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Part II.—Legal.

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DRAFT ORDINANCES.

MINUTE.

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

An Ordinance further to amend "The Game Protection Ordinance, 1909."

WHEREAS it is expedient further to amend "The Game Protection Ordinance, 1909": Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

1. This Ordinance may be cited as "The Game Protection (Amendment) Ordinance, No. of 1923."

2. The title to the principal Ordinance shall be amended by the insertion of the word "Reptiles" immediately after the word "Birds" therein.

3. The preamble of the principal Ordinance shall be amended by the insertion of the word "reptiles" immediately after the word "birds" in line 3 thereof.

4. Section 1 of the principal Ordinance shall be amended by the insertion of the words "and Reptiles" immediately after the words "Wild Birds" in line 7 thereof.

Preamble.

Short title.

Amendment of title of principal Ordinance.

Amendment of preamble of principal Ordinance.

Amendment of section 1 of principal Ordinance.

Amendment of heading of Part IV. of principal Ordinance.

5 The heading of Part IV. of the principal Ordinance shall be amended by inserting the words "and Reptiles" immediately after the words "Wild Birds" therein.

Amendment of section 20 of principal Ordinance.

6 Section 20 of the principal Ordinance shall be amended by inserting the words "or reptile" immediately after the word "bird" wherever it occurs therein between lines 1 and 13 (both inclusive) thereof.

Amendment of section 22 of principal Ordinance.

7 Section 22 of the principal Ordinance shall be amended by inserting the words "or reptile" immediately after the word "bird" in lines 2 and 4 thereof.

Amendment of section 24 of principal Ordinance.

8 Section 24 of the principal Ordinance shall be amended by inserting—

- (a) The words "or reptile" immediately after the word "bird" in line 4 thereof; and
- (b) The words "or reptiles" immediately after the word "birds" in line 6 thereof.

Amendment of section 25 of principal Ordinance.

9 Section 25 of the principal Ordinance shall be amended by inserting—

- (a) The words "reptile or reptiles" immediately after the word "birds" in lines 3, 7, and 8 thereof; and
- (b) The words "or reptiles" immediately after the word "birds" in line 4 thereof.

Amendment of section 26 of principal Ordinance.

10 Section 26 of the principal Ordinance shall be amended by inserting the words "or reptile" immediately after the word "bird" wherever it occurs therein.

Amendment of Schedule IV. of the principal Ordinance.

11 Schedule IV. of the principal Ordinance is amended by adding the following words at the end thereof:—

"Lists of Reptiles absolutely protected.

English Name.	Sinhalese Name.	Tamil Name.
Water lizard ..	Kabaragoya ..	Kabaragoyen"

By His Excellency's command,

Colonial Secretary's Office,
Colombo, April 19, 1923.

CECIL CLEMENTI,
Colonial Secretary.

Statement of Objects and Reasons.

It has been brought to the attention of Government by the Director of Agriculture and also by certain Government Agents that the practice has arisen of killing the "Kabaragoya" or water lizard in large numbers with a view to obtaining their skins for purposes of tanning. This reptile is of great usefulness to paddy cultivation in destroying crabs which undermine ridges of fields and otherwise damage crops. There appears to be serious danger that this very useful animal may be exterminated if immediate steps are not taken to protect it, and the object of this Bill is to bring it within the scope of Part IV. of "The Game Protection Ordinance, 1909."

Attorney-General's Chambers,
Colombo, March 24, 1923.

H. C. GOLLAN,
Attorney-General.

MINUTE.

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

An Ordinance to Consolidate and amend the Law relating to Village Communities.

WHEREAS it is expedient to consolidate and amend the Law relating to Village Communities: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows: Preamble.

PART I.

Preliminary.

1 This Ordinance may be cited as "The Village Communities Ordinance, No. of 1921." Short title.

2 (1) This Ordinance shall come into operation on such day as the Governor, by Proclamation in the "Government Gazette," may appoint. Date of commencement and division into parts.

(2) This Ordinance is divided into parts as follows:--

- I.--Preliminary.
- II.--Divisions and Subdivisions.
- III.--A. Meetings of Inhabitants; B. Village Committees; C. Objections to Voters or Candidates.
- IV.--Receipts and Expenditure of Village Committees.
- V.--Powers and Liabilities of Inhabitants.
- VI.--Constitution of Village Tribunals.
- VII.--Judicial Powers of Village Committees.
- VIII.--Procedure before Village Tribunals and Committees.
- IX.--Jurisdiction of Village Tribunals and Committees.
- X.--Application of Penalties.
- XI.--Enforcement of Process.
- XII.--Control of Proceedings and Appeal.
- XIII.--Stamps.
- XIV.--General.

3 In this Ordinance, unless the context otherwise requires:-- Definitions.

- "Government Agent" includes the Assistant Government Agent of a district;
- "Fiscal" includes a Deputy Fiscal within the province of the Fiscal;
- "Native" means persons resident in the Colony other than (a) persons commonly known as Europeans, (b) persons commonly known as Burghers, and (c) labourers as defined in Ordinance No. 13 of 1880, including any woman or child related to any such labourer or any aged or incapacitated relative of any such labourer;
- "Inhabitant" means a male inhabitant who is a native and is above the age of eighteen years;
- "Chief headman" means the ratamahatmaya, mudaliyar, adikar, maniyakar, or vanniya of a division;
- "Chief headman's division" means the area under the supervision of a chief headman;
- "Subdivision" means any village or group of villages declared to be a subdivision under section 7 of this Ordinance;

[a. 3.]

“Plantation” includes any land on which tea, coffee, cacao, cardamoms, cinchona, or rubber is growing, and any coconut estate of over five acres in extent ;

“Produce” includes the fruit, leaf, bark, latex, and roots of any plant or tree cultivated on a plantation.

PART II.

Divisions and Subdivisions.

Governor in Executive Council may bring any division or part thereof within this Ordinance.

[s. 4.]

4 (1) It shall be lawful for the Governor in Executive Council, by Proclamation published in the “Government Gazette,” to declare that any chief headman’s division or any part thereof shall, from a date to be named therein, be brought within the operation of this Ordinance.

(2) On such Proclamation being published as aforesaid, such division or part thereof shall, as from the said date, be brought within the operation of this Ordinance ; and the inhabitants of such division or part shall be entitled to exercise the powers and be subject to the liabilities hereby conferred or imposed upon them.

Divisions or parts thereof within the provisions of any repealed Ordinance.

[*New.*]

5 Any chief headman’s division or part thereof, which at the commencement of this Ordinance is within the provisions of any Ordinance repealed by this Ordinance, shall be deemed to be within the operation of this Ordinance, and the provisions of this Ordinance shall apply to such division or part as if the same had been brought within the operation thereof by a Proclamation under section 4 of this Ordinance.

Governor in Executive Council may exclude any division or part thereof from operation of this Ordinance.

[s. 4 A.]

6 (1) It shall be lawful for the Governor in Executive Council, by Proclamation published in the “Government Gazette,” to exclude from the operation of this Ordinance any chief headman’s division or part thereof which shall have been brought within the operation of this Ordinance by a Proclamation under section 4 thereof, or by virtue of the provisions of section 5 of this Ordinance.

(2) On such Proclamation being published in the “Government Gazette,” such division or part shall cease to be within the operation of this Ordinance.

Division into villages.

[s. 5.]

7 (1) Every such chief headman’s division or part thereof brought within the operation of this Ordinance shall be subdivided into villages or groups of villages in such manner as the Governor in Executive Council shall, by Proclamation published in the “Government Gazette,” appoint.

Villages, &c., within operation of any repealed Ordinance.

[*New.*]

(2) Any subdivision into villages or groups of villages made under the provisions of any Ordinance repealed by this Ordinance shall, as from the commencement of this Ordinance, be deemed to be within the operation of this Ordinance, and the provisions of this Ordinance shall apply to such subdivision as if the same had been made by a Proclamation under this section.

PART III.

A.—Meetings of Inhabitants.

Public meetings of inhabitants.

[s. 14.]

8 (1) The Government Agent may, whenever it shall appear to him advisable to do so, and shall, upon a requisition signed by not less than twenty inhabitants of any subdivision call a meeting of the inhabitants of such subdivision.

(2) In case the extent of any subdivision should render more meetings than one necessary, the Government Agent may hold meetings at such places as he may deem desirable.

Notice of meetings.

[s. 14.]

9 The Government Agent shall, one month at least before the day of holding any such meeting, cause notices to be published throughout such subdivision, in such manner as shall appear to him best adapted for giving the greatest publicity thereto, of the time and place appointed for holding such meeting, and of the objects for which the same is to be held, and shall, in such notices, call upon the inhabitants to attend in person at such meeting.

10 (1) Every such meeting shall be held at the time and place so appointed, and shall be presided over by the Government Agent or some person authorized in writing by him.

Holding and adjournment of meetings.
[ss. 15 and 14.]

(2) Such Government Agent or person shall have power to adjourn any meeting, as often as need be, to a time and place to be mentioned by him at the time of directing such adjournment.

11 It shall be the duty of the Government Agent or other person presiding to explain to the persons attending the meeting the purpose for which the same was convened and such provisions of this Ordinance as relate to such purpose.

Explanation of object of meeting.
[s. 15.]

12 (1) At any such meeting every inhabitant of such village or group of villages as aforesaid, who is present thereat, shall be entitled to vote, unless he has been convicted, within five years before the date of the meeting, of theft, fraud, forgery, perjury, or of any infamous crime whatever.

Voting at meetings.
[ss. 15 and 26.]

(2) All questions or resolutions shall be determined by a majority of the votes of those present and entitled to vote.

(3) The Government Agent or other person presiding shall have a casting vote in addition to his original vote.

13 (1) The Government Agent or other person presiding shall enter or cause to be entered in the minutes of every such meeting the questions or resolutions proposed thereat and the number of votes given for and against the same, and shall sign the said minutes and publicly declare the result of all votes given at the meeting.

Minutes.
[s. 15.]

(2) The minutes shall be deposited and preserved in the provincial or district kachcheri as may be the more convenient course.

B.—Village Committees.

14 It shall be lawful for the inhabitants of any subdivision to elect a committee of not less than six, and, if they see fit, to delegate to such committee the power of making rules conferred on such inhabitants by this Ordinance.

Village Committees.
[s. 16.]

15 All committees in existence at the commencement of this Ordinance shall continue to exist until the time when they would, under the provisions of any Ordinance repealed by this Ordinance, have gone out of office by effluxion of time, and shall have and exercise all privileges, powers, and duties conferred or imposed on Village Committees by this Ordinance as if they had been constituted under the provisions of this Ordinance.

Existing Village Committees.
[New.]

16 (1) In the case of subdivisions situated wholly within the administrative limits of any District Council constituted under the provisions of "The Local Government Ordinance, No. 11 of 1921," the members of the Village Committee shall from time to time elect one of their own number to be chairman of such committee.

Chairman of Village Committee.

(2) An elected chairman shall hold office during the term of the committee, unless he shall meanwhile, for any cause, have ceased to be a member thereof.

(3) In the case of subdivisions other than those mentioned in sub-section (1) of this section, the chief headman of the division of which such subdivisions form part shall be *ex officio* Chairman of the Village Committee in every such subdivision.

(4) In the absence of an elected or *ex officio* chairman at any meeting of a committee, the members of the committee who shall be present may select and appoint a chairman for such meeting.

17 (1) It shall be the duty of every such committee—

Duties of Committees.
[s. 16.]

(a) To make rules (if the power to make rules is delegated to them);

(b) To exercise such powers as may be conferred upon them by this Ordinance or by rules made under this Ordinance.

(2) All such rules shall be subject to all provisions which apply to rules made under Part V. of this Ordinance.

Qualifications
of committee-
men.

[s. 17.]

18 A person shall be disqualified to be elected or to be a member of any committee—

- (a) Unless he is a male and is over twenty-five years of age;
- (b) Unless he is possessed, in his own right or in that of his wife, of immovable property situated within the subdivision, worth more than two hundred rupees;
- (c) If he has suffered rigorous imprisonment for a term of one month or upwards and has not received a free pardon.

Term of office.

[s. 18.]

19 Every committee elected under the provisions of this Ordinance shall go out of office on the last day of March of the third year from the first election of such committee.

Election of
new committees.

[s. 18.]

20 In place of every committee going out of office, another committee to be elected as hereinafter provided, shall come into, and remain in, office for the next ensuing period of three years, and, at the expiration of such period, shall in like manner go out of office and be succeeded by another such committee for a like term of three years, and so on during the continuance of this Ordinance.

Eligibility for
re-election.

[s. 18.]

21 Every member of a committee shall be eligible for re-election.

Meeting for
election of
committee.

[s. 19.]

22 (1) The Government Agent shall appoint a day, within three months of the date on which any term of office of a committee shall expire, for the holding of a meeting for the election of a committee for the three years next succeeding reckoned from the first day of April next following the day of such election.

(2) Such election shall proceed in such manner, and be subject, so far as the same are applicable, to such conditions as are in this Ordinance provided in the case of meetings of inhabitants.

Failure to
elect
committee at
prescribed
time.

[s. 20.]

23 (1) If the term of office of any committee is allowed to expire before the election of another committee in its place, it shall nevertheless be lawful for the Government Agent to fix a day for the election of a committee.

(2) The term of office of such last-mentioned committee shall be reckoned from the first day of April immediately preceding the date of such election.

Vacation of
office and
filling of casual
vacancies.

[s. 21.]

24 (1) Any member of a committee who—

- (a) Is absent from the subdivision for more than three months at any one time; or
- (b) Is absent, without leave of the committee, from the meetings of the committee for more than three consecutive meetings thereof; or
- (c) Is adjudicated an insolvent; or
- (d) Is convicted of theft, fraud, forgery, perjury, or any infamous crime whatever; or
- (e) Becomes incapacitated from fulfilling the duties of his office by mental or bodily infirmity or disease;

shall, *ipso facto*, vacate his office.

(2) In case any member of a committee—

- (a) Dies; or
- (b) Ceases to be qualified to be a member; or
- (c) Refuses to accept office or resigns; or
- (d) Vacates his office;

the remaining members of the committee shall elect a person duly qualified under section 18 of this Ordinance to fill up the vacancy, and such person shall hold office until the next general election of members for the Village Committee.

C.—Objections to Voters or Candidates.

Objections to
voter or
candidate.

[s. 22.]

25 (1) If at any meeting any question shall be raised as to the right of any person to vote or to be elected as member of a committee, the Government Agent or other person presiding shall then and there make such inquiry as he may deem requisite and decide whether or not such person has the right to vote or to be elected.

(2) Such decision shall be final and conclusive.

(3) An entry shall be made in the minutes of any such question and of the decision thereon.

PART IV.

Receipts and Expenditure of Village Committees.

26 (1) All moneys received for or on behalf of any subdivision under the provisions of this Ordinance or of any rules made thereunder or which may be made over at any time by the Legislative Council or by any District Council for the purposes of this Ordinance and all fines levied and penalties recovered under the authority of this Ordinance or any rules made thereunder shall be deposited with the Government Agent.

(2) Subject to the provisions of this Ordinance moneys so deposited shall be applied to the payment of the necessary expenses of carrying out the provisions of this Ordinance and of any rules made thereunder and for such village purposes as the inhabitants of the subdivision, or the Committee if one shall have been constituted, shall at any meeting convened for that purpose with the concurrence of the Government Agent, determine.

Receipts and
expenditure of
Village
Committees.
[s. 56.]

PART V.

Powers and Liabilities of Inhabitants.

27 (1) At any meeting held under Part III. of this Ordinance the inhabitants of any subdivision may impose an annual tax upon themselves for the payment of such number of police headmen as may be considered necessary for the protection of such subdivision, and may prescribe the manner in which such tax shall be assessed and recovered.

(2) Such tax shall be submitted for the approval of the Governor in Executive Council, who may, either as regards the tax or the means proposed for the assessment or recovery thereof, allow or disallow the same, or make any variation, alteration, or amendment thereto, except any increase of the tax, as may be deemed expedient.

28 (1) At any such meeting the inhabitants of the subdivision may, within the limits thereof, impose and levy tolls on all ferries or bridges constructed, regulated, or protected under this Ordinance.

(2) Such tolls shall be submitted to the Governor in Executive Council, who may allow or disallow the same.

(3) Every such allowance shall be notified in the "Government Gazette," and thereupon such tolls shall come into full force and operation.

29 Subject to the provisions of "The Local Government Ordinance, No. 11 of 1920," the inhabitants of any subdivision may make rules for any of the following purposes :

- (1) For the construction, maintenance, regulation, and protection of village paths, bridges, edandas, ambalams or madams, spouts, wells, watering and bathing places, fords, ferries, burial or cremation grounds, galas, markets, and slaughtering places ;
- (2) For the restriction or prohibition of private galas, fairs, markets, and slaughtering places ;
- (3) For the levying of fees in respect of the use of village burial or cremation grounds, galas, markets, and slaughtering places ;
- (4) For the regulation, supervision, and control of bakeries, eating-houses, and tea and coffee boutiques ;
- (5) For the seizure, forfeiture, removal, and destruction of unwholesome articles of food or drink, and the prevention of the sale or exposure for sale thereof ;
- (6) For the conservancy of springs and water-courses ;
- (7) For regulating fisheries according to local customs, and the imposition of fees in connection therewith ;
- (8) For taking care of and regulating the use of waste and other lands set apart for the purpose of the pasturage of cattle or for any other common purpose and for charging fees in respect of such user ;
- (9) For encouraging the cultivation of agricultural products, and the breeding of domestic animals ;
- (10) For regulating the manner of slaughtering animals ;
- (11) For the prevention of disease amongst animals ;
- (12) For the prevention of trespass by animals ;

Tax for
payment of
police headmen.
[s. 23.]

Imposition of
tolls.
[s. 24.]

Inhabitants
may make
rules.
[s. 6.]

- (13) For the putting up and preservation of land boundaries and fences ;
- (14) For the prevention and abatement of nuisances, and for ensuring sanitation and the provision of adequate latrine accommodation and clean and open spaces round houses and latrines.
- (15) For the regulation and protection of coir kraals and for levying an annual tax on such kraals.
- (16) For preventing accidents connected with toddy drawing, and for the periodical inspection of the ropes and other appliances used for that purpose ;
- (17) For preventing accidents by the setting of spring guns and traps ;
- (18) For the prevention of gambling and cock-fighting, and for the prevention of cart racing on public thoroughfares ;
- (19) For the construction, repair, and protection of Village Tribunal and Village Committee court-houses ;
- (20) For determining, imposing, and enforcing of penalties incurred by officers appointed under section 36 of this Ordinance for neglect or breach of duty, and for prescribing the fees to be paid to such officers, and the persons by whom such fees are to be paid ;
- (21) For the collection of tolls imposed and levied under this Ordinance ;
- (22) For the construction, repair, and maintenance of public roads and paths ;
- (23) For the construction, repair, maintenance, and protection of village canals and of bunds or other works for the protection of cultivated land against flood waters ;
- (24) For imposing and enforcing an annual tax payable in labour, not exceeding ten days' labour in any one year, in respect of all or any of the purposes mentioned in paragraphs (1), (4), (5), (9), (19), (22), and (23), and for exempting any persons or classes of persons from the liability in respect of any such tax ;
- (25) For determining the number of days' labour to be imposed in respect of any one or more of such purposes, not exceeding ten days' labour in all in any one year from any one person ;
- (26) For calling out and compelling the performance of such labour and enforcing, in case of default, the performance of increased or double labour ;
- (27) For allowing the liability to perform such labour or double labour to be commuted for a money payment, either wholly or in part at the discretion of the Village Committee ;
- (28) For the prevention of disorderly conduct or loitering in thoroughfares or public places, and for the prevention of the use of abusive language ;
- (29) For making it an offence for any holder of a license under the Excise Ordinance, No. 12 of 1912, or any keeper of a tavern to sell, or allow any person to sell, to females or to boys under sixteen years of age any description of spirits, including intoxicating liquor, as well as the produce of the coconut or other description of palm or sugar cane ;
- (30) For the enforcement of ancient customs as regards cultivation, or the repair, protection, and maintenance of village tanks, and for the irrigation of fields and gardens under such tanks ;
- (31) Prescribing the persons who shall sign any security given by the inhabitants in respect of any loan made to them ;
- (32) Prescribing the number to form a quorum at meetings of a committee, and the manner of conducting business at such meetings ;
- (33) For any other purpose connected with, or relating to, purely village affairs.

Approval and
publication of
rules.

[s. 7.]

30 (1) All such rules shall be forthwith transmitted through the Government Agent for the approval of the Governor in Executive Council.

(2) Such of the rules as shall be approved shall be published in the "Government Gazette," and shall thereupon be as valid and effectual as if the same were contained in this Ordinance.

(3) The Government Agent shall also take steps to cause the rules, after such publication, to be proclaimed in the subdivision subject to their operation in such manner as shall secure the greatest publicity thereto.

31 (1) The inhabitants of any subdivision, subject to the provisions of this Ordinance, may from time to time vary, alter, amend, add to, or repeal any such rule.

Rules may be varied, altered, amended or repealed.

[s. 8.]

(2) All such variations, alterations, amendments, additions to, or repeals shall be subject to the same provisions as in the case of rules made under this Ordinance.

32 (1) The Governor in Executive Council may at any time cancel or annul any rule made or in force under the provisions of this Ordinance.

Cancellation of existing rule.

[s. 9.]

(2) All such cancellations or annulments shall be published in the "Government Gazette," and as from such publication shall cease to be valid or of any effect.

33 All rules made under any Ordinance repealed by this Ordinance which are in force at the commencement of this Ordinance, which are not inconsistent with any of its provisions, shall continue to be in force until varied, altered, amended, repealed, cancelled, or annulled under the provisions hereinbefore appearing.

Rules in force at commencement of Ordinance to remain in force until amended or repealed.

[New.]

34 The inhabitants of a subdivision may sue or be sued under the name or style of "The inhabitants of the subdivision of" (*here state the name of the subdivision*).

Actions by or against inhabitants.

[New.]

35 (1) At any such meeting the inhabitants of the subdivision may resolve to raise a loan for carrying out any work of general utility, and thereupon it shall be lawful for the said inhabitants, with the sanction of the Governor in Executive Council, to borrow such sum or sums of money as may be necessary for carrying out any such work as aforesaid.

Borrowing powers of Village Committee.

(2) Every such loan shall be subject to such rate of interest and to such conditions for the repayment thereof as the Governor in Executive Council may sanction.

(3) For the purpose of securing repayment of the sum or sums so borrowed and the interest accruing thereon, such inhabitants may mortgage and assign to the lender, by or on whose behalf such sum or sums or any part thereof may be lent, any revenues accruing to them under the provisions of this Ordinance and any property belonging to such inhabitants.

(4) Notwithstanding anything in section 14 of "The Local Loans and Development Ordinance, No. 22 of 1916," contained, it shall be lawful for the Commissioners appointed under such Ordinance to advance money to the inhabitants of a subdivision for the purposes aforesaid on such security as such Commissioners, with the sanction of the Governor in Executive Council, shall deem sufficient, and the provisions of such Ordinance shall apply to any such loan whether made before or after the commencement of this Ordinance.

36 (1) Whenever it shall be necessary to appoint any officer to carry into effect, or supervise the working of, any rule, it shall be lawful for the inhabitants of the subdivision to which the rule applies to create an office for such purpose by a rule to be made in the manner provided by this Ordinance.

Creation of offices for purposes of rules.

[s. 10.]

(2) As soon as any such office has been created, it shall be lawful for the Government Agent to appoint some person to fill the same.

[s. 11.]

(3) Any such appointment may from time to time be revoked by the Government Agent and some other person be appointed by him to such office.

(4) Every such officer shall, so long as he continues in office, be entitled to be paid and receive such fees in respect of his office as may be prescribed by any rule made under section 29 of this Ordinance.

(5) Every such officer shall be liable to pay the penalties for breach or neglect of duty in respect of his office prescribed by any rule made under section 29 of this Ordinance.

PART VI.

Constitution of Village Tribunals.

Governor in Council may establish Village Tribunals.
[s. 26.]

37 (1) It shall be lawful for the Governor in Executive Council to establish, by Proclamation in the "Government Gazette," a Village Tribunal in any chief headman's division or any part thereof brought under the operation of this Ordinance.

(2) All Village Tribunals constituted under any Ordinance repealed by this Ordinance and in existence at the date of the commencement of this Ordinance shall be deemed to have been established under this Ordinance, and shall have, possess, and exercise all the rights, powers, privileges, and jurisdiction conferred on a Village Tribunal under the provisions of this Ordinance.

Governor may appoint and remunerate President.

38 (1) The Governor may appoint a President for any such tribunal at such salary as he may from time to time determine.

(2) Such salary shall be paid out of the general revenue.

(3) All Presidents appointed under any Ordinance repealed by this Ordinance shall be deemed to have been appointed under this Ordinance, and shall have, possess, and exercise all the rights, powers, privileges, and jurisdiction, and be subject to the same liabilities as if he had been appointed under this Ordinance.

Councillors to be associated with President.
[s. 26.]

39 There shall be associated with the President for the trial of any case before the Village Tribunal three councillors, to be chosen by lot out of the persons possessing the qualifications required for members of committee by section 18 in manner prescribed by rules made under section 95 of this Ordinance.

Additional President.
[s. 39.]

40 (1) The Governor may appoint an additional President for any Village Tribunal at such salary as he may from time to time determine, and every such additional President shall sit separately, and have all the powers and be subject to all the responsibilities of a President appointed under section 38 of this Ordinance.

(2) Such salary shall be paid out of the general revenue.

President's oaths.
[s. 26.]

41 Every President, before he shall begin to execute the duties of his office, shall take and subscribe the oath of allegiance and judicial oath prescribed by Ordinance No. 7 of 1869.

Removal or dismissal of President.
[ss. 26, 54.]

42 A President may at any time be removed from his office by the Governor in Executive Council, and if dismissed for misconduct shall be disqualified from holding any office in the public service, unless rehabilitated by the Governor in Executive Council.

Power of Governor to abolish tribunal, vary limits, and disfranchise division.
[s. 27.]

43 The Governor in Executive Council may, by Proclamation in the "Government Gazette"—

(a) Abolish any Village Tribunal; or

(b) Add to the area within the jurisdiction of any Village Tribunal any other village in the same or any other division.

PART VII.

Judicial Powers of Village Committees.

Judicial power of Village Committee.
[s. 46.]

44 Where any rules shall have been duly made by the inhabitants or Village Committee of any subdivision, and no Village Tribunal shall have been established for such subdivision, the Village Committee for the time being shall be a court for the trial of breaches of such rules and for such other matters as are hereinafter provided.

PART VIII.

Procedure before Village Tribunals and Committees.

45 Village Tribunals and Committees shall sit in open court and at such times and places as the Government Agent may from time to time direct, or as, in the absence of such direction, may be determined by the President or Chairman.

Mode, place,
and time of
sittings.
[s. 28 (modified).]

46 The proceedings shall be conducted in the native language, but (subject to the approval of the Government Agent) the record thereof may be kept in English or in the native language at the discretion of the President or Chairman.

Language of
proceedings.
[s. 50 (modified).]

47 All cases before Village Tribunals and Committees shall be conducted in a summary manner, and shall be free from the formalities of judicial proceedings, and it shall be the duty of such tribunals and committees to do substantial justice in all questions coming before them without regard to matters of form.

Procedure to be
summary and
free from
formalities.
[s. 50.]

48 No advocate, proctor, agent, or other person (excepting husbands for their wives, guardians and curators for their minors and wards, and agents doing business in the subdivision for their absent principals) shall be permitted to appear on behalf of any party in any case before a Village Tribunal or Committee.

Representation
of parties.
[s. 50.]

49 For the purpose of any proceeding before a Village Tribunal or Committee, the President or Chairman may administer oaths in manner authorized by law.

Witnesses to be
sworn.
[s. 36 (modified).]

50 (1) In the case of a Village Tribunal, the councillors shall first express their opinion, and the President shall thereupon express his :

Method of
decision.

Provided that in the case of any difference of opinion between the President and the councillors, or any of them, the opinion of the President shall prevail, but in every such case a record shall be made of such difference of opinion.

[s. 30.]

(2) In the case of a Village Committee, the matter in issue shall be determined by the majority of the members of the committee present, and where the members are equally divided, the Chairman shall have a casting vote as well as an original vote.

[s. 48.]

51 Any person who, while a Village Tribunal or Village Committee is sitting, and in the presence of such Village Tribunal or Village Committee—

Misconduct
while a Village
Tribunal or
Village
Committee
is sitting.
[New.]

- (a) Uses any violent, insulting, abusive, or threatening language; or
- (b) Makes use of any violent, indecent, or unbecoming gestures; or
- (c) Wilfully interrupts or obstructs any proceedings thereof—

may be ordered by the Village Tribunal or Village Committee to pay a fine not exceeding ten rupees, and in default of payment to suffer imprisonment of either description for any period not exceeding seven days.

52 (1) It shall be the duty of the Village Tribunal or Committee, in any case brought before it, other than any case of theft or gambling, by all lawful means to bring the parties to an amicable settlement, and to remove, with their consent, the real cause of grievance between them, and for this purpose the Tribunal or Committee shall have power, with the consent of the parties, to refer the matter in issue to arbitration, and to give judgment in accordance with the finding of the arbitrator.

Court to
endeavour to
conciliate
parties.
[s. 30.]

(2) Such judgment shall be final, and not subject to appeal.

53 Any person eligible to serve as a councillor to whom notice in writing shall have been given by the President to attend as a councillor at the time and place specified in such notice, and who without lawful excuse fails to attend as required by such notice, or who having attended departs without having obtained the permission of the President, or fails to attend an adjourned meeting of the tribunal after being ordered to attend, shall be liable by order of the

Councillor
absenting
himself
without leave
[s. 26A.]

President to a fine not exceeding ten rupees, and in default of payment of the fine to simple imprisonment not exceeding seven days.

Power of President or Chairman to receive complaints and issue summonses outside his jurisdiction.

[*New.*]

54 The President of a Village Tribunal or Chairman of a Village Committee may receive complaints and issue summonses in respect of any offence within his jurisdiction at any place in which he may be sitting in discharge of judicial functions, notwithstanding that such place may be outside the limits of the jurisdiction of the tribunal before which such offence is triable.

PART IX.

Jurisdiction of Village Tribunals and Committees.

Jurisdiction of Village Tribunal.

[*s. 28.*]

55 A Village Tribunal shall have jurisdiction to try the following cases :

A.—Civil.

- (a) Actions in which the debt, damage, or demand shall not exceed fifty rupees, and the party defendant is resident within the subdivision, or in which the cause of action shall have arisen wholly or in part within the subdivision.
- (b) All actions in which title to, interest in, or right to the possession of any land or immovable property shall be in dispute, provided that the value of such land or immovable property, or of the particular share, right, or interest in dispute in such action, shall not exceed fifty rupees, and the same or any part thereof is situate in such subdivision.
- (c) All actions whatever involving any debt, damage, or demand not exceeding one hundred and fifty rupees, or any claim to land or immovable property in which the land or interest in dispute shall not exceed one hundred and fifty rupees in value, which the parties thereto shall by consent in writing in form prescribed by rules made under section 95 of this Ordinance expressly refer for trial to such tribunal.

B.—Criminal.

- (a) All breaches of rules made under section 29 of this Ordinance.
- (b) All offences enumerated in the schedule to this Ordinance or added thereto by Proclamation in the "Government Gazette" by the Governor in Executive Council, or in respect of which jurisdiction is conferred on a Village Tribunal by any Ordinance, whether passed before the commencement of this Ordinance, or subsequently thereto.

Jurisdiction of Village Committee.

[*ss. 48, 49A.*]

56 A Village Committee shall have jurisdiction to try the following cases :

- (a) All breaches of rules made under section 29 of this Ordinance.
- (b) All offences under "The Cattle Trespass Ordinance, 1876," or under any other Ordinance named in any Proclamation by the Governor in Executive Council published in the "Government Gazette."

Punishments.

[*ss. 31, 49 (modified).*]

57 (1) A Village Tribunal or Committee in the exercise of its criminal jurisdiction may impose a fine not exceeding thirty rupees, and in the case of a continuing offence a further fine not exceeding five rupees for each day such offence is continued after notice to the offender, and in default of payment of any fine so imposed may sentence the offender to imprisonment of either description for any period not exceeding fourteen days.

(2) Whoever attempts to commit an offence punishable under this Ordinance, or to cause such an offence to be committed, and in such attempt does any act towards the commission of the offence, shall be liable to the same punishment as if he had committed such offence.

(3) When any person is charged before a Village Tribunal or a Village Committee with an offence under this Ordinance, and such tribunal or committee thinks that the charge is proved, but is of opinion that, having regard to the character, antecedents, age, health, or mental condition of the person charged, or to the trivial nature of the offence, or to the extenuating circumstances under which the offence was committed, it is inexpedient to inflict any punishment, or any other than a nominal punishment, such tribunal or committee may order such person (a) to be discharged after such admonition as to them shall seem fit; or (b) to be delivered to his parent or to his guardian or nearest adult relative, on such parent, guardian, or relative executing a bond with or without a surety or sureties as the tribunal or committee may require, that he will be responsible for the good behaviour of the offender for any period not exceeding twelve months.

[s. 19 (b) of 1 of 1886.]

(4) In lieu of ordering any male person under the age of sixteen years to be imprisoned as aforesaid, a Village Tribunal or Committee may order such person to be whipped in accordance with the provisions of "The Flogging Regulations Ordinance, 1904."

58 In any case in which the Government Agent shall so order, a Village Tribunal shall have jurisdiction to try breaches of rules under "The Irrigation Ordinance, No. 45 of 1917," in lieu of the Village Council provided for by that Ordinance, and in any such case may impose a fine up to the amount of thirty rupees, and in default of payment may sentence the defaulter to imprisonment of either description for any period not exceeding fourteen days.

Special provision as to irrigation offences.

[s. 29 (re-cast).]

59 The Governor in Executive Council may limit the jurisdiction of any Village Tribunal to criminal or civil jurisdiction only, or to jurisdiction for the trial of breaches of rules under section 29 of this Ordinance, or to any such jurisdictions in combination.

Governor in Council may limit jurisdiction of any Village Tribunal.

[s. 35.]

60 No Village Tribunal or Committee shall have jurisdiction to try any case, civil or criminal, in which all the parties are not natives, unless all the parties shall consent thereto in writing in such form as shall be prescribed:

No jurisdiction except between natives, unless parties consent.

[s. 28.]

Provided that notwithstanding anything in this section contained—

(a) Any public officer or any officer of any society established in Ceylon for the prevention of cruelty to animals, whether a native or not, may at his discretion prosecute before any Village Tribunal or Committee any offence otherwise within the jurisdiction of such Tribunal or Committee; and

(b) Proceedings, civil or criminal, may, at the discretion of the person taking the same, be taken by or against any Co-operative Society registered under any law for the time being dealing with such societies, in which the other party to any such proceedings is a native and which are otherwise within the jurisdiction of such Tribunal or Committee.

61 No Village Tribunal or Committee shall have jurisdiction to try any case, criminal or civil, which is instituted for the protection of the revenue.

No jurisdiction to try cases for protection of revenue.

Jurisdiction exclusive.

[s. 34.]

62 Subject to any special provision in that behalf in this or any other Ordinance, the jurisdiction exercisable by Village Tribunals and Committees shall be exclusive, and cases within that jurisdiction shall not be tried by any other court: Provided always that nothing in this section contained shall preclude a public officer from prosecuting before a Police Court any offence which, but for the provisions of this Ordinance, would be cognizable by such Police Court.

63 In any case instituted before a court, civil or criminal, in which it shall appear at any stage of the proceedings that the case is one within the jurisdiction of any Village Tribunal or Committee, the court shall stop the further progress of the case and refer the parties to such Village Tribunal or Committee, and in any such cases may make such order as to costs as may seem just.

Cases within Village Tribunal or Committee jurisdiction coming before other court to be remitted.

[s. 34.]

Power of Attorney- or Solicitor-General or Government Agent to direct offence to be tried by Police Court.
[s. 28, proviso (3); s. 28B.]

64 It shall be lawful for the Attorney-General, or the Solicitor-General, or for any Government Agent having jurisdiction in the subdivision in question in the following cases :

- (a) In the case of any offence which, but for the provisions of this Ordinance, would be cognizable by a Police Court ;
- (b) In the case of any offence against a rule under section 29 of this Ordinance, which is also an offence under any other Ordinance—

if he shall consider that such offence may more appropriately be tried before a Police Court, to direct such offence to be tried before a Police Court having local jurisdiction, and if necessary to stay the further trial of such offence before any Village Tribunal or Committee.

Powers of Government Agent to direct civil action to be heard by Court of Requests.
[s. 28, proviso (3).]

65 It shall be lawful for the Government Agent having jurisdiction in the subdivision in question, in the case of any civil action within the jurisdiction of any Village Tribunal, if he shall be of opinion that such case may be more appropriately tried before a Court of Requests, to direct such case to be tried before the Court of Requests having local jurisdiction, and if necessary to stay the further hearing of such action before the Village Tribunal.

Tribunal or committee to report case more appropriately triable elsewhere to Government Agent with a view to transfer.
[s. 28, proviso (2) (modified).]

66 In any case in which it is made to appear to any Village Tribunal or Committee—

- (a) In regard to any case of theft or of receiving stolen property before any Village Tribunal, that by reason of the previous conviction of the accused or for any other reason the offence cannot adequately be punished by any penalty within the powers of the tribunal ;
- (b) In regard to any case of assault before any Village Tribunal, that in the circumstances of the case the offence cannot adequately be punished by any penalty within the powers of the tribunal ;
- (c) In regard to any other case, criminal or civil, before any Village Tribunal or Committee, that the case might more appropriately be tried before a Police Court or Court of Requests—

it shall be the duty of the tribunal or committee to suspend the further hearing of the case, and to report it to the Government Agent with a view to action under the last two preceding sections.

When case beyond jurisdiction, to be referred to competent court.
[s. 51.]

67 If in the course of any trial before any Village Tribunal or Committee it shall appear that the case is not within the jurisdiction of the tribunal or committee, it shall be the duty of the President or Chairman forthwith to stop the trial, and to refer the party instituting the case to the competent court.

Objection to the jurisdiction in the case of actions involving title.
[New.]

68 (1) In any case before a Village Tribunal in which the title to, interest in, or right to the possession of any land or immovable property is in dispute, it shall be the duty of the President, upon it so appearing, to inquire of the defendant whether he objects to the jurisdiction of the court on the ground that the value of the said land or immovable property, or the particular share, right, or interest in dispute, exceeds fifty rupees.

(2) If the defendant does not raise any such objection to the jurisdiction, it shall not be competent to him to raise it at any subsequent stage of the proceedings or on appeal.

(3) The President shall not give effect to any such objection, if, in the opinion of the tribunal, it is not raised in good faith, or if the claim of title set up by the defendant is one obviously untenable at law.

Penalty for false or frivolous prosecution.
[s. 32 (modified).]

69 If it shall appear to any Village Tribunal or Village Committee that any prosecution has been instituted before it falsely or maliciously, or upon frivolous or vexatious grounds, it shall be lawful for such Village Tribunal or Committee to sentence the party instituting such prosecution to fine not exceeding ten rupees, and in default of payment to simple or rigorous imprisonment for any period not exceeding seven days.

PART X.

Application of Fines and Penalties.

70 A Village Tribunal or Village Committee may award such fine or any part thereof as is mentioned in the last preceding section to the aggrieved party and if such aggrieved party shall accept the same, he shall not be entitled to maintain any suit for the recovery of damages in respect of the injury sustained by him by reason of such prosecution as aforesaid.

Award to
aggrieved
party.

71 Subject to any special enactment in that behalf, it shall be lawful for any Village Tribunal or Village Committee, before whom any offender may be convicted, to order at its discretion that any part not exceeding one-half of the fine or penalty recovered from such offender be paid over to, or applied to the use and benefit of, the person who shall first have given information against or been active in the apprehending of such offender, or shall appear otherwise deserving of reward in the matter: Provided that no such order as aforesaid shall be acted upon or given effect to unless the same has been confirmed by the Government Agent.

Reward to
informor or
person
apprehending
an offender.
[s. 33 (modified).]

72 It shall be lawful for a Village Tribunal or Committee to direct such portion of any fine as it shall deem fit to be paid to the defendant or person aggrieved by the act or omission in respect of which such penalty has been imposed (on condition that such person, if he shall accept the same, shall not have or maintain any suit for the recovery of damages for the loss or injury sustained by him by reason of such act or omission), and such other portion thereof as it shall deem fit to the persons, if any, employed to do the work which ought to have been done, or to repair the mischief done, by the defendant.

Award of
portion of
penalty to
person
aggrieved.
[s. 56.]

PART XI.

Enforcement of Process.

73 It shall be the duty of all headmen, police and peace officers, and of all members of the police force to aid and assist the inhabitants, committees, and tribunals in the exercise of the powers and jurisdictions and the performance of the duties imposed upon them by this Ordinance. Any such headman, officer or member of the police force who shall fail to do so shall be guilty of a summary offence, and be liable on conviction before a Police Magistrate to a fine not exceeding fifty rupees.

Headman and
police officer to
assist in
carrying out
Ordinance.
[s. 57.]

74 Any summons or warrant issued by any President or Chairman under the provisions of this Ordinance may be directed for service to any person or persons named therein, and such person or persons or any police officer may execute the same at any place in Ceylon.

Process may be
directed for
service to any
person.
[s. 50 A (1).]

75 When a warrant is to be executed outside the local limits of the jurisdiction of the Village Tribunal or Committee issuing the same, such tribunal or committee may, instead of directing such warrant to any person, forward the same by post or otherwise to any Village Tribunal, Village Committee, or Police Court within the local limits of the jurisdiction of which it is to be executed.

Warrant for
service outside
jurisdiction.
[s. 50 A (2).]

76 The President of the Village Tribunal or the Chairman of the Village Committee or the Magistrate of the Police Court to which the warrant is so forwarded shall endorse his name thereon, and, if practicable, cause it to be executed within the local limits of his jurisdiction.

Endorsement of
warrant for
service outside
jurisdiction.
[s. 50 A (3).]

77 When a warrant is executed outside the local limits of the jurisdiction of the Village Tribunal or Committee by which it was issued, the person arrested shall be taken before the Village Tribunal or Committee or the Police Court within the local limits of the jurisdiction of which the arrest was made, and the President of such tribunal or the Chairman of the committee or the Magistrate of such Police Court shall, if the person arrested appear to be the person intended by the

Procedure or
arrest outside
jurisdiction.
[s. 50 A (4).]

tribunal which issued the warrant, direct his removal in custody to such last-mentioned tribunal or committee, or if the offence be bailable, and the person arrested be ready and willing to give bail to the satisfaction of the President, Chairman, or Magistrate before whom he shall have been brought, such last-mentioned President, Chairman, or Magistrate shall take bail and forward the bond to the Village Tribunal or Committee which issued the warrant.

Duty of Fiscals.
[s. 38.]

78 (1) Every Fiscal or Deputy Fiscal shall be bound, either by himself or his officers, within the province or district for which he is respectively empowered to act—

- (a) To execute all sentences and to serve and execute all writs and processes in civil and criminal cases which he may be required or directed by any Village Tribunal or Committee to serve or execute according to the extent of its jurisdiction ;
- (b) To make and certify the return, together with the execution thereof, to such tribunal or committee, as the case may be ;
- (c) To receive and detain in prison all such persons as may by such tribunal or committee be committed to his charge for that purpose.

(2) The provisions of sections 5, 8, and 81 of "The Prisons Ordinance, 1877," and section 311 of the Criminal Procedure Code shall apply to warrants of commitment issued by Village Tribunals or Committees under the authority of this Ordinance.

Police Officer
may take bond
for appearance
of accused
person under
arrest.
[New.]

79 In any case in which a headman, police officer, peace officer, or member of the police force has lawfully arrested any person in respect of an offence within the jurisdiction of a Village Tribunal or Committee under this Ordinance, such headman, officer, or member of the police force shall take such person to the Village Tribunal or Village Committee if sitting, or if not sitting, then to the nearest police station, and the President or Chairman of such tribunal or committee, as the case may be, or the officer in charge of such police station may release such person upon his executing a bond with sureties to the satisfaction of the President, Chairman, or officer for his appearance before the Village Tribunal or Committee having jurisdiction in the matter upon such date as is named in the bond, or may thereafter be notified to him, and in default of the execution of such a bond, the person arrested may be detained in custody.

Procedure on
forfeiture of
bond.

80 (1) Whenever it is proved to the satisfaction of a Village Tribunal or Committee that a bond for appearance before such tribunal or committee has been forfeited, the President or Chairman shall record the grounds of such proof, and may call upon any person bound by such bond to pay the penalty thereof, or to show cause why it should not be paid.

[New.]

(2) If sufficient cause is not shown and the penalty is not paid, the President or Chairman may proceed to recover the same by issuing a warrant for the attachment and sale of the movable or immovable property belonging to such person.

(3) Such warrant may be executed within the local limits of the jurisdiction of the tribunal or committee, and it shall authorize the distress and sale of any movable or immovable property belonging to such person without such limits when endorsed by the District Judge or Police Magistrate within the local limits of whose jurisdiction such property is found.

(4) If such penalty be not paid and cannot be recovered by such attachment and sale, the person so bound shall be liable, by order of the President or the Chairman who issued the warrant, to simple imprisonment for a term not exceeding fourteen days.

(5) The tribunal or committee may at its discretion remit any portion of the penalty mentioned and enforce payment in part only.

81 Any person summoned to appear as a witness before a Village Tribunal or Committee who shall wilfully make default in compliance with the summons or having attended departs without having obtained the permission of the President or Chairman shall, on summary conviction before such tribunal or committee, be liable to a fine not exceeding ten rupees, or in default of payment to simple imprisonment for a period not exceeding seven days.

Punishment of defaulting witness.

[New.]

PART XII.

Control of Proceedings and Appeal.

82 It shall be the duty of the President of any Village Tribunal or of the Chairman of any Village Committee to report weekly all cases tried before the Village Tribunal or the Village Committee, as the case may be, to the kachcheri of the subdivision to which such Village Tribunal or Village Committee belongs, and to forward the journals of proceedings taken by such President or Chairman to the Government Agent to be filed of record in his kachcheri.

President and Chairman to make weekly report to Government Agent.

[s. 52.]

83 The Government Agent shall be empowered to sit with the President and councillors or with the Chairman and Village Committee and observe their proceedings, and generally from time to time to report on such proceedings to the Governor.

Power of Government Agent to attend and observe proceedings.

[s. 52.]

84 (1) Any party aggrieved by any decision, order, or sentence of a Village Tribunal or Committee may within fourteen days of the said decision, order, or sentence, or in the case of an order made in the course of a trial, within fourteen days of the conclusion of the trial, exclusive of Sundays and public holidays, appeal by written petition to the Government Agent.

Appeal to Government Agent.

[s. 52.]

(2) Upon any such appeal the Government Agent may—

(a) Affirm, reverse, or vary the said decision, order, or sentence; or

(b) Direct further inquiry, or the taking of further evidence; or

(c) Order a new trial of the matter in issue; or

(d) Grant such further or other relief as the circumstances may require.

[(d) new.]

85 It shall be lawful for the Government Agent at any time by his own motion to call for and examine the record of any case, whether already tried by or pending trial before any Village Tribunal or Village Committee, for the purpose of satisfying himself as to the propriety of any decision, order, or sentence passed therein, or as to the propriety of the proceedings of such tribunal or committee, and upon consideration of any case so brought before him to make or pass any decision, order, or sentence which he might have made or passed had the case come before him in due course of appeal.

Power of Government Agent to intervene of his own motion.

[s. 52.]

86 It shall be the duty of the Government Agent to communicate any order which he may make under either of the two last preceding sections to the President or Chairman of the tribunal or committee before which the case was originally brought, and of such President or Chairman to communicate such order to the parties thereby affected.

Communication of Government Agent's order.

[New.]

87 (1) Any person aggrieved by any such order made by the Government Agent may within fourteen days of the date when the same shall have been communicated to him, exclusive of Sundays and public holidays, appeal by written petition to the Governor in Executive Council.

Appeal to the Governor in Council.

[s. 52.]

(2) Upon any such appeal the Governor in Executive Council may—

(a) Affirm, reverse, or vary the said order; or

(b) Direct further inquiry, or the taking of further evidence; or

(c) Order a new trial of the matter in issue; or

(d) Grant such further or other relief as the circumstances may require.

No power to increase sentence or interfere with acquittal.
[3 of 1908, s. 4.]

88 Nothing in this chapter shall be deemed to authorize the Government Agent or the Governor in Executive Council to increase any sentence or interfere with an acquittal ordered by a Village Tribunal or Committee or by the Government Agent.

PART XIII.

Stamps.

Stamp duty on civil cases.
[14 of 1902, s.2.]

89 The party plaintiff in every civil case instituted before, or referred by consent of parties for trial before, a Village Tribunal shall on every such institution or reference forthwith supply the President of such tribunal with stamps to the following amount, namely :

- (a) In a case within the ordinary jurisdiction of the tribunal, ten cents.
- (b) In a case referred by consent, fifty cents.

President to affix and cancel stamps.
[14 of 1902, s.3.]

90 It shall be the duty of the President of such tribunal to affix the stamps so supplied to the plaint of the case so instituted or referred for trial, and to cancel such stamps by writing his initials across the stamps, together with the true date of cancellation.

No right to sue in *forma pauperis* unless stamps supplied.
[s. 4 of 14 of 1902.]

91 No suitor in any case instituted in or referred to a Village Tribunal shall be allowed to sue in *forma pauperis*, nor shall any civil case be tried by a Village Tribunal until the stamps prescribed by this Ordinance have been supplied.

Cost of stamps may be awarded as costs.

92 The President shall have the power of awarding to a successful plaintiff as costs to be paid by the party defendant the value of the stamps supplied by such plaintiff.

Stamp duty on appeals to Governor in Council.
[New.]

93 The appellant against any order of a Government Agent to the Governor in Executive Council shall affix to his petition of appeal stamps to the value of two rupees and fifty cents, and no such petition of appeal shall be entertained unless it is duly stamped as aforesaid.

Value of stamps returnable if appeal successful or reasonable.
[New.]

94 The value of the stamps so affixed shall be returnable to the appellant—

- (a) If the appeal is successful ; or
- (b) If the Governor in Executive Council shall be of opinion that there was reasonable ground for the appeal.

PART XIV.

General.

Rules.
[s. 50.]

95 (1) The Governor in Executive Council may make rules regulating—

- (i.) The procedure to be observed in cases before Village Tribunals and Committees ;
- (ii.) The process to be issued by them and the mode of enforcing the same ;
- (iii.) The execution of judgments, the seizure and sale of movable and immovable property, and the disposal of claims in execution ;
- (iv.) The offences triable before a Village Tribunal or Village Committee for which a headman, police officer, peace officer, or member of the police force may, in accordance with the provisions of such rules, arrest without a warrant ;
- (v.) The form and method of appeals under part XII ;
- (vi.) The summoning, challenging, and empanelling of councillors and committeemen, and regulations respecting them ;
- (vii.) The manner in which, and the conditions subject to which, process may be served, and decrees or orders enforced in actions by or against the inhabitants of a subdivision ;
- (viii.) The form and mode of giving jurisdiction under sections 55 and 60 in cases not ordinarily triable by Village Tribunals ;
- (ix.) All other matters necessary to give effect to the provisions of this Ordinance.

(2) Such rules shall be published in the English and native languages in the "Government Gazette," and when so published shall have the force of law.

(3) All rules touching any of the matters in this section referred to, made under any Ordinance repealed by this Ordinance, which are in force at the commencement of this Ordinance and which are not inconsistent with any of its provisions shall continue to be in force until varied, altered, amended, or repealed by rules made under this section.

96 (1) It shall be competent for any District Court or Court of Requests in which any case shall be pending before such court from any subdivision in which a Village Tribunal shall be established, with the consent of all the parties to the suit expressed in writing but not otherwise, to refer to the said Village Tribunal any issue of disputed boundary or encroachment, or any case in which an inspection of the premises and examination of witnesses at the spot are likely to conduce to the ends of justice, and to require such tribunal to inquire into such issue or case and report thereon to such District Court or Court of Requests; and such District Court or Court of Requests shall (on receipt of such report with the evidence upon which it is founded) proceed to determine and decide such case, with or without further evidence, as to it shall seem expedient.

Reference of issues by District Court and Court of Requests.

[s. 37.]

(2) A Village Tribunal shall not be bound to inquire into or report on any such issue or case unless the District Court or Court of Requests forwards to the President a sum sufficient to cover the travelling or other expenses of himself and the other members of the tribunal.

97 Where any Village Tribunal or Committee shall (with the approval of the Government Agent) have set apart a building as a court-house, it shall be the duty of the Government Agent to notify in the "Government Gazette" that such building is the court-house of the tribunal or committee in question.

Notification of court-houses.

[New.]

98 The Governor in Executive Council may, by Proclamation in the "Government Gazette," withdraw from any village the right to enjoy the benefits of this Ordinance, if it appears to him that the inhabitants thereof have abused their powers or are unworthy or are incapable of exercising the same justly.

Withdrawal from a village of rights under this Ordinance.

[s. 55.]

99 "The Village Communities Ordinance, 1889," and all Ordinances amending the same, and "The Village Tribunals Stamp Ordinance, 1902," are hereby repealed.

Repeal.

SCHEDULE.

(Section 55.)

Ordinance.	Title.	Section or Enactment.	Nature of Offence.
2 of 1883..	The Penal Code	.. Section 312	.. Voluntarily causing hurt.
2 of 1883..	The Penal Code	.. Section 341	.. Use of criminal force.
2 of 1883..	The Penal Code	.. Section 342	.. Assault.
2 of 1883..	The Penal Code	.. Section 366	.. Theft: Provided that the offence of "theft" shall not be deemed to include the following cases:—
			(a) Cases in which the property stolen is produce of a plantation;
			(b) Cases in which the value of the property stolen exceeds twenty rupees;
			(c) Cases in which the theft was preceded or accompanied by violence to the person.
2 of 1883..	The Penal Code	.. Section 393	.. Receiving stolen property: Provided that only cases in which the possession of the property has been transferred by theft and the value of the property does not exceed Rs. 20 shall be included.

Ordinance.	Title.	Section or Enactment.	Nature of Offence.
2 of 1883.	The Penal Code	.. Section 408	.. Mischief, provided that the damage caused does not exceed twenty rupees.
10 of 1861.	"The Road Ordinance, 1861"	Section 91 (4) (8)	.. Injuring thoroughfare. .. Injuring side drains by causing cart to be loaded or unloaded in front of offender's dwelling.
15 of 1862.	"The Nuisances Ordinance, 1862"	Section 94 (1), (2), (4), (5), (8), (10)	Nuisances on thoroughfares.
9 of 1876.	"The Cattle Trespass Ordinance, 1876"	Section 1 and by-laws under section 6	Nuisances.
20 of 1886.	"The Vaccination Ordinance, 1886"	All offences under the Ordinance	Cattle trespass.
7 of 1893.	"The Rabies Ordinance, 1893"	Sections 10, 15, 18.	Vaccination.
25 of 1901.	"The Dog Registration Ordinance, 1901"	Section 12 (1)	Breach of muzzling regulations.
25 of 1901.	"The Dog Registration Ordinance, 1901"	Section 11	Dog registration.
13 of 1907.	"The Prevention of Cruelty to Animals Ordinance, 1907"	All offences under the Ordinance	Cruelty to animals.
1 of 1909.	"The Game Protection Ordinance, 1909"	All offences under the Ordinance	Game protection.

By His Excellency's command,
Colonial Secretary's Office, CECIL CLEMENTI,
Colombo, March 28, 1923. Colonial Secretary.

Statement of Objects and Reasons.

"THE Village Communities Ordinance, 1889," has been amended on several occasions between the date of its passing and 1908. Experience has shown that further amendments are required, and it is the object of this Bill to effect this.

2. It would have been possible to pass a further amending Bill, but the proposed amendments are so numerous that it was thought better to prepare a new consolidating measure. There was the further reason that the phraseology of "The Village Communities Ordinance, 1889," is somewhat involved, and the sections are in many cases unduly long and complicated.

3. The proposed amendments involve no serious question of principle, except that contained in section 16, which provides for the election of Chairmen of Village Committees in subdivisions which are situated within the administrative limits of a District Council. In the hope that their objects and scope might be made easier for consideration the subjoined table has been prepared. It shows the existing provisions of the law which correspond to the sections of the Bill, and also explains the purport and reason of the various amendments.

Attorney-General's Chambers,
Colombo, January 27, 1923.

H. C. GOLLAN,
Attorney-General.

Table referred to in the Statement of Objects and Reasons.

Section of Bill.	Corresponding Section in existing Law.	Remarks.
1	.. —	.. Short title.
2	.. —	.. Fixes date of commencement of Ordinance.
3	.. Section 3 of "The Village Communities Ordinance, 1889"	Reproduces the existing law, except that labourers as defined in Ordinance No. 13 of 1889, are excluded from the operation of the Bill.
4	.. Section 4 of do.	.. —
5	.. New	.. Provides that existing subdivisions are to be maintained.
6	.. Section 4A of "The Village Communities Ordinance, 1889"	.. —
7	.. Section 5 of do.	.. Sub-section (2) is new. Provision is made for the maintenance of existing subdivisions

Section of Bill.	Corresponding Section in existing Law.	Remarks.
8 and 9	..Section 14 of do.	.. The number of persons required to sign a requisition is increased from 10 to 20 as experience proves the former number to be too small.
10	..Sections 14 and 15 of do.	—
11	..Section 15 of do.	—
12	..Sections 15 and 25 of do.	—
13	..Section 15 of do.	—
14	..Section 16 of do.	—
15	..New	.. This merely provides for the continued existence of Village Committees, and allows of them completing the period for which they were elected.
16	..New	.. Under the existing law the Chief Headmen of divisions are <i>ex officio</i> Chairmen of all Village Committees within their division. Under "The Local Government Ordinance, No. 11 of 1920," provision has been made for the election by the District Council of their Chairman, and in view of the relations which exist under the provisions of that Ordinance between District Councils and Village Committees, it is thought well that the Chairmen of Village Committees, situated within the administrative limits of District Councils should be elected. In subdivisions not falling within any such administrative limits, it is proposed to retain the present rule of making the Chief Headmen, Chairmen of all Village Committees within their divisions.
17	..Section 16 of "The Village Communities Ordinance, 1889"	—
18	..Section 17 of do.	—
19, 20, and 21	and Section 18 of do.	—
22	..Section 19 of do.	—
23	..Section 20 of do.	—
24	..Section 21 of do.	—
25	..Section 22 of do.	—
26	..Section 56 of do.	.. So far as sub-section (2) is concerned section 28 of the Bill is based on section 56 of the Village Communities Ordinance, 1889. As regards sub-section (1) there is no corresponding provision in that Ordinance, but it is thought advisable to deal expressly with the receipts of Village Communities.
27	..Section 23 of do.	—
28	..Section 24 of do.	.. Power is given under section 28 of the Bill also to impose tolls in respect of bridges.
29	..Section 6 of do.	.. Powers, in addition to those under the existing law, are given to Village Committees under sub-sections (3), (4), (5), (7), (9), (20), (23), (29), (30), and (32) of the section. Special attention is called to the amendment to sub-section (29), which forbids of spirits being sold to boys under 16.
30	..Section 7 of do.	—
31	..Section 8 of do.	—
32	..Section 9 of do.	—
33	..New	.. This section provides that existing rules under "The Village Communities Ordinance, 1889," shall continue in operation until they are varied or repealed by rules made under the new Ordinance.

Section of Bill.	Corresponding Section in existing Law.	Remarks.
34	..New This is an important section, and removes a difficulty which has been felt on more than one occasion. There is no provision in the existing law for the inhabitants of a subdivision suing or being sued. Section 34 of the Bill remedies this omission.
35	..New There is no power under the existing law for a village committee to borrow money for public purposes. This section empowers the village committee to borrow, subject to the sanction of the Governor in Executive Council. Special attention is called to the provisions of sub-section (4), which allow of loans being made under Ordinance, No. 22 of 1916, and also provides for the validation of certain loans which purported to be made under that Ordinance.
36	..Sections 10, 11, 12, and 13 of "The Village Communities Ordinance, 1889"	—
37 and 38	..Section 26 of do.	.. Sub-section (3) of section 38 of the Bill provides that all Presidents who are exercising jurisdiction at the time of commencement of the Ordinance shall continue in office.
39	..Section 26 of do.	—
40	..Section 39 of do.	—
41	..Section 26 of do.	—
42	..Sections 26 and 54 of do.	—
43	..Section 27 of do.	—
44	..Section 46 of do.	—
45	..Section 28 of do.	.. In the absence of a direction by the Government Agent as to the times and places at which a Village Tribunal or a Committee has to sit, power is given by section 45 of the Bill to the President or Chairman to fix such times and places.
46	..Section 50 of do.	.. Further provision is added in section 46 directing that the record may be kept in English or in the vernacular at the discretion of the President or the Chairman.
47 and 48	..Section 50 of do.	—
49	..Section 36 of do.	—
50	..Sections 30 and 48 of do.	—
51	..New Section 51 is an important section, and provides for disciplinary powers being exercised by a Village Tribunal or Committee for misconduct in face of the court. There is no similar provision in the existing law, but it is considered that such provision is desirable.
52	..Section 30 of "The Village Communities Ordinance, 1889"	—
53	..Section 26A of do.	—
54	..New This section gives increased powers to Presidents of Village Tribunals and Chairman of Village Committees to receive complaints and issue summonses in respect of offences within their jurisdiction.
55	..Section 28 of "The Village Communities Ordinance, 1889"	Section 55 is based upon section 28 of Ordinance No. 24 of 1889, but has been modified in several particulars :— (a) An increased jurisdiction up to Rs. 50 is given in actions for debt or damages and a similar increase in jurisdiction is made with respect to actions in which a title to land is involved;

Section of Bill.	Corresponding Section in existing Law.	Remarks.
		(b) By consent of parties a Village Tribunal may exercise jurisdiction under section 55 of the Bill up to an amount not exceeding Rs. 150 in place of Rs. 100 under the existing law ;
		(c) In section 28 of Ordinance No. 24 of 1889, a large number of offences are specified. In place of adopting that method in the Bill, a Schedule has been prepared setting out the offences which are cognizable by a Village Tribunal.
		Provision is also made by paragraph B (b) of section 55 allowing of further offences being included within the jurisdiction of a Village Tribunal.
56	..Sections 48 and 49A of "The Village Communities Ordinance, 1889"	This section confers jurisdiction on a Village Committee and reproduces the existing law, except that power is reserved to the Governor in Executive Council to add to the jurisdiction of a Village Committee.
57	..Sections 31 and 49 of do.	In addition to the existing provisions of the law, section 57 of the Bill provides for the punishment of attempts to commit offences, the discharge of first offenders, and for the awarding of whipping in lieu of imprisonment to boys under 16 years of age. The amount of the fine which may be inflicted is increased to Rs. 30.
58	..Section 29 of do. ..	—
59	..Section 35 of do. ..	—
60	..Section 28 of do. ..	Inconvenience has been experienced owing to the fact that where the prosecutor happens to be a public officer who is not a native, the jurisdiction of the Village Tribunal is ousted. In such cases and also in cases of prosecutions for cruelty to animals, against native defendants, and in the case of proceedings by or against Co-operative Societies, it is thought well to confer jurisdiction on Village Tribunals and Village Committees.
61	..Concluding proviso of section 28 of "The Village Communities Ordinance, 1889"	—
62	..Section 34 of do. ..	It has been represented that the exclusive jurisdiction of Village Tribunals makes it difficult to deal with cases where a defendant is a habitual criminal or has committed crimes which are more serious than should be dealt with by a Village Tribunal or Committee. It is therefore proposed in section 62 of the Bill to allow a public officer to institute proceedings before a Police Court in the case of any offences which would otherwise be cognizable by a Police Court.
63	..Section 34 of do. ..	—
64	..Sections 28 & 28B of do.	—
65	..Section 28, proviso (3) of do.	—
66	..Section 28, proviso (2) of do.	This section gives a somewhat extended but, it is admitted, desirable power to Village Tribunals and Committees.
67	..Section 51 of do. ..	—

Section of Bill.	Corresponding Section in existing Law.	Remarks.
68	..New Section 68 is an important clause and deals with the exercise of jurisdiction by Presidents of Village Tribunals in cases where questions of title are involved. This section makes it quite clear that before the jurisdiction of the Village Tribunal is ousted, it must be clear that the defence of title is raised in good faith and is tenable at law. It also requires the Village Tribunal to bring clearly to the notice of the parties to a suit all cases where questions of title arise in the course of the hearing.
69 and 70	..Section 32 of "The Village Communities Ordinance, 1889"	The penalty has been increased from Rs. 5 to Rs. 10, and provision is made for imprisonment in the event of non-payment.
71	..Section 33 of do. ..	—
72	..Section 56 of do. ..	—
73	..Section 57 of do. ..	—
74	..Section 50A (1) of do...	—
75	..Section 50A (2) of do...	—
76	..Section 50A (3) of do...	—
77	..Section 50A (4) of do...	—
78	..Section 38 of do. ..	—
79	..New	.. Section 79 of the Bill is an important section, and makes provision for dealing with persons who have been arrested for offences under the Ordinance.
80	..New This provides an easy means of enforcing bail bonds.
81	..New There is no provision in Ordinance No. 24 of 1889, for dealing with witnesses who refuse to attend or departs without permission. Section 81 of the Bill supplies this omission.
82, 83, 84, and 85	Section 52 of "The Village Communities Ordinance, 1889"	Paragraph (d) of sub-section (2) of section 84 is new.
86	..New ..	—
87	..Section 52 of "The Village Communities Ordinance, 1889"	—
88	..Section 4 of Ordinance No. 3 of 1908	—
89	..Section 2 of Ordinance No. 14 of 1902	—
90	..Section 3 of do. ..	—
91	..Section 4 of do. ..	—
92	..Section 5 of do. ..	—
93 and 94	..New It is thought well to discourage frivolous appeals from the order of the Government Agent to the Governor in Executive Council by imposing a stamp duty on petitions of appeal. In the event of an appeal being successful or of the Governor in Executive Council considering that there was ground for the appeal, the stamp duty may be returned.
95	..Section 50 of "The Village Communities Ordinance, 1889"	Clauses (iv.) and (vii.) of sub-section (1) of section 95 of the Bill are new. Questions have been raised as to whether offenders can in any circumstances be arrested before being taken before a Village Tribunal. It is obvious that all offences which are cognizable under the Criminal Procedure Code should be cognizable under this Ordinance, but there are also certain offences under rules which should also render an offender liable to arrest without warrant, e.g., gambling. It is thought the better course to allow of such provisions being inserted by means of rules under the Ordinance.

Section of Bill.	Corresponding Section in existing Law.	Remarks.
96	.. Section 37 of "The Village Communities Ordinance, 1889"	Sub-section (2) of section 96 is new. It seems to be only fair that the President and Councillors should be indemnified against any expenses they are put to in carrying out the directions of the District Court or Court of Requests.
97	.. New	—
98	.. Section 55 of "The Village Communities Ordinance, 1889"	—
99	.. —	.. Repeal.
Schedule	.. —	.. In this schedule are inserted the provisions of section 28 of "The Village Communities Ordinance, 1889," which confer jurisdiction on Village Tribunals in Criminal cases. Under this schedule further powers have been given, e.g., in cases of receiving stolen property.

NOTIFICATIONS OF CRIMINAL SESSIONS.

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 Districts of Matara, Tangalla, and Hambantota will be holden at the court-house at Matara on Monday, May 21, 1923, at 11 o'clock of the morning of the said day.

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

Deputy Fiscal's Office,
Matara, April 28, 1923.

G. S. WODEMAN,
Deputy Fiscal.

NOTICES OF INSOLVENCY.

As you ✓
In the District Court of Colombo.
No. 2,992. In the matter of the insolvency of A. H. Ismail of Fort, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 15, 1923, for proof of the claim of Hoare & Company.

By order of court, A. E. PERERA,
Colombo, May 1, 1923. for Secretary.

In the District Court of Colombo.
No. 3,117. In the matter of the insolvency of C. M. M. Sahid and C. M. Zainudeen of No. 112, Main street, Colombo, in their individual capacity and as partners of the firm of The Western Drapery Stores, Main street, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 29, 1923, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,
Colombo, April 27, 1923. for Secretary.

In the District Court of Colombo.
No. 3,152. In the matter of the insolvency of S. E. S. Fernando of Borella.

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 May 29, 1923, to consider an offer of composition.

By order of court, A. E. PERERA,
Colombo, May 1, 1923. for Secretary.

In the District Court of Colombo.
No. 3,155. In the matter of the insolvency of Alagappa Chetty Shanmugam Chetty of No. 1, Dam street, Pettah, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 22, 1923, for the appointment of an assignee.

By order of court, A. E. PERERA,
Colombo, May 1, 1923. for Secretary.

In the District Court of Colombo.

No. 3,185. In the matter of the insolvency of Avoo Lebbe Marikar Mohamed Aboobucker of Old Moor street, Colombo, and Cassim Lebbe Marikar Hadjar Mohamed Rawoof of Old Urugodawatta road in Colombo, both of whom traded as Aboobucker and Rawoof at Third Cross street, Pettah, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 29, 1923, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,
Colombo, April 27, 1923. for Secretary.

In the District Court of Colombo.

No. 3,187. In the matter of the insolvency of Sego Mohamado Mahamood of New Moor street in Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 22, 1923, to prove a claim of (1) Sana Moona Sana Mohamado, (2) Sivasupramaniam Pillai, (3) Moona Noovanna Noor Mohamado Rawther, and (4) Noor Mohamado, trading as S. M. S. Mohamado Mohideen & Co.

By order of court, P. DE KRETZER,
Colombo, April 27, 1923. Secretary.

In the District Court of Colombo.

No. 3,203. In the matter of the insolvency of Swamy Rajaratnam of Slave Island in Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 29, 1923, for the grant of a certificate of conformity to the insolvent.

By order of court, A. E. PERERA,
Colombo, April 27, 1923. for Secretary.

In the District Court of Colombo.

No. 3,213. In the matter of the insolvency of Seanna Seena Supramaniam Chetty of No. 100, Wolfendahl street, Colombo.

WHEREAS S. Supramaniam Chetty has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Muna Ana Sithamparam Chetty of Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said S. Supramaniam Chetty insolvent accordingly; and that two public sittings of the court, to wit, on May 29, 1923, and on June 12, 1923, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, A. E. PERERA,
Colombo, April 28, 1923. for Secretary.

In the District Court of Colombo.

No. 3,214. In the matter of the insolvency of J. D. M. Lazarus of Pamunugama.

WHEREAS J. D. M. Lazarus 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 May 29, 1923, and on June 12, 1923, will take place for the insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice

By order of court, A. E. PERERA,
Colombo, April 28, 1923. for Secretary.

In the District Court of Negombo

No. 144 I. In the matter of the insolvency of Felix Gomez of Negombo.

NOTICE is hereby given that the first sitting of this court in the above matter is adjourned to May 22, 1923, for assignee's report.

By order of court, C. EMMANUEL,
Negombo, April 26, 1923. Secretary.

In the District Court of Negombo.

No. 153 I. In the matter of the insolvency of Don John Samuel Goonewardne of Negombo.

NOTICE is hereby given that the first sitting of this court in the above matter is adjourned to May 29, 1923.

By order of court, C. EMMANUEL,
Negombo, April 25, 1923. Secretary.

In the District Court of Kandy.

No. 1,640. In the matter of the insolvency of Ana Una Chena Assen Ally Marikkar Mohamado Usoof and Seyadu Ibrahim Saibo, carrying on business jointly under the name, firm, and style of A. A. S. Assen Ally Marikar of Gampola.

NOTICE is hereby given that the meeting to consider the granting of a certificate of conformity to the above-named insolvents has been adjourned for June 22, 1923.

By order of court, P. MORTIMER,
Kandy, April 27, 1923. Secretary.

In the District Court of Kandy.

No. 1,666. In the matter of the insolvency of John Wilhelmus Samuel Attygalle of Kandy.

NOTICE is hereby given that a special meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 18, 1923, for proof of debts.

By order of court, P. MORTIMER,
Kandy, May 1, 1923. Secretary.

In the District Court of Galle.

No. 478. In the matter of the insolvency of Hector Lionel de Silva of Ambalangoda.

NOTICE is hereby given that the certificate meeting in the above matter has been fixed for May 22, 1923.

By order of court, RICHARD L. PERERA,
Galle, April 26, 1923. Secretary.

In the District Court of Galle.

No. 496. In the matter of the insolvency of Sinna Wappu Segu Abdul Cader of Kumbalwella in Galle.

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

By order of court, RICHARD L. PERERA,
Galle, April 26, 1923. Secretary.

In the District Court of Ratnapura.

No. 54. In the matter of the insolvency of John Edwin Ginger of Hospital road, Ratnapura.

NOTICE is hereby given that the second sitting in the above-mentioned case has been postponed for June 19, 1923. Assignee's report is also due on the same date.

By order of the court, B. L. ABEYRATNE,
Ratnapura, May 1, 1923. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Charles William Mackie of Colombo Plaintiff.
No. 4,751. Vs.

Liyanage Henry Perera of Welikada, Colombo... Defendant.

NOTICE is hereby given that on Friday, June 1, 1923, at 2 o'clock in the afternoon, will be sold by public auction at the premises the following property specially and primarily mortgaged with the plaintiff by bonds Nos. 895 and 1,276 dated November 1, 1916, and August 14, 1918, respectively, and attested by G. H. Wille of Colombo, Notary Public, and declared bond and executable under the decree entered and ordered to be sold by the order of court dated March 14, 1923, for the recovery of the sum of Rs. 80,000 and Rs. 30,378.12, amounting in the aggregate to the sum of Rs. 110,378.12, together with interest at 10 per cent. per annum on Rs. 80,000 from January 10, 1918, and on Rs. 30,378.12 from August 14, 1918, to September 8, 1922, and further interest at 9 per cent. per annum on the aggregate amount from September 8, 1922, till payment in full, and costs of suit Rs. 1,399.40, viz. :-

All that allotment of land now called or known as Galabandahena, with the buildings, plantations, and trees standing thereon, situated in the village Watareka, in the Meda pattu of Hewagam korale, in the District of Colombo, Western Province, bounded on the north-east by lands claimed by Banihchihenaya and S. Ungappu and another and land described in plan No. 124,288, on the east by land claimed by S. Ungappu and another, by a path, and land described in plan No. 59,091, on the south by the properties of the heirs of the late Naidehami and of Geeris Appu and others, land said to belong to the Crown, lands claimed by Geeris Appu and others and Davith Appu, and lands described in plans Nos. 59,562, 100,140, and 100,139, and on the north-west by lands described in plans Nos. 105,239 and 63,579 and land said to belong to the Crown; containing in extent 36 acres, and all and singular the mines, shafts, or pits sunk therein, and all machinery and appliances, gear, fittings, fixtures, furniture, tools, implements, cattle, and other the dead and live stock in and upon the said land and premises or thereto belonging or in anywise appertaining or used or enjoyed therewith, and all plumbago therein or thereon, and the crops, produce, and appurtenances thereof, together with all rights, privileges, easements, servitudes, and appurtenances whatsoever to the said premises belonging or usually held, occupied, used, or enjoyed therewith, and all the estate, right, title, interest, property, claim, and demand whatsoever of the defendant into, out of, or upon the said several premises mortgaged by the defendant.

Fiscal's Office,
Colombo, May 1, 1923.W. DE LIVERA,
Deputy Fiscal, W. P.

In the District Court of Colombo.

M. V. E. M. R. M. Coomarasu Chetty of 97, Sea
street, in Colombo Plaintiff.
No. 5290. Vs.

C. P. Jayarayan of Kotahena in Colombo... Defendant.

NOTICE is hereby given that on Monday, May 28, 1923, at 3.30 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 for the recovery of the sum of Rs. 3,270, together with interest thereon at 9 per cent. per annum from June 19, 1922, till payment in full, and costs of suit, viz. :-

An allotment of land marked letter A, with the buildings thereon bearing assessment Nos. 24 to 32 and 34, situated at Jampettah street in Colombo, within the Municipality and District of Colombo; and bounded on the north by

field of J. H. Jehard, east by field of F. N. Candappa and the premises bearing assessment Nos. 41-42 and 43 of the heirs of the late J. M. Aserappa, south by premises Nos. 37 and 38 of R. M. C. Sinna Kannu, assessment No. 39 of Peter Benedict Anandappa, and assessment No. 40 of Anthony Rodrigo, and the other part of this property marked letter B bearing assessment Nos. 35 and 36, and Jampettah street, west by assessment Nos. 23 and 23A of J. H. Jehard; containing in extent 1 acre 2 roods and 5 37/100 square perches,

Fiscal's Office,
Colombo, May 1, 1923.W. DE LIVERA,
Deputy Fiscal, W. P.

In the District Court of Colombo.

M. T. T. K. L. Chettyappa Chetty of Sea street,
Colombo Plaintiff.
No. 5,511. Vs.W. Jansingho of Peliyagoda in Colombo, presently of
Mukalana in Kanduboda in Colombo District. Defendant.

NOTICE is hereby given that on Thursday, May 31, 1923, 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 for the recovery of the sum of Rs. 2,636.32, with interest thereon at the rate of 9 per cent. per annum from July 6, 1922, till payment in full, and costs, viz. :-

All that eastern undivided 1/2 part or share of the land called and known as Dawatagahalanda, together with the entire tiled house and other houses comprising the following allotments of land, to wit :-

1. Dawatagahalanda or Etaheraliyagahalanda, situated at Alubowila, in the Adikari pattu of Siyane korale, in the District of Colombo, Western Province; bounded on the south by lands claimed by Mohotti Appu and others and Joran Appu, south-west by land claimed by Joran Appu; and all other sides by land described in plan No. 125,717; containing in extent 3 roods and 5 perches.

2. Kosgahawatta situated at Alubowila aforesaid; bounded on the north by the property of Mr. Bastian, east by land claimed by Sinchappu, Nonohamy, and Salanchy Appu, south and west by land described in plan No. 125,717; containing in extent 2 roods and 34 perches.

3. Kekunagahalanda, situated at Alubowila aforesaid; bounded on the north by the land of R. Dunahami and land in plan No. 69,523, east by lands of M. Bastian and Don Bastian, south-east by lands applied by Sinno Appu and others, south by lands applied by Sinno Appu, B. Mohotti, Joran, and Julis, and on the west by lands applied by Salanchy Appu, Sinno Appu, and others; containing in extent 11 acres 3 roods and 27 perches.

4. Laulugahawatta, situated at Alubowila aforesaid; bounded on the north by cemetery, east by land of D. E. Wijewardana, south by land of K. Salanchy Appu, and west by land of K. Inohamy and others; containing in extent 1/2 of 3 kurumies paddy sowing.

5. Laulugahawatta, situated at Alubowila aforesaid; bounded on the north by burial grounds and other portions of this land, east by burial ground, south by land of K. Ensohamy and others, and west by land of K. Ensohamy and others; containing in extent 3 kurumies of paddy sowing.

The said five allotments of lands adjoin each other and now form one property; and bounded as follows: on the north by land belonging to Vetharanage Don Paulis and others, on the east by wela (field), on the south by lands belonging to Kanathe Kankanamalage Mohotti and others, on the west by lands belonging to Pelegi Odiris Appu and others; and containing in extent within these boundaries 13 1/2 acres more or less.

Fiscal's Office,
Colombo, May 1, 1923.W. DE LIVERA,
Deputy Fiscal, W. P.

In the District Court of Colombo.

(1) Alexander Conway Walter Clarke of Nuwara Eliya, (2) Edith Marian Jane Elders, wife of Richard William Elders of Bandarawela, (3) Walter Thomas Stephen Grigson, care of George Steuart & Co., Colombo, (4) Helen Agnes Hesford Grigson, care of Messrs. George Steuart & Co., Colombo, (5) Maud Sarah Thornton, wife of Watson Sykes Thornton, care of Messrs. Forbes & Walker, Colombo, (6) Richard William Elders, (7) Watson Sykes Thornton, care of Messrs. Forbes & Walker, Colombo. . . . Plaintiffs.

No. 6,016. . . . Vs.

(1) Namaswayam Mudaliyar Ratnasabapathy of Jaffna House, Ward place, Colombo, (2) Ratnasabapathy Nadarajah of Ward place, Colombo, (3) Ratnasabapathy Doresamy of Ward place, Colombo, (4) Bosanquet & Co., Ltd., in Colombo. . . . Defendants.

NOTICE is hereby given that on Tuesday, June 5, 1923, will be sold by public auction at the respective premises the following mortgaged property declared specially bound and executable under the decrees entered in the above action and ordered to be sold by the order of court dated March 27, 1923, for the recovery of the sum (1) of Rs. 26,875 in favour of the 1st plaintiff, with interest on the sum of Rs. 25,000 from July 1, 1922, to the date of decree (November 1, 1922) at the rate of 10 per cent. per annum and thereafter on the aggregate amount at the rate of 9 per cent. per annum till payment in full; (2) Rs. 12,800 in favour of the 2nd plaintiff, with interest on the sum of Rs. 12,000 from July 1, 1922, to the date of the decree (November 1, 1922) at the rate of 10 per cent. per annum and thereafter on the aggregate amount at the rate of 9 per cent. per annum till payment in full; (3) Rs. 3,225 in favour of the 3rd plaintiff, with interest on Rs. 3,000 from July 1, 1922, to the date of decree (November 1, 1922) at the rate of 10 per cent. per annum and thereafter on the aggregate amount at the rate of 9 per cent. per annum till payment in full; (4) Rs. 3,225 in favour of the 4th plaintiff, with interest on the sum of Rs. 3,000 from July 1, 1922, to the date of the decree (November 1, 1922) at the rate of 10 per cent. per annum and thereafter on the aggregate amount at the rate of 9 per cent. per annum till payment in full; and (5) Rs. 5,375 in favour of the 5th plaintiff, with interest on the sum of Rs. 5,000 from July 1, 1922, to the date of decree (November 1, 1922) at the rate of 10 per cent. per annum and thereafter on the aggregate amount at the rate of 9 per cent. per annum till payment in full, and also their costs of this action, viz. : —

At 2 P.M.

1. All that portion of the allotment of land marked letter "C" in the plan thereof, bearing assessment No. 1953/42a, now called Cresborough, situated in Kynsey road, Maradana, Cinnamon Gardens, within the Municipality and District of Colombo, Western Province; and bounded on the north by the portion of land belonging to Norris Fernando, on the east by Kynsey road, on the south by land described in Government title plan No. 75,306 belonging to the widow of the late B. Edwin Alvis, on the west by the lot marked "B," the property of J. W. C. de Soysa; containing in extent 1 rood and 20 perches held and possessed under and by virtue of a deed No. 2,786 dated August 6, 1903, attested by Arthur William Alvis of Colombo, Notary Public, registered A 63/256, in the Colombo District Land Registry Office.

At 4 P.M.

2. All those divided lots Nos. 4 and 6 (parts of an allotment of land marked No. 13 in the figure of survey of January, 1901, and referred to and comprised in the decree of court in action No. 13,147 c of the District Court of Colombo) bearing present assessment No. 35/19, Colombo, Galle road, situated at Wellawatta in the Palle pattu of Salpiti korale, in the District of Colombo, Western Province, to wit : —

(1) Lot No. 4; bounded on the north by Alexander road, 22 links wide, on the east by lot No. 22, on the south by lot No. 6, and on the west by Gauder's road, 22 links wide; containing in extent 1 rood and 10 24/100 perches according to the figure of survey dated January 26, 1901, and made by T. H. Krickenbeck, Surveyor.

(2) Lot No. 6; bounded on the north by lot No. 4, and on the east by lot No. 22, on the south by lot No. 9, on the west by Gauder's road, 22 links wide; containing in extent 1 rood and 10 perches 24/100 according to the figure of survey dated January 26, 1901, and made by the said T. H. Krickenbeck, Surveyor, excluding, however, therefrom a portion in extent 5.50 perches acquired by Government as lot "A" 906 in preliminary plan 14,000, for duplication of the railway held and possessed under and by virtue of a deed No. 704 dated May 16, 1913, and attested by Cathiraveloo Pillai Thamootherampillai Kandaiya of Colombo, Notary Public, registered Wellawatta, Volume 6/356 and 358 in the Colombo District Land Registry Office, together with all the buildings at the date of the mortgage bond standing or thereafter erected or to be erected thereon, and all appurtenances whatsoever to the said properties and premises and each of them belonging or in anywise appertaining or held to belong or be appurtenant thereto, or used, or enjoyed there with, and all the estate, right, title, interest, property, claim, and demand of the 1st defendant of, into, upon, or out of the said properties and premises and each of them, notwithstanding the transfer, lease, and secondary mortgage granted to the 2nd, 3rd, and 4th defendants, respectively.

Fiscal's Office,
Colombo, May 2, 1923.

W. DE LIVERA,
Deputy Fiscal, W. P.

In the District Court of Colombo.

Owen Ide of No. 94, Dam street, Colombo Plaintiff.

No. 6,617. . . . Vs.

(1) Madumage Podinona and her husband (2) Talagalage Paulu Perera, both of Mectotamulla in Colombo Defendants.

NOTICE is hereby given that on Wednesday, May 30, 1923, at 1.30 in the afternoon, will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 584 dated October 1, 1920, and attested by Ieslie Mack of Colombo, Notary Public, and decreed and ordered to be sold by the order of court dated January 31, 1920, for the recovery of the sum of Rs. 3,009.59, with interest on Rs. 2,000 at 10 per cent. per annum from October 19, 1922, till November 6, 1922, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit, viz. : —

All that lot marked G in the plan dated August 23, 1903, made by Francis M. Perera, Licensed Surveyor, of the called Komponnagahairawella and of the plantations and trees standing thereon, situated at Meetotamulla in Ambatelepahala, Alutkuru korale south, in the District of Colombo, Western Province; which said lot marked G is bounded on the north-west by the high road, on the north-east by lot H, on the south-east by field called Alaguwatta, and on the south-west by lot marked F; containing in extent 9.25 square perches, and all the right, title, interest, and claim whatsoever of the said defendant in, to, upon, or out of the said premises.

Fiscal's Office,
Colombo, May 1, 1923.

W. DE LIVERA,
Deputy Fiscal, W. P.

In the District Court of Negombo.

(1) Don David Perera Ranasinha, and (2) M. Mary Merciano Clara Ranasinha, both of Negombo. Plaintiffs.

No. 14,913. . . . Vs.

(1) Mihidukulasuria Andaradige Charles Fernando Tammita, and (2) ditto Lucia Irena Costa of Negombo Defendants.

NOTICE is hereby given that on May 28, 1923, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said first defendant in the following property, viz. : —

(1) The land bearing assessment No. 13, on which the 1st defendant resides, and the buildings standing thereon, situate at 3rd Division, Tammita, Negombo; and bounded on the north by land of William Mendis Gunasekara Basnayaka, east by Temple road, south by land of Resal Mendis

Abeyasekara Hamine, and west by land of M. P. Kurera; containing in extent about 3 acres.

(2) The contiguous lots bearing assessment No. 6, called Pichchatittakotuwa, situate at 3rd Division, Tammita aforesaid, and the buildings standing thereon; bounded on the north by high road leading to Katuwapitiya, east by land belonging to Mariya Fernando and Suppramanian Chetty, south by land of Peter Kurera and Ramanadan Chetty, and west by high road leading to Colombo and the land of Peduru Fernando and others; containing in extent about 4 acres.

Amount to be levied Rs. 4,698.46, and interest on Rs. 4,636.06 at 9 per cent, per annum from March 8, 1923, till payment.

Deputy Fiscal's Office, FRED. G. HEPPONSTALL,
Negombo, May 1, 1923. Deputy Fiscal.

In the District Court of Negombo.

Brahamanage Pabliyano Perera of Palliyapitiya, Plaintiff.
No. 14,967. Vs.

Horatalpedige Saradiya, Police Headman of Akaragama, Defendant.

NOTICE is hereby given that on May 26, 1923, commencing at 10 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. :—

The land called Kahatagahavatta, situate at Akaragama in Dunagaha pattu; and bounded on the north by the live fence separating the land of Mutugalpedigearumaduraya, east by live fence separating the land of Mutugalpedige Seriya, south by the live fence separating the land of Santiago Rendarala and others, and west by the live fence separating the land of Mutugalpedige Hawadiya; containing in extent about 4 acres.

Amount to be levied Rs. 1,732.14, with interest on Rs. 1,000 at 18 per cent, per annum from August 17, 1921, till October 19, 1921, and thereafter at 9 per cent, per annum till payment, and poundage.

Deputy Fiscal's Office, FRED. G. HEPPONSTALL,
Negombo, May 1, 1923. Deputy Fiscal.

In the District Court of Colombo.

Moona Ana Lana Meyna Sockalingam Chetty of Sea street, Colombo, Plaintiff.

No. 6,559. Vs.

Kasturi Aratchige William de Silva Warnakula Sooriya of Dodanduwa in Galle, Defendant.

NOTICE is hereby given that on Tuesday, May 29, 1923, commencing at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property (mortgaged by the defendant with plaintiff and declared bound and executable for the decree entered in the said case) for the recovery of Rs. 7,294.65, with interest on Rs. 5,000 at 15 per cent, per annum from October 14, 1922, till October 18, 1922, and thereafter further interest on the aggregate amount at 9 per cent, per annum till payment in full, and costs, viz. :—

1. All that allotment of land called Aluwilagodellekele, situated in the village Badureliya in Mahapattu south of Pasdun korale east in the District of Kalutara, Western Province; bounded on the north by Crown land called Kammalkumburadeniya and land described in plan No. 114,767, east by land described in plan No. 114,767 and Crown lands called Aluwilakumbura and Suduwelimananedeniya, south by Crown land called Suduwelimananedeniya, and west by the Crown lands called Suduwelimananedeniya Kammalkumbura and Kammalkumburadeniya and land described in plan No. 179,996; containing in extent 12

acres and 20 perches according to the plan No. 179,995 dated February 13, 1899, authenticated by F. H. Grinlinton, Esq., Surveyor-General.

2. All that allotment of land called Kakgodelledeniya, situated in the village Badureliya aforesaid; and bounded on the west by land described in plan No. 179,995 and Crown land called Kammalkumbura and on all other sides by land described in plan No. 179,995; containing in extent 3 roods and 14 perches according to the plan No. 179,996 dated February 13, 1899, authenticated by the aforesaid Surveyor-General.

3. All that allotment of land called Suduwelimananedeniyagodella, situated in the village Badureliya aforesaid; bounded on the north and east by Crown land called Aluwilakumbura, south by the Crown land called Aluwilakumbura and Suduwelimananedeniya, west by Crown land called Suduwelimananedeniya; containing in extent 5 acres 3 roods and 28 perches according to the plan No. 179,997 dated February 13, 1899, and authenticated by the aforesaid Surveyor-General, together with the buildings and plantations now thereon or thereafter to be thereon.

Deputy Fiscal's Office, H. SAMARASINGHA,
Kalutara, May 1, 1923. Deputy Fiscal.

In the District Court of Kalutara.

Illekuttige Anthonis Fernando of Beruwala, Plaintiff.

No. 8,086. Vs.

Wappu Marikkar Abdul Hamid Marikkar of Hettiyakanda in Beruwala, Defendant.

NOTICE is hereby given that on Monday, May 28, 1923, at 3 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 for the recovery of Rs. 270.40, viz. :—

The land called Kosgahawattalanda, alias Lot No. 1 of Kosgahalandewatta, together with all things thereon, situated at Badanagoda in Beruwalbadde, in the District of Kalutara; and bounded on the north by land described in T. P. 141,219, lot 3271, east by lot 2 of this land, south by land appearing in T. P. 128,385; and west by land in T. P. 141,220, and lot 3273; containing in extent 9 acres 3 roods and 33 perches.

Deputy Fiscal's Office, H. SAMARASINGHA,
Kalutara, May 1, 1923. Deputy Fiscal.

Central Province.

In the Court of Requests of Gampola.

Heratgedera Rammenika of Rambukpitiya, Plaintiff.

No. 5,020. Vs.

Hetti Arachchige Girigoris Appu of Rambukpitiya, Defendant.

NOTICE is hereby given that on Monday, May 28, 1923, commencing at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 311.01, with legal interest on Rs. 256 from March 24, 1921, till payment in full, and poundage due on the aggregate amount, viz. :—

(1) The field called Bittarapela of 18 lahas paddy sowing in extent, situate at Lewdeniya in Pasbage korale of Uda Bulatgama; and bounded on the east by Telliambalam's field, south by Kanakasabe's garden, on the west by the field of Daudu Lebbe and Elias Appu's land, and on the north by ela-weella of Godaunumuwe.

(2) The land called Kalugalawatta of two pelas paddy sowing extent, situate at Lewdeniya as aforesaid; and bounded on the east by the garden belonging to Tepanis Bass; on the south by Kanakasabe's garden, on the west and north by Muttu Conductor's land. Value Rs. 2,350.

Fiscal's Office,
Kandy, April 28, 1923.

D. J. PERUSINGHA,
Deputy Fiscal.

In the District Court of Kandy.

Seena Nana Seena Nallan Chetty of Nawalapitiya . . . Plaintiff.

No. 25,219.

Vs.

(1) Reginald Henry Downall, (2) Eleanor Downall, both of Comar Group in Watawala . . . Defendants.

NOTICE is hereby given that on Saturday, May 26, 1923, commencing at 12 noon, will be sold by public auction at the respective premises in the following property mortgaged with the plaintiff by bond No. 384 dated September 15, 1910, and attested by Mr. F. G. Jonklaas of Gampola, Notary Public, and decreed to be sold under the decree entered in the above case for the recovery of the sum of Rs. 2,500, with interest thereon at 9 per cent. per annum from February 2, 1917, till payment in full, and taxed costs Rs. 151.50, together making the sum of Rs. 2,651.50, and poundage, viz. :—

All that right, title, and interest of the defendants in and to the estate called Kurugalla, situate at Medapalata korale of Udunuwara, in the District of Kandy of the Central Province, and comprising the following allotments of land, which adjoin each other and form one property, to wit :—

(1) Allotment of land called Muttelohena, situate in the village Ududeniya in Medapalata of Udunuwara aforesaid; and bounded on the north by land claimed by natives, on the north-east by land described in plan No. 55,896 and by land claimed by natives, on the east and south-east by land described in plan No. 50,089, on the south-west by land described in plan No. 53,764, and on the west by land said to belong to the Crown and by land claimed by natives, and on the north-west by land described in plan No. 55,896 and by land claimed by natives; containing in extent (exclusive of the path passing through the land) 9 acres 3 roods and 17 perches.

(2) A tract of land bounded on the north-west by land said to belong to the temple and on all other sides by land claimed by natives; containing in extent 45 acres and 2 roods, situate at Wegiriya in Medapalata aforesaid.

(3) Allotment of land called Gongomahena, situate at Wegiriya in Medapalata aforesaid; bounded on the north and north-east by paddy fields claimed by natives and land said to belong to temple, on the east and south-east by land described in plan No. 50,089, on the south and south-west by land claimed by natives and by paddy fields claimed by natives; in extent 4 acres 1 rood and 25 perches.

(4) Chena called Kurugollehena *alias* Gattenahena of 2 pelas in extent, situate at Kurugalla in Gangapalata of Udunuwara aforesaid; and bounded on the east by mango tree standing on the ganima of Udunuwara, on the south by the galdetta, on the west by the stone fence, and on the north by the coffee estate which was owned by John James.

(5) Chena called Kurugalla *alias* Gallenahena of 2 pelas in extent; and bounded on the east by stone fence, on the south by the galdetta, on the west by the Damade of Gamagederahena, and on the north by the coffee estate which was owned by John James; and situate at Kurugalla aforesaid.

Fiscal's Office,
Kandy, May 1, 1923.

A. RANESINGHE,
Deputy Fiscal.

In the Court of Requests of Matale.

Podi Mahatmaye *alias* Podi Appuhamy of Madawela . . . Plaintiff.

No. 15,196.

N. R. Raja Gopal of the Police Office, Fort, Colombo, the administrator of the estate of R. N. Rengasamy, deceased . . . Defendant.

NOTICE is hereby given that on Monday, May 28, 1923, commencing at 12 noon, will be sold by public auction at the

spot the right, title, and interest of the said defendant in the following property, viz. :—

The land called Meegahamulawatta of about 2½ acres in extent, situate at Madawela in Matale South; and bounded on the east by road leading to Trincomalee, south by mosque and ditch, west by the boundary of Cunin estate, and on the north by Siyambalagahamulawatta; together with the three tiled buildings, plantations, and everything thereon.

Amount of writ Rs. 257.50, with legal interest on Rs. 223.85 from June 8, 1922, till payment in full.

Deputy Fiscal's Office,
Matale, May 1, 1923.

C. SENARATNE,
Deputy Fiscal.

In the District Court of Kandy.

P. R. S. T. K. M. Sidambram Chetty of Matale . . . Plaintiff.

No. 29,057.

Vs.

I. D. S. Sayado Ibrahim Saibo of Matale . . . Defendant.

NOTICE is hereby given that on Monday, May 28, 1923, commencing at 10 o'clock in the forenoon, will be sold by public auction at the spot the following movable property of the defendant lying in the defendant's shop bearing Nos. 193 and 194, situate at Trincomalee street, Matale, viz. :—

- | | |
|---|--|
| 1 iron safe | 1 copying press |
| 2 large glass show cases without contents | 2 elephant chains |
| 2 small glass show cases without contents | 1 brass head light motor car lamp |
| 10 counter glass show cases | 1 nickel plated head light lamp |
| 1 weighing machine with platform and weights complete | 13 rolls corr matting |
| 3 writing desks | 60 enamelled latex buckets |
| 10 Carboy's martional jars | 1 pipe wrench with chain |
| 9 rivet galvanized buckets, large | 1 galvanized drum |
| 18 mammoti quitentaries | 9 rolls Manila ropes, assorted sizes |
| 20 mammoti forks | 6 galvanized funnels, large |
| 115 grubbing mattocks | 9 zinc petrol funnels |
| 68 pickaxes, large and small | 7 rolls galvanized wire weaving mesh, assorted sizes |
| 1 pit saw, large | 1 roll galvanized wire |
| 1 transplanter | 9 rolls perforated zinc sheets, incomplete |
| 9 bucking shovels | 7 rolls wire netting |
| 8 latrine buckets | 10 galvanized guttering |
| 30 galvanized buckets, large and small | 60 weeding scrapers |
| 50 wire shoot runners, large and small | 2 buggy cart axles |
| 5 pieces copper rods | 60 iron hammers, large and small |
| 4 crowbars | 40 cart bushes, large |
| 2 lifting jacks | 60 cart bushes, small |
| 12 iron supporters | 1 barrel flower of sulphur |
| 5 Salter's circular scales (½ to 300 lb.) | 2 motor car tyres |

Amount of writ Rs. 1,779.02, with interest on Rs. 3,670.79 at 9 per cent. per annum from September 15, 1921, till payment in full.

Deputy Fiscal's Office,
Matale, May 1, 1923.

C. SENARATNE,
Deputy Fiscal.

Southern Province.

In the District Court of Galle.

W. M. M. Salie of Kumbalwella . . . Plaintiff.

No. 20,372.

Vs.

I. L. M. Abdul Rahiman of Gintota . . . Defendant.

NOTICE is hereby given that on Saturday, May 26, 1923, at 2 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. :—

All the eastern ¼ portion (bearing Nos. A and B) of lot No. 26 of the land called Gintota Maradana Kurunduwatta, situate at Gintota Welipitimodera of the Four Gravets

of Galle; which said 2 lots Nos. A and B are together bounded on the north by lot No. 28, east by Welewatta and Ambagahawatta, south by lots Nos. 23 and 24 of the same land, and west by the western $\frac{1}{2}$ portion of lot No. 26 bearing lot No. C of the same land; in extent about $\frac{1}{2}$ acre, together with the masonry built tiled house of 11 carpenters cubits and the other buildings standing on lot marked "A" aforesaid.

Writ amount Rs. 458.78, together with legal interest on Rs. 409.86 from April 5, 1923.

Fiscal's Office,
Galle, April 26, 1923.

F. BARTLETT,
Fiscal.

In the District Court of Tangalla.
Jasin Arachchige Sarala of Pedigama Plaintiff.
No. 1,707. Vs.

Yatigala Lokugammacharige Nonnohamy and others Defendants.

NOTICE is hereby given that on Saturday, May 26, 1923, at 2 P.M., will be sold by public auction at this office the right, title, and interest of the said defendants in the following property for the recovery of Rs. 216.78, and poundage, viz. :—

At Ihala Beligaha.

An undivided $\frac{3}{5}$ shares of the soil and of the plantations of the land called and known as Kongahahena, containing in extent 10 acres; and bounded on the north by Mahahena, east by the fence of the garden wherein Nicholas resides and Mahahena, south by dewata, and on the west by Badalralagewatta and schoolmaster's garden, and one-half share of the tiled house of nine cubits standing thereon in which Yatigala Lokugammacharige Nonnohamy resides.

Deputy Fiscal's Office,
Tangalla, April 27, 1923.

J. E. SENANAYAKE,
Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.
Ponnammah, widow of Thambiah of Nalloor Plaintiff.
No. 16,918. Vs.

Mary Kanmany Kanagasabai, widow of Richard Hanan Kanagasabai of Jaffna Town Defendant.

NOTICE is hereby given that on Saturday, May 26, 1923, at 10.30 in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of Rs. 795.25, with interest on Rs. 750 at the rate of 12 per cent. per annum from July 12, 1922, until payment in full, and costs Rs. 110.47, and poundage and charges, viz. :—

A piece of land situated at Nalloor, Nalloor Parish, Jaffna division of the Jaffna District, Northern Province, called Thirukkivalavu, Kuviyathivalavu, and Athiyavalavu; containing or reputed to contain in extent 24 $\frac{1}{2}$ lachams varagu culture, with cultivated and spontaneous plants and other appurtenances; bounded or reputed to be bounded on the east by lane, on the north by property of Thambiah Ponniah and others, on the west by property of Thampar Sinnathamby and shareholders and by property belonging to Maruthadiyit Pillaiyarkovil, and on the south by property of Rasamma, wife of Chelliah.

Fiscal's Office,
Jaffna, April 28, 1923.

A. VISVANADHAN,
Deputy Fiscal.

Eastern Province.

In the District Court of Trincomalee.
S. Ponnusamy Plaintiff.
No. 893. Vs.

(1) S. V. Selvadurai and wife, (2) Parupathy-pillai Defendants.

NOTICE is hereby given that on dates and hours mentioned below will be sold by public auction at the spot the right, title, and interest of the said defendants

in the following properties for the recovery of Rs. 6,591.62, further interest on Rs. 6,150, and poundage, viz. :—

On Tuesday, June 5, 1923, commencing at 9 A.M.

1. A piece of land called Ralkulattutoddam (රාලුකුලාතුටුදාම), situate at Sampaltivu, Trincomalee District, Eastern Province, together with coconut trees, coconut plants, and palmyra trees and all other appurtenances; boundaries: north-east land lot 92581, north-west lot 2618, south-east lot 92615, and south-west lot 92614; extent 2 acres.

2. A piece of land called Ralkulattutoddam (රාලුකුලාතුටුදාම), situate at Sampaltivu aforesaid, with coconut trees, coconut plants, jak trees, and other plantations standing thereon and appurtenances; boundaries: north-east lot 92581 and land now belonging to Vettivelu Canagasabay and others; south-west lot 92588; north-west lots 92614 and 92616; extent 5 acres 3 roods and 7 perches.

3. Southern portion of land called Browntoddam, in extent 14 acres 2 roods 15.25 perches, situated at Division No. 12 Trincomalee, with palmyra trees, coconut trees, well, well sweep and posts, and other appurtenances thereto; bounded on the north by the remaining portion of the land belonging to the heirs of S. Arumugampillai, on the east by seashore, on the south by land of Nagappiar Chetty Vyramuttu, and on the west road.

On Tuesday, June 5, 1923, commencing at 3 P.M.

4. A piece of land, situated at Division No. 6, Trincomalee, bearing assessment Nos. 67 and 68, with the tile covered house of three rooms, outhouses, kitchen, and $\frac{1}{2}$ share of the will, well sweep and posts, with plantation and appurtenances thereto; bounded on the north-east by land belonging to Sivan temple, on north-west by land belonging to Katigesu Supramaniam and others, on the south-west road, and on the south-east by land belonging to the heirs of Annapuraniamma, daughter of S. Arumugampillai; extent 1 rood 5.06 square perches.

5. A piece of land bearing assessment Nos. 138 and 131, situated at Division No. 5, Trincomalee, Eastern Province, together with the 2 wells, well sweep and posts, and plantation thereon (excluding share of the well situate on the eastern side of this land) and all other appurtenances thereto; bounded on the north by house and land belonging to Visalatchipillai, wife of Tampapillai, and the children of Veerapathira Chettiyar Arunasalem, and road, on the south by land belonging to Vettivelu Canagasabay, on the east by land belonging to heirs of Seetavipillai, wife of Sinnatampi, and on the west by road; extent 2 roods 31.97 perches.

6. A bankshall of two rooms having two boutiques bearing assessments Nos. 35 and 38 out of a building (boutique) standing on a piece of land situated at Division No. 7, Trincomalee, Eastern Province, together with the land belonging thereto, $\frac{1}{2}$ share of well thereon, and other appurtenances thereto; bounded on the east by the remainder of the bankshall building (boutique) and land belonging to the heirs of Annapuranyamma, daughter of Arumugampillai, on the north and south by roads, on the west by bankshall (boutique) belonging to N. Swaminathapillai and the house and land belonging to Kadir-meideen Nachchia, widow of Ebrahim Saibu, and others, containing in extent 17 63/125 perches.

Fiscal's Office,
Trincomalee, April 28, 1923.

C. VELUPILLAI,
Deputy Fiscal.

In the Court of Requests, Trincomalee.

K. S. Muttucumarasamy of Trincomalee Plaintiff.
No. 7,595. Vs.

M. Abdul Rahim of Division No. 3, Trincomalee. Defendant.

NOTICE is hereby given that on Saturday, May 26, 1923, at 4 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 for the recovery of Rs. 141.91, with further interest and poundage, to wit :—

A piece of land bearing assessment No. 19, situate at Division No. 5, Trincomalee, Eastern Province, with a tile covered house of 2 rooms, outhouses, 1 coconut tree,

5 coconut plants, palmyra trees, and other appurtenances relating thereto; boundaries: on the north-east and north-west the house and ground now belonging to Neinakkan Rasak and others, on the south-east the house and ground of the heirs of P. Mariyan Bawa, and on the south-west road; extent 4' 25 square perches.

Deputy Fiscal's Office,
Trincomalee, April 28, 1923.

C. VELUPILLAI,
Deputy Fiscal.

In the Court of Requests of Trincomalee.

Ponnamma, widow of Kanagasabay Plaintiff.

No. 7,681.

Vs.

(1) Ponnamma, widow of Duriappa Vannah, and (2)
D. V. Sankarapillai Defendants.

NOTICE is hereby given that on Saturday, June 2, 1923, at 4 o'clock in the afternoon, will be sold by public auction at the spot, the right, title, and interest of the said defendants in the following property for the recovery of Rs. 106'87, with interest on Rs. 88'34 at 9 per cent. per annum from December 7, 1922 still payment in full, and poundage, viz. :—

An undivided $\frac{1}{2}$ share of a piece of land, with a tiled house of three rooms, outhouses, well, and plantations thereon, and all other appurtenances thereto belonging, situate at Division No. 6, Trincomalee District, Eastern Province; boundaries: north, land of the heirs of Sanmugampillai; east, house and ground of Murugapper Velupillai; south, road; west, lane; extent 33'67 square perches.

Fiscal's Office,
Trincomalee, April 28, 1923.

C. VELUPILLAI,
Deputy Fiscal.

North-Western Province.

WITH reference to the notice of sale published in *Gazette* No. 7,324 dated April 20, 1923, the caption should be as follows:—

In the District Court of Colombo.

Muna Ana Lana Meyna Sockalingam Chetty of Sea street, Colombo Plaintiff.

No. 6,557.

Vs.

Kasturi Arachchige William de Silva Warnakulasuriya of Dodanduwa in Galle Defendant.

S. D. SAMARASINHE,
Deputy Fiscal.

In the Additional Court of Requests of Kurunegala.

Soorathna Ana Muhammadu Noordeen of Pambadeniya Plaintiff.

No. 27,145.

Vs.

Galuthrallage Kiri Banda of Galpoththepola in Dambadeni Udukaha korale south Defendant.

NOTICE is hereby given that on Saturday, May 26, 1923, 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. Gallindagawawatta, Symbalagahamulawatta, and Bomaluwewatta, containing in extent 7 acres; and bounded on the north by the garden Medawatta of William Sinno, on the east by the garden belonging to William Sinno, and on the south and west by the Gansabhawa road; situate at Galpoththepola.

Amount to be levied Rs. 314, with legal interest on Rs. 287'50 from December 14, 1922, till payment in full.

Fiscal's Office,
Kurunegala, April 28, 1923.

J. G. RATNAYAKE,
Deputy Fiscal.

In the District Court of Puttalam.

Suna Pana Kana Nana Suna Suppiah of Negombo. Plaintiff.

No. 3,563.

Vs.

(1) W. B. Muttukumaru, (2) Annie Muttukumaru, (3) Luvina David Achche, all of Kattakado in Akkarai pattu in Puttalam District Defendants.

NOTICE is hereby given that on Wednesday and Thursday, May 30 and 31, 1923, at the time noted below, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

At 10 A.M. on May 31, 1923.

1. The land called and known as Tammanamadokado, Kakanakullikado, and Tammanacholai, situate in the village Kattakado in Akkarai pattu south, in the District of Puttalam, in the North-Western Province, and these 3 lots forming into one contiguous block in extent 40 acres 1 rood and 21 perches; and is bounded on the north by reservation, on the east and south by jungle belonging to Pedro Santiago Mendis, west by Crown land known as Tammanacholaikado.

At 1.15 P.M. on May 30, 1923.

2. The land called and known as Atheadykani, situate in the village Panichavillo in the aforesaid pattu, containing in extent 25 acres 3 roods and 7 perches; is bounded on the north by the land called Mavilchenai and water-course, east by road and lands belonging to T. David and others, south by land called Wattawantotam belonging to T. David and others, and on the west by the common fence of the paddy field called Mavilkuthuwayal; an undivided $\frac{1}{2}$ share of the said land.

At 11.30 A.M., on May 30, 1923.

3. The paddy land called and known as Mavilveliyayal, situate in the aforesaid village, containing in extent about 15 acres and 75 bushels paddy sowing extent; is bounded on the north by the common ridge of the paddy land called Mukkukuda paddy field, south and east by bund and tulip trees, and on the west by the land called Atheadykany.

At 2 P.M. on May 31, 1923.

4. The land called Manjadychulai, containing in extent 24 acres and 20 perches, situate in the village Kandalai in the aforesaid pattu; is bounded on the north by road, east and south by lands belonging to the Crown, and on the west by lands appearing in T. P. No. 139,754.

At 1 P.M. on May 30, 1923.

5. The land called and known as Killavidaluwa, containing in extent about 30 acres, situate in the village Panichavillo aforesaid; is bounded on the north by the common ridge of the paddy land belonging to the heirs of L. Anthonipillai and water-course, east by the common ridge of the paddy land called Makkukudawayal belonging to Peena Anthony and paddy lands called Mavilkulathuwayal, south by the common fence of Mavilkulathuwayal, and west by reservation.

At 2.30 P.M. on May 30, 1923.

6. The land called Veetadykany, in extent 1 acre 1 rood and 10 perches, situate in the village Kattakado aforesaid; is bounded on the north by the paddy land belonging to Luvina David and others, east by land belonging to Luvina David and others, south by paddy land belonging to Saviel Anthony Pariyare and others, west by coconut garden belonging to Luvina David and others.

At 3 P.M. on May 30, 1923.

7. The land called and known as Velanthy and Pelamarathadytotam, situate in the village Kattakado aforesaid, containing in extent 2 acres 2 roods and 26 perches; is bounded on the north by the coconut garden belonging to C. de Rosairo and others, east by land belonging to Ana Gaspar Fernando and others, south by land belonging to Masanayan Rosairo and others, and on the west by coconut land belonging to Luvina David and others.

At 11.30 A.M. on May 31, 1923.

8. The land called and known as Manjadykany *alias* Peemadukany in extent 20 acres 1 rood and 20 perches, situate in the village Kandalai in the aforesaid pattu; is bounded on the north by the coconut garden belonging to the heirs of the late P. M. David, east by the coconut garden belonging to Simon Pullenayagam Muttukumarpillai, south by land belonging to Ahamado Sejo Ismail Ibrahim Neina Hydroos Marikar and others, and on the west by land belonging to Ena Chena Moona Mohamado; an undivided $\frac{1}{4}$ share of the above land.

For the recovery of the sum of Rs. 3,708.75, with further interest on Rs. 3,000 at the rate of 13.50 on every Rs. 100 per annum from January 28, 1923, till February 26, 1923, and thereafter legal interest on the aggregate amount from February 26, 1923, to realization, cost Rs. 174.22, poundage, and Fiscal's charges.

Fiscal's Office, S. M. P. VANDERKOE, Deputy Fiscal.
Puttalam, April 28, 1923.

[Handwritten signature]
in the District Court of Puttalam.

S. T. V. R. Ramasampillai of Puttalam Plaintiff.
No. 3,575. Vs.

(1) W. B. Muttukumaru, (2) Annie Muttukumaru, (3) Luvina David, all of Kattakadu Defendants.

NOTICE is hereby given that on Monday and Tuesday, May 28 and 29, 1923, at the time noted below, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

At 10 A.M. on May 28, 1923.

1. The land called Mavilchenakany, situate in the village Panichavillo in Akkarai pattu, in Puttalam District of the North-Western Province, containing in extent about 15 acres; is bounded on the north by the coconut garden belonging to Annie Muttukumaru, east by paddy land belonging to Luvina David, south by water-course, and west by paddy land belonging to Luvina David and others.

At 10.45 A.M. on May 28, 1923.

2. The paddy land called Pathukotuwayal, situate in the village aforesaid, about 10 paras sowing extent; is bounded on the north by the coconut garden belonging to Annie Muttukumaru and others, east by the coconut garden belonging to Luvina David, south by the paddy land belonging to Timothy David and others, and west by coconut garden belonging to Annie Muttukumaru.

At 11.30 A.M. on May 28, 1923.

3. The paddy land known as Mavilveliwayal, situate in the village Panichavillo aforesaid, about 100 paras sowing extent; is bounded on the north by paddy land belonging to Santia and others, east by Tappal road, on the south by coconut garden belonging to T. David and others, and on the west by coconut garden belonging to Luvina David.

At 3 P.M. on May 29, 1923.

4. The coconut garden called Allakootutotam and paddy land, situate in the village Perukkuwattan, in the aforesaid pattu, in extent about 15 acres; and bounded on the north by land belonging to E. S. M. Mohamado Cassim Marikar, east by Upputaravai (salt marshy land), south by Upputaravai, and on the west by land called Umarathamveliwayal.

At 12.15 P.M. on May 28, 1923.

5. The land called and known as Bungalawadykany, situate in the village Kattakado, in the aforesaid pattu, containing in extent 2 $\frac{1}{2}$ acres; is bounded on the north and

east by coconut garden belonging to the Roman Catholic Church, south by Soosay's tobacco gala and coconut garden, and on the west by coconut garden belonging to Roman Catholic Church and coconut garden belonging to the heirs of the late E. S. M. Mohamado Cassim Marikar.

At 2.30 P.M. on May 28, 1923.

6. The land called Veetadykany, situate in the village Kattakado aforesaid, containing in extent about 2 $\frac{1}{2}$ acres; bounded on the north by coconut garden belonging to Ena Sena Moona Mohamado Cassim Marikar and others, east by coconut garden belonging to Annie Muttukumaru, south by garden belonging to Ena Sena Moona Mohamado Cassim, and on west by Maniyakaravavun.

At 1 P.M. on May 28, 1923.

7. The land known as Kilavidaluwa, situate in the village Panichavillo aforesaid, in extent about 30 acres; and is bounded on the north by common ridge of the field called Panaiadywayal belonging to the heirs of L. Anthonipilla and common fence, east by the paddy lands belonging to Peena Anthony and Mavilkulathuwayal, south by common fence of Mavilkulam, and on the west by Maniyakaravavun.

At 2 P.M. on May 29, 1923.

8. The land called and known as Mancholaikany *alias* Manjadykany, situate in the village Kandalai, in the aforesaid pattu, in extent about 24 acres 20 perches; is bounded on the north by land belonging to T. David, on the east by coconut garden belonging to Peter Corera, south by reservation, and on the west by coconut garden belonging to the heirs of the late A. M. C. Casie Chetty.

At 3 P.M. on May 28, 1923.

9. The land called Veetadykany, situate in the village Kattakado aforesaid, in extent about 1 $\frac{1}{2}$ acres; is bounded on the north and east by coconut garden belonging to C. de Rasairo, south by paddy land belonging to Xavier Rosairo and others, and on the west by coconut garden belonging to Luvina David.

At 11.30 A.M. on May 29, 1923.

10. The land called and known as Neduntotam, situate in the village Kandalai aforesaid, containing in extent 20 acres; bounded on the north by lands belonging to the heirs of the late P. M. David, on the east by Maniyakaravavun, south by lands belonging to the heirs of E. S. A. M. Mohamado Cassim Marikar, and on the west by coconut garden belonging to the heirs of Ena Sena Moona Mohamado Cassim Marikar.

At 10 A.M. on May 29, 1923.

11. The land called Tammanamadukado, Kakanankullikado, and Tammanacholaikadu, three lots forming into one contiguous block, situate in the village Kattakadu aforesaid, containing in extent 40 acres 1 rood and 21 perches; is bounded on the north by reservation, east and south by lands and jungle belonging to Pedro Santiago Mendis and others, and west by Crown lands.

At 1.15 P.M. on May 28, 1923.

12. The land called Athiadykany, situate in the village Panichavillo aforesaid, containing in extent 25 acres; is bounded on the north by water-course, east by coconut land belonging to the 2nd defendant, Annie Muttukumaru, south by coconut garden belonging to T. David and others, and west by coconut lands belonging to 3rd defendant, Luvina David, and others.

For the recovery of the sum of Rs. 6,562.50, and further interest on Rs. 6,000 at the rate of 1 $\frac{1}{4}$ per cent. per mensem from February 21, 1923, till March 5, 1923, and legal interest

thereafter on the aggregate amount from March 8, 1923, till payment in full, cost, poundage, and Fiscal's charges.

Fiscal's Office,
Puttalam, April 28, 1923.

S. M. P. VANDERKOEEN,
Deputy Fiscal.

In the District Court of Colombo.

K. M. W. S. P. Suppramanian Chetty of Sea street,
Colombo, and another Plaintiffs.

No. 5,789. Vs.

Alfred Joseph Richard de Souza of Lakshmigiri,
Colombo, presently of Chilaw Defendant.

NOTICE is hereby given that on Thursday, May 31, 1923, at 1.30 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 for the recovery of Rs. 125,715, with interest on Rs. 120,000 at 13½ per cent. per annum from July 27, 1922, till August 29, 1922, and thereafter further interest on the aggregate sum at 9 per cent. per annum till payment in full and costs less a sum of Rs. 92,414.

Part I.

All that tract of land called Kirimetiyanakele, situate at Kirimetiya in Otara palata of Pitigal korale south, in the District of Chilaw, North-Western Province; and bounded or reputed to be bounded on the north by Government land and a pond called Karandavalay, on the east by the high road from Colombo to Chilaw, on the south by the low ground called Lunuwela and Government land, and on the west by the river Gin-oya, low ground, Lunuwile, and Government ground; containing or reputed to contain in extent 569 acres 2 roods and 16 ³²/₁₀₀ perches, according to the title plan No. 46,454 dated November 15, 1842, and authenticated by F. W. Norris, Surveyor-General; which said allotment of land described in the said title plan No. 46,454 had been found on subsequent admeasurement to contain in extent 654 acres according to the title plan thereof dated February 8, 1869, authenticated by J. J. Grinlinton for Surveyor-General, the difference in area between the two plans being found to be due to inaccuracies in the older plan.

Part II.

(1) All those 3 allotments of land situated in the village Lunuwila in Otara palata aforesaid; bounded on the north by lands described in plans Nos. 103,409, 103,419, 103,450, 154,664, and 103,446 and a road, on the east by lands described in plans Nos. 103,417, 103,376, and 103,418 and the properties of J. A. Babappu, A. M. Kudappu, and A. M. Kudappu, and another, on the south by land described in plan No. 46,454, and on the west by reservation along the canal; containing in extent (exclusive of the roads passing through the land) 50 acres 1 rood and 19 perches.

(2) All that allotment of land situated in the village Lunuwila aforesaid; bounded on the north-east by land described in plan No. 46,454, on the east by land described in plan No. 46,454 and a road, on the south by road, on the west by lands described in plans Nos. 103,380, 103,375, 103,381, 103,374, and on the north-west by land described in plan No. 103,373; containing in extent (exclusive of the road passing through the land) 17 acres 1 rood and 30 perches.

(3) All that allotment of land situate in the village Lunuwila aforesaid; bounded on the west by a road and a tank claimed by R. M. Kudappu, and on all other sides by land described in plan No. 46,454; containing in extent 15 acres 2 roods and 5 perches.

(4) All that allotment of land situate in the village Lunuwila aforesaid; bounded on the north by land described in plan No. 103,374, on the north-east by land described in plan No. 103,381, on the east by land described in plan No. 103,380, on the south-east by land described in plan No. 103,380, on the south by road, and on the west by land described in plan No. 103,333; containing in extent 11 acres and 18 perches.

(5) All that allotment of land situated in the village Lunuwila aforesaid; bounded on the north by land claimed

by Mr. Ponnambalam, on the east by land described in plan No. 103,373, on the south by land described in plan No. 103,374, and on the west by lands described in plans Nos. 103,334, 103,335, and 103,371; containing in extent 9 acres 3 roods and 9 perches.

(6) All that allotment of land situate at Lunuwila aforesaid; bounded on the north-east by land described in plan No. 103,383, on the south-east by lands described in plans Nos. 103,381 and 103,375, on the west by lands described in plans Nos. 103,333 and 103,378, and on the north-west by land described in plan No. 103,372; containing in extent 9 acres and 33 perches.

(7) All that allotment of land situated in the village Lunuwila aforesaid; and bounded on the north-west and north by land claimed by Mr. Ponnambalam, on the east by land described in plan No. 46,454, on the south by land described in plan No. 103,383, and on the west by land described in plan No. 103,372; containing in extent 8 acres 3 roods and 19 perches.

(8) All that allotment of land situated at Lunuwila aforesaid; bounded on the north and east by land described in plan No. 103,383, on the south and west by land described in plan No. 103,375, and on the north-west by land described in plan No. 103,374; containing in extent 1 acre 2 roods and 18 perches.

(9) All that allotment of land situate at Lunuwila aforesaid; bounded on the west and north by land described in plan No. 103,375, on the east by land described in plan No. 103,383, and on the south by a road; containing in extent 3 roods and 31 perches.

(10) All that allotment of land called Galovita, situate at Dematapitiya in Meda palata of Pitigal korale south aforesaid; bounded on the north by lands described in plans Nos. 103,377, 103,334, and 103,378, on the east by lands described in plans Nos. 103,374 and 103,375, on the south by a road, and on the west by reservation along the canal; containing in extent 10 acres 1 rood and 9 perches.

(11) All that allotment of land called Galovita, situate at Dematapitiya aforesaid; bounded on the north-east by land claimed by Mr. Ponnambalam, on the east by lands described in plan No. 103,372, on the south by lands described in plans Nos. 103,335 and 103,379, and on the west by reservation along the canal; containing in extent 8 acres 1 rood and 10 perches.

(12) All that allotment of land called Galovita, situate at Dematapitiya aforesaid; bounded on the north by land described in plan No. 103,335, on the east by land described in plan No. 103,372, on the south-east by land described in plan No. 103,378, on the south by lands described in plans Nos. 103,378 and 103,333, and on the west by lands described in plans Nos. 103,377 and 103,379; containing in extent 4 acres 1 rood and 35 perches.

(13) All that allotment of land called Galovita, situate at Dematapitiya aforesaid; bounded on the north by land described in plan No. 103,371, on the east by land described in plan No. 103,372, on the south by land described in plan No. 103,334, and on the west by lands described in plans Nos. 103,379 and 103,371; containing in extent 4 acres 1 rood and 19 perches.

(14) All that allotment of land called Galovita, situate at Dematapitiya aforesaid; bounded on the west and north by land described in plan No. 103,334, on the east by land described in plan No. 103,374, on the south by land described in plan No. 103,333; containing in extent 2 acres 2 roods and 26 perches.

(15) All that allotment of land situate at Dematapitiya aforesaid, bounded on the north by land described in plan No. 103,371, on the east by lands described in plans Nos. 103,335 and 103,334, on the south by land described in plan No. 103,377, and on the west by reservation along the canal; containing in extent 1 acre 3 roods and 5 perches.

(16) All that allotment of land situate at Dematapitiya aforesaid; and bounded on the north by lands described in plans Nos. 103,458 and 103,378, on the east by land described in plan No. 103,334, on the south by lands described in plans Nos. 103,333 and 103,452, and on the west by land described in plan No. 103,444; containing in extent (exclusive of the canal and reservation 75 links wide passing through the land) 3 roods and 30 perches.

Deputy Fiscal's Office,
Chilaw, May 1, 1923.

A. BASNAYAKE,
Deputy Fiscal.

In the Requests Court of Chilaw.

M. K. M. Habibu Muhammad Marikar of Nattandiya Plaintiff.

No. 19,777. Vs.

Herath Jayasinghe James Sinno Appuhamy of Nattandiya and another Defendants.

NOTICE is hereby given that on Monday, May 28, 1923, at 12.30 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 for the recovery of Rs. 310.25, with interest on Rs. 150, at 25 cents per Rs. 10 per mensem from May 31, 1920, till July 7, 1920, and thereafter legal interest on the aggregate sum till payment in full and poundage, viz. :—

(1) The land called Kadurugahawatta, situate at Nattandiya in Meda palata of Pitigal korale south, in the District of Chilaw; and bounded on the north by land of Constable Arachchi, east by mill, south by land belonging to Velappu Vedarala, and west by land belonging to Appu Sinno; containing in extent about 2 acres 2 roods and 2 perches.

(2) The field called Hakurakumbura, situate at Thabowa in Meda palata aforesaid; and bounded on the north and east by field belonging to the Division Officer, south by water course, and west by field belonging to Elaris Appuhamy; containing in extent 3 parras of paddy sowing soil.

Deputy Fiscal's Office,
Chilaw, May 1, 1923.A. BASNAYAKE,
Deputy Fiscal.

In the Requests Court of Chilaw.

V. Chinnaiyah of Chilaw Plaintiff.

No. 20,657. Vs.

V. Anthony Fernando of Chilaw Defendant.

NOTICE is hereby given that on Tuesday, May 29, 1923, at 9 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 for the recovery of Rs. 138.25, with interest on Rs. 100 at 1 per cent. per mensem from July 16, 1922, to August 23, 1922, and thereafter legal interest till payment in full and poundage, viz. :—

The tiled house and premises, situate at Pitipana street in Chilaw town; and bounded on the north by land of Juan Juse Fernando and others, east by land of G. Emmanuel Fernando, south by land of Monikka Fernando, and others, and west by land of A. Peter Fernando, Vidana Arachchi and others; containing in extent about 1 rood.

Deputy Fiscal's Office,
Chilaw, May 1, 1923.A. BASNAYAKE,
Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

The Saffragam Rubber and Tea Company of Ceylon,
Limited Plaintiff.

No. 3,054. Vs.

Wappusa Marikar Habibu Umma of Kalutara, substituted defendant in the room of the deceased, Awu Lebbe Marikar Mustapha Lebbe Hadjar ... Defendant.

NOTICE is hereby given that on Monday, May 28, 1923, 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 for the recovery of the

sum of Rs. 918.62, with legal interest on Rs. 1,520.22 from June 23, 1916, and poundage, viz. :—

1. An undivided $\frac{1}{3}$ share of all those the lands called Alagalledolamoderawatta, Alagallehena, and Ketandolawatta, and an undivided $\frac{4}{9}$ share of Wakkumburagehena, together with an undivided $\frac{1}{3}$ share of the rubber plantation standing on the said lands; and together bounded on the north by Batugedarakanda, east by Ketandola, south by high road and fields, and on the west by lots 70987, 4899, and 3892, and Kitulehena; containing in extent about 40 acres, and situated at Batugedera in the Meda pattu of Nawadun korale, in the Ratnapura District.

Fiscal's Office,
Ratnapura, May 1, 1923.R. E. D. ABEYARATNE,
Deputy Fiscal.

In the District Court of Colombo.

K. M. N. S. P. Suppramaniam Chetty and another, both
of Sea Street, Colombo Plaintiffs

No. 5,789 Vs.

(1) Alfred Joseph Richard de Soysa of Lakshmigiri,
Thurston road, Colombo, presently of Kegalla and
26 others Defendants.

NOTICE is hereby given that on May 28, 1923, commencing at 2 o'clock in the afternoon, will be sold by public auction at the rubber store on Tatuwala-kanda estate at Godagampola in Panawal korale, the right, title, and interest of the said first defendant in the following property, viz. :—

992 lbs. scrape rubber
1 table
1 chair
100 planks
1 scale
1 acid bottle

4 milk baths
1 oil engine, with machine
4 rubber ovens
1 big empty barrel
142 lbs. latex rubber
3 iron rollers

To levy Rs. 125,715, with interest on Rs. 120,000, at 13 $\frac{1}{2}$ per cent. per annum from July 27, 1922, till August 29, 1922, and thereafter further interest on the aggregate amount at 9 per cent. per annum till payment in full, and costs, less a sum of Rs. 92,414.

Deputy Fiscal's Office,
Kegalla, April 27, 1923.L. GOONAWARDHANA,
Deputy Fiscal.

In the Requests Court of Colombo.

A. L. Abdul Majeed of Colombo, presently of Hingula,
Kadugannawa Plaintiff

No. 75,161. Vs.

K. George Dias of Meepitiya in Kegalla Defendants.

NOTICE is hereby given that on May 26, 1923, commencing at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, viz. :—

1. All that land called Kottanagoda-hena of 1 pela of paddy sowing extent, situated at Elle Karandupona in Deyalandahamuna pattuwa of Kinigoda korale, in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the north by oya, on the east by endaru fence, on the south by the limit of Nuwarapassapedigehena, and on the west by endaru fence.

2. All that land called Kottanagoda-hena now garden of 1 pela paddy sowing, situated at Meepitiya in Deyalandahamuna pattuwa aforesaid; and bounded on the north by elae, east by agala of garden belonging to Puncheda, south by galweta of Aramba, and on the west by endaru fence of the garden belonging to Kirihatana Duraya.

3. All that land called Acharigewatta alias Paluwatta of 12 lahas paddy sowing, situated at Meepitiya aforesaid; and bounded on the east by ditch and endaru fence, south

by large stream (Maha-ela), west by stone fence and endaru fence, and north by stone fence, seru bush and endaru fence.

4. An undivided $\frac{1}{3}$ share of that land called Ketakelapitiyegalagewatta of 1 chundu of kurakkan sowing extent, situated at Kegalla in Mawata pattuwa of Paranakuru korale, in the District of Kegalla aforesaid; and bounded on the east by fence of Daman Constable's garden, south by eura, west by the culvert of the Colombo-Kandy road to the row of jambu trees, and north by row of jambu trees; the said land is now bounded as follows: east by fence of Daman Constable's garden, south by the ditch of the high road (Colombo-Kandy), west by a straight line from the row of trees on the bank of the land belonging to Mr. George Dias for the arcanut post on the bank of the high road (Colombo-Kandy), and north by row of jambu trees (Jambupelapitiya).

5. All that land called Ketakelapitagewatta of 3 nellies kurakkan sowing extent, situated at Kegalla aforesaid; and bounded on the north by the ditch of the garden of the resthouse, east by fence of Daman Constable's land south by eura, and west by the road to the Kachcheri (excluding therefrom an undivided portion towards the road, of 1 chundu kurakkan sowing).

To recover a sum of Rs. 266.85, together with interest on Rs. 250, at 18 per cent. per annum from July 13, 1920, to December 13, 1920, and thereafter at 9 per cent. per annum till payment in full and costs of suit, taxed at Rs. 45.85.

Deputy Fiscal's Office,
Kegalla, April 26, 1923.

L. GOONAWARDHANA,
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Assen Meera Lebbe Ahamado Lebbe of No. 926. Kahatowita in the Siyane korale, in the District of Colombo, deceased.

Sultan Lebbe Sameena Umma of Kahatowita. Petitioner.

(1) Ahamado Lebbe Mohammado Saleem, (2) Ahamado Lebbe Kamila Umma Respondents.

Ahamado Lebbe Mohammado Saleem, a minor by his guardian *ad litem* Ismail Lebbe Marikar Abdul Rahiman Petitioner.

THIS matter coming on for disposal before V. M. Fernando, Esq., District Judge of Colombo, on March 29, 1923, in the presence of Mr. M. N. M. Salahudeen, Proctor, on the part of Ismail Lebbe Marikar Abdul Rahman, the petitioner above named; and the affidavit of the said petitioner dated March 16, 1923, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as guardian *ad litem* of the minor above named, to have letters of administration to the estate of the deceased aforesaid issued to him, unless any person or persons interested shall, on or before May 10, 1923, show sufficient cause to the satisfaction of this court to the contrary.

March 29, 1923.

V. M. FERNANDO,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Franciscuhettige Phillip de Silva, deceased, executed jointly with his wife Paththinihennedige Warnadeepthiya Kurukulasooriya Dona Victoria Rodrigo of Katukurunda in Moratuwa.

Paththinihennedige Warnadeepthiya Kurukulasooriya Dona Victoria Rodrigo of Katukurunda in Moratuwa Petitioner.

THIS matter coming on for disposal before V. M. Fernando, Esq., Acting District Judge of Colombo, on March 26, 1923, in the presence of Mr. G. C. E. Peiris, Proctor, on the part of the petitioner above named; and the affidavits of (1) of the said petitioner dated February 3, 1923, and

(2) of the attesting Notary also dated February 3, 1923, having been read:

It is ordered that the last will of Franciscuhettige Phillip de Silva, deceased, of which the original has been produced, and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the petitioner is the executrix named in the said will, and that she is entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before May 10, 1923, show sufficient cause to the satisfaction of this court to the contrary.

March 26, 1923.

V. M. FERNANDO,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Saffina Umma, wife of Ahmed Ibrahim of No. 130, Colpetty, Colombo, deceased.

Ahmed Bin Ibrahim of No. 130, Colpetty, Colombo Petitioner.

And

(1) Mohamed Bin Ahamed, (2) Sittie Rafiatul Ada Beeia, (3) Mohamed Luthfee Bin Ahamed, (4) Sittie Nafiesathul Zabeed, (5) Idroos Lebbe Marikar Hadjar Abdul Hamid, (6) Sinne Lebbe Marikar Rayhanath Umma, all of No. 130, Colpetty, Colombo Respondents.

THIS matter coming on for disposal before W. S. de Saram, Esq., District Judge of Colombo, on March 5, 1923, in the presence of Mr. C. M. Brito, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 15, 1923, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as widower of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before March 29, 1923, show sufficient cause to the satisfaction of this court to the contrary.

March 8, 1923.

V. M. FERNANDO,
District Judge.

The date for showing cause against the above *Order Nisi* is extended for May 10, 1923.

April 25, 1923.

V. M. FERNANDO,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Mohideen Natchia *alias* Meynan Umma of Saylan House, Gregory's road, in Colombo, deceased.

Mairina Lebbe Abdul Azeez of Saylan House, Gregory's road, in Colombo.....Petitioner.

And.

(1) Noor Rafeeka, (2) Abdul Aziz Thowfeek, (3) Abdul Aziz Mihlar, (4) Noor Athiaka, (5) Umma Razeena, (6) Abdul Aziz Mohamed Bafakl, all of Saylan House, Gregory's road, in Colombo, and (7) Yoosof Ahamed Jamaldeen of Arthur's place, Bambalapitiya, in Colombo..... Respondents.

THIS matter coming on for disposal before V. M. Fernando, Esq., Acting District Judge of Colombo, on March 26, 1923, in the presence of Mr. F. Rustomjee, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated March 22, 1923, and (2) of the attesting witness also dated March 22, 1923, having been read:

It is ordered that the last will of Mohideen Natchia *alias* Meynan Umma, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executor named in the said will, and that he is entitled to have probate thereof issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before May 10, 1923, show sufficient cause to the satisfaction of this court to the contrary.

V. M. FERNANDO,
District Judge.

March 26, 1923.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Estate of Waialipedige Sepatha of Parakadamulla, in the No. 1,208. Gangaboda pattu of Siyane korale, deceased.

Nilgalpedige Lenthil of Parakadamulla, in the Gangaboda pattu of Siyane korale.....Petitioner.

And.

(1) Waialipedige Elisa, (2) Waialipedige Sutia, (3) Waialipedige Lucia, (4) Waialipedige Saina, and (5) Waialipedige Sophia, all of Parakadamulla, in the Gangaboda pattu of Siyane korale, appearing by their guardian *ad litem*, (6) Waialipedige Thinna of Parakadamulla..... Respondents.

THIS matter coming on for disposal before V. M. Fernando, Esq., Acting District Judge of Colombo, on March 28, 1923, in the presence of Mr. John Leopold Perera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated March 20, 1923, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before May 10, 1923, show sufficient cause to the satisfaction of this court to the contrary.

V. M. FERNANDO,
District Judge.

March 28, 1923.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Mabel Vaughan Waldoock of Colombo, No. 1,215. deceased.

Arthur Flyer Waldoock of Colombo.....Petitioner.

Vs.

(1) Lady Careline Jenkins and (2) Ida Mary Island Jenkins, both of Colombo..... Respondents.

THIS matter coming on for disposal before V. M. Fernando, Esq., District Judge of Colombo, on April 23, 1923, in the presence of Messrs. Julius & Co., Proctors, on the part of the petitioner Mr. Arthur Flyer Waldoock; and the affidavit of the said petitioner dated April 16, 1923, and certificate of death marked "A" having been read: It is declared that the petitioner is entitled to have letters of administration issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before May 31, 1923, show sufficient cause to the satisfaction of this court to the contrary.

April 23, 1923.

V. M. FERNANDO,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Jurisdiction. Effects of Kirinda Liyanage Mather Silva of Pamankada in the District of Colombo, deceased.

Kirinda Liyanage Felix Silva of Wellawatta in Colombo.....Petitioner.

And.

(1) Lydia Wijesinghe, (2) K. L. Daniel Silva, (3) K. Vincent Silva, (4) K. L. Leopold Silva, (5) Freda K. Jayawardena wife of (6) Richard Henry Jayawardana, (7) Violet P. Weerackody, wife of (8) P. Don Martin Weerackody, all of Wellawatta in Colombo..... Respondents.

THIS matter coming on for disposal before V. M. Fernando, Esq., Acting District Judge of Colombo, on April 23, 1923, in the presence of Mr. F. Rustomjee, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 10, 1923, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as brother of the above-named deceased to have letters of administration to his estate issued to him, unless the respondents above named, or any other person or persons interested shall, on or before May 31, 1923, show sufficient cause to the satisfaction of this court to the contrary.

April 23, 1923.

V. M. FERNANDO,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Lalloobhai Nathoochand of Bombay, deceased.

THIS matter coming on for disposal before V. M. Fernando, Esq., District Judge of Colombo, on April 25, 1923, in the presence of Mr. Oscar Perera, Mount of Colombo, Proctor, on the part of the petitioner Mr. Sydney George Alexander Julius; and the affidavit of the said petitioner dated April 12, 1923, exemption of probate of the will of the above-named deceased, power of attorney in favour of the petitioner and Supreme Court's order dated March 28, 1923, having been read: It is ordered that the will of the said deceased dated December 4, 1919, of which an exemplification of probate has been produced and is now

deposited in this court, be and the same is hereby declared proved and it is further declared that the said petitioner is the attorney of the executor named in the said will, and that he is entitled to have letters of administration with copies of the said will annexed issued to him accordingly, unless any person or persons interested shall, on or before May 17, 1923, show sufficient cause to the satisfaction of this court to the contrary.

V. M. FERNANDO,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Ethal Girlie de Zoysa Siriwardene of Negombo, deceased.
No. 2,100.

THIS matter coming on for disposal before S. C. Sansoni, Esq., Acting District Judge of Negombo, on April 5, 1923, in the presence of Mr. T. Ranasinghe, Proctor, on the part of the petitioner Kalukath Wilmette Abrew Wijesinghe of Negombo; and the affidavit of the said petitioner dated March 29, 1923, having been read: It is ordered that the petitioner be and he is hereby declared entitled, as the husband of the said deceased, to administer the estate of the deceased above named, and that letters of administration do issue to him accordingly, unless the respondent Simon Abesinghe Hamine of Godagedera in Balapitiya of the Galle District, or any other person or persons interested shall, on or before May 8, 1923, show sufficient cause to the satisfaction of this court to the contrary.

S. C. SANSONI,
Acting District Judge.

April 5, 1923.

In the District Court of Negombo.

Order Absolute in the First Instance.

Testamentary Jurisdiction. In the Matter of the Joint Last Will and Testament of Padikkuge Emaliya Perera Wijegoonatillaka Hamine and husband Mellawa Arachchige Arnelis Perera Samarasekara Appuhamy of Udugampola.
No. 2,102.

THIS matter coming on for disposal before S. C. Sansoni, Esq., Acting District Judge of Negombo, on April 12, 1923, in the presence of Mr. D. W. Samarasinghe, Proctor, on the part of the petitioner Padikkuge Emaliya Perera Wijegoonatillaka Hamine; and the affidavit of the said petitioner dated March 12, 1923, having been read:

It is ordered that the joint last will and testament of Padikkuge Emaliya Perera Wijegoonatillaka Hamine and husband Mellawa Arachchige Arnelis Perera Samarasekara Appuhamy of Udugampola, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved.

It is further ordered that the said Padikkuge Emaliya Perera Wijegoonatillaka Hamine of Udugampola is the executrix named in the said will, and that she is entitled to have probate of the same issued to her accordingly.

S. C. SANSONI,
Acting District Judge.

April 12, 1923.

In the District Court of Kalutara.

Order declaring Will proved, &c.

Testamentary Jurisdiction. In the Matter of the Estate of the late Danwatteliyanage Seneris Appu, deceased, of Batagoda.
No. 1,534.

THIS matter coming on for disposal before W. H. B. Carbery, Esq., District Judge of Kalutara, on February 14, 1923, in the presence of Mr. D. E. de Almeida, Proctor, on

the part of the petitioner Danwatteliyanage Charles Appu of Batagoda; and the affidavit of the said petitioner dated February 8, 1923, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as a son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents—(1) Weerakoon Achige Selonona, (2) Danwatteliyanage Nonnohamy, (3) ditto Misinona, (4) ditto Nepo Sinno, (5) ditto Guneris Singho, (6) ditto Ransohamy, (7) ditto Lily Nona, all of Batagoda; 4th to 7th minors by their guardian *ad litem* the 1st respondent—or any other person or persons interested shall, on or before March 19, 1923, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 1st respondent be and she is hereby appointed guardian *ad litem* over the 4th to 7th respondents, minors, for all the purposes of this action, unless the respondents or any other person or persons interested shall, on or before March 19, 1923, show sufficient cause to the satisfaction of this court to the contrary.

W. H. B. CARBERY,
District Judge.

February 14, 1923.

The date of showing cause against this Order Nisi is extended for April 23, 1923.

W. H. B. CARBERY,
District Judge.

March 19, 1923.

The date of showing cause against this Order Nisi is extended for May 15, 1923.

W. H. B. CARBERY,
District Judge.

April 23, 1923.

In the District Court of Kandy.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of Malake Tikiri Kumarihamy of Welisara in Kandy, deceased.
No. 3,990.

THIS matter coming on for disposal before Paulus Edward Pieris, Doctor of Letters, District Judge of Kandy, on March 28, 1923, in the presence of Mr. D. A. Wickramasingha, Proctor, on the part of the petitioner Edmund Wilfred Gonigoda Wilamuna; and the affidavit of the said petitioner dated March 23, 1923, and his petition having been read:

It is ordered that the said Edmund Wilfred Gonigoda Wilamuna, as the adopted son of the deceased above named, be and he is hereby declared entitled to have letters of administration to the deceased's estate issued to him accordingly, unless any person or persons interested shall, on or before May 21, 1923, show sufficient cause to the satisfaction of this court to the contrary.

P. E. PIERIS,
District Judge.

March 28, 1923.

In the District Court of Galle.

No. 247 Specia. In the Matter of an Application by the Custodian of Enemy Property under Ordinance No. 23 of 1918.

WHEREAS Carl Hopfengartner, late of Stuttgart in Germany, executed a last will and testament dated January 25, 1915, whereby *inter alia* he appointed as his sole heirs his second wife, Marie Hopfengartner of Stuttgart in Germany, his son Herman Hopfengartner, late of Wurttemberg in Germany, and Annie Hopfengartner, late of Maysland, Nuwara Eliya; and

Whereas certain property belonging to the estate of the said Carl Hopfengartner, situate at Baddegama in Galle District, was sold by the order of the District Court of Galle, and the proceeds of sale amounting to Rs. 2,438.62, deposited in court to the credit of the above case; and

Whereas by reason of the deaths of Herman Hopfengartner and Annie Hopfengartner aforementioned, the said Marie Hopfengartner became the sole heir of the amount in deposit subject to the charge created by the article 1 (XVI) of the Treaty of Versailles; and

Whereas under section 4 of Ordinance No. 23 of 1916, the Custodian of Enemy Property has claimed the said sum together with a portion of the interest that has accrued thereon:

Now know ye that unless the said Marie Hopfengartner or any person interested shall, on or before July 26, 1923, show sufficient cause to the contrary, the District Judge of Galle, will make order that the aforesaid sums be paid to the Custodian of Enemy Property.

By order of court,

RICHARD L. PERERA,
Secretary.

April 25, 1923.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late Bentara Badalmestrige Hendrick Abayasiri No. 5,745. Narayana, deceased, of Galle.

THIS matter coming on for disposal before T. B. Russell, Esq., District Judge, Galle, on March 20, 1923, in the presence of Mr. Wm. de Silva Proctor on the part of the petitioner Bentara Badalmestrige Adonis de Silva of Kumbalwella; and the affidavit of the said petitioner dated March 15, 1923, having been read:

It is ordered that the said petitioner, as son of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondents viz.—(1) Puwakdandawe Loku Acharige Kiri Hamy, (2) Bentara Badalmestrige Charles de Silva, both of Kumbalwella, Galle, (3) Delpchitra Acharige Romawati, (4) ditto Leelawati, (5) ditto Chetiyawati, (6) ditto Yasawati, all of Hikaduwu shall, on or before May 10, 1923, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 2nd respondent be appointed guardian *ad litem* over 3rd to 6th respondents, unless the said respondents shall, on or before May 10, 1923, show sufficient cause to the satisfaction of this court to the contrary.

March 20, 1923.

A. P. BOONE,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Yahatugoda Badalge Don Carolishamy, No. 5,746. deceased, of Kumbalwella.

THIS matter coming on for disposal before A. P. Boone, Esq., District Judge of Galle, on March 21, 1923, in the presence of Mr. E. M. Karunaratne, Proctor on the part of the petitioner Yahatugoda Badalge Nonnohamy of Kumbalwella; and the affidavit of the said petitioner dated March 19, 1923, having been read, and the respondent Yahatugoda Badalge Carlinahamy consenting:

It is ordered that the said petitioner, as an heir of the deceased above named, is entitled to have letters of administration issued to her accordingly, unless any person concerned shall, on or before May 10, 1923, show sufficient cause to the satisfaction of this court to the contrary.

March 21, 1923.

A. P. BOONE,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Jurisdiction. Effects of the late Hewauluwaddige No. 2,904. Carolis, deceased, of Rassandeniya.

Suduweli Kondege Peter Appu of Kotuwegoda, Matara Petitioner.

Against

(1) Talpawala Kankanange Leisihamy of Kumbalwella, (2) Hewauluwaddige Nonnohamy of Ahanwella Respondents.

THIS matter coming on for disposal before E. Rodrigo, Esq., District Judge of Matara, on March 28, 1923, in the presence of Mr. I. R. Abeyedeera, Proctor on the part of the petitioner above named; and the petition and affidavit of the said petitioner dated March 20, 1923, having been read:

It is ordered that the petitioner Suduweli Kondege Peter Appu be and he is hereby declared entitled, as son-in-law of the said deceased, to administer the said estate, and that letters of administration do issue to him accordingly, unless the respondents above named shall, on or before May 17, 1923, show sufficient cause to the satisfaction of this court to the contrary.

March 28, 1923.

E. RODRIGO,
District Judge.

In the District Court of Matara.

No. 2,905. In the Matter of the Estate of Sinhapura Under Rs. 2,500. purage Pedrick, deceased, late of Polatugoda.

Heenipellege Babee of Polatugoda Petitioner.

Vs.

(1) Sinhapurage Tarunelessa of Polatugoda, (2) ditto Ungina of ditto, (3) Labandapurage Amadoriya of Uduwa, (4) Sinhapurage Duno of Belpamulla, (5) ditto Jausa, (6) ditto Nonno of ditto and husband (7) Heenipellege Thepaniya of Urupola, (8) Handunnettige Lancina, (9) ditto Prancina, both of Boowellewoda Respondents.

THIS matter coming on for disposal before E. Rodrigo, Esq., District Judge of Matara, on March 28, 1923, in the presence of Messrs. G. E. & G. P. Kumaman, Proctors on the part of the petitioner above named; and the affidavit dated March 9, 1923, having been read:

It is ordered that the petitioner Heenipellege Babee of Polatugoda be and she is hereby declared entitled to have letters of administration to the estate of the said deceased issued to her accordingly, unless the respondents above named shall, on or before May 28, 1923, show sufficient cause to the contrary.

It is also ordered that the 1st respondent Sinhapurage Tarunelessa be and he is hereby appointed guardian *ad litem* over the minors the 7th and 8th respondents, unless sufficient cause be shown to the contrary on or before May 28, 1923.

March 28, 1923.

E. RODRIGO,
District Judge.

In the District Court of Matara.

No. 2,906. In the Matter of the Estate of the late
Under Rs. 2,500. Hewa Mainaththuge Watthubaba of
Kongala, deceased.

Hewa Mainaththuge Seadoris of Kapugama.....Petitioner.

Vs.

Hewa Radage Christina of Kapugama..... Respondent.

THIS matter coming on for disposal before E. Rodrigo, Esq., on March 29, 1923, in the presence of Mr. E. P. Wijetunge, on the part of the petitioner above named; and the affidavit of the said petitioner dated March 22, 1923, having been read :

It is ordered that the petitioner Hewa Mainaththuge Seadoris of Kapugama be and he is hereby declared entitled, as son of the said deceased, to administer the said estate, and that letters of administration do issue to him accordingly, unless the above-named respondent shall, on or before May 17, 1923, show sufficient cause to the satisfaction of this court to the contrary.

March 29, 1923

E. RODRIGO,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Kathirgamar Kanapathiar of Chandirup-
No. 5,103. pay, deceased.

Kanapathiar Masilamany of Manippay.....Petitioner.

Vs.

Kanapathiar Nagalingam of Manippay..... Respondent.

THIS matter of the petition of Kanapathiar Masilamany of Manippay, the above-named petitioner, praying for letters of administration to the estate of the above-named deceased Kathirgamar Kanapathiar, coming on for disposal before G. W. Woodhouse, Esq., District Judge, on April 9, 1923, in the presence of Mr. S. Sittampalam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated April 6, 1923, having been read : It is declared that the petitioner is one of the heirs of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before May 8, 1923, show sufficient cause to the satisfaction of this court to the contrary.

April 18, 1923.

G. W. WOODHOUSE,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Ponnu, wife of Kailayar Arumugam of
No. 5,102. Chulipuram, deceased.

Kailayar Arumugam of Chulipuram..... Petitioner.

Vs.

(1) Pakkeam, daughter of Kailayar Arumugam of Chulipuram, and (2) Tangam, daughter of Kandiah of Araly South..... Respondents.

THIS matter of the petition of the above-named petitioner, praying that the 2nd respondent be appointed guardian *ad litem* over the minor, the 1st respondent, and that letters of administration to the estate of the above-named

deceased be issued to the petitioner, coming on for disposal before G. W. Woodhouse, Esq., District Judge, on April 9, 1923, in the presence of Mr. A. Mudaliyar Veluppillai; Proctor, on the part of the petitioner; and the affidavit of the petitioner dated April 4, 1923, having been read : It is ordered that the above-named 2nd respondent be appointed guardian *ad litem* over the said minor, the 1st respondent, for the purpose of representing her, and that the petitioner be declared entitled to have letters of administration to the said intestate issued to him as her lawful husband, unless the respondents or any other person appear before this court on May 8, 1923, and state objection or show cause to the satisfaction of this court to the contrary.

April 18, 1923.

G. W. WOODHOUSE,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Meenadchippillai, widow of Ramanathar
No. 5,106. Visuvalingam of Alaveddy, deceased.

Suppar Kandar of Alaveddy.....Petitioner.

Vs.

(1) Visuvalingam Sivaprasam and (2) Sittamparapillai Kasippillai of Alaveddy..... Respondents.

THIS matter of the petition of the above-named petitioner, praying that the above-named 2nd respondent be appointed guardian *ad litem* over the minor the 1st respondent, and that letters of administration to the estate of the above-named deceased be issued to the petitioner, coming on for disposal before G. W. Woodhouse, Esq., District Judge, Jaffna, on April 17, 1923, in the presence of Mr. E. Murugesampillai, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated April 16, 1923, having been read : It is ordered that the above-named 2nd respondent be appointed guardian *ad litem* over the minor the 1st respondent for the purpose of representing him in this case, and that the petitioner be declared entitled to take out letters of administration to the estate of the above-named deceased as her father, unless the above-named respondents shall, appear before this court and show sufficient cause to the contrary on May 8, 1923.

April 20, 1923.

G. W. WOODHOUSE,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Sinnatangam, widow of Maselamany
No. 5,109. Nellenathar of Moolay, deceased.

Bastian Emmanuel of Jaffna town..... Petitioner.

Vs.

Nellenathar Mailvaganam of Moolay..... Respondent.

THIS matter of the petition of Bastian Emmanuel of Jaffna town, the above-named petitioner, praying for letters of administration to the estate of the above-named deceased Sinnatangam, widow of Maselamany Nellenathar of Mooly, coming on for disposal before G. W. Woodhouse, Esq., District Judge, on April 19, 1923, in the presence of Mr. A. Mudaliyar Veluppillai, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated April 17, 1923, having been read : It is declared that the petitioner is an officer of this court and is entitled to have letters of administration to the estate of the said intestate issued

to him, unless the respondent or any other person shall, on or before May 8, 1923, show sufficient cause to the satisfaction of this court to the contrary.

April 27, 1923.

G. W. WOODHOUSE,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Kanapatipillai Sivakurunathar of Imyan-
No. 5,066. ancurchy, deceased.

Eliachchy, widow of Kanapatipillai Sivakurunathar of
Imyanancurchy Petitioner.

Vs.

(1) Sivakurunathar Thiruvayakarasu, (2) Sivasothy,
daughter of Sivakurunathar, (3) Annappillai, widow
of Seyanthunka Mappanar, all of Imyanan-
curchy Respondents.

THIS matter of the petition of the above-named
petitioner praying (a) that the 3rd respondent be appointed
guardian *ad litem* over the minors, the 1st and 2nd res-
pondents; (b) and letters of administration to the estate
of the late Kanapatipillai Sivakurunathar be issued to
her, coming on for disposal before G. W. Woodhouse, Esq.,
District Judge, on February 27, 1923, in the presence of
Mr. V. T. Swaminather, Proctor, on the part of the petitioner;
and the petition and affidavit of the petitioner dated
February 11, 1923, having been read:

It is ordered (a) that the 3rd respondent be appointed
guardian *ad litem* over the minors, the 1st and 2nd res-
pondents, for the purpose of representing and defending them
in this action; (b) and that letters of administration to
the estate of the late Kanapatipillai Sivakurunathar be issued
to the petitioner, as the widow of the intestate, unless the
respondents show sufficient cause to the contrary on or
before May 10, 1923.

April 26, 1923.

G. W. WOODHOUSE,
District Judge.

In the District Court of Trincomalee.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Sinnacutty Thampar, late of
No. 63. Sinnakina, deceased.
Class. IV.

Catheravelu Saravanamuttu of Kintai in Tamblegam
pattu, Trincomalee Petitioner.

Vs.

Cathiravelu Muttiah, a minor by his guardian *ad litem*
Sinnacutty Kathiravelu of Sinnakina in Tamble-
gam pattu, Trincomalee Respondents.

THIS matter coming on for disposal before R. M. M.
Worsley, Esq., District Judge of Trincomalee, on March 24,
1923, in the presence of Mr. M. M. Subramaniam, Proctor,
on the part of the petitioner, Carthiravelu Saravanamuttu of
Kintai in Tamblegam pattu, Trincomalee; and the affidavit
of the said petitioner dated March 23, 1923, having been read:

It is ordered that the will of Sinnacutty Thampar of
Sinnakina, Tamblegam pattu, Trincomalee, dated January
11, 1923, and now deposited in this court is hereby declared
proved, unless any person or persons interested shall, on or
before May 4, 1923, show sufficient cause to the satisfaction
of this court to the contrary.

March 24, 1923.

R. M. M. WORSLEY,
District Judge.

Extended till May 11, 1923.

April 27, 1923.

W. L. MURPHY,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late Weerasinghe Jayawardena Hetti-
No. 1,500. achchi Mudianselage Hendrick Appu-
hamy of Muttibendiwila, deceased.

Arthanayake Mudianselage Baba Nona of Muttu-
bendiwila Petitioner.

And

(1) W. J. H. M. Laisa Nona and husband (2) Dor
Dionis Samaratunga, both of Panangoda, (3) W. J. H.
M. James Sinno, (4) W. J. H. M. Elongoda, both of
Muttibendiwila Respondents.

THIS matter coming on for disposal before S. A. Martin,
Esq., Acting District Judge of Chilaw, on April 4, 1923, in
the presence of Mr. E. C. S. Saper, Proctor, on the part of
the petitioner above named; and the affidavit of the said
petitioner dated March 26, 1923, having been read: It is
ordered that the petitioner be and she is hereby declared
entitled, as the widow of the deceased above named, to ad-
minister the estate of the said deceased, and that letters
of administration do issue to her accordingly, unless the
respondents above named or any other person or persons
interested shall, on or before May 14, 1923, show sufficient
cause to the satisfaction of this court to the contrary.

It is further ordered that the 2nd respondent above named
be and he is hereby appointed guardian *ad litem* over the
minors 3rd and 4th respondents above named, unless any
person or persons interested shall, on or before May 14,
1923, show sufficient cause to the satisfaction of this court
to the contrary.

April 4, 1923.

N. M. BHARUCHA,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late Singakuli Arachige Menick Hamy,
No. 1,505. Peekulama, deceased.

C. G. Mendis Sinno of Karukkuliya Petitioner.

And

(1) Chandresekera Hitihamillage Mutumenick Hamy,
her husband (2) Singakuli Arachige Mendis Sinno,
(3) Chandresekera Hitihamillage Alwis Sinno, a
minor, appearing by his guardian *ad litem* the 2nd
respondent, (4) Chandresekera Hitihamillage Sabo
Nona, her husband (5) Cowrale Appuhamy, all of
Karukkuliya Respondents.

THIS matter coming on for disposal before N. M.
Bharucha, Esq., District Judge of Chilaw, on April 20, 1923,
in the presence of Messrs. Cooke & Pandittesekere, Proctors,
on the part of the petitioner, the respondent being present;
the petition and affidavit of the said petitioner having
been read: It is ordered that the 2nd respondent be and he
is hereby appointed guardian *ad litem* of the third named
minor respondent for the purpose of this testamentary
action, and that letters of administration to the estate of the
above-named deceased be issued to the petitioner, as one of
her children, unless the respondents above named, or any
other person or persons interested shall, on or before
May 10, 1923, show sufficient cause to the satisfaction of this
court to the contrary.

N. M. BHARUCHA,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Muna Meeyanna Meer Saibo of Madampe, deceased.

No. 1,501. Ana Peer Umma of Madampe Petitioner.

And

(1) Muna Meeyanna Sulaiha Umma and husband
(2) Nuvenna Ibrahim Lebbe, and (3) Muna Meeyanna
Segu Davudu Marikar, all of Madampe Respondents.

THIS matter coming on for disposal before S. A. Martin, Esq., Acting District Judge of Chilaw, on April 6, 1923, in the presence of Mr. E. C. S. Storer, Proctor on the part of the petitioner above named; and the affidavit of the said

petitioner dated April 4, 1923, having been read: It is ordered that the petitioner be and she is hereby declared entitled, as the widow of the deceased above named, to administer the estate of the said deceased, and that letters of administration do issue to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before May 14, 1923, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 2nd respondent above named be and he is hereby appointed guardian *ad litem* over the minor, 3rd respondent above named, unless any person or persons interested shall, on or before May 14, 1923, show sufficient cause to the satisfaction of this court to the contrary.

April 6, 1923.

N. M. BHARUCHA,
District Judge.