



Ceylon Government Gazette

Published by Authority.

No. 5,588 — FRIDAY, DECEMBER 2, 1898.

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.

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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 Midland Circuit at Kandy will be holden at the Court-house at Kandy on Thursday, December 1, 1898, at 12 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.

R. G. ANTHONISZ,
for Fiscal.

Fiscal's Office,
Ratnapura, November 25, 1898.

ලංකාවේ රජු කටයුතු ලබාදුන් සුළුම ලංකා
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 මස 1 වෙනි දින පෙරවරු 12 පැය පවත් මහනුවර
 තිබෙන නඩුසාලාවේ පවත්වනව යෙදෙනවා ඇත. එහි
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අවසර ඉල්ලා ලබාගෙන මස එයින් පිටතට යන්ට
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ආර්. ජී. අන්තෝනිස්,
 පිස්කල්කාල වෙනුවට.
 වම් 1898 ක්‍රි නොවැම්බර් මස 25 වෙනි
 දින රත්නපුරේ පිස්කල් කන්තෝරුවේදී.

இலங்கைத்தீவிற்கு சங்கைபோந்த சுப்பிரீம் கோட்ட
 ரது கட்டளையின்படி நாம் பிரசுத்தப்படுத்திவந்தவதாவது:
 கண்டி நியாயஸ்தலத்திலே மேற்சொல்லிய சுப்பிரீம்
 கோட்டாரால் நடுமரகாணத்தைச்சேர்ந்த இறியினெல்
 வழக்குவிசாரணை 1898 ம் ஆடு மார்ச்சுமீ 1 ந் திகதி
 யாழிய வியாழக்கிழமை காலமே 12 மணி தொடங்கி
 அன்றும் அதற்கடுத்த நாட்களிலும் நடத்தப்படும்.
 ஆதலால் அவ்விசாரணையிற் காரியகருமுள்ளவர்
 னெல்லோரும் சொல்லப்பட்ட நேரத்திலே சொல்லப்
 பட்ட இடத்திலே வெளிப்பட்டு அவ்விடத்தினின்றும்
 உத்தரவின்றி நீங்காதிருக்கக்கடவர்கள்

இங்மனம்,
 ஆர். ஜி. அந்தோனிஸ்
 பிஸ்காலுக்கு வதில்.
 இரெட்டின்புரி பிஸ்கால் கந்தோர்,
 1898 ம் ஆடு கார்த்திகைமீ 25 ந் உ.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Kandy.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Philip Ambrose Pulle, deceased,
No. 2,079. } of Kandy.

THIS matter coming on for disposal before John Henricus de Saram, Esq., District Judge of Kandy, on the 11th day of November, 1898, in the presence of Mr. R. W. Jonklaas, Proctor, on the part of the petitioner Theodore Ambrose, of Badulla; and the affidavit of the said petitioner, dated 2nd November, 1898, having been read:

It is ordered that letters of administration to the estate of Philip Ambrose Pulle, of Kandy, deceased, be issued to the petitioner above-named, unless Reginald Wise, Francis Cicilia Wise, Adelaide Ambrose, by their guardian *ad litem* Agnes Ambrose, all of Badulla; Philip Ambrose, Gerard Ambrose, both of Badulla; Xavier R. Muniaram, Interpreter Mudaliyar, District Court, Colombo; John Muniaram, Ceylon Government Railway, Colombo; Cecelia Andappa *nee* Muniaram, Anthony Andappa, both of Colombo, shall, on or before the 27th day of January, 1899, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,
District Judge.

The 11th day of November, 1898.

In the District Court of Kurunegala.

Order Nisi.

Testamentary } In the Matter of the Estate of the late
Jurisdiction. } Peduru Dias Muttappa Pulle,
No. 614. } deceased, of Kaliyawardana in Pitigal
korale.

1, Herathithamilage Katarinabami; and 2,
Ranasinghe Arachchige Suse Appuhami.....Petitioners.
Vs.

1, Salman Dias; 2, Girigoris Dias; 3, Philippa
Dias; and 4, Gabriel Dias, all of Peliya-
goda in Alutkuru korale.....Respondents.

THIS matter coming on for disposal before Samuel Haughton, Esq., District Judge of Kurunegala, on the 6th day of October, 1898, in the presence of the petitioners in person; and the affidavit of Herathithamilage Katarinabami and Ranasinghe Arachchige Suse Appuhami, the petitioners, dated 29th September, 1898, having been read:

It is ordered that Herathithamilage Katarinabami and Ranasinghe Arachchige Suse Appuhami, the wife and nephew of the interlate, are entitled to have letters of administration of the estate of the late Peduru Dias Muttappa Pulle issued to them, unless the said respondents shall, on or before the 5th day of December, 1898, show sufficient cause to the satisfaction of this court to the contrary.

SAMUEL HAUGHTON,
District Judge.
The 18th day of November, 1898.

NOTICES OF INSOLVENCY.

In the District Court of Kandy.

No. 1,397. In the matter of the insolvency of Seena
Ena Ahamado Ally, of Pussellawa.

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 February 3, 1899, for the allowance of a certificate of conformity to the above-named insolvent.

By order of court,
W. M. DE SILVA,
Acting Secretary.

Kandy, November 25, 1898.

In the District Court of Galle.

No. 305. In the matter of Miskin Bawa Ismail
Markar, of Gintota.

WHEREAS Miskin Bawa Ismail Markar, of Gintota, 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 December 30, 1898, and January 27, 1899, 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,
E. M. DE COSTA,
for Secretary.
Galle, November 28, 1898.

NOTICES OF FISCALS' SALES.

Western Province.

In the Court of Requests of Colombo.

Graciano Fernando, of Slave Island, Colombo...Plaintiff.
No. 7,273. Vs.

1, Medagamage Hendho Fernando; and 2,
Walikehornege Lucas Fernando, both of
Washer's lane, Kollupitiya.....Defendants.

NOTICE is hereby given that on Friday, January 6,
1899, at 3 o'clock in the afternoon, will be sold
by public auction at the premises the right, title, and
interest of the said second defendant in the following
property, viz. :—

A piece of land bearing assessment No. 31, situated at
Washer's lane Kollupitiya, Colombo; bounded on the
north by Washer's lane, on the east by house No. 32
belonging to Pattiage Singho Fernando, on the south by
Washer's lane, and on the west by a small lane leading
to the garden No. 30; containing in extent two roods
more or less.

Fiscal's Office, E. ONDATJE,
Colombo, November 30, 1898. Deputy Fiscal.

In the District Court of Colombo.

Vincent Blair Stork, of Kotte road, Colombo....Plaintiff.
No. 11,572/C. Vs.

Lindemullege Gabriel de Silva, of College
street, Kotahena, Colombo Defendant.

NOTICE is hereby given that on Tuesday, January
17, 1899, at 2 o'clock in the afternoon, will be
sold by public auction at the premises the following
property, specially mortgaged with the plaintiff and
decreed to be sold by the decree entered in the above
case, viz. :—

All that allotment of land (being the northern half
part of the allotment of land originally bearing assessment
No. 26) with the buildings thereon, bearing present assess-
ment No. 26A, situated in College street in Kotahena
Ward, within the Municipality of Colombo; and bounded
on the north by lot No. 3, formerly part of this land
allotted to and taken over by Ana Rodrigo Muniaram
Perumal, widow of John Casie Chetty, and others, on the
east by College street, on the south by the other half
part marked A in the plan hereafter mentioned allotted
to H. Francis Fernando, now the property of S. N. S. A.
Odayappa Chetty, and on the west by the property of
Nicholas Pieris, formerly belonging to Susew Soyza, now
the property bearing assessment No. 26 belonging to
Tewarayan Palle, Charles Vedarala and others; containing
in extent 1 rood and 29 perches and $\frac{7}{16}$ of a perch
according to the plan and survey thereof dated November
1, 1895, made by Frederick Bartholomeusz, Surveyor,
and annexed to the partition deed No. 2,660, dated
November 7, 1895, and attested by W. B. de Fry, of
Colombo, Notary Public.

Fiscal's Office, E. ONDATJE,
Colombo, November 30, 1898. Deputy Fiscal.

In the District Court of Negombo.

Sembukuttiarachchige Juse Silva Appuhamy,
of Katana.....Plaintiff.
No. 3,172. Vs.

Augustina Pariskankanamalage Mathes Paris
Appuhamy, of Katana.....Defendant.

NOTICE is hereby given that on December 29, 1898,
commencing at 11 o'clock in the forenoon, will be
sold by public auction at the premises the following

property, specially hypothecated by bonds Nos. 9,481
dated December 27, 1897, No. 20,431 dated October 8,
1894, No. 20,340 dated September 17, 1894, No. 20,775
dated December 21, 1894 :—

The land called Kendagahalanda, situate at Katana in
the Dunagaha pattu of the Alutkuru korale; and bounded
on the north by the road (Mahamawatta), on the east by
the land belonging to Abraham, Police Headman, on the
south by the land formerly of Pelis Silva Appuhamy and
now belonging to the heirs of Agida Silva Hamine, and
on the west by the land belonging to Carolis Silva
Appuhamy and another and by Pansalawatta; containing
in extent 3 acres more or less, and declared liable to be
sold in satisfaction of the decree entered in the above
case.

Amount to be levied Rs. 871.62, and further interest on
Rs. 53.10 at 18 per cent. per annum, on Rs. 50 at 24 per
cent. per annum, on Rs. 300 at 16 per cent. per annum,
and on Rs. 50 at 25 per cent. per annum from June 17,
1898.

Deputy Fiscal's Office, SWAMPILLE JOSEPH,
Negombo, November 29, 1898. Deputy Fiscal.

In the District Court of Colombo.

Ana Perumal Chetty, of Silversmith lane
in Colombo.....Plaintiff.
No. C/10,818. Vs.

Peter Perera, of Hapuwalana.....Defendant.

NOTICE is hereby given that on December 30, 1898,
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 defendant in the following property,
viz. :—

A land called Delgahalanda, situate at Hapuwalana in
the Dunagaha pattu of the Alutkuru korale; and bounded
on the north by a portion of this land of Don Andris,
Vel-Headman, on the east by the cart road, on the south
by the land of Botalege Camel Fernando, and on the
west by the Gansabhawa road and by the land of
Edippuliradage Kaluhonda and others; containing in
extent 16 acres more or less.

Amount to be levied Rs. 593.25, with interest on
Rs. 500 at 9 per cent. per annum from October 29, 1897.

Deputy Fiscal's Office, SWAMPILLE JOSEPH,
Negombo, November 29, 1898. Deputy Fiscal.

In the District Court of Colombo.

Ana Perumal Chetty, of Silversmith lane
in Colombo.....Plaintiff.
No. C/10,822. Vs.

Henry Thomas Perera, of Dunagaha.....Defendant.

NOTICE is hereby given that on December 30, 1898,
commencing 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. :—

A land called Bulugahalanda, situate at Adikarimulla in
the Dunagaha pattu of the Alutkuru korale; and bounded
on the north by land belonging to the heirs of the late
Samel Appu, on the east by the land of defendant, on the
south by the land belonging to the heirs of the late
Anthoni Fernando, and on the west by the land of
Singappu and others; containing in extent 6 acres more or
less.

Amount to be levied Rs. 1,302.88, and interest thereon
at 9 per cent. per annum from March 12, 1898.

Deputy Fiscal's Office, SWAMPILLE JOSEPH,
Negombo, November 29, 1898. Deputy Fiscal.

Central Province.

In the District Court of Kandy.

William Edward de Vos, of Galle.....Plaintiff.
No. 12,266. Vs.

1, Henry Walter de Vos, of Kandy; 2, A. E. Fleming, of Messrs. Walker, Sons & Co., Kandy, assignees of the insolvent estate of H. W. de Vos.....Defendants.

NOTICE is hereby given that on December 29, 1898, commencing at 12 o'clock noon, will be sold by public auction at the premises the following property of the defendants, viz. :-

1. All that tract of land called Bodawa, situate at Dolosbage in Gangaihala korale of Udapalata, in the Central Province; bounded on the east by private chenas, on the north by field, on the south by patanas, and on the west by Halgolle-oya; containing 180 acres 1 rood and 20 perches.

2. All that piece of land called Etikeryagolledeniya kumbura, situate at Bodawa in Udapalata; bounded on the north by Halgolle-oya, on the east by Kehelwatta estate, and on the south and west by property of Mr. Gottilier; containing in extent 3 acres 2 roods and 27 perches, together with all and singular the buildings (bungalow and factory), plantations, tools, implements, machinery, and other the dead and live stock in and upon the said estate and premises.

Amount of writ, Rs. 15,664.45½.

Fiscal's Office,
Kandy, November 29, 1898.F. J. SMITH,
Deputy Fiscal.

Eastern Province.

In the District Court of Batticaloa.

1, Muhayatin Abdulkader Kader Meerasaibu and brother; 2, M. Packeer Muhammad, of Puliyantivu Plaintiffs.

No. 1,947. Vs.

1, Saibo Muhammadu Sekumuhamadu; 2, Saibo Muhammadu Ahamedu Meerasaibu; 3, Muhammadu Muhayadin Packeer Muhayadin, of Kalmunai Defendants.

NOTICE is hereby given that on Friday, December 23, 1898, commencing at 7 o'clock in the morning, will be sold by public auction at the spot the right, title, and interest of the said defendants in the following property, viz. :-

11 pieces of calico weighing 9 lb. each
9 do. do. 12 do.
2½ do. do. 11 do.
34 yards of drill
4 cumbly shawls
1 silk arayadukku charem, 15 pulleys
3 aravana moodu charem, 12½ do.
1 maruthamoodu charem, 13½ do.
1 do. do. 14½ do.
2 santhirappadi charem, 14½ do.
1 mathippu charem, 12½ do.
1 cadukvanna charem, 18½ do.
1 sampo mohani charem, 140 do.
1 sampo munro mulai thundu
1 madi curunaddupaddu thundu, 12½ pulleys
1 soman sadu, 20½ do.
4 naddu charem
4 panneerando mula naddu choman
1½ arumulai campaya madi
4 pallichchathippaddi madi
7 arumulai athirasi chittadai
14 yards of pink chintz
11 eddumoolai athirasi chittadi
9 athirasi chelai
16 yards green chintz

1 laced shawl, 12½ pulleys
1 Madi laced shawl, 12½ do.
1 Madura laced shawl, 11½ do.
2 achimula charuke tundu
2 Madurai vetti, 10½ do.
1 moonru mulai thundu, 11½ do.
1 paddi matheri chelai, 21½ do.
5 Singapore charem
13 yards of caddai chintz
35 yards chappa
1 eddumoolai chittadi
1 Madi Madura campi vetti, 11 pulleys
2 curunaddu chelai, 21½ do.
34 yards of pachcha lama
1 camplee elanche
24½ yards of caddai cheetai
1 pathinaru mula athirasi chelai
36 banians
4 kappa cheetha
1 pathumoolai athirasi choman
12 cheemai chukku elanche
6½ champu Madras chakki elanche
6 naddu Madras chakki elanche
1 champu Madurai elanche, 15½ pulleys
½ champu elanche, 16 do.
½ do. do. 17 do.
1 do. do. 18 do.
7 Madurai elanche, 15½ do.
1 yodi elanche, 17½ do.
½ champu Madurai elanche, 17½ do.
1 elanche, 14½ do.
1 Madras Madurai elanche, 52½ do.
8 do. 150 do.
3 do. 57½ do.
1 champu Madras elanche, 55 do.
½ do. 105 do.
362 achchadian elanche of different sorts
6 Madura chivappu elakke elanche
2½ madi thurai, 1½ pulley
1 five yards naddu paal thundu
3 naadu mula thundu
7 moonu moola thundu
7 thuppaddi chelai
5 elupathu elakka thurai madi
7 horokkis thundu, 3 yards
4½ thurias thundu, 2 yards
1 mal thundu, 24 pulleys
1 piece of bishop's lawn, 21½ do.
1½ Madi campi chaluvai, 11 do.
4½ Madi naatu mula chaluvai, 21½ do.
1½ Madi eddu mula kampi chaluvai, 21½ do.
½ Madi aaru mula campi chaluvai
22 Bengal paddu elanche
1 thumpu paddu elanche yodi
½ Madi arumoolai campi chaluvai
34 pathmaru moola chayachelai, 16 cubits long
21 arumoola chuttu maharai vetti
4 panirando moolai chalankai choman
11 elumoolai campi vetti
2 eddu moolai campi vetti
9 arumula campi vetti
7 anchimoola campi vetti
18 eddumoola chalankai choman
11 pathumoola chalankai choman.
10 eddumoola mahara
10 pathumoola
11 anchimoola thaddu vetti
2 elumoola ellathu vetti
8 naalu mula chuttu maharai vetti
35 mukat pilankan rukan
177 arai pilankan rukan
146 kal pilankan rukan
15 dishes
23 cups
3 satinwood almirahs
1 lakkai araippaddi with drugs
1 bag of chillies
1½ bag of molasses
½ bag of sugar
1 tin of gingelly oil
2½ cwt. onions
2 alpaca umbrellas

1 marappaddai with chillies and curry stuffs
 3 aththarina mudan
 2 wooden racks with 50 bottles
 3 scales and 1 set of weights
 2 chemai, nool cattu
 6 naadu nool kaddu
 ½ bag of coriander
 4 bags of elavankaipaddai
 4 bags of cinnamon
 12 tins (½-lb. tin) biscuits
 3 quarts of honey
 1 satinwood chest, 3½ cubits
 1 rack for plates.

Commencing at 3 P.M.

A garden called Kadai Veedduvalavu at Sainthamarutu, in Karavagu pattu; bounded on the north by the garden of Oorapody Vyrmuttu and others, south by the garden of M. M. Muhayatin Aliar and others, east by road, west by the garden of A. M. Muhamatu Abtulkater and others; in extent north to south 10 fathoms and 3 cubits, east to west 31 fathoms, with house, well, and produce.

This writ is issued to levy a sum of Rs. 3,041.66.

T. SINNATAMBY,
 Deputy Fiscal.

Fiscal's Office,
 Batticaloa, November 23, 1898.

In the District Court of Trincomalee.

Miss Annie Edith Gibson, of Trincomalee.....Plaintiff.
 No. 738. Vs.

1, S. M. Canagaratnapillai and his wife 2,
 Parupatheypillai, of No. 1, Trincomalee...Defendants.

NOTICE is hereby given that on Friday, December 29, 1898, commencing at 11 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said defendants in the following property, being special mortgage with the plaintiff and decreed to be sold:—

All that piece of land situated in Division No. 1, Trincomalee, with a tiled house called Nachchiar Veedu, and all outhouses and other buildings, well, well-sweep and posts, and plantations standing thereon, with all and every the appurtenances thereof, known by the name of Ratnasinga Mutaliar Valavu; bounded on the east at present by the dowry house and compound of K. Nakaratnapillai, on the west by the house and ground of Olagasakarampillai and others, on the north by the land of Supramanier Kaderamatampi, and on the south by the road leading to the esplanade.

Writ amount, Rs. 1,160.83, with interest thereon at 9 per cent. per annum from March 30, 1898; and costs Rs. 133.

C. M. LUSHINGTON,
 Deputy Fiscal's Office,
 Trincomalee, November 24, 1898.

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to secure, in certain cases, the Right of Property in Telegraphic Press Messages.

Preamble.

WHEREAS it is expedient to secure, in certain cases, the right of property in telegraphic press messages: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Press messages by electric telegraph not to be published during forty-eight hours after receipt without consent of the receiver.

1 When any person, in the manner hereinafter mentioned, publishes in any newspaper or other printed paper published and circulated in Ceylon any message by electric telegraph from any place outside the said island, lawfully received by such person, no other person shall, without the consent in writing of such first-mentioned person, or his agent thereto lawfully authorized, print or publish, or cause to be printed or published, such telegram, or the substance thereof, or any extract therefrom, until after a period of forty-eight hours from the time of first publication; provided that such period shall not extend beyond sixty hours from the time of the receipt of such message (Sundays and public and bank holidays excepted), and the publication of the whole or any part of such telegram, or of the substance thereof, or (excepting the publication of any similar message in like manner sent) of the intelligence therein contained, or any comment upon, or any reference to, such intelligence, shall be deemed to be a publication of the same.

Unlawful publishing an offence.

2 If any person wilfully print and publish, or cause to be printed and published, any matter contrary to the provisions of this Ordinance, he shall be liable to a fine not exceeding one hundred rupees; and every person who is convicted a second time of any offence against this Ordinance shall be liable to a fine not exceeding two hundred rupees.

How telegraphic messages protected by this Ordinance to be headed.

3 Telegraphic messages published under the protection of this Ordinance shall be printed under the heading "By Submarine Telegraph," and shall state the day and hour of their receipt, and such statement shall be *prima facie* evidence of the time of the receipt of such messages.

During forty-eight hours protected intelligence not to be transmitted to any person outside Ceylon.

4 (1) During the period of forty-eight hours hereinbefore mentioned, no intelligence protected by this Ordinance shall be transmitted by electric telegraph to any person outside Ceylon by or on behalf of any person other than the person who, under the provisions of this Ordinance, is entitled to the exclusive use of such intelligence.

Penalty.

(2) Any person acting in contravention of this section shall be guilty of an offence, and liable on conviction to a fine not exceeding one hundred rupees for a first offence, and to a fine not exceeding two hundred rupees for any subsequent offence.

What to be deemed *prima facie* evidence of publication of message.

5 In any prosecution under this Ordinance the production of any document which purports to be a telegraphic message from some place outside Ceylon, and which contains the intelligence published in the newspapers as aforesaid, and which has been delivered to some person entitled to receive the same by the proper officer of the Telegraph Department, shall be *prima facie* evidence that the message published as hereinbefore described in such newspaper is a message within the meaning of this Ordinance; and proof that any person is owner, or is, or is acting, or appears to be acting as editor or manager of any newspaper in which there has been any publication contrary to the provisions of this Ordinance shall be *prima facie* evidence that such person has wilfully caused such unlawful publication.

Limitation of Ordinance.

6 Nothing in this Ordinance shall extend to any document published by the Government Printer, or to the report of any proceedings in the Legislative Council.

Short title.

7 This Ordinance shall be cited as "The Telegram Copyright Ordinance, 189 ."

By His Excellency's command,

E. NOEL WALKER,
Colonial Secretary's Office, Colonial Secretary.
Colombo, November 30, 1898.