



# Ceylon Government Gazette

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

PART II.—Legal and Judicial.

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## Part II.—Legal and Judicial.

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## NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. No. 444/C.

In the Matter of the Last Will and Testament of Sewatta Ummana, widow of Omer Lebbe Uduma Lebbe, late of Messenger street in Colombo, deceased.

THIS matter coming on for disposal before Joseph Grenier, Esq., Acting District Judge of Colombo, on the 30th day of August, 1894, in the presence of Arthur Alwis, Proctor, on the part of the petitioner Ahamadu Lebbe Mahamood Marikar, of Messenger street in Colombo; and the affidavits of the said Ahamadu Lebbe Mahamood Marikar, dated 28th August, 1894, of Arthur Alwis, Notary, dated 28th February, 1894, and of Ahamadu Lebbe Uduma Lebbe Marikar and Packeer Bawa Sinne Lebbe Marikar, dated 28th February, 1894, having been read:

It is ordered that the will of Sewatta Umma, widow of Omer Lebbe Uduma Lebbe, deceased, dated 1st April, 1889, and now deposited in this court, be and the same is hereby declared proved, unless the respondents—

(1) Navooda Marikar Levenna Marikar, of No. 90,

Messenger street, Colombo; (2) Navooda Marikar Marikar, of Mutwal in Colombo; (3) Sinna Umma, presently of No. 90, Messenger street, Colombo; (4) Omer Lebbe Samsie Lebbe, of Layard's Broadway, Colombo; and (5) Sinna Dorai Samsudeen, of Messenger street in Colombo—shall, on or before the 27th day of September, 1894, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Ahamadu Lebbe Mahamood Marikar is the executor named in the said Will, and that he is entitled to have probate of the same issued to him accordingly, unless the respondents—(1) Navooda Marikar Levenna Marikar, of No. 90, Messenger street, Colombo; (2) Navooda Marikar Marikar, of Mutwal in Colombo; (3) Sinna Umma, presently of No. 90, Messenger street, Colombo; (4) Omer Lebbe Samsie Lebbe, of Layard's Broadway, Colombo; and (5) Sinna Dorai Samsudeen, of Messenger street 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 30th day of August, 1894.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Goods and Chattels of the late Don Abraham Alexander Wijesinghe, Mudaliyar, and his wife Leistina Perera, both of Wellawatta, deceased.  
No. C503.

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 W. P. Ranasinghe, Proctor, on the part of the petitioner Charles Richard Wijesinghe, of Wellawatta; and the affidavit of the said Charles Richard Wijesinghe, dated 30th July, 1894, having been read: It is ordered that the said Charles Richard Wijesinghe be and he is hereby declared entitled to have letters of administration to the estate of Don Abraham Alexander Wijesinghe, Mudaliyar, and his wife Leistina Perera, deceased, issued to him, as son of the said deceased, unless the respondents—1, Henry Joseph Perera; 2, Stephen Perera; 3, Agnes Perera; 4, Cornelia Henrietta Wijesinghe and her husband 5, Samuel James Perera; 6, Francis Joseph Wijesinghe; 7, Fanny Salina Wijesinghe, 8, Edwin Owen Wijesinghe; 9, Ellen Mary Wijesinghe, all of Wellawatta 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 Kalutara.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Pitigala Acharige Don Domingo *alias* Gabriel Naide, deceased, of Kalutara.  
No. 69.

THIS matter coming on for disposal before H. C. P. Bell, Esq., Acting District Judge of Kalutara, on the 27th day of July, 1894, in the presence of Mr. Domingo de Silva, Proctor, on the part of the petitioner Pitigala Acharige Don Juan Naide, of Kalutara; and the affidavit of the said Pitigala Acharige Don Juan Naide, dated the 24th day of July, 1894, having been read: It is declared that the said Pitigala Acharige Don Juan Naide, as father of the above-named deceased, is entitled to have letters of administration to the estate of the said deceased issued to him, unless the respondent Tebuwane Acharige Lenohami, of Kalutara, shall, on or before the 21st day of September, 1894, show sufficient cause to the satisfaction of this court to the contrary.

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

The 31st day of August, 1894.

In the District Court of Kalutara.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Kevitiagala Wadugey Don Charles, deceased, of Maha Waddua.  
No. 72.

THIS matter coming on for disposal before H. C. P. Bell, Esq., Acting District Judge of Kalutara, on the 4th day of September, 1894, in the presence of Mr. P. A. Gooneratne, Proctor, on the part of the petitioner Alahendra Acharige Menchi Nona; and the affidavit of the said Alahendra Acharige Menchi Nona, dated 4th September, 1894, having been read: It is declared that

the said Alahendra Acharige Menchi Nona, as the widow of the deceased, is entitled to letters of administration of the estate of the said deceased issued to her, unless the respondent Kevitiagala Wadugey Dona Milenti shall, on or before the 12th day of October, 1894, show sufficient cause to the satisfaction of this court to the contrary.

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

The 4th day of September, 1894.

In the District Court of Kalutara.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Henadira Atchigey Podi Hamy *alias* Don Paules, Vel-vidane, deceased, of Boabotuwa in Rayigam k'oralé.  
No. 73.

THIS matter coming on for disposal before H. C. P. Bell, Esq., Acting District Judge of Kalutara, on the 11th day of September, 1894, in the presence of Mr. Simon Bartholomeus Kuruppu, Proctor, on the part of the petitioner Patiragey Samo Hamy, of Bolabotuwa; and the affidavit of Patiragey Samo Hamy, dated the 10th September, 1894, having been read:

It is declared that the said Patiragey Samo Hamy, as widow of the above-named deceased, is entitled to have administration of the deceased's estate issued to her, unless the respondents—1, Henadira Atchigey Puchi Hamy, of Rammukkana; 2, Henadira Atchigey Cornelis; 3, Henadira Atchigey Dionis; 4, Henadira Atchigey Podi Nona—shall, on or before the 12th day of October, 1894, show sufficient cause to the satisfaction of this court to the contrary.

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

The 11th day of September, 1894.

In the District Court of Galle.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Yahatugoda Badalge Don Eliyas de Silva, deceased, of Galle.  
No. 3,067.

THIS matter coming on for disposal before Henry Luttrell Moysey, Esq., District Judge of Galle, on the 29th day of August, 1894, on the motion of Mr. Nicholas Dias Abeysingha, Proctor, on the part of the petitioners Yahatugoda Badalge Dotchi Hamy and husband Wehelle Acharige Henderick de Silva Wimalasundara, both of Kumbalwella, and the affidavit of Yahatugoda Badalge Dotchi Hamy and Wehelle Acharige Hendrick de Silva Wimalasundara, dated 3rd day of August, 1894, having been read: It is declared that the said Yahatugoda Badalge Dotchi Hamy and her husband Wehelle Acharige Henderick de Silva Wimalasundara, as heirs of the estate of the above-named deceased, are entitled to have letters of administration of the said estate issued to them accordingly, unless the respondents—(1) Yahatugoda Badalge Silindohami; (2) E. V. Ranis de Silva; (3) Yahatugoda Badalge Don Andiris de Silva; (4) Yahatugoda Badalge Carlinahamy; and (5) H. M. A. Don Theneris de Silva, all of Kumbalwella—shall, on or before the 28th day of September, 1894, show sufficient cause to the satisfaction of this court to the contrary.

H. L. MOYSEY,  
District Judge.

The 29th day of August, 1894.

In the District Court of Kegalla.

*Order Nisi.*

Testamentary } In the Matter of the Intestate Estate  
Jurisdiction. } of Jayakodi Arachchillage Ukkurala,  
No. 14. } Arachchi, deceased.

Jayakodi Arachchillage Mohottie Appu, of  
Yatanivala ..... Petitioner

Against

1, Jayakodi Arachchillage Puchi Appuhami,  
of Yatanivala; 2, Jayakodi Arachchillage  
Ran Menika, of Narangaspitiya in Ganga-  
boda pattu of Siyane korale; 3, Hewaralle  
Baby Sinno, of Wendala ..... Respondents.

**T**HIS matter coming on for disposal before L. W. Booth, Esq., District Judge of Kegalla, on the 1st day of September, 1894, in the presence of Mr. M. P. Samarasinghe, Proctor, on the part of the petitioner Jayakodi Arachchillage Mohottie Appu, of Yatanivala; and the affidavit of the petitioner aforesaid, dated the 28th day of August, 1894, having been read: It is ordered that the petitioner Jayakodi Arachchillage Mohottie Appu be declared entitled to have letters of administration to the estate of the deceased Jayakodi Arachchillage Ukkurala Arachchi, as one of the heirs-at-law and legal representative of the said deceased, and that he be declared administrator thereof, unless the respondents—(1) Jayakodi Arachchillage Puchi Appuhamy, of Yatanivala, (2) Jayakodi Arachchillage Ran Menika, of Narangaspitiya in Ganga-boda pattu of Siyane korale; and (3) Hewaralle Baby Sinno, of Wendala—shall, on or before

the 29th day of September, 1894, show sufficient cause to the satisfaction of this court to the contrary.

The 3rd day of September, 1894. L. W. BOOTH,  
District Judge.

In the District Court of Kegalla.

*Order Nisi.*

Testamentary } In the Matter of the Intestate Estate  
Jurisdiction. } of Kalu Arachchige Migel Appu, of  
No. 15. } Yatapamala, deceased.

Mallika Achchige Podinona, of Yatapamala ... Petitioner  
Against

Kalu Arachchige Podi Sinno, of Yatapamala... Respondent.

**T**HIS matter coming on for disposal before L. W. Booth, Esq., District Judge of Kegalla, on the 1st day of September, 1894, in the presence of Mr. M. P. Samarasinghe, Proctor, on the part of the petitioner Mallika Achchige Podinona, of Yatapamala; and the affidavit of the aforesaid petitioner, dated the 21st day of August, 1894, having been read: It is ordered that the petitioner aforesaid, Mallika Achchige Podinona, of Yatapamala, be declared entitled to have letters of administration to the estate of the deceased Kalu Arachchige Migel Appu, of Yatapamala, as widow of the said deceased, and that she be declared administratrix thereof, unless the respondent Kalu Arachchige Podi Sinno, of Yatapamala, shall, on or before the 29th day of September, 1894, show sufficient cause to the satisfaction of this court to the contrary.

The 3rd day of September, 1894. L. W. BOOTH,  
District Judge.

## 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. MISSE,  
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,

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

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,

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

In the District Court of Galle.

No. 250. In the matter of the insolvency of Mohideen  
Bawa Abdul Rahiman, of China Garden in  
Galle.

**N**OTICE is hereby given that at a public sitting of this court on September 14, 1894, a certificate of conformity as of the first class was allowed to the above-named insolvent.

By order of court,

JAMES KRAUSE,  
Secretary.  
Galle, September 17, 1894.

In the District Court of Kalutara.

No. 97. In the matter of the insolvency of  
Maddumage Lawrenti Fernando, of  
Panadure.

**N**OTICE is hereby given that a certificate of conformity as of the 3rd class was allowed to the above-named insolvent this day at a public sitting of the court.

By order of court,

JOHN G. L. VANDERSTRAATEN,  
Secretary.  
Kalutara, September 14, 1894.

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 Hutton 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 OF FISCALS' SALES.

### Western Province.

In the District Court of Colombo.

M. K. M. Sockalingam Chetty, of Colombo.....Plaintiff.  
No. 4,293/C. Vs.

Ena Ooduma Lebbe Marikar, of 3rd Division  
Maradana, Colombo .....Defendant.

NOTICE is hereby given that on Monday, October 15, 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. :-

The land and the boutique bearing assessment No. 174, situated at Second Division Maradana, within the four gravets of Colombo; bounded on the north by the boutique bearing No. 175 belonging to Colenda Marikar Esi Lebbe Hadjar, on the east by the property of Ahamadu Lebbe Ibrahim Lebbe, on the south by the boutique bearing No. 173 belonging to Colenda Marikar Esi Lebbe Hadjar, and on the west by the high road, containing in extent quarter of an acre more or less.

J. S. DRIEBERG,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, September 19, 1894.

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.

NOTICE is hereby given that on Monday, October 15, 1894, at 2 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. Fernando, containing in extent half an acre more or less.

J. S. DRIEBERG,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, September 19, 1894.

In the District Court of Colombo.

Nanayakkarage Don Paulis de Silva Appu-  
hami .....Original Plaintiff.  
Muththa Charles de Silva.....Substituted Plaintiff.

No. C/1,825 Vs.

Kurukulasuria Paulina Fernando, widow of  
Kurukulasuria Juan Peries, Muppu, and as  
administratrix of his estate, and others .....Defendants.

NOTICE is hereby given that on October 20, 1894, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property, viz. :-

All that land called Puarasamarattaditottam and the tiled house standing thereon, situate at Kampu within the gravets of Negombo; and bounded on the north by the high road, on the east by a path, on the south by land formerly of Don Juse Appu but now the property of Alexander, and on the west by the other part of the same garden formerly of Paulu Fernando but now of Ana Fernando and others, containing in extent seven square perches more or less; specially mortgaged to plaintiff by the said Juan Peries, Muppu, deceased, and the second defendant by bond No. 2,287, dated June 17, 1886.

Amount to be levied Rs. 1,161-50½, with further interest on Rs. 750 at 10 per cent. per annum from October 28, 1891.

Deputy Fiscal's Office,  
Negombo, September 18, 1894.

J. P. LEWIS,  
Deputy Fiscal.

### Southern Province.

In the District Court of Galle.

Uduma Lebbe Markar Mohamadoo, of Galu-  
piadda.....Substituted Plaintiff.

No. 2,014. Vs.

Segu Abdul Kader Rubiath Umma, wife of  
Siddi Lebbe Markar Abdul Rahim, of Galu-  
piadda.....Defendant.

NOTICE is hereby given that on Friday, October 12, 1894, commencing at 3 o'clock in the afternoon, will be sold by public auction at the spot the following property, viz. :-

1. An undivided one-fourth part of the garden called Jasundera Mudaliartottam and one-fourth part of the house thereon, situate at Galupiadda.
2. An undivided half part of the garden Kandutottam, situate at Galupiadda.

On the same day, at 4 o'clock in the afternoon.

3. The defined three-fourth part of the garden called Polonowitawatta, situate at Mailpe, together with the bungalow standing thereon; properties mortgaged upon

the bond or writing obligatory dated June 27, 1892, and declared executable under the judgment entered in the above case.

This writ is issued to levy a sum of Rs. 775-75, with interest on Rs. 500 at 18 per cent. per annum from June 23, 1893.

Fiscal's Office, H. J. WOUTERSZ,  
Galle, September 19, 1894. Deputy Fiscal.

In the District Court of Galle.

Caroline de Soyza Siriwardena, Lama Etane, of  
Colombo, executrix of the estate of Sampson  
de Abrew Wijegooneratna Rajapaksa, Gate  
Mudaliyar.....Plaintiff.

No. 160. Vs.

Nancy de Soyza Siriwardena, of Galwehera,  
widow of Balthazar de Soyza Wijesingha  
Rajapaksa, and others.....Defendants.

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

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

Two-thirds part of the soil and fruit trees of the first defendant's residing garden called Mahavidane Walawewatta, of the extent of about five acres, situate at Galwehera in Kosgoda, and two-thirds part of the building standing thereon, being property specially mortgaged with the plaintiff and declared specially bound and executable under the judgment entered in the above case No. 160; and bounded on the north by Walimunigedarawatta, on the east by Ungedarawatta and Seneristadunidama, on the south by Delgahaliyadde, Sepadinepadinchi Warakawewatta, and Hetumunigedarawatta, and on the west by Anhandiyewatta and the land planted by Dines Kankanama, wherein now Kanisi resides.

This writ is issued for the recovery of Rs. 1,345-54.

B. CONSTANTINE,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Balapitiya, September 19, 1894