



# Ceylon Government Gazette

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and General Government Notifications.

PART II.—Legal and Judicial.

PART III.—Provincial Administration.

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## Part II.—Legal and Judicial.

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## DRAFT ORDINANCES.

### MINUTE.

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

An Ordinance to amend "The Gemming Ordinance, 1890."

Preamble.

WHEREAS it is expedient to amend "The Gemming Ordinance, 1890," hereinafter called 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 section 2 of the Ordinance No. 5 of 1890.

1 In section 2 of the principal Ordinance, for the definition "mine" shall be substituted the following:—

"Mine" includes one or more mines opened, worked, or used in any land in respect of which a license has been issued under section 4 for the purpose of searching for or obtaining gold, silver, gems, or precious stones, and includes all shafts, levels, planes, works, machinery, tramways, and sidings both below and above ground, which may be sunk, driven, erected, or constructed in and adjacent to such mine or mines.

Section 4,  
sub-sections (1)  
and (2) amended.

2 In section 4, sub-section (1) of the principal Ordinance, the words "on condition that the licensee shall, in commutation of the share due to Her Majesty and her successors of the gold, silver, gems, or precious stones which may be obtained from such mine, pay in advance the fees provided for in section 8" shall be repealed.

And in sub-section (2), for the words "five rupees" there shall be substituted "one rupee."

Section 8, as to  
permit and license  
fees thereon,  
repealed.  
Section 9  
amended.

3 Section 8 of the principal Ordinance is hereby repealed.

4 In section 9 of the principal Ordinance, the words "and the permit required by section 8 for every person employed in or about any mine" are hereby repealed.

Section 10,  
sub-section (1)  
amended.  
Section 11, as to  
penalties,  
amended.

5 In section 10 of the principal Ordinance, sub-section (a) is hereby repealed.

6 For section 11 of the principal Ordinance shall be substituted the following :

"11 Any person who shall open, work, or use, or cause or suffer to be opened, worked, or used, any mine in breach of, or in any way contrary to, the provisions of this Ordinance, or of any rules made under section 10, or otherwise than in strict accordance with the license in that behalf granted, or after such license shall have been revoked, or who shall refuse to produce any license whenever required to do so, shall be guilty of an offence, and be liable on a first conviction to a fine not exceeding fifty rupees, or to rigorous imprisonment not exceeding three months, or both, and on every subsequent conviction to a fine not exceeding one hundred rupees, or to rigorous imprisonment not exceeding six months, or both."

Section 13  
amended.

7 In section 13 of the principal Ordinance, the words "or for having been employed, or for having employed another in or about a mine without a permit" in the third, fourth, and fifth lines thereof; and the words "or permit, as the case may be," between the words "holds a license" and "shall lie on the party accused;" and the words "or permit" after the words "deemed to have no license," are hereby repealed.

Form of license  
amended.

8 For the form of license set out in the schedule to the principal Ordinance shall be substituted the following form :

In terms of section 4 of the Ordinance No. 5 of 1890, I, \_\_\_\_\_, do hereby license \_\_\_\_\_ to open, work, and use one or more mines for the purpose of searching for or obtaining (gold or silver or gems, as the case may be) in the land called \_\_\_\_\_, situated at \_\_\_\_\_, bounded on the north, &c. (state the boundaries of the land), subject to the following conditions (state conditions, if any).

Given at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 189 .

Government Agent.

Commencement.

9 This Ordinance shall come into operation on the day of \_\_\_\_\_, 189 , and shall be read as one with the principal Ordinance.

By His Excellency's command,

Colonial Secretary's Office,  
Colombo, July 13, 1894.

E. NOEL WALKER,  
Colonial Secretary.

**HIS EXCELLENCY THE GOVERNOR** has been pleased to direct that the following circular despatch and its enclosures, received from the Secretary of State for the Colonies, be published for general information.

By His Excellency's command,

E. NOEL WALKER,  
Colonial Secretary.

Colonial Secretary's Office,  
Colombo, July 21, 1894.

The Most Hon. the MARQUESS OF RIPON to Governor Sir A. E. HAVELOCK, K.C.M.G.

Downing street, June 5th, 1894.

SIR,—I HAVE the honour to transmit to you, for publication in the Colony under your Government, a copy of a convention between Great Britain and Austria-Hungary for the establishment of International Copyright, which was signed at Vienna on the 24th April, 1893, and of which the ratifications were exchanged on the 14th April, 1894.

I have also to enclose a copy of the Order of Her Majesty in Council, which was issued on the 30th April last, for giving effect to the provisions of the Convention.

I have, &c.,  
RIPON.

**Convention between Great Britain and Austria-Hungary for the establishment of  
International Copyright.**

[Signed at Vienna, April 24, 1893. Ratifications exchanged at Vienna, April 14, 1894.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, &c., and His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, animated with the desire to secure in the most complete manner, within their respective dominions, the rights of authors, or their legal representatives, over their literary or artistic works, have resolved to conclude a convention to that effect, and have named as their plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, &c., the Right Honourable Sir Augustus Berkeley Paget, Knight Grand Cross of the Most Honourable Order of the Bath, a Member of Her Britannic Majesty's Most Honourable Privy Council, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Imperial and Royal Apostolic Majesty, &c.,

His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, the Count Gustave Kálnoky de Köröspatak, Knight of the Golden Fleece, Knight Grand Cross of the Order of St. Stephen, Knight of the Order of Leopold, His Imperial and Royal Apostolic Majesty's Privy Councillor and Chamberlain, Minister of the Imperial House and of Foreign Affairs, General of Cavalry, &c.,

Who, having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles :—

**ARTICLE I.**

Authors of literary or artistic works and their legal representatives, including publishers, shall enjoy reciprocally, in the dominions of the high contracting parties, the advantages which are, or may be, granted by law there for the protection of works of literature or art.

Consequently, authors of literary or artistic works which have been first published in the dominions of one of the high contracting parties, as well as their legal representatives, shall have in the dominions of the other high contracting party the same protection and the same legal remedy against all infringement of their rights as if the work had been first published in the country where the infringement may have taken place.

In the same manner, the authors of literary or artistic works, and their legal representatives, who are subjects of one of the high contracting parties, or who reside within its dominions, shall in the dominions of the other contracting party enjoy the same protection and the same legal remedies against all infringements of their rights as though they were subjects of or residents in the state in which the infringement may have taken place.

These advantages shall only be reciprocally guaranteed to authors and their legal representatives when the work in question is also protected by the laws of the state where the work was first published, and the duration of protection in the other country shall not exceed that which is granted to authors and their legal representatives in the country where the work was first published.

**ARTICLE II.**

The right of translation forming part of the copyright, the protection of the right of translation is assured under the conditions laid down by this convention. If ten years after the expiry of the year in which a work to be protected in Her Majesty's dominions on the basis of this convention has appeared, no translation in English has been published, the right of translating the work into English shall no longer within those dominions exclusively belong to the author.

In the case of a book published in numbers, the aforesaid period of ten years shall commence at the end of the year in which each number is published.

## ARTICLE III.

Authorized translations are protected as original works. They consequently enjoy the full protection granted by this convention against the unauthorized reproduction of original works.

It is understood that in the case of a work for which the translating right has fallen into the public domain, the translator cannot oppose the translation of the same work by other writers.

## ARTICLE IV.

The expression "literary or artistic works" comprehends books, pamphlets, and all other writings; dramatic or dramatico-musical works, musical compositions, with or without words; works of design, painting, sculpture, and engraving, lithographs, illustrations, geographical charts, plans, sketches, and plastic works relating to geography, topography, architecture, or science, in general; in fact, every production whatsoever in the literary, scientific, or artistic domain which can be published by any mode of impression or reproduction.

## ARTICLE V.

In the British Empire, and in the kingdoms and states represented in the Austrian Reichsrath, the enjoyment of the rights secured by the present convention is subject only to the accomplishment of the conditions and formalities prescribed by the law of that state in which the work is first published; and no further formalities or conditions shall be required in the other country.

Consequently, it shall not be necessary that a work which has obtained legal protection in one country should be registered, or copies thereof deposited in the other country, in order that the remedies against infringement may be obtained which are granted in the other country to works first published there.

In the dominions of the Hungarian Crown the enjoyment of these rights is subject, however, to the accomplishment of the conditions and formalities prescribed by the laws and regulations both of Great Britain and of Hungary.

## ARTICLE VI.

In order that the authors of works protected by the present convention shall, in the absence of proof to the contrary, be considered as such, and be, consequently, admitted to institute proceedings in respect of the infringement of copyright before the courts of the other state, it will suffice that their name be indicated on the work in the accustomed manner.

The tribunals may, however, in cases of doubt, require the production of such further evidence as may be required by the laws of the respective countries.

For anonymous or pseudonymous works, the publisher whose name is indicated on the work is entitled to protect the rights belonging to the author. He is, without other proof, reputed the legal representative of the anonymous or pseudonymous author, until the latter or his legal representative has declared and proved his rights.

## ARTICLE VII.

The provisions of the present convention cannot in any way derogate from the right of each of the high contracting parties to control, or to prohibit by measures of domestic legislation or police, the circulation, representation, exhibition, or sale of any work or production.

Each of the high contracting parties reserves also its right to prohibit the importation into its own territory of works which, according to its internal laws, or to the stipulations of treaties with other states, are or may be declared to be illicit reproduction.

## ARTICLE VIII.

The provisions of the present convention shall be applied to literature or artistic works produced prior to the date of its coming into effect, subject, however, to the limitations prescribed by the following regulations:—

## (a) In the Austro-Hungarian Monarchy—

Copies completed before the coming into force of the present convention, the production of which has been hitherto allowed, can also be circulated in future.

In the same manner, appliances for the reproduction of works, such as stereotypes, wood-blocks, and engraved plates of every description, such as lithographers' stones, if their production has not hitherto been prohibited may continue to be used during a period of four years from the coming into force of the present convention.

The distribution of such copies, and the use of the said appliances, is however, only permitted if an inventory of the said copies and appliances is taken by the Government in question, in consequence of an application of the interested party, within three months from the coming into force of the present convention, and if these copies and appliances are marked with a special stamp.

Dramatic and dramatico-musical works, or musical compositions legally performed before the coming into force of the present convention, can also be performed in the future.

## (b) In the United Kingdom of Great Britain and Ireland—

The author and publisher of any literary or artistic work first produced before the date at which this convention comes into effect shall be entitled to all legal remedies against infringement; provided that where any person has, before the date of the publication of the Order in Council putting this convention into effect, lawfully produced any work in the United Kingdom, any rights or interests arising from or in connection with such production, which are subsisting and valuable at the said date, shall not be diminished or prejudiced:

## ARTICLE IX.

The provisions of the present convention shall apply to all the colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to India, the Dominion of Canada, Newfoundland, the Cape, Natal, New South Wales, Victoria, Queensland, Tasmania, South Australia, Western Australia, and New Zealand.

Provided always that the provisions of the present convention shall apply to any of the above-named colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative at the Court of His Imperial and Royal Apostolic Majesty within two years from the date of the exchange of ratifications of the present convention.

## ARTICLE X.

The present convention shall remain in force for ten years from the day on which the ratifications are exchanged; and in case neither of the two high contracting parties shall have given notice twelve months before the expiration of the said period of ten years of their intention of terminating the present convention, it shall remain in force until the expiration of one year from the day on which either of the high contracting parties shall have given such notice.

Her Britannic Majesty's Government shall also have the right to denounce the convention in the same manner, on behalf of any of the colonies or foreign possessions mentioned in Article IX. separately.

## ARTICLE XI.

The present convention shall be ratified, and the ratifications shall be exchanged at Vienna as soon as possible. It shall come into effect ten days after its publication in conformity with the forms prescribed by the laws of the high contracting parties respectively.

In witness whereof the respective plenipotentiaries have signed this Convention, and have hereunto affixed their seals.

Done at Vienna, the 24th day of April, in the year of our Lord one thousand eight hundred and ninety-three.

(L.S.) A. B. PAGET.  
(L.S.) KALNOKY.

At the Court at Windsor, the 30th day of April, 1894.

*Present :*

The Queen's Most Excellent Majesty

Lord President	Lord Chamberlain
Lord Steward	Sir Charles Russel
Earl of Chesterfield	Sir Frank Lascelles

WHEREAS a convention has been concluded on the 24th day of April, 1893, between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of Austria, King of Bohemia, and Apostolic King of Hungary, with respect to the protection to be given by way of copyright to the authors of literary and artistic works :

And whereas the ratifications of the said Convention were exchanged on the 14th day of April, 1894, between Her Majesty the Queen and His Majesty the Emperor :

And whereas Her Majesty in Council is satisfied that the Austro-Hungarian Monarchy have made such provisions as it appears to Her Majesty expedient to require for the protection of authors of works first produced in Her Majesty's dominions :

Now therefore Her Majesty, by and with the advice of her Privy Council, and by virtue of the authority committed to Her by the International Copyright Acts, 1844 to 1886, doth order and it is hereby ordered as follows :—

1. The convention as set forth in the first schedule to this order shall as from the commencement of this order, and subject to clause 5 of this order, have full effect throughout Her Majesty's dominions, and all persons are enjoined to observe the same.

2. The author of a literary or artistic work which on or after the commencement of this order is first produced in the Austro-Hungarian Monarchy shall, subject as in this order and in the International Copyright Acts, 1844 to 1886, mentioned, have as respects that work throughout Her Majesty's dominions, but subject to the exceptions specified in clause 5 of this order, the same right of copyright, including any right capable of being conferred by an Order in Council under section two or section five of the International Copyright Act, 1844, or under any other enactment, as if the work had been first produced in the United Kingdom, and shall have such right during the same period.

Provided that the author of a literary or artistic work shall not have any greater right or longer term of copyright therein than that which he enjoys in the country in which the work is first produced.

The author of any literary or artistic work first produced before the commencement of this Order shall have the rights and remedies to which he is entitled under section six of the International Copyright Act, 1886.

3. Section six of the International Copyright Act, 1852, shall not apply to any dramatic piece to which protection is extended by virtue of this order.

4. This order shall be construed as if it formed part of the International Copyright Act, 1886.

5. This order shall apply to all the colonies and foreign possessions of Her Majesty excepting those hereinafter named; that is to say, except to India, the Dominion of Canada, Newfoundland, the Cape, Natal, New South Wales, Victoria, Queensland, Tasmania, South Australia, Western Australia, and New Zealand.

Provided nevertheless that the provisions of this order may be applied by further order to any of the above-named colonies or foreign possessions on whose behalf notice to the effect indicated in Article 9 of the convention shall be given.

6. This order shall come into operation on the 11th day of May, 1894, which day is in this order referred to as the commencement of this order.

And the Lords Commissioners of Her Majesty's Treasury are to give the necessary orders herein accordingly.

C. L. PEEL.

Return of all Moneys received and paid on account of Estates under Official Administration in the District Court of Kandy for the Half-year ended June 30, 1894.

No. and Title of Case.	Amount Received.	Amount.		Paid out.	Amount.	
		Rs.	c.		Rs.	c.
1001, Lappen's estate	... Balance in hand on December 31, 1893,					
	and subsequent receipts	106	93	... Paid out	106	93
1721, McDonald's estate	... Do. do.	906	64	... do.	906	64
1745, Mrs. Judd's estate	... Do. do.	3,558	92	... do.	3,209	47
1565, Wickremesekara's estate	... Do. do.	951	61	... do.	553	49
953, Robertson's case	... Do. do.	450	19	... do.	334	14
1804, Kistnen Singh	... Amounts collected during the half year	5,657	37	... do.	884	85

District Court,  
Kandy, July 16, 1894.

J. H. DE SARAM,  
District Judge

Return of all Moneys received and paid on account of Estates under Official Administration in the District Court of Jaffna for the Half-year ended June 30, 1894.

District Court,  
Jaffna, July 16, 1894.

Nil.

F. J. DE LIVERA,  
District Judge.

List of Uncertificated Insolvents in the District Court of Jaffna for the Half-year ended June 30, 1894.

Nil.

District Court,  
Jaffna, July 16, 1894.

F. J. DE LIVERA,  
District Judge

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Haldummulla by seventeen labourers of West Haputale estate against the proprietor or proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 120.

This 23rd day of July, 1894. P. SETUKAVALER,  
Chief Clerk.

In the Police Court of Mannar.

Order Nisi.

To Pichai Periyamuthali, of Kallikaddaikadu, trader.

WHEREAS it has been made to appear to me that two temporary boutiques situate at Kallikaddai-

kadu bazaar belonging to you are likely to fall and thereby cause injury to persons living or carrying on business in the neighbourhood or passing by, and that their removal, repair, or support is necessary:

I do hereby direct and require you, within the 8th day of August, 1894, to repair the boutiques and support the same to prevent them from falling and hurting passers by, or to appear in the Police Court of Mannar on the 8th day of August, 1894, and to show cause why this order should not be enforced.

Given under my hand this 14th day of July, 1894.

W. H. JACKSON,  
Police Magistrate.

## NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate, Goods and Chattels, and Rights and Credits of Sinne Lebbe Abdul Rahman *alias* Abboo, of No. 68, Church street in Slave Island in Colombo, deceased.

THIS matter coming on for disposal before D. F. Browne, Esq., District Judge of Colombo, on the 28th day of June, 1894, in the presence of E. W. Perera, Proctor, on the part of the petitioner John Charles Pieries Gunsekere, of Layard's Broadway in Colombo; and the affidavit of the said John Charles Pieries Gunsekere, dated 27th June, 1894, having been read: It is ordered that the said John Charles Pieries Gunsekere be and he is hereby declared entitled to have letters of administration to the estate of Sinne Lebbe Abdul Rahman *alias* Abboo, deceased, issued to him as creditor of the said deceased, unless the respondents—first, Sarba Nona, widow of the said deceased; and second, Koorison Aboo, both of No. 68, Church street in Slave Island in Colombo—shall, on or before the 2nd day of August, 1894, show sufficient cause to the satisfaction of this court to the contrary.

The 28th day of June, 1894. D. F. BROWNE,  
District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Goods and Chattels of Ganegodage Don Bemanis *alias* Bempi Appu, late of Peliyagoda in the Ragam pattu of Alutkuru korale, deceased.

THIS matter coming on for disposal before D. F. Browne, Esq., District Judge of Colombo, on the 28th day of June, 1894, in the presence of W. P. Ranesinghe, Proctor, on the part of the petitioner, Ganegodage Don Simeon Appu, of Peliyagoda in the Ragam pattu of Alutkuru korale; and the affidavit of the said Ganegodage Don Simeon Appu, dated 4th June, 1894, having been read:

It is ordered that the said Ganegodage Don Simeon Appu, be and he is hereby declared entitled to have letters of administration to the estate of Ganegodage Don Bemanis *alias* Bempi Appu, deceased, issued to him, unless the respondent, Ganegodage Don Abraham Appu, of Peliyagoda, in the Ragam pattu of Alutkuru korale, shall, on or before the 2nd day of August, 1894, show sufficient cause to the satisfaction of this court to the contrary.

The 28th day of June, 1894. D. F. BROWNE,  
District Judge.

In the District Court of Negombo.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Intestate Estate of Walimunidewage Jeronis Fernando, of Yagodamulla, deceased.

THIS matter coming on for disposal before G. A. Baumgartner, Esq., District Judge of Negombo, on the 12th July, 1894, in the presence of Mr. Carron on the part of the petitioner Rampatidewage Jebona Fernando, dated 21st June, 1894, having been read: It is ordered that the said Jebona Fernando be and she is hereby declared entitled to letters of administration being issued to her, as widow of the deceased Walimunidewage Jeronis Fernando, unless the respondents, Isa Fernando, Siman Fernando,

Carolis Fernando; and Gomis Fernando—shall, on or before the 2nd August, 1894, show sufficient cause to the satisfaction of this court to the contrary.

G. A. BAUMGARTNER,  
District Judge.

In the District Court of Negombo.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Last Will and Testament of Mihiduculasuria Arachchige Deago Fernando, deceased.

THIS matter coming on for disposal before G. A. Baumgartner, Esq., District Judge of Negombo, in the presence of Mr. Wijetunge, Proctor, on the part of the petitioner Mihiduculasuria Arachchige Francisco Fernando and Mihiduculasuria Arachchige Pedro Fernando; and the affidavits of Domingo Leitan, Gabriel Mel, Simeon Fernando, and Pedro Fernando, dated 22nd May and 1st June, 1894, having been read: It is ordered that the will of Mihiduculasuria Arachchige Deago Fernando, deceased, dated 17th May, 1890, be and the same is declared proved, unless the respondent Mihiduculasuria Ana Perera shall, on or before the 2nd August, 1894, show sufficient cause to the satisfaction of the court to the contrary.

It is further declared that the said Francisco Fernando and Pedro Fernando are the executors named in the said will, and that they are entitled to have probate of the same issued to them accordingly.

G. A. BAUMGARTNER,  
District Judge.

In the District Court of Negombo.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Goods and Chattels of Setunge Mudelige Don Hendrick Appuhami, of Katana, deceased.

THIS matter coming on for disposal before G. A. Baumgartner, Esq., District Judge of Negombo, on the 12th July, 1894, in the presence of Mr. Wijetunge on the part of the petitioner Sembukutti Arachchige Sestina Silva; and the affidavit of the said Sembukutti Arachchige Sestina Silva, dated 11th June, 1894, having been read: It is ordered that the said Sembukutti Arachchige Sestina Silva, as widow of the deceased Setunge Mudalige Don Hendrick Appuhamy, be and she is hereby declared entitled to letters of administration being issued to her, unless the respondents Marselino, Marthelis, Mangohamy, Pittohamy, Elizahamy, and Agostino shall, on or before the 2nd August, 1894, show sufficient cause to the satisfaction of the court to the contrary.

G. A. BAUMGARTNER,  
District Judge.

In the District Court of Negombo.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of Hendela Liyanage Domingo Perera, of Siduwa.

THIS matter coming on for disposal before G. A. Baumgartner, Esq., District Judge of Negombo, on the 17th day of July, 1894, in the presence of Mr. Rajapakse, Proctor, on the part of the petitioner Botalage Maria Fernando; and the affidavit of the said Maria Fernando, dated 4th July, 1894, having been read: It is ordered

that the said Maria Fernando, as widow of the deceased Domingo Perera, be and she is hereby declared entitled to letters of administration being issued to her, unless the respondent Hendela Liyanage Lucia Perera shall, on or before the 2nd day of August, 1894, show sufficient cause to the satisfaction of the court to the contrary.

G. A. BAUMGARTNER,  
District Judge.

In the District Court of Kalutara.

*Order Nisi.*

Testamentary } In the Matter of the Estate of the late  
Jurisdiction } Marikar Lebbe Oduma Lebbe Marikar,  
No. 67. } deceased, of Henamulla in Panadure.

THIS matter coming on for disposal before H. C. P. Bell, Esq., Acting District Judge of Kalutara, on the 17th day of July, 1894, in the presence of Mr. B. O. Dias, Proctor, on the part of the petitioner Marikar Lebbe Mohamadu Lebbe Marikar, of Henamulla in Panadure; and the affidavit of the said Marikar Lebbe Mohamadu Lebbe Marikar, dated the 17th day of July, 1894, having been read:

It is declared that the said Marikar Lebbe Mohamadu Lebbe Marikar is entitled to have letters of administration to the estate of the deceased issued to him, unless the respondents—1, Ismail Lebbe Marikar Kajar Umma, of Henamulla in Panadure; 2, Oduma Lebbe Marikar Ahamadu Ally, of Henamulla in Panadure, a minor; 3, Oduma Lebbe Marikar Abdul Rahiman, of Henamulla, in Panadure, a minor; 4, Oduma Lebbe Marikar Beeby Soveleya, of Henamulla in Panadure, a minor; 5, Oduma Lebbe Marikar Isa Natchia, of Henamulla in Panadure, a minor—shall, on or before the 8th day of August, 1894, show sufficient cause to the satisfaction of this court to the contrary.

H. C. P. BELL,  
Acting District Judge.

The 17th day of July, 1894.

In the District Court of Kandy.

*Order Nisi.*

Testamentary } In the Matter of the Estate of Gane-  
Jurisdiction. } deniyagedara Keerala, late of Weliwita  
No. 1,836. } in Tumpane, deceased.

Ganedeniyagedara Kiri Menika ..... Petitioner.  
And

1, Ganedeniyagedara Dingiri Amma; 2, Ganedeniyagedara Siyatu; and 3, Ganedeniyagedara Punchirala..... Respondents.

THIS matter coming on for disposal before John Henricus de Saram, Esq., District Judge of Kandy, on the 27th day of June, 1894, in the presence of Mr. E. Beven, Proctor, on the part of the petitioner Ganedeniyagedara Kiri Menika; and the affidavit of the said Ganedeniyagedara Kiri Menika, dated the 2nd day of February, 1894, having been read:

It is declared that the said Ganedeniyagedara Kiri Menika is the eldest daughter of Ganedeniyagedara Keerala, deceased, and as such entitled to have letters of administration to the estate of Ganedeniyagedara Keerala, deceased, issued to her, unless the respondents above-named shall, on or before the 10th day of August, 1894, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,  
District Judge.

The 27th June, 1894.

In the District Court of Kandy.

*Order Nisi.*

Testamentary } In the Matter of the Last Will and  
Jurisdiction. } Testament of John de Alwis, late  
No. 1,837. } of Kandy, deceased.

Ellen Charlotte de Alwis, of Kandy ..... Petitioner.

THIS matter coming on for disposal before John Henricus de Saram, Esq., District Judge of Kandy,

on the 10th day of July, 1894, in the presence of Mr. J. B. Siebel, Proctor, on the part of the petitioner Ellen Charlotte de Alwis; and the affidavit of the said Ellen Charlotte de Alwis, dated the 7th day of July, 1894, and of Harry Goonetilleke, dated the 9th day of July, 1894, having been read:

It is ordered that the will of the late John de Alwis of Kandy, deceased, dated the 1st day of April, 1893, be and the same is hereby declared proved, unless any person shall, on or before the 17th day of August, 1894, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Ellen Charlotte de Alwis is the executrix named in the will, and that she is entitled to have probate of the same issued to her accordingly, unless any person shall, on or before the 17th day of August, 1894, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary } In the Matter of the Estate of the late  
Jurisdiction. } Kurunather Sinnatamby, of Veemangam  
No. 612. } in the Parish of Tillippalalai,  
deceased.

Kurunather Ponnampalam, of Veemangam  
in the Parish of Tillippalalai.....Petitioner.

Vs

1, Annappilly, widow of Kurunather Sinnatamby; 2, Vairammai, widow of Kathikasar Kurunather; 3, Kurunather Kanthappilly, all of Veemangam ..... Respondents.

THIS matter of petition of Kurunather Ponnampalam, the above-named petitioner, praying for letters of administration to the estate of the above-named deceased, Kurunather Sinnatamby, of Veemangam in the Parish of Tillippalalai, coming on for disposal before F. J. de Livera, Esq., District Judge, on the 11th day of July, 1894, in the presence of Mr. R. Mailvaganam, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated the 5th day of March, 1894, having been read: It is declared that the petitioner is the brother and next of kin 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 16th day of August, 1894, show sufficient cause to the satisfaction of this court to the contrary.

F. J. DE LIVERA,  
District Judge.

This 11th day of July, 1894.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary } In the Matter of the Estate of the late  
Jurisdiction. } Thamotherar Suppiramanier, of  
Class I. } Nunavil, deceased.  
No 615. }

Ramalingam Suppiramaniam, of Chavakachcheri ..... Petitioner.

Vs.

Thamotherar Mathaverasingam, of Nunavil...Respondent.

THIS matter of the petition of Ramalingam Suppiramaniam, of Chavakachcheri, praying for letters of administration to the estate of the above-named deceased Thamotherar Suppiramanier, of Nunavil, coming on for disposal before F. J. de Livera, Esq., District Judge, on the 17th day of July, 1894, in the presence of Messrs. Casippillai & Cathiravelu, Proctors, on the part of the petitioner; and the affidavit of the petitioner, dated the 16th day of July, 1894, having been read: It is declared that the petitioner is the brother-in-law of the said intestate, and



is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before the 16th day of August, 1894, show sufficient cause to the satisfaction of this court to the contrary.

F. J. DE LIVERA,  
District Judge.

Signed this 17th day of July, 1894.

In the District Court of Galle.

*Order Nisi.*

Testamentary } In the Matter of the Last Will and  
Jurisdiction. } Testament of Ismail Lebbe Markar  
No. 3,054. } Kuppa Tamby, deceased, of Dangedara.

THIS matter coming on for disposal before Henry L. Moysey, Esq., District Judge of Galle, on the 7th day of July, 1894, on the motion of Mr. W. E. de Vos, Proctor, on the part of the petitioner Katukurundekanntegge Don Siyadoris Jayasundara, of Dangedara; and the affidavit of the said Katukurundekanntegge Don Siyadoris Jayasundara, of Dangedara, dated 4th day of July, 1894, having been read:

It is ordered that the will of Ismail Lebbe Markar Kuppa Tamby, deceased, dated 4th December, 1892, and now deposited in this court, be and the same is hereby declared proved.

It is further declared that the said Katukurundekanntegge Don Siyadoris Jayasundara is the executor named in the said will, and that as such he is entitled to have probate of the same issued to him accordingly.

The 7th day of July, 1894.

H. L. MOYSEY,  
District Judge.

In the District Court of Galle.

*Order Nisi.*

Testamentary } In the Matter of the Last Will and  
Jurisdiction. } Testament of Lankageeganage alias  
No. 2,470. } Ipalawattege Don Andris and his wife  
Hewapesige Gimarah, deceased, both  
of Hatuwapiadigama.

THIS matter coming on for disposal before Henry Luttrell Moysey, Esq., District Judge of Galle, on the 5th day of July, 1894, on the motion of Mr. Gerald Carolus A. Jayasekara, Proctor, on the part of the petitioners Ipalawattege alias Lankageeganage Don Carolis alias Danoris and Suduwelikondege Thiyadoris, both of Hatuwapiadigama; and the affidavit and petition of Ipalawattege alias Lankageeganage Don Carolis alias Danoris and Suduwelikondege Thiyadoris, dated 3rd day of July, 1894, having been read:

It is ordered that the will of Lankageeganage alias Ipalawattege Don Andris and his wife Hewapesige Gimarah, deceased, dated 19th day of June, 1863, and now deposited in this court, be and the same is hereby declared proved.

It is further declared that the said Ipalawattege alias Lankageeganage Don Carolis alias Danoris and Suduwelikondege Thiyadoris, both of Hatuwapiadigama, are the executors named in the said will, and that they are, as such, entitled to have probate of the same issued to them accordingly, unless the respondents—(1) Lankageeganage Johanna, (2) Lankageeganage Thepanis Gunewardena, Police Officer, both of Hatuwapiadigama; (3) Hewapesige Don Odris Samarasinghe Dewepanne, Arachchi of Pilane; and (4) Don Hendrik Abeyedira, Fiscal's Arachchi of Weligama—shall, on or before the 20th day of August, 1894, show sufficient cause to the satisfaction of this court to the contrary.

The 5th day of July, 1894.

H. L. MOYSEY,  
District Judge.

## NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 1,811. In the matter of the insolvency of Lehurchund Hunchund, of Pettah, Colombo.

WHEREAS the above-named Lehurchund Hunchund of Pettah, Colombo, was on July 5, 1894, 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 August 16 and 30, 1894, 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. MISSEO,  
Secretary.

Colombo, July 6, 1894.

No. 1,799. In the matter of the insolvency of Kavana Ahamado Allie, of 3rd Cross street, Pettah, Colombo.

NOTICE is hereby given that a public sitting of this court will be held on August 23, 1894, for the allowance to the insolvent of his certificate of conformity.

By order of court,

J. B. MISSEO,  
Secretary.

Colombo, July 24, 1894.

No. 1,808. In the matter of the insolvency of Benjamin Peter de Silva, of Colombo.

NOTICE is hereby given that a public sitting of this court will be held on August 23, 1894, for the allowance to the insolvent of his certificate of conformity.

By order of court,

J. B. MISSEO,  
Secretary.

Colombo, July 21, 1894.

## In the District Court of Kalutara.

No. 92. In the matter of the insolvency of Awo  
Lebbe Uduma Lebbe Markar, of  
Deenagoda.

**N**OTICE is hereby given that a meeting of the  
creditors of the above-named insolvent will be  
held on August 22, 1894, for the purpose of enabling the  
assignee to submit, for the approval of the court, the  
conditions of sale of the property belonging to the  
insolvent estate.

By order of court,

JOHN G. L. VANDERSTRAATEN,  
Kalutara, July 24, 1894. Secretary.

No. 92. In the matter of the insolvency of  
Awo Lebbe Uduma Lebbe Markar,  
of Deenagoda.

**N**OTICE is hereby given that a public sitting of this  
court will be held on August 10, 1894, for the

allowance of a certificate of conformity to the above-  
named insolvent.

By order of court,

J. G. L. VANDERSTRAATEN,  
Secretary.

Kalutara, July 20, 1894.

No. 95. In the matter of the insolvency of Awo  
Lebbe Meerā Lebbe Markar, of  
Deenagoda.

**N**OTICE is hereby given that a public sitting of this  
court will be held on August 17, 1894, for the  
allowance of a certificate of conformity to the above-  
named insolvent.

By order of court,

J. G. L. VANDERSTRAATEN,  
Secretary.

Kalutara, July 20, 1894.

## NOTICES OF FISCALS' SALES.

## Western Province.

In the District Court of Colombo.

Richard Annesley Brohier, of Colombo.....Plaintiff.  
No. 3,799/C. Vs.

1, Ismail Lebbe Marikar Unoos Lebbe; and 2,  
Ummanie Umma, husband and wife, both of  
Silversmith street, Colombo ..... Defendants.

**N**OTICE is hereby given that on Tuesday, August 21,  
1894, at 4 o'clock in the afternoon, will be sold by  
public auction at the premises the following property,  
viz.:-

All that allotment of land with two contiguous buildings  
standing thereon, bearing assessment Nos. 8 and 9, situated  
at Silversmith street, within the Municipal limits of  
Colombo; bounded on the north by the property of Ma-  
madoe Tamby Saiboe Doerre and others and now the  
property of Hadjie Marikar Samsi Lebbe and others, on  
the east by the property of Sleema Lebbe Uduma Lebbe  
Marikar and Ummanie Umma and now the property of  
Ismail Marikar Junoos Lebbe, on the south by Silver-  
smith street, and on the west by the property of Meeyanna  
Wappoo Marikar, containing in extent 1 rood and 3-52  
square perches as per figure of survey dated February  
19, 1889, made by F. Bartholomeusz, Land Surveyor,  
together with all the estate, right, title, interest, claim,  
and demand whatsoever of the defendants into, upon, or  
out of the said premises; specially mortgaged and decreed  
to be sold by the decree entered in the above case.

Fiscal's Office,  
Colombo, July 25, 1894.

J. S. DRIEBERG,  
Deputy Fiscal.

In the District Court of Colombo.

Kawana Sana Seena Sadayappa Chetty, of  
Sea street in Colombo ..... Plaintiff.  
No. 5,333/C. Vs.

M. A. Fernando, of Hospital street in the  
Fort of Colombo ..... Defendant.

**N**OTICE is hereby given that on Monday, August 20,  
1894, at 4 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.:-

All that land and the buildings standing thereon, bear-  
ing assessment No. 40, situated at Darley road, Maradana,

within the Municipality of Colombo; bounded on the  
north by the property of Mr. Soysa, deceased, on the east  
by the high road, on the south by the grass field of Mr.  
Stewart, and on the west by the Colombo lake, containing  
in extent half an acre more or less.

Fiscal's Office,  
Colombo, July 25, 1894.

J. S. DRIEBERG,  
Deputy Fiscal.

In the District Court of Colombo.

William Francis Morriss, of Colombo ..... Plaintiff.  
No. 5,476/C. Vs.

M. A. Fernando, of Hospital street, Fort,  
Colombo ..... Defendant.

**N**OTICE is hereby given that on Wednesday, August  
22, 1894, at 4 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.:-

All that house and ground bearing No. 10 A, situated  
at Campbell street, Cinnamon Gardens, Colombo; bounded  
on the north by Campbell street, on the east by house  
No. 10, the property of M. A. Fernando, on the south by  
the property belonging to Mrs. L. Daniels, and on the  
west by a house and ground, the property of M. A. Fer-  
nando, containing in extent half an acre more or less.

Fiscal's Office,  
Colombo, July 25, 1894.

J. S. DRIEBERG,  
Deputy Fiscal.

In the District Court of Colombo.

Don Joseph Wanigesooriya, of St. Sebastian  
in Colombo ..... Plaintiff.  
No. 5,882/C. Vs.

Ismail Lebbe Markar Uduma Lebbe Markar,  
of Beruwala, now of Mariakade in  
Colombo ..... Defendant.

**N**OTICE is hereby given that on Saturday, August  
18, 1894, at 3 o'clock in the afternoon, will be  
sold by public auction at the premises the following  
specially mortgaged property, viz.:-

All that one-third part from a part of a garden with  
the buildings standing thereon (bearing assessment No.  
174), situated at Maradana within the Municipality of  
Colombo; and bounded on the north by the one-third part  
of Packer Bawa Ahamado Lebbe Markar, on the east by  
the garden of Meenatchy Umma, widow of Aydroos

Lebbe Pitche Tamby, on the south also by the garden lately of Meenachchy Umma now of Meera Saibo Abooker Lebbe, and on the west by the high road, containing in extent 2.43 square perches.

Fiscal's Office,  
Colombo, July 25, 1894.

J. S. DRIEBERG,  
Deputy Fiscal.

In the District Court of Negombo.

Rose Grace Gilbert.....Plaintiff.  
No. 1,377. Vs.  
Hewaweerage Bastian Lusena .....Defendant.

NOTICE is hereby given that on August 21, 1894, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the following property, viz.:-

All that garden called Badullagahawatta and the cadjan thatched house standing thereon, situate at the 3rd Division of Tammita within the old gravets of Negombo; and bounded on the north by the high road, on the east by the garden formerly of Achchima and others and now belonging to Kurukulasuria Juan Perera, on the south by the garden formerly of Madar Mohiadin and now belonging to Hewaweerage Bastian Lusena, and on the west by the garden of the late Juanwarnage Pedru Fernando, containing in extent 3 roods and 13 perches more or less.

2. All that garden called Wellawatta, situate at do.; bounded on the north by the garden formerly of Hewaweerage Migel Lusena, who sold it to Jasentulanage Anthoni Fernando, who sold it to Wartiwitarnage Valarianu Fernando, and now belonging to Hewaweerage Bastian Lusena, by the garden of Juan Fernando, and the garden of Suse Fernando, on the east by the garden of Christian Fernando, Migel Fernando Vel Vidanerala, and Phillippu Fernando, Police Headman, on the south by the land formerly of Migel Fernando Vel Vidanerala, and now of Gabriel Coste Muppurala, and on the west by the garden formerly of Mahalekange Manuel Coste Muppurala and Migel Fernando Vel Vidanerala, and now of Mehidukulasuria Joseph Fernando, containing in extent 3 roods and 8.2 perches

more or less; specially mortgaged by bond No. 1,354, dated April 19, 1892, and declared bound and executable for this decree; and the right, title, and interest of the defendant in and to the same at the date of the mortgage. Amount to be levied Rs. 1,238.87, with interest on Rs. 1,000 at 15 per cent. per annum from September 19, 1893.

Deputy Fiscal's Office,  
Negombo, July 20, 1894.

J. P. LEWIS,  
Deputy Fiscal.

### Central Province.

In the District Court of Colombo.

Thayna Payna Reena Perichi Appa Chetty, of Colombo.....Substituted Plaintiff.  
No. 5,320. Vs.

Muna Kuna Sinna Karuppen Chetty, of Teva Cotta, Madura Zillah, in Southern India ... Defendant.

NOTICE is hereby given that on August 18, 1894, at 12 o'clock noon, will be sold by public auction at the premises the following property of the defendant:-

All that portion, being in extent 250 acres (more or less), planted with tea, coffee, and cardamoms, with the buildings standing thereon, out of all that tract of land called Koorookodewadiakela, situated in the village Dekinde in the District of Uda Bulatgama, Central Province, containing in extent in the whole 868 acres 1 rood and 13 square perches; the whole of the land being bounded on the north by land belonging to C. Y. Reid and a branch of the Gingeran-oya, on the east by Crown forest land, on the south by land applied for by Captain B. E. Layard, and on the west by land purchased by John Griffith Frith, Frangee Nassawangee Pattile, of the firm of Frith, & Company, and William Twishton Layard, Captain in Her Majesty's Ceylon Rifle Regiment.

Amount of writ Rs. 3,700.

Fiscal's Office,  
Kandy, July 23, 1894.

C R. CUMBERLAND,  
Fiscal.