



Ceylon Government Gazette

Published by Authority.

No. 5,507—FRIDAY, OCTOBER 29, 1897.

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

PART II.—Legal and Judicial.

PART III.—Provincial Administration.

PART IV.—Marine and Mercantile.

PART V.—Municipal and Local.

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

Part II.—Legal and Judicial.

	PAGE		PAGE
Passed Ordinances ...	—	Lists of Jurors and Assessors ...	—
Draft Ordinances ...	379	Notices in Testamentary Actions ...	381
Notices from Supreme Court Registry ...	—	Notices in Insolvency Cases ...	381
Notices from Council of Legal Education ...	—	Notices of Fiscals' Sales ...	382
Notifications of Criminal Sessions of Supreme Court... —	—	Notices from District and Minor Courts ...	—

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to increase the Duty on the Import of Opium and to prohibit the Importation of Bhang and Ganja into this Island.

Preamble.

WHEREAS it is expedient to prohibit the import into this island of bhang and ganja and to increase the duty on the import of opium: 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.

Date of operation.

1 This Ordinance may be cited for all purposes as "The Opium and Bhang Ordinance, 1897," and it shall come into operation on the _____ day of _____, 1897.

Increase of duty leviable on opium.

2 From and after the date on which this Ordinance comes into operation, the duty leviable and payable upon all opium imported into this island under Ordinance No. 17 of 1869 shall be two rupees per pound.

Ordinance No. 4 of 1878 to come into operation throughout the island.

3 From and after the date on which this Ordinance comes into operation the Ordinance No. 4 of 1878, as amended by this Ordinance, shall come into operation in all places and districts in the island which have not been

brought within the operation of the Ordinance No. 4 of 1878 by Proclamation under the provisions of section 2 thereof, and in which the Ordinances Nos. 9 of 1889 and 2 of 1893 are not in force.

Amendment of section 3 of Ordinance No. 9 of 1889.

4 In section 3 of the Ordinance No. 9 of 1889, for the words "thirty-first day of October" there shall be substituted the words "thirtieth day of November."

Addition to Schedule C of Ordinance No. 17 of 1869.

5 To Schedule C of the Ordinance No. 17 of 1869 shall be added the following words :

Prohibition of the importation of bhang and ganja.

"Bhang and ganja, and any substance containing bhang or ganja."

Penalty for possession or sale of bhang or ganja.

6 Any person who shall possess or sell, or offer for sale, or suffer to be sold any bhang or ganja shall be guilty of an offence, and be liable, on the first conviction, to a fine not exceeding fifty rupees, or to simple or rigorous imprisonment not exceeding three months, or to both; and on every subsequent conviction to a fine not exceeding one hundred rupees, or to imprisonment, simple or rigorous, not exceeding six months, or to both.

Search into place where bhang or ganja is kept for sale.

7 It shall be lawful for any police officer or municipal inspector to enter and inspect any shop or place in which there shall be reasonable cause for suspicion that bhang or ganja is kept, possessed, or sold, and to seize any bhang or ganja which may be found therein and the vessels holding the same, and to take into custody the persons suspected to be keeping, possessing, or selling the same.

Sale of opium to children prohibited.

8 (1) Every holder of a license for the sale by wholesale or retail of opium, who sells or allows any person to sell opium to any person apparently under the age of fifteen years, shall be liable for the first offence to a fine not exceeding fifty rupees, or to imprisonment, simple or rigorous, not exceeding three months, or to both; and for the second and any subsequent offence to a fine not exceeding one hundred rupees, or to imprisonment, simple or rigorous, not exceeding six months, or to both.

Cancellation of license.

(2) It shall be lawful for the police magistrate in any case in which a person has been convicted under this section to cancel the license held by such person.

Informers' share.

9 It shall be lawful for the court imposing a fine under this Ordinance to award to the informer any share not exceeding a moiety, of so much of the fine as is actually recovered and realized.

Repeal.

10 There shall be repealed as from the commencement of this Ordinance :

- (a) The enactments mentioned in the schedule to this Ordinance to the extent in the third column of that schedule mentioned; and
- (b) So much of any other enactments as is inconsistent with this Ordinance.

SCHEDULE.

Number and Year.	Title.	Extent of Repeal.
4 of 1878 ...	The Opium and Bhang Ordinance, 1878	The words "and bhang" wherever they occur in sections 4 and 7 and in the schedule. Section 2. The word "respectively" in section 4 and the words "or bhang" wherever they occur in sections 4, 6, 7, 10, 11, and 13.

Number and Year.	Title.	Extent of Repeal.
39 of 1884 ...	An Ordinance to re-adjust the Customs Duties leviable under Ordinances No. 17 of 1869 and No. 14 of 1871	So much of Schedule A as refers to opium.
9 of 1889 ...	An Ordinance relating to the sale by retail of Opium and Bhang within the Colombo Municipality	The words "and bhang" wherever they occur in sections 2, 3, and 4.
2 of 1893 ...	An Ordinance relating to the sale by retail of Opium and Bhang within Municipalities and Local Board towns	The words "and bhang" wherever they occur in sections 3 and 4.

By His Excellency's command,

Colonial Secretary's Office, Colombo, October 28, 1897. E. NOEL WALKER,
Colonial Secretary.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the late Walgamakankanange Tevis de Silva, School Master, and his wife Engelтина Ranawira Hamine, both of Gintota, deceased.

THIS matter coming on for disposal before F. J. de Livera, Esq., District Judge of Galle, on the 1st day of October, 1897, in the presence of Mr. Goonesekere, Proctor, on the part of the petitioner Walgamakankanange Tevenis of Gintota; and the affidavit of the said Walgamakankanange Tevenis dated 19th September, 1897, having been read: It is declared that the said Walgamakankanange Tevenis of Gintota is brother of the deceased Walgamakankanange Tevis, and that he is as such entitled to have letters of administration of the estate of the above-named two deceaseds issued to him accordingly, unless the respondents—1, Walgamakankanange Edmund; 2, Walgamakankanange Martin; and 3, D. B. Samarawira, Resthouse-keeper of Morawaka, guardian *ad litem* of the first and second named respondents—shall, on or before the 18th day of November, 1897, show sufficient cause to the satisfaction of this court to the contrary.

F. J. DE LIVERA,
District Judge.
The 1st October, 1897.

In the District Court of Mannar.

Order Nisi.

Testamentary Jurisdiction. { In the Matter of the Estate of the Goods, Chattels, Rights, and Credits of Kappaneina Meerasaibo, late of Tharakundo, deceased.

Asenachchia, widow of Thamby Marakaer, of Tharakundo Petitioner.
Vs.

1, Sinnamma, widow of Meerasaibo; 2, Aliar Kappudaiyar, both of Tharakundo..... Respondents.

THIS matter coming on for disposal before W. A. G. Hood, Esq., District Judge, Mannar, on the 19th day of October, 1897, in the presence of Mr. H. Thampu, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated 18th October, 1897, having been read:

It is declared that the petitioner is a sister of the above-named deceased, and that she is as such entitled to letters of administration of the estate of the above-named deceased issued to her accordingly, unless the respondents above-named or any other persons shall, on or before the 22nd day of November, 1897, show sufficient cause to the satisfaction of this court to the contrary.

W. A. G. HOOD,
District Judge.
Dated 19th October, 1897.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 1,910. In the matter of the insolvency of Cecil George Ernest de Jong, of Wellawatta in Colombo.

WHEREAS the above-named Cecil George Ernest de Jong was on October 14, 1897, 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 November 18, 1897, and December 2, 1897, 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, October 18, 1897.

No. 1,911. In the matter of the insolvency of Henry Pieris, of Wellawatta in Colombo.

WHEREAS the above-named Henry Pieris was on October, 14 1897, 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 November 18, 1897, and December 2, 1897, 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. Misso,
Colombo, October 18, 1897. Secretary.

No. 1,912. In the matter of the insolvency of H. P. Fernando, of 4th Cross street, Pettah, Colombo.

WHEREAS the above-named H. P. Fernando was on October 13, 1897, 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 sitting of the court will be held, to wit, on November 18, 1897 and December 2, 1897, 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. Misso,
Colombo, October 18, 1897. Secretary.

No. 1,847/1,848. In the matter of the insolvency of Samaranyeka Paulis Perera and Kalutantrige Carolis Peris Gunatillaka, both of Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on November 11, 1897, for approval of conditions of sale.

By order of court,

J. B. Misso,
Colombo, October 25, 1897. Secretary.

No. 1,843. In the matter of the insolvency of Pagoda Don Paulus Appuhamy, of Dam street in Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on November 18, 1897, for approval of conditions of sale.

By order of court,

J. B. Misso,
Colombo, October 25, 1897. Secretary.

In the District Court of Kandy.

No. 1,371. In the matter of the insolvency of Vena Mandin Cangany, of Deltota.

NOTICE is hereby given that a certificate of the third class was awarded to the insolvent above-named.

By order of court,

W. M. DE SILVA,
Kandy, October 15, 1897. Acting Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

R. M. Perera, of Armour street, Colombo.....Plaintiff.

No. 10,478/C. Vs.

Ma'deniya Lawrence Perera, of Kotahena, Colombo.....Defendant.

NOTICE is hereby given that on Tuesday, November 23, 1897, commencing at 3 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.:-

1. All that house and premises bearing assessment No. 69, situated at Kochchikade street in Colombo (commonly known as Saphira's garden); and presently bounded on the north by the property of Wappu Marikar, on the south by the property now belonging to Allis Appu, on the east by the property of Nicholas Britto, now the property of C. F. Perera, and on the west by the property of Alla Pitche, containing in extent 4-90 square perches more or less.

2. All that garden bearing assessment No. 72, situated at Kochchikade street in Colombo (commonly known as Saphira's garden); and presently bounded on the north by the property of Wappu Marikar, on the south by the property now belonging to Allis Appu, on the east by the property of Allis Appu, and on the west by the property

of Nicholas Britto, now the property of C. F. Perera, containing in extent 4-90 square perches more or less.

SOLOMON SENEVIRATNE,
Fiscal's Office, Deputy Fiscal.
Colombo, October 27, 1897.

In the District Court of Colombo.

Ravenna Mana Kavenna Ravenna Mana Kadappa Chetty, of Sea street, Colombo.....Plaintiff.

No. 9,282/C. Vs.

Wewage Arnolis Dep, of Welikada, Colombo...Defendant

NOTICE is hereby given that on Monday, November 22, 1897, 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.:-

An undivided half of all those two in one annexed parts of a garden and all the buildings thereon, bearing assessment No. 28, situate at Dean's road in Maradana, Colombo; bounded on the north and west by Dean's road, on the east by garden of Meeran Wathie, and on the south by the garden of Nonchi Hamy; containing in extent 1 square rood and 21-18 square perches.

SOLOMON SENEVIRATNE,
Fiscal's Office, Deputy Fiscal.
Colombo, October 27, 1897.

Southern Province.

In the District Court of Galle.

N. K. Muttappa Chetty, of Galle.....Plaintiff.
No. 4,652. Vs.

1, Arthur Jayawardena of Galle and others...Defendants.

NOTICE is hereby given that on Saturday, November 20, 1897, commencing at 1 o'clock in the afternoon, will be sold by public auction at the residence of the first defendant (Hillary Hall, Hirimbura) the right, title, and interest of the said defendant in the following property, viz. :—

The valuable household furniture of the above-named first defendant, comprising of ebony, jak, and other choice wood, pictures, ornaments, &c., also a four-wheeled waggonette and a bay mare.

This writ is issued to levy a sum of Rs. 1,182-87.

C. T. LEEMBRUGGEN,
Fiscal's Office, for Fiscal.
Galle, October 26, 1897.

In the District Court of Galle.

Allis de Abrew Wijenaika, of Kosgoda.....Plaintiff.
No. 4,234. Vs.

1, Agampodi Jayasin de Soysa Appu ; 2, Agampodi Jayaneri de Soysa Appu ; 3, Agampodi Saron de Soysa Appu ; 4, Agampodi Francial de Soysa Appu ; 5, Agampodi Baron de Soysa Appu ; and 6, Wijemuni Barton de Soysa Appu, all of Nape, in Kosgoda..... Defendants.

NOTICE is hereby given that on Monday, November 22, 1897, commencing at 8 o'clock in the morning, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

1. Three-fourth parts of the land called Lunuliyadda, about quarter of an acre in extent, with all the plantations standing thereon and the two complete and one (mud-walled) incomplete tiled houses standing thereon, situate at Nape in Kosgoda. Valued Rs. 380.

2. The land called Hepitiyewatta, about one acre in extent, and the tiled house of 11 cubits standing thereon, situate at Paratarakagoda in Kosgoda. Valued Rs. 400.

3. One-half and one-eighth parts of the soil and one-third part of the planter's share of Bogahaliyadda, about half an acre in extent, situate at do. Valued Rs. 120.

4. One-thirtieth part of the garden called Dewanetti-gedarawatta and the tiled boutique of 9 cubits standing thereon, situate at do. Valued Rs. 150.

5. One-third part of the garden called Wellewatta, about half an acre in extent, situate at Galbokka. Valued Rs. 50.

6. One-sixteenth part of Maralawatta, about one acre in extent, situate at Godagangoda, and the thatched house of 7 cubits standing thereon. Valued Rs. 25.

This writ is issued for the recovery of Rs. 256-03½.

H. J. WOUTERSZ,
Deputy Fiscal's Office, Deputy Fiscal.
Balapitiya, October 22, 1897.

In the District Court of Galle.

Adirian Siriman, of Balapitiya Plaintiff
No. 4,556. Vs.

1, Dadalle Don Adirian de Silva Jayasekara ;
2, Kirahandi Endoris de Silva, both of Madampe Defendants.

NOTICE is hereby given that on Saturday, November 20, 1897, commencing at 8 o'clock in the morning, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

1. The 15 carpenters' cubits two tiled houses adjoining each other and built with stones and the two 5 cubits houses belonging thereto, together with the soil covered by the said four houses standing on a portion of the land called lot No. 5 of Andiwegawatta *alias* Katugaha Naidegewatta, situate at Madampe. Valued Rs. 1,000.

2. An undivided one-fourth part of the entire soil and trees, exclusive of the planter's share of the young plantation on the portion west of the high road, of the land called Nadukewatta *alias* Wellabodawatta, situate at do. Valued Rs. 100.

3. One-fourth part of the entire soil and trees, exclusive of the planters' share of the last plantation, on the western portion, of the land called Wellabodawatta, situated at do. Valued Rs. 80.

4. The entire soil and trees of the land Pelaketiye-watta, situate at do. Valued Rs. 50.

5. An undivided one-sixth part of the soil and trees (exclusive of the planter's share of the plantation) of Warnaculawatta *alias* Tembiligahawatta, situate at do., in which Godahenege Bastian resided. Valued Rs. 30.

Being properties mortgaged by writing obligatory No. 742, dated June 22, 1892, and ordered to be sold under the judgment entered in case No. 4,556, D. C. Galle.

This writ is issued for the recovery of Rs. 552-58 with interest on Rs. 457-08 at 9 per cent. per annum from March 30, 1897.

H. J. WOUTERSZ,
Deputy Fiscal.

Deputy Fiscal's Office,
Balapitiya, October 22, 1897.

North-Western Province.

In the District Court of Chilaw.

Gabriel Lawrence Fernando and another, of Udappankarai.....Plaintiffs.
No. 1,276. Vs.

Ramaji and six others, of Udappankarai.....Defendants.

NOTICE is hereby given that on Friday, November 19, 1897, at 2 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. :—

The garden called Kannavadytotam, situate at Sinne Ottaipana in Akkarai pattu south ; bounded on the north by the partition fence of the garden belonging to Davidopulle, Manuelpulle, Police Headman and others, and by kula tree, east by the path called Yakarai Adippadu, south by the partition fence of the garden belonging to Muttu Rakku Adappanar and others and by the tree called Alamaram, and on the west by jungle land, excluding from within the said four boundaries (1) the portion called Mawadi Pagudy ; (2) $\frac{1}{4}$ shares from the portion called Iyanar Kovilady Mudumara Pagudy ; (3) 18 cocoanut trees from the portion called Iyanar Kovil Nirai ; (4) the 30 cocoanut trees standing on the western side thereof belonging to Mari Mutta ; (5) $\frac{1}{2}$ shares belonging to Murugappen and others from the portion called Elampulleadi ; (6) 200 cocoanut trees plantable land lying on the western side of the garden belonging to Rakkappar and the cocoanut trees standing thereon, which were once the property of Kadelia and now belonging to Savery Paulu Kurera Annaviar ; (7) the 100 cocoanut trees plantable soil belonging to the said Rakkappar and the cocoanut trees standing thereon ; (8) the $\frac{1}{4}$ shares belonging to Murugayen and others from the portion called Paneyadi Pagudi ; excluding all the above said portions with cocoanut and palmirah trees and other profitable things therein contained, also excluding from the remainder a just half share belonging to the heirs of Nalla Wairan Sammatti.

E. T. NOYES,
Deputy Fiscal.

Deputy Fiscal's Office,
Puttalam, October 20, 1897.