



# Ceylon Government Gazette

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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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\* Ordinance No. 15 of 1898 ("The Criminal Procedure Code, 1898" as published in *Gazette Extraordinary* No. 5,582 of this day's date.)

## PASSED ORDINANCES.

Ordinance enacted by the Governor of Ceylon, with  
advice and consent of the Legislative Council thereof.

No. 16 of 1898.

An Ordinance to amend Ordinance No. 2 of 1883, in  
"The Ceylon Penal Code."

WEST RIDGEWAY.

Preamble.

WHEREAS it is expedient to amend "The Ceylon Penal Code," hereinafter referred to as "the principal Ordinance": Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance, which may be cited as "The Ceylon Penal Code Amendment Ordinance, 1898," and the principal Ordinance shall be read together as one Ordinance.

Amendment of section 38 of Ordinance No. 2 of 1883.

2 In sub-section (b) of section 38 of the principal Ordinance, after the number "62" and before the number "63" shall be inserted the number "63."

Insertion of section 67 (a).

3 After section 67 of the principal Ordinance shall be inserted the following section, which shall be section 67 (a):

67 (a) In all cases in which judgment is given that a person is guilty of one of several offences specified in the judgment, but that it is doubtful of which of these offences he is guilty, the offender shall be punished for the offence for which the lowest punishment is provided, if the same punishment is not provided for all.

4 For section 393 of the principal Ordinance the following section shall be substituted :

Property, the possession whereof has been transferred by theft, or by extortion, or by robbery, or by forgery, or by cheating, and property which has been criminally misappropriated or in respect of which criminal breach of trust has been committed, is designated as "stolen property," whether the transfer has been made, or the misappropriation or breach of trust has been committed, within or without this Colony. But if such property subsequently comes into the possession of a person legally entitled to the possession thereof, it then ceases to be stolen property.

5 For section 427 of the principal Ordinance the following section shall be substituted :

Whoever enters into or upon property in the occupation of another with intent to commit an offence, or to intimidate, insult, or annoy any person in occupation of such property, or having lawfully entered into or upon such property unlawfully remains there with intent thereby to intimidate, insult, or annoy any such person, or with intent to commit an offence, is said to commit "criminal trespass."

6 For section 450 of the principal Ordinance the following section shall be substituted :

Whoever is found in or upon any building or enclosure for any unlawful purpose, and whoever is found in or upon any building or enclosure and fails to give a satisfactory account of himself, shall be punished with imprisonment of either description for a term which may extend to three months, or with a fine not exceeding fifty rupees, or with both.

7 This Ordinance shall come into operation on such date as the Governor shall by Proclamation to be published in the *Government Gazette* appoint.

Passed in Council the Twenty-fourth day of October, One thousand Eight hundred and Ninety-eight.

H. WHITE,  
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-fourth day of October, One thousand Eight hundred and Ninety-eight.

E. NOEL WALKER,  
Colonial Secretary.

Ordinance enacted by the Governor of Ceylon, with the  
advice and consent of the Legislative Council thereof.

No. 17 of 1898.

An Ordinance to amend "The Courts Ordinance, 1889."

WEST RIDGEWAY.

Preamble.

WHEREAS it is expedient to amend "The Courts Ordinance, 1889," 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:

Amendment of Ordinance No. 1 of 1889.

1 After section 84 of the principal Ordinance, the following section shall be inserted and numbered 84 a, namely:

Unofficial police magistrates.

It shall be lawful for the Governor from time to time, by notice in the *Government Gazette*, to appoint any justice of the peace to be an unofficial police magistrate for any district or districts, and any justice of the peace so appointed shall thereupon have all the powers and authority by "The Criminal Procedure Code, 1898," vested in police courts, save and except the power and authority to take proceedings with regard to, or hear, try, or determine, any offence which by that Code or by any law of this Colony is summarily triable before a police court.

Date of operation.

2 This Ordinance shall come into operation on such date as the Governor shall by Proclamation to be published in the *Government Gazette* appoint.

Passed in Council the Twenty-fourth day of October, One thousand Eight hundred and Ninety-eight.

H. WHITE,  
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-fourth day of October, One thousand Eight hundred and Ninety-eight.

E. NOEL WALKER,  
Colonial Secretary.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Medawattege Juanis Perera, deceased, No. 1,115. } of Dehiwala.

Lindamullege Johana Fernando, of Dehiwala...Petitioner.

Vs.

1, Medawattege David Perera; 2, Medawattege Alice Perera; 3, Medawattege Henry Perera; 4, Medawattege Lianora Perera; 5, Medawattege Filly Perera, and 6, Medawattege William Perera, all of Dehiwala.....Respondents.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., Acting District Judge of Colombo, on the 27th day of October, 1898, in the presence of Mr. D. J. Arseculeratne, Proctor, on the part of the petitioner Lindamullege Johana Fernando, of Dehiwala; and the affidavit of the said petitioner, dated the 19th day of October, 1898, having been read: It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the said deceased Medawattege Juanis Perera of Dehiwala issued to her, as widow of the said deceased, unless the respondents—1, Medawattege David Perera; 2, Medawattege Alice Perera; 3, Medawattege Henry Perera; 4, Medawattege Lianora Perera; 5 Medawattege Filly Perera; and 6, Medawattege William Perera: all of Dehiwala—shall, on or

before the 24th day of November, 1898, show sufficient cause to the contrary to the satisfaction of this court.

FELIX R. DIAS,  
Acting District Judge.

The 27th day of October, 1898.

In the District Court of Colombo.

*Order Nisi.*

No. 1,108. In the Matter of the Goods and Chattels of Alewaturege Harmanis Perera, of Weliveriya, deceased.

THIS matter coming on for disposal before F. R. Dias, Esq., Acting District Judge of Colombo, on the 6th day of October, 1898, in the presence of Mr. J. G. Perera, Proctor, on the part of the petitioner Alewaturege Suaris Perera, of Hapitigama; and the affidavit of the said Alewaturege Suaris Perera, dated 28th September, 1898, having been read: It is declared that the said Alewaturege Suaris Perera, as brother of the above-named deceased, is entitled to have letters of administration to the estate of the said deceased issued to him accordingly, unless the respondents—(1) Alewaturege Arnolis Perera; (2) Alewaturege Jane Perera, both of Hapitigama in Yatigaha pattu of Hapitigama kula-shala, shall, on or before the 17th day of November, 1898, show sufficient cause to the satisfaction of this court to the

The 6th day of October, 1898.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Goods and Chattels of the late Ratnayakagey Abelis No. 1,116. }

Ratnayakagey Lawaris Appu, of Ratambale in Siyane korale.....Petitioner

And

- 1, Ratnayakagey Monchy Hamy, wife of
- 2, Gamaralagey Domingo Appu, both of Alawala in the Udugaha pattu of Siyane korale ; 3, Ratnayakagey Jallis Appu, of Ratambale ; 4, Ratnayakagey Nonohamy, wife of 5, Mutugala-achchige Harmanis Appu, both of Kanni Mahara in Siyane korale ; 6, Ratnayakagey Punchedi Hamy, wife of 7, Mapotagey Siddappu, both of Ratambale ; 8, Mapotagey Nelis Appu ; 9, Mapotagey Seeti Nona ; 10, Lekangey Dingiri Etana ; 11, Ratnayakagey Ran Menika ; 12, Ratnayakagey Hendrick Sinno ; 13, Ratnayakagey Suwaris Appu ; 14, Ratnayakagey Seeti Nona ; and 15, Ratnayakagey Palis Appu, all of Ratambale aforesaid.....Respondents.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., Acting District Judge of Colombo, on the 3rd day of November, 1898, in the presence of Mr. J. S. Edmund de Livera, on the part of the petitioner Ratnayakagey Lawaris Appu, of Ratambale; and the affidavit of the said petitioner, dated the 2nd day of November, 1898, having been read: It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Ratnayakagey Abelis Appu, of Ratambale, issued to him, as a son of the said deceased, unless the respondents aforesaid shall, on or before the 17th day of November, 1898, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,  
Acting District Judge.

The 5th day of November, 1898.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate and Effects of Hettige Don Isaac Gunawardane, No. 1,117/C. }

Hettige Don Paules Gunawardane .....Petitioner

And

- 1, Nanayakkarage Dona Elizabeth ; 2, Hettige Dona Agida Hami and her husband
- 3, Moragodage Sinnone Pinto ; 4, Hettige Don Simon Gunawardane ; 5, Hettige Dona Marthina Hami and her husband
- 6, Abeyesinghe Achchige Don Carolis ; 7, Hettige Don Wellun Gunawardane ; 8, Hettige Don Gomis Gunawardane ; 9, Hettige Dona Sopa Nona, all of Wellampitiya in Ambatelenpahala.....Respondents.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., Acting District Judge of Colombo, on the 3rd day of November, 1898, in the presence of Mr. J. L. Perera on the part of the petitioner Hettige Don Paules Gunawardane, of Wellampitiya ; and the affidavit, dated the 1st day of November, 1898, of the said petitioner having been read: It is ordered that the petitioner aforesaid be declared entitled to have letters of administration to the estate of the deceased Hettige Don Isaac Gunawardane, of Wellampitiya, issued to him, as the eldest son of the said deceased, unless the respondents aforesaid shall, on or before the 24th day of November, 1898, show sufficient cause to the satisfaction of this court to the contrary.

F. R. DIAS,  
Acting District Judge.

November, 1898.

In the District Court of Colombo.

*Order Nisi declaring Will proved, &c.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Graham Hogg, formerly of Richmond in the County of York, but late of Bloomfield Holly Walk in the Borough of Llanington in the County of Warwick, deceased. }

THIS matter coming on for disposal before Felix Reginald Dias, Esq., Acting District Judge of Colombo, on the 3rd day of November, 1898, in the presence of Mr. H. van Cuylenburg, Proctor, on the part of the petitioner James Patrick Anderson, of Glassel estate, Avisawella ; and the affidavit of the said James Patrick Anderson, dated 28th October, 1898, having been read :

It is ordered that the will of Graham Hogg, deceased, dated 27th October, 1896, exemplification whereof is filed of record in this court, be and the same is hereby declared proved, unless any person interested therein shall, on or before the 17th day of November, 1898, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said James Patrick Anderson is the executor in Ceylon named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any person interested therein shall, on or before the 17th day of November, 1898, show sufficient cause to the satisfaction of this court to the contrary.

F. R. DIAS,  
Acting District Judge.

The 5th day of November, 1898.

In the District Court of Negombo.

Testamentary Jurisdiction. } In the Matter of the Goods and Chattels of Wickremeachchivitanage Bancho Hamy, late of Hakurukumbura, deceased. }

Heeralupatirannehelage Manelhamy, of Hakurukumbura.....Petitioner.

Vs.

- 1, Heeralupatirannehelage Jagonis ; 2, Heeralupatirannehelage Meiyor Nona ; 3, Heeralupatirannehelage Jenis ; 4, Heeralupatirannehelage Punchedi Etana ; 5, Heeralupatirannehelage Tegis ; 6, Heeralupatirannehelage Dingiri Etana, all of Hakurukumbura.....Respondents.

THIS action coming on for disposal before E. F. Hopkins, Esq., District Judge of Negombo, on the 14th day of September, 1898, in the presence of Mr. Wijetunge, Proctor, on the part of the petitioner Heeralupatirannehelage Manelhamy, of Hakurukumbura ; and the affidavit of the petitioner, dated 8th day of August, 1898, having been read: It is ordered that letters of administration to the estate of Wickremeachchivitanage Bancho Hamy, deceased, be issued to the petitioner, as husband of the deceased, unless the respondents above-named or any other person shall, on or before the 20th day of October, 1898, show sufficient cause to the satisfaction of this court to the contrary.

E. F. HOPKINS,  
District Judge.

Dated 14th September, 1898.

The above *Order Nisi* is extended for the 22nd November, 1898.

E. F. HOPKINS,  
District Judge.

October 20, 1898.

## In the District Court of Matara.

## Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the late Danina Umma Bindu Seiyadu Mohamadu Rafai Maulana, deceased, of Watagedaramulla. No. 1,207. }

**T**HIS matter coming on for disposal before J. D. Mason, Esq., District Judge of Matara, on the 23rd day of September, 1898, on the motion of Proctor Mr. G. E. Keuneman on the part of the petitioner Seiyadu Yahiya Ibunu Seiyadu Mohamadu Rafai Maulana, of Watagedaramulla; and the affidavit of the said petitioner, dated 23rd September, 1898, having been read:

It is ordered that the said Seiyadu Yahiya Ibunu Seiyadu Mohamadu Rafai Maulana be and he is hereby declared entitled to have letters of administration to the estate of Danina Umma Bindu Seiyadu Mohamadu Rafai Maulana, deceased, issued to him, as husband of the said deceased, unless the respondents—1, Fuadu Umma, of Watagedaramulla; 2, Seiyadu Mohamadu, of Watagedaramulla; 3, Seiyadu Ali, of Watagedaramulla; 4, Seiyadu Ahamadu Awlibu, of Watagedaramulla; 5, Raviattan Awadi, of Watagedaramulla—shall, on or before the 21st day of November, 1898, show sufficient cause to the satisfaction of this court to the contrary.

J. D. MASON,  
District Judge.

The 23rd day of September, 1898.

## In the District Court of Batticaloa.

## Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the late Robert Kadramar, of Batticaloa, deceased. No. 304. }

Kandaperumal Charles Veluppillai, of Arappattai.....Petitioner  
And

1, Mrs. Robert Kadramar; 2, Mrs. Samuel F. Nagappan; 3, Samuel F. Nagappan; 4, Charles Daniel Kadramar; 5, Walter Dionisius Kadramar, of Amirthagali; 6, Edmund Theodore Kadramar, of Navatkuda; 7, James Alexander Kadramar, now of Kandy; and 8, Kadramar Palanitampi, of Kalladi.....Respondents.

**T**HIS matter coming on for disposal before R. B. Hellings, Esq., Acting District Judge of Batticaloa, on the 6th day of October, 1898, the affidavit and petition of the above-named petitioner having been read, and none of the heirs of the deceased Robert Kadramar consenting to take out letters of administration to the estate of the said Robert Kadramar: It is ordered that the Secretary of the District Court of Batticaloa be and he is hereby entitled and authorized to have letters of administration issued to him under section 520 of the Civil Procedure Code to the estate of the said Robert Kadramar, deceased, unless sufficient cause be shown to the contrary on the 3rd day of December, 1898.

R. B. HELTINGS,  
District Judge.

This 6th October, 1898.

## NOTICES OF INSOLVENCY.

## In the District Court of Colombo.

No. 1,948. In the matter of the insolvency of Oliver Rowland Pereira, of Wellawatta.

**W**HEREAS the above-named Oliver Rowland Pereira was on September 27, 1898, adjudged insolvent by the District Court of Colombo, and an order has been made by the said court placing the estate of the said insolvent under sequestration in the hands of the Fiscal: Notice thereof is hereby given to all concerned; and notice is also hereby given that the said court has appointed that two public sittings of the court will be held, to wit, on December 1 and 15, 1898, for the said insolvent to surrender and conform, and for such other proceedings in the said matter as may then be competent under the Ordinance No. 7 of 1853, intituled "An Ordinance for the due collection, administration, and distribution of Insolvent Estates."

By order of court,

J. B. MISISO,  
Secretary.

Colombo, November 1, 1898.

No. 1,951. In the matter of the insolvency of Mohamado Lebbe Markar Saribo Deen of Henamulla.

**W**HEREAS the above-named Mohamado Lebbe Markar Saribo Deen was on October 4, 1898, adjudged insolvent by the District Court of Colombo, and an order has been made by the said court placing the estate of the said insolvent under sequestration in the hands of the Fiscal: Notice thereof is hereby given to all concerned; and notice is also hereby given that the said court has appointed that two public sittings of the court will be held, to wit, on December 1 and 15, 1898, for the said insolvent to surrender and conform, and for such

other proceedings in the said matter as may then be competent under the Ordinance No. 7 of 1853, intituled "An Ordinance for the due collection, administration, and distribution of Insolvent Estates."

By order of court,

J. B. MISISO,  
Secretary.

Colombo, November 1, 1898.

No. 1,952. In the matter of the insolvency of Manuel Lawrence Perera, of Kotahena.

**W**HEREAS the above-named Manuel Lawrence Perera was on October 6, 1898, adjudged insolvent by the District Court of Colombo, and an order has been made by the said court placing the estate of the said insolvent under sequestration in the hands of the Fiscal: Notice thereof is hereby given to all concerned; and notice is also hereby given that the said court has appointed that two public sittings of the court will be held, to wit, on December 1 and 15, 1898, for the said insolvent to surrender and conform, and for such other proceedings in the said matter as may then be competent under the Ordinance No. 7 of 1853, intituled "An Ordinance for the due collection, administration, and distribution of Insolvent Estates."

By order of court,

J. B. MISISO,  
Secretary.

Colombo, November 1, 1898.

No. 1,953. In the matter of the insolvency of George Wilfred Gauder, of Wellawatta.

**W**HEREAS the above-named George Wilfred Gauder was on October 20, 1898, adjudged insolvent by the District Court of Colombo; and an order has been made by the said court placing the estate of the said insolvent under sequestration in the hands of the Fiscal: Notice thereof is hereby given to all concerned; and notice is also hereby given that the said court has appointed that two public sittings of the court will be held, to wit, on December 1 and 15, 1898, for the said insolvent to surrender and conform, and for such

Fiscal: Notice thereof is hereby given to all concerned; and notice is also hereby given that the said court has appointed that two public sittings of the court will be held, to wit, on December 1 and 15, 1898, for the said insolvent to surrender and conform, and for such other proceedings in the said matter as may then be competent under the Ordinance No. 7 of 1853, intituled "An Ordinance for the due collection, administration, and distribution of Insolvent Estates."

By order of court,

J. B. MISSE,  
Secretary.

Colombo, November 1, 1898.

No. 1,954. In the matter of the insolvency of Lindamullage Gabriel de Silva, of College street, Colombo.

WHEREAS the above-named Lindamullage Gabriel de Silva was on October 25, 1898, adjudged insolvent by the District Court of Colombo, and an order has been made by the said court placing the estate of the said insolvent under sequestration in the hands of the Fiscal: Notice thereof is hereby given to all concerned; and notice is also hereby given that the said court has appointed that two public sittings of the court will be held, to wit, on December 1 and 15, 1898, for the said insolvent to surrender and conform, and for such other proceedings in the said matter as may then be competent under the Ordinance No. 7 of 1853, intituled "An Ordinance for the due collection, administration, and distribution of Insolvent Estates."

By order of court,

J. B. MISSE,  
Secretary.

Colombo, November 1, 1898.

In the District Court of Kandy.

No. 1,400. In the matter of the insolvency of Sana Elia Tamby, of Kandy.

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 November 25, 1898, to elect a new assignee in this matter.

By order of court,

A. SANTIAGO,  
Secretary.

Kandy, November 1, 1898.

No. 1,414. In the matter of the insolvency of Coomaravai Kangany, of Orion estate, Ganpola.

WHEREAS Coomaravai Kangany has filed a declaration of insolvency and a petition for the sequestration as insolvent of his own estate, under the Ordinance No. 7 of 1853, and it appears that he has been in actual custody within the walls of a prison for debt for more than 21 days: Notice is hereby given that the said court has adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on December 2, 1898, and January 20, 1899, will take place for the 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,

A. SANTIAGO,  
Secretary.

Kandy, November 1, 1898.

In the District Court of Jaffna.

No. 45. In the matter of the insolvency of Charles Cornwallis Meadows Fyers, of Jaffna.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the special sitting of this court on November 24, 1898, for the purpose of proving further claims against the insolvent's estate.

By order of court,

FRED. STRUYS,  
Secretary.

Jaffna, October 31, 1898.

No. 45. In the matter of the insolvency of Charles Cornwallis Meadows Fyers, of Jaffna.

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 6, 1898, to grant a certificate of conformity to the said insolvent.

By order of court,

FRED. STRUYS,  
Secretary.

Jaffna, October 31, 1898.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Negombo.

Weerahannedige Christina Fernando Wickremasekera Karunaratne, of Kadirana, widow of the late Jayatpatalage Vellun Fernando Senewiratne, Muhandiram, and administratrix of his estate .....Plaintiff.

No. 2,943. Vs.

Lintottage Agustino Fernando, of Katana ... Defendant.

NOTICE is hereby given that on December 3, 1898, 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.:-

The field called Dachchawela and the garden, situate at Kongodamulla in the Dunagaha pattu of the Alutkuru korale; and bounded on the north by the land of Gabriel Silva Appuhami and others, on the east by the land of Sawari Fernando and others, on the south by the land of Egoris Perera and others, and west by the lands of Mariyanu and others; containing in extent 7 acres more or less.

Amount to be levied Rs. 2,946-37, and interest on Rs. 1,900 at 12 per cent. per annum from April 26, 1897.

SWAMPILLE JOSEPH,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, November 7, 1898.

Central Province.

In the District Court of Kandy.

Henry Wills, of Augusta estate ..... Plaintiff,  
No. 12,225. Vs.

1, Walter Richard Walter, of Payston estate, Dikoya; and 2, Koniah Nagappen Muttiyah, of Prospect Hill estate, Peradeniya.....Defendants.

NOTICE is hereby given that on December 8, 1898, commencing at 12 o'clock noon, will be sold by public auction at the premises in the following property of the defendants, viz., all that estate called

and known as Prospect Hill, comprising the following allotments of land, namely:—

1. All that and those several allotments of land situate, lying, and being at Uda Peradeniya in Gangawata of Yatinuwara in the Central Province; and are bounded on the north by the road leading to Augusta estate and by the land belonging to natives, on the south by land belonging to natives and Peradeniya estate, on the east by Augusta estate, and on the west by Peradeniya estate; containing by measurement forty-three acres or thereabouts.

2. An undivided one-half share of and in all that land called Getandakonahena, situate at Uda Peradeniya in the Gangawata of Yatinuwara; bounded on the east by the ditch of Gedarawatta, on the south by the stones planted on the limit of Mudiyanse's chena, and on the west and north by the limit of Mr. Jayatilaka's property; containing in extent in the whole about 3 acres.

3. Seven undivided twelve parts or shares of and in all that land called Hapuajjadeniyahena, situate at Uda Peradeniya in Gangawata of Yatinuwara; bounded on the east by the limit of Abekon Mudiyanse-lagedara Kiri Banda late Arachilla's Udagederawatta, on the south by the limit of Kabatagahamadittahena the property of Aderian Henaya, on the west by the limit of New Peradeniya estate, and on the north by the limit of Baddagederawattahena and the limit of Muttiya's property, formerly of Mr. Jayetilaka's estate; containing about 5 acres in extent in the whole.

4. An undivided one-fourth part or share of and in all that land called Keenagahamadittahena, situate at Uda Peradeniya aforesaid; bounded on the east by the Amberanga tree and by the limit of Abekon Mudiyanse-lagehena, on the south by the limit of Talgaha Mudiyanse-lagehena and by the limit of Abekon Mudiyanse-lagehena, on the west by the limit of Abekon Mudiyanse-lage Kiri Banda late Arachilla's chena, and on the north by the ela or stream of Augusta estate; containing in extent 9 acres more or less.

5. All that land called Kabatagahamadittahena, situate at Uda Peradeniya aforesaid; bounded on the east by the limit of Kabatagahamadittahena, the property of Talgahagedara Kiri Banda, on the south by the limit of Aswengodahena and the limit of Kabatagahamadittakumbura, on the west by the limit of New Peradeniya estate, and on the north by the heeriya or ridge of Hapuajjadeniyahena; containing in extent 7 acres more or less.

6. The land Udadeniyapolgagawapela, situate at Uda Peradeniya aforesaid, excluding therefrom the northern two lahas paddy sowing extent, the remaining eight lahas extent whereof being bounded on the east by the limit of Punchirala's field, south by above the stream in Dingiriya's field, on the west by the ditch in Asweddumakumbura, and on the north by the limit of the remaining two lahas in extent; and all the buildings and bungalows, stores, machinery fixtures, furniture, tools, implements, cattle and other the live and dead stock on the said estate or appurtenant thereto.

Amount of writ Rs. 2,751-50, with intestate on Rs. 2,500 at 8 per cent. per annum from December 9, 1896, until payment in full.

Fiscal's Office,  
Kandy, November 8, 1898.

F. J. SMITH,  
Deputy Fiscal.

In the District Court of Kandy.

Yena Sena Yeana Muttiah Chetty.....Plaintiff.  
No. 12,329. Vs.

1, Kawanna Ahamadoo Saibo; 2, Kawanna  
Cassim Saiboo, of Kandy road, Gampola.....Defendants.

NOTICE is hereby given that on December 5, 1898, commencing at 12 o'clock noon, will be sold by public auction at the premises the following property of the defendants, namely:—

All that tea estate called and known as Embelmeegollawatta, comprising the following allotments of lands:—

1. Embilmeegollahena *alias* Gurudeniya-hena of three pelas of paddy sowing, situate at Bowala of Gangapahala korale, Udapalata, in the Central Province; bounded on

the east by Allugollamadahena, on the south by Mahagala, on the west by Amugoda Unnanse's garden, and on the north by karawgaha (tree).

2. The western three-fifth shares (being 2 acres 3 roods and 10 perches extent) out of the land called Nagabaheennahena, situate at Bowala aforesaid; bounded on the east by Henihulaha and the chena belonging to Carolis, on the south by Don Luis Appohamy's chena, on the west by ela of the field Nattambakaraya's chena, on the north by ditch or ela, containing in extent in the whole 4 acres 2 roods and 10 perches.

3. The western three-fifth shares (being 6 acres 2 roods and 10 perches extent) out of the land called Udahahena, situate at Bowala aforesaid; bounded on the east by Ambanwalagederahena and Wedakarayagehena, on the south by Abanwalagederahena, on the west by Mudelihamy's chena, Narayanan chetty's chena belonging to Mr. Morris, and Abanwalagedarahena, and on the north by Gansabawa road, containing in extent in the whole 10 acres 3 roods and 30 perches.

4. An undivided four-fifth shares of all those contiguous land called Thotapologawahena and Delgollahena, situate at Bowala aforesaid; bounded on the east by Ranawanawalawwahena Henihulaha, on the south by Mudalihamy's chena Henihulaha, on the west by Gepalaganagedarahena Henikulaha, on the north by Thotapola and Delgollakumbura-ela; containing in extent in the whole four amunams paddy sowing.

5. Two-fifth shares of all that land called Medawatta and of the tiled house standing thereon, situate at Bowala aforesaid; bounded on the east by Wadawagederawatta, on the south by Hewandeniya-wela-ela; on the west by Kohilawatta belonging to Hamiarachilla, on the north by Wadawaygederawatta, containing in extent in the whole six kurunies paddy sowing.

6. An undivided three-sixth shares of Amunawalahena situate at Bowala aforesaid; bounded on the east by Dalugahatenna Damada, on the south by Ranawalawatta, on the west and north by Bindapu-ela; containing in extent in the whole two pelas paddy sowing.

7. Three-fifth shares of Katawalawatta, situate at Bowala aforesaid; bounded in its entirety on the east by Hanajalawatta, on the south by stone fence of the garden belonging to Kahalakotuwa Appuhami, on the west by the stone fence of Baduwatta, belonging to Kadaturaya, on the north by Wela-ela; containing in extent in the whole one pela paddy sowing extent.

8. An undivided four-fifth shares of Anguruwala-wattagadahena, situate at Buwala aforesaid; bounded on the east by Henihulaha of Kiri Banda's chena, on the south by Ranawanawalawwahena Damada, on the west by Punchi Rala's field and Vidanhenaya's field, and on the north by Henihulaha of Malabodahena; containing in extent in the whole two amunams paddy sowing.

9. All that portion out of the western one-half share of Narangahaheennahena, situate at Bowala aforesaid; which said portion is bounded on the north by Bowelgollahenademada and road leading to Bowala, on the east and south by Nagahahinnahena, Wagalahenahenihulaha and Arnasalam Chetty's garden, and on the west by Aranasalam Chetty's garden; and containing in extent three perches and six lahas paddy sowing extent.

10. An undivided one-fifth share of Herluambahena, situate at Bowala aforesaid; bounded on the east by Maha-ela of the chena belonging to K. Ahamado Saiboo and K. Cassim Saiboo, north by Pambedeniya-kumbura-ela, on the west by Puswelgollahenihulaha, on the south by Dimbulanagollahenahenihulaha; containing in extent one and half amunam of paddy sowing.

11. All that land called Udahena, situate at Bowala aforesaid; bounded on the north by garden appurtenant to Alpitiya, on the east by the ditch called Damada, south by Muduna or Heenna, on the west by property belonging to Aspantiya family; containing in extent six pelas paddy sowing.

12. Eastern one-half share of Nagahahinnahena, situate at Bowala aforesaid; and bounded in its entirety on the east by the chena belonging to S. H. M. Punchi Menika *alias* Sophia Martin, south by Ketagodahena Henihulaha, on the west by Alugollahenahenihulaha and chena belonging to S. H. M. Punchi Menika *alias* Sophia Martin, and on the north by Pambadeniya; containing in extent in the whole two amunams paddy.

13. Alugollamadahena *alias* Embilimugollahena situate at Unambuwa in Gangapahala korale of Udapalata aforesaid; bounded on the east by Elaharakpattiyagehenameda-ela, on the south by Ketigana-ela, on the west by Embelmegollahenameda-ela and Embelmegolladeniyana, on the north by Kulappuwamullahenamuduneheni-hulaha and Gurudeniyaedarahena; containing in extent 4 amunams paddy sowing.

14. All that allotment of land containing three tiled houses situate in the town of Gampola, bearing No. 173, containing in extent along the road 15 ft.; and bounded on the east by the house belonging to Abaram Mohandiram and Lily Corner, on the south by the wall of the houses Nos. 174 and 175, on the west by allotment of land No. 175, and on the north by road to Kandy.

15. All that land called Galawatta of ten seers of kurakkan sowing extent with the buildings and plantations thereon, situate at Molligodapitiya in Gampola, excluding therefrom one-third share of it, being about 15 ft. in extent on the southern side, and also the jak tree which had been sold to Cassim Saiboo; and bounded on the east by the ditch of William Martin Mohandiram's land, on the south by land belonging to Katiya Natchia, on the west by high road leading to Kandy, and on the north by land belonging to M. Don Telanis Appu; containing in extent one rood.

And that on December 6, 1898, commencing at 12 o'clock noon, at the premises:

16. An undivided two-third shares of all those four contiguous lands called Deniyagahamulahena, Galagedarahena, Nugalangahena, and Dalukgalahena of twenty-five amunams paddy sowing extent, situate at Dagampitiya in Yatigamhulaha in Ambagomuwa korale of Uda Bulatagama; bounded on the east by Dalukgala and Puhukosgaha, on the south by Crown land, on the west by Garahitikandura, and on the north by land belonging to Palawandarama and river.

Amount of writ Rs. 12,733-67, and interest.

Fiscal's Office,  
Kandy, November 7, 1898.

F. J. SMITH,  
for Fiscal.

### Northern Province.

In the District Court of Jaffna.

Alexander Toussaint, of Jaffna.....Plaintiff.  
No. 1,445. Vs.  
Mary Catherine Savurymutto, of Karaiur,  
Jaffna.....Defendant.

NOTICE is hereby given that on Wednesday, December 7, 1898, at 10 o'clock in the forenoon, will be sold by public auction at the lands hereinafter described the right, title, and interest of the said defendant in the following property, for the recovery of Rs. 8,638-96, with further interest on Rs. 6,260 at the rate 12 per cent. per annum from June 17, 1898, until payment in full, and costs of suit, being Rs. 147-25 and charges, viz. :-

1. In all that house and premises in several parcels forming one tract called Nasakarantarai Pulhanpulam Philippammaivalavu, situated at Karaiur, and containing or reputed to contain in extent 18½ lachams varaku culture, with the outhouses, side house, wells, trees, and plantations; and bounded or reputed to be bounded on the east by property of Franciscappillai and others, north by Main street, and south and west by cross streets.

2. In all that garden and premises in several parcels forming one tract called Wamanpulam, Nariankunduvalavu, Vattanvalavu, Vannantoddam, Punaandyvalavu, and commonly called Narikkundu, situated at Chiviateru, and containing or reputed to contain in extent 105½ lachams varaku culture, with its appurtenances; bounded or reputed to be bounded on the east by property of Nakalingam and others, north by lane and road, west by gravel pit and by property belonging to the heirs of the late Achehippillai and others and by a road, and south by the premises of the Minor Roads Department. Of this, the road passing through a part on the north-west is, however, excluded.

Fiscal's Office,  
Jaffna, November 1, 1898.

C. L. TRANCHELL,  
for Fiscal.

### Southern Province.

In the District Court of Galle.

Don Owinis de Silva Gunasekara and others ...Plaintiffs.  
No. 3,948. Vs.  
Henry Arthur Mendis Karunaratne and  
another.....Defendants.

NOTICE is hereby given that on Monday, December 12, 1898, at 3 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendants in the following property, viz. :-

1. One-fifth part of the land known as Baslingewatta, Elnegodawatta, *alias* Muhandirangewatta, situate at Dadalla, with one-fifth part of the houses standing thereon.

2. One-fifth part of the land known as Elamodara-watta, situate at Dadalla; and also the coir husk pits on the said two lands belonging to the defendants.

This writ is issued to levy a sum of Rs. 390-37½ together with damages at the rate of Rs. 200 per annum from October 30, 1895, to September 30, 1897.

Fiscal's Office,  
Galle, November 8, 1898.

C. T. LEEMBRUGGEN,  
for Fiscal.

In the District Court of Galle.

Kottawa Gamage Don Thronis de Silva Appu-hamy, of Galle ..... Plaintiff.  
No. 4,743. Vs.

Uduma Lebbe Markar Shroff Mudaliyar Abdulla Shroff, and others .....Defendants.

NOTICE is hereby given that on Saturday, December 10, 1898, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property, viz. :-

1. All the fruit trees and soil of the two lots of land containing in extent 2 roods 7-80 perches of the defined half part of the lot lying towards the north, bearing No. 1 of the lot marked A, and of the defined half part of the lot lying towards the south bearing No. 2 of the lot marked B of Madangahawatta situate, at Dangedara, and also the tiled 15 cubits house and all other buildings belonging thereto standing thereon, and the said two lots marked A and B which are also defined are two-sixth parts of the said garden.

Mortgaged by writing obligatory No. 12,061 dated November 5, 1893, and declared executable under the judgment entered in the above case.

This writ is issued to levy a sum of Rs. 849-05 with interest on Rs. 711-28 at 9 per cent. per annum from November 17, 1897.

Fiscal's Office,  
Galle, November 8, 1898.

C. T. LEEMBRUGGEN,  
for Fiscal.

### North-Western Province.

In the District Court of Chilaw.

G. A. Mudiyausage Sanchy Appuhamy, of  
Kudawila.....Plaintiff.  
No. 24,399. Vs.

Henry Paul Perera Wickremasekera, late  
Division Officer of Mahawewa.....Defendant.

NOTICE is hereby given that on Saturday, December 3, 1898, 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 three-fourth shares of all that tract of land called Pelawatta, comprising thirty-five contiguous blocks of land; containing in extent about 300 acres, situate at Eldeniya in Katugampola Udukaha korale west, excluding therefrom two allotments of lands said to belong to the Crown called Ittokawewabena and Moragahamulagodellahena; containing in extent 10 and 8 acres respectively, and also the lands called Pitakotuwekumbura, Etambagahacumbura, Dunnkeyawattakiyanacumbura, Danwewakumbura, Mahakumbura, Kanuketiyakiyanakumbura, Keenagahakumbura; Thorahena-



watta, Mutettuwehena, Dehigahamulahena, Bodawalahena *alias* Watta, Kosurawatta, Danwewahena, Ambagahamulahena, Kongahamulahena, Eldeniyawatta, Weligodawatta, Serugahamulawatta, Mahawatta, Obodawatta, Ehetuwalagawawatta; belonging to Punchirala and two others; containing in extent about 89 acres.

Amount involved Rs. 748.02, with interest and poundage.

Fiscal's Office,  
Kurunegala, November 7, 1898.

N. S. CASSIM,  
for Fiscal.

In the District Court of Chilaw.

Mrs. C. F. Soysa, executrix of the Last Will of the late Jeronis Peris, of Colombo.....Plaintiff.  
No. 1,511. Vs.

William Wijekoon and another, presently of Marawila.....Defendants.

NOTICE is hereby given that on Saturday, December 10, 1898, 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. :—

An undivided one-ninth share of the southern half share of the land called Marawila, situate at Marawila in Chilaw District; bounded on the north by paddy field and jungle ground of Francisco Lowe, late Korala, the mark letter A the garden of Virappen, and the mark B a garden belonging to the late Gasper Jansz, east by lane (Vidi-para), south by the land called Lansigama belonging to Mr. Carolis Fanderlan, west by reservation along the seashore.

2. All that policy of insurance No. 20,039 for the sum of Rs. 3,000, dated May 13, 1887, and effected by the first defendant with the Universal Assurance Society.

Amount recoverable Rs. 602.33, with interest on Rs. 1,142.50 at 9 per cent. per annum from February 15, 1897, to November 10, 1897, on Rs. 902.33 at the same rate from November 11, 1897, to May 26, 1898, on Rs. 602.33 at the same rate from May 27, 1898, and on Rs. 88.33 at the same rate from February 15, 1897, and poundage.

Deputy Fiscal's Office,  
Chilaw, November 5, 1898.

C. R. CUMBERLAND,  
Deputy Fiscal.

In the District Court of Negombo.

Vena Kavenna Mana Ana Roona Arnasalam Chetty, of Negombo.....Plaintiff.

No. 3,024. Vs.

Vijetunga Don Davith Appuhamy, of Dummaladeniya.....Defendant.

NOTICE is hereby given that on Saturday, December 10, 1898, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

An undivided one-sixth share of the land called Singakkuliyamukalana, situate at Singakkuliya in Otarapalata, Chilaw District, excluding an extent of 16 acres, and also the share or portion claimed by Jayamaharithamillage Davith Sinno Appuhamy upon planting agreement bearing No. 8,623, dated January 11, 1898; the entire land is bounded on the north by the land claimed by N. Undiyarala and by a footpath; north-east by lands claimed by Ranhamy, Sinno Appu, Ranhamy, R. Undiyarala, Kapurala, and by the land said to belong to Government; east by lands claimed by Undiyarala, Kirihamy, E. Sinno Appu, Ranhamy, R. Undiyarala, Kapurala, and R. Sanchi Appu, by a road, and by the land said to belong to Government; south-east by a road and by the lands claimed by R. Sinnappu, Arachchi Appu, S. Punchirala, and R. Sanchi Appu; south by lands claimed by R. Undiyarala, Kapurala, R. Sinnappu, S. Punchirala, and R. Sanchi Appu; south-west by lands claimed by R. Undiyarala, Kapurala, Arachchi Appu, R. Sanchi Appu, Punchirala, Sinnappu, Ranhamy, Appurala, David Appu, Ranhamy, Sinnappu, and others; west by lands claimed by R. Undiyarala, Kapurala, R. Sanchi Appu, Mudalihamy, L. Etana, W. Tikirala, N. Appurala, N. Kirihamy, Undiyarala, Sinnappu, Ranhamy, and Sinnappu; north-west by lands claimed by N. Undiyarala, Appurala, A. Kirihamy, Sinnappu, Ranhamy, Appurala, Appuhamy, N. Undiyarala, Sinnappu, and others, and by a footpath; containing in extent 204 acres.

Amount recoverable Rs. 2,411.49, with interest on Rs. 1,750 at 30 per cent. per annum from October 24, 1897, and poundage.

Deputy Fiscal's Office,  
Chilaw, November 3, 1898.

C. R. CUMBERLAND,  
Deputy Fiscal.