

# Cæylon Government Gazette

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## No. 5,497-FRIDAY, SEPTEMBER 3, 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	1			AGE
Passed Ordinances					Lists of Jurors and Assessors		•	
Draft Ordinances	•••	•••	•••		Notices in Testamentary Actions	•••	***	317
Seties from Supreme Court	T)	•••	•••			•••	•••	319
Votices from Supreme Court	Registry	•••	•••		Notices in Insolvency Cases	•••	***	
Notices from Council of Lega	i Education	•••				•••	•••	320
Notifications of Criminal Sess	ions of Sup	reme (	Court		Notices from District and Minor Courts	•••	•••	321
					•			

#### NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction, No. 928/C. In the Matter of the Estate and Effects of the late Wannakuwattewaduge Juan Fernando, deceased, of Katukurunda in Moratuwa.

Esq., Acting District Judge of Colombo, on the 19th day of August, 1897, in the presence of Mr. G. M. Silva, Proctor, on the part of the petitioner Wannakuwattewaduge Stephen Domingo Fernando; and the affidavit of the said Wannakuwattewaduge Setphen Domingo Fernando, dated 2nd August, 1897, having been read: It is declared that the said Wannakuwattewaduge Stephen Domingo Fernando, as an heir of the deceased, is entitled to have letters of administration to the esate of the said deceased issued to him accordingly, unless the respondents—(1) Madappuli Arachchige Selestina Fernando; (2) Wannakuwattewaduge Bastian Fernando; (4) Wannakuwattewaduge Joseph Andrie Fernando; (5) Wannakuwattewaduge Emmanuel Thedore Fernando; (6) Wannakuwattewaduge Emmanuel Thedore Fernando; (7) Wannakuwattewaduge Pedro Aloysius Fernando; (8) Wannakuwattewaduge Alponso Rodrigo Fernando; (9) Wannakuwattewaduge Alponso Rodrigo Fernando;

wattewaduge Caitan Augustin Fernando; (10) Wannakuwattewaduge Elizabeth Juliana Fernando—shall, on or before the 16th day of September, 1997, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS, Acting District Judge.

The 19th day of August, 1897.

In the District Court of Colombo.

Order Nisi.

Testamentary
Jurisdiction.
No. C/934:

In the Matter of the Estate and Effects
of the late Miss Ada Binfield,
deceased, of Colombo.

THIS matter coming on for disposal before F. R. Dias, Esq., Acting District Judge of Colombo, on the 26th day of August, 1897, in the presence of Messrs. Julius & Creasy, Proctors, on the part of the petitioner Rosa Binfield, of Colombo; and the affidavit of the said Rosa Binfield, dated 19th August, 1897, having been read: It is declared that the said Rosa Binfield, as sister of the deceased Ada Binfield, is entitled to have letters of administration to the estate of the said deceased issued

to her accordingly, unless any person shall, on or before the 16th day of September, 1897, show sufficient cause to the satisfaction of this court to the contrary.

> F. R. DIAS, Acting District Judge.

The 26th day of August, 1897.

In the District Court of Negombo.

Testamentary Jurisdiction. No. 302. In the Matter of the Estate and Effects of Punchihetti Arachchige Don Juan Appuhami, of Kaluwairippuwa, deceased.

Abeyasinhe Arachchige Dona Francina Hami, of Kaluwairippuwa......Petitioner.

 $\mathbf{v}_{\mathbf{s}}$ 

THE matter of the petition of Abeyasinhe Arachchige Dona Francina Hami, praying for letters of administration to the state of the above-named deceased Punchihetti Arachchige Don Juan Appuhami, coming on for disposal before J. P. Lewis, Esq., District Judge, on the 18th day of August, 1897, in the presence of Mr. Rajapakse, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated 29th June, 1897, having been read: It is declared that the petitioner, as the wife of the said deceased, is entitled to have letters of administration issued to her to the estate of the said deceased, unless the respondents or any other person shall, on or before the 9th September, 1897, show sufficient cause to the satisfaction of this court to the contrary.

August 18, 1897.

J. P. Lewis, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary
Jurisdiction.
No. 854.

In the Matter of the Estate of the late
Kannattai, wife of Kanapatiyar
Charavanamuttu, of Pandatheruppu,
deceased.

Kanapatiyar Charavanamuttu, of Pandatheruppu......Petitioner.

1, Charavanamuttu Tampoo; 2, Charavanamuttu Chitamparappillai; 3, Arumugam
Tampu and wife; 4, Valliyammai, of
Pandatheruppu; 5, Chankary Chuppar;
and 6, Chankary Katiravelu, of Chankanai. Respondents.

THIS matter of the petition of Kanapatiyar Charavanamuttu, of Pandatheruppu, the petitioner abovenamed, praying for letters of administration to the estate of the above-named deceased Kannattai, wife of Kanapatiyar Charavanamuttu, of Pandatheruppu, coming on for disposal before Samuel Haughton, Esq., District Judge, on the 22nd day of July, 1897, in the presence of Mr. S. F. G. Carpenter, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated the 20th day of July, 1897, and his petition having been read: It is declared that the petitioner is the lawful husband of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before the 6th day of September, 1897, show sufficient cause to the satisfaction of this court to the contrary.

Sam. Haughton, District Judge.

This 22nd day of July, 1897.

In the District Court of Jaffna.

Order Nisi.

Jurisdiction.
No. 857.

In the Matter of the Estate of the late
Arunachalam Ponnudurai, of Vannarponnai east, deceased.

Sinnatamby Sabapathy, of Vannarponnai east... Petitioner.

 $\nabla s$ .

1, Thyalmuttu, widow of Arunachalam Ponnudurai, of Vannarponnai east; 2, Chivakaman, widow of Arunachalam of Vannarponnai east; 3, Arunachalam

Chellappapillai, of Vannarponnai east.....Respondents.

THIS matter of the petition of Sinnatamby Sabapathy, of Vannarponnai east, praying for letters of administration to the estate of the above-named deceased Arunachalam Ponnudurai, of Vannarponnai east, coming on for disposal before Samuel Haughton, Esq., District Judge, on the 16th day of August, 1897, in the presence of Mr. S. Kandayya, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated the 13th day of August, 1897, having been read: It is declared that the petitioner is the uncle of the heirs of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before the 29th day of September, 1897, show sufficient cause to the satisfaction of this court to the contrary.

Sam. Haughton, District Judge.

The 16th day of August, 1897.

In the District Court of Kurunegala.

Order Nisi.

Testamentary Jurisdiction. < No. 582. In the Matter of the Estate of the late Narayene Mudianselage Kiri Banda, deceased, of Meddegoda Walawwa in Arambepo a.

Narayene Mudianselage Dingiri Banda, of Meddegoda .......Petitioner

And

THIS matter coming on for disposal before Charles Mathew Fernando, Esq., Acting District Judge, on the 21st day of August, 1897, in the presence of Mr. Markus, Proctor, on the part of the petitioner; and the affidavit of Narayene Mudianselage Dingiri Banda, the petitioner, dated 17th August, 1897, having been read: It is ordered that the said Narayene Mudianselage Dingiri Banda, as son of the intestate, is entitled to have letters of administration of his estate issued to him accordingly, unless the above-named respondents shall, on or before the 20th day of September, 1897, show sufficient cause to the satisfaction of this court to the contrary.

C. M. FERNANDO, Acting District Judge.

The 21st day of August, 1897.

In the District Court of Kurunegala.

Order Nisi.

Testamentary
Jurisdiction.
No. 584.

In the Matter of the Estate of the late Subadda Wedalagedere Suddanage Suddathee, deceased, of Ethwelpitiya.

Ukkuwa Yakdessalage Suddana, of Ethwalapitiya ...... Petitioner.

And

Sudatheege Happu, of Matiolowe .......... Respondent.

THIS matter coming on for disposal before Charles
Mathew Fernando, Esq., Acting District Judge, on
the 23rd day of August, 1897, in the presence of the

above-named petitioner in person; and the affidavit of the petitioner, dated 17th August, 1897, having been read: It is further ordered that the said Ukkua Yakdesalage Suddana, as father of the deceased intestate is entitled to have letters of administration of her estate issued to him accordingly, unless the above-named respondent shall, on or before the 22nd day of September, 1897, show sufficient cause to the satisfaction of this court.

CHAS. M. FERNANDO. Acting District Judge.

The 23rd day of August, 1897.

In the District Court of Badulla.

No. B/105.

In the Matter of the Estate of the late Patti Karpen Kangany, of Gonakele estate, Passara, deceased.

Tyah, of Pelangahahena in Passara.....Petitioner.

Sinnayah Ambalakaran's son Vedengen;
 Kadiraie;
 Meenachi;
 Sinnayah
 Pulle;
 Palaniyahi,
 Palaniyahi,

THIS matter coming on for disposal before J. G. Fraser, Esq., District Judge of Badulla, on the 10th day of August, 1897, in the presence of the petitioner and

the first respondent; and the affidavit and petition of the said first respondent, dated the 10th and 25th days of May, 1897, and the petition of opposition of the petitioner, dated 31st July, 1897, having been read: It is ordered that Tyah be, and she is hereby declared entitled to have letters of administration to the estate of the deceased Patti Karpen Kangany issued to her, as the widow, unless the respondents shall, on or before the 22nd day of September, 1897, show sufficient cause to the satisfaction of this court to the contrary.

The 14th of August, 1897.

J. G. FRASER, District Judge.

It is ordered that the Order Nisi of the 14th day of August, 1897, be and the same is hereby extended to the 25th September, 1897; and it is further ordered that unless the respondents named therein shall on that day show sufficient cause to the contrary, letters of administra-tion of the estate of the deceased Patti Karpen Kangany will be issued to the petitioner Tyah, of Passara.

The 28th August, 1897.

J. G. FRASER, District Judge.

## NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 1,896.

In the matter of the insolvency of Paul William de Jansz, of No. 122, Layard's Broadway, in Colombo.

HEREAS the above-named Paul William de Jansz was on the 17th day of August, 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 September 16 and 30, 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,

Colombo, August 17, 1897.

H. E. DE SILVA, Acting Secretary.

No. 1,856. In the matter of the insolvency of William Charles Atwell, of Temple road, Maradana, Colombo.

OTICE is hereby given that the second sittings in this matter will take place on September 16, 1897.

By order of court,

Colombo, August 16, 1897.

H. E. DE SILVA Acting Secretary.

No. 1,882. In the matter of the insolvency of Thomas Foenander, of Temple road, Colombo.

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 September 23, 1887, for offer of a composition to the creditors.

By order of court, H. E. DE SILVA. Colombo, August 31, 1897. Acting Secretary. No. 1,885.

In the matter of the insolvency of Richard Lambert Havers, of Madampitiya 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 September 30, 1897, to grant a certificate of conformity to the above-named insolvent.

By order of court,

Colombo, August 31, 1897.

H. E. DE SILVA, Acting Secretary.

No. 1,898.

In the matter of the insolvency of W. Francisco Fernando, of Dehiwala in the

Palle pattu of Salpiti korale.

WHEREAS the above-named W. Francisco Fernando was on August 26, 1897, adjuged 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 September 30, 1897, and October 14, 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,

Colombo, August 28, 1897.

H. E. DE SILVA, Acting Secretary

No. 1,899.

In the matter of the insolvency of Frederick J. Senewiratna, of No. 69, 2nd Division, Maradana, in Colombo.

WHEREAS the above-named Frederick J. Senewiratna was on August 26, 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 September 30, 1897, and October 14, 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,

Colombo, August 28, 1897.

H. E. DE SILVA, Acting Secretary.

No. 1,900.

In the matter of the insolvency of M. Don Hendrick Appuhamy, of Nos. 58 and 59, Dam street in Colombo.

HEREAS the above-named, M. Don Hendrick Appuhamy was on August 30, 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 September 30, 1897, and October 14, 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,

H. E. DE SILVA,
August 31, 1897.
Acting Secretary.

Colombo, August 31, 1897.

#### In the District Court of Galle.

No. 286.

In the matter of the insolvency of Manawaduge Eliashami, of Pitiwella.

WHEREAS Manawaduge Eliashami, of Pitiwella, 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 September 24 and October 29, 1897, 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.

JAMES KRAUSE,

Galle, August 25, 1897.

Secretary.

#### In the District Court of Kegalla.

No. 22.

In the matter of the insolvency of Sinna Carpen Kangany, of Porawatta in Yatiyantota.

OTICE is hereby given that a certificate of the first class is allowed to the insolvent above named.

By order of court,

-Kegalla, August 31, 1897.

WM. DE SILVA, Secretary.

# NOTICES OF FISCALS' SALES.

#### Western Province.

In the District Court of Colombo.

OTICE is hereby given that on Wednesday, September 29, 1897, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the following property, specially mortgaged and hypothecated with the plaintiff and decreed to be sold by the decree entered in the above case, viz.:—

1. All those contiguous allotments of land now forming one property, with the buildings and plantations standing thereon, situated at the village Dematagoda in the Palle pattu of the Salpiti korale in the District of Colombo, Western Province; and bounded on the north by la road, on the east by a reservation and the land claimed by Mr. Abeyesekera and the property of Sinna Tamby Chetty, now the property of Koralage Don Hendrick Appuhami, on the south by the property of H. Don Lewis Appu and now of K. Don Hendrick and the garden called Laulugahawatta belonging to Kalpe Arachchige Carolis Appu, on the south-west by land claimed by Don Hendrick Appuhami, and on the west by land described in plan 81,618 and now the property of Cassie Lebbe Marikar Abdul Majid; containing in extent 4 acres and 3 roods and 13.75 perches.

2. All that land called Andiahena, situated in the village Kollonnawa in the Palle pattu of Hewagam korale; and bounded on the north by a part of Mahahena

belonging to John de Silva, Muhandiran, on the east by the garden of Juanis Peris, Julias Appu, and another, on the south by a part of Andiahena belonging to David Appu, and on the west by a canal; containing in extent about 7 acres.

SOLOMON SENEVIRATNA,
Fiscal's Office, Deputy Fiscal.
Colombo, September 1, 1897.

In the District Court of Negombo.

Nugegodage Bastian Silva ...... Plaintiff.

No. 2,454.

Sinhalepedige Setuwa ... ..... Defendant.

OTICE is hereby given that on September 25, 1897, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, specially hypothecated by bond No. 17,831 dated July 7, 1893, viz.:—

The land called Ankendegodella at Assennawatta in the Dasiya pattu of the Alutkuru korale; bounded on the north by the land of Horatala and others, east by the land of Kalupuncha and others, south by the land of Subeya and others, and west by the land of Puncha and others, in extent 11 acres 2 roods and 35 perches.

others, in extent 11 acres 2 roods and 35 perches.

An undivided half share of the garden called Delganawatta, at do.; the entire land is bounded on the north by land formerly of Government, now of Marasinpedige Sobena, east by the live fence of the land of Kalupuncha, south by the field, and west by the land of Rajapanae

pedige Subaya, in extent 3 acres 3 roods and 35 perches more or less; and declared liable to be sold in satisfaction of the dccree entered in the above case.

Amount to be levied Rs. 923:121, and interest on Rs. 800 at 25 per cent. per annum from July 7, 1893.

FRED. G. HEPPONSTALL, Deputy Fiscal's Office, Deputy Fiscal. Negombo, August 31, 1897.

- In the District Court of Negombo.

Hendalaliyanage Valarianu Perera......Plaintiff. No. 2,717.  $\mathbf{V}\mathbf{s}$ .

Lokupothagamage Don Arnolis Appuhami and others......Defendants.

TOTICE is hereby given that on September 28, 1897, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, specially mortgaged by bond No. 7,799 dated July 1, 1893, viz.:—

An undivided half share of the garden called Millegahawatta, situate at Kussala in the Ragam pattu of the Alutkuru korale; the entire property being bounded on the north by the live fence of the land belonging to Lokubalesurige Don Jeelis Appu and others, on the east by the live fence which separates the lands belonging to Mutukuda Arachchige Thelenis Appu and others and by the dewata road, on the south also by the dewata road, and on the west by the land in the name of the late Kuruwe Mudaliyar; containing in extent 5 acres more

Kuruwe Mudaliyar; containing in or less.

The two contiguous paddy fields called Kosgahakumbura and Maragahakumbura and the high ground appertaining thereto, at do.; bounded on the north by the limit dam which separates the field belonging to Ungappu, on the east by Dandugam-oya, on the south by the limit dam which separates the field belonging to Lokupothagamage Don Harmanis Appuhamy, and on the west by the fence put up for the field belonging to Mutukuda Arachchige Poloris Appu, containing in extent 12 narrahs of paddy sowing more or less.

12 parrahs of paddy sowing more or less.

Amount to be levied Rs. 717.49, and interest on Rs. 600 at 12 per cent. per annum from July 1, 1893.

FRED. G. HEPPONSTALL, Deputy Fiscal's Office, Deputy Fiscal. Negombo, August 31, 1897.

#### Southern Province.

In the District Court of Galle.

Kapivangodage Thobias Appuhamy, of Kumbalwela.....Plaintiff.

Vs. No. 4,398.

Dantanarayanage Mathes Hamy, of Kumbalwela......Defendant.

OTICE is hereby given that on Saturday, September 25, 1897, at 3 o'clock in the afternoon, will be sold by public auction at the spot the following property, VIZ. :--

The entire soil and trees of Pravenikanatta alias Pinwatta and the two houses standing thereon, situate at Kumbalwela; mortgaged by writing obligatory dated February 25, 1890, and declared bound and executable under the judgment entered in the above case.

This writ is issued to levy a sum of Rs. 515.27, with interest on Rs. 431 at 16 per cent. per annum from. September 10, 1896, less Rs. 60 drawn in case.

Fiscal's Office, Galle, August 31, 1897.

C. T. LEEMBRUGGEN, for Fiscal.

In the District Court of Galle.

R. M. A. N. Suppramanian Pullai, of Kalu-

 $v_{s.}$ No. 4,702.

OTICE is hereby given that on Saturday, September 25, 1897, and April 1997. ber 25, 1897, at 4 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,

The entire soil and trees of Tasmakaragewatta (exclusive of the house of the late Dingo and the soil covered thereby), situate at Kumbalwela.

This writ is issued to levy a sum of Rs. 712.21, with interest on Rs. 654.41 at 9 per cent. per annum from August 10, 1897.

Fiscal's Office, Galle, August 31, 1897.

C. T. LEEMBRUGGEN, for Fiscal.

# DISTRICT AND MINOR COURTS NOTICES.

OTICE is hereby given that a suit has been instituted in the Court of Requests of Badulla-Haldummulla by Govinden Kangany and nine labourers of Blackwood estate, against the proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 101.38.

P. SETUKAVALER This 19th day of August, 1897. Chief Clerk.

OTICE is hereby given that a suit has been instituted in the Court of Requests of Gampola by seven labourers of Gongala estate in Nawalapitiya, against the proprietor thereof, under Ordinance No. 13 of 1889 for the recovery of their wages amounting to Rs. 104.

N. PARANAWITANE, Chief Clerk.

Court of Requests, Gampola, August 19, 1897.

Court of Requests,

OTICE is hereby given that a suit has been insti-tuted in the Court of Requests of Gampola by forty labourers of Enukwatta estate in Watawala, against the proprietor thereof, under Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 316.

N. PARANAWITANE, Chief Clerk. Gampola, August 19, 1897.