIPILLAI,
Deputy Fiscal.