



Ceylon Government Gazette

Published by Authority.

No. 6,084 - FRIDAY, NOVEMBER 10, 1905.

PART I.—General: Minutes, Proclamations, Appointments, and General Government Notifications. PART II.—Legal and Judicial. PART III.—Provincial Administration. PART IV.—Land Settlement. PART V.—Mercantile, Marine, Municipal, Local, &c.

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

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 amend "The Colombo Sailors' Home Ordinance, 1877."

Preamble.

WHEREAS by "The Colombo Sailors' Home Ordinance (hereinafter referred to as the 'principal Ordinance'), after reciting that the trustees therein named had commenced the erection on the land and premises mentioned in the schedule to the said Ordinance of a building to be used as a sailors' home, it was enacted amongst other things that the said home should be opened for the admission and entertainment of sailors, and that it should be thenceforth managed and governed by the said trustees in accordance with such rules and regulations as the said trustees should from time to time establish:

And whereas the said building has been completed, and has for some years past been used as a home for the admission and entertainment of soldiers as well as of sailors; and it is expedient that the said home should continue to be so used: 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 Colombo Sailors' Home Ordinance, 1905."

2. The following section shall be added to the principal Ordinance and shall be numbered 7, namely:

Addition of section to principal Ordinance with regard to admission of soldiers into the home.

Notwithstanding anything in this Ordinance contained the trustees of the said sailors' home shall permit the buildings and premises now vested in them subject to the trusts of said home, and any further buildings and premises which may hereafter become vested in them as such trustees, to be open for the admission and entertainment of soldiers as well as of sailors, subject to such rules and regulations as the trustees may from time to time lay down for the management and government of the said home.

By His Excellency's command,

G. M. FOWLER,
Acting Colonial Secretary.

Colonial Secretary's Office,
Colombo, October 25, 1905.

Objects and Reasons.

THE Colombo Sailors' Home Ordinance requires the trustees to keep the home for the use of sailors. In point of fact the Home has for some time past been open to soldiers as well as to sailors.

2. The draft Ordinance permits the trustees to use the present home and any further premises which may be acquired by them as a Home for soldiers as well as for sailors.

October 19, 1905.

ALFRED G. LASCELLES,
Attorney-General.

MINUTE.

The following amended Draft Ordinance is republished for general information:—

[In section 9 (2) (a) the words "time table" have been substituted for "time tickets."

In (2) (b) the words "unless the consent of the parents has been first obtained" have been added at the end of the sub-section.]

An Ordinance to provide for compulsory Vernacular Education in Municipal and Local Board Towns and in Towns under the operation of "The Small Towns Sanitary Ordinance, 1902."

BE it 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 Town Schools Ordinance, 1905."

2 The Ordinance No. 33 of 1884 is hereby repealed.

Power to extend provisions of Ordinance to certain towns.

3 It shall be lawful for the Governor, with the advice and consent of the Executive Council, by Proclamation in the *Government Gazette*, to bring the provisions of this Ordinance or such of them as shall be specified in such Proclamation into operation within any municipal or local board town, or within any town or village which has been brought under the operation of "The Small Towns Sanitary

Ordinance, 1892," or within the town of Nuwara Eliya, and in every such Proclamation the limits of such town or village shall be set out and defined, and the Governor, with the advice aforesaid, may from time to time revoke, alter, vary, or amend any such Proclamation.

Interpretation.

4 In this Ordinance, unless the context otherwise requires—

The word "parent" includes a guardian and any person who has the actual custody of a child.

The term "local authority" means, in the case of a municipal town, the municipal council; in the case of a local board town, the local board; in the case of the town of Nuwara Eliya, the board of improvement of Nuwara Eliya; and in the case of a town or village which has been brought under the operation of "The Small Towns Sanitary Ordinance, 1892," the board of health.

Presumption as to occupier of premises in which child resides.

5 The occupier of the premises in which any child usually resides shall be presumed to have the custody of such child until the contrary be proved.

Power of local authority to make provision for instruction in vernacular languages.

6 (1) Notwithstanding the provisions of any Ordinance to the contrary, it shall be lawful for any local authority, if they shall consider it expedient so to do, to make provision from the funds vested in them for the establishment and maintenance of one or more schools within the limits of their jurisdiction for the instruction of children in the vernacular languages.

(2) The expenditure which such local authority is hereby authorized to incur shall include the cost of acquiring and purchasing sites for school buildings, of providing suitable school buildings, and providing the same with the necessary furniture, maps, books, and equipment, and of paying the salaries of a suitable staff of teachers, caretakers, and attendants, and of one or more attendance officers to be appointed as hereinafter provided.

(3) The site, buildings, furniture, and articles so acquired and provided shall be the property of the local authority.

Power to make by-laws.

7 (1) A local authority may from time to time make, and when made may revoke, amend, alter, or vary such by-laws as may seem necessary or expedient for the purpose of carrying out the provisions of this Ordinance, and may impose penalties for the contravention thereof not exceeding a fine of twenty rupees, and an additional fine not exceeding ten rupees per day in case of a continuing offence.

(2) No by-law, or revocation, amendment, alteration, or variation of any by-law shall have effect until the same is confirmed by the Governor, with the advice of the Executive Council.

(3) All by-laws when so confirmed shall be published in the *Government Gazette* in the English, Sinhalese, and Tamil languages, respectively, and from the date of such publication shall have the same force as if they had been enacted by this Ordinance.

(4) All such by-laws shall be laid before the Legislative Council if in session within one month of such publication, and if not in session within one month of the commencement of the session next ensuing, and in either case they shall be on the table during four sittings at least of the Council, and any by-law which has been disapproved by resolution of the Council shall cease to have any force or effect.

Power of local authority to make by-laws.

8 (1) The by-laws made under the last preceding section may provide among other things for—

(a) Specifying the limits of any area within the jurisdiction of the local authority within which efficient provision has been made for vernacular education either by a school established under this Ordinance or by any existing school or schools registered by

the Director of Public Instruction as a Government school or schools or as a school or schools receiving a grant-in-aid from Government. Such by-laws shall name the schools by which efficient provision is made as aforesaid for vernacular education.

- (b) Requiring the parent of any child between the ages of six years old and twelve years old residing within such area to cause such child to attend one of such schools. Provided that no parent shall be convicted for not causing his child to attend such school, if he proves to the satisfaction of the magistrate that he has made other efficient provision for the education of such child, or if he proves that he has other reasonable excuse for not causing such child to attend. A parent shall be deemed to have a reasonable excuse for not causing his child to attend school, if he proves that the child is prevented from attending by sickness or other unavoidable cause.
- (c) Determining the days on which and the hours during which children shall attend such school.
- (d) Prescribing, on the recommendation of the Director of Public Instruction, the course of instruction to be given in schools.
- (e) For every other purpose which may by the local authority be deemed necessary for carrying out the provisions of this Ordinance. Provided that nothing herein contained shall in any way restrict or be construed to restrict the generality of the powers conferred by the last preceding section, but such powers shall extend to all matters, whether similar or not to those in this section mentioned, as to which it may be expedient to make by-laws for the better carrying into effect of the objects of this Ordinance.

Religious instruction

9 (1) No religious instruction shall be given in any school established under this Ordinance.

(2) No school in which religious instruction is given shall be named in any by-law made under clause (a) of the last preceding section as a school in which efficient provision is made for vernacular education, unless the local authority is satisfied—

- (a) That religious instruction is given only during the times specified in the school time table;
- (b) That religious instruction is not given to pupils of other denominations than that to which the school belongs, unless the consent of the parents has been first obtained;
- (c) That pupils who do not attend religious instruction are employed in other studies during the hours allotted to religious instruction; and
- (d) That such pupils, if their parents object to their being present in the room where religious instruction is given, are either allowed to study in some other part of the school premises during the hours when such instruction is given or their presence in the school during such hours is excused.

Appointment of attendance officers.

10 It shall be lawful for the Director of Public Instruction, on the requisition of a local authority, to appoint one or more attendance officers to carry out the provisions of this Ordinance. Attendance officers so appointed shall be officers of the Government, and subject in all respects to the rules and regulations of the Public Service. The salaries of such attendance officers shall be paid out of the funds of the local authority.

Power of attendance officer to require information with regard to children.

11 It shall be lawful for any attendance officer appointed under this Ordinance to require the occupier of any premises to give full information with regard to the children residing in such premises and of the provision, if any, which is made for their instruction, and if necessary to produce such children before him for inspection.

Power of attendance officer to enter and search premises.

12 Whenever the occupier of any house, premises, or place refuses to give such information as aforesaid to the attendance officer, or gives information which the attendance officer has reasonable ground for believing to be false, it shall be lawful for the attendance officer, at any time between sunrise and sunset, to enter and search such house, premises, or place, and the occupier of the same shall afford him all reasonable facilities for so doing; and every occupier who fails or refuses to afford such facilities shall be guilty of an offence, and liable on conviction to the penalties prescribed in the following section.

Penalties.

13 Any person who refuses to give an attendance officer any information which such attendance officer is authorized by this Ordinance to require, or wilfully gives information which is false in any particular, or wilfully obstructs any attendance officer or any person acting under the lawful orders of an attendance officer in the discharge of his duties, shall be guilty of an offence, and shall be liable on conviction thereof to be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one hundred rupees, or with both.

How prosecutions are to be instituted.

14 (1) Every prosecution in respect of an offence under this Ordinance may be instituted by a written report made by an attendance officer and certified where the offence is alleged to have been committed within the jurisdiction of the Municipal Council of Colombo by the Director of Public Instruction, and where the offence is alleged to have been committed elsewhere by the chairman of the local authority, that such offence has been committed, being presented to a police magistrate or, in the case of a municipal town, a municipal magistrate.

(2) All fines imposed under this Ordinance shall be paid into the funds of the local authority.

Power of magistrate in certain cases to order child to be sent to certified industrial school.

15 (1) If any child of such age as to be liable to attend school habitually and without reasonable excuse neglects to attend such school, or is found habitually wandering about the streets and not under proper control, or in the company of disorderly or immoral persons or of reputed criminals, it shall be the duty of the attendance officer, after due warning to the child and to the parents of the child, if they can be found, to present a written report certified, as provided by the last preceding section, to a magistrate, and the magistrate shall summon such child and the parents (if they can be found) before him, and if satisfied of the truth of the report may order such child, if a male, to be whipped in accordance with the provisions of "The Flogging Regulation Ordinance, 1904," or order any such child to be sent to any school or institution certified by the Governor under "The Youthful Offenders' Ordinance, 1886" (hereinafter referred to as "a certified industrial school"), for such period, not less than three months or more than six months, as to such magistrate shall seem proper.

(2) The costs of maintaining and educating the child at the certified industrial school shall be defrayed, in the first instance, by the local authority, but the magistrate may in his discretion issue an order to the parent of such child requiring such parent to pay the whole or any part of the costs of such maintenance, provided that such order may be made on the application of an attendance officer appointed under this Ordinance, and shall be made and enforced so far as is consistent with the provisions of this Ordinance in the manner provided by sections 32 to 37 inclusive of "The Youthful Offenders' Ordinance, 1886."

Procedure.

16 With regard to proceedings before a magistrate under this Ordinance or under any by-laws thereunder, the following provisions shall have effect:

(1) In any proceeding for an offence under a by-law the magistrate may, instead of inflicting a penalty, make

an order directing that the child shall attend school, and that if he fails to do so the person on whom such order is made shall pay a penalty not exceeding the penalty to which he is liable for failing to comply with the by-law.

- (2) Any magistrate may require by summons any parent of a child required by by-law to attend school to produce the child before him, and any person failing without reasonable excuse, proof whereof shall lie on the parent, to comply with such summons shall be liable to a penalty not exceeding twenty rupees.
- (3) When a child is apparently of the age alleged for the purpose of the proceeding, it shall lie on the defendant to prove that the child is not of that age.
- (4) A certificate purporting to be under the hand of the Director of Public Instruction stating that a child has reached a particular standard of education, or is or is not under efficient instruction, or stating that any school does or does not provide efficient instruction, or stating that any person has been appointed an attendance officer under this Ordinance, shall be evidence of the facts stated in such certificate.

By His Excellency's command,

G. M. FOWLER,
Acting Colonial Secretary.

Colonial Secretary's Office,
Colombo, September 19, 1905.

Statement of Objects and Reasons.

THE Draft Ordinance, in its present form, embodies the amendments recommended by the Sub-Committee of the Legislative Council which reported upon the Bill introduced towards the close of last session.

2. The Ordinance repeals Ordinance No. 33 of 1884, which empowered Municipal Councils and Boards of Health to contribute to the maintenance of certain specified schools in which the English language was taught. The general object of the Ordinance is to enable Municipal Councils, Local Boards, Boards of Health, and the Board of Improvement of the town of Nuwara Eliya to make provision for the establishment and maintenance of schools for the instruction of children in the vernacular languages.

3. The above-mentioned local authorities are empowered, by means of by-laws, to enforce the attendance of children between the ages of six and twelve years for whose education no efficient provision has been made, either at schools established under the Ordinance or at existing schools registered by the Director of Public Instruction as Government schools or as schools receiving grants-in-aid.

4. With regard to religious instruction, it is provided that in schools established under the Ordinance no such instruction shall be given.

With respect to other schools to which parents may be compelled to send their children, stringent provision is made by section 9 (2) that pupils of denominations other than that to which the school belongs shall not receive religious instruction.

5. The Ordinance contains provisions for enforcing the attendance of children at school and for the committal of vagrant children to reformatory schools.

Attorney-General's Chambers,
Colombo, September 26, 1905.

ALFRED G. LASCELLES,
Attorney-General.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Kandy will be holden at the Audience Hall at Kandy on Friday, December 1, 1905, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

H. WAGE,
Fiscal.
Fiscal's Office,
Kandy, November 4, 1905.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Kurunegala will be holden at the Court-house at Kandy on Friday, the 1st day of December, 1905, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

S. M. BURROWS,
Fiscal.
Fiscal's Office,
Kurunegala, November 6, 1905.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Badulla-Haldummulla will be holden at the Court-house at Kandy on Friday, the 1st day of December, 1905, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

M. STEVENSON,
Fiscal.
Fiscal's Office,
Badulla, November 6, 1905.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the Midland Circuit will be holden at the Court-house at Kandy on Friday, the 1st day of December, 1905, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

G. SAXTON,
Fiscal.
Fiscal's Office,
Ratnapura, November 6, 1905.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo

Order Nisi.

Testamentary In the Matter of the Estate of the late Kutchie Ismail Lebbe Marikar, deceased, of Bankshall street, Colombo.
No. 2,384.

THIS matter coming on for disposal before James Richard Weinman, on the 26th day of October, 1905, in the presence of Messrs. P. D. & T. D. Mack on the part of the petitioner Vana Pana Lana Kana Runa Palaniappa Chetty of Sea street: and the affidavit of the said petitioner, dated the 14th day of June, 1905, having been read: It is ordered that Mr. J. B. Misso, Secretary of the District Court of Colombo, be declared entitled to have letters of administration to the estate of the said deceased issued to him, unless Sowriathu Umma and Naina Mohamadu Satabu and Aynaon Umma, both of New Moor street, Colombo, and also Mr. J. B. Misso shall, on or before the 30th day of November, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,
District Judge.

The 26th day of October, 1905.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Estate of the late Wijesinghe Aratchige Don Hendrick, deceased, of Mylawalana.
No. 2,447.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 21st day of September, 1905, in the presence of Mr. T. F. Bandaranaike on the part of the petitioner Rajakaruna Mohotti Appuhamillage Don Themis of Meegalle in the Udugaha pattu of Siyane korale; and the affidavit of the said petitioner, dated

the 15th day of August, 1905, having been read: It is ordered that the said petitioner be declared entitled to have letters of administration to the estate of the said deceased issued to him, unless (1) Talattani-rallalage Ran Menika of Mylawalana in the Gangaboda pattu of Siyane korale, (2) Wijesinghearatchige Loku Menika of Meegalla in the Gangaboda pattu of Siyane korale, (3) Wijesinghearatchige Batan Nona, and (4) her husband Tambugalla-atukorallage Puchi Sinno, both of Matalane in Udugaha pattu of Siyane korale, (5) Wijesinghearatchige Agoris Sinno, (6) Wijesinghearatchige Sovis Sinno, both of Mylawalana, (7) Wanniatichikanamalage Podi Appu, (8) Wanniatichikanamalage William, (9) Wanniatichikanamalage Albert, and (10) Don Jades, all of Milleta in the Gangaboda pattu of Siyane korale, shall, on or before the 19th day of October, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,
District Judge.

The 21st day of September, 1905.

This *Order Nisi* is extended and reissued for the 16th of November, 1905.

By order of court,

J. R. WEINMAN,
District Judge.

19th October, 1905.

In the District Court of Colombo.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Last Will and Testament of Halawatage Albertu Perera, deceased, of Nedun-gomuwa in Siyane korale.
No. 2,461 C.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 24th day of October, 1905, in the presence of Mr. W. P. Gunawardane on the part of the

petitioner Kuranapatabendige Marsel Perera of Nedungomuwa aforesaid; and the affidavit of the said petitioner, dated 20th day of October, 1905, having been read: It is ordered that the will of Halawatage Albertu Perera, deceased, dated the 20th day of September, 1905, be and the same is hereby declared proved, unless any one mentioned shall, on or before the 16th day of November, 1905, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Kuranapatabendige Marsel Perera is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any one interested shall, on or before the 16th day of November, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,
District Judge.

The 24th day of October, 1905.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Estate of the late Walgama Ranasinghe Arachchige Lawaris Appu and Matugama Vidanalage Salo Hamy, deceased, both of Kosinna.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 1st day of November, 1905, in the presence of Messrs. De Livera and Jacolyn on the part of the petitioner Walgama Ranasinghe Arachchige Arnolis Appu of Kosinna; and the affidavit of the said petitioner, dated 19th day of October, 1905, having been read:

It is ordered that the said petitioner be declared entitled to have letters of administration to the estate of the said deceased issued to him, unless (1) Walgama Ranasinghe Arachchige Sedo Hamy, (2) Walgama Ranasinghe Arachchige Enso Hamy, (3) Walgama Ranasinghe Arachchige Egonis Appu, (4) Walgama Ranasinghe Arachchige Marthelis Appu, and (5) Walgama Ranasinghe Arachchige Lucy Hamy, by their guardian *ad litem* Matugama Vidanalage Peris Appu of Pahalayagoda, shall, on or before the 23rd day of November, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,
District Judge.

The 1st day of November, 1905.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of John Arthur Fernando, deceased, of Kollupitiya in Colombo.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge, on the 1st day of November, 1905, in the presence of Mr. G. L. Cooray on the part of the petitioner Piancarage Marthina Silva of Kollupitiya in Colombo; and the affidavit of the said petitioner, dated the 25th day of October, 1905, having been read:

It is ordered that the will of the said John Arthur Fernando, deceased, dated the 6th day of February, 1905, be and the same is hereby declared proved, unless any one interested shall, on or before the 16th day of November, 1905, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Piancarage Marthina 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 one interested shall, on or before the 16th day of November, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,
District Judge.

The 1st day of November, 1905.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Weerahennedige Isabella Fernando of Horetuduwa, deceased.

THIS matter coming on for disposal before W. R. B. Sanders, Esq., District Judge of Kalutara, on the 10th day of August, 1905, in the presence of Mr. C. A. L. Orr, Proctor, on the part of the petitioner Vidanalage Johannes Mathew de Mel Nanayakkara Appuhamy of Kotahena, Colombo; and the affidavit of the said petitioner, dated the 8th day of August, 1905, having been read:

It is ordered that the said Vidanalage Johannes Mathew de Mel Nanayakkara Appuhamy be declared entitled to have letters of administration to the estate of the deceased Weerahennedige Isabella Fernando issued to him, unless the respondent—(1) Vidanalage Elizabeth de Mel Nanayakkara Hamine and (2) her husband (3) Mereanage Christobo Fernando, (4) Maria de Mel Nanayakkara Hamine and her husband (5) Siddamarakkalage William Henry de Silva, (6) Helena de Mel Nanayakkara Hamine and her husband (7) Mahamarakkalage Juwanis Perera—shall, on or before the 6th day of September, 1905, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,
District Judge.

The 10th day of August, 1905.

The date for showing cause against the above *Order Nisi* is extended to 17th November, 1905.

W. R. B. SANDERS,
District Judge.

The 1st day of November, 1905.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Mahadurage Pabo, deceased, at Talaramba.

THIS matter coming on for disposal before T. R. E. Loftus, Esq., District Judge of Matara, on the 12th day of October, 1905, on the motion of Mr. J. S. Wirasinha, Proctor, on the part of the petitioner Dalawelle Hakuru Hewage Aso of Talaramba; and the affidavit of the said petitioner, dated the 26th day of September, 1905, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled to have letters of administration to the estate of the said deceased, as daughter of the said deceased, unless the respondents—(1) Dalawelle Hakuru Hewage Babane of Talaramba, (2) Dalawelle Hakuru Hewage Babuwe of Talaramba, (3) Dalawelle Hakuru Hewage Punchi Baba of Talaramba—shall, on or before the 15th day of November, 1905, show sufficient cause to the satisfaction of this court to the contrary.

THOS. R. E. LOFTUS,
District Judge.

The 12th day of October, 1905.

In the District Court of Ratnapura.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of the late Ellawala Ekanayake
No. 541. Rajapakse Basnaik Mudiyanse-
ralahamillage Alfred Ellawala, de-
ceased, of Godigomuwa.

THIS matter coming on for disposal before W. A. G. Hood, Esq., District Judge of Ratnapura, on the 30th day of September, 1905, in the presence of the petitioner Harry Ellawala of Ratnapura; and the affidavit of the said petitioner, dated 30th day of September, 1905, having been read: It is ordered that the said petitioner Harry Ellawala of Ratnapura be and he is hereby declared entitled to have letters of administration issued to him to the intestate estate of the late Ellawala Ekanayake Rajapaksa Basnayaka Mudiyansealalahamillage Alfred Ellawala of Godigomuwa, unless the respondent William Ellawala of Ratnapura shall, on or before the 29th day of November, 1905, show sufficient cause to the satisfaction of this court to the contrary.

W. A. G. HOOD,
District Judge.

The 30th day of September, 1905.

In the District Court of Kurunegala.

Order Nisi.

Testamentary In the Matter of the Intestate
Jurisdiction. Estate of the late Rajaguru Mudi-
No. 818. anselage Appuhamy, Registrar of
Kolembalamulla.

Ratnayake Mudiyanseilage Kiri Menica
of KolembalamullaPetitioner.

And

(1) Rajaguru Mudiyanseilage Ran Menica,
(2) Rajaguru Mudiyanseilage Ukku
Banda, (3) Rajaguru Mudiyanseilage
Pinchi Banda, (4) Rajaguru Mudi-
anselage Mekamma, (5) Rajaguru
Mudiyanseilage Ranhamy, (6) Raja-
guru Mudiyanseilage Ukkuamma, all
of Kolembalamulla in Udapola Meda-
lassa koraleRespondents.

THIS matter coming on for disposal before Bertram Hill, Esq., District Judge of Kurunegala, on this 23rd day of October, 1905, in the presence of

Messrs. C. P. & C. H. Markus on the part of the petitioner; and the affidavit of the petitioner, dated the 10th October, 1905, having been read:

It is ordered that Ratnayake Mudiyanseilage Kiri Menica, the said petitioner, be declared entitled to have letters of administration to the estate of the late Rajaguru Mudiyanseilage Appuhamy, Registrar of Kolembalamulla, issued to her, as the widow and an heir of the said intestate, unless the respondents aforesaid or any person interested shall, on or before the 15th day of November, 1905, show sufficient cause to the satisfaction of this court to the contrary.

BERTRAM HILL,

The 23rd day of October, 1905. District Judge.

In the District Court of Kurunegala.

Order Nisi.

Testamentary In the Matter of the Intestate
Jurisdiction. Estate of the late Uduma Lebbe
No. 819. Marikar of Kurunegala.

Rubee Amma of KurunegalaPetitioner.

Vs.

(1) Dayan Kitchilan, (2) Tuan Kitchil
Dayan, (3) Tuan Rajaydeen Dayan,
(4) Mrs. Allal Samsee, (5) Mrs. Maha-
moor, presently of Nawalapitiya Respondents.

THIS matter coming on for disposal before Bertram Hill, Esq., District Judge of Kurunegala, on the 23rd day of October, 1905, in the presence of Mr. A. G. Schokman on the part of the petitioner; and the affidavit of the petitioner, dated 4th October, 1905, having been read: It is ordered that Rubee Amma of Kurunegala, the said petitioner, be declared entitled to have letters of administration to the estate of the late Uduma Lebbe Marikar of Kurunegala issued to her, as the mother and an heir of the said intestate, unless the respondents aforesaid or any person interested shall, on or before the 17th day of November, 1905, show sufficient cause to the satisfaction of this court to the contrary.

B. HILL,
District Judge.

23rd October, 1905.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,184. In the matter of the insolvency of
Charles Henry Kerr of Bambala-
pitiya in Colombo, carrying on busi-
ness in Colombo under the name,
style, and firm of Kerr & Co.

NOTICE is hereby given that the above-named insolvent has been awarded a certificate of the third class, but that the issue thereof has been suspended for a period of six months.

By order of court.

J. B. Misso,
Secretary.

Colombo, November 7, 1905.

In the District Court of Colombo.

No. 2,200. In the matter of the insolvency of
Tenahendigeey Guneris de Silva of
the Pettah in Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on the 30th day of November, 1905, for the appointment of an assignee.

By order of court,

J. B. Misso,
Secretary.

Colombo, November 2, 1905.

In the District Court of Colombo.

No. 2,214. In the matter of the insolvency of Carolis de Almeida of Nos. 78 and 79, Jampettah street in Colombo.

WHEREAS the above-named Carolis de Almeida has filed a declaration of insolvency, and a petition for the sequestration of the estate of the said Carolis de Almeida has also been filed, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Carolis de Almeida insolvent accordingly, and that two public sittings of the court, to wit, on the 7th day of December, 1905, and on the 21st day of December, 1905, 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. Misso,
Secretary.
Colombo, November 7, 1905.

In the District Court of Negombo.

No. 72. In the matter of the insolvency of Kana-pattiar Vallipuram of Minuwangoda.

NOTICE is hereby given that the second sitting in the above matter has been fixed for December 4, 1905.

By order of court,

N. PARANAVITANA,
Secretary.
Negombo, November 3, 1905.

In the District Court of Kalatara.

No. 116. In the matter of the insolvency of Gamaetige Don Erolis Appuhamy of Horawala in Pasdun korale.

NOTICE is hereby given that the second sitting of this court in the above matter has been adjourned to November 17, 1905.

By order of court,

WM. DE SILVA,
Secretary.
Kalutara, November 2, 1905.

In the District Court of Kandy.

No. 1,508. In the matter of the insolvency of W. R. Waller of Dikoya.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on December 14, 1905, for the appointment of an assignee.

By order of court,

W. M. DE SILVA,
Secretary.
Kandy, November 6, 1905.

In the District Court of Kandy.

No. 1,513. In the matter of the insolvency of Punchi Banda Ratnayaka of Kahalla in Lower Dumbara.

NOTICE is hereby given that the adjudication of insolvency of the above-named insolvent was annulled on October 19, 1905.

By order of court,

W. M. DE SILVA,
Secretary.
Kandy, November 6, 1905.

In the District Court of Kandy.

No. 1,514. In the matter of the insolvency of S. Peter Fernando of Rattota.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on December 13, 1905, to consider the insolvent's application to have his adjudication of insolvency annulled.

By order of court,

W. M. DE SILVA,
Secretary.
Kandy, November 6, 1905.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Helena Wijewardene of Sedawatta, executrix of the last will and testament of Don Philip Wijewardene, Muhandiram, late of Sedawatta, deceased . . . Plaintiff.

No. 20,709 C. Vs.

Sembukuttiarachchige Gabriel Silva Appuhamy of Diagam-pola, now of Kotahena in Colombo . . . Defendant.

NOTICE is hereby given that on Monday, December 4, 1905, will be sold by public auction at the respective premises the following property, mortgaged and decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 32,500, with interest on Rs. 25,000 at 12 per cent. per annum from September 15, 1904, till October 28, 1904, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit Rs. 297-62½, and poundage, viz.:—

At 3 P.M.

1. An allotment of land with the buildings thereon bearing assessment No. 49A; and bounded on the

south by the premises No. 49B now of S. A. Gabriel Silva, on the north by the property of E. Wilfred Perera, on the west by Kotahena street, and on the east by premises bearing assessment No. 20E of K. Elias Perera; containing in extent 9.19 square perches.

At 3.30 P.M.

2. An allotment of land with the buildings thereon bearing assessment No. 49B; and bounded on the north by premises No. 49A now of S. A. Gabriel Silva, on the east by the premises No. 20E of K. Elias Perera, on the south by premises No. 49½ of G. Theodoris Perera, and on the west by Kotahena street; containing in extent 4.34 square perches, which said two allotments of land hereinbefore specified adjoin each other, and are both situated at Kotahena street, Colombo.

At 4 P.M.

3. All that allotment of land No. 1, situate at Cemetery street in Kotahena in Colombo; bounded on the north-east by lot No. 2 purchased by G. A. Dias, on the north-west by Cemetery road, on the south-west by Cemetery road, and on the south-east by lot No. 3 purchased by Arnolis Dep; containing in extent 33 square perches more or less.

Fiscal's Office,
Colombo, November 7, 1905.

E. ONDATJE,
Deputy Fiscal.

In the District Court of Colombo.

Moona Runa Ana Runa Palaniappa
Chetty of Sea street, Colombo.....Plaintiff.

No. 21,942 C. Vs.

I. L. Marikar Hadjar of Messenger
street, Colombo, carrying on business
under the name, style, and firm of I.
L. Marikar Hadjar & Company.....Defendant.

NOTICE is hereby given that on Wednesday,
December 6, 1905, at 3.30 o'clock in the after-
noon, will be sold by public auction at the premises
the right, title, and interest of the said defendant in
the following property for the recovery of the sum
of Rs. 2,002-50, with interest at 9 per cent. per annum
on Rs. 1,000 from June 14, 1905, and on Rs. 1,000
from June 15, 1905, till payment in full, viz. :—

All that house and ground bearing assessment
No. 81, situated at Fourth Cross street in Pettah,
within the Municipality of Colombo; bounded on the
north by house No. 82, on the east by Fourth Cross
street, on the south by house No. 80, and on the west
by house No. 48, Maliban lane; containing in extent
about 5 square perches.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, November 7, 1905.

In the District Court of Colombo.

Kotubandara Mohandiram Hettige James
Perera of Base Line road, Colombo.....Plaintiff.

No. 21,624 C. Vs.

Kolonnage Don Cornelis Perera of Kota-
hena in Colombo.....Defendant.

NOTICE is hereby given that on Monday, Decem-
ber 4, 1905, will be sold by public auction at
the respective premises the following properties
ordered to be sold by order for sale dated October 24,
1900, for the recovery of the sum of Rs. 5,300, with
interest on Rs. 5,000 at 12 per cent. per annum from
April 1, 1905, till June 23, 1905, and thereafter on the
aggregate amount at 9 per cent. per annum till pay-
ment in full, and costs of suit, viz. :—

At 1.30 P.M.

1. All that allotment of land marked lot No. 11,
shaded pink in the plan, with the house constructed
thereon, situated at Kotahena street within the
Municipality of Colombo; and bounded on the north by
lot No. 10, on the east by lots Nos. 20 and 21, on the
south by lot No. 12, and on the west by Kotahena
street; containing in extent 25 square perches.

At 2 P.M.

2. All that part of the garden with the buildings
standing thereon, situated at Cemetery street within
the Municipality of Colombo; and bounded on the
north-east by the other part of Nallawari Nekatigey
Carolis Fernando, on the south-east by the road
leading to Berawamulla, on the south-west by another
part of thi garden belonging to Ekenayake Aratchi-
gey Don Gregoris Appu, and on the north-west by
the property of Gammanagey Samuel Appu now
of Mohottiwatte Gunanande Terunnanse; containing
in extent 6-32 square perches; and all the right, title,
interest, claim, and demand whatsoever of the
defendant in, to, upon, or out of the said properties.

E. ONDATJE,
Deputy Fisca .

Fiscal's Office,
Colombo, November 7, 1905.

In the District Court of Colombo.

Edwin Joseph of Bambalapitiya in
Colombo.....Plaintiff.

No. 21,873 C. Vs.

(1) Wijeratne Mohandiramage Mathes
Fernando Wijeratne, Muhandiram,
(2) Wattutantrige Elizabeth Maria de
Alwis, both of Mutwal, Colombo, (3)
Wijeratne Mohandirange John Wilfred
Fernando Wijeratne of Skinner s road
south, ColomboDefendants.

NOTICE is hereby given that on Tuesday, Decem-
ber 5, 1905, at 4 o'clock in the afternoon,
will be sold by public auction at the premises the
following property, mortgaged with the plaintiff and
decreed to be sold by the decree entered in the above
action, for the recovery of the sum of Rs. 1,035, with
interest thereon at 9 per cent. per annum from July
14, 1905, till payment in full, and costs of suit
Rs. 171-37½, viz. :—

All that portion of the garden called Kamarangaha-
watta with the buildings and plantations standing
thereon bearing assessment No. 40, situated at
Fishers' Hill in Mutwal within the Municipality of
Colombo in the Palle pattu, Salpiti korale, District
of Colombo, Western Province; bounded on the north-
east by the garden of Koswattege Justina Perera, on
the south-east by another portion of this garden, on
the south-west by the garden of Irippuwebadalge
Francisco Perera, and on the north-west by the high
road; containing in extent 5-50 square perches more
or less, together with all rights, privileges, easements,
servitudes, and appurtenances whatsoever to the said
premises belonging or usually held, occupied, used,
or enjoyed therewith; and all the estate, right,
title, interest, property, claim, and demand whatso-
ever of the defendants in, to, out of, or upon the same
at the date of the mortgage bond No. 196, dated
November 13, 1903.

E. ONDATJE,
Deputy Fiscal.

Fiscal's Office,
Colombo, November 7, 1905.

In the District Court of Colombo.

(1) Solomon Peter Soysa, (2) Francis
James Mendis, and (3) Apolonia Men-
dis, widow and executrix of the last
will and testament of Hettiakandegey
Francisco Fernando, all of Moratuwa.....Plaintiffs.

No. 19,014 C. Vs.

(1) Kaviratna Theneris Silva and (2)
Weerakkodie Generis Hamy, both of
Kudawaskaduwa of Panadure tota-
muneDefendants.

NOTICE is hereby given that on Monday, Decem-
ber 4, 1905, commencing at 11 o'clock in the
forenoon, will be sold by public auction at the pre-
mises the right, title, and interest of the said defend-
ants in the following property to recover a sum of
Rs. 1,098-20, with interest thereon at 9 per cent. from
January 1, 1902, till payment in full, and poundage,
viz. :—

1. All that half of the land called Attikkagaha-
watta *alias* Kohombagahawatta, situate at Kuda-
waskaduwa of Panadure totamune; and bounded on
the north by the other half, east by the high road,
south by the residing land of Kurunamunny Prolis
Silva Kapurala, and west by Timbirigahawatta
and a portion of this land together with the tiled house
standing thereon; containing in extent 2 roods and
31-27 square perches.

2. A portion of Bogahawatta, at ditto; bounded
on the north and east by a portion of this land, south

by Kurunduwatta, and west by a portion of Bogah a watta; containing in extent 1 rood and 27 square perches.

3. All that land called Kurunduwatta, at ditto; on the north by Gabadewatta, east by the residing land of Eliyadure Podineris Hamy, south by the high road leading to Bandaragama, and on the west by the land belonging to Migelhewagey Louis Fernando, together with cinnamon and other plantations; containing in extent 2 acres; specially mortgaged with the plaintiff and declared bound and executable for the decree entered in this case.

S. T. DE SILVA,
Deputy Fiscal.

Deputy Fiscal's Office,
Kalutara, November 7, 1905.

Central Province.

In the District Court of Kandy.

Charles Don Carolis of Bambalapitiya,
ColomboPlaintiff.
No. 17,029. Vs.

Kana Mamado Mohideen's son Meera
Sah *alias* Kana Meera Sah, No. 5,
Municipal market, KandyDefendant.

NOTICE is hereby given that on December 9, 1905, 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. :—

† An undivided half share of the land called Kaigawa estate *alias* Kosgollekelle, situate at Kaigawa Gandake korale, Upper Dumbara; and bounded on the north and north-east by Maella, on the south-east by land described in plan No. 63,441, on the south-west by land described in plan No. 63,442, on the west by Maha-oya, Puwakgahaella, and by Heen-ganga, and on the north-west by land claimed by natives and Heen-ganga; containing on extent in the whole 257 acres more or less.

Amount of writ, Rs. 853.90 and interest.

A. V. WOUTERSZ,
Deputy Fiscal.
Fiscal's Office,
Kandy, November 7, 1905.

Southern Province.

In the District Court of Tangalla.

The Hon. the Attorney-GeneralPlaintiff.
No. 537. Vs.

Senadirage Heenappu of Handunoruwa
(since deceased)Defendant.

NOTICE is hereby given that on Saturday, December 9, 1905, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

The land called and known as Helambagaswala in extent about 55 acres, situated at Tihawa in Magam pattu, Hambantota District, and bounded on the east by the land belonging to Mail, on the west by the land belonging to Samel Appu, on the north by the land belonging to Maulana, on the south by Maralawewa belonging to Vedarala.

The writ amount is Rs. 2,332.39, together with further damages at the rate of Rs. 500 per annum from January 1, 1900.

J. CONROY,
Deputy Fiscal.
Deputy Fiscal's Office,
Hambantota, November 4, 1905.

North-Western Province.

In the Court of Requests of Kurunegala.

S. P. A. Welalappa Chetty, by his attorney
S. P. A. W. Natchiappa Chetty of Kurunegala, and anotherPlaintiffs.
No. 13,038. Vs.

Ranmetta Durayalage Hapuwa Dureya
of Welivehena and anotherDefendants.

NOTICE is hereby given that on Saturday, December 2, 1905, 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. :—

(1) Nagulwalagawawatta of 12 lahas of kurakkan sowing extent, with the plantations and everything thereon, situate at Welivehena; and bounded on the north by field, east by the chena belonging to the 1st defendant Hapuwa Dureya, south by jungle, and west by garden belonging to the 1st defendant Hapuwa Dureya.

(2) The garden Dangahamulahitawatta of 6 lahas kurakkan sowing extent, with the plantations thereon, situate at Welivehena aforesaid; and bounded on the north by tank, east by mukalana which is now a garden planted and improved by Setuwa Dureya and Ukku, south by the limit of the land belonging to the 1st defendant Hapuwa Dureya and Jambuwa, and west by the fence of the garden of Baiya Maru Dureya.

(3) The land Ambagahamulawatta of about 3 lahas kurakkan sowing extent, with the plantations and everything thereon, except 7 bearing cocoanut trees situated at Welivehena; and bounded on the east by bund, south by the range of beli trees on Setuwa's field, west by the ditch of the garden in which Kiriya resides, and north by the ditch of the garden Kolongahamulawatta belonging to Kiriya.

Amount to be levied is Rs. 263.82, with interest and poundage.

C. V. REBEIRA,
Deputy Fiscal.
Fiscal's Office,
Kurunegala, November 2, 1905.

Province of Sabaragamuwa.

In the District Court of Kegalla.

(1) M. L. Abdul Latheef of
Colombo Plaintiff and Judgment-debtor.
(2) Assen Meera Lebbe Slema Lebbe of
Rambukkana Surety.
No. 1,854. Vs.

F. S. de Silva of
Colombo Defendant and Judgment-creditor.

NOTICE is hereby given that on Saturday, December 2, 1905, at 11 o'clock in the forenoon, will be sold by public auction at the premises the alleged claim to the right, title, and interest of the said judgment-debtor in the deed of plumbago mining lease No. 15,703, dated August 28, 1903, of the one-fourth part of the ground from the eastern and southern side of the land called and known as Galgodahena of one amunam in paddy sowing extent; bounded on the east by the Lambutuwe village limit, on the south by Batalegala, on the west by Kapukotuwegala, and on the north by the ridge of the field, situated at Erawpola in Galboda korale in Kegalla District, and his claim of Rs. 7,000, damages in this action.

To levy Rs. 305.28, being costs.

C. JANSZ,
Deputy Fiscal.
Deputy Fiscal's Office,
Kegalla, November 7, 1905.