



Ceylon Government Gazette

Published by Authority.

No. 5,946—FRIDAY, OCTOBER 16, 1903.

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and General Government Notifications.

PART II.—Legal and Judicial.

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Part II.—Legal and Judicial.

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DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to 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 any person for the time being, lawfully discharging the duties of the office of British Resident in Perak, or Selangor, or Pahang, or Negri Sembilan.
- “Federated Malay States” means the 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 any of 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 that State 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 c

(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 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.
- 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.
- Non-application of provisions of Criminal Procedure Code relating to appeals from police magistrates.
- 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 State requiring his surrender, 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, 1903," 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, 1903," 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, 1903," 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, 1903:"

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, 1903:"

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's Office, Colonial Secretary.
Colombo, October 3, 1903.

MINUTE.

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

An Ordinance to amend "The Opium Ordinance, 1899."

Preamble.

WHEREAS it is expedient to amend "The Opium Ordinance, 1899," 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.

1 This Ordinance may be cited as "The Opium (Amendment) Ordinance, 1903," and shall be read and construed as one with "The Opium Ordinance, 1899," hereinafter referred to as "the principal Ordinance," and the principal Ordinance and this Ordinance may be cited together as "The Opium Ordinances, 1899 and 1903."

Amendment of sections 9, 10, 11, and 12.

2 For sections 9, 10, 11, and 12 of the principal Ordinance there shall be respectively substituted the following sections, namely:

9. By the notice so to be published as aforesaid the proper authority shall fix a date and place at which such license shall be offered for sale, and shall notify the conditions under which such licenses shall be issued.

10. (1) Such licenses may be offered for sale, at the discretion of the proper authority, either by public auction or private tender.

(2) The proper authority may, subject to the approval of the Governor in Council, from time to time prescribe the conditions under which licenses will be sold, and shall give public notice of the same, either by means of the notice mentioned in section 8 or otherwise as may appear convenient to the proper authority.

(3) If at any sale by auction no bid over the upset price is offered, or at a sale by tender the highest amount tendered is in the opinion of the proper authority inadequate, the proper authority shall be at liberty to postpone the sale, and to offer the same for sale again by public auction or by private tender or to sell it by private contract.

11. Immediately after any person is declared to be the purchaser of any such license, the proper authority shall issue a license in the form hereinafter mentioned to the purchaser. But it shall be lawful for the proper authority in his discretion to refuse to issue any such license; and in case of such refusal, the proper authority shall refund to the purchaser the purchase money or any part thereof which he may have paid, and the license may be re-sold either at once or at such future time as the said proper authority shall appoint.

12. Whenever any person who has been declared the purchaser has made default in paying the purchase money at the appointed time or in complying with any of the conditions under which the sale was held, and the proper authority, in accordance with such conditions, has offered the license for re-sale, then, in the event of such re-sale realizing a smaller amount than that realized at the previous sale, such person shall be liable for the difference, which shall be recoverable by action in the court of requests having in other respects jurisdiction in that behalf, notwithstanding that such difference exceeds the sum of three hundred rupees.

By His Excellency's command,

EVERARD IM THURN,
Colonial Secretary.

Colonial Secretary's Office,
Colombo, October 2, 1903.

MINUTE.

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

An Ordinance to further amend the Law relating to the General Regulation of Customs.

Preamble

WHEREAS it is expedient to further amend in certain particulars Ordinance No. 17 of 1869, intituled "An Ordinance for the General Regulation of Customs," 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.

2 This Ordinance may be cited as "The Customs Duties Amendment Ordinance, 1903," and this Ordinance, the principal Ordinance, and the Ordinances amending the same may be cited together as "The Customs Duties Ordinances, 1869 to 1903."

Further proviso as to sanction of Secretary of State to notifications and resolutions under (a) and (b) of section 11 of principal Ordinance.

3 To the further proviso which was added by "The Customs Duties Amendment Ordinance, 1903," to section 11 of the principal Ordinance, the following sub-section shall be added, namely :

(c) No notification under sub-section (a) of this proviso and no resolution passed under sub-section (b) thereof shall take effect until such notification or resolution, as the case may be, shall have been submitted to and sanctioned by the Secretary of State, and such sanction shall have been notified in the *Government Gazette*.

By His Excellency's command,

EVERARD IM THURN,

Colonial Secretary's Office, Colonial Secretary.
Colombo, September 30, 1903.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary { In the Matter of the Estate of the late
No. 1,958. { Randeni Aratchige Don Pedro Appu,
deceased.

THIS matter coming on for disposal before A. de A. Seneviratne, Esq., District Judge of Colombo, on the 14th day of September, 1903, in the presence of Mr. William Perera Ranasinghe on the part of the petitioner Ponweera Aratchige Dona Carlina; and the affidavit of the petitioner, dated 9th September, 1903, having been read :

It is ordered that the aforesaid petitioner be declared entitled to have letters of administration to the estate of Randeni Aratchige Don Pedro Appu issued to her, as his widow, unless (1) Randeni Aratchige Dona Engletina, wife of (2) Hettige Don Juse Appuhamy, both of Weligampitiya in the Ragam pattu of Alutkuru korale, (3) Randeni Aratchige Don Robertu, (4) Randeni Aratchige Don Savariel, both of Batagama, (5) Halahapperumage Girigoris Fonseka of Hendala, and (6) Halahapperumage Isabel Fonseka of Batagama—shall, on or before the 8th day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

A. DE A. SENEVIRATNE,
District Judge.

The 14th day of September, 1903.

The date for showing the cause against the above *Order Nisi* is extended to 29th October, 1903.

A. DE A. SENEVIRATNE,
District Judge.

8th October, 1903.

In the District Court of Colombo.

Order Nisi.

Testamentary { In the Matter of the Last Will and
Jurisdiction. { Testament of Lionel Marshall, late of
No. 1,973 C. { 63, Harrington Gardens, South Ken-
sington, in the County of Middlesex,
England, deceased.

THIS matter coming on for disposal before Alexander de Alwis Seneviratne, Esq., District Judge of Colombo, on the 8th day of October, 1903, in the presence of Messrs. Julius & Creasy, Proctors, on the part of the petitioner Villiers Alexander Julius of Colombo; and the affidavit of the said Villiers Alexander Julius, dated 1st October, 1903, having been read and an exemplification of probate of the will of the said Lionel Marshall, deceased, having been produced: It is ordered that the will of the said Lionel Marshall, deceased, dated the 27th day of December, 1900, be and the same is hereby declared proved, unless any person interested shall, on or before the 22nd day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Villiers Alexander Julius is the attorney of the executors named in the said will, and that he is entitled to have letters of administration with the will annexed issued to him accordingly, unless any person interested shall, on or before the 22nd day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

A. DE A. SENEVIRATNE,
District Judge.

The 8th October, 1903.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Halahapperumage Lucia Fonseka Gunasekera, deceased, of Hendala. No. 1,861C.

THIS matter coming on for disposal before D. F. Browne, Esq., District Judge of Colombo, on the 6th day of April, 1903, in the presence of Mr. E. W. Perera on the part of the petitioner James Arnelius Rodrigo Weerasinghe Gunawardana; and the affidavit of the petitioner, dated 31st March, 1903, having been read: It is ordered that the aforesaid petitioner be declared entitled to have letters of administration to the estate of Halahapperumage Lucia Fonseka Gunasekera issued to him as an heir, unless 1, Elizabeth Justina Rodrigo Weerasinghe Gunawardana of Mabola in the Ragam pattu of the Alutkuru korale; 2, Mary Salame Rodrigo Weerasinghe Gunawardana, now known as Sister Mary Babara of the Good Shepherd Convent at Kotahena; 3, Jerome Henry Rodrigo Weerasinghe Gunawardana of Hendala; 4, Robertina Rodrigo Weerasinghe Gunawardana, wife of 5, Don David Amarasinghe, Postmaster of Moratuwa; 6, Mary Anne Rodrigo Weerasinghe Gunawardana of Kotahena; 7, John Silvester Cooray of Kalutara; 8, John Silvester Rodrigo Weerasinghe Gunawardana of Hendala; 9, Cornelia Juvita Rodrigo Weerasinghe Gunawardana, wife of 10, William Abayaratna, both of Kandy; 11, Mary Janette Bertha Rodrigo Weerasinghe Gunawardana of Kochchikada in Negombo shall, on or before the 30th day of April, 1903, show sufficient cause to the satisfaction of this court to the contrary.

Th 6th day of April, 1903.

D. F. BROWNE,
District Judge.

The date for showing cause against the above *Decree Nisi* is extended to the 22nd day of October, 1903.

A. DE A. SENEVIRATNE,
Acting District Judge

Colombo, 1st October, 1903.

In the District Court of Colombo.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Rupesinghe Jayasundere Charles Perera and Pathberige Sophia Perera, deceased. No. 1,963 C.

THIS matter coming on for disposal before A. de A. Seneviratne, Esq., District Judge of Colombo, on the 26th day of September, 1903, in the presence of Mr. Thomas F. Bandaranaike on the part of the petitioner Rupesinghe Jayasundere Ruvitan Perera; and the affidavit of the petitioner, dated 22nd September, 1903, having been read: It is ordered that the aforesaid petitioner be declared entitled to have letters of administration for the estate of Rupesinghe Jayasundere Charles Perera and Pathberige Sophia Perera issued to him, unless 1, Rupesinghe Jayasundere Belenis Perera 2, Rupesinghe Jayasundere Carlina Perera of Kinigama, shall, on or before the 22nd day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

A. DE A. SENEVIRATNE,
District Judge.

The 26th day of September, 1903.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Uduma Lebbe Marikar Muttu Natchia, deceased, of Old Moor street. No. 1,966.

THIS matter coming on for disposal before A. de A. Seneviratne, Esq., District Judge of Colombo, on the 30th day of September, 1903, in the presence of Messrs. R. F. de Saram & Alvis on the part of the

petitioner Levena Marikar Peria Tamby; and the affidavit of the petitioner, dated 29th September, 1903, having been read:

It is ordered that the aforesaid petitioner be declared entitled to have letters of administration to the estate of Uduma Lebbe Marikar Muttu Natchia issued to him, unless Uduma Lebbe Marikar Ahamadu Lebbe Marikar shall, on or before the 22nd day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

A. DE A. SENEVIRATNE,
District Judge.

The 30th day of September, 1903.

In the District Court of Colombo.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. { In the Matter of the Last Will and Testament of Alboruge Prolis Dabere, deceased, of Galkissa. No. 1,969.

THIS matter coming on for disposal before A. de A. Seneviratne, Esq., District Judge of Colombo, on the 3rd day of October, 1903, in the presence of Mr. G. M. Silva on the part of the petitioner Nugegodage Livina Silva; and the affidavit of the petitioner, dated 14th September, 1903, having been read:

It is ordered that the will of Alboruge Prolis Dabere, deceased, dated 1st September, 1898, be and the same is hereby declared proved, unless any person interested shall, on or before the 22nd day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Nugegodage Livina Silva 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 interested shall, on or before the 22nd day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

A. DE A. SENEVIRATNE,
District Judge.

The 3rd day of October, 1903.

In the District Court of Colombo.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. { In the Matter of the Last Will and Testament of Weerahennedige Silvestry Michalias Fernando, deceased. No. 1,970.

THIS matter coming on for disposal before A. de A. Seneviratne, Esq., District Judge of Colombo, on the 3rd day of October, 1903, in the presence of Mr. G. M. Silva on the part of the petitioner Mahamarakkala Kurukulasooriya Patabendige Maria Anthonia Nicholas Perera; and the affidavit of the petitioner, dated 18th December, 1902, having been read:

It is ordered that the will of Weerahennedige Silvestry Michalias Fernando, deceased, dated 9th September, 1902, be and the same is hereby declared proved, unless any person interested shall, on or before the 22nd day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Mahamarakkala Kurukulasooriya Patabendige Maria Anthonia Nicholas Perera 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 interested shall, on or before the 22nd day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

A. DE A. SENEVIRATNE,
District Judge.

The 3rd day of October, 1903.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Colombabadalge *alias* Ratnawiboosana Acharige Don Juanis, deceased, of Kotahena.

THIS matter coming on for disposal before A. de A. Seneviratne, Esq., District Judge of Colombo, on the 8th day of October, 1903, in the presence of Mr. Charles Perera on the part of the petitioner Ratnawiboosana Acharige Don Peter; and the affidavit of the petitioner, dated 7th October, 1903, having been read: It is ordered that the aforesaid petitioner be declared entitled to have letters of administration to the estate of Colombabadalge *alias* Ratnawiboosana Acharige Don Juanis Naide issued to him, unless 1, Kalupahana Mestrige Nonno Hami; 2, Ratnawiboosana Acharige Don Stephen; 3, Ratnawiboosana Acharige Don Silvester; 4, Ratnawiboosana Acharige Don Thomas; 5, Ratnawiboosana Acharige Don Paul; and 6, Ratnawiboosana Acharige Dona Eprogina, all of Kotahena in Colombo shall, on or before the 22nd day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

A. DE. A. SENEVIRATNE,
District Judge.

The 8th day of October, 1903.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Porolis Samaranyake, deceased, of "The Hermitage," Slave Island, Colombo.

THIS matter coming on for disposal before A. de A. Seneviratne, Esq., District Judge of Colombo, on the 12th day of October, 1903, in the presence of Mr. A. C. Abeyewardene on the part of the petitioner Johannes Hewavitarna; and the affidavit of the petitioner, dated 12th October, 1903, having been read:

It is ordered that the aforesaid petitioner be declared entitled to have letters of administration to the estate of Porolis Samaranyake issued to him, unless 1, Kamala Hewavitarna of "The Hermitage," Slave Island, Colombo; and 2, Mahalpath Mubandirange Don Singhappahamy of "The Hermitage," Slave Island, the first respondent by her guardian *ad litem* the second respondent, shall, on or before the 22nd day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

A. DE. A. SENEVIRATNE,
District Judge.

The 12th day of October, 1903.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Thomas Samaranyake, deceased, of "The Hermitage," Slave Island, Colombo.

THIS matter coming on for disposal before A. de A. Seneviratne, Esq., District Judge of Colombo, on the 12th day of October, 1903, in the presence of Mr. A. C. Abeyewardene on the part of the petitioner Johannes Hewavitarna; and the affidavit of the petitioner, dated 12th day of October, 1903, having been read:

It is ordered that the aforesaid petitioner be declared entitled to have letters of administration to the estate of Thomas Samaranyake issued to him, unless 1, Kamala Hewavitarna of "The Hermitage," Slave Island, Colombo; 2, Mahalpath Mubandirange Don Singhappahamy of "The Hermitage," Slave Island, Colombo, the first respondent by her guardian *ad litem* the second respondent, shall, on or before the 22nd day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

A. DE. A. SENEVIRATNE,
District Judge.

The 12th day of October, 1903.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Last Will and Testament of the late Wedikkara Isabel of Mahahunupitiya, deceased

No. 700. { Isabel of Mahahunupitiya.....Petitioner.

Demalamuni Mediris of Mahahunupitiya.....Petitioner.

THIS matter coming on for disposal before W. M. Rajapakse, Esq., Additional District Judge of Negombo, on the 19th day of August, 1903; and the affidavit of K. S. D. Leitan, Notary Public, and Kongodage Andere Fernando of 3rd Division, Tammita, dated 29th day of July, 1903; and the joint last will of Wedikkara Isabel and Demalamuni Mediris, having been read: It is ordered that the said Demalamuni Mediris of Mahahunupitiya, the executor named in the will, is entitled to have probate to the estate of the said deceased issued to him accordingly, unless any person or persons shall, on or before the 23rd day of October, 1903, show cause to the satisfaction of this court to the contrary.

W. M. RAJAPAKSE,
Additional District Judge.

Negombo, August 19, 1903.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Intestate Estate of the late Kovilage Lewis Fernando of Bandarawatta, deceased.

No. 707. { Kovilage Juwanis Fernando of BandarawattaPetitioner.

Vs.

1, Kovilage Maria Fernando and husband;
2, Muttuwadige Samel Fernando, both of Muttuwadia.....Respondents.

THIS matter coming on for disposal before Bertram Hill, Esq., District Judge of Negombo, on the 3rd day of September, 1903, in the presence of Mr. John Edward de Zoysa on the part of the petitioner; and the affidavit of the petitioner, dated the 27th day of August, 1903, having been read: It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Kovilage Lewis Fernando of Bandarawatta issued to him, as son of the said deceased, unless the respondents aforesaid shall, on or before the 30th day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

BERTRAM HILL,
District Judge.

The 30th day of September, 1903.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Intestate Estate of the late Tattage Juwanis Fernando of Raddoluwa, deceased.

No. 709. { Gikianage Francisu Fernando of Raddoluwa...Petitioner.

V

Tattage Polioriana Fernando of Raddoluwa...Respondent.

THIS matter coming on for disposal before Bertram Hill, Esq., District Judge, on the 24th day of September, 1903, in the presence of Mr. J. E. de Zoysa on the part of the petitioner; and the affidavit of the petitioner, dated 15th day of September, 1903, having been read: It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Tattage Juwanis Fernando of Raddoluwa issued to him, as brother-in-law of the said deceased, unless the respondent aforesaid or any other person shall, on or before the 6th day of November, 1903, show sufficient cause to the satisfaction of this court to the contrary.

BERTRAM HILL,
District Judge.

Negombo, 24th September, 1903.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the late
No. 337. } Jayasundarahettigey Don John Jayasundara Appuhamy, deceased, of Talpitiya.

THIS matter coming on for disposal before W. F. H. de Saram, Esq., District Judge of Kalutara, on the 6th day of October, 1903, in the presence of Mr. S. Goonetilleke, Proctor, on the part of the petitioner Alexander Goonetilleke, Notary of Talpitiya; and the affidavit of the said petitioner, dated 10th July, 1903, having been read: It is ordered that the said petitioner Alexander Goonetilleke be and he is hereby declared entitled to have letters of administration to the estate of the said deceased Jayasundarahettigey Don John Jayasundara Appuhamy issued to him, as brother-in-law of the said deceased, unless the respondents—1, Sophia Perera, widow of the late Jayasundarahettigey Don John Jayasundara Appuhamy now at Kandy; 2, Benaragama-vidanelagey Dona Elizabeth Haminey of Talpitiya; 3, Don David Jayasundara, Notary of Ambalangoda, and minors (1) Minuwanpitiyagéy Dona Missina Peiris, (2) Minuwanpitiyagéy Georgiana Peiris, by their guardian *ad litem*; 4, Dona Elizabeth Hamine, the said second respondent—shall, on or before the 23rd day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

W. F. H. DE SARAM,
District Judge.

The 6th day of October, 1903.

In the District Court of Kandy.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the late
No. 2,326. } Wattegedara Appuhamy Vidane, deceased, of Ankumbura Pallegama.

THIS matter coming on for disposal before Charles Ambrose LaBrooy, Esq., Acting District Judge of Kandy, on the 23rd day of September, 1903, in the presence of Messrs. Jonklaas & Son, Proctors, on the part of the petitioner Wattegedara Ukku Badoo of Ankumbura Pallegama; the affidavit of the said petitioner and of Hoolangomuwegedara Seerala, dated the 8th and 18th September, 1903, having been read:

It is ordered that the petitioner Wattegedara Ukku Badoo of Ankumbura Pallegama be and he is hereby declared entitled to letters of administration to the estate of Wattegedara Appuhamy, deceased, of Ankumbura Pallegama, as heir of the said deceased, unless (1) Wattegedara Bandirala, (2) Wattegedara Siyatu, (3) Wattegedara Kiri Banda, (4) Wattegedara Bandirala, (5) Wattegedara Dingiri Amma, (6) Wattegedara Ukku Amma, (7) Wattegedara Banda, and (8) Wattegedara Pinghamy, all of Ankumbura Pallegama, shall, on or before the 26th day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

C. A. LABROOY,
Acting District Judge.

The 23rd day of September, 1903.

In the District Court of Kandy.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the late
No. 2,328. } Kana Karuppa Pulle, deceased, of Hunukotuwetenne Ampitiya in Lower Hewaheta.

THIS matter coming on for disposal before Charles Ambrose LaBrooy, Esq., Acting District Judge of Kandy, on the 29th day of September, 1903, in the presence of Mr. H. P. Borrett, Proctor, on the part of the petitioner Mukkaya Amma of Hunukotuwetenne Ampitiya in Lower Hewaheta; and the affidavit of the said petitioner and of Mawana Palaniandy Pulle of Ampitiya aforesaid, both dated 18th September, 1903, having been read:

It is ordered that the petitioner Mukkaya Amma of Hunukotuwetenne Ampitiya in Lower Hewaheta be

and she is hereby declared entitled to letters of administration to the estate of the late Kana Karuppa Pulle, deceased, of Hunukotuwetenne Ampitiya in Lower Hewaheta, as the widow of the said deceased, unless Dorasamy Pulle and Arunaselam Pulle, represented by their guardian *ad litem* Katham Pulle, all of Hunukotuwetenne Ampitiya in Lower Hewaheta, shall, on or before the 30th day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

C. A. LABROOY,
Acting District Judge.

The 29th day of September, 1903.

In the District Court of Kandy.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of Harry
No. 2,329. } Percy Marshall, late of Dedugalle estate, Dolosbage, deceased.

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 8th day of October, 1903, in the presence of Mr. Herbert Percy Borrett, Proctor, on the part of the petitioner John Boyd Coles of Nilambe estate, Kandy; and the affidavit of the said petitioner, dated 6th October, 1903, having been read:

It is ordered that the petitioner John Boyd Coles of Nilambe estate, Kandy, be and he is hereby declared entitled to letters of administration to the estate of the late Harry Percy Marshall, deceased, of Dedugalle estate, Dolosbage, as one of the attorneys of the heirs of the said deceased, unless 1, Edward Marshall of Mitcham in the County of Surrey, England; 2, Julia Mary Marshall, wife of Edward Marshall of Mitcham in the County of Surrey, England; 3, Alice Marey, wife of Gerald Hodgson of Teddington, Middlesex; 4, Helen Mary, wife of Thomas Pashley Harvey of Mitcham, Surrey, Varnish Manufacturer; Edward Williams Marshall of Mitcham aforesaid, Surgeon; 6, Jessie Louisa, wife of Frederick John Mosley of Southampton, Master Mariner; 7, Julia Mary, wife of Menyn Frank Voules of Bognor, Sussex, Schoolmaster; 8, Charles Norman Marshall of Mitcham aforesaid—shall, on or before the 16th day of November, 1903, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,
District Judge.

The 8th day of October, 1903.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the
No. 1,416. } late Mary, wife of Joseph Solomon
Class I. } of Jaffna, deceased.

Joseph Solomon of Jaffna.....Petitioner.

Vs.

John Nicholas of Jaffna.....Respondent.

THIS matter of the petition of Joseph Solomon of Jaffna praying for letters of administration to the estate of the above-named deceased Mary, wife of Joseph Solomon, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 21st day of September, 1903, in the presence of Messrs. Cassipillai & Cathiravelu, Proctors, on the part of the petitioner; and affidavit of the petitioner, dated the 21st day of September, 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 respondent or any other person shall, on or before the 22nd day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,
District Judge.

This 21st day of September, 1903.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Sangarapillai Vissuvanatar of No. 1,420. { Puloly west, Point Pedro, deceased.

Vissuvanatar Sangarapillai of Puloly west.....Petitioner.

Vs.

1, Maruthattai, widow of Vissuvanatar Sangarapillai; 2, Paramu Arumugam and wife; 3, Parupattipillai; 4, Murugar Alvapillai and wife; 5, Ponnupillai, all of Puloly west.....Respondents.

THIS matter of the petition of Vissuvanatar Sangarapillai of Puloly west praying for letters of administration to the estate of the above-named deceased Sangarapillai Vissuvanatar of Puloly west coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 29th day of September, 1903, in the presence of Mr. S. Kandayya, Proctor, on the part of the petitioner; and affidavit of the petitioner, dated the 25th day of September, 1903, having been read: It is declared that the petitioner is a son 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 26th day of October, 1903, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,
District Judge.

This 29th day of September, 1903.

In the District Court of Kurunegala.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Intestate Estate of the late Wappu Marikkar Magen Suleima Lebbe of Bandawa, deceased.

Idroos Lebbe Sherifa Umma of Bandawa.....Petitioner.

Vs.

Suleima Lebbe Magen Ahamado Lebbe of Bandawa in Udapola Otota korale.....Respondent.

THIS matter coming on for disposal before P. Arunachalam, Esq., District Judge of Kurunegala, on the 30th day of September, 1903, in the presence of Mr. Markus, on the part of the petitioner Idroos Lebbe Sherifa Umma of Bandawa; and the affidavit and petition, dated 30th day of September, 1903, of Idroos Lebbe Sherifa Umma of Bandawa having been read: It is

ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Wappu Marikkar Magen Suleima Lebbe of Bandawa issued to her, as the widow and an heir of the deceased, unless the respondents aforesaid shall, on or before the 13th November, 1903, show sufficient cause to the satisfaction of the court to the contrary.

P. ARUNACHALAM,
District Judge.

The 30th September, 1903.

In the District Court of Puttalam.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Intestate Estate of Kader Mira Lebbe Kachchi Ibrahim, late of Puttalam, deceased.

Kachchi Ibrahim Mohammado Saibo of Puluduvayal.....Petitioner.

Vs.

1, Mr. C. B. Paulickpulle, Secretary, District Court, administrator; 2, Pena Reena Lena Vena Vengadachalam Chetty; 3, Mohammadu Meera Nachchia, widow of Kachchi Ibrahim for self and as guardian of the minors Kuppa Umma Moheidin Ibrahim and Saharawan Beebi; 4, Paniker Muttu, wife of Wapu Marakar; and 5, Rauter Nachchia, who is under the care of Kader Meer Lebbe Ibrahim Lebbe, all of Puttalam.....Respondents.

THIS matter coming on for disposal before Geoffrey Montague Cookson, Esq., District Judge of Puttalam, on the 30th day of September, 1903, in the presence of the petitioner; and the petition of the petitioner, dated 29th September, 1903, and the affidavit dated 29th September, 1903, adduced in support thereof, having been read:

It is ordered that the letters of administration issued to Mr. C. B. Paulickpulle, Secretary of the District Court of Puttalam, be and the same is hereby re-called, and the petitioner Kachchi Ibrahim Mohammado Saibo of Puluduvayal be and he is hereby declared entitled to have letters of administration in this case, unless the respondents shall, on or before the 28th day of October, 1903, show sufficient cause to the contrary to the satisfaction of this court.

G. COOKSON,
District Judge.
The 30th day of September, 1903.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,103. In the matter of the insolvency of Sugatadasa Dharmasena of Timbirigasyaye in the Palle pattu of the Salpiti korale.

WHEREAS Sugatadasa Dharmasena has filed a declaration of insolvency, and a petition for the sequestration of the estate of Sugatadasa Dharmasena has also been filed by Rajapaksepitirannehelage Don Charles Appuhami under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Sugatadasa Dharmasena insolvent accordingly; and that two public sittings of the court, to wit, on November 12 and 26, 1903, 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,

J. B. MISSE,
Secretary.

Colombo, October 10, 1903.

No. 2,104.

In the matter of the insolvency of Benjamin Anthony de Silva of Moratuwa.

WHEREAS Benjamin Anthony de Silva of Moratuwa has filed a declaration of insolvency, and a petition for the sequestration of the estate of Benjamin Anthony de Silva of Moratuwa under the Ordinance No. 7 of 1853, Notice is hereby given that the said court has adjudged the said Benjamin Anthony de Silva insolvent accordingly; and that two public sittings of the court, to wit, on November 12 and 26, 1903, 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,

J. B. MISSE,
Secretary.

Colombo, October 13, 1903.

In the District Court of Kalutara.

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

NOTICE is hereby given that the second sitting of this court in the above matter has been adjourned to November 10, 1903.

By order of court,

Kalutara, October 8, 1903. W.M. DE SILVA,
Secretary.

In the District Court of Negombo.

No. 68. In the matter of the insolvency of Walter Benjamin Rajapaksa of Pottode in Negombo.

WHEREAS Walter Benjamin Rajapaksa has filed a declaration of insolvency, and a petition has been filed for the sequestration of the estate of the said Walter Benjamin Rajapaksa under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Walter Benjamin Rajapaksa insolvent accordingly, and that two public sittings of the court, to wit, on November 6, 1903, and on December 11, 1903, 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,

Negombo, October 12, 1903. D. GUNAWARDANA,
Secretary.

In the District Court of Badulla.

No. 95. In the matter of the insolvency of George Francis FitzRoy of Dikkapitiya estate, Haputale.

NOTICE is hereby given that this court has granted to the above-named insolvent a certificate of conformity as of the first class.

By order of court,

Badulla, October 12, 1903. JNO. DHARMAKIRTI,
Secretary.

In the District Court of Ratnapura.

No. 40. In the matter of the insolvency of R. M. Piele of Mahawala estate.

NOTICE is hereby given that a public sitting of the court will take place on November 14, 1903, for the allowance of a certificate to the insolvent.

By order of court,

Ratnapura, October 14, 1903. L. DE ZILVA,
Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Moona Koonna Mana Kana Roona Palaniappa Chetty of Sea street, Colombo.....Plaintiff.

No. 18,501 C. Vs.

Meeyanna Siyana Moona Sekadiar of Bankshall street, Colombo, executor of the last will and testament of Moona Kavanna Nayna Segu Mohamado alias Meeyanna Sayna Moona Segu Mohamado, late of Colombo, deceased Defendant.

NOTICE is hereby given that on Friday, November 6, 1903, at 3 o'clock in the afternoon, will be sold by public auction at the Colombo Harbour, Fort, the following property, for the recovery of the sum of Rs. 7,791, with interest on Rs. 7,000, at 15 per cent. per annum from June 1, 1903, till October 7, 1903, and thereafter at 9 per cent. per annum till payment in full and costs of suit, viz. :-

All that brig formerly known as "Ellias" and of the burthen of 176½ tons, and presently known as "Muhamadu Ellias" and of the burthen of 134 tons, and registered at Colombo under No. 2 of 1887, together with the boats, small arms, and appurtenances, and all the right, title, interest, claim, and demand whatsoever of the said Meeyanna Sayna Moona Segu Mohamadu, deceased, in, to, upon, or out of the same.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, October 14, 1903.

In the District Court of Colombo.

Nana Supperamanian Chetty of Vincent street, Colombo.....Plaintiff.

No. 18,571 C. Vs.

Ana Malingu of Galkapanawatta, Colombo.....Defendant.

NOTICE is hereby that on Tuesday, November 10, 1903, at 3:30 o'clock in the afternoon, will be sold by public auction at the premises the following property, decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 1,617-50, with interest thereon at 9 per cent. per annum from June 25, 1903, till payment in full and costs of suit which have been taxed at Rs. 118-75, viz. :-

All that piece or parcel of land being the remaining portion of the one-third allotment of land with the buildings thereon bearing assessment No. 26, Old Urugodawatta or Galkapanawatta road, situated at Urugodawatta in the New Bazaar Ward within the Municipality of Colombo; bounded on the north-east by the other portion of the same land sold to Siune Lebba Mohamado Casim, on the south-east by the property formerly of Pauloe Appuhami, now of C. B. Samsydeen, on the south-west by the Old Urugodawatta or Galkapanawatta road, on the north-west by the property of Davit Appuhami; containing in extent 6½ square perches, according to the survey thereof dated May 26, 1902, made by C. Henry Leembruggen, Licensed Surveyor.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, October 13, 1903.

In the District Court of Colombo.

Moona Kawanna Neyna Ahamado Tamby of
Reclamation road in Pettah, Colombo.....Plaintiff.
No. 18,899. Vs.

Meeyanna Seyna Moona Sekadiar, executor
of the last will and testament of Moona
Kawanna Neyna Segu Mohamadu, also known
as Meeana Seyana Moona Segu Mohamadu
of Bankshall street, Colombo, and presently
of South India.....Defendant.

NOTICE is hereby given that on Friday, November 6,
1903, at 3 o'clock in the afternoon, will be sold
by public auction at the Colombo Harbour, Fort, the
following property, for the recovery of the sum of
Rs. 16,860, with interest on Rs. 6,000 at 12 per cent. per
annum from September 1, 1903, till October 6, 1903, and
thereafter at 9 per cent. per annum till payment in full
and costs of suit, viz. :—

All that brig formerly known as "Ellias" and of the
burthern of 176½ tons, and presently known as "Muham-
adu Ellias" and of the burthern of 134 tons, and registered
at Colombo under No. 2 of 1887, together with the boats,
small arms, and appurtenances, and all the right, title,
interest, claim, and demand whatsoever of the said Mee-
yanna Sayna Moona Segu Mohamadu in, to, upon, or out
of the same.

Fiscal's Office,
Colombo, October 14, 1903.

E. ONDATJE,
Deputy Fiscal.

In the District Court of Negombo.

Wena Awanna Runa Pena Rina Alegappa
Chetty of Negombo, in his individual
capacity and as attorney of Wena Awanna
Runa Pena Rina Periya Karuppen Chetty.....Plaintiff.
No. 3,367. Vs.

Abeyasin Weerakonappuhamilage Abilino
Gomis, Police Headman of Godigomuwa...Defendant.

NOTICE is hereby given that on December 3, 1903,
commencing at 11 o'clock in the forenoon, will be
sold by public auction at the respective premises the
following property, specially hypothecated by bond
No. 4,879, dated January 14, 1898 :—

1. The portion of the garden called Talgahawatta
(excluding an extent of 2 roods previously disposed of),
at Godigomuwa in the Dunagaha pattu of Alutkuru
korale; the whole portion is bounded on the north by the
live fence separating this from the land of Don David,
Police Headman, on the east by the land of Halahakonge
Don Juse Appu and others, on the south by the cart road
separating this from the land of Don David, Police
Headman, and on the west by the land belonging to
defendant and others; containing in extent 1 acre more
or less.

2. The land called Delgahawatta, at do.; and bounded
on the north by the fence of the land of Juse Wedarala
and others, on the east by the garden belonging to the
defendant, on the south by the field, and on the west by
the land belonging to the heirs of Juse Appuhami; con-
taining in extent 2 acres more or less.

3. The one-fourth share of the land called Delgaha-
landa, at do.; bounded on the north and west by the
garden formerly of Ranamuka Arachchige Don David
Appuhami, now belonging to Rajepaksemohottige Don
Saviel Appu and Abilnahami, on the east by a portion
of this land formerly of Don Domingo Vedarala, now
belonging to Don Anthoni Appu, and on the south by the
field; 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. 417-75, and interest on Rs. 300
at 15 per cent. per annum from February 15, 1899.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, October 14, 1903.

In the District Court of Negombo.

Kuna Pana Ana Kuna Nawenna Lechchermanan
Chetty of Negombo.....Plaintiff.
No. 4,993. Vs.

1, M. P. Domingo Fernando; 2, M. P. Anthony
Fernando; 3, M. John Tissera, all of
Negombo.....Defendants.

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

1. All that undivided ¼ share of all that divided portion
of the land called Katukenda estate and premises marked
lot No. 2 in the figure of survey, situate at Katukenda
and Delpakadawara in the Dunagaha pattu of Alutkuru
korale, the entire lot being bounded on the north by the
Maha-oya and the land said to belong to Seneviratna
Muhandiram, on the east by the land said to belong to
Egonis Appuhamy and Appusingho Vedarala, on the south
by a road and lots Nos. 3 and 4, and on the west by lot
No. 1 and a road; containing in extent 181 acres 3 roods
and 1 perch more or less.

2. All that divided portion of the said Katukenda
estate and the premises marked lot No. 7 in the figure of
survey, situated at do.; and bounded on the north by the
lot No. 5, on the east by the lot No. 6, on the south by
the road from Negombo to Giriulla, and on the west by
the lot No. 8; containing in extent 118 acres 1 rood and
1 perch more or less.

Amount to be levied Rs. 5,532-25, and interest on
Rs. 5,000 at 24 per cent. per annum from April 3 to
May 6, 1903, and thereafter at 9 per cent per annum till
payment in full, less Rs. 300.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, October 14, 1903.

In the District Court of Negombo.

Sawanna Thana Lena Muna Muttaiiah Chetty
of Negombo.....Plaintiff.
No. 5,102. Vs.

Mehidukulesuriya Patabendige Anthony Fer-
nando of Negombo.....Defendant.

NOTICE is hereby given that on December 5, 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. :—

1. The land called Katukenda estate marked lot No. 7,
situate at Katukenda and Delpakadawara in Dunagaha
pattu of Alutkuru korale; bounded on the north by lot
No. 5, on the east by lot No. 6, on the south by the high
road leading from Negombo to Giriulla, and on the west
by lot No. 8; containing in extent 118 acres 1 rood and
1 perch more or less.

2. The land called Mahahorewatta, situate at Katana
in do.; bounded on the north by Marakkeyagewatta and
by the gardens belonging to Ago Vidahn and others, on
the east by the gardens belonging to Upasaka Gurunnanse,
Don Denes Silva and others, on the south by the high
road and by the lands belonging to the villagers, and on
the west by the lands belonging to Machorias Caldera
and others; containing in extent 40 acres more or less.

Amount to be levied Rs. 8,333-87, and interest on
Rs. 7,300 at 18 per cent. per annum from June 14 to
July 14, 1903, and thereafter at 9 per cent. per annum
till payment in full.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, October 14, 1903.

In the District Court of Colombo.

Sayna Ena Meena Allapitchey of Bankshall street, Colombo.....Plaintiff.

No. 17,068 C. Vs.

Gamage Banchiappuhamy of Makkaniroda.....Defendant.

NOTICE is hereby given that on Thursday, November 5, 1903, commencing at 10 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, for the recovery of Rs. 4,779-71, less Rs. 550 paid by the defendant on December 30, 1902, with further interest on Rs. 4,214-98 at the rate of 12 per cent. per annum from July 5, 1902, to October 1, 1902, and thereafter at 9 per cent. per annum till payment in full and costs, viz. :—

1. Bubulewatta, situate at Bataliya in Yatigaha pattu of the Hapitigam korale; and bounded on the north by the field, east and south by the ditch, west by the land belonging to the temple and the land of Mr. Proctor Obeyasekera; containing in extent about 2 acres.

2. Maragahawatta, situate as aforesaid; and bounded on the north by cart road, east by the field, south and west by the land of Amaris Naide; containing in extent about 5 acres.

A. LOUIS DASSENAIKE,
Deputy Fiscal's Office, Deputy Fiscal.
Mirigama, October 8, 1903.

Central Province.

In the District Court of Kurunegala.

Don Charles G. S. Attygala Mudliar of Kurunegala.....Plaintiff.

Dona Peternella Attygala of Kolamunna by her Attorney John Kotalawala of Colombo.....Substituted Plaintiff.

No. 2,084. Vs.

Samarasekara Dissanayaka William de Silva and his wife Hettihewage Dona Selestina Silva, both of Matale, Kandy District.....Defendants.

NOTICE is hereby given that on November 10, 1903, and on the following days, commencing at 12 o'clock noon, will be sold by public auction at the premises, the following property specially hypothecated by the defendants by their bond dated February 25, 1900, and decreed to be sold by the judgment entered in the above case, viz. :—

1. The land called Satrom estate, 13 acres 3 roods and 2 perches in extent; bounded on the north by the temple land, east by King street and Crown land, south by Crown land and Gansabhawa road, and on the west by Gansabahawa road; situate at Pannagoma in Matale.

2. Galketiyehehena and Kanattawatta of 39 acres 1 rood and 20 perches in extent; bounded on the east by high road to Elkaduwa, south by ditch and Mal-ela, west by Welikandekale and the garden of Devapassa, north by the garden of Nicholas Fernando, Meegahamulawatta, and the road leading to Elkaduwa; situate at Kalalpitiya in Medasiya pattu of Matale.

3. Mahammadugewatta *alias* Sinnagewatta in extent about 5 acres; bounded on the east by the fence of the garden of Nugu Lebbe or the fence of the garden now belonging to Vella Tamby, south by fence of the garden of Kannappa Chetty, west by Kaluwa's garden and the fence of the garden of Kader Mastan, north by the high road; situate at Kalalpitiya.

4. Dambagahamulahena *alias* Kabaragalahena, about 3 acres in extent; bounded on the east by the fence of the garden of Uduma, south by the fence of the garden of Kannappa Chetty, west by the fence of the garden of Kannappa Chetty, on the north by the high road; situate at Kalalpitiya.

5. Nicholagewatta *alias* Yaddessagewatta, of about 12 acres in extent; bounded on the east by the fence of the garden of Nikolagewatta, and the fence of the garden of Siman Appoo Renter, south and west by the limit of the land owned by Siman Appoo Renter, and north by Kande-pelle-ela; situate at Kalalpitiya.

6. An undivided one-fourth share of the Alayaya of about 16 lahas of paddy sowing extent; bounded on the east by Ukkuwelahena, south by Millagahamudunehena and the garden of Lebbe Marikkar, west by the garden near the church, north by the garden of Pullanayagam; situate at Warakaminaymurray in Medasiya pattu.

7. Palliagawawatta of about 3 acres in extent; bounded on the east by the chena of Vadakaraya and endaru fence, south by Panikkiya's garden and the fence of the garden of Adam Pulle Arachchi, west by the Kandy-Trincomalee high road, and north by the garden of Masen; situate at Warakaminaymurray.

8. Attikkagasyayekumbura of about 9 amunams paddy sowing extent; bounded on the east by the river, south by Kuriwanapolawa, west by the stream through which water runs to Kongasyaya, north by Kandura irrigating Attikkagasyaya and Kongasyaya; situate at Nalande, Matale.

Amount of writ Rs. 4,807-34, and interest.

A. V. WOUTERSZ,
Fiscal's Office, Deputy Fiscal.
Kandy, October 14, 1903.

Province of Sabaragamuwa.

In the District Court of Kegalla.

Alice Rebecca Stewart of Magammana, administratrix of the estate of Mary Helena Ekneligoda, deceased.....Plaintiff.

No. 1,577. Vs.

Beminihennedige Haramanis Peries of Ruwanwella, now of Egoda Uyana in Panadure.....Defendant.

NOTICE is hereby given that on Tuesday, November 10, 1903, at 11 o'clock in the forenoon, will be sold by public auction at the premises all the right, title, and interest of the said defendant, in, to, upon, or out of the following property mortgaged by the said defendant, viz. :—

1. All that allotment of land called Paranagamage-watta with the tiled house thereon now used as the Post Office (known as Dehiowita Post Office) and leased out to the Postmaster-General for a term of four years commencing from February 1, 1900, at a monthly rental of Rs. 35, situate and lying at Iriyagolla in Urupeleuwa in Atulugam korale of Three Korales; bounded on the north and south by a dry stream (maladola), on the east by the main road from Avisawella to Karawanella, and on the west by a galatula (ridge of rocks); containing in extent about 12 seers of kurakku sowing.

2. An undivided one-third part of all that allotment of land called Mawatabhena, now a tea garden, situate and lying at Iriyagolla in Urupeleuwa in the said Atulugam korale; bounded on the north by a ditch, on the east by the main road from Avisawella to Karawanella, on the south by a dry stream (maladola), and on the west by a galatula (ridge of rocks); containing in extent about 1 amunam and 5 lahas of paddy sowing.

Writ issued to levy the sum of Rs. 3,901, with interest on Rs. 3,690 at 9 per cent. per annum from December 2, 1902.

TIMOTHY F. ABAYAKOON,
Deputy Fiscal's Office, Deputy Fiscal.
Kegalla, October 14, 1903.

DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Kandy by two labourers of Arthur Watta estate in Hewaheta against the proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 17-65.

This 5th day of October, 1903.

W. R. VANDERPUT,
Chief Clerk.