



# Ceylon Government Gazette

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and General Government Notifications.

PART II.—Legal and Judicial.

PART III.—Provincial Administration.

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## Part II.—Legal and Judicial.

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## DRAFT ORDINANCE.

### MINUTE.

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

An Ordinance to provide for the Surrender of Fugitive Criminals from the Federated Malay States.

Preamble.

WHEREAS persons who have committed certain crimes or offences within the Federated Malay States may escape to this island, and it is expedient to provide for the apprehension of such fugitive criminals from justice, and for their surrender to the Government of the Federated Malay States in order that they may be dealt with according to law: 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 Federated Malay States (Fugitive Criminals) Ordinance, 1903."

## Interpretation.

2 In the interpretation of this Ordinance and the schedules thereto the following expressions shall, unless repugnant to or inconsistent with the context, have the meaning hereinafter assigned to them, viz.:

“British Resident” means the British Resident in Perak, or Selangor, or Pahang, or Negri Sembilan, or any person by law authorized to act as such Resident.

“Federated Malay States” means the Federated States of Perak, Selangor, Pahang and Negri Sembilan.

“Surrender offence” means any offence which, if committed in Ceylon, would be one of the offences mentioned in the first schedule hereto.

“Fugitive criminal” means any person accused or convicted of a surrender offence committed within the jurisdiction of the Federated Malay States, who is or is suspected of being in Ceylon.

The surrender offences mentioned in the first schedule to this Ordinance shall be construed according to the law in force in Ceylon at the date of the alleged surrender offence.

## Power to add or expunge from the schedule of offences.

Provided always that the Governor in Council may from time to time, by order to be published in the *Government Gazette*, declare that any offence specified in such order and not included in the first schedule hereto shall form part thereof, and from and after the date of the publication of such order the offence specified therein shall come within the operation of this Ordinance as if the same had been originally included in the said schedule; and further that the Governor in Council may at any time, by order to be published in the *Government Gazette*, declare that any offence specified in the first schedule hereto, or which may hereafter be added to the said schedule as hereinbefore provided, shall no longer form part thereof, and from and after the date of the publication of such order such offence shall cease to come within the operation of this Ordinance.

## Restrictions on surrender.

3 The following restrictions shall be observed with respect to the surrender of fugitive criminals:

(1) A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove to the satisfaction of the police magistrate or of a judge of the Supreme Court, if brought before the court on a writ of *habeas corpus*, or of the Governor, that the requisition for his surrender has in fact been made with a view to try or punish him for a crime or offence of a political character, or for a crime or offence which is not a surrender offence.

(2) A fugitive criminal who has been accused of a crime or offence in Ceylon not being the surrender offence for which his surrender is demanded, or who is undergoing sentence under any conviction in the island, shall not be surrendered until after he has been discharged whether by acquittal or on expiration of his sentence or otherwise.

## Liability to be surrendered.

4 Every fugitive criminal shall be liable to be apprehended and surrendered in manner provided by this Ordinance, whether the surrender offence in respect of which the surrender is demanded was committed before or after the passing of this Ordinance, and whether there is or is not any concurrent jurisdiction in any court in Ceylon over that crime.

## Requisition to the Governor may be followed by the order to magistrate for warrant of apprehension.

5 Whenever the requisition for the surrender of a fugitive criminal is made to the Governor by a British Resident, the Governor may, by order under his hand and seal, signify to a police magistrate that such requisition has been made, and require him to issue his warrant for the apprehension of the fugitive criminal.

Duties of a magistrate upon receipt of such order.

**6** A police magistrate, on receipt of the said order, shall issue his warrant for the apprehension of the fugitive criminal, or, if the fugitive criminal be already in custody, shall issue his order to all necessary persons to bring the fugitive criminal before him to be dealt with according to this Ordinance.

Magistrate may also issue warrant as in ordinary cases.

**7** A police magistrate may also issue his warrant for the apprehension of a fugitive criminal on such information or complaint as would, in his opinion, justify the issue of a warrant if the alleged surrender offence had been committed in Ceylon.

A fugitive criminal apprehended on a warrant so issued shall be discharged by the police magistrate, unless the police magistrate, within such time as, with reference to the circumstances of the case, he shall think reasonable, receives from the Governor an order signifying that a requisition has been made for the surrender of such fugitive criminal.

Hearing of the case and evidence of offence being political.

**8** When a fugitive criminal is brought before a police magistrate, he shall hear the case in the same manner, and have the same jurisdiction and powers, as nearly as may be, as if the prisoner were brought before him charged with an indictable offence committed in Ceylon.

Provided always that—

Evidence in case of person accused.

(1) Copies of depositions signed or taken before any judge or other competent magistrate having authority in the Federated Malay States to take cognizance of the crime charged, and authenticated in manner hereinafter provided, may be received in evidence of criminality of such fugitive criminal.

Evidence in case of a person convicted.

(2) In the case of a person convicted in the Federated Malay States of a surrender offence a copy of the conviction, authenticated in manner hereinafter provided, may be received in evidence, and shall, where the police magistrate is satisfied that such person is according to the law of the Federated Malay States unlawfully at large, justify such police magistrate in committing such person to prison to await the further order of the Governor without re-opening the case.

Proof of identity.

(3) In every case proof of the identity of the fugitive criminal must be given to the satisfaction of the police magistrate.

Authentication of documents.

(4) Warrants of arrest and copies of depositions, signed or taken before any such judge or other competent magistrate as aforesaid, and copies of convictions shall be received in evidence, if the warrant of arrest purports to be signed by such judge or magistrate, and if the copies of depositions purport to be certified under the hand of such judge or magistrate to be true copies of the original depositions, and if the copy of the conviction purport to be certified under the hand and official seal of a British Resident to be a true copy of the original conviction. The signature of every such judge or magistrate and his authority to take cognizance of the crime or offence charged shall be sufficiently proved if the document purport to be sealed with the official seal of a British Resident, and all courts of justice in this colony shall for the purpose of this Ordinance take judicial notice of such seal, and shall admit the documents so authenticated by it to be received in evidence without further proof.

Documents to be read to the fugitive, who must be asked to show cause.

(5) The warrant of arrest and the copy of the depositions, or, as the case may be, the copy of the conviction, shall be read to the fugitive criminal, if he so desires, and he shall be asked if he has any valid cause to show why he should not be committed to prison to await the order of the Governor.

Evidence of  
offence being  
political.

The police magistrate shall receive any evidence which may be tendered to show that the offence of which the fugitive criminal is accused is an offence of a political character or is not a surrender offence.

Committal to  
prison.

9 If at the hearing before a police magistrate such evidence is produced as would, subject to the provisions of this Ordinance, justify the committal of the fugitive criminal for trial at the district or the Supreme Court if the surrender offence of which he is accused had been committed in Ceylon, and in cases of conviction provided for by section 8, subsection (2), of this Ordinance the police magistrate shall commit him to prison to await the further order of the Governor, but otherwise shall order him to be discharged.

If the police magistrate commits the fugitive criminal to prison, he shall thereupon inform the fugitive criminal that he will not be surrendered until after the expiration of fifteen days from the date of such committal, and that he has a right to apply to the Supreme Court for a writ of *habeas corpus*, and such police magistrate shall forthwith send to the Governor the depositions and other evidence in the case, together with a report thereon.

Notice to  
Attorney-  
General before  
discharge.  
Non-application of  
provisions of  
Criminal  
Procedure Code  
relating to appeals  
from police  
magistrates.

10 Before ordering a fugitive criminal to be discharged the police magistrate shall cause notice of his intention to make such order to be served on the Attorney-General.

11 The provisions of "The Criminal Procedure Code, 1898," so far as they relate to appeals from the decisions of police magistrates, shall not apply to proceedings under this Ordinance.

Warrant of  
surrender when  
to be signed.

12 (1) Upon the expiration of fifteen days from the date of the police magistrate's order of committal or if a writ of *habeas corpus* has been issued, and if upon the return to the writ the Supreme Court has not discharged the fugitive criminal, immediately after the decision of the court, or after such further period in either case as the Governor may allow, the Governor may, by warrant under his hand and seal, order the fugitive criminal to be surrendered to such person as the Governor considers to be authorized to receive him on behalf of the Government of the Federated Malay States, and the fugitive criminal shall be surrendered accordingly.

(2) If the fugitive criminal while in Ceylon escapes out of any custody into which he has been delivered in pursuance of a police magistrate's warrant as aforesaid, it shall be lawful for any police officer or constable to take him without warrant and to restore him to the custody from which he has escaped, and for the person from whose custody the fugitive criminal has escaped to re-take him or receive him from such police officer or constable and to hold him at all times as upon the original warrant.

Discharge of  
fugitive  
criminal.

13 Except where any proceedings are actually pending upon a writ of *habeas corpus* before the Supreme Court, and in such case with the concurrence in writing of the judge having cognizance thereof, the Governor may at any time, by order under his hand and seal, discharge a fugitive criminal from custody.

Discharge if not  
surrendered  
within two  
months, or on  
application after  
decision upon  
*habeas corpus*  
to a judge upon  
notice to the  
Crown.

14 If a fugitive criminal who has been committed to prison under this Ordinance to await the order of the Governor is not surrendered and conveyed out of the colony within two months after such committal, or within two months after the determination of any proceedings upon a writ of *habeas corpus*, as the case may be, any judge of the Supreme Court may, upon application made to him by or on behalf of the fugitive criminal, and upon proof that reasonable notice of the intention to make such application has been given to the Attorney-General, order the fugitive criminal to be discharged out of custody, unless sufficient cause is shown to the contrary.

Aiders and  
abettors in  
surrender  
offences.

15 Every person who is accused or convicted of having counselled, procured, commanded, aided, or abetted the commission of any surrender offence, or of being accessory before the fact to any surrender offence, shall be deemed for the purposes of this Ordinance to be accused or convicted of having committed such offence, and shall be liable to be apprehended and surrendered accordingly.

Protection of  
magistrate and  
others acting  
under warrant.

16 If any suit or action be brought against a police magistrate, jailer, police officer, constable, or any other person for anything done under or in obedience to any warrant or order issued under the provisions of this Ordinance, the proof of such warrant or order shall be a sufficient answer to such suit or action, and the defendant on such proof as aforesaid shall be entitled to a verdict or judgment accordingly, and shall also be entitled to all costs of suit.

Forms.

17 The forms in the second schedule hereto, or forms to the like effect with such variations and additions as circumstances require, may be used for the purposes therein indicated and according to the directions therein contained, and instruments in these forms shall (as regards the form thereof) be valid and sufficient.

#### FIRST SCHEDULE.

##### Surrender Offences.

Murder and attempt to, and abetment of, murder.  
Culpable homicide not amounting to murder.  
Voluntarily causing hurt or grievous hurt.  
Any offence under section 319 of the Ceylon Penal Code.  
Any indictable offence under chapter XII. of the said Code.  
Any indictable offence under chapter XVIII. of the said Code.  
Any offence under sections 367, 368, 369, 370, 371, 386, 387, 389, 390, 391, 392, 394, 395, 396, 400, 401, 402, and 403 of the said Code.  
Any offence under sections 147, 148, and 149 of Ordinance No. 7 of 1853, intituled "An Ordinance for regulating the due Collection, Administration, and Distribution of Insolvent Estates."  
Rape or any offence under section 345 of the Ceylon Penal Code.  
Abduction.  
Kidnapping.  
Any offence under sections 334, 335, 336, 337, 338, and 339 of the said Code.  
House-breaking.  
House-breaking by night.  
Any offence under sections 418, 419, and 421 of the said Code.  
Any offence under sections 380, 381, 382, 383, and 384 of the said Code.  
Any offence under sections 374, 375, 376, 377, and 378 of the said Code.  
Piracy by law of nations.  
Sinking or destroying any vessel at sea or attempting to do so.  
Assaults on board a ship on the high seas with intent to destroy life or to do grievous bodily harm.  
Revolt or conspiracy to revolt by two or more persons on board a ship on the high seas against the authority of the master.  
Any offence under sections 190, 191, and 192 of the Ceylon Penal Code or the abetment of any such offence.  
Any indictable offence under sections 412, 413, 414, 415, 416, and 420 of the said Code.  
Any offence under sections 303, 304, 305, 306, 307, 308, and 309 of the said Code.  
Unnatural offences.

#### SECOND SCHEDULE.

##### Forms.

Form of Order by the Governor to a Police Magistrate  
to issue his Warrant.

By His Excellency \_\_\_\_\_, Governor and Commander-in-Chief  
of the Island of Ceylon and its Dependencies.

To \_\_\_\_\_, Police Magistrate.

Whereas requisition has been made to me by \_\_\_\_\_ for the  
surrender of \_\_\_\_\_, late of \_\_\_\_\_, accused of the commission of

the offence of ——— within the jurisdiction of the Federated Malay States: Now I hereby, by this order under my hand and seal, signify to you to issue your warrant for the apprehension of such fugitive.

Given under my hand at ———, this ——— day of ———, 190—.



\_\_\_\_\_  
Governor.

By command,

\_\_\_\_\_  
Colonial Secretary.

### Form of Warrant of Apprehension by the Order of the Governor.

In the Police Court of ———.

To (*name and designation of the person or persons who is or are to execute the warrant*).

Whereas His Excellency the Governor, ———, by order under his hand and seal, hath signified to me that requisition hath been duly made to him for the surrender of ———, late of ———, accused of the commission of the offence of ——— within the jurisdiction of the Federated Malay States:

This is therefore to command you, in His Majesty's name, forthwith to apprehend the said ——— wherever he may be found in the Island and bring him before me, or some other Police Magistrate sitting in this Court, to show cause why he should not be surrendered in pursuance of "The Federated Malay States (Fugitive Criminals) Ordinance, 190—," for which this shall be your warrant.

Dated this ——— day of ———, 190—.

Signed \_\_\_\_\_,  
Police Magistrate.

### Form of Order to bring before a Police Magistrate a Criminal already in Custody.

In the Police Court of ———.

To the Fiscal of the ——— Province, and the Superintendent of the Prison at ———.

Whereas His Excellency the Governor, ———, by order under his hand and seal, hath signified to me that requisition hath been duly made to him for the surrender of ———, late of ———, accused of the commission of the offence of ——— within the jurisdiction of the Federated Malay States:

This is therefore to command you, in His Majesty's name, forthwith to bring the said ——— before me, or some other Police Magistrate sitting in this Court, to be dealt with according to the provisions of "The Federated Malay States (Fugitive Criminals) Ordinance, 190—," for which this shall be your sufficient warrant.

Dated this ——— day of ———, 190—.

Signed \_\_\_\_\_,  
Police Magistrate.

### Form of Warrant of Apprehension without Order of the Governor.

In the Police Court of ———.

To (*name and designation of the person or persons who is or are to execute the warrant*).

Whereas it has been shown to the undersigned, a Police Magistrate in ———, Ceylon, that ———, late of ———, is accused of the commission of the offence of ——— within the jurisdiction of the Federated Malay States:

This is therefore to command you, in His Majesty's name, forthwith to apprehend the said ——— and to bring him before me, or some other Police Magistrate sitting in this Court, to be further dealt with according to law, for which this shall be your sufficient warrant.

Dated this ——— day of ———, 190—.

Signed \_\_\_\_\_,  
Police Magistrate.

## Form of Warrant of Committal.

In the Police Court of \_\_\_\_\_ in the Island of Ceylon.

To the Fiscal of the \_\_\_\_\_ Province, and the Superintendent of the Prison at \_\_\_\_\_.

On this \_\_\_\_\_ day of \_\_\_\_\_, 190—, \_\_\_\_\_ late of \_\_\_\_\_, is brought before me, a Police Magistrate of Ceylon, to show cause why he should not be surrendered in pursuance of "The Federated Malay States (Fugitive Criminals') Ordinance, 190—," on the ground of his being accused of the commission of the offence of \_\_\_\_\_ within the jurisdiction of the Federated Malay States, and forasmuch as no sufficient cause has been shown to me why he should not be surrendered in pursuance of the said Ordinance:

This is therefore to command you, the said Fiscal, in His Majesty's name, forthwith to convey and deliver the body of the said \_\_\_\_\_ into the custody of the said Superintendent, and you, the said Superintendent, to receive the said \_\_\_\_\_ into your custody, and him there safely keep until he is thence delivered pursuant to the provisions of the said Ordinance, for which this shall be your sufficient warrant.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 190—.

Signed \_\_\_\_\_,  
Police Magistrate.

## Form of Warrant of the Governor for the Surrender of a Fugitive Criminal.

By His Excellency \_\_\_\_\_, Governor and Commander-in-Chief of the Island of Ceylon and its Dependencies.

To the Superintendent of \_\_\_\_\_, and to \_\_\_\_\_.

Whereas \_\_\_\_\_, late of \_\_\_\_\_, accused of the commission of the offence of \_\_\_\_\_ within the jurisdiction of the Federated Malay States, was delivered into the custody of you \_\_\_\_\_, the Superintendent of \_\_\_\_\_, by warrant dated the \_\_\_\_\_, pursuant to "The Federated Malay States (Fugitive Criminals') Ordinance, 190—:"

Now I do hereby, in pursuance of the said Ordinance, order you, the said Superintendent of \_\_\_\_\_, to deliver the body of the said \_\_\_\_\_ into the custody of the said \_\_\_\_\_, and I command you, the said \_\_\_\_\_, to receive the said \_\_\_\_\_ into your custody, and to convey him and there place him into the custody of \_\_\_\_\_, who is authorized by the Federated Malay States authorities to receive him, for which this shall be your warrant.

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ 190—



\_\_\_\_\_  
Governor.

By command,

\_\_\_\_\_  
Colonial Secretary.

## Form of Order of Discharge by the Governor.

By His Excellency \_\_\_\_\_, Governor and Commander-in Chief of the Island of Ceylon and its Dependencies.

To the Superintendent of \_\_\_\_\_.

Whereas one \_\_\_\_\_ is now in your custody as a fugitive criminal under the provisions of "The Federated Malay States (Fugitive Criminals') Ordinance, 190—:"

And whereas it has been determined that no warrant shall be granted for the surrender of the said \_\_\_\_\_:

Now I do hereby order and require you to discharge the said \_\_\_\_\_ from custody under the said Ordinance.

Given under my hand and seal at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 190—.



\_\_\_\_\_  
Governor.

By command,

\_\_\_\_\_  
Colonial Secretary.

By His Excellency's command,

EVERARD IM THURN,  
Colonial Secretary.

Colonial Secretary's Office,  
Colombo, May 16, 1903.

## NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late  
No. 1,888. } Dompauluaratchige Davth Silva *alias*  
Buddharakkita Nayaka Therunnause,  
deceased.

THIS matter coming on for disposal before A. de A. Seneviratne, Esq., Acting District Judge of Colombo, on the 20th day of May, 1903, in the presence of Mr. Abeyewardene on the part of the petitioner Dompauluaratchige Elias Silva; and the affidavit of the petitioner, dated 23rd April, 1903, having been read:

It is ordered that the aforesaid petitioner be declared entitled to have letters of administration to the estate of Dompauluaratchige Davth Silva *alias* Buddharakkita Nayaka Therunnause issued to him, as his nephew, unless Dompauluaratchige William Silva Jayasekara, Registrar of Dompe, (2) Dompauluaratchige Allis Silva of Dompe, (3) Dompauluaratchige Robert Silva of Dompe, (4) Dompauluaratchige Paules Silva of Dompe, (5) Dompauluaratchige Bramphy Silva of Dompe, (6) Muthukuda-aratchige Charles Dias of Nilpanagoda in the Dunagaha pattu of Alutkuru korale, (7) Muthukuda-aratchige Podi Mahatmaya, (8) Muttukudaratchige Podi Ralahaany, (9) Muthukuda-aratchige Nella Hamine, all of Nilpanagoda, (10) Senarath Dassanayaka Mudianselage Endiel Perera, (11) Senarath Dassanayaka Mudianselage Jonda Perera, (12) Senarath Dassanayaka Mudianselage Elisa Perera, (13) Senarath Dassanayaka Mudianselage Abraham Perera, (14) Senarath Dassanayaka Mudianselage Thomas Perera, all of Katuwellegama in the Dunagaha pattu of Alutkuru korale, (15) Dompauluaratchige Sarah Silva and her husband (16) Ganepallekorallage Jayasundara Banda of Kirialle in the Meda pattu of Kuruwita korale, (17) Dompauluaratchige James Silva of Dompe, (18) Dompauluaratchige Satan Silva, (19) Dompauluaratchige Pieris Silva, (20) Dompauluaratchige Pedrik Silva, (21) Dompauluaratchige Helena Silva, (22) Dompauluaratchige Diyonis Silva, (23) Samarasekara Okandapola-aratchige Don Thomas Nanayakkara of Grandpass in Colombo, (24) Samarasekara Okandapola-aratchige Don Carthelis Nanayakkara, (25) Samarasekara Okandapola-aratchige Don Paules Nanayakkara, (26) Samarasekara Okandapola-aratchige Dona Maria Nanayakkara and her husband (27) Paliwadana-aratchige Martinu Perera of Weweldeniya in the Ragam pattu of Alutkuru korale, shall, on or before the 18th day of June, 1903, show sufficient cause to the satisfaction of this court to the contrary.

A. DE A. SENEVIRATNE,  
Acting District Judge.

The 20th day of May, 1903.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late  
No. 1,891 C. } Bentotahunuge Salman Fernando,  
deceased, of Wellawatta.

THIS matter coming on for disposal before Felix R. Dias, Esq., Additional District Judge of Colombo on the 25th day of May, 1903, in the presence of Mr Prins on the part of the petitioner Nirakaduwege Gustinu Fernando; and the affidavit of the petitioner; dated 27th March, 1903: It is ordered that the aforesaid petitioner be declared entitled to have letters of administration to the estate of Bentotahunuge Salman Fernando issued to him, as an heir, unless Bentotahunuge Pedrick Fernando shall, on or before the 11th day of June, 1903, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,  
Additional District Judge.

The 26th day of May, 1903.

In the District Court of Kandy.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late  
No. 2,289. } Cecil William Ferdinands, deceased,  
of Kandy.

THIS matter coming on for disposal before John Henricus de Saram, Companion of the Most Distinguished Order of Saint Michael and Saint George, District Judge of Kandy, on the 19th day of May, 1903, in the presence of Mr. A. M. Vanderstraaten, Proctor, on the part of the petitioner Ravana Mana Kavana Ravana Mana Kadappa Chetty of No. 159, Sea street in Colombo; and the affidavit of the petitioner, dated 18th May, 1903, having been read: It is ordered that the 4th respondent, William Marcellus de Silva, as the Secretary of this Court, be and he is hereby declared entitled to letters of administration to the estate of the late Cecil William Ferdinands, deceased, of Kandy, unless (1) Agnes Newman and her husband (2) G. Newman, and (3) Daisy Ferdinands, all of Kwala Lampur, Selangore, in the Straits Settlements, shall, on or before the 22nd day of June, 1903, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,  
District Judge.

The 19th day of May, 1903.

In the District Court of Kandy.

Testamentary Jurisdiction. } In the Matter of the Last Will and  
No. 2,291. } Testament with a Codicil thereto of  
Ernest Parker, deceased, of Rangalla  
Cottingham, in the County of York  
England.

THIS matter coming on for disposal before John Henricus de Saram, Companion of the Most Distinguished Order of Saint Michael and Saint George, District Judge of Kandy, on the 29th day of May, 1903, in the presence of Mr. Herbert Percy Borrett, Proctor, on the part of the petitioner James Graeme Sinclair of Tillicoultry, Lindula; and the affidavit of the said petitioner, dated 28th May, 1903, having been read:

It is ordered that the will of Ernest Parker, late of Rangalla, Cottingham, in the County of York, England, deceased, dated 28th September, 1889, and the codicil thereto dated 14th July, 1902, an exemplification of the probate of which will and codicil under the Seal of His Majesty's High Court of Justice, England is now deposited in this court, be and the same are hereby declared proved, unless any person shall, on or before the 24th day of June, 1903, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said James Graeme Sinclair is the attorney of William Hodgson and Thomas Holden, the executors named in the said will, and that he is entitled to administration to the estate of the said Ernest Parker, with copy of the said will and codicil annexed, unless any person shall, on or before the 24th day of June, 1903, show sufficient cause to the satisfaction of this court to the contrary, the grant so made being limited for the use and benefit of the principal until the executor or one of the executors comes in and obtains probate for himself.

J. H. DE SARAM,  
District Judge.

The 29th day of May, 1903.



In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late  
No. 1,353. } Visuvanatar Somasuntaram of Kavutharimunai, deceased.  
Class I. }

Chitamparappillai Chuppiramaniyar of Cheviateru ..... Petitioner.

Vs.

Muttupillai, widow of Somasuntaram of Kavutharimunai ..... Respondent.

THIS matter of the petition of Chitamparappillai Chuppiramaniyar of Cheviateru praying for letters of administration to the estate of the above-named deceased Visuvanatar Somasuntaram coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 13th day of May, 1903, in the presence of Messrs. Casippillai & Cathiravelu, Proctors, on the part of the petitioner; and affidavit of the petitioner, dated the 12th day of May, 1903, having been read: It is declared that the petitioner is a creditor of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before the 15th day of June, 1903, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,  
This 13th day of May, 1903. District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late  
No. 1,354. } Muttamma, wife of Manikkavasagam  
Class II. } of Vaddukkodai, deceased.

Mailvaganam Manikkavasagam of Vaddukkodai ..... Petitioner.

Vs.

(1) Kathiravelu Ampalavanar and wife  
(2) Chellachchi of Vaddukkodai west,  
(3) Arumugam Velupillai of Vaddukkodai east and wife (4) Chinamma of Vaddukkodai east ..... Respondents.

THIS matter of the petition of Mailvaganam Manikkavasagam of Vaddukkodai praying for letters of administration to the estate of the above-named deceased Muttamma, wife of Manikkavasagam, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 13th day of May, 1903, in the presence of Messrs. Casippillai & Cathiravelu, Proctors, on the part of the petitioner; and affidavit of the petitioner, dated the 13th day of May, 1903, 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 the 25th day of June, 1903, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,  
This 13th day of May, 1903. District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late  
No. 1,356. } Valar Kanthappar of Puloly east,  
deceased.

Parupathy, widow of Valar Kanthappar of Puloly east ..... Petitioner.

Vs.

(1) Kadirgamar Vairavipillai and wife  
(2) Wallipillai. (3) Kanthar Vaitilinkam and wife (4) Chinappillai, (5) Kanthappar Valuppillai of Puloly east ..... Respondents.

THIS matter of the petition of Parupathy, widow of Valar Kanthappar of Puloly east, praying for letters of administration to the estate of the above-

named deceased Valar Kanthappar of Puloly east coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 19th day of May, 1903, in the presence of Mr. S. Subramanian, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated 13th day of May, 1903, having been read:

It is declared that the petitioner is the widow of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondents or any other person shall, on or before the 16th day of June, 1903, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,  
District Judge.

The 19th day of May, 1903.

In the District Court of Galle.

*Order Nisi declaring Will proved.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late  
No. 603 C. } Henry Prelis Goonesekere, deceased,  
of Kahawe.

THIS matter coming on for disposal before G. A. Baumgartner, Esq., District Judge of Galle, on the 12th day of May, 1903, in the presence of Mr. A. D. Jayasundere, Proctor, on the part of the petitioner Arnolia Abeyanayaka of Kahawe; and the affidavit of Arnolia Abeyanayaka, dated 13th February, 1903, having been read:

It is declared that the said Arnolia Abeyanayaka of Kahawe is widow of the deceased, and that she is as such entitled to letters of administration of the estate of the deceased issued to her accordingly, unless the respondents—(1) William Abeyanayaka, Vidane Arachchi of Akuralia, guardian of the minor Rosalind Prelis Goonewardene, and (2) Edwin Prelis Goonewardene of ditto,—shall, on or before the 11th day of June, 1903, show sufficient cause to the satisfaction of this court to the contrary.

G. A. BAUMGARTNER,  
District Judge.

The 12th day of May, 1903.

In the District Court of Matara.

*Order Nisi declaring Will proved, &c.*

Testamentary Jurisdiction. } In the Matter of the Estate of the  
No. 1,367. } late Edwin Richard Tilakeratna,  
deceased, of Matara.

THIS matter coming on for disposal before P. E. Pieris Esq., District Judge of Matara, on the 19th day of May, 1903, in the presence of Mr. F. Vanderput, the Secretary of this Court; and the affidavit of the said Mr. Vanderput, dated 18th May, 1903, having been read, and the evidence of the notary and the subscribing witnesses taken:

It is ordered that the will of Edwin Richard Tilakeratna, deceased, dated 9th December, 1899, and its codicil, and now deposited in this court, be and the same is hereby declared proved, unless the respondents—Mrs. E. R. Tilakeratna, Miss. R. N. Ipiyegama, Master Felix Tilakeratna, and Miss May Tilakeratna—shall, on or before the 11th day of June, 1903, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Mr. F. Vanderput be and he is hereby declared entitled to have letters of administration to the estate of the said E. R. Tilakeratna issued to him, as Secretary of the District Court, unless the respondents aforesaid shall, on or before the 11th day of June, 1903, show sufficient cause to the satisfaction of this court to the contrary.

P. E. PIERIS,  
District Judge.

The 19th day of May, 1903.

In the District Court of Batticaloa.

*Order Nisi.*

Testamentary } In the Matter of the Estate of the late  
Jurisdiction. } Kungiliapody Kandapody of Magu-  
No. 379. } loor, deceased.

Nallatamby Umminyapillai of Maguloor.....Petitioner.  
Vs.

1, Kandapody Sinnatambypody; 2, Kanda-  
pody Kotammai; 3, Kandapody Kanapody-  
pillai; 4, Kandapody Vairamuttu; 5, Kan-  
dapody Sathurukapody; 6, Kandapody  
Vellayan; 7, Kandapody Manikapody, all  
of Maguloor.....Respondents.

THIS matter coming on for disposal before Samuel  
Haughton, Esq., Additional District Judge of Batticaloa,  
on the 19th day of May, 1903, in the presence of  
Mr. Subramaniam, Proctor, on the part of the petitioner;  
and the affidavit of the petitioner, dated 26th day of  
March, 1903, having been read:

It is ordered that the petitioner is the widow of the  
intestate, and as such is entitled to have letters of  
administration to the estate of the said intestate issued  
to her, unless the respondents or any other person  
interested, shall, on or before the 9th day of June, 1903,  
show sufficient cause to the satisfaction of this court to  
the contrary.

H. O. Fox,  
District Judge.

This 19th day of May, 1903.

In the District Court of Batticaloa.

*Order Nisi.*

Testamentary } In the Matter of the Estate of the late  
Jurisdiction. } P. H. Ayamperumal of Panangkadu  
No. 376. } in Akkarai pattu, deceased.

P. H. Ayamperumal Sinnatamby of Panang-  
kadu.....Petitioner.

And

1, Perumalpody Kannammai, widow of  
Ayamperumal; 2, Ayamperumal Chel-  
lattai; 3, Ayamperumal Chinnappillai; 4,  
Ayamperumal Kanapadypillai; 5, Ayam-  
perumal Chembatte; 6, Ayamperumal  
Kandappen; 7, Ayamperumal Katha-  
muttu, minor; 8, Ayamperumal Velu-  
pillai, minor, by their guardian *ad litem*  
Perumalpody Kannammai, widow of the  
deceased Ayamperumal of Panangkadu...Respondents.

THIS action coming on for disposal before H. O.  
Fox, Esq., District Judge of Batticaloa, on the 3rd  
day of April, 1903, in the presence of petitioner; and the

affidavit of the petitioner Ayamperumal Sinnatamby, dated  
5th March, 1903, having been read:

It is ordered that the petitioner be declared entitled to  
have letters of administration to the estate of the deceased  
Ayamperumal issued to him, as son of the deceased unless  
the respondents above-named or any other person in-  
terested shall appear before this court on or before the  
9th day of June, 1903, and show sufficient cause to the  
satisfaction of this court to the contrary.

H. O. Fox,  
District Judge.

This 23rd April, 1903.

In the District Court of Batticaloa.

*Order Nisi.*

Testamentary } In the Matter of the Estate of the late  
Jurisdiction. } Redda Kappuvan Kandappen of  
No. 377. } Karativu, deceased.

Richard Hoole, Mudaliyar, Secretary of the  
District Court, Batticaloa.....Petitioner

And

1, Kandappan Poopalapillai; 2, Kandappan  
Parasiraman; 3, Kandappan Katpagam;  
4, Kandappan Mailattai; 5, Kandappan  
Maniky; 6, P. H. Parasiramer Seenadi-  
pillai for herself and as guardian *ad litem*  
of the minors V. Kalikutty and V. Sudai;  
7, Masathar Rednapillai for herself and  
as guardian of the minors R. Sedupillai,  
R. Kanapatipillai, R. Sinnanna, and R.  
Vairan of Karativu.....Respondents.

THIS matter coming on for disposal before Samuel  
Haughton, Esq., District Judge of Batticaloa, on this  
5th day of May, 1903, in the presence of the petitioner;  
and the affidavit of the petitioner, dated 20th March,  
1903, having been read:

It is ordered that the petitioner Richard Hoole, Muda-  
liyar, Secretary of the District Court of Batticaloa, be  
and he is hereby declared entitled to have letters of  
administration to the estate of the deceased Redda  
Kappuvan Kandappen issued to him, unless the respond-  
ents or any other person interested shall, on or before  
the 9th day of June, 1903, show sufficient cause to the  
satisfaction of this court to the contrary.

SAM. HAUGHTON,  
District Judge.

Dated 5th May, 1903.

## NOTICE OF INSOLVENCY.

In the District Court of Kalutara.

No. 105. In the matter of the insolvency of Owen Mendis Obeyesekera of Nagoda.

NOTICE is hereby given that the second sitting of this court in the above matter has been adjourned to June  
24, 1903.

By order of court,

WM. DE SILVA,  
Secretary.

Kalutara, May 27, 1903.

## NOTICES OF FISCALS' SALES.

## Western Province.

In the District Court of Colombo.

William Bernard de Fry of the Pettah of  
Colombo ..... Plaintiff.

No. C 17,043. Vs.

Seka Lebbe Ahamado Lebbe of New Moor  
street, Colombo ..... Defendant.

NOTICE is hereby given that on Monday, June 29, 1903, at 2.30 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged by bond No. 6,268, dated August 6, 1900, and decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 1,841.50, with further interest on Rs. 1,500 at 12 per cent. per annum from July 4, 1902, to January 9, 1903, and thereafter at 9 per cent. per annum until payment in full, and costs of suit, viz. :—

An allotment of land, together with the buildings thereon, bearing assessment No. 44B, situated at Dematagoda, within the Municipal limits of Colombo; bounded on the north by Dematagoda road, on the east by the property belonging to the estate of the late Pandihesekera Mudaliyar, on the south by the property called "Palens House," and on the west by land belonging to Tamby Isboe Lebbe; containing in extent 26 perches and  $\frac{1}{8}$  of a perch; and all the estate, right, title, and interest, claim, and demand whatsoever of the defendant in and to the said premises.

Fiscal's Office,  
Colombo, June 2, 1903.E. ONDATJE,  
Deputy Fiscal.

In the District Court of Colombo.

Slema Lebbe Meera Lebbe Mohideen of  
New Moor street, Colombo ..... Plaintiff.

No. C 15,626. Vs.

1, Samsy Lebbe Marikar Ahamado Lebbe Marikar of Messenger street, Colombo; and 2, Meera Lebbe Marikar Abdul Rahim of Panchikawatta, Colombo, executors of the last will and testament of Ahamado Lebbe Avoo Lebbe Marikar of Colombo, deceased ..... Defendants.

NOTICE is hereby given that on Monday, June 29, 1903, at 1.30 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, for the recovery of the sum of Rs. 700, with interest thereon at 9 per cent. per annum from September 13, 1899, till payment in full, and costs of suit Rs. 191.50, viz. :—

All that house and ground bearing assessment No. 7, situated at Maligakanda road, within the Municipality of Colombo, bounded on the east by the property bearing No. 9 belonging to Amela Marikar, on the north by the property bearing No. 8 belonging to Peria Tamby Meerah Marikar, on the south by Maligakanda road, and on the west by the property bearing No. 6 belonging to Mohammodo; containing in extent  $\frac{1}{4}$  of an acre more or less.

Fiscal's Office,  
Colombo, June 2, 1903.E. ONDATJE,  
Deputy Fiscal.

In the District Court of Negombo.

Suna Pana Lana Annamala Chetty, by his  
attorney Suna Pana Lana Supparamanian  
Chetty of Negombo ..... Plaintiffs.

No. 4,132. Vs.

1, Mehidukulesuriya Alensu Diago Waas and wife 2, Mehidukulesuriya Garuge Agida Livera, both of Duwa in Negombo ..... Defendants.

NOTICE is hereby given that on June 29, 1903, commencing at 11 o'clock in the afternoon, will be sold by public auction at the premises the following

property, specially mortgaged by bond No. 4,606 dated August 30, 1899, to wit :—

1. All that undivided  $\frac{1}{2}$  part of the lot marked letter A, being a portion of Ihaladuawatta, situate at the first block of Bolawalana, within the graves of Negombo; the said entire lot is bounded on the north by the portion marked X belonging to Diagu Pinto and another and by the road to Bolawalana, on the east by the property of Lorensu Appu and Diagu Pinto and another, on the south by the portion marked letter B, and on the west by the Negombo lake; containing in extent 5 acres 1 rood and 30 perches more or less.

2. All that undivided  $\frac{1}{2}$  part of the lot marked letter C, being a portion of Ihaladuawatta, at do.; the entire lot is bounded on the north by the portion marked letter B, on the east by the property of Lorensu Appu, on the south by the portion marked letter D, and on the west by the Negombo lake; containing in extent 16 acres and 38 perches more or less; and declared liable to be sold in satisfaction of the decree entered in the above case.

Amount to be levied Rs. 2,233.78, and interest on Rs. 1,750 at 13 $\frac{1}{2}$  per cent. per annum from May 29 to October 3, 1901, and thereafter at 9 per cent.

Deputy Fiscal's Office,  
Negombo, June 1, 1903.FRED. G. HEPPONSTALL,  
Deputy Fiscal.

In the District Court of Negombo.

Kuwanna Ana Kana Nawanna Arunasalem  
Chetty, by his attorney Kuwanna Ana  
Kana Nawanna Kannappa Chetty of  
Negombo ..... Plaintiff.

No. 4,770. Vs.

Don Carolis Wickremesinha Gunawardene of  
Andiambalama ..... Defendant.

NOTICE is hereby given that on June 26, 1903, commencing at 9 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

The land called Hedawakegahawatta *alias* Ehetugahawatta and the tiled house standing thereon, situate at Andiambalama in the Dasiya pattu of Alutkuru korale; and bounded on the north by the land of Don Abraham Appuhamy, on the east by the land belonging to Allis Fernando and others, on the south by the high road, and on the west by the land of Peries Fernando and others; containing in extent 1 acre more or less.

Amount to be levied Rs. 826.30, and interest on Rs. 580 at 24 per cent. per annum from May 29 to July 30, 1902, and thereafter at 9 per cent. per annum.

Deputy Fiscal's Office,  
Negombo, June 1, 1903.FRED. G. HEPPONSTALL,  
Deputy Fiscal.

In the District Court of Negombo.

Theodore Koertz Carron of Negombo ..... Plaintiff.

No. 4,711. Vs.

1, Kachchikaduge Rosa Maria Fernando of Dandugama; 2, Kurugamage Santiago Perera and wife 3, Liyanage Balbera Perera, both of Kehelbaddera ..... Defendants.

NOTICE is hereby given that on June 27, 1903, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property specially hypothecated by bond No. 13,596, dated August 22, 1900, viz. :—

1. An undivided  $\frac{2}{3}$  shares from the  $\frac{2}{3}$  shares of the field called Kadurugahairawella in Suddiakumbura, situate at Bandarawella in the Ragam pattu of Alutkuru korale; bounded on the north by the field belonging to

Don Bastian Perera Wijayawickreme, Muhandiram, on the east by a public canal, on the south by the share of this field belonging to Leyanage Estakki Perera, and on the west by the field belonging to Leyanage Anthony Perera; containing in extent 2 acres 3 roods and 11 square perches more or less.

2. An undivided  $\frac{2}{3}$  shares from the two portions of garden called Ketekel egaha *alias* Kolnawatta, with the buildings standing thereon, situate at Dandugama in ditto; bounded on the north by the portion belonging to Leyanage Anthony Perera, on the east by the water-course called Potuwiladipa-ela, on the south by the fence of the land of Irippuge Francisco Fernando, and on the west by the land belonging to Maharege Siman Perera and others; containing in extent 2 roods more or less.

3. An undivided  $\frac{2}{3}$  shares from  $\frac{1}{2}$  of the land called Kelagahawatta, situate at ditto; bounded on the north by the land belonging to Leyanage Anthony Perera, on the east by the land belonging to Leyanage Santiago Perera and others, on the south by the land formerly belonging to Leyanage Santiago Perera and others and now belonging to Aron Perera and others, and on the west by the high road; containing in extent 2 acres more or less.

4. An undivided  $\frac{2}{3}$  shares of the land called Madangahawatta and the low land belonging thereto, situate at ditto; bounded on the north by the land belonging to Leyanage Migel Perera and others, on the east by the water-course called Potuwiladipa-ela, on the south by the land belonging to Koragalamege Francisco and others, and on the west by the land belonging to Kachchikaduge Rosa Maria Fernando; containing in extent 1 acre more or less.

5. An undivided  $\frac{2}{3}$  shares of the land called Kelagahawatta, situate at ditto; bounded on the north by the garden belonging to Leyanage Istakki Fernando and Irippuge Juse Fernando, on the east by the garden belonging to Koragalamege Bastian Fernando and others, on the south by the live fence which separates the portion of this land belonging to the heirs of Frederick Kolmah deceased, and on the west high road; containing in extent 1 acre more or less; and declared liable to be sold in satisfaction of the decree entered in the above case.

Amount to be levied Rs. 1,384-50, and interest on Rs. 1,000 at 18 per cent. per annum from August 22 to November 27, 1902, and thereafter at 9 per cent. per annum till payment in full.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

(Deputy Fiscal's Office,  
Negombo, June 1, 1903.)

In the District Court of Negombo.

Suna Thana Kana Nana Sana Supparamanian Chetty of Negombo.....Plaintiff.

No. 4,985.

Vs.

Mehidukulesuriya Anthony Fernando of Negombo.....Defendant.

NOTICE is hereby given that on June 30, 1903, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

All that divided portion of Katukenda estate, together with all the buildings standing thereon and the premises marked lot No. 7, situate at Katukenda in the Dunagaha pattu of Alutkuru k-rate; and bounded on the north by lot No. 5, on the east by lot No. 6, on the south by the road from Negombo to Girinli, and on the west by lot No. 8; containing in extent 118 acres 1 rood and 1 perch more or less.

Amount to be levied Rs. 3,767-36, and interest on Rs. 3,600 at 9 per cent. per annum from March 26, 1903.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, June 1, 1903.

In the District Court of Colombo.

1, Vidanelage Abraham de Mel Appuhami of Moratuwella in Moratuwa; 2, Vidanelage Hendrick de Mel Appuhami of Digarolla in Moratuwa.....Plaintiffs.

No. 16,552.

Vs.

1, Geekeanage Cornelis Perera *alias* Subasingha Perera *alias* James Perera and his wife 2, Satarasinghege Dona Selestina-hami, both of Mampe in the Palle pattu of Salpiti korale.....Defendants.

NOTICE is hereby given that on June 26, 1903, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the following mortgaged properties decreed to be sold by the decree entered in the above case, for the recovery of the sum of Rs. 4,115-87, with further interest on Rs. 3,000 at 16½ per cent. per annum from March 12, 1902, to May 30, 1902, and thereafter at 9 per cent. per annum till payment in full, and costs, viz. :—

1. An undivided one-half part of the garden called Kekunegahakurunduwatta, which is now divided off from the  $\frac{1}{2}$  parts of the garden called Kekunegahakurunduwatta *alias* Kekunegahakotuweduwatta, situated at Mampe in the Palle pattu of Salpiti korale; bounded on the north by a portion of land belonging to Satarasinge Magiris Appu, on the east by the land called Millewekadagewatta *alias* Millewearadagewatta, on the south by the portion of this land belonging to Lindamulage Davith Silva, and on the west by the high road leading to Ratnapura; containing in extent about 1½ acre, together with an undivided one-half part out of the soil and trees thereof and of the buildings standing thereon.

2. An undivided half part out of  $\frac{1}{2}$  of  $\frac{1}{8}$  parts or shares of the garden called Wewewatta, situated at Mampe; and bounded on the north by the garden called Mahagedarawatta belonging to Kasthuraratchige people and by owita ground, on the east by the field called Wewekumbura, on the south by the garden called Radagewatta, and on the west by the garden called Kekunegahakurunduwatta *alias* Kekunegahawatta *alias* Satarasingewatta; containing in extent about 2 acres, together with  $\frac{1}{2}$  of  $\frac{1}{8}$  parts or shares out of the soil and trees thereof and of the buildings standing thereon.

3. An undivided half of  $\frac{1}{8}$  parts or shares of the field called Aswedmakumbura, situated at Mampe; bounded on the north by the field belonging to Haputantirige people, on the east by the garden belonging to Kathiriaratchige people, on the south by the garden belonging to Kathiriaratchige people and the field belonging to Vitanage people, and on the west by the high ground of Thurichy Naide *alias* Thanchy Naide; containing in extent about 2 bushels of paddy sowing.

4. An undivided half part of  $\frac{1}{8}$  parts or shares out of the garden called Delgahawatta, situated at Mampe; bounded on the north and west by the garden belonging to Peterson, on the south and east by the garden called Hettimullegewatta and by field; containing in extent sufficient to plant about about 100 coconut trees, together with half part of  $\frac{1}{8}$  parts or shares out of the soil and trees thereof and of the buildings standing thereon.

5. An undivided half of  $\frac{1}{8}$  parts or shares of the field called Imaykumbura *alias* Mainaykumbura, situated at Mampe; bounded on the north by the field belonging to Haputantirige people and by the field belonging to Vitanage people, on the east by the field belonging to Kasthuraratchige people and the garden belonging to Kasthuraratchige people, on the south by the field belonging to Haputantirige people, and on the west by a portion of this field; containing in extent about 2 bushels of paddy sowing.

6. Half of  $\frac{1}{8}$  parts or shares of the field called Kabulwakumburu, situated at Mampe; bounded on the north by the garden belonging to Mr. Peterson, and the garden called Delgahawatta, on the east by the field called Totegodakumbura, on the south by the high ground belonging to Kathiriaratchige people, and on the west by the field belonging to Kathiriaratchige people; containing in extent about 2 bushels of paddy sowing.

7. An undivided  $\frac{1}{2}$  of  $\frac{2}{3}$  parts or shares of the garden called Magahawatta *alias* Maragahawatta, together with the plantations and buildings standing thereon, situated at Mampe; bounded on the north by a portion of this land, on the east by the field called Kolainkumbura, on the south by the garden called Uswatta, and on the west by the garden called Nugagahawatta *alias* Meegahawatta; containing in extent sufficient to plant about 100 coconut trees, together with an undivided  $\frac{1}{2}$  part of  $\frac{2}{3}$  parts or shares out of the soil and trees thereof and of the buildings standing thereon.

8. An undivided  $\frac{1}{2}$  part of  $\frac{2}{3}$  parts or shares of the field called Nugagahakumbura, situated at Mampe; bounded on the north by Ehalapagekumbura *alias* Atutanagekumbura *alias* Kandekangamagekumbura, on the east by field belonging to Vitanage people, on the south by the garden called Totayagodagewatta *alias* Totegodagewatta, and on the west by deniya ground called Dawatagahadeniya; containing in extent about 1 amunam of paddy sowing.

9. An undivided  $\frac{1}{2}$  of  $\frac{2}{3}$  parts or shares of the garden called Godaporagahawatta, together with the plantations and of the buildings standing thereon, situated at Mampe; and bounded on the north by the high road leading to Ratnapura, on the east by the garden called Pelengahawatta, and on the south and west by the garden called Indigahawatta and deniya ground; containing in extent about 3 acres.

10. An undivided  $\frac{1}{2}$  part of  $\frac{2}{3}$  parts or shares of the field called Kolebenakumbura *alias* Kolainkumbura, situated at Mampe aforesaid; and bounded on the north by the field called Weweliaddekumbura *alias* Mahakumbura, on the east by Depa-ela or water-course, on the south by the field belonging to Vitanage people, and on the west by the garden called Meegahawatta; containing in extent about two bushels of paddy sowing; mortgaged and hypothecated to and with the plaintiffs by the defendants as per bond No. 7,526, dated May 24, 1898, attested by P. Siman Dias of Moratuwa, Notary Public.

Deputy Fiscals's Office,  
Moratuwa, May 26, 1903.

P. PERERA,  
Deputy Fiscal.

### Central Province.

In the District Court of Kandy.

A. M. Meeya Lebbe of Kandy.....Plaintiff.  
No. 1,5451. Vs.

F. J. de Silva of Kundasale.....Defendant.

NOTICE is hereby given that on June 30, 1903, 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, viz.:-

All that land called and known as Kundasalewatta *alias* Talwatta of 30 acres in extent, situate at Kundasale of Lower Dumbara; and bounded on the east by the field, on the south by Mahaweli-ganga, on the west by the remaining portion of this land, and on the north by the fence of Wedurugewatta.

Amount of writ to be recovered, Rs. 365-50.

Fiscal's Office,  
Kandy, June 2, 1903.

A. WOUTERSZ,  
Deputy Fiscal.

### Eastern Province.

In the District Court of Trincomalee.

P. V. Chinniah Vannipam of No. 9 Division,  
Trincomalee .....Plaintiff.  
No. 32. Vs.

1, Asiaumma, widow of M. A. Hamid Madar, administrator of the estate of M. A. Hamid Madar of No. 4 Division, Trincomalee; 2, Kasilevvai Maracair Pakir Muhaiadeen of No. 8 Division, Trincomalee..... Defendants.

NOTICE is hereby given that on Saturday and Monday, June 27 and 29, 1903, commencing at 11 o'clock in the morning, will be sold by public auction

at the spot the right, title, and interest of the said defendants in the following properties bound by the decree as special mortgage to plaintiff:-

On Saturday, the June 27, 1903.

(1) A piece of land situated at No. 4 Division, Trincomalee, with a tiled house, half share in a well, and other plantations standing thereon, and all other rights belonging thereto; bounded on the north and south by the land and house of the deceased M. M. Mohamathu Mathar, on the east by road, and on the west by the land of Umaru Kithuru Kandu and others; containing in extent  $7\frac{1}{2}$  square perches.

(2) A piece of land situated at Champaltivu in Kaddukulam pattu, Trincomalee, with coconut trees, coconut plants, and other plantations standing thereon, and all other rights belonging thereto; bounded on the north at present by the coconut garden of Dr. Elyathamby, on the east by the garden of Sakumathar Muhamatu Mathar and others, and on the south and west by the garden of the deceased M. Muhamathu Mathar; containing in extent 4 acres and  $38\frac{1}{2}$  square perches.

(3) An undivided half share of a piece of land situated at Champaltivu in Kaddukulam pattu, Trincomalee, with coconut trees and coconut plants standing thereon, and all other rights belonging thereto; the whole land is bounded on the east by the land of Katharmuhaiheen Nachiar, widow of Matharsaibu Ravuthar, on the west by the garden of the deceased Muhamathu Abdul Hamithu-mathar, on the south by the garden of the deceased Kathar Muhayatheen and others, and on the north at present by the garden of Dr. M. Elyathamby; containing in extent eastern side  $22\frac{1}{2}$  fathoms, western side  $22\frac{1}{2}$  fathoms, southern side 112 fathoms, and northern side 144 fathoms.

(4) A piece of land situated at Champaltivu in Kaddukulam pattu, Trincomalee, with coconut trees and other plantations standing thereon, and all other rights belonging thereto; bounded on the east by the land belonged to Sinnamera Pichay and now belonging to Retanama, widow of Arumugam, on the north at present by the land of Sinnathampi Valuppillai, on the west at present by the coconut garden of Thyyalpakar Oppillamany, and on the south by the garden of Pandara Vannan; containing in extent eastern and western sides 16 fathoms in each side and northern and southern sides 68 fathoms in each side.

On Monday, June 29, 1903.

(5) A piece of field called Pachchan Valley, situated at Pachchan Noor in Koddiyar pattu, Trincomalee, and all other rights belonging thereto; bounded on the east by Pachchan Noor and Crown land, on the south by tank, on the west by the Crown land, and on the north by Crown land and Chalampaiyadvaddai; containing in extent 40 acres and 17 perches as described in the commutation register and consisting of 9 lots marked Z 209, A 210, B 210, C 210, D 210, E 210, F 210, G 210, and H 210.

Writ amount Rs. 2,250, and costs being Rs. 159-55.

W. H. B. CARRERY,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Trincomalee, May 27, 1903.

### North-Western Province.

In the District Court of Chilaw.

A. W. Jayawardana, Madampe.....Plaintiff.  
No. 528. Vs.

W. Wijekoon of Marawila and others ..... Defendants.

NOTICE is hereby given that on Friday, July 10, 1903, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said W. Wijekoon and Mrs. Wijekoon in the following property, viz.:-

The land belonging to Mr. and Mrs. W. Wijekoon bearing No. 24, situate at Mudukatuwa in Medapalata, Chilaw District; bounded on the north by dewata road, east by road leading to Chilaw, south by land bearing No. 23

belonging to Mrs. Gunaratna, west by seashore; containing in extent 36 acres 2 roods 36 perches.

Amount recoverable, Rs. 155.35 and poundage.

H. R. FREEMAN,  
Deputy Fiscal.  
Deputy Fiscal's Office,  
Chilaw, June 2, 1902.

In the Court of District of Chilaw.

Pana Lana Sana Letchimanan Chetty, by his  
attorney Karthan Chetty.....Plaintiff.  
No. 2,258. Vs.

Udugampolage Juakino Fernando of Katu-  
neriya and another.....Defendants.

NOTICE is hereby given that on Monday, June 29, 1903, commencing at 1 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. :—

Five-twelfth shares of the land called Mirishenawatta of about 21 acres in extent, situate at Pambola in Munnessaram pattu, Chilaw District; the entire land is bounded on the north by garden belonging to Mr. Mell, east by land belonging to Simon Moraes, south by land belonging to Peduru Perera Ranasinha, west by land belonging to Mr. Mell.

Two-twelfth shares of the garden called Issanmedillewatta of 62½ acres in extent, situate at Pambola; bounded on the north by land belonging to the villagers, east by land belonging to the Crown, south by land belonging to the Crown and the villagers, west by land appearing in plan No. 50,329.

Amount recoverable Rs. 1,554.37, with interest on Rs. 1,500 at 13 per cent. per annum from November 7, 1900, up to March 26, 1901, and further interest on the aggregate sum at 9 per cent. per annum from March 26, 1901, and poundage.

E. LAWSON KOCH,  
Deputy Fiscal.  
Deputy Fiscal's Office,  
Chilaw, June 2, 1903.

In the District Court of Chilaw.

Kachchakaduge Anthony Fernando of  
Katuneriya.....Plaintiff.  
No. 2,279. Vs.

Ponnampelumage Elias Fernando Annavirala  
of Lansigama.....Defendant.

NOTICE is hereby given that on Thursday, July 2, 1903, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

The garden called Kajugahawatta, situate at Lansigama in Medapalata of the Pitigal korale central, Chilaw

District; bounded on the north by garden of Lottappuhamy, east by garden of the defendant P. Elias Fernando Annavirala, south by garden of Laurenti Peries Annavirala and others, and west by land of Eugino Fernando and others; containing in extent 200 coconut trees plantable soil.

Amount recoverable Rs. 448.70, with interest on Rs. 400 at 16 per cent. per annum from December 14, 1900, up to January 8, 1901, and further interest on such aggregate sum at 9 per cent. per annum from January 18, 1901, and poundage.

H. R. FREEMAN,  
Deputy Fiscal.  
Deputy Fiscal's Office,  
Chilaw, June 1, 1903.

In the District Court of Negombo.

Navenna Navenna Natchi Appa Chetty, by  
his attorney Tenappa Chetty, Negombo.....Plaintiff.  
No. 4,409. Vs.

Kalutara Korallage Nicholas Brito Appu-  
hamy of Dematapitiya and another.....Defendants.

NOTICE is hereby given that on Saturday, July 4, 1903, at 1 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. :—

The land of the extent of 9 acres 2 roods lying towards the southern boundary of the land marked letter I and No. 107 and the house standing thereon, situate at Dematapitiya in Medapalata, Chilaw District; bounded on the north by land belonging to Galatara Acciappu and others and by land appearing in plan No. 103,444, north-east by land appearing in plans Nos. 103,400, 103,423, and 103,427, east by land appearing in plan No. 103,426, south-east by land appearing in plans Nos. 103,432 and 103,425, south-west by lands appearing in plans Nos. 103,424, 103,423, and 103,420, by land purchased by Arachchi Appu, and by land belonging to others, north-west by land appearing in plan No. 103,451 and by land of Don Davith Appu; containing in extent 15 acres and 3 roods.

The land bearing letter A and No. 107, situate at Dematapitiya aforesaid; bounded on the west and north by land appearing in plan No. 103,431, east by land appearing in plan No. 103,426, south by land appearing in plans Nos. 103,426 and 103,425; containing in extent 3 acres and 32 perches.

Amount recoverable Rs. 3,334.75, with interest on Rs. 1,750 at 24 per cent. per annum from December 18, 1901, till September 25, 1902, and thereafter at 9 per cent. per annum, and poundage.

H. R. FREEMAN,  
Deputy Fiscal.  
Deputy Fiscal's Office,  
Chilaw, June 1, 1903.

## DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Avisawella by twelve labourer of Eila estate, Yatiyantota, against the proprietor or proprietors thereof, under the Ordinance No. 13 of 1889 for the recovery of their wages amounting to Rs. 195.

J. W. A. BILSBOROUGH,  
Chief Clerk.

This 25th day of May, 1903.