



# Ceylon Government Gazette

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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.

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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 repeal the Ordinance No. 29 of 1884, and to amend "The Kandy Waterworks Loan Ordinance, 1884."

Preamble.

WHEREAS it is expedient to repeal the Ordinance No. 29 of 1884, intituled "An Ordinance to amend 'The Kandy Waterworks Loan Ordinance, 1884,'" and to amend the "The Kandy Waterworks Loan Ordinance, 1884": 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 Kandy Waterworks Loan Amendment Ordinance, 1895," and shall come into operation on the \_\_\_\_\_ day of \_\_\_\_\_

Ordinance to be construed as one with Ordinance No. 18 of 1884.

2 "The Kandy Waterworks Loan Ordinance, 1884," is hereinafter referred to as the principal Ordinance, and the principal Ordinance and this Ordinance may be cited for all purposes as "The Kandy Waterworks Loan Ordinances, 1884 and 1895," and this Ordinance shall be construed as one with the principal Ordinance; and the expression "this Ordinance" in the principal Ordinance, and any expression referring to the principal Ordinance which occurs in any

Ordinance or other document, shall be construed to mean the principal Ordinance as amended by this Ordinance.

Repeal of Ordinance No. 29 of 1884.

3 Ordinance No. 29 of 1884 is hereby repealed: Provided that this repeal shall not affect—

- (1) The past operation of the said Ordinance, nor anything duly done or effected under it;
- (2) Nor any right, privilege, obligation, or liability acquired, accrued, or incurred under the said Ordinance;
- (3) Nor any legal proceeding or remedy in respect of such right, privilege, obligation, or liability as aforesaid.

Amendment of section 5 of principal Ordinance.

Municipality of Kandy authorized to impose water-rate for paying off loan.

4 For section 5 of the principal Ordinance there shall be substituted the following section :

For the purpose of liquidating the principal and interest on the loan advanced to the Municipality of Kandy, under the powers contained in the 4th section of this Ordinance, the said municipality is hereby authorized and empowered to impose and enforce a water-rate on all householders who own or occupy a house within the limits of the Municipality of Kandy as set forth and defined in the schedule hereto.

Amendment of section 6 of principal Ordinance.

Rate to be levied on houses within municipality.

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

Such water-rate shall be leviable upon every house whatsoever within the limits of the Municipality of Kandy as set forth and defined in the schedule hereto, whether inhabited or not, and whether supplied with water from the municipal waterworks or not; and each house shall be assessed at the value fixed for the payment of police tax thereon.

Amendment of section 7 of principal Ordinance.

Rate to be a first charge on house property, and to be paid quarterly in advance.

6 For section 7 of the principal Ordinance there shall be substituted the following section :

Such water-rate shall be payable on the first day of each quarter in respect of the water to be supplied during the three months next ensuing, and shall be a first charge upon every house within the limits of the Municipality of Kandy as set forth and defined in the schedule hereto, and shall take precedence over every mortgage, hypothecation, or encumbrance thereon whatsoever: Provided always that on each occasion that a claim for arrears is made in respect of any one house, such first charge and hypothecation be and it is hereby limited to not more than twelve months' arrears of water-rate.

Schedule added to principal Ordinance.

7 There shall be added to the principal Ordinance the following schedule :

SCHEDULE:

*North-East.*—A straight line from the first milepost on the Katugastota road to the municipal limits at the end of Malabar street near the first milestone.

*East.*—The limits of the municipality as fixed by the Proclamation of March 27, 1877.

*South.*—The limits of the municipality as fixed by the Proclamation of March 27, 1877, up to the crossing over the railway of the path to Falmouth Lodge (now known as "Wilhelm's Ruhe").

*West.*—From the said railway crossing along the said path up to the Pérádeniya road, and thence in a straight line to the gap near the boundary of the Primrose Hill estate on the Haloluwa road.

*North-West.*—A straight line from the gap on the Haloluwa road to the western redoubt, and thence to the first milestone on the Katugastota road.

By His Excellency's command,

E. NOEL WALKER,  
Colonial Secretary.

Colonial Secretary's Office,  
Colombo, August 14, 1895.

## M I N U T E.

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

An Ordinance to extend the Jurisdiction of Courts of Requests and to amend the Procedure therein.

- Preamble. • **W**HEREAS it is expedient to extend the jurisdiction of courts of requests in this colony and to simplify the procedure therein in certain particulars, and for this purpose to amend "The Courts Ordinance, 1889," and the "The Civil Procedure Code, 1889": Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:
- Commencement. 1 This Ordinance shall come into operation on the day of \_\_\_\_\_, and may be cited for all purposes as "The Courts of Requests Amendment Ordinance, 189\_\_\_\_."
- Short title.
- Repeal. 2 On and from the date on which this Ordinance comes into operation, such parts of "The Civil Procedure Code, 1889," as are mentioned in the third column of the schedule hereto shall be severally repealed to the extent mentioned therein, but such repeal shall not affect—
- Saving clause. (1) The past operation of any enactment hereby repealed, nor anything duly done or suffered under any enactment hereby repealed; nor
- (2) Any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment hereby repealed.
- Where any unrepealed Ordinance incorporates or refers to any provision of any Ordinance hereby repealed, such unrepealed Ordinance shall be deemed to incorporate or refer to the corresponding provision of this Ordinance.
- Actions already pending to be continued under the provisions of Ordinance No. 2 of 1889. 3 Every action, suit, or other matter instituted and pending in any court at the time of the coming into operation of this Ordinance, which under the provisions of this Ordinance would have been instituted in the court of requests, shall be continued to final judgment and execution as if this Ordinance had not passed. Provided that it shall be lawful for the Governor, with the advice of the Executive Council, from time to time, by notification in the *Government Gazette*, to make an order transferring to the court of requests the cases pending in any district court which, had this Ordinance been in operation at the date of the institution of such cases, would have been instituted in such court of requests, and the court to which such cases shall be transferred shall have jurisdiction to hear, try, and determine the same as if such cases had been originally instituted in such court under the provisions of this Ordinance.
- Power to the Governor to transfer pending cases.
- Section 77, of Courts Ordinance amended. Jurisdiction. 4 For section 77 of "The Courts Ordinance, 1889," the following section shall be substituted: •
- 77 Every court of requests shall be a court of record and shall have original jurisdiction, and shall have cognizance of and full power to hear and determine all actions in which the debt, damage, or demand shall not exceed three hundred rupees, and in which the party or parties defendant shall be resident within the jurisdiction of such court, or in which the cause of action shall have arisen within such jurisdiction, and all hypothecary actions in which the amount claimed shall not exceed three hundred rupees, and the land hypothecated or any part thereof is situated within the jurisdiction of such court, and also all actions in which the title to, interest in, or right to the possession of, any land shall be in dispute, and all actions for the partition or sale of land, provided that the value of the land or the particular share, right, or interest in dispute or to be partitioned or sold shall not exceed three hundred rupees, and the same or any part thereof is situate within the jurisdiction of such court. Provided always

that such court shall not have cognizance of any action for criminal conversation, or for seduction, or for breach of promise of marriage, or for separation *a mensâ et thoro*, or for divorce *a vinculo matrimonii*, or for declaration of nullity of marriage.

Sub-section (b) of section 809 of the Civil Procedure Code amended.

If the defendant denies the claim.

5 For sub-section (b) of section 809 of "The Civil Procedure Code, 1889," the following sub-section shall be substituted :

(b) If the defendant shall deny the claim, he shall be called upon to plead to the same forthwith, or within such time as the court on special cause shown, which cause shall be recorded by the commissioner, may allow ; and he shall state his defence orally to the commissioner as in section 73 provided, who shall enter the substance thereof by way of answer on a separate sheet of paper in the record upon a proper stamp being supplied by the defendant, or if the action is one in which the title to, interest in, or right to the possession of any land is in dispute, or for the partition or sale of any land, he shall deliver to the chief clerk an answer in writing duly stamped setting out concisely his defence. Such answer shall be signed by the defendant or his proctor or advocate, and shall be dated and forthwith filed of record by the chief clerk.

Section 823, Civil Procedure Code, amended. Proceedings on default of appearance of plaintiff.

On default of appearance of defendant.

Judgment by default may be opened up in certain cases.

If neither party appear action to be dismissed.

6 For section 823 of "The Civil Procedure Code, 1889," the following section shall be substituted :

823 (1) If upon the day specified in the summons, or upon any day fixed for the hearing of the action the plaintiff shall not appear or sufficiently excuse his absence, the plaintiff's action may be dismissed. Provided that if the defendant when called upon under section 809 shall admit the claim of the plaintiff, the commissioner shall enter judgment for the plaintiff according to law.

(2) If upon the day specified in the summons or upon any day fixed for the hearing of the action the defendant shall not appear or sufficiently excuse his absence, the commissioner, upon due proof of service of the summons, notice, or order requiring such appearance, may enter judgment by default against the defendant. Provided, however, that in all hypothecary actions, and in all cases wherein the title to, interest in, or right to the possession of land shall be in dispute, and in any other cases in which the commissioner shall deem it necessary or expedient to hear evidence in support of the plaintiff's claim, he shall order him to adduce such evidence on any day to be fixed for that purpose ; and after hearing such evidence the commissioner shall give such judgment on the merits as justice shall require, and without reference to the default that has been committed.

(3) If the defendant shall within a reasonable time, after such judgment or order, by affidavit or otherwise, satisfy the commissioner that he was prevented from appearing in due time by accident or misfortune, or by not having received sufficient information of the proceedings, and that he did not absent himself for the purpose of avoiding service of the summons or notice, and that he has a good and valid defence on the merits of the case, then the commissioner may set aside such judgment or order and any proceedings had thereon, and may admit the defendant to proceed with his defence upon such terms as to costs and notice to the plaintiff as the commissioner may think fit.

(4) If upon the day specified on the summons or upon any day fixed for the hearing of the action neither party appears when the case is called on, the commissioner shall enter judgment dismissing the plaintiff's action, but without costs.

No appeal from judgment by default.

(5) No appeal shall lie against any judgment entered under this section for default of appearance, anything in "The Courts Ordinance, 1889," or in this Code contained to the contrary notwithstanding.

Sections 85 to 88 not to apply to courts of requests.

(6) Sections 85 to 88, both inclusive, shall not apply to courts of requests.

Appeals.

7 (1) After the coming into operation of this Ordinance there shall be no appeal from any final judgment, or any order having the effect of a final judgment, pronounced by the commissioner of any court of requests in any action for debt or damage, unless upon a matter of law, or upon the admission or rejection of evidence, or with the leave of the commissioner, anything in section 80 of "The Courts Ordinance, 1889," notwithstanding.

(2) In the event of the commissioner refusing to grant leave to appeal, it shall be lawful for the party aggrieved thereby, within seven days from the date of such refusal, to file in the court of requests a written petition to the Supreme Court for leave to appeal. Such petition shall be forthwith forwarded by the commissioner to the Supreme Court, together with all papers and proceedings of the case relevant to such refusal, and shall be disposed of *ex parte* by a judge of the Supreme Court in chambers. If upon hearing the application the judge shall allow the appeal, he shall issue an order to the commissioner to admit the appeal, upon such conditions and within such time as to the judge shall seem meet.

(3) Such petition shall not be liable to any stamp duty.

Transfer of cases.

8 It shall be lawful for the Governor from time to time, with the advice of the Executive Council, to make an order, by notification in the *Government Gazette*, transferring any cases instituted and pending before any commissioner to any other commissioner having concurrent jurisdiction, and the commissioner to whom such cases shall be transferred shall hear, try, and decide the same as if such cases had been originally instituted in his court.

#### SCHEDULE.

Sections, &c., of Ordinance No. 2 of 1889 repealed.

Ordinance.	Title.	Extent of Repeal.
No. 2 of 1889...	"The Civil Procedure Code, 1889"	The whole of section 810
Do. ...	do. do. ...	The words "and of section 810" in section 811
Do. ...	do. do. ...	The words "and not exceeding Rs. 100" wherever they occur in schedule III.

By His Excellency's command,

E. NOEL WALKER,  
Colonial Secretary.

Colonial Secretary's Office,  
Colombo, August 12, 1895.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Galle will be holden at the Court-house at Galle on Monday, September 16, 1895, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

Fiscal's Office,  
Galle, August 20, 1895.

E. ELLIOTT,  
Fiscal.

## NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of Kanehalege Dona Nonno Hamine, of No. C/515. } Colombo, deceased.

THIS matter coming on for disposal before J. H. Templer, Esq., Acting District Judge of Colombo, on the 18th day of July, 1895, in the presence of John de Silva, Proctor, on the part of the petitioner Mohottige Don Charles Perera, of No. 24, Maliban street, Pettah, Colombo; and the affidavit of the said Mohottige Don Charles Perera, dated 17th July, 1895, having been read: It is ordered that the said Mohottige Don Charles Perera be and is hereby declared entitled to have letters of administration *de bonis non* to the estate of Kanehalege Dona Nonno Hamine, deceased, issued to him, as son and one of the heirs of the said deceased, unless the respondents—1, Mohottige Alexander Perera; 2, Mohottige Sarnelis Perera; 3, Dona Louisa Perera; 4, Dona Lavrentina Perera; and 5, Dona Engletina Perera, all of No. 24, Maliban street, Pettah, Colombo—shall, on or before the 29th day of August, 1895, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,  
Acting District Judge.

The 18th day of July, 1895.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate and Effects of Ahamado Natchia, deceased. } No. C/635.

THIS matter coming on for disposal before J. H. Templer, Esq., Acting District Judge of Colombo, on the 25th day of July, 1895, in the presence of Charles Perera, Proctor, on the part of the petitioner Habiboo Natchia *alias* Zainambu Natchia, of Kuruwe street in Colombo; and the affidavit of the said Habiboo Natchia *alias* Zainambu Natchia, dated 18th July, 1895, having been read: It is ordered that the said Habiboo Natchia *alias* Zainambu Natchia be and she is hereby declared entitled to have letters of administration to the estate of Ahamadu Natchia, deceased, issued to her, as heiress and sister of the said deceased, unless the respondents—1, Muttu Natchia and her husband; 2, Slemma Lebbe Oduma Lebbe Marikar, both of Silversmith street, Colombo; 3, Cader Mohideen Saiboo Wappu Marikar, of Messenger street; and 4, Tangatchy Umma, widow of the late Mayil Noordeen, of Old Moor street, both of Colombo—shall, on or before the 29th day of August, 1895, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,  
Acting District Judge.

The 25th day of July, 1895.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Chitamperam, widow of Valayuter, of No. 673. } Kodigamam, deceased. } Valayuter Vallepuranader, of Kodigamam.....Petitioner.

Vs.  
Teywanaipillai, widow of Murukecher and daughter of Tillayer, of Kodigamam.....Respondent.

THIS matter of the petition of Valayuter Vallepuranader, of Kodigamam, praying for letters of administration to the estate of the above-named deceased Chitamperam, widow of Valayuter, of Kodigamam, coming on for disposal before H. Nevill, Esq., District Judge, on the 2nd day of August, 1895, in the presence of Mr. T. M. Tampoo, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated the 2nd day of August, 1895, having been read: It is declared that the petitioner is the son and heir of the said intestate, and as such 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 18th day of September, 1895, show sufficient cause to the satisfaction of this court to the contrary.

H. NEVILL,  
District Judge.

Signed this 2nd day of August, 1895.

In the District Court of Tangalla.

*Order Nisi.*

Testamentary Jurisdiction. } In the Matter of the Estate of the late Ratnayaka Vidane Patiranga Tino No. 272. } Hamy, deceased, of Getamanna.

THIS matter coming on for disposal before William George Haines, Esq., Acting District Judge of Tangalla, on the 16th day of August, 1895, in the presence of Don Abraham Abegunawardana Ekenaike, Police Officer of Getamanna, the petitioner; and the affidavit of the said Don Abraham Abegunawardana Ekenaike, Police Officer of Getamanna, dated 16th August, 1895, having been read, and the evidence of the petitioner taken:

It is ordered that Don Abraham Abegunawardana Ekenaike, Police Officer of Getamanna be, and he is hereby declared to have letters of administration to the estate of Ratnayaka Vidane Patiranga Tinnohamy, deceased, unless—1, Abeyagunawardana Ekenaike Munasin Dona Kristina Hamine, of Tarapiriya; 2, Abegunawardana Ekenaike Munasin Dona Ana Kinta Hamine, of Tamaduwa; 3, Abegunawardana Ekenaike Munasin Dona Gimara, Hamine, of Getamanna—shall, on or before the 14th day of September, 1895, show sufficient cause to the satisfaction of this court to the contrary.

W. G. HAINES,  
Acting District Judge.

The 16th day of August, 1895.

## In the District Court of Tangalla.

*Order Nisi.*

Testamentary } In the Matter of the Estate of the late  
Jurisdiction. } Don Abaran Samarasekera and  
No. 273. } Wagachchige Dingihamy, deceased,  
of Owilana.

THIS matter coming on for disposal before William George Haines, Esq., Acting District Judge of Tangalla, on the 17th day of August, 1895, in the presence of Samarasekerage Don Andris, of Owilana, the petitioner, and the affidavit of the said Samarasekerage Don Andris, dated 17th day of August, 1895, having been read, and the evidence of the petitioner taken :

It is ordered that Samarasekerage Don Andris, of Owilana, be and is hereby declared to have letters of administration to the estate of the said Don Abaran Samarasekera and Wagachchige Dingihamy, deceased, unless (1) Samarasekerage Kalinguhamy, (2) Samarasekerage Babahamy, (3) Samarasekerage Dinakahamy, all of Owilana, shall, on or before the 14th day of September, 1895, show sufficient cause to the satisfaction of this court to the contrary.

This 17th day of August, 1895. W. G. HAINES,  
District Judge.

## In the District Court of Galle.

*Order Nisi.*

Testamentary } In the Matter of the Last Will and  
Jurisdiction. } Testament of Ambalangodage Bastian  
No. 3,099. } de Silva, deceased, of Peraliya.

THIS matter coming on for disposal before P. W. Conolly, Esq., District Judge of Galle, on the 9th day of August, 1895, in the presence of Mr. J. W. L. Keegel, Proctor, on the part of the petitioner Katudampe Vitanege Sincho, of Peraliya ; and the affidavit of Katudampe Vitanege Sincho, of Peraliya, dated 22nd day of July, 1895, having been read :

It is ordered that the will of Ambalangodage Bastian de Silva, deceased, dated 7th February, 1883, now filed in the above case, be and the same is hereby declared proved.

It is further declared that the said Katudampe Vitanege Sincho, of Peraliya, is the sole executrix named in the said will, and that she is as such entitled to have probate of the same issued to her accordingly, unless the respondents—viz., (1) Ambalangodage Babahamy, wife of (2)

Harmanis de Silva Jayawardena, both of Peraliya ; (3) Ambalangodage Hingohamy, widow of Juwanwadu Issan Appu ; (4) Juwanwadu Cornelis Appu, of Ambalangoda ; (5) Juwanwadu Uparis Appu, of do. ; (6) Juwanwadu Endris Appu, of do. ; (7) Juwanwadu Koronchihamy, wife of (8) Hikkoduwe Magege Sinno Appu, both of do. ; (9) Ambalangodage Andris, of Peraliya, husband of (10) Anthony Gamage Pintohamy, of Peraliya ; (11) Ambalangodage Janis, of Peraliya ; and (12) Passikku Henredige Setuhamy, of Peraliya, widow of Ambalangodage Indris—shall, on or before the 12th day of September, 1895, show sufficient cause to the satisfaction of this court to the contrary.

P. W. CONOLLY,  
District Judge.

The 9th day of August, 1895.

## In the District Court of Kurunegala.

*Order Nisi.*

Testamentary } In the Matter of the Estate of the late  
Jurisdiction. } Dona Maria Jayatileke, deceased,  
No. 526. } of Kurunegala.

Gabriel Jayatileke of Kurunegala .....Petitioner.

And

1, Marciana Semesinghe Navaratna ; 2, Henry Karunaratna ; 3, Alfce Maud Karunaratna ; 4, Alfred Karunaratna ; 5, John Karunaratna ; 6, Samuel Edward Jayatileke ; 7, Robert Alexander Jayatileke, all of Kurunegala ..... Respondents.

THIS matter coming on for disposal before John Davenport Mason, Esq., Acting District Judge, on the 16th day of August, 1895, in the presence of Mr. G. Schokman, Proctor, on the part of the petitioner ; and the affidavits of the petitioner dated 6th and 14th August, 1895, having been read : It is ordered that the said Gabriel Jayatileke, the petitioner, as husband of the deceased, is entitled to have letters of administration of the estate of the said Dona Maria Jayatileke, deceased, unless the respondents shall, on or before the 9th day of September, 1895, show sufficient cause to the satisfaction of this court to the contrary.

J. D. MASON,  
Acting District Judge.

The 16th day of August, 1895.

## NOTICES OF INSOLVENCY.

## In the District Court of Colombo.

No. 1,824. In the matter of the insolvency of George Cecil Ferdinands, of Wellawatta.

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 September 12, 1895, to prove further claims.

By order of court,  
J. B. MISSE.

Colombo, August 20, 1895. Secretary.

No. 1,824. In the matter of the insolvency of George Cecil Ferdinands, of Wellawatta.

NOTICE is hereby given that a public sitting of this court will take place on September 12, 1895, to allow to the above-named insolvent his certificate of conformity, in terms of the 124th clause of the Ordinance No. 7 of 1853.

By order of court,  
J. B. MISSE,  
Secretary.

Colombo, August 15, 1895.

## In the District Court of Kandy.

No. 1,360. In the matter of Ana Lana Muna Muttu Wairu, of Pupuressa in Pussellawa.

WHEREAS Ana Lana Muna Muttu Wairu, of Pupuressa in Pussellawa, has filed a declaration

of insolvency, and a petition for the sequestration as insolvent of his own estate, under the Ordinance No. 7 of 1853, and it appears that he has been in actual custody within the walls of a prison for debt for more than 21 days : Notice is hereby given that the said court has adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on August 23, 1895, and September 13, 1895, will take place for the insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,  
A. SANTIAGO,  
Secretary.

Kandy, August 14, 1895.

## In the District Court of Galle.

No. 270. In the matter of the insolvency of Francis Frederick Theodore Labrooy, of Galle Fort.

NOTICE is hereby given that a public sitting of this court will take place on September 13, 1895, for the allowance to the above-named insolvent of his certificate of conformity, in terms of the 124th clause of the Ordinance No. 7 of 1853.

By order of court,  
JAMES KRAUSE,  
Secretary.

Galle, August 16, 1895.

Return of all Moneys received and paid on account of Estates under Official Administration for the half-year ended June 30, 1895.

No. of Case.	Date of Application.	Name of Deceased.	Date when Letters of Administration Granted.	Value of Estate.	Date and Amount received by the Administrator.	Date and Amount paid by the Administrator.
428	1893. September 9	Werasinha Arachchilage Mohottihami, Ganarachchi	1893. November 6	Rs. c. 3,711 50	1895. February 23 Rs. 130-17	1895. June 15 Rs. 130-17

District Court, Ratnapura, August 19, 1895.

J. S. DRIEBERG, Acting District Judge.

Destruction of Records in the District Court, Court of Requests, and Police Court of Kurunegala.

NOTICE is hereby given in terms of the Ordinance No. 12 of 1894, that the following records of these Courts, to wit :—

1. Money cases over five years old, except cases in which—
  - (a) Mortgage decrees, have been entered ;
  - (b) Unclaimed suitors' moneys are lying in deposit ;
  - (c) Satisfaction of judgment (decree or order has not been recorded, and
  - (d) Judgment being revived or writ issued—ten years have not elapsed.
2. Lunacy cases over five years old, save those in which an adjudication of lunacy has been recorded.
3. All Justice of the Peace cases.
4. All inquest proceedings prior to 1884.
5. Non-summary inquiry cases over five years old.
6. District Court criminal cases over five years old.
7. Petitions, reports, cattle vouchers, &c., over five years old—

will, three months from the date hereof, be destroyed, unless any person interested in any such record may personally, by Proctor, or by duly authenticated petition claim, upon good cause shown, that such record may not be destroyed.

By order of court  
J. L. FELSINGER,  
Secretary.

Kurunegala, August 15, 1895.

කුරුනෑගල දිස්ත්‍රික්, රිකුවාස්ට් සහ පොලීස් කොට්ඨාස උසාවිවලට අයිති නඩුවොත්තත් ප්‍රලිස්සාදුමිම.

වර්ෂ 1894 රේ කොමිෂර් 12 හේ රෙගුලාසියේ ප්‍රකාරයට ඉහත කී උසාවිවලට අයිති අවුරුදු පහකට වඩා කල්ගතවූ පොත්තත් සහාදිය සම්බන්ධව තවුත් හෝ පෙරකපුරුකොකෙන් ලවා හෝ නිසි අයුරුමට අත්සන් කරණලද පොත්සමකින් හෝ සම් පොතක් පතක් විනාස නොකිරීමට නිසි කාරණා පෙන්වවා නොසිටියොත් අද පවත් තුන්මසක් ගතවූ තැන මෙහි පහත සඳහන් කරණ (a), (b), (c), (d) අක්ෂරවලින් විස්තර කරණලද පොත්තත් හැර

1. මුදල් සම්බන්ධ සිදු නඩුදු:
  - (a) උගහට නිබන්ධ දෙදන දේපල ගැන දෙවන් දෙදන නඩුකින්ද සම්බන්ධ පොත්තද.
  - (b) අයිතිකාරයෝ දොපාමුනුකුසෙසින් කොගෙවා මුදල් භාවිතාරයේ බැඳීබව මිලසම්බන්ධ පොත්තද.
  - (c) දෙනලද නිවැරදි නිසමය ඉෂ්ටනුඩුව සඳහන් නුඩු පොත්තද.
  - (d) තිත්දුව අඵත්වැඩිසා කරනලද හෝ ඇස්කිසි සත් පිටපත්කරනලද 10 අවුරුදුකින් ඉකුත්වූ නඩුවොත්තද.
2. සමෙන් උමමකෙන්ද නැද්ද සහබව සදහ කරන්ට නොදෙන අවුරුදු පහක් ඉකුත්වූ සිසම් උමමකුන් සම්බන්ධ නඩුදු.
3. සමාදන උසාවියේ සිසම් නඩුවොත්තද.
4. වර්ෂ 1884 ට ප්‍රථමයෙන් පවත්වන්ට දෙන මරන සම්බන්ධ පුර්විභාගද අඩකු ලියකියමන්ද.

5. පස්අවුරුදුට ඇඩ් සලක්ගතවූ පොලීස් නඩු කාරයෙන් පිසින් විනාගර සංකෂ්ට නිවැරදිකරන්ට නොකැකි සිසම් නඩුවොත්තද.

6. අවුරුදු පහකට වඩා කල්ගතවූ දිස්ත්‍රික් උසාවියේ සිසම් ක්‍රීමිකල්නඩුදු.

7. අවුරුදු පහකට වඩා කල්ගතවූ සිසම් පෙත්සන්, රපෝර්තු, හරක් කුමිතන්සි කොදිසද ප්‍රඵස්සා විනාස කරන්ට යෙදෙන බව මෙසින් දන්වමි.

උසාවියේ ආඥාවට,  
ජේ. ඇල්. පැල්සින්ගර්,  
වර්ෂ 1895 ක්වු අගෝස්තු මස දෙකුගාරිස්සැක.  
15 වෙනි දිනදිස.

குருநாகல் மஹத்திரிக் கோடு, நீக்குவெஸ்ற்கோடு, பொலிஸ்கோடுகளிலுள்ள வழக்குப் புத்தகங்கள் முதலியனவைகளை அழித்தல்.

கடிசை ம் (ஸ்) யெ. ம் இலக்கச்சட்டத்தின் பிரகாரம் பின் சொல்லப்படும் இலக்ககோடுகளிலுள்ள வழக்குப் புத்தகங்கள் அவைகளில் உறுநாபமுடைய எவராகுதல் தாமாக அல்லது தரணிமுலமாக அல்லது உறுதிபண்ணப்பட்ட பெட்டிசத்தககொண்டாகுதல் அவ்வழக்குப் புத்தகங்கள் அழிக்கப்படக்கூடாதென்று போதியநியாயம் காட்டிமுன்னறி இன்று தவக்கம் முன்னு மாசங்களுக்கும்பின் அழிக்கப்படுமென்று இத்தால் அறிவிக்கப்படுகின்றது. அவ்வழக்குப் புத்தகங்களாவன :—

1. ஈட்டு ஒப்பணியின்பேரால் தீர்ப்புக்கொடுக்கப்பட்டதும், பட்சத்தாருக்குப்போகவேண்டிய காசு உருத்தாளர் வெளிப்படாதபடியால் கட்டப்பட்டிருப்பதும் தீர்ப்பால் போகவேண்டிய பணம் செல்லக்கட்டப்பட்டதென்று கட்டளை யெழுதப்பட்டாததும், பத்தீ வருஷங்களுக்குள்ளே தீர்ப்பு புதப்பிக்கப்பட்டதும், அஸ்கிச அனுப்பப்பட்டதமான வழக்குகளைத்தவிர ஐந்து வருஷங்களுக்கு மேற்பட்ட மற்றஎல்லாக் காசு வழக்குகளும்.
  2. பைத்தியக்காரரென்று கண்டு அப்படியே தீர்ப்பு எழுதப்பட்ட வழக்குகளைத்தவிர ஐந்து வருஷங்களுக்கு மேற்பட்ட மற்றஎல்லாப் பைத்தியகாரிய வழக்குகளும்.
  3. சமாதானக்கோட்டு எல்லாவழக்குகளும்.
  4. கடிசை ம் (ஸ்)-த்தக்கு முத்திய எல்லா மரண விளக்கங்களும்.
  5. பொலிஸு நீதவாளுல் முற்றாய் விளக்கப்பட்ட ஐந்து வருஷத்தக்கு மேற்பட்ட வழக்குகளும்.
  6. ஐந்து வருஷங்களுக்கு மேற்பட்ட டிஸ்திரிக் கோட்டு கிரியினல் வழக்குகளும்.
  7. ஐந்து வருஷங்களுக்குமுற்றிய பெட்டிசங்கள், நீப்போட்டுகள், மாட்டுத்தண்ணிகள், முதலியனவும்.
- கோட்டுக்கட்டளைப்படி,  
ஜே. எஸ். பெல்சின்கர்,  
குருநாகலை, சக்ரமித்தார்.  
1895 ம் (ஸ்) ஆவணிமீ 15 ந் உ.



## NOTICES OF FISCALS' SALES.

## Western Province.

In the District Court of Colombo.

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

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

NOTICE is hereby given that on Monday, September 16, 1895, at 4 o'clock in the afternoon, will be sold by public auction at the premises the following property specially mortgaged and decreed to be sold by the decree entered in the above case, 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 Mamadoe Tamby Saibo 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 Umm and now the property of Ismail Marikar Junoos Lebbe, on the south by Silversmith 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.

S. SENEVIRATNE,  
 Acting Deputy Fiscal.  
 Fiscal's Office,  
 Colombo, August 20, 1895.

## Southern Province.

In the District Court of Galle.

R. M. A. R. A. R. Nachi Appa Chetty and  
 another. Plaintiffs.

No. 2,656. Vs.

Don Dionis Ubesinhe Abewarna Jayawickreme, Muhandiram, of Tangalla. Defendant.

NOTICE is hereby given that on the following days, commencing 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, for the recovery of Rs. 3,456-66½, with interest at 15 per cent. per annum, less Rs. 1,648-62.

On Monday, September 16, 1895.

Situated at Medaketigoda.

1. The garden called Mahamadelpalawatta.
2. Half part of the soil and of the plantation of the garden Mannehegekoratuwa, except one old cocoanut tree standing thereon.

Situated at Tangaluwela.

3. One-third part of the field Mahamarakolliya *alias* Hapu Marakotaya.
4. One-third part of the field Medamaraketiya, in extent 13 acres 2 roods and 10 perches.

Situated at Godagama in Tangaluwela.

5. Three-twelfths part of the field called Suriya Achchige Nalawa, in extent 2 amunams.
6. Three-twelfths part of the field Kottaira, in extent 3 pelas.

Situated at Danketiya.

7. One-third part of the garden Gedarawatta *alias* Kehelgahawatta and of the tiled house of 5 cubits standing thereon.

Situated at Pallikkudawa.

8. One hundred and six cocoanut trees or half of 212 cocoanut trees standing on the garden Bogahakoratuwa-adi-idama.

Situated at Tangalla Bazaar.

9. Half part of the two boutiques and the ground appertaining thereto lying in the southern row of boutiques.

Situated at Tangalla.

10. Half part of the lands Bogahakoratuwa, Malgahahena, Gurupokunehena, and Mahahena, which are lying contiguous to each other, in extent 7 acres and 3 perches.

11. One-third part of the field called Kandiyabodakumbura, in extent 5 amunams.

On Tuesday, September 17, 1895.

Situated at Godigamuwa.

12. Half of 4/9 parts of the soil and of the plantation of the land called Henakandayaya *alias* Debareyaya, in extent 220 acres and 27 perches.

Situated at Palatuduwa.

13. Half of 17/48 parts of the land called Linwelare-lobima, in extent 224 acres and 15 perches.

Situated at Polommaruwa.

14. Half part of a portion marked letter B of the garden called Mahahena.

On Wednesday, September 18, 1895.

Situated at Getamanna.

15. One-twelfth of 17/48 parts of the land called Panamurayawatta *alias* Arambe.

J. A. DUNUWILLE,  
 Deputy Fiscal.

Deputy Fiscal's Office,  
 Tangalla, August 12, 1895.

## North-Western Province.

In the District Court of Kurunegala.

Kuna Mana Peria Carpen Chetty and others,  
 by their attorney Mana Ramen Chetty, of  
 Kurunegala. Plaintiff.  
 No. 871. Vs.

1, Muna Sammugawel Thever and Muttu  
 Palamadie, daughter of Sammugawel  
 Thever, both of Yaggepitia. Defendants.

NOTICE is hereby given that on Saturday, September 14, 1895, at 3 o'clock in the afternoon, 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 lands Kohombegahamulawatta, Bomigahamulawatta, Kolongahamulawatta, and Kolongahamulawatta, now forming one block of land called Hitinawatta, with the buildings and plantations standing thereon situated at Yaggepitia, containing in extent 18 acres and 1 perch.

2. The field Bakmeegahakumbura of three pelas paddy sowing extent, the field Amunekumbura of about three pelas paddy sowing extent, and the pilawa land of one seer kurakkan sowing extent, forming one property, situated at Yaggepitia.

3. The field Bulugahakumbura of about one ammunam paddy sowing extent, situated at Yaggepitia.

4. The field Kuppeyakumbura of about two ammunams of paddy sowing extent, situated at Yaggepitia.

5. The eastern portion of one and half seer of kurakkan sowing extent of the garden Hitinawatta (exclusive of the house and maduwa towards the north with the ground on which they stand and five cocoanut trees), situated at Alacoladeniya.

6. The garden Amhegahamulawatta of about three lahas of kurakkan sowing extent and the adjoining field Bakmeegahakumbura of six pelas of paddy sowing extent, situated at Yaggepitia.

7. The field Timbirigahakumbura of two pelas of paddy sowing extent, situated at Yaggepitia.

8. The garden Diulgahamulawatta of one laha of kurakkan sowing extent, situate at Yaggepitia in Mahagalboda, Megoda korale of the Hiriyala hatpattu.

Amount to be levied Rs. 1,171-88, with interest on Rs. 1,000, at 12 per cent. per annum from December 15, 1888.

Fiscal's Office,  
 Kurunegala, August 21, 1895. N. S. CASSIM,  
 for Fiscal.