



# 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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**I**, AUGUSTINE RAWLINS DAWSON, Fiscal of the Western Province, do hereby appoint Mr. James de Livera Weerakoon to be Marshal for the District of Panadura, under the provisions of the Fiscal's Ordinance No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

This 8th day of April, 1895.

A. R. DAWSON,  
Fiscal.

**N**OTICE is hereby given that a suit has been instituted in the Court of Requests of Hatton by a labourer of Darawala estate, Dikoya, against the proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of his wages amounting to Rs. 73.56.

This 25th day of March, 1895.

LOUIS DAUNDASEKERE,  
Chief Clerk.

**B**y 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 Galle will be holden at the Court-house at Galle on Thursday, April 25, 1895, 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.

Fiscal's Office,  
Galle, March 28, 1895.

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E. ELLIOTT,  
Fiscal.

B 1

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate and Effects of Rajasuria Mahavidanelage Marthelis Fernando, commonly called Matho, of Dean's road, Maradana in Colombo, deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., Acting District Judge of Colombo, on the 4th day of April, 1895, in the presence of Charles Perera, Proctor, on the part of the petitioner John Vincent Gomis Jayewardane, Interpreter Mudaliyar of Panadure Courts; and the affidavit of the said John Vincent Gomis Jayewardane, dated 11th March, 1895, having been read: It is ordered that John Bonifacio Misso, Secretary of the District Court of Colombo, be and he is hereby declared entitled to have letters of administration to the estate of Rajasuriya Mahavidanelage Marthelis Fernando, commonly called Matho, deceased, issued to him, unless the respondents—1, Mungo Fernando and her husband; 2, Sinnone Fernando, both of Dean's road; 3, Nonamma, widow of the late Rajasuria Mahavidanelage Lewis Fernando; and 4, Rajasuria Mahavidanelage Simon Fernando, both of Maradana; 5, Rajasuria Mahavidanelage Miscie Fernando and her husband; 6, Kodagodage Frederick de Silva, both of St. Sebastian street; 7, Nonai Fernando; 8, George Fernando; and 9, Martinus Fernando, all of Makola; 10, Rajasoorige Jane Fernando; 11, Rajasoorige Martin Fernando; 12, Rajasoorige Alin Fernando; 13, Rajasoorige Rosa Fernando; 14, Rajasoorige Thomas Fernando; 15, Rajasoorige PUNCHINONA Fernando; 16, Rajasoorige Marthinnu Fernando; and 17, Rajasoorige Hendrick Fernando, all of Maradana in Colombo; and 18, Abanchi Fernando, of Makola—shall, on or before the 25th day of April, 1895, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER, Acting District Judge.

The 9th day of April, 1895.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. { In the matter of an application to have an Administrator appointed to the Estate of the late Mudennegey Davit alias Carolis Coorey, of Talpitiya, deceased.

Between

Grerugey Bastian Greru, of Talpitiya .....Petitioner.

And

1, Watutantrigey Sarah Alwis; 2, Mudennegey Elias Coorey; 3, do. Podi Singhoe (a minor); 4, do. Siman Coorey; 5, do. Lewis Coorey; 6, do. Menis Coorey; 7, do. James Coorey (a minor); 8, do. Francina Coorey (a minor); 9, do. Bastian Coorey (a minor), all of Talpitiya .....Respondents.

THIS matter coming on for disposal before F. J. de Livera, Esq., District Judge of Kalutara, on the 26th day of March, 1895; after reading the affidavit and petition of the petitioner, dated 9th May, 1894, praying that the first respondent or some other person may be appointed to administer the estate of the deceased Mudennegey Davit alias Carolis Coorey:

It is ordered that the 1st respondent or some other person be appointed to administer the estate of the deceased Mudennegey Davit alias Carolis Coorey, unless

sufficient cause be shown to the contrary, on the 19th day of April, 1895.

F. J. DE LIVERA, District Judge.

The 28th day of March, 1895.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Class I. Martinappillai, daughter of Deoguppillai, of Karaiyoor, deceased.

No. 655. Deoguppillai Christian, of Karaiyoor .....Petitioner.

Vs.

1, The Rev. Father Deoguppillai John Chrysostom, O.M.I., now residing at Haldanduwana, Kochchikkadai; 2, Deoguppillai Christopher Adrian, of Karaiyoor...Respondents.

THIS matter of the petition of Deoguppillai Christian, of Karaiyoor, praying for letters of administration to the estate of the above-named deceased Martinappillai, daughter of Deoguppillai, of Karaiyoor, coming on for disposal before H. Nevill, Esq., District Judge, on the 27th day of March, 1895, in the presence of Messrs. Casipillai and Cathiravelu, Proctors, on the part of the petitioner; and the affidavit of the petitioner, dated the 25th day of March, 1895, having been read: It is declared that the petitioner is one of the heirs of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before the 22nd day of April, 1895, show sufficient cause to the satisfaction of this court to the contrary.

H. NEVILL, District Judge.

This 27th day of March, 1895.

In the District Court of Kurunegala.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Mary Hulugalle alias PUNCHI KUMARIHAMI, deceased, of Hulugalle.

Sunasinghe Nawaratne Wannai Naiyeka Hulugalle, Ratamahatmaya of Wannai Hatpattu .....Petitioner.

Vs.

1, A. B. Galagoda, President, Village Tribunals, Hiriya Hatpattu; 2, Wanduragala Kumarihami; 3, Tikiri Kumarihami; 4, Dingiramma; 5, Kumarihami; 6, Menikhami; all of Hulugalle Walawwe in Magul Otota korale ..... Respondents.

THIS matter coming on for disposal before John Davenport Mason, Esq., Acting District Judge, on the 4th day of April, 1895, in the presence of Mr. Markus on the part of the petitioner; and the affidavit of the petitioner, dated 3rd April, 1895, having been read:

It is declared that the said Sunasinghe Nawaratne Wannai Naiyeka Hulugalle, Ratamahatmaya, the petitioner, as the father of the deceased, is entitled to have letters of administration of the estate of the said Mary Hulugalle alias PUNCHI KUMARIHAMI issued to him accordingly, unless the respondents shall, on or before the 7th day of May, 1895, show sufficient cause to the satisfaction of this court to the contrary.

J. D. MASON, Acting District Judge.

The 4th day of April, 1895.

## DRAFT ORDINANCES.

## MINUTE.

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

An Ordinance to provide for the Protection of Person and Property from the risks incidental to the supply and use of Electricity for Lighting and other purposes.

Preamble.

WHEREAS it is expedient to control the supply and use of electricity for lighting and other purposes, and to provide for the protection of persons and property from the risks incidental to such supply and use : 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 called "The Electricity Ordinance, 1895."

Commencement.

2 This Ordinance shall come into operation on such day as the Governor shall, by Proclamation in the *Government Gazette*, appoint.

Definitions.

3 In this Ordinance, unless there is something repugnant in the subject or context—

- (1) "Electricity" includes galvanism, magnetism, magneto-electricity, and electro-magnetism ;
- (2) "Purpose" includes any purpose except the transmission of a message ; and
- (3) "Vessel" includes anything used for the conveyance by water of human beings or of property.

Notice of intention to supply or use electricity.

4 In either of the following cases, namely :

- (a) If a person intends to undertake the business of supplying electricity ; or
- (b) If a person intends to use electricity for any public purpose, or in any public place, or in any place where there is likelihood of the public being affected, or in a place in which fifty or more persons are likely to be assembled ;

the person shall, one week at least before commencing the supply or use, give notice of his intention to the government agent of the province.

The Governor empowered to make rules.

5 The Governor in Council may from time to time make such rules as he thinks expedient—

- (a) For the protection of person and property from injury by reason of contact with, or the proximity of, appliances or apparatus used in the generation or supply of electricity ;
- (b) For preventing telegraph lines from being injuriously affected by any of those appliances or apparatus ; and
- (c) For authorizing the government agent, postmaster-general, or superintendent of police, or any person specially authorized by such officers, to enter, inspect, and examine any place, carriage, or vessel in which the officer has reason to believe any such appliances or apparatus to be ;

and such rules from time to time to add to, amend, alter, and repeal.

All such rules when made, added to, amended, altered, or repealed shall be published in the *Government Gazette* and, upon such publication, they shall be deemed to be within the powers conferred by this section on the Governor in Council, and shall be as legal, valid, and effectual as if the same had been enacted herein.

## Penalties.

6 If a person undertakes the business of supplying electricity, or uses electricity for any such purpose, or in any such place as is referred to in section 4 without giving the notice required by that section, or infringes any rules under section 5, or obstructs an officer in the exercise of his authority under any such rule to enter, inspect, and examine any place, carriage, or vessel, he shall be punished with fine which may extend to five hundred rupees; and, if he continues so to supply or use electricity, or infringe the rule, or obstruct the officer after notice in writing to desist from so doing has been given to him by the police magistrate, or in a provincial town by the superintendent of police, he shall be further punished with fine which may extend to one hundred rupees for every day during which such supply, use, infringement, or obstruction continues.

The Government may confer powers of telegraph authority upon any public officer for placing appliances for supply of electricity.

7 The Governor in Council may, for the placing of appliances and apparatus for the supply of electricity for any purpose of the Government, confer upon any public officer any of the powers which the telegraph authority possesses with respect to the placing of telegraph lines and posts for the purpose of a telegraph established or maintained by the Government or to be so established or maintained.

By His Excellency's command,

Colonial Secretary's Office,  
Colombo, April 10, 1895.

E. NOEL WALKER,  
Colonial Secretary.

NOTICES OF INSOLVENCY.

In the District Court of Kalutara.

No. 96. In the matter of the insolvency of Weeraconde Arachchige Bastian de Silva, of Alutgama.

NOTICE is hereby given that the second public sitting of this court in the above-mentioned matter has been adjourned for May 7, 1895.

By order of court,

JOHN G. A. VANDERSTRAATEN,  
Secretary.

Kalutara, April 9, 1895.

In the District Court of Galle.

No. 265. In the matter of the insolvency of M. Devenayagam, of Galle.

WHEREAS Don Louis Sonnadera, of Kumbalwella has filed a declaration of insolvency, and a petition for the sequestration of the estate of M. Devenayagam, of Galle, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said M. Devenayagam insolvent accordingly; and that two public sittings of the court, to wit, on May 3 and 31, 1895, will take place for the said insolvent to surrender and conform, 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. KRAUSE,  
Secretary.

Galle, April 8, 1895.

NOTICES OF FISCALS' SALES.

Western Province.

Moona Roona Pana Lana Muttu Caruppen Chetty, of Colombo ..... Plaintiff.  
No. 5,693/C. Vs.  
C. Tambyah, of Dean's road, Maradana, Colombo ..... Defendant.

NOTICE is hereby given that on Thursday, May 2, 1895, at 2 o'clock in the afternoon, will be sold by public auction at No. 2, Dean's road, Maradana, Colombo, the following property, viz.:-

Two ebony loungers, two jakwood loungers, six ladies nadoonwood chairs, two cocoonwood teapoys, forty china flower pots, two flower stands, three kerosine lamps, eight china flower pots and stands, two ebony couches, twenty-four ladies' ebony chairs, two ebony easy chairs, two ebony oval chairs, two English oval tables with marble tops, one ebony round table with marble top, two large mirrors, two statues, two statues with glass covers, six bentwood chairs, two English whatnots with marble tops, two ebony teapoys, nine flower vases, one kerosine oil chandelier, three hanging kerosine oil lamps, one kerosine oil lamp, two door curtains and poles, six pieces rattan mattings, one Bombaywood round table, two ebony loungers, two satinwood couches, four pieces dining tables, one small table, two table lamps, one hanging kerosine oil lamp, two nadoonwood almirahs, six jakwood chairs, one jakwood sideboard, one carriage, one wagonette, one bay horse, four carriage lanterns, two sets harness, and one hundred and sixty-six flower pots.

SOLOMON SENEVIRATNE,  
Acting Deputy Fiscal.

Fiscal's Office,  
Colombo, April 9, 1895.

In the District Court of Colombo.

Nanayakkarage Don Paules de Silva Appuhamy, of Mattakkuliya in Colombo ..... Plaintiff.  
No. 5,799/C Vs.

Mohamad Jamel Hassen, of Slave Island in Colombo ..... Defendant.

NOTICE is hereby given that on Saturday, May 4, 1895, at 1 o'clock in the afternoon, will be sold by public auction at the respective premises the following property specially mortgaged, viz.:-

1. All those two adjoining parts of a garden with the buildings standing thereon, bearing No. 72, situated at Slave Island within the Municipal limits of Colombo; bounded on the north by the garden of Lorensz now of Don Bastian Perera, on the east by the other part of Betmege Don Juse and by the garden of Siman now of Unoos Kitchilan, on the south by the road, and on the west by the garden of Siman, of Nicholas Appu, and Jamel Hassen; containing in extent 39.27 square perches

2. All that part of a garden and house bearing assessment No. 5, situated at Slave Island within the gravets of Colombo; and bounded or reputed to be bounded on the north by the garden of Pandeen Baby, on the east by the garden of Jeramanis Perera, on the south by a small road, and on the west by the garden of J. Sutherland, Esq.; containing or reputed to contain in extent about 17½ perches.

SOLOMON SENEVIRATNE,  
Acting Deputy Fiscal.

Fiscal's Office,  
Colombo, April 9, 1895.

In the District Court of Colombo.

M. P. M. R. M. Caruppan Chetty.....Plaintiff.  
No. 5,894/C. Vs.

1, M. C. P. Gunawardena; 2, Bernard C. de Costa.....Defendants.

**N**OTICE is hereby given that on Friday, May 3, 1895, commencing at 10 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said first defendant in and to the following property, viz.:-

1. All that allotment of land called and known as Kahatagahawatta, marked lot No. 7, together with the lot No. 6 of the same Kahatagahawatta adjoining each other and now forming one property, and all the buildings, plantations, and trees thereon, situated in the village Diwulpitiya in the Pallepattu of Salpiti korale; bounded on the north by the land called Tappewatta, now a portion of the same Kahatagahawatta given to the late Angage Janis Perera, on the east by the high road, on the south by lot No. 5, the property of Magalage Louisa Perera, and on the west by the land called Ilangahawatta and Kahatagahawatta or Tappewatta; containing in extent 1 acre 37½ square perches more or less.

2. All that portion of the land called and known as Tappewatta or Kahatagahakanatta, together with all the buildings, plantations, and trees thereon, situated in Diwulpitiya aforesaid; and bounded on the north by Nika Naidegewatta and Hendo Naidegewatta, on the east by Kahatagahawatta and Nika Naidegewatta, on the south by Ilangahawatta, and on the west by Omattage-watta; containing in extent ground sufficient to plant two hundred cocoanut plants more or less, and registered under the title M 137.

3. All that portion of the land called and known as Madangahaowita, also situated in the village Diwulpitiya aforesaid; and bounded on the north by Badahelage Naduwita, on the east by the road from the Colombo to Ratnapura, on the south by the other portion of this land belonging to Hettiachchige-people, on the west by Dawatagahaowita or Hikgahaowita; containing in extent two bushels of paddy sowing more or less.

4. All that field called and known as Watawalakumbura, also situated in the village Diwulpitiya aforesaid; and bounded on the north by Galhenageowita, on the east by canal embankment, on the south and on the west by Ilawalhataowita of Hettiachchige family; containing in extent two bushels of paddy sowing more or less, and registered under the title M 44.

5. All that defined portion of the land called and known as Ambagahaowita, together with the cadjan house and the plantations and trees thereon, also situated in the village Diwulpitiya aforesaid; and bounded on the north by the remaining ⅔ of this land of H. Nicholas Perera on the east and on the south by Subawiragekumbura and high road; and on the west also by the high road, containing in extent 1 rood and 2·80 square perches more or less, and registered under the title M 44.

And on the same day, commencing at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said first defendant in and to the following property, viz.:-

6. All the defined ⅓ part or share of the garden called and known as Kahatagahawatta, with the plantations and trees thereon, situated in the village Borelasgomuwa in the Pallepattu of Salpiti korale aforesaid; and bounded on the north by Unagahaowita and now by Kahatagahawatta, the residence of Agonis Perera, on the east and south by the portions of Kahatagahawatta and now by Unagahaowita, and on the west by a portion of this garden and a garden of Galhenage Davit Alwis; containing in extent 2 roods and 19 square perches according to the survey and description thereof dated August 20, 1892.

7. All that defined ⅓ part of the land called and known as Kahatagahawatta, with all the plantations and trees thereon, situated in the village Boralessgomuwa aforesaid; and bounded on the north by the garden of W. Herat Perera Appuhami and others, now the property of Don Mendis Appuhami, on the east by a portion of this garden, on the south by the garden of Galhenage Davit Alwis and now the property of W. Herat Perera Appuhami and others; and on the west by the field of Galhenage Davit Alwis; containing in extent 1 rood and 15 square perches more or less.

Fiscal's Office,  
Colombo, April 8, 1895.

SOLOMON SENEVIRATNE,  
Deputy Fiscal.

### Southern Province.

In the District Court of Galle.

M. R. M. A. Samugan Chetty, of Galle.....Plaintiff.  
No. 2,641. Vs.

Robis Mendis Kumarasinha, of Ratgama, and others .....Defendants.

**N**OTICE is hereby given that on Monday, May 13, 1895, at 12 o'clock noon, will be sold by public auction at the spot the right, title, and interest of the said defendants in the following property, viz.:-

Situated at Naotunna,

1. 17/32 parts of the gardens Pelabandarawatta and Usbandarawatta.

2. 25/32 parts of Bogahawatta, 2½ acres in extent.

Situated at Talalla, at 2 o'clock P.M.

3. 25/32 parts of Uswatta *alias* Meriyapelawatta.

Claim Rs. 1,267·37½, with interest on Rs. 1,000 at 18 per cent.

Deputy Fiscal's Office,  
Matara, April 8, 1895.

D. A. GOONERATNE,  
Deputy Fiscal.