



Ceylon Government Gazette

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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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SUPPLEMENT.

List of all Unclaimed District Court Suitors' Moneys deposited in the several Kachcheries and paid to General Revenue from January 1, 1891.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Robert Collum, of Sutherland House, Surbiton,
Surrey, England.....Plaintiff.
No. 1,897/C. Vs.

Lucia Nonis Candappa, widow of Francis Nonis
Cadappa, for herself and as executrix of the
will of Francis Nonis Candappa, deceased; 24,
John Christoffel Fernando, of Jampettah
street, Colombo; 25, John Godwin Casie
Chetty, of Kotahena, a minor by his guardian
ad litem H Morris Casie Chetty, of Kotahena,
Colombo; and twenty-five others.....Defendants.

NOTICE is hereby given that on Monday, October 28,
1895, at 2 o'clock in the afternoon, will be sold by
public auction at the respective premises the right, title,
and interest of the 25th defendant in and to the following
properties, viz. :—

1. All that allotment of land and premises marked lot
No. 3 (in the plan bearing No. 242, dated October 6, 1894,
made by Juan de Silva, Licensed Surveyor), situated at
Jampettah street in the Kotahena Ward, within the
Municipality of Colombo; bounded on the north by

paddy field formerly of Savery Fernando Paulo Pulle,
now the property of Lucia Nonis, on the east by lot No. 4
allotted to John Godwin Casie Chetty, on the south by
Jampettah street, and on the west by lot No. 2 allotted
to D. C. Ratnaika, and No. 1 allotted to Robert Collum;
containing in extent 25½ square perches according to the
said plan No. 242, dated October 6, 1894, by the said
Juan de Silva, Licensed Surveyor, together with the
buildings thereon, subject, nevertheless, to the right of
D. C. Ratnaika to possess and enjoy the same during the
life of H. Morris Casie Chetty.

2. All that allotment of land and premises marked lot
No. 4 (in the plan bearing No. 242, dated October 6, 1894,
made by Juan de Silva, Licensed Surveyor), situated
at Jampettah street aforesaid; bounded on the north by
paddy field formerly of Savery Fernando Paulo Pulle,
now the property of Lucia Nonis, on the east by lot No. 5
allotted to H. Morris Casie Chetty, on the south by
Jampettah street, and on the west by lot No. 3 allotted
to John Godwin Casie Chetty; containing in extent 9½
square perches according to said plan No. 242, dated
October 6, 1894, by the said Juan de Silva, Licensed
Surveyor, together with the buildings thereon.

Fiscal's Office,
Colombo, October 2, 1895.

J. S. DRIEBERG,
Deputy Fiscal.

In the District Court of Colombo.

Mylupulle Wytilingam, of Cheku street,
Colombo Plaintiff.
No. 6,412/C. Vs.

Meewanage David Philip Perera, of Kalal-
goda Defendant.

NOTICE is hereby given that on Friday, October 25, 1895, at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the said plaintiff in and to the following property, viz:—

An allotment of land situated in the village Hokandara, in the Palle pattu of Hewagam korale, in the District of Colombo; and bounded on the north by land claimed by David Appu, and lands described in plans 58,737, and 56,925, east by land described in plan 87,369, south by land claimed by Samuel Appu and Naide, and west by land claimed by Don Cornelis, Samuel Appu, and Don Juan; containing in extent 36 acres and 2 roods, more or less.

JOHN A. ABEYSEKERE,
Deputy Fiscal.

Deputy Fiscal's Office,
Hanwella, September 30, 1895.

In the District Court of Colombo.

A. R. M. A. M. V. R. Palaniappa Chetty, of
Colombo..... Plaintiff.
No. 6,094/C. Vs.

1, Suraweera Muhandirange Don Philip
Heradus Henry Gunetilleke Samaraniyeke
Appuhamy; 2, Richard Ferdinando; and 3,
Carder Mohideen Rawter Ahamado Pulle... Defendants.

NOTICE is hereby giving that on October 30, 1895, commencing at 12 o'clock noon, will be sold by public auction at the respective premises the following properties, specially mortgaged and hypothecated and decreed to be sold by the decree entered in the above case, viz:—

1. A moiety of Bandiawatta, with the plantations standing thereon, situated at Petiagoda in the Adikari pattu of Siyane korale; and bounded on the north by the garden of Ablino Arachchige Lorenzo Perera, on the east by the other portion of this garden, on the south by the garden of Suraweera Muhandirange Don Abraham and Abeyasinghe Arachchige Levis Perera, and on the west by the garden of Pillehewadewa Arachchige Silvester Perera and Hendrick Perera; and containing in extent 1 acre 2 square roods and 7½ square perches.

2. A moiety of Talgahawatta, with the buildings standing thereon, situated at Petiagoda aforesaid; bounded on the north by the road to Kelaniya, on the east by the garden of Ablino Arachchi and Bastian Perera. Vidane Muhandiram, on the south by the field of Waragodakankanamalage, and on the west by the other part belonging to Abeyasinha Arachchige Simeon Perera; containing in extent 3 roods and 20½ square perches (more or less).

3. A moiety of all that field called Millegahakumbura, situated at Petiagoda aforesaid; bounded on the north by the field called Muttettuwakumbura belonging to John Abraham Perera, Governor's Gate Muhandiram, on the east by the field called Ambegahakumbura belonging to Don Andris, Registrar, on the south by the garden of Weligamage Bastian Dias and others, and on the west by the field called Maharawelakumbura belonging to Don Andris, Registrar; containing in extent 2 acres 1 rood and 9 perches (more or less).

4. A moiety of all that field called Ambagahakumbura and the high land attached thereto, situated at Petiagoda aforesaid; bounded on the north by the field called Muttettuwakumbura belonging to Don Abraham Perera, Governor's Gate Muhandiram, on the east by the field Rukathanakumbura belonging to Don Abraham, on the south by the garden of Waragodakankanamalage Don Abraham and by the garden called Nitulgahawatta and Hikgahawatta, and on the west by the field of Ambagaha-

kumbura and Irrawattakumbura belonging to Don Andris, Registrar; containing in extent 2 acres more or less, according to the figure of survey dated August 27, 1892, made by F. Bartholomeusz, Surveyor.

H. W. D. BANDARANAYEKE,
Deputy Fiscal.

Deputy Fiscal's Office,
Henaratgoda, September 27, 1895.

In the District Court of Negombo.

Ana Ravenna Mana Ana Ana Lanna Aruna-
salam Chetty Plaintiff.
No. 1,687 Vs.

Sinhalapedge Setuwa Defendant.

NOTICE is hereby given that on October 31, 1895, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property, viz:—

1. An undivided ¼ share of the land called Murutewala, situate at Horampella in the Dasiya pattu of the Alutkura korale; the entire land being bounded on the north by the land of Ungua, on the east by the lands belonging to the estate of Mr. Croos, on the south by the land belonging to the estate of Paulu Appuhamy, and on the west by the land of Jamba officer, containing in extent 9 acres more or less.

2. An undivided ¼ share of the land called Godellahena, at do.; the entire land being bounded on the north by the land of Nanduwa, on the east by the Deniya land of Omeriya, on the south by the field of Nanduwa, and on the west by the land of Tambiya, containing in extent 8 acres more or less.

3. An undivided ¼ share of the garden called Medakelewatta, at do.; the entire property being bounded on the north by the land of Jamba, on the east by the land of Allis Appuhamy, on the south by the field of the late Amanduwa Veda, and on the west by the field of Nanduwa, containing in extent 27 acres more or less.

4. A part of the garden called Kogahawatta, at do.; bounded on the north by the ditch of the garden Pansalwatta, on the east by the land of Jamba officer, on the south by a part of this land belonging to others, and on the west by the land of Sima, containing in extent 12 acres more or less.

5. An undivided ¼ share of the garden called Kiripallagahawatta, at Galkanda in do.; the entire property being bounded on the north by the high road, on the east by the garden of Ganchawa, on the south by the field of the late Amanduwa Veda, and on the west by the land of Banga and others, containing in extent 61 acres and 3 roods more or less.

6. An undivided ¼ share of the garden called Delgahawatta, at Assenawatta in do.; the entire land being bounded on the north by a water-course, on the east by the land of Siriya, on the south by the land of Babiya, and on the west by the field, containing in extent 16 acres 1 rood and 8 perches more or less.

7. An undivided ¼ share of the garden called Badullagahawatta, at Helakandana in do.; the entire land being bounded on the north by the field, on the east by the land of Jothi Fernando and others, on the south by the high road, and on the west by the field of Sittappu and others, containing in extent 1 acre more or less; specially mortgaged by bond No. 12,382, dated June 22, 1893, and declared specially bound and executable for the decree entered in the above case; and the right, title, and interest of the defendant in and to the same at the date of the mortgage.

Amount to be levied Rs. 6,229-12½, and interest on Rs. 6,000 at 7½ per cent. per annum from June 22, 1893, of which Rs. 817-80 was recovered on July 5, 1895.

J. P. LEWIS,
Deputy Fiscal.

Deputy Fiscal's Office,
Negombo, October 1, 1895.

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to consolidate the Law relating to Oaths and Affirmations in Judicial Proceedings and for other purposes.

Preamble.	W HEREAS it is expedient to consolidate the law relating to oaths and affirmations in judicial proceedings and for other purposes: Be it therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows:
Short title.	1 This Ordinance may be cited as "The Oaths Ordinance, 189 "; and it shall come into operation at such date as the Governor shall, by Proclamation to be published in the <i>Government Gazette</i> , appoint.
Commencement.	
Repeal.	2 From and after the coming into operation of this Ordinance, Ordinance No. 3 of 1842, intituled "For the substitution of Solemn Affirmation in lieu of Oaths in certain cases," shall be repealed.
Saving of certain proceedings.	3 Nothing herein contained applies to proceedings before court martials.
Authority to administer oaths.	4 All courts and persons having by law or consent of parties authority to receive evidence are authorized to administer by themselves, or by an officer empowered by them in this behalf, oaths and affirmations in discharge of the duties or in exercise of the powers conferred upon them respectively by law.
Oaths to be made by witnesses.	5 (1) Subject to the provisions of the next following section, oaths shall be made by the following persons : (a) All witnesses, that is to say, all persons who may be lawfully examined, or give or be required to give evidence by or before any court or person having by law or consent of parties authority to examine such persons, or to receive evidence ; (b) Interpreters of questions put to, and evidence given by, witnesses ; and (c) Jurors. (2) Nothing herein contained shall render it necessary to administer to the official interpreter of any court, after he has entered on the execution of the duties of his office, an oath that he will faithfully discharge those duties.
Exemptions.	6 Where the person required by law to make an oath— (a) Not being a Christian, is a Buddhist, Hindu, or Muhammadan, or of some other religion according to which oaths are not of binding force ; or (b) Has a conscientious objection to making an oath ; he may, instead of making an oath, make an affirmation.
Forms of oaths and affirmations.	7 All oaths and affirmations made under either of the two last preceding sections shall be administered according to such forms and with such formalities as may be from time to time prescribed by rules made under section 53 of "The Courts Ordinance, 1889," and until such rules are made according to the forms and with the formalities now in use.
Power of court to tender certain oaths.	8 If any party to or witness in any judicial proceeding offers to give evidence on oath or solemn affirmation in any form common amongst, or held binding by, persons of the race or persuasion to which he belongs, and not repugnant to justice or decency, and not purporting to affect any third person, the court may, if it thinks fit, notwithstanding anything hereinbefore contained, cause such oath or affirmation to be tendered him.

Court may ask party or witness whether he will make oath proposed by opposite party.

Administration of oath if accepted.

Evidence conclusive against party offering to be bound.

Procedure in a case of refusal.

Proceedings and evidence not to be invalidated by omission of oath or irregularity.

Persons giving evidence bound to state the truth.

Summary punishment for perjury in open court.

9 (1) If any party to any judicial proceeding of a civil nature offers to be bound by any such oath or solemn affirmation as is mentioned in the last preceding section, if such oath or affirmation is made by the other party to or by any witness in such proceeding, or if in any judicial proceeding of a criminal nature the accused person desires that any witness for the prosecution shall make any such oath or affirmation, the court may, if it thinks fit, ask such party or witness, or cause him to be asked, whether or not he will make the oath or affirmation.

(2) If such party or witness agrees to make such oath or affirmation, the court may administer it, or, if more convenient, may authorize any person to administer it, and to take the evidence of the person to be sworn or affirmed and return it to the court.

(3) The evidence so given shall, as against the person who offered to be bound as aforesaid, be conclusive proof of the matter stated.

(4) If the party or witness refuse to make such oath or solemn affirmation, he shall not be compelled to make it, but the court shall record as part of the proceedings the nature of the oath or affirmation proposed, the facts that he was asked whether he would make it and that he refused it, together with any reason which he may assign for his refusal.

10 No omission to take any oath or make any affirmation, no substitution of any one for any other of them, and no irregularity whatever in the form in which any one of them is administered, shall invalidate any proceeding or render inadmissible any evidence whatever in or in respect of which such omission, substitution, or irregularity took place, or shall affect the obligation of a witness to state the truth.

11 Every person giving evidence on any subject before any court or person hereby authorized to administer oaths and affirmations shall be bound to state the truth on such subject.

12 (1) If any person giving evidence on any subject in open court in any judicial proceeding, whether civil or criminal, gives, in the opinion of the court before which the judicial proceeding is held, false evidence within the meaning of section 190 of "The Ceylon Penal Code," it shall be lawful for the court, if such court be the Supreme Court, summarily to sentence such witness as for a contempt of the court to imprisonment, either simple or rigorous, for any period not exceeding three months, or to fine such witness in any sum not exceeding two hundred rupees, or if such court be an inferior court, to order such witness to pay a fine not exceeding fifty rupees, and in default of payment of such fine to undergo rigorous imprisonment for any period not exceeding two months.

(2) Any person who has undergone any sentence of imprisonment or paid any fine imposed under this section shall not be liable to be punished again for the same offence.

(3) Any person against whom any order is made by any court other than the Supreme Court, under sub-section (1) of this section, may appeal to the Supreme Court, and every such appeal shall be subject to the provisions of section 407 of "The Criminal Procedure Code, 1883."

(4) In lieu of exercising the power given by this section, the court may, if it thinks fit, transmit the record of the judicial proceeding to the Attorney-General to enable him to exercise the powers conferred on him by "The Criminal Procedure Code, 1883," or proceed in manner provided by sub-section (b) of section 149 of the said Code.

(5) Nothing in this section contained shall be construed as derogating from or limiting the powers and jurisdiction of the Supreme Court or the judges thereof.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, September 23, 1895.

E. NOEL WALKER,
Colonial Secretary.

MINUTE.

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

An Ordinance to consolidate and amend the Law providing for the granting of Pensions to Widows and Children of Deceased Public Officers of this Colony.

Preamble.

WHEREAS it is expedient to consolidate and amend the law providing for the granting of pensions to the widows and children of deceased public officers of this colony: Be it therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Widows' and Orphans' Pension Fund Ordinance, 1895."

Repeal.

2 The Ordinance No. 20 of 1885, and the Ordinance No. 1 of 1890, and the Ordinance No. 15 of 1894, are hereby repealed; provided that such repeal shall not affect—

- (a) The past operation of anything duly done or suffered under the said Ordinances hereby repealed; nor
- (b) Any right, privilege, obligation, or liability acquired, accrued, or incurred thereunder; nor
- (c) Any penalty or forfeiture incurred in respect of any breach of the provisions of the said Ordinances hereby repealed; nor
- (d) Any legal proceeding or remedy in respect of such right, privilege, obligation, liability, penalty, or forfeiture as aforesaid.

Interpretation of terms:

3 The following words and expressions when used in this Ordinance shall have the meanings hereby assigned to them, unless there is something in the subject or context repugnant to such construction:

"Public officer."

"Public officer" shall mean an officer holding a permanent office in the service of this colony in respect of which office he may become entitled under any regulations which are now or which may hereafter be in force, to a pension, and drawing a salary from the Colonial Treasury of not less than two hundred and fifty rupees annually in respect either of one such office or of two or more such offices held conjointly. An officer holding a permanent office in respect of which he may become entitled under any regulations which are now or which may hereafter be in force to a pension of which the salary is, after this Ordinance comes into force, increased so as to cause such salary to amount to or to exceed two hundred and fifty rupees, and an officer who is after the passing of this Ordinance promoted to a permanent office in respect of which he may become entitled under any regulations which are now or which may hereafter be in force to a pension, and of which the salary amounts to or exceeds the sum of two hundred and fifty rupees annually, is a public officer. Provided that the provisions of this Ordinance shall not apply to any officer who is by law entitled to have more than one wife at any one time, nor to the widow or children of any such officer.

"Salary."

"Salary" shall mean the remuneration paid to an officer in respect of any permanent office held by him in the service of this colony in respect of which office he may become entitled under any regulations which are now or which may hereafter be in force to a pension, but shall not include any fees accruing to any officer in respect of such office.

"Pension."	"Pension" shall include compassionate allowance and superannuation allowance.
"Director."	"Directors" shall mean the directors incorporated under section 6 of this Ordinance.
"Treasurer."	"Treasurer" shall mean the officer holding the office of Treasurer of the Colony.
Fund how constituted.	<p>4 The fund already formed and now in existence under the provisions of the Ordinance No. 15 of 1884, and under the provisions of the Ordinance No. 20 of 1885, and the fund to be created under the provisions of this Ordinance for providing pensions for widows and children of public officers shall be consolidated and called "The Widows' and Orphans' Pension Fund."</p>
Investment of fund.	<p>5 All moneys belonging to the said fund, whether arising from past or future contributions, fines, interest, or otherwise, shall be invested with the Government of this colony, and shall bear interest payable by the said Government from the date at which this Ordinance comes into operation, at the rate of four per centum per annum free from any deduction, and such interest shall be made up on the thirty-first day of December in each year, and shall be calculated upon the mean monthly balance standing in the hands of the Treasurer of the colony to the credit of such fund during the course of the year. Provided, however, that it shall be lawful for the Government of this colony from time to time, on giving four months' notice in writing to the directors of the intention so to do, to transfer to the directors any portion of the fund for the time being held by the Government or of the securities in which such portion is invested; and the portion of the fund so transferred shall up to and until the expiry of such four months bear interest at the rate of four per centum per annum.</p>
Appointment of directors.	<p>6 (1) For the due and proper management of the fund the Governor in Executive Council shall appoint any number of public officers, not exceeding five, as directors, who shall thereupon become a corporation with continuance for ever under the name and style of "The Directors of the Widows' and Orphans' Pension Fund," with full power and authority to have and to use a common seal, and to change and alter the same at their will and pleasure, and the Directors so appointed shall and may in their name and style as a corporation perform each and every of the duties, and exercise each and every of the powers, imposed on the directors by this Ordinance. Provided, however, that the seal of the said corporation shall not be affixed to any instrument except in the presence of two of the directors, who shall each sign his name to the instrument in token of his presence, and such signing shall be independent of the signing of any person who may sign the instrument as a witness.</p>
Cancellation of such appointment.	<p>(2) It shall be lawful for the Governor in Executive Council to cancel and annul the appointment of any person appointed to be a director, and upon notification thereof in the <i>Government Gazette</i> such person shall cease to be a director, and shall cease to have and exercise the powers of a director.</p>
Substitution of director.	<p>(3) In the event of the death of a director, or in the event of the absence from the island of a director, or in the event of the cancellation and revocation of the appointment of any person appointed to be a director, the Governor in Executive Council shall appoint a public officer to be a director in place of the director who shall have died, or shall be absent from the island, or whose appointment shall have been cancelled or revoked, and such person so appointed shall have and exercise all the powers reposed in a director by this Ordinance.</p>
To invest moneys in securities.	<p>(4) It shall be lawful for the directors from time to time to invest any portion of the fund transferred to them by the Government as aforesaid in any of the following securities, namely, in Ceylon Government inscribed stock, Ceylon</p>

	Government debentures, and in such securities of the Government of Great Britain or of the Indian Government, or of the Government of any British colony as may from time to time be approved by the Governor in Executive Council.
Management of fund.	(5) The directors shall superintend and direct the management and administration of the fund, and shall see that the laws and regulations relating thereto are duly fulfilled.
Annual report.	(6) It shall be the duty of the directors annually, on or before the thirty-first day of January, to prepare a statement and account of the fund for the year ending the thirty-first December preceding, and such statement and account shall be laid before the Governor and the Legislative Council.
Appointment of agents, &c.	(7) The directors may from time to time under their common seal appoint such officer or officers, agent or agents, as they may consider fit and necessary, for recovering all dividends, interest, or other revenue to be derived from all investments already made, or which may hereafter be made by them, or for otherwise carrying out the provisions of this Ordinance, and all persons so appointed shall hold office during the pleasure of the directors.
Pension to officers employed under the directors.	(8) The Governor in Executive Council may, if it shall appear expedient to him, from time to time prescribe rules for the grant of retiring pensions or gratuities to officers and servants appointed under this Ordinance and to those heretofore appointed, and the directors of the widows' and orphans' pension fund shall, subject to such rules, pay such pensions and gratuities out of the moneys of the widows' and orphans' pension fund.
Officers to give security.	(9) The officers receiving salaries of Rs. 250 and upwards from the moneys of the Widows' and Orphans' Pension Fund, and entitled to pension under any rule made under the preceding section, are hereby declared to be public officers within the meaning of this Ordinance, and may be required to give security under the provisions of "The Public Officers' Security Ordinance, 1890."
Meetings of directors.	(10) At every meeting of the directors the managing director (who shall be appointed by the Governor) shall preside, and in the absence of the managing director the senior public officer present shall preside. Every question shall be decided by the vote of the majority of those directors present at the meeting, provided that if the votes be equally divided the chairman shall have a casting vote in addition to his vote as director. There shall be no meeting at which there shall not be at the least three directors present and voting.
Cost of management of fund.	7 A sum not exceeding five per centum of the annual contributions to the fund may be paid by the Treasurer to the directors for the purpose of defraying all expenses connected with the management and administration of the fund, provided that no payment shall be made to any director as salary or remuneration for his own services without the consent and approval of the Governor and Executive Council.
Directors may make rules and regulations.	8 The directors shall frame rules and regulations not inconsistent with the provisions of this Ordinance for the proper carrying out of the provisions thereof, and such rules and regulations when approved by the Governor and Executive Council, and published in the <i>Government Gazette</i> , shall be valid and binding upon all persons.
Officers required to pay abatement to Treasurer; in default Treasurer to deduct from salaries.	9 From and after the date when this Ordinance comes into operation, every public officer shall pay to the Treasurer, within fifteen days after the receipt by him of his salary, a sum equal to four per centum, upon his monthly salary. Such payment and the arrears of any contribution due and payable under the provisions of the Ordinances No. 15 of 1884 and No. 20 of 1885 shall be taken to be a debt due to the fund by the public officer, and shall be payable, together with interest thereon at six per centum per annum, forthwith or by such instalments as the directors may determine. The

Treasurer shall, upon the written order of the directors or of any two of them, deduct from any moneys which may be or may become due or payable to the public officer by whom such debt is payable the whole or any part of such debt. Provided that it shall be lawful for the directors to sue the public officer in a court of law for the recovery of any debt due by such public officer, and to proceed to execution for the recovery of such debt, and that the provisions of the Ordinance No. 22 of 1871 shall not apply to any such debt.

Period for which abatement shall be made.

10 The abatement of four per centum from the salary of a public officer shall continue to be made until such officer attains the age of sixty-five years, should he continue so long in the public service, at which date it shall cease; such abatement shall also cease after an officer has been subject to the abatement for thirty-five successive years.

Officer retiring on pension not to be called upon to contribute more than four per cent. from such pension.

11 A public officer who has attained the age when he shall have acquired the right to retire from the public service, or who may be allowed to retire from the public service on account of ill-health before he attains the age at which he would otherwise be entitled to retire, or who may be deprived of the situation in respect of which he contributed to the fund, but who is entitled to retire on pension, should he retire on a pension, shall not be called upon to make any further contribution to the fund beyond a monthly abatement from his pension of four per centum on such pension, to commence from the date of his retirement until he attains sixty-five years of age, or has been subject to abatement for thirty-five years, when such abatement shall cease.

An officer deprived of his office may continue to contribute.

12 A public officer who may retire from the public service, or who may be deprived of the office in respect of which he contributed to the fund, but who shall not be granted a pension, may continue to contribute from the date of his so retiring or being deprived of his office on the salary which he was receiving at the date of such retirement or deprivation, at the same rate and subject to the same terms and conditions as if he had continued in the public service and continued to receive the salary which he was receiving at the date of such retirement or deprivation. In the event of his ceasing to contribute, or in the event of any contributions due from him not having been paid for six months, his widow or his widow and orphans, as the case may be, shall be entitled upon the death of such public officer only to a pension computed on the basis of the interest acquired by such contributor in the fund at the date of his so retiring or being deprived of his situation in accordance with the tables hereinafter referred to.

Provision for case of officers transferred to other employment under the Crown.

13 A public officer who has been transferred prior to the passing of this Ordinance, or who may be hereafter transferred from the service of this Government to any other office under the Crown, may cease to contribute to the fund from the date of his ceasing to hold office in the service of this Government, and in such case his widow, or his widow and orphans as the case may be, shall be entitled upon the death of such officer only to a pension computed on the basis of the interest acquired by such contributor in the fund at the date of his ceasing to hold office in the service of this Government, in accordance with the tables hereinafter referred to. Provided, however, that it shall be lawful for such officer to continue to contribute from the date of his ceasing to hold office in the service of this Government and being transferred to another office under the Crown on the salary which he was receiving while holding office under this Government, at the same rate and subject to the same terms and conditions as if he had continued to hold such office under this Government.

Officer to furnish particulars within three months of his appointment.

14 Every public officer shall, within three months of the date of his becoming liable to contribute to the fund, forward to the directors a declaration setting forth the date of his becoming so liable, his own name in full and the date of his birth, and if he be married the date of his marriage and the

maiden name in full and the date of birth of his wife, and if he have any child or children their names in full and the date of each of their births. The public officer making the declaration shall furnish to the directors such proof of the statements made therein as may be required by the directors.

Officer to notify marriage.

15 Every public officer who shall marry after the passing of this Ordinance shall, within thirty days of his marriage, forward to the directors a declaration setting forth the date of such marriage, and the maiden name of his wife, and the date of her birth, and if there be any children by him born to his wife prior to his marriage he shall make a declaration setting forth the names and date of birth of each of such children.

Officer to notify birth of child.

16 Every public officer shall, within thirty days, notify to the directors the date of the birth of each child born to him after the passing of this Ordinance.

Officer to notify death of wife, or if she be divorced from him.

17 Every public officer whose wife shall die or be divorced from him, or whose child shall die, or whose female child shall be married, shall, within thirty days, notify to the directors the date of such death, divorce, or marriage.

Penalty for non-compliance with foregoing.

18 Every public officer who shall in the judgment of the directors have failed, omitted, or refused to perform any duty cast upon him, or to do any act required of him by this Ordinance or by the rules and regulations made as herein provided, or who shall in the judgment of the directors have furnished any false information or made any false declaration, may be adjudged by the directors to pay for each such omission, default, refusal, and false information and declaration a penalty not exceeding fifty rupees. The Treasurer shall, upon the judgment of the directors being notified to him, deduct such penalty from the first moneys payable to the public officer as salary or otherwise, and shall pay such amount to the credit of the fund.

Who shall be entitled to pension.

19 The widows and orphans entitled to pensions from the fund are the widows and orphans of public officers who have contributed to the fund in accordance with the provisions of this Ordinance, save as hereinafter excepted. No pension shall become due, and no pension shall be paid to any widow or orphan of any public officer until every debt due to the directors by such public officer shall have been fully discharged.

Exceptions from benefits of fund.

20 No widow of a public officer who dies within one year from the date of such marriage shall be entitled to a pension under this Ordinance, unless a lawful child is born of such marriage. Provided that it shall be lawful for the directors to award pension to such widow if it shall appear to such directors expedient. The child of any public officer born out of wedlock, who has become legitimate by the subsequent marriage of such public officer with the mother of such child, shall be entitled to a pension or allowance from the fund, provided that his father shall not have died within twelve months of such marriage, in which case such child shall lose all interest in the fund.

When pension to orphans shall cease.

21 The allowance or pension to orphans shall cease in the case of males at the age of eighteen years, and in the case of females on marriage or at the age of twenty-one years.

Pension how computed.

22 The pension or allowance to which a widow or child of a deceased public officer is entitled shall be computed according to tables to be approved of by the Governor in Executive Council. Such tables shall be adjusted and revised every five years by an actuary or actuaries who shall be appointed by the directors, with the approval and consent of the Governor in Executive Council, and who shall be paid by the directors out of the moneys assigned to them for the due management and administration of the fund. All pensions to widows or children, whether in possession or in expectation and reversion, shall be subject to re-adjustment, and shall be computed upon the tables so adjusted and revised, and diminished or increased accordingly.

Pension to orphans.

23 When a public officer being a widower and unmarried dies leaving a child or children entitled to pensions, or when a widow of a public officer dies and there be a child or children of such public officer surviving entitled to pension, the pensions of such child or children shall be the amount which the widow would have received or had been receiving, equally divided between the children.

Provision in case of widow marrying.

24 The widow of a public officer who marries again shall cease to receive a pension from the date of such second marriage; and the children of such widow and public officer shall thereupon be entitled to pension as hereinbefore provided in the event of the death of both parents.

Provision in case of a widow and children of a previous marriage.

25 When a public officer dies leaving a widow and children the issue of a previous marriage existing when the public officer became a contributor to the fund, or contracted after he became such contributor, and such children are of ages which entitle them to pensions from the fund, such children shall be entitled each of them to an equal share or portion of the half of the pension to which their mother, if she had survived their father, would have been entitled. The widow of such public officer shall be entitled to one-half of the pension to which she would have been entitled had there been no such children; and if the public officer dies leaving no such children then she shall be entitled to the whole of such pension as she would have received had there been no such children. Should the widow die leaving no issue of her marriage with the public officer, the children of the first marriage shall be entitled to such pensions as if the public officer had not contracted a second marriage. Should the widow die leaving children the issue of her marriage with the public officer, such children shall be entitled each to an equal share or portion of the pension to which their mother was entitled.

Pension to children of a widower.

26 The children of a widower who contributed to the fund shall be entitled on the death of such public officer to the pension to which they would have been entitled if their mother had been living at the time of his becoming liable to contribute thereto.

Pension to be paid monthly, and proof of death to be produced before payment.

27 The pension payable to any person entitled thereto under this Ordinance shall begin upon the death of the public officer or of his widow, as the case may be, and shall accrue daily and shall be paid monthly. But before any such payment it shall be lawful for the directors to require proof that any widow or child is alive and entitled to the pension claimed by such widow or child.

Pensions not to be assigned or levied upon.

28 No pension payable from the fund shall be assigned or transferred, and every assignment or transfer shall be absolutely null and void, and of no effect. No such pension shall be attached or levied upon or arrested or taken in execution on account of any debt or payment due by the person to whom such pension is payable.

Questions and disputes to be decided by Governor in Executive Council.

29 Should any question arise as to whether any person is a public officer within the meaning of this Ordinance, or as to whether any person is entitled to any pension as the widow or child of a public officer, or as to the amount of pension to which any widow or child shall be entitled, or as to the meaning or construction to be assigned to any section of this Ordinance, or to any rule or regulation made under the provisions thereof, it shall be lawful for the directors, and such directors are required, upon the application of any such public officer, widow, or child, to submit such question for decision to the Governor and the Executive Council; and the decision of the Governor and Executive Council thereon shall be final. No action or suit at law shall lie at the instance of any widow or child, or other person claiming to have an interest in the fund or to be entitled to any pension therefrom, against the directors or any of them, or against the Treasurer for the payment of any sum claimed to be due as pension.

Widow not entitled to pension if marriage contracted after officer had ceased to contribute.

Pension not to exceed amount fixed by the actuary.

No increase or decrease of pension if residing in climate less or more healthy than Ceylon.

Contributions may continue in full if income reduced.

Commencement of Ordinance.

30 No widow of a public officer whose marriage was contracted after he had ceased to contribute, and no child of such marriage shall be entitled to any pension.

31 The pension to which any widow, or in the event of the death of the widow to which the child or children of a public officer shall become entitled, shall in no case exceed the sum which shall be fixed by the actuary or actuaries appointed under the 23rd section of this Ordinance at every quinquennial period.

32 No pension, whether payable to a widow or to a child or children, shall be increased or decreased by reason of the residence of the person entitled to such pension being less or more healthy as to climate than Ceylon.

33 Whenever the salary of a public officer becomes reduced, such public officer may elect to continue to contribute upon the higher salary which he was receiving previous to such reduction, and subject to the same terms and conditions as if he had continued to draw the higher salary. Should such public officer not elect so to continue to contribute upon the higher salary, and contribute on the lower salary; any pension to his widow or children shall be diminished in the same amount as it would have been increased had such public officer's salary been increased and not diminished.

34 This Ordinance shall come into operation on a day fixed by the Governor by Proclamation to be for that purpose published in the *Government Gazette*.

By His Excellency's command,

E. NOEL WALKER,
Colonial Secretary.

Colonial Secretary's Office,
Colombo, September 27, 1895.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary
Jurisdiction.
No. C/650.

In the Matter of the Goods and Chattels of Weerathavarapparumegey Siman Silva, of Makola, deceased.

THIS matter coming on for disposal before J. H. Templer, Esq., Acting District Judge of Colombo, on the 29th day of August, 1895, in the presence of J. E. R. Pereira, Proctor, on the part of the petitioner Mallahavidhanalagey Lucia Perera Hamine, dated 21st August, 1895, having been read:

It is ordered that the said Mallahavidhanalagey Lucia Perera Hamine be, and she is hereby declared entitled to have letters of administration to the estate of Weerathavarapparumegey Siman Silva, deceased, unless the respondents—(1) Weerathavarapparumegey Helena Silva Hamine of Makola in the Adikari pattu of Siyane korale; (2) Weerathavarapparumegey Punchi Nona Silva of Kinigama in the Meda pattu of Siyane korale and her husband; (3) Rupesinghe Jayasundara Appuhamilagey Allis Appuhamy of Kinigama in the Meda pattu of Siyane korale; (4) Weerathavarapparumegey John Silva of Makola in the Adikari pattu of Siyane korale; (5) Weerathavarapparumegey Harath Silva of Beanwila in the Adikari pattu of Siyane korale; and (6) Weerathavarapparumegey Louis Silva of Makola in the Adikari pattu of Siyane korale—shall, on or before the 17th day of October, 1895, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary
Jurisdiction.
No. C/652.

In the Matter of the Joint Estate and Effects of Kalowadewage Raphial Fernando and Illandaridewage Nikoehchi Fernando, late of Wanawahala, in the Adikari pattu of Siyane korale, husband and wife, deceased.

THIS matter coming on for disposal before J. H. Templer, Esq., Acting District Judge of Colombo, on the 29th day of August, 1895, in the presence of D. C. Pedris, Proctor, on the part of the petitioner Kalowadewage Siman Fernando, of Dalugama, in the Adikari pattu of Siyane korale; and the affidavit of the said Kalowadewage Siman Fernando, dated 28th August, 1895, having been read: It is ordered that the said Kalowadewage Siman Fernando be and he is hereby declared entitled to have letters of administration to the joint estate of Kalowadewage Raphial Fernando and Illandaridewage Nikoehchi Fernando, husband and wife, deceased, issued to him as the eldest son of the said deceased, unless the respondents—1, Kalowadewage Ada Fernando and husband 2, Pinpurudewage Sanial Fernando, both of Walpola in Ragam pattu of Alutkuru korale; 3, Kalowadewage Kaloo Fernando and husband; 4, Hewadewage Gabriel Fernando, both of Wanawahala; 5, Kalowadewage Noni Fernando and husband; 6, Suduadewage Telanis Fernando, of do.; 7, Kalowadewage Vengo Fernando and husband; 8, Illandaridewage Thinna Fernando, of do.; 9, Ranepuradewage Juanis Fernando; 10, Ranepuradewage Nono; 11, Ranepuradewage Iskia; 12, Ranepuradewage Maggie; 13, Ranepuradewage Davith; 14,

Ranepuradewage Welby, all of Wanawahala—shall, on or before the 17th day of October, 1895, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,
Acting District Judge.

The 29th day of August, 1895.

In the District Court of Negombo.

Testamentary Jurisdiction. } In the Matter of the Estate of Chandrasekara Mudaligey Don Thelemis Appuhamy, deceased, of Indiparippe. No. 187.

Don Johannes Chandrasekara Appuhamy, of Indiparippe..... Petitioner.

1, K. A. Susanchy Nonohamy, widow of Thelenis Appuhamy; 2, D. S. Chandrasekara; 3, D. C. Chandrasekara, all of Indiparippe in Hapitigam korale; 4, J. C. Chandrasekara Hamine; 5, D. W. Punchi Banda, of Ambuangala in Beligal korale of Four Korales, Kegalla District..... Respondents.

THIS matter coming on for disposal before G. C. Roosmalecocq, Esq., District Judge, on the 11th day of September, 1895, in the presence of Mr. W. M. Rajapakse, Proctor, on the part of the petitioner; and the affidavit of the said petitioner, dated 3rd day of July, 1895, having been read:

It is ordered that the petitioner Don Johannes Chandrasekara Appuhamy be, and he is hereby declared entitled to have letters of administration to the estate of the above-named shall, on or before the 8th day of October, 1895, show sufficient cause to the satisfaction of this court to the contrary.

G. C. ROOSMALECOQC,
District Judge.

This 11th September, 1895.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of Kurukulasuria Joseph Perera, of Grand street, Negombo, deceased. No. 189.

THIS matter coming on for disposal before G. C. Roosmalecocq, Esq., District Judge, on the 13th day of September, 1895, in the presence of Mr. W. M. Rajapakse, Proctor, on the part of the petitioner Kurukulasuria Isabella Fernando; and the affidavit of the said petitioner, dated the 4th day of September, 1895, having been read:

It is ordered that the said petitioner Kurukulasuria Isabella Fernando be, and she is hereby declared entitled to have letters of administration to the estate of the above deceased issued to her, as mother of the said deceased, unless any person shall, on or before the 8th day of October, 1895, show sufficient cause to the satisfaction of this court to the contrary.

G. C. ROOSMALECOQC,
District Judge.

This 13th September, 1895.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of Etampola Arachchigey Vinge Hamy, of Alutepola, deceased. No. 190.

Between Imiage Domingo Appu, of Alutepola..... Petitioner And

1, Imiage Baronchi Appu; 2, Imiage Senchi Appu; 3, Imiage Bastian Vederala; 4, Imiage Don Davith Appu; 5, Imiage Welon Appu; 6, Imiage Javanis Appu; 7, Imiage Isan Appu, all of Alutepola..... Respondents.

THIS matter coming on for disposal before G. C. Roosmalecocq, Esq., District Judge, on the 13th

day of September, 1895, in the presence of Mr. W. M. Rajapakse, Proctor, on the part of the petitioner; and the affidavit of the said petitioner, dated 4th day of September, 1895, having been read:

It is ordered that the said petitioner Imiage Domingo Appu be and he is hereby declared entitled to have letters of administration to the estate of the above-named deceased issued to him, as the widower of the said deceased unless the respondents above-named shall, on or before the 8th day of October, 1895, show sufficient cause to the satisfaction of this court to the contrary.

G. C. ROOSMALECOQC,
District Judge.

This, 13th September, 1895.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of Mutukuda Arachchigey Hendrick Dias Appuhamy of Siambalapitiya, deceased. No. 191.

Between Basnaiyake Appuhamillagey Sido Tissera Hamine, of Siambalapitiya..... Petitioner

And

1, Mutukuda Arachchigey Davith Dias Appuhamy; 2, Mutukuda Arachchigey Roida Dias Hamine; 3, Mutukuda Arachchigey Leisa Dias Hamine; 4, Mutukuda Arachchigey Rejo Dias Hamine; 5, Mutukuda Arachchigey Aron Dias Appuhamy; 6, Mutukuda Arachchigey Mango Dias Hamine, all of Siambalapitiya..... Respondents.

THIS matter coming on for disposal before G. C. Roosmalecocq, Esq., District Judge, on the 13th day of September, 1895, in the presence of Mr. W. M. Rajapakse, Proctor, on the part of the petitioner; and the affidavit of the said petitioner, dated 7th day of August, 1895, having been read:

It is ordered that the said petitioner Basnaiyake Appuhamillagey Sido Tissera Hamine be, and she is hereby declared entitled to have letters of administration to the estate of the above-named deceased issued to her, as widow of the said deceased, unless the respondents above-named shall, on or before the 8th day of October, 1895, show sufficient cause to the satisfaction of this court to the contrary.

G. C. ROOSMALECOQC,
District Judge.

This 13th September, 1895.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of Rajapaksepathirannahalage Akolis Appuhamy, of Kaleliya Pallewela, deceased. No. 192.

Between Wijeratne Maapuhamillagey Punchi Nona, of Kaleliya Pallewela..... Petitioner

And

1, Allis Rajapakse; 2, Arnolis Rajapakse; 3, Aron Rajapakse; 4, Andiris Rajapakse, all of Kaleliya Pallewela..... Respondents.

THIS matter coming on for disposal before G. C. Roosmalecocq, Esq., District Judge, on the 14th day of September, 1895, in the presence of Mr. Rajapakse, Proctor, on the part of the petitioner; and the affidavit of the petitioner Wijeratne Maapuhamillagey Punchi Nona, dated 9th day of September, 1895, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled to have letters of administration to the estate of the above deceased issued to her, as widow of the said deceased, unless the respondents above-named shall, on or before the 8th day of October, 1895, show sufficient cause to the satisfaction of this court to the contrary.

G. C. ROOSMALECOQC,
District Judge.

This 14th September, 1895.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the late Pattinayar, wife of Kanther Sithempary, of Kondavil, deceased.

1, Naranapilly Ponnampalam and wife, 2, Nagamuttu, of Inovill Petitioners.

Vs.

Kanther Sithempary, of Kondavil Respondent.

THIS matter of the petition of Naranapilly Ponnampalam and wife Nagamuttu of Inovill, praying for letters of administration to the estate of the above-named deceased Pattinayar, wife of Kanther Sithempary, of Kondavil, coming on for disposal before G. W. Woodhouse, Esq., Additional District Judge, on the 13th day of September, 1895, in the presence of Mr. T. M. Tampoo, Proctor, on the part of the petitioners; and the affidavit of the first petitioner, dated the 13th day of September, 1895, having been read: It is declared that the petitioners are the heirs and next of kin of the said intestate, and are as such entitled to have letters of administration to the estate of the said intestate issued to them, unless the respondent or any other person shall, on or before the 21st day of October, 1895, show sufficient cause to the satisfaction of this court to the contrary.

G. W. WOODHOUSE,
Additional District Judge.

The 13th day of September, 1895.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of the late Sithempapillai Aiyampillai, of Chandampokkaddi, deceased.

Valliyammai, widow of Aiyampillai, of Chandampokkaddi..... Petitioner.

Vs.

1, Sithempapillai Kanapathipillai, of Thavalai Iyattalai; 2, Sithempapillai Arumugam, of Thavalai Iyattalai; 3, Sithempapillai Chinnakutty, of Musalai..... Respondents.

THIS matter of the petition of Valliyammai, widow of Aiyampillai, of Chandampokkaddi, praying for letters of administration to the estate of the above-named deceased Sithempapillai Aiyampillai, of Chandampokkaddi, coming on for disposal before G. W. Woodhouse, Esq., Additional District Judge, on the 9th day of September, 1895, in the presence of Mr. Tambiah S. Cook, Proctor, on the part of the petitioner; and the affidavit of the petitioner, dated the 3rd day of September, 1895, having been read: It is declared that the petitioner is the lawful widow of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondents or any other person shall, on or before the 14th day of October, 1895, show sufficient cause to the satisfaction of this court to the contrary.

G. W. WOODHOUSE,
Additional District Judge.

Signed this 9th day of September, 1895.

In the District Court of Trincomalee.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Estate of Rasumma, wife of C. M. Appajeepillai, late of Trincomalee.

C. M. Appajeepillai, of No. 3 Division, Trincomalee Petitioner.

Vs.

Appajeepillai Kanaganayagan, of No. 3 Division, Trincomalee Respondent.

THIS matter coming on for disposal before G. M. Fowler, Esq., District Judge of Trincomalee, on the 16th day of September, 1895, in the presence of Mr. S. Viswalingan, Proctor, on the part of the petitioner; and the affidavit of the said C. M. Appajeepillai, dated the 11th day of September, 1895, having been read: It is ordered that the said C. M. Appajeepillai be and he is hereby declared entitled, as the husband of the said intestate, to have letters of administration to the estate of the

late Rasumma, wife of C. M. Appajeepillai, issued to him, unless the above-named respondent or any other person shall, on or before the 23rd day of October, 1895, show sufficient cause to the satisfaction of this court to the contrary.

Trincomalee,
September 20, 1895.

G. M. FOWLER,
District Judge.

In the District Court of Chilaw.

Order Nisi.

No. 498. In the Matter of the Estate of the late Pattinige Marikida Fernando, of Ulhitiyawa.

THIS matter coming on for disposal before James Jamieson Thorburn, Esq., District Judge of Chilaw, on the 17th day of September, 1895, in the presence of the petitioner Jayasuriya Kurunage Bernado Perera, of Ulhitiyawa; and the affidavit of the said petitioner having been read: It is ordered that the said Jayasuriya Kurunage Bernado Perera, of Ulhitiyawa, be and he is hereby declared entitled to have letters of administration to the estate of the late Pattinige Marikida Fernando, of Ulhitiyawa, issued to him, and that such letters be accordingly issued to him, unless any person shall, on or before the 31st day of October, 1895, show sufficient cause to the contrary.

J. J. THORBURN,
District Judge.

In the District Court of Badulla.

Order Nisi.

No. B 70. { In the Matter of the Intestate Estate of Ramasami Avaldar, of Vadigune, deceased.

THIS matter coming on for disposal before J. G. Fraser, Esq., District Judge of Badulla, on the 30th August, 1895, in presence of Mr. G. F. Bartholomewsz, Proctor, for the petitioner; and the affidavit and petition of Sellamma of Passara, dated the 30th August, 1895, having been read: It is ordered that the said Sellamma be, and she is hereby declared entitled to have letters of administration to the estate of the deceased Ramasami Avaldar of Vadigune issued to her as one of the heirs, unless the respondents Petta Perdumal alias Nainan of Vedigune and Mariai of Padinawela and Theivani of Wedigune, or any other person, shall, on or before the 29th day of October, 1895, show sufficient cause to the satisfaction of this court.

J. G. FRASER,
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary Jurisdiction. } In the Matter of the Intestate Estate of Chayanna Kana Runa Carpen Chetty, of Golahela, deceased.

Chayanna Kana Runa Palaniappa Chetty, of Golahela Petitioner.

And

Chana Kana Runa Chitta Achchi, presently of Thurinayan, in the District of Pudukotte in India, Respondent.

THIS matter coming on for disposal before C. E. Wilmot, Esq., District Judge of Kegalla, on the 23rd day of September, 1895, in the presence of the petitioner Chayanna Kana Runa Palaniappa Chetty, of Golahela; and the affidavits of the said petitioner and Awanna Theena Ana Lana Palaniappa Chetty, of Kegalla, dated the 21st day of September, 1895, having been read: It is ordered that Chayanna Kana Runa Palaniappa Chetty, of Golahela, the petitioner aforesaid, be declared entitled to have letters of administration to the intestate estate of the deceased Chayanna Kana Runa Carpen Chetty, of Golahela, as son and heir of the said deceased, unless the respondent Chana Kana Runa Chitta Achchi, presently of Thurinayan, in the District of Pudukotte in India, shall, on or before the 26th day of October, 1895, show sufficient cause to the satisfaction of this court to the contrary.

C. EARDLEY-WILMOT,
The 25th day of September, 1895. District Judge.

NOTICES OF FISCALS' SALES.

Continued from page 444.

In the District Court of Negombo.

Maliniage Clementi Aponsu.....Plaintiff.
No. 1,983. Vs.
Pattinikuttige Thomis Nonis and others.....Defendants.

NOTICE is hereby given that on October 29, 1895, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises, the following property, specially hypothecated by bond No. 10,228 dated July 15, 1885, to wit:—

1. Four contiguous portions of lands called Kottan-gahawatta and the three cadjan houses standing thereon situate at Seththappaduwe in the Ragampattu of the Alutkuru korale; and bounded on the north by the garden of Bamberendege Juan Fernando, on the east by the garden of Rajkaula Raphael, on the south by the land of Baddeliyanage Don Jusey and others, and on the west by the land of Baddeliyanage Don Jusey; containing in extent 1 acre and 1 rood more or less.

2. An undivided half share of the garden called Madan-gahawatta, at do.; the entire land is bounded on the north by the garden of Walerianu Fernando and others, on the east by the garden of Pattinikuttige Thomis Nonis, on the south by the garden of the said Thomis Nonis, and on the west by the garden of Don Joseph, Police Headman; containing in extent 3 roods more or less; and declared liable to be sold for the satisfaction of the decree entered in the above case.

Amount to be levied, Rs. 1,084.25.

J. P. LEWIS,
Deputy Fiscal.
Deputy Fiscal's Office,
Negombo, October 1, 1895.

In the District Court of Colombo.

Dr. William Dias.....Plaintiff.
No. C/6,433. Vs.
Nanayakkara Warnakulapatabendige Amaris
Perera.....Defendant.

NOTICE is hereby given that on October 26, 1895, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the following mortgaged property, to wit:—

Those two contiguous allotments of land being parts of Kahatagahawatta and Kahatagaha or Gorakagahawatta, together with all the plantations and tiled house standing thereon, situate at Kanuwana in the Ragam pattu of the Alutkuru korale; bounded on the north by the live fence of the property of Mrs. Driberg, on the east by the live fence of the property of Katuwawelage Juse Peris and others, on the south by the road leading to Minuwangoda and by the land which formerly belonged to Juan Perera Gunatileka Appuhami and now of Mathes Perera, and on the west by the live fence of a portion of Kahatagahawatta allotted to Juse Perera and others and by the live fence of the land of Juan Peris; containing in extent 1 acre more or less.

Amount to be levied Rs. 965.04, and interest on Rs. 686.67 at 12 per cent. per annum from September 1, 1894.

J. P. LEWIS,
Deputy Fiscal.
Deputy Fiscal's Office,
Negombo, October 1, 1895.

In the District Court of Kalutara.

Nainabaduge Salman Fernando, of Beruwala.....Plaintiff.
No. 1,404. Vs.
1, Ahamado Lebbe Odawiyar Usubu Lebbe;
2, Ahamado Lebbe Odawiyar Meera Lebbe
Markar, both of Beruwala.....Defendants.

NOTICE is hereby given that on Monday, October 28, 1895, at 11 o'clock in the forenoon, will be sold

by public auction at the premises the following property for the recovery of the sum of Rs. 873, with interest on Rs. 750 at Rs. 13.87½ per mensem from June 28, 1894, viz:—

1. One-fourth part of the soil and of the trees of the land called Perumantottam, situated at Beruwala; bounded on the north by Mammaligodawatta, east by Maletottam and the land belonging to Bawa Lebbe, on the south by Perumantottam belonging to Meera Lebbe Bawa Lebbe, and on the west by Goreka-adipetiatottam and a field of Mammale Markan.

And on Tuesday, October 29, 1895, at 1 o'clock in the afternoon, will be sold by public auction at the Deputy Fiscal's Office, Kalutara, the first defendant's right, title, and interest in and to the mortgage bond No. 15,278, dated February 11, 1893, executed by Thamby Markar Abdul Rahiman for the sum of Rs. 1,000 mortgaged with the plaintiff by bond No. 6,162, dated June 28, 1894, and filed with the plaintiff, and the same are hereby declared bound and executable for the decree in the above case.

T. DE NEISE,
Deputy Fiscal.
Deputy Fiscal's Office,
Kalutara, September 30, 1895.

Central Province.

In the District Court of Kandy.

John N. d'Esterre, of Kandy.....Plaintiff.
No. 6,594. Vs.
Melville Bell, of Kollupitiya, Colombo.....Defendant.

NOTICE is hereby given that on October 25, 1895, commencing at 12 o'clock noon, will be sold by public auction at the Fiscal's Office, Kandy, the following property of the defendant, viz:—

One pair of gold bracelets set with stones, one pair of gold earrings set with stones, and three gold rings set with stones; specially mortgaged with the plaintiff by bond dated July 25, 1890, and declared bound and executable for the judgment on the footing of the said mortgage.

Amount of writ, Rs. 1,647.62.

C. R. CUMBERLAND,
Fiscal's Office,
Kandy, September 30, 1895.

Southern Province.

In the District Court of Colombo.

Maha Coomara Selestina Perera, of Dam street in Colombo, administratrix of the estate and effects of the late Mirihana Arachchige Joseph Perera, deceased.....Plaintiff.
No. C/6,636. Vs.

M. S. Arnolis, of Chatham street, Fort, Colombo, administrator of the estate and effects of the late M. S. Louis, deceased.....Defendant.

NOTICE is hereby given that on Saturday, October 26, 1895, commencing at 3 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz:—

1. All that house and ground bearing assessment No. 14, situated at Lighthouse street in the town of Galle.
2. All that house and ground bearing assessment No. 10, situated at Chandu street in the town of Galle.

This writ is issued to levy a sum of Rs. 1,217.15, with interest thereon at 9 per cent. per annum from November 19, 1894, till payment in full and costs.

C. T. LEEMBRUGGEN,
Fiscal's Office,
Galle, October 2, 1895.

In the District Court of Galle.

Ravenna Mana Ana Runa Ana Runa Narayan
Chetty, of Galle..... Plaintiff.
No. 3,112. Vs.
1, Muttumma Nachchia; 2, Memera Mohidin
Meerasa, both of China Garden Defendant.

NOTICE is hereby given that on Wednesday, October 23, 1895, at 3.30 o'clock in the afternoon, will be sold by public auction at the spot the following property, viz. :—

The soil and trees of a portion of land, in extent 18 acres 10.29 perches, of Kekiribokkewatta *alias* China Garden, together with the house bearing assignment No. 126 standing thereon, situate at Kumbalwela; containing in extent 24.4 perches; property mortgaged upon the obligatory dated January 25, 1887, and declared executable under the judgment entered in the above case.

This writ is issued to levy a sum of Rs. 1,200, and a further sum of Rs. 121.12 for cost.

Fiscal's Office, C. T. LEEBRUGGEN,
Galle, October 2, 1895. Deputy Fiscal.

North-Western Province.

In the District Court of Puttalam.

M. Y. M. Meyappa Chetty and another.....Plaintiffs.
No. 843. Vs.
Isidore Mt. Carmel Casie Chetty.....Defendant.

NOTICE is hereby given that on Wednesday, October 30, 1895, at 1 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. :—

1. A cocoanut garden called Manjadytottam, situated at Kadayamottai in Akkarai pattu; and bounded on the north by land belonging to Anthony de Rosairo, Mudaliyar, on the east and south by roads, and on the west by land belonging to Kasie Moheidin Tamby Naina Pulle; containing in extent about 18 acres.

2. A cocoanut garden called Manjadycholai, situated at the above place; and bounded on the north and south by roads, on the east by jungle land of Rawter, on the

west by land belonging to Peeru Saibo Kanakkapillai and others; containing in extent about 26 acres.

E. T. NOYES,
Deputy Fiscal's Office,
Puttalam, September 25, 1895. Deputy Fiscal.

In the District Court of Puttalam.

Pena Rina Lena Vena Lechimanen Chetty.....Plaintiff.
No. 930. Vs.

Piche Tamby Moheidin Piche and wife
Assen Mira Nachchia.....Defendants.

NOTICE is hereby given that on Monday, October 28, 1895, at 1 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. :—

The cocoanut garden bearing land lot No. 511, situated at Sinnevely in Puttalam; and bounded on the north by garden of Tamby Mudaly Seka Markar, east by land belonging to the estate of the late Sena Sinne Mira Pulle and now belonging to Segalado Mira Lebbe Markar, south by reservation for a road, and on the west by footpath alongside the Nindanykulam plane excluding therefrom the rent due to Aboobakker Markar.

Deputy Fiscal's Office, E. T. NOYES,
Puttalam, September 25, 1895. Deputy Fiscal

In the District Court of Puttalam.

Pena Rina Lena Vena Lechimanen Chetty.....Plaintiff.
No. 942. Vs.

Piche Tamby Mohiyadin Piche.....Defendant.

NOTICE is hereby given that on Tuesday, October 29, 1895, at 1 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 salt waikkal, situated at Sengalpitty in the eastern salterns in Puttalam; and bounded on the north by the partition dam of the waikkal belonging to the Ahamado Mira Lebbe Seeni Mira Saibo, on the east by the elevated land where salt is deposited, called Uppuputty, on the south by the partition dam of the waikkal of Ismail Naina Pulle Markar Seinyadin Markar, and on the west by drain and vellaya.

Deputy Fiscal's Office, E. T. NOYES,
Puttalam, September 25, 1895. Deputy Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

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

NOTICE is hereby given that a certificate of conformity as of the second class has been granted to the above-named insolvent.

By order of court,
J. B. MISSE,
Colombo, September 26, 1895. Secretary.

In the District Court of Kandy.

No. 1,960. In the matter of the insolvency of Ana
Lana Muna Muttu Vairu, of Pussellawa.

NOTICE is hereby given that a public sitting of this court will be held on November 1 next, for the consideration of the granting of a certificate to the insolvent.

By order of court,
A. SANTIAGO,
Kandy, September 28, 1895. Secretary.