



# Ceylon Government Gazette

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PART II.—Legal and Judicial.

PART III.—Provincial Administration.  
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## Part II.—Legal and Judicial.

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### PASSED ORDINANCES.

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

No. 4 of 1894.

An Ordinance to provide for the continuance of the Export Duty on Tea levied under Ordinance No. 15 of 1892.

A. E. HAVELOCK.

Preamble.

WHEREAS it is expedient to provide for the continuance of the export duty on tea levied under the Ordinance No. 15 of 1892, after the expenses of the World's Columbian Exposition at Chicago shall have been paid and discharged, in order that the proceeds of such duty may be devoted to increasing the consumption of Ceylon tea in foreign lands: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:—

Commencement of levy of export duty, and rate of duty.

1 So soon after the Ordinance No. 15 of 1892, intituled "An Ordinance to levy an Export Duty on Tea," shall have ceased to be in force, there shall be raised, levied, and paid upon all tea of the produce of this Island exported beyond

seas a duty not exceeding 20 cents per one hundred pounds, the rate leviable to be determined by the Governor in Executive Council from time to time, upon consideration of such recommendations as may be made by the Joint Committee appointed by the Planters' Association of Ceylon on the 15th of June, 1894, and by the Chamber of Commerce on the 18th of June, 1894, or the successors in office of such committee, to administer the funds raised under this Ordinance, and such duty shall be independent of, and in addition to, any duty which may be imposed under the provisions of "The Medical Wants Ordinance, 1880, Amendment Ordinance, 1882."

Levy of export duty to be enforced under Ordinance No. 17 of 1869.

2 The duty under this Ordinance shall be levied at the customs on the entry for exportation of tea, and shall be payable to, and shall be collected and received by, the proper officers of the customs department, and the payment thereof shall be enforced under the provisions of the Ordinance No. 17 of 1869, intituled "An Ordinance for the general regulation of Customs in the Island of Ceylon."

Proceeds of duty how to be applied.

3 The proceeds of the levy hereby enacted shall be applied towards increasing the consumption of Ceylon tea in foreign lands in such manner as may from time to time be desired and determined by the Joint Committee appointed for the purpose by the Planters' Association of Ceylon on the 15th of June, 1894, and by the Ceylon Chamber of Commerce on the 18th of June, 1894, or the successors in office of such Committee, provided that such manner of application of the proceeds of the said levy be subject to the approval of the Governor in Executive Council.

Duration of the Ordinance.

4 This Ordinance shall cease to be in force from and after such time as the Governor in Executive Council shall appoint by Proclamation to be published in the *Government Gazette*.

Passed in Council the Twenty-ninth day of August, One thousand Eight hundred and Ninety-four.

H. WHITE,  
Acting Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-ninth day of August, One thousand Eight hundred and Ninety-four.

E. NOEL WALKER,  
Colonial Secretary.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Avisawella by a Kangany of Eila estate against the Eila Estate Company, Limited, to recover the sum of Rs. 710.30 due to him as wages.

J. W. DIAS,  
Chief Clerk.

Court of Requests,  
Avisawella, September 7, 1894.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Avisawella by the labourers of Weeriagolla estate, against the

proprietor of the said estate, to recover the sum of Rs. 35 due to them as wages.

Court of Requests,  
Avisawella, September 7, 1894.

J. W. DIAS,  
Chief Clerk.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Hatton by twenty labourers of Norwood estate, against the proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 257.85.

LOUIS DAUNDESEKERE,  
Chief Clerk.

This 11th day of September, 1894.

## NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

*Order Nisi.*No. C/497.  
Testamentary.

In the Matter of the Estate, Goods and Chattels, and Rights and Credits of Charles Gomis Abeyasinghe Wickremeratne Jayawardane, late of Bianwila in the Adikari pattu of the Siyane korale, deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., Acting District Judge of Colombo, on the 16th day of August, 1894, in the presence of E. W. Perera, Proctor, on the part of the petitioner Elizabeth Andrew Perera Sunderasekera Samarasinghe, of Bianwila in the Adikari pattu of the Siyane korale; and the affidavit of the said Elizabeth Andrew Perera Sunderasekera Samarasinghe, dated 7th August, 1894, having been read: It is ordered that the said Elizabeth Andrew Perera Sunderasekera Samarasinghe be and she is hereby declared entitled to have letters of administration to the estate of Charles Gomis Abeyasinghe Wickremeratne Jayawardane, deceased, issued to her, as widow of the said deceased, unless the respondents—1, Emily Lydia Gomis Abeyasinghe Wickremeratne Jayawardane; 2, Philip William Gomis Abeyasinghe Wickremeratne Jayawardane; and 3, Arthur Edmund Gomis Abeyasinghe Wickremeratne Jayawardane, all of Bianwila in the Adikari pattu of the Siyane korale—shall, on or before the 20th day of September, 1894, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,  
Acting District Judge.

The 16th day of August, 1894.

In the District Court of Colombo.

*Order Nisi.*Testamentary  
Jurisdiction.  
No. C/502.

In the Matter of the Goods and Chattels of Panditige Beatrice Perera Gunetilleke Yhanelankara Hamine, late of Princes' gate in New Bazaar, Colombo, deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., Acting District Judge of Colombo, on the 23rd day of August, 1894, in the presence of John Caderamen, Proctor, on the part of the petitioner Vitanege Gabriel Silva, of Skinner's road south in Colombo; and the affidavit of the said Vitanege Gabriel Silva, dated 20th August, 1894, having been read: It is ordered that the said Vitanege Gabriel Silva be and he is hereby declared entitled to have letters of administration to the estate of Panditige Beatrice Perera Gunetilleke Yhanelankara Hamine, deceased, issued to him, as husband of the said deceased, unless the respondent, Alutkorlage Francina Perera Hamine of First Division, Maradana, in Colombo, shall, on or before the 27th day of September, 1894, show sufficient cause to the satisfaction of this court to the contrary.

JOSEPH GRENIER,  
Acting District Judge.

The 23rd day of August, 1894.

In the District Court of Galle.

*Order Nisi.*Testamentary  
Jurisdiction.  
No. 3,047.

In the Matter of the Estate of the late Henakankanange Bastian *alias* Babappu, deceased, of Gonagala.

THIS matter coming on for disposal before Henry Luttrell Moysey, Esq., District Judge of Galle, on the 18th day of July, 1894, in the presence of Mr. N. Dias Abeyasingha, Proctor, on the part of the petitioner Gonagala Vitanege Babichanhamy, of Gonagala; and the

affidavit of the said Gonagala Vitanege Babichanhamy, of Gonagala, dated 6th day of July, 1894, having been read: It is declared that the said petitioner Gonagala Vitanege Babichanhamy, of Gonagala, is the widow of the said deceased Henakankanange Bastian *alias* Babappu, and that as such she is entitled to have letters of administration issued to her, unless the respondents, namely—1, Henakankanange Salaman *alias* Suderis Appu, for himself and as guardian *ad litem* of the minors Henakankanange Appu Sinno, Aberan Appu, Babunhamy, all of Gonagala; 2, Henakankanange Juwan *alias* Podisinno-appu; 3, Henakankanange Balahamy; and 4, Punchedwage Udaris Appu, all of Gonagala—shall, on or before the 25th day of September, 1894, show sufficient cause to the satisfaction of this court to the contrary.

H. L. MOYSEY,  
District Judge.

The 18th day of July, 1894.

In the District Court of Tangalla.

*Order Nisi.*

Testamentary } In the Matter of the Estate of the late  
Jurisdiction. } Nancy Georgiana Edirisinha, deceased,  
No. 253. } of Tangalla.

THIS matter coming on for disposal before William George Haines, Esq., Acting District Judge, Tangalla, on the 2nd day of August, 1894, in the presence of Nikulas de Alwis Edirisinha, of Tangalla, the petitioner; and the affidavit of the said Nikulas de Alwis Edirisinha, dated 2nd June, 1894, having been read:

It is ordered that the will of Nancy Georgiana Edirisinha, deceased, dated 4th May, 1894, and now deposited in this court, be and the same is hereby declared proved.

It is further declared that the said Nikulas de Alwis Edirisinha, of Tangalla, and Johanes de Silva Munasinha Disanayaka, of Hinbunna, are the executors named in the said will, and that they are entitled to have probate of the same issued to them accordingly, unless the respondent shall, on or before the 20th day of September, 1894, show sufficient cause to the satisfaction of this court to the contrary.

W. G. HAINES,  
Acting District Judge.

The 2nd day of August, 1894.

In the District Court of Puttalam.

*Order Nisi.*

Testamentary } In the Matter of the Intestate Estate of  
Jurisdiction. } Meera Lebbe Naguran, of Kandakuly,  
No. 78. } deceased.

Sevatha Amma, widow of Meera Lebbe  
Naguran.....Petitioner.

Vs.

1, Kader Saibo Segalado, guardian of Sego  
Mohemado Meera Lebbe Marakar; 2,  
Naina Aghamado Natchia, both of  
Kandakuly ..... Respondents.

THIS matter coming on for disposal before S. Haughton, Esq., District Judge of Puttalam, on the 22nd August, 1894, in the presence of the petitioner Sevatha-amma; and the affidavit having been read: It is hereby ordered that the said petitioner is entitled to have letters of administration of the estate of the deceased intestate issued to her, as his widow, and that the same be issued to her, unless the respondents shall, on or before the 22nd September, 1894, show sufficient cause to the satisfaction of this court to the contrary.

SAM. HAUGHTON,  
District Judge.

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## NOTICES OF INSOLVENCY.

### In the District Court of Colombo.

No. 1,812. In the matter of the Insolvency of Marcellus Perera, of Skinner's road South in Colombo.

**W**HEREAS the above-named Marcellus Perera, of Skinner's road South, was on August 30, 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 October 11 and October 25, 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. Misso,  
Secretary.

Colombo, September 1, 1894.

No. 1,716. In the matter of the insolvency of John Maitland, trading as Maitland & Company.

**N**OTICE is hereby given that a meeting of the creditors of the above-named insolvent will

take place at the sitting of this court on October 11 1894, to prove claims in this matter.

By order of court,

Colombo, September 11, 1894. J. B. Misso,  
Secretary.

No. 1,762. In the matter of the insolvency of Hector Cross Buchanan and Frederic William Bois, as partners in the firm of Alstons, Scott & Company, and as individuals.

**N**OTICE is hereby given that a meeting of the creditors of the above-named insolvents will take place at the sitting of this court on October 11, 1894, to prove further claims.

By order of court,

Colombo, September 12, 1894. J. B. Misso,  
Secretary.

### In the District Court of Kalutara.

No. 96. In the matter of the insolvency of Weera-cunde Aratchigey Bastian de Silva of Alutgama.

**N**OTICE is hereby given that the second public sitting of this court in the above-mentioned matter has been adjourned to September 26, 1894.

By order of court,

Kalutara, September 8, 1894. JOHN G. L. VANDERSTRAATEN,  
Secretary.

## NOTICES OF FISCALS' SALES.

### Western Province.

In the District Court of Colombo.

Peter Jurgen Ondaatje, of Jampettah street, Colombo ..... Plaintiff.

No. 4,047/C. Vs.

1, Abraham Charles Gunatillaka, of St. Sebastian street, now of Matugama in Pasdun korale; 2, Idris Zain, of Kehelwatta in Colombo..... Defendants.

**N**OTICE is hereby given that on Monday, October 8, 1894, at 2 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged by way of secondary mortgage, viz. :—

All that garden with the buildings standing thereon (bearing assessment No. 31), situated and lying at the east side of St. Sebastian street within the Municipality of Colombo; and bounded or reputed to be bounded on the north by the house of Peter Adrian Loos, on the east by the garden of Mr. B. de Waas, on the south by the garden of Adochehi Appu, and on the west by the road; containing or reputed to contain in extent 28·24 square perches, subject to a primary mortgage bearing No. 4,324, dated December 16, 1886, for Rs. 2,860 in favour of the plaintiff.

Fiscal's Office,  
Colombo, September 12, 1894.

J. S. DRIEBERG,  
Deputy Fiscal.

In the District Court of Colombo.

Hewadewage Theodoris Fernando, Mudalali, of Cinnamon Gardens, Colombo ..... Plaintiff.

No. 4,152/C. Vs.

Ahamado Lebbe Marikar Mohomadu Lebbe Marikar, of No. 7, Vauxhall street, Slave Island, Colombo..... Defendant.

**N**OTICE is hereby given that on Monday, October 8, 1894, at 4 o'clock in the afternoon, will be sold by public auction at the premises the following property, specially mortgaged with the plaintiff, viz. :—

All that house and ground bearing assessment No. 7, situated at Vauxhall street in Slave Island, within the Municipality of Colombo; bounded on the north by the property of the late Sego Lebbe Sinne Lebbe Marikar, on the east by the Colombo lake, on the south by the property of Mariambu Natchia, and on the west by the property of I. C. Marikar *alias* I. L. Marikar; containing in extent 1 rood and 37·60 square perches, together with all gas fittings, right, easement, and appurtenances thereof.

J. S. DRIEBERG,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, September 12, 1894.

In the District Court of Negombo.

Muna Runa Rawana Manu Suppramanian  
Chetty.....Plaintiff.  
No. 893. Vs.

Christogu Silva Juan Pulle and another.....Defendants.

NOTICE is hereby given that on October 10, 1894, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said first defendant in the following property, viz. :—

An undivided half share of the land called Kaduru-gahawatta, situate at Adikkandiya in the Dunagaha pattu of the Alutkuru korale; the entire property being bounded on the north by the properties of Manuel Croos Peduru Pulle and others, on the east by a dewata road, on the south by the property belonging to the heirs of Nicholan Fernando Juan Pulle and by the properties belonging to others, and on the west by the row of fields at Adikkandiya; containing in extent 6 acres more or less.

Amount to be levied Rs. 536.30, with further interest on Rs. 450 at 24 per cent. per annum from August 16, 1892.

Deputy Fiscal's Office, J. P. LEWIS,  
Negombo, September 11, 1894. Deputy Fiscal.

### Southern Province.

In the District Court of Matara.

Samichi de Silva Wirakon, of Matara ..... Plaintiff.  
No. 974. Vs.

Manawaduge Don Johanes Gunawardana,  
of Dewundara ..... Defendant.

NOTICE is hereby given that on Saturday, October 20, 1894, at 3 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. :—

At Dewundara.

The garden Tandalgewatta and the four tiled houses standing thereon.

(Claim Rs. 1,821.73, with interest on Rs. 1,500 at 12 per cent. from February 1, 1894.)

Deputy Fiscal's Office, D. A. GOONERATNE,  
Matara, September 11, 1894. Deputy Fiscal.

In the District Court of Matara.

Packir Bawa Dawunda Markar, of Matara ..... Plaintiff.  
No. 1,003. Vs.

David Mendis Jayasuriya, of Weligama.....Defendant.

NOTICE is hereby given that on Saturday, October 13, 1894, at 12 o'clock noon, will be sold by public

auction at the spot the right, title, and interest of the said defendant in the following property, viz. :—

At Akurugoda.

1. The entire soil and plantations of the garden Bokkannehena, in extent about 90 acres, the bungalow, and the other buildings standing thereon.

2. The boiler and the implements belonging thereto.

3. Two carts and four bulls.

Claim Rs. 2,000, with interest thereon at 15 per cent. from March 6, 1894.

D. A. GOONERATNE,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Matara, September 8, 1894.

In the District Court of Galle.

Habakkalakankanange Don Daniel Appu-  
hami and eight others, all of Induruwa... ..Plaintiffs.  
No. 800. Vs.

Palansurige Tedia Appuhami, of Hetti-  
goda, and nine others.....Defendants.

NOTICE is hereby given that on Saturday, October 6, 1894, commencing at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the said plaintiffs in the following property, viz. :—

1. The 9 cubits' house, excluding the part newly built, and adjoining the residing house of Habakkalakankanange Don Daniel standing on the garden called Timbirigahawatta, situate at Kaikawala, valued at Rs. 100.

2. The residing house of Welatantiri Gurunnanselage Don Hendrick Appuhami, at do., valued at Rs. 100.

3. The residing house of Welatantiri Gurunnanselage Don Davith Appuhami, at do., valued at Rs. 300.

4. The residing house of Don Salman Samaranyaka, situate at Pahurumuttugoda, valued at Rs. 500.

5. The residing house of Habakkalakankannange Don Davith Appuhami, at Induruwa, valued at Rs. 100.

6. The residing house of Welatantiri Gurunnanselage Arnolis Appuhami, at do., valued at Rs. 100.

7. The residing house of Don Carolis Jayasundara Appuhami, at do., valued at Rs. 750.

8. The residing house of Don John de Alwis Jayasundara Appuhami, at do., valued at Rs. 750.

9. The residing house of Don Aron John Appuhami, at do., valued at Rs. 100.

This writ is issued for the recovery of Rs. 225.87½.

H. J. WOUTERSZ,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Balapitiya, September 12, 1894.