

Ceylon Gobernment Gazette

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Part I.—General: Minutes, Proclamations, Appointments, and General Government Notifications.

Part II.—Legal and Judicial.

PART III.—Provincial Administration.
PART IV.—Marine and Mercantile.
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Part II.—Legal and Judicial.

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NOTICES IN TESTAMENTARY ACTIONS.

In the District, Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. No. C/551. In the Matter of the Estate of Silvestrige Don Juan Silva, of Kandana in Alutkuru korale, deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., Acting District Judge of Colombo, on the 16th day of May, 1895, in the presence of S. D. Krisnaratna, Proctor, on the part of the petitioner Makewita Appuhamilage Rosana Perera, of Murutena; and the affidavit of Makewita Appuhamilage Juakinu Perera, dated 21st January, 1895, having been read: It is ordered that the said petitioner Makewita Appuhamilage Rosana Perera be and she is hereby declared entitled to have letters of administration to the estate of Silvestrige Juan Silva, deceased, issued to her, as widow of the said deceased, unless the respondents—1, Silvestrige Don Marthelis Silva, and 2, Makewita Appuhamilage Juakinu Perera, both of Murutena in the Dunagaha pattu of Alutkuru korale—shall, on or before the 27th day of June, 1895, show sufficient cause to the satisfaction of this court to the contrary.

The 16th day of May, 1895. Acting District Judge.
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In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. No. C/606. In the Matter of the Last Will and Testament of Charles Harry Payne Gallwey (commonly known as Harry Payne Gallwey), of Kataboola Estate, Kotmale, deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., Acting District Judge of Colombo, on the 30th day of May, 1895, in the presence of F. J. & R. F. de Saram, Proctors, on the part of the petitioner Sackville Payne Gallwey, of Kataboola Estate, Kotmale, and the affidavits of the said Sackville Payne Gallwey, dated May 19, 1895, and of Francis John Hadden, dated April 17, 1895, having been read: It is ordered that the will of Charles Harry Payne Gallwey (commonly known as Harry Payne Gallwey) deceased, dated 13th October, 1894, and now deposited in this court, be and the same is hereby declared proved, unless any person shall, on or before the 13th day of June, 1895, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Sackville Payne Callwey the

It is further declared that the said Sackville Payne Gallwey is the attorney of Stephen Payne Gallwey, the executor named in the said will, and that as such he is entitled to have letters of administration with copy of

the said will annexed issued to him, unless any person shall, on or before the 13th day of June, 1895, show sufficient cause to the satisfaction of this court to the contrary.

> JOSEPH GRENIER, Acting District Judge.

The 30th day of May, 1895.

In the District Court of Negombo. Order Nisi.

Testamentary
Jurisdiction In the Matter of the Intestate Estate Halawattege Christina Fer- \mathbf{of} No. 164. nando, of Godigomua, deceased.

Lindemulege Anthony Fernando, of Godigo-

 v_{s} .

Lindemulege Madelena Fernando, of Godigo-

HIS matter coming on for disposal before G. C. Roosmalecoeq, Esq., District Judge, in the presence of Mr. T. K. Carron, Proctor, on the part of the petitioner; and the affidavit of the said petitioner, dated 5th February, 1895, having been read: It is ordered that the said petitioner, as the son of the deceased intestate, is entitled to have letters of administration of the estate of the said Halawattege Christina Fernando issued to him, unless the respondent shall, on or before the 25th June, 1895, show sufficient cause to the contrary.

Negombo, June 6, 1895.

G. C. ROOSMALECOCQ, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. No. 661.

In the Matter of the Estate of Elizabeth Kothamutham, wife of Cathergamer Sarawanamuttu, of Jaffna, late of Sungei-Barkaph in Province Wellesley, deceased.

Kathirgamer Sarawanamuttu, of Karadivu East Petitioner.

Annapuranam, wife of Arunasalam Sapapathy, of Karadivu West Respondent.

HIS matter of the petition of Kathirgamer Sarawanamuttu, of Karadivu East, praying for letters of administration to the estate of the above-named deceased, Elizabeth Kothamutham, coming on for disposal before Hugh Nevill, Esq., District Judge, on the 14th day of May, 1895, in the presence of Mr. V. Tampoo, Proctor on the part of the petitioner; and the affidavit of the petitioner, dated the 14th day of May, 1895, having been read: It is declared that the petitioner is the husband of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him unless the respondent or any after person shall on him, unless the respondent or any other person shall, on or before the 10th day of June, 1895, show sufficient cause to the satisfaction of this court to the contrary.

> H. NEVILL. District Judge.

Signed this 14th day of May, 1895.

In the District Court of Chilaw.

Order Nisi.

In the Matter of the Estate of the late Wettasinha Arachchige Sokinu No. 487. Fernando, of Talwila.

THIS matter coming on for disposal before James Jamieson Thorburn, Esq., District Judge of Chilaw, on the 13th day of May, 1895; and the petition and affidavit of Ambaghage Deego Fernando, Police headman of Talwila, dated the 9th day of May, 1895, having been read: It is ordered that the said Ambagahage Deogo Fernando, Police headman of Talwila, be and he is hereby declared entitled to have letters of administration to the estate of the above-named Wettasinha Arachchige Sokinu Fernando, deceased; and that such letters of administration be accordingly issued to him, unless any person shall, on or before the 10th day of June, 1895, show sufficient cause to the satisfaction of this court to the contrary.

> J. J. THORETRN, District Judge.

In the District Court of Badulla.

Order Nisi.

In the Matter of proving the Last Will and Testament of John Daniel Bartholomeusz, No. B/67. late of Badulla, deceased.

THIS matter coming on for final determination before John George Frazer, Esq., District Judge of Badulla, on the 29th day of May, 1895, in the presence of Mr. George F. Bartholomeusz, on the part of the petitioner Edith Bartholomeusz; and the affidavits of the said Edith Bartholomeusz, B. L. Potger, Ramanathen Ponnambalam Murugasoe, and Ayasamy Muttusami, having been read; It is ordered that the will, dated 4th April, 1895, of John Daniel Bartholomeusz, of Badulla, deceased, be and the same is hereby declared proved. It is further declared that the said Edith Bartholomeusz is the executrix named in the said will, and that she is entitled to have probate of the same issued to her accordingly; and it is ordered that probate of the will of the said John Daniel Bartholomeusz be issued to the said Edith Bartholomeusz.

> J. G. FRAZER, District Judge.

Badulla, 29th May, 1895.

In the District Court of Badulla. Order Nisi.

Testamentary In the Matter of the Intestate Estate Jurisdiction. of the late Rajapaksa Wahale Mudi-No. B/66. yanselage Medduma Banda, deceased.

THIS matter coming on for disposal before J. G. Frazer, Esq., District Judge of Badulla, on the 27th day of May, 1895, in presence of the applicant, Rajapaksa Wahale Mudiyanselage Heen Banda, of Misahatta; and the affidavit of the said applicant, dated 21st February, 1895, having been read: It is ordered that the said Rajapaksa Wahale Mudiyanselage Heen Banda, be and be is hereby declared entitled to have letters of administration. he is hereby declared entitled to have letters of adminis-tration to the estate of the deceased Rajapaksa Wahale Mudiyanselage Medduma Banda issued to him, unless any person or persons shall, on or before the 19th day of June, 1895, show sufficient cause to the contrary.

J. G. Frazer, District Judge.

Badulla, 27th May, 1895.

OTICE is hereby given that a suit has been insti-

tuted in the Court of Requests of Kandy by fifty labourers of Hope estate at Deltota, against the proprietor thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 469.

J. L. JANSZE. Chief Clerk.

OTICE is hereby given that a suit has been instituted in the Court of Requests of Nuwara Eliya by forty labourers of St. John's estate, Kandapola, against the proprietor or proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 587.98.

This 4th day June, 1895.

P. G. DE SILVA, Chief Clerk.

This 31st day of May, 1895.

NOTICES OF INSOLVENCY.

In the District Court of Galle.

In the matter of the insolvency of U. L. M. Abdulla Sahibu, of Kaluwella, now at · Baddegama, and No. 268. H. M. Seinul Abdeen, of Galle.

W HEREAS the above-named U. L. M. Abdulla Sahibu and H. M. Seinul Abdeen were on May 27, 1895, adjudged insolvents by the District Court of Galle, and an order has been made by the said court placing the estate of the said insolvents 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 June 28, 1895, and July 19, 1895, for the said insolvents 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."

May 29, 1895.

By order of court, JAMES KRAUSE, Secretary.

NOTICES OF FISCALS' SALES.

Central Province.

In the District Court of Kandy.

Ena Nejan Mohideen, of Kandy......Plaintiff.

No. 8,521. Vs. W. V. S. A. Mohamado Aboobaker O. Lebbe,

of Matale......Defendant.

NOTICE is hereby given that on June 29, 1895, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises, the following property of the defendant :-

The honses and ground bearing present assessment

Nos. 576 and 577.

2. The houses and ground bearing present assessment Nos. 122 and 123.

3. The house and ground bearing present assessment No. 203, and former No. 215.

The houses and ground bearing present assessment

Nos. 157 and 158.
5. The house and ground bearing present assessment No. 151, situate at Trincomalee street.

6. The houses and ground bearing present assessment Nos. 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29, constituting several allotments of land.

Half share of Patarangahamulawatta of two nellies kurakkan and of the buildings standing thereon.

8. The land called Kudilwalawatta bearing present assessment No. 11.

9- The land called Palugederawatta bearing present assessment No. 9, situate on the road leading to Godapola.

(1) Tittawelalanda alias Gallindahenawatta, consisting of several allotments of land lying above the road of 10 acres more or less, with the plantations standing thereon.

(2) Wewelemadeywatta lying below the road of 2 acres more or less, together with the tiled house and all the plantations standing thereon.

(3) Walakadegedaramahakosgahamulahena lying above

the road, of about two acres. (4) The land called Alawatukanakiyana Packier Tambygengathidama, consisting of several allotments of land of about 15 acres more or less, with all the plan-

tations thereon. (5) Wewelemedeywatta lying below the road, of about one acre more or less with everything thereon.

(6) Wewinneykumbura of eight lahas, situate at Udugama in Gampahasiyapattu of Matale.

Amount of writ, Rs. 278.73.

Fiscal's Office. Kandy, June 4, 1895. C. R. CUMBERLAND, Fiscal.

Northern Province.

In the District Court of Jaffna.

Samuel Frederic Toussaint, of Jaffna......Plaintiff. No. 24,961.

Casipillai Kulasagarampillai, of Vannar-

ponne East......Defendant.

OTICE is hereby given that on Monday, July 1, 1895, commencing at about 10 o'clock in the forenoon, will be sold by public auction on the land hereinafter described the right, title, and interest of the said defendant in the following property, for the recovery of Rs. 2,216.04, with further interest on Rs. 2,000 at the rate of 10 per cent. per annum from October 26, 1894, until payment in full and costs of suit, being Rs. 129 and charges, viz.:-

In a block of land consisting of 2 parcels, one lying at the 5th division of the town of Jaffna, containing or reputed to contain in extent 2 5-8th lachams varaku culture, and the other lying at Karaur called Puthuvalavu, containing or reputed to contain in extent I lacham varaku culture with a godown of 15 rooms standing thereon and the well. The said block is bounded or reputed to be bounded on the east by a road, west by the Fourth Cross street, south by the Beach road, and on the north by the property of Vasthiyampullai Savurymuttu.

> G. A. VAN HOUTEN, for Fiscal.

Fiscal's Office. Jaffna, June 1, 1895.

Southern Province.

In the District Court of Galle.

Balage Prolis de Silva, of Galupiyadda......Plaintiff.

No. 556.

Wimalasuriya Jayawardena Sedris de Silva,

of Galupiyadda......Defendant.

OTICE is hereby given that on Saturday, June 29, 1895, commencing at 2 o'clock in the afternoon, will be sold by public auction at the spot the following property, viz.:—
1. The sapart of Gammadupitteniyawatta, situate at Galupiyadda.

2. The 5 part of the garden Mudubingpelessa alias Kospaladuva, situate at Bataduva. 3. The ½ part of Birigewatta, situate at Ettiligoda.

4. The half part of the land Arumagamage Minnan-wela and of the high ground called Duwe belonging thereto, situate at Bataduva; properties mortgaged with the plaintiff by bond dated July 22, 1884, and declared executable under the judgment entered in the above case. This writ is issued to levy a sum of Rs. 1,637.94, with integers on Rs. 750 et 12 per cent, per suppure from June

interest on Rs. 750 at 12 per cent. per annum from June **2**, 1891.

Fiscal's Office. Galle, June 5, 1895.

C T. LEEMBRUGGEN. Deputy Fisca.

North-Western Province.

In the District Court of Kurunegala.

1, Kuna Mana Peria Carpen Chetty; 2, Kuna Mana Nalla Carpen Chetty; 3, Kuna Mana Muttu Ramen Chetty, by their attorney Muna Ramen Chetty, of Kuru. negala.....Plaintiffs.

No. 777-551.

 ∇s .

1, Mrs. Dorothea W. de Silva; 2, Bernard Clement de Silva; 3, Walter Henry de Silva; 4, Herbert Basil de Silva; and 5, George Henry de Silva—the 2nd, 3rd, 4th, and 5th defendants by their guardian ad litem the 1st defendant......Defendants.

OTICE is hereby given that on Saturday, June 29, 1895, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the late George Henry de Silva of Kurunegala in the

The field Pepolekebellagahakumbura and its adjoining Pepolewegollehena, Pepolepillewa, and Pepolewelapillewa, all of the extent of 10 acres and 1 chundu of turakkan sowing more or less, now forming one property planted with cocoanuts bearing assessment No. 12, and situated at Wilgoda on the circular road west in the town of Kurunegala, together with all the buildings thereon.

Amount to be levied Rs. 408.07, and poundage.

N. S. CASSIM, for Fiscal.

Fiscal's Office, Kurunegala, May 31, 1895.

Province of Uva.

In the District Court of Badulla.

Yapawannuku Rajapakse Mudiyanselage Hindagoda Banda, of Badulla......Plaintiff. No. 25,122. $\mathbf{v}_{\mathbf{s}}$.

Rajapakse Mudianselage Dingiri Menika, of Passara.....Substituted Defendant.

OTICE is hereby given that on Monday, July 1, 1895, commencing at 12 o'clock noon, will be sold by public auction at the premises the following property, for the recovery of the sum of Rs. 574:17 from the substituted defendant, viz.:—

1. The paddy field called Walaliadde alias Gannilekumbura, of about five pelas of paddy sowing extent; bounded on the east by an oya, on the south and west by limitary ridge, and on the north by a bank and a limitary

ridge.
2. The paddy field called Vidanamuttettuwe, of about seven amunams of paddy sowing extent, situated at Dehi-kindawelagama aforesaid; bounded on the east by the bank of Pambekumbura, on the south and west by Udagama-

or fambekumbura, on the south and west by Udagamaoya, and on the north by Pambepeele and ditch.
3. Two contiguous coffee gardens, viz., Bulatwatta
Copiwatta and Galagodabedde Copiwatta, both of about
thirty kurunies of kurakan sowing extent; bounded on the
east by a stone fence, on the south by Walawwetenna
galkanda and ditch, on the west by Kahatagahakumbura
and galkanda, and on the north by a footpath to Peramahankadde, together with everything thereon.

4. The following contiguous lots of land, Thalagahawatta, Ehelagahawatta, Udukindagedarawatta, Bulugahawatta, Miyanakollellehena and garden, and Kadukkanaramewatta, of about forty kurunies of kurakkan sowing extent; bounded on the east by the stone fence of Ankelipitiya, on the south by Medagedarawatta stone fence, on the west by Bandanayakandure and Ulpenarawekadaima, and on the north by gonna tree and Ulpenarawekadaima, together with the plantations and buildings thereon, all situated at Dehikindawelagama in Passara korale of the Province of Uva.

> D. A. EMILIAN, for Fiscal.

Fiscal's Office, Badulla, May 30, 1895.

Province of Sabaragamuwa.

In the District Court of Colombo.

1, Pana Llana Suna Pana Layna Muttiah Chetty; 2, Muna Runa Ana Runa Ana Supperamaniyan Chetty; 3, Muna Runa Muna Natchiappa Chetty, all of Sea street, Colombo, trustees under an indenture No. 1,698 dated February 12, 1894, and attested by John Cadiramen, of Colombo, Natany Public Notary Public.....Plaintiffs.

No. C/6,803.

1, Beminihennedige Johanis Pieris; 2, Beminihennedige Haramanis Pieris; 3, Bemini-hennedige Cornelis Pieris, all of Egoda Uyana in Moratuwa in Salpiti korale, in the District of Colombo......Defendants.

OTICE is hereby given that on Saturday, June 29, 1895, at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property,

All that tea estate and plantation called and known as Charity Garden or Watagalla estate, situate in the village Mahalla in Dehigampal korale of Three Korales in whinge Manaia in Denigampai Korale of Three Korales in the District of Kegalla, which said estate is differently described in, and is held and possessed under the deeds hereinafter mentioned, as follows, to wit:—

(a) All that estate called and known as Charity Garden, situated at the village Mahalla in Dehigampal

korale of Three Korales, in the Island of Ceylon; bounded on the east by Troy estate, south and west by native gardens, and on the north by Hakurugala estate; containing in extent 65 acres and 2 roods more or less according to the deed No. 8,139 dated June 2, 1892, and attested by

B. C. Perera, Notary Public.

(b) All that estate called and known as Charity Garden, situate at Mahalla aforesaid; bounded on the north by Gedaragawahena, on the east by Hakurugala estate, on the south by Udakumbura and Diyabona-ela, on the west by Troy estate and Harunkahena, and on the north-west by Wahegatehena; containing in extent 64 acres 3 roods and 28 perches according to the deed No. 572 dated September 6, 1890, attested by C. J. Alexander Marshall, of Avisawella, Notary Public, together with all and singular the buildings, stores, machinery, pictures, tools, implements, cattle, and other the dead and live stock therein, and the appurtenances thereof or thereunto in any wise beloning or used or enjoyed therewith, or reputed or known as part or parcel thereof; and all the estate, right, title, interest, claim, and demand whatsoever of them and each of them the said Beminihennedige Johanis Pieris, Beminihennedige Haramanis Pieris, and Beminihennedige Cornelis Pieris, into, upon, or out of the said estates, platitation, and premises and every part thereof by seizure, and if necessary by sale thereof, the sum of Rs. 31,517, with further interest on Rs. 30,500 at 12 per cent. per annum from December 21, 1894, till payment in full.

Deputy Fiscal's Office, Kegalla, May 30, 1895.

W. E. DAVIDSON, Deputy Fiscal.

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to continue in force "The Wharf and Warehouse Ordinance, 1876."

Preamble.

WHEREAS the Ordinance No. 10 of 1876, intituled "An Ordinance to repeal 'The Wharf and Warehouse Ordinance, 1865,' and to make further provision for the establishment in Colombo and regulation of a Company to perform the duties of Wharfingers and Warehousemen," as amended by Ordinance No. 8 of 1890, will expire at the end of the present session of the Legislative Council, and it is expedient to further continue the first-mentioned Ordinance for the period hereinafter mentioned: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Ordinance No. 10 of 1876 continued. 1 The Ordinance No. 10 of 1876 as amended by Ordinance No. 8 of 1890 shall remain and continue in force until January 1, 1899, and from thence to the end of the then next session of the Legislative Council.

By His Excellency's command,

Colonial Secretary's Office, Colombo, June 6, 1895.

E. NOEL WALKER, Colonial Secretary.