



Ceylon Government Gazette

Published by Authority.

No. 7,403 — FRIDAY, JULY 4, 1924.

Part II. — Legal.

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PASSED ORDINANCES.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

No. 7 of 1924.

An Ordinance to provide for the Publication of a Revised Edition of the Legislative Enactments of this Island.

W. H. MANNING.

WHEREAS a revised edition of the Legislative Enactments of this Island has been prepared by Messrs Thajoon Akbar, Esquire, Advocate of the Supreme Court of Ceylon and Acting Solicitor-General; and Charles Henry Collins, Esquire, a member of the Ceylon Civil Service, and it is expedient to legalize the publication of the same: 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 Revised Edition Ordinance, No. 7 of 1924," and shall come into force on such day as the Governor may, by Proclamation in the *Government Gazette*, appoint.

2 Every copy of the said revised edition shall be stamped with the Seal of the Island, and the Ordinances contained in the copies so stamped shall be deemed to be and shall be, without any question whatsoever, in all courts of justice, the law of the Island as far as is therein contained.

3 Nothing in this Ordinance shall be construed as bringing into operation any of the enactments included in the said revised edition, before the date at which such enactment, if it had not been so included, would have come into operation.

Passed in Council the Twelfth day of June, One thousand Nine hundred and Twenty-four.

W. E. HOBDAY,
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-sixth day of June, One thousand Nine hundred and Twenty-four.

C. CLEMENTI,
Colonial Secretary.

Preamble.

Short title and commencement.

Legalization of new edition.

Effect of Ordinance on enactments which had not come into operation.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

No. 8 of 1924.

An Ordinance further to amend "The Courts Ordinance, 1889."

W. H. MANNING.

Preamble.

WHEREAS it is expedient further to amend "The Courts Ordinance, 1889": Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title and commencement.

1 This Ordinance may be cited as "The Courts (Amendment) Ordinance, No. 8 of 1924," and shall come into operation on a date to be fixed by the Governor by Proclamation in the *Government Gazette*.

Substitution of new section for section 28 of principal Ordinance.
Criminal sessions when and where holden.

2 Section 28 of the Principal Ordinance is hereby repealed, and the following section shall be inserted in its place:

28. Criminal sessions of the Supreme Court shall be holden by one of the Judges thereof, or by a Commissioner of Assize duly appointed under the provisions of this Ordinance, for each of the circuits, for the hearing, trying, and determining all prosecutions which shall be commenced against any person for or in respect of any crime or offence, or alleged crime or offence:

For the Western Circuit, four times at least in each year at Colombo and such other places in such circuit as the Governor, after previous consultation with the Judges, shall appoint, such sessions commencing at Colombo on January 10, on March 20, on July 10, and on October 10 in every year.

For the Midland Circuit, three times at least at Kandy and any other sessions at such other places in such circuit as the Governor, after previous consultation with the Judges, shall appoint, such sessions commencing at Kandy on March 10, on August 1, and on December 1, in every year.

For the Northern Circuit, twice at least at Jaffna and such other places in such circuit as the Governor, after previous consultation with the Judges, shall appoint, such sessions commencing at Jaffna in the month of February and the month of July in every year.

For the Southern Circuit, twice at least at Galle and such other places in such circuit as the Governor, after previous consultation with the Judges, shall appoint, such sessions commencing at Galle on April 25 and September 15 in every year.

For the Eastern Circuit, twice at least at Batticaloa and such other place or places in such circuit as the Governor, after previous consultation with the Judges, shall appoint, such sessions commencing at Batticaloa in the month of February and the month of July in every year.

Provided that, should any of the aforementioned days fall on a Saturday or a Sunday or on any public holiday, the sessions shall commence on the next working day: And provided further, that it shall be competent for the Governor, for sufficient reasons to him appearing, to order, after previous consultation with the Judges, other sessions to be holden at the places above mentioned, or at any other place in any of the said circuits either in substitution for or in addition to any of the places above mentioned or to fix any other place for the commencement of any sessions, or to alter the dates above mentioned, and to fix any other date for the commencement of the sessions at any place:

Provided further that in the event of it proving impracticable or inconvenient for any Judge to arrive at any circuit town in time to commence any sessions on the date appointed, such Judge may, on giving such public or other notice as he may deem necessary for the purpose of informing all persons concerned, postpone such sessions until such other date as he may deem convenient:

Provided further that in the event of there not being in any of the aforesaid circuits, within a reasonable time before the date fixed for such sessions, any cases committed for trial or sufficient cases, or cases of sufficient importance to justify the holding of a sessions, the Governor may, after previous consultation with the Judges, by notification in the "Government Gazette," cancel such sessions and direct that the cases, if any, ready for trial at such sessions, shall be tried at such times and places as may be specified by the Governor in the said notification.

Passed in Council the Twelfth day of June, One thousand Nine hundred and Twenty-four.

W. E. HOBDAV,
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-sixth day of June, One thousand Nine hundred and Twenty-four.

C. CLEMENTI,
Colonial Secretary.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

No. 9 of 1924.

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

W. H. MANNING.

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.

1 This Ordinance may be cited as "The Village Communities Ordinance, No. 9 of 1924."

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.

PART I.

Preliminary.

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;
- "Excepted persons" mean persons resident in the Colony and being (a) persons commonly known as Europeans, (b) persons commonly known as Burghers, and (c) labourers as defined in Ordinance No. 13 of 1889, including any woman or child related to any such labourer or any aged or incapacitated relative of any such labourer;
- "Inhabitant" means any male inhabitant who is not an excepted person and is above the age of eighteen years;

- “Chief headman” means the ratemahatmaya, 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 6 of this Ordinance;
- “Co-operative Society” means any registered society under any law for the time being dealing with such societies.
- “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.

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.

(3) 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 this section.

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

5 (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 under and by virtue of the provisions of section 4 thereof.

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

Subdivision into villages, or groups of villages.

6 (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.

Subdivision within operation of any repealed Ordinance.

(2) Any subdivision 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.

Proclamation to be laid before Legislative Council.

7 Any Proclamation made under the provisions of this part of this Ordinance shall be laid, as soon as conveniently may be, before the Legislative Council, and may at any time within forty days of its being so laid before the Council, or at any of the three meetings of the Council next succeeding such date, by resolution of the Council, be disallowed, amended, or otherwise dealt with as may be directed by the said resolution but without prejudice to anything that may have been done thereunder.

PART III.

A.—*Meetings of Inhabitants.*

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

Public meetings of inhabitants.

Such meeting shall be called for a date not later than two months after receipt of any such requisition, by the Government Agent.

9 The Government Agent shall, one month at least before the day of holding any such meeting, give notice by beat of tom-tom and by causing written notices to be affixed in such places within the subdivision as are in his opinion 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.

Notice of meetings.

10 (1) Every such meeting shall be held at the time and place so appointed, and shall be presided over by the Government Agent.

Holding and adjournment of meetings.

(2) Such Government Agent shall for reasons to be recorded in the minutes hereinafter referred to 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 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.

12 (1) At any such meeting the proceedings shall be held in the vernacular, and every inhabitant of such subdivision 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.

Proceedings and voting at meetings.

(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 shall have a casting vote in addition to his original vote.

13 (1) The Government Agent 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.

(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 (1) 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.

(2) The inhabitants of any subdivision may by resolution passed at any subsequent meeting withdraw the power delegated to a committee as hereinbefore mentioned either generally or with regard to any particular matter.

(3) The business of the committee shall be conducted in the vernacular language prevailing in the subdivision.

15 All committees in existence at the commencement of this Ordinance shall continue to exist until the thirtieth day of June in the year in which 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.

Chairman of
Village
Committee.

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 1920," or in the case of subdivisions the inhabitants of which shall, by resolution duly proposed and carried at a meeting held to elect a committee under section 14 of this Ordinance, have declared that the chairman of such Committee should be elected, the members of the Village Committee shall from time to time elect one of their own number to be chairman of such 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.

Duties of
Committees.

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

(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.

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 has been resident in the subdivision for a period of one year immediately prior to the date of his election;

(c) Unless he can read and write Sinhalese or Tamil according as one or the other is the prevailing language in the subdivision;

(d) 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;

(e) If he has been convicted of theft, fraud, forgery, perjury, or of any infamous crime.

Term of office.

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

Election of
new
committees.

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.

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

Meeting for
election of
committee.

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 July next following the day of such election.

(2) Such election shall be held at a place within the subdivision and 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. Except that voting shall be by ballot if so provided for by rules made under section 29 of this Ordinance.

Failure to
elect
committee at
prescribed
time.

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 July immediately preceding the date of such election.

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 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.

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 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 the inhabitants 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, penalties recovered, and sums paid on bonds forfeited 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.

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 by them 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.

Vacation of office and filling of casual vacancies.

Objections to voter or candidate.

Receipts and expenditure of Village Committees.

Tax for payment of police headmen.

Imposition of tolls.

Inhabitants
may make
rules.

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 constructing and repairing schoolrooms for the education of boys and girls;
- (3) For the restriction or prohibition of private galas, fairs, markets, and slaughtering places;
- (4) For the levying of fees in respect of the use of village burial or cremation grounds, galas, markets, and slaughtering places;
- (5) For the regulation, supervision, and control of bakeries, eating-houses, and tea and coffee boutiques;
- (6) 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;
- (7) For the conservancy of springs and water-courses;
- (8) For regulating fisheries according to local customs, and the imposition of fees in connection therewith;
- (9) 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;
- (10) For encouraging the cultivation of agricultural products and food-producing trees, and the breeding of domestic animals;
- (11) For regulating the manner of slaughtering animals;
- (12) For the prevention of disease amongst animals;
- (13) For the prevention of trespass by animals;
- (14) For the putting up and preservation of land boundaries and fences;
- (15) 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;
- (16) For the regulation and protection of coir kraals and for levying an annual tax on such kraals;
- (17) For preventing accidents connected with toddy drawing, and for the periodical inspection of the ropes and other appliances used for that purpose;
- (18) For preventing accidents by the setting of spring guns and traps;
- (19) For the prevention of gambling and cock-fighting, and for the prevention of cart racing on public thoroughfares;
- (20) For the construction, repair, and protection of Village Tribunal and Village Committee court-houses;
- (21) 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;
- (22) For the collection of tolls imposed and levied under this Ordinance;
- (23) For the construction, repair, and maintenance of public roads and paths;
- (24) 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;
- (25) For imposing and enforcing within the limits of the subdivision an annual tax upon the inhabitants 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), (2), (7), (9), (20), (23), (24), and (31), and for exempting any persons or classes of persons from the liability in respect of any such tax;
- (26) 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;

- (27) For calling out and compelling the performance of such labour and enforcing, in case of default, the performance of increased or double labour ;
- (28) 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 ;
- (29) For the prevention of disorderly conduct or loitering in thoroughfares or public places, and for the prevention of the use of abusive language ;
- (30) 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 juice of the coconut palm or other description of palm or sugar cane ;
- (31) For the enforcement of ancient customs as regards cultivation, and the repair, protection, and maintenance of village tanks, and for the irrigation of fields and gardens under such tanks ;
- (32) Prescribing the persons who shall sign any security given by the inhabitants in respect of any loan made to them ;
- (33) Prescribing the number to form a quorum at meetings of a committee, and the manner of conducting business at such meetings ;
- (34) For any other purpose connected with, or relating to, purely village affairs, or carrying out the provisions of this Ordinance.

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

Approval,
publication,
amendment, or
repeal of rules.

(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 ; and copies of such rules and of any rules altering, amending, or repealing any of such first-mentioned rules in the vernacular language prevailing in the subdivision affected by them shall be kept at the kachcheri for sale at a price to be fixed by the Governor.

(4) 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.

(5) 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.

31 (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.

(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.

32 All rules 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, repealed, cancelled, or annulled under the provisions hereinbefore appearing.

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

33 (1) 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.

(2) All costs, charges, and expenses arising from or in respect of any suit, action, or legal proceeding, which such inhabitants may become liable to pay or be chargeable with, shall be paid from the moneys deposited on account of the inhabitants as provided for in section 26 of this Ordinance ; and no member of a Village Committee or inhabitant shall be personally liable for the payment thereof.

(3) The service of all processes in any legal proceedings against the inhabitants of any subdivision shall be made on the Chairman of the Village Committee.

Property of
inhabitants.

34 All property, movable or immovable, now enjoyed or controlled by the inhabitants of any subdivision, and all property, movable or immovable, which may hereafter be acquired by, or transferred to, the inhabitants of any subdivision for the use and enjoyment of such inhabitants shall be and the same is hereby vested in such inhabitants, and such property shall be administered and the revenue thereof employed and made use of for the benefit of such inhabitants.

Borrowing
powers of
Village
Committee.

35 (1) At any meeting held under the provisions of this Ordinance 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.

(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 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.

Creation of
offices for
purposes of
rules.

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 hereinbefore provided by this Ordinance.

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

(3) Any such appointment may from time to time be revoked by the committee, with the approval of the Government Agent and some other person be appointed by the committee 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.

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 they had been appointed under this Ordinance.

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.

Councillors to be associated with President.

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.

Additional President.

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

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.

President's oaths.

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.

Removal or dismissal of President.

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

Power of Governor to abolish tribunal, vary limits, and disfranchise division.

(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.

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.

Judicial power of Village Committee.

PART VIII.

Procedure before Village Tribunals and Committees.

45 Village Tribunals and Committees shall sit in open court and at such times and places within each subdivision 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.

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

Language of proceedings.

47 All cases before Village Tribunals and Committees shall be conducted in a summary manner, 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.

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

Representation of parties.

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.

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 and signed by the dissenting councillors.

(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.

Misconduct while a Village Tribunal or Village Committee is sitting.

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

(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.

Court to endeavour to conciliate parties.

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 where the accused person has been previously convicted of the offence of theft or of 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, on the application of the parties, to refer the matter in issue to arbitration, and give judgment in accordance with the finding of the arbitrator.

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

Councillor absenting himself without leave.

53 Any person eligible to serve as a councillor to whom not less than ten days' 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 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.

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.

55 A Village Tribunal shall, subject to the express provisions of this Ordinance, have jurisdiction to try the following cases:

A.—Civil.

(a) All actions in which the debt, damage, or demand shall not exceed twenty 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:

Provided always that where the party plaintiff or defendant is a co-operative society, and the party defendant or plaintiff is a member of such society, the amount of any such debt, damage, or demand may extend to one hundred rupees.

(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 twenty rupees, and the same or any part thereof is situate in such subdivision:

Provided further that where in any such action, any question of title to, or interest in, or right to possession of any land or immovable property, is determined by the Village Tribunal under such circumstances that in any subsequent legal proceedings the determination would under the general law be

deemed to be *res adjudicata* as between the parties to the action or their successors in title, such determination shall not operate as *res adjudicata* in any civil court other than a Village Tribunal.

- (c) All actions whatever involving any debt, damage, or demand not exceeding one hundred rupees, or any claim to land or immovable property in which the land or interest in dispute shall not exceed one hundred 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.

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

Punishments.

- (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*.

57 (1) A Village Tribunal or Committee in the exercise of its criminal jurisdiction may impose a fine not exceeding twenty 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.

(4) In lieu of ordering any male person under the age of sixteen years to be fined or 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."

Provided that no Village Tribunal or Committee shall have power to order more than six strokes with a rattan to be inflicted.

(5) (a) Where a person has been sentenced to fine and to imprisonment in default of payment of the fine, a Village Tribunal or Committee may do all or any of the following things :

- (i.) Allow time for the payment of the fine ;
- (ii.) Direct payment to be made of the fine by instalments ;
- (iii.) Direct that the person liable to pay the fine shall be at liberty to give to the satisfaction of the Village Tribunal or Committee a bond, with or without a surety or sureties, for the payment of the fine or any instalment thereof.

(b) Where a fine is directed to be paid by instalments, and default is made in the payment of any one instalment, the same proceedings may be taken as if default had been made in payment of all the instalments then remaining unpaid.

Special provision as to irrigation offences.

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.

Governor in Council may limit jurisdiction of any Village Tribunal.

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.

No jurisdiction where any excepted person in a party, unless parties consent.

60 No Village Tribunal or Committee shall have jurisdiction, except in respect of breaches of rules made under section 29 of this Ordinance, to try any case, civil or criminal, in which any of the parties are excepted persons, unless all the parties shall consent thereto in writing in such form as shall be prescribed :

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 an excepted person 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 in which the other party to any such proceedings is not an excepted person, and which are otherwise within the jurisdiction of such tribunal or committee.

Jurisdiction exclusive.

61 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.

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

62 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.

Procedure where question arises as to jurisdiction over remitted case.

63 Whenever any question shall arise between a Commissioner of a Court of Requests or a Police Magistrate, and a President of a Village Tribunal, as to which court has jurisdiction to hear and determine any such case as is referred to in section 62 of this Ordinance, it shall be the duty of the Commissioner, Magistrate, or President, as the case may be, to whom the proceedings were first remitted, to embody the ascertained facts in the form of a case and to transmit the same to the Attorney-General for his opinion, and the Attorney-General shall thereupon decide in which court the said offence should be tried, and such court shall accordingly hear and determine the said case.

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—

Power of Attorney- or Solicitor-General or Government Agent to direct offence to be tried by Police Court.

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; and such Police Court shall accordingly try such offence.

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.

Powers of Government Agent to direct civil action to be heard by Court of Requests.

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—

Tribunal or committee to report case more appropriately triable elsewhere to Government Agent with a view to transfer.

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.

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.

When case beyond jurisdiction, to be referred to competent court.

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 twenty rupees.

Objection to the jurisdiction in the case of actions involving title.

(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.

69 (1) 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 five rupees, and in default of payment to simple imprisonment for any period not exceeding seven days.

(2) Before passing any such sentence, the President or Chairman of the Village Tribunal or Committee, as the case may be, shall record and consider any objection which such party may have to urge against the same, and, if he passes such sentence, he shall record his reasons for so doing.

PART X.

Application of Fines and Penalties.

Award to aggrieved party.

70 A Village Tribunal or Village Committee may award such fine or any part thereof as is mentioned in section 69 of this Ordinance 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.

Reward to informer or person apprehending an offender.

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.

Award of portion of penalty to person aggrieved.

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.

PART XI.

Enforcement of Process.

Police and peace officers to assist in carrying out Ordinance.

73 It shall be the duty of all police and peace officers 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 officer 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.

Process may be directed for service to any person.

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 or peace officer may execute the same at any place in Ceylon.

Warrant for service outside jurisdiction.

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.

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.

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 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.

Procedure or arrest outside jurisdiction.

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—

Duty of Fiscals.

- (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.

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.

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

80 (1) Whenever it is proved to the satisfaction of a Village Tribunal or Committee that a bond given under the provisions of this Ordinance, or of any rule made thereunder, 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.

Procedure on forfeiture of bond.

(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.

Punishment
of defaulting
witness.

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 five rupees, or in default of payment to simple imprisonment for a period not exceeding seven days.

PART XII.

Control of Proceedings and Appeal.

President and
Chairman to
make weekly
report to
Government
Agent.

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.

Power of
Government
Agent to attend
and observe
proceedings.

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.

Appeal to
Government
Agent.

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.

(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.

Power of
Government
Agent
to intervene
of his own
motion.

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.

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.

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.

(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.

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.

No power to increase sentence or interfere with acquittal.

PART XIII.

Stamps.

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 :

Stamp duty on civil cases.

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

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.

President to affix and cancel stamps.

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

No right to sue in *formâ pauperis* or until stamps supplied.

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.

Cost of stamps may be awarded as costs.

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 one rupee, and no such petition of appeal shall be entertained unless it is duly stamped as aforesaid.

Stamp duty on appeals to Governor in Council.

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

Value of stamps returnable if appeal successful or reasonable.

- (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.

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

Rules.

- (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 matters 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 vernacular languages in the *Government Gazette*, and when so published shall have the force of law.

(3) All such rules shall be laid, as soon as conveniently may be, before the Legislative Council, and may at any time within forty days of their being so laid before the Council, or at any of the three meetings of the Council next succeeding such date, by resolution of the Council, be disallowed, amended, or otherwise dealt with as may be directed by the said resolution, but without prejudice to anything that may have been done thereunder.

Existing rules to remain in force until altered or repealed.

96 All rules touching any of the matters in section 95 of this Ordinance 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.

Reference of issues by District Court and Court of Requests.

97 (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.

(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.

Notification of court-houses.

98 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.

Withdrawal from a village of rights under this Ordinance.

99 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.

Repeal.

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

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.
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.
		Section 94 (1), (2), (4), (5), (8), (10)	Nuisances on thoroughfares.
15 of 1862..	"The Nuisances Ordinance, 1862"	Section 1 and by-laws under section 6	Nuisances.
9 of 1876..	"The Cattle Trespass Ordinance, 1876"	All offences under the Ordinance	Cattle trespass.
20 of 1886..	"The Vaccination Ordinance, 1886"	Sections 10, 15, 18..	Vaccination.
7 of 1893..	"The Rabies Ordinance, 1893"	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.

Passed in Council the Twelfth day of June, One thousand Nine hundred and Twenty-four.

W. E. HOBDAV,
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-seventh day of June, One thousand Nine hundred and Twenty-four.

C. CLEMENTI,
Colonial Secretary.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

No. 10 of 1924.

An Ordinance to make provision for preventing the Introduction and Spread of Weeds and of Pests and Diseases Injurious to, or Destructive of, Plants.

W. H. MANNING.

WHEREAS it is expedient to make better provision against the introduction into Ceylon, and against the spread therein, of weeds and of pests and diseases injurious to, or destructive of, plants, and for the sanitation of plants in Ceylon : Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Interpretation.	1 This Ordinance shall be cited as "The Plant Protection Ordinance, No. 10 of 1924."
Short title.	2 In this Ordinance and any regulations made thereunder, unless the context otherwise requires— "Plant" shall include all members of the vegetable kingdom, whether living or dead, or any part or parts of such, but shall not include canned or preserved fruits or vegetables; "Pest" shall include any insect or animal which shall in any stage of its development eat, destroy, or otherwise injure any plant; "Disease" shall include any fungus or organism of vegetable origin which shall injure, destroy, or be parasitic upon any plant; "Owner" or "occupier" shall include the proprietor, lessee, superintendent, or other person in actual charge of any cultivated or uncultivated land; "Weed" shall include any plant which is declared by the Governor in Executive Council to be a weed for the purposes of this Ordinance.
Appointment of inspectors and officers.	3 The Governor may appoint for the purposes of this Ordinance one or more inspectors and sub-inspectors and such other officers as may be necessary.
Entry on land for purposes of inspection.	4 It shall be lawful for the Director of Agriculture, or for any inspector or sub-inspector, with or without assistants, to enter, at all reasonable times, upon any land for the purpose of inspecting and examining whether plant pests, diseases, or weeds exist thereon, and the owner or occupier of such land shall afford all reasonable facilities for such inspection and examination.
Director of Agriculture, inspector, or sub-inspector not to be deemed trespasser by reason of entry, &c.	5 Neither the Director of Agriculture, nor any inspector or sub-inspector, nor any person assisting the Director or any such inspector or sub-inspector, shall be deemed a trespasser by reason of any entry or destruction or action taken or thing done under this Ordinance or any regulation made thereunder, or be liable for any damage occasioned by carrying out any of the provisions of this Ordinance or of any regulation made thereunder, unless the same was occasioned maliciously and without reasonable and probable cause.
Penalty for contravention of Ordinance or regulation thereunder.	6 If any person, without lawful authority or excuse (proof whereof shall lie on him), contravenes any regulation made under this Ordinance, or does or omits to do anything which under the provisions of this Ordinance or of any regulations made thereunder he ought not to do or omit, or if he molests, obstructs, or impedes, or assists in molesting, obstructing, or impeding, the Director of Agriculture, or any inspector or sub-inspector appointed under this Ordinance, or any customs officer, in the execution of any provisions of this Ordinance or any regulation made thereunder, he shall be guilty of an offence against this Ordinance.
Punishment for offences.	7 If any person is guilty of an offence against this Ordinance or any regulation made thereunder, he shall be liable on conviction before a Police Magistrate to imprisonment of either description to a term not exceeding three months, or to a fine not exceeding five hundred rupees, or to both.
Penalty on person guilty of unnecessary violence or annoyance.	8 Every person who shall, under pretence of performing any act under the authority of this Ordinance or of any regulation made thereunder, be guilty of any unnecessary violence or cause any unnecessary annoyance to any person, shall be guilty of an offence against this Ordinance.
Regulations.	9 (1) The regulations set forth in the schedule to this Ordinance shall have effect as if the same were contained in this Ordinance, but may be added to, amended, or revoked in the manner, and subject to the conditions, provided for the making of regulations in this section. (2) The Governor in Executive Council may make regulations for the purpose of preventing the introduction into this Island, and for the purpose of preventing the spreading therein of weeds, or of pests and diseases injurious to, or destructive of, plants.

(3) Such regulations may provide, but without detracting from the generality of the powers hereinbefore conferred—

- (a) For prohibiting the importation into Ceylon from places beyond sea of any plants ;
- (b) For prohibiting the landing of plants from vessels or boats either absolutely or conditionally ;
- (c) For providing for the importation of plants under special license and conditions ;
- (d) For inspecting plants at or before the time of landing ;
- (e) For cleansing, fumigating, or disinfecting, at the expense of the consignee, and, if expedient, destroying, without compensation, all plants, or the packages, cases, pots, or covering in which they may be packed, which shall be found or suspected to be infected with any pest or disease, and for the recovery of prescribed fees from the consignee ;
- (f) For requiring the quarantine of imported plants in special areas ;
- (g) For preventing the outbreak or dissemination of any pest, disease, or weed within Ceylon ;
- (h) For declaring any area to be an infested area, and for the proper quarantine of any area declared as being infested with any pest, disease, or weed ;
- (i) For the spraying or other treatment of any weed or of any plants within Ceylon affected with any pest or disease ;
- (j) For the destruction and proper disposal of any weed or of any plants within Ceylon affected or likely to be affected with any pest or disease ;
- (k) For regulating the transfer of plants from one locality to another ;
- (l) For prescribing the officers who are to carry out regulations under this Ordinance, and the powers conferred, and duties imposed, upon them for the purpose aforesaid ;
- (m) For the constitution of committees to advise the Director of Agriculture and the inspectors appointed under this Ordinance, and to take such other action as may be necessary to ensure its effective administration.

(4) All regulations made under this Ordinance shall be published in the *Government Gazette*, and shall, subject to the provisions of the next following sub-section, from the date of such publication have the same force as if they had been enacted in this Ordinance.

(5) All regulations published as aforesaid shall be laid as soon as conveniently may be before the Legislative Council, and may at any time within forty days after the date of their being so laid before the Council, or at any of the three meetings of the Council succeeding such date, by resolution of the Council be disallowed, amended, or otherwise dealt with as may be directed by the said resolution, but without prejudice to anything that may have been done thereunder.

10 "The Insect Pest and Quarantine Ordinance, 1901," "The Plant Pests Ordinance, 1907," and "The Insect Pest and Quarantine (Amendment) Ordinance, No. 30 of 1919," are hereby repealed.

SCHEDULE.

Regulations (Section 9).

PART I.

1. *Limitation of Ports of Entry.*—No plants shall be imported into Ceylon, except through the ports of Colombo and Talaimannar.

2. No person shall land or import a living specimen of any insect or invertebrate animal not already known to exist in Ceylon without written permission previously obtained of the Director of Agriculture, provided that the Director of Agriculture or the Director, Colombo Museum, may make such importations as may be required for scientific investigations.

3. *Prohibitions.*—No person shall land or import :—

- (1) Seeds or plants of *Hevea* (any species) from the Western Hemisphere under any circumstances, and from the Eastern Hemisphere, except under permit in writing from the Director of Agriculture previously obtained.
- (2) Tea seed directly or indirectly from any place in India.
- (3) Coconut plants.
- (4) Coconuts in husk except through the port of Colombo.

4. *Inspection and Fumigation or Disinfection.*—

(1) The following imports shall, before passing out of the Customs, be dealt with as prescribed below :—

- (a) All living trees, plants, tubers, roots, bulbs, or portions thereof (with the exception of potatoes, onions, ginger, turmeric, and culinary seed and vegetables imported for consumption), together with the packages, cases, pots, or coverings in which they may be packed.
- (b) All coconuts in husks.
- (c) The following fruits :—Oranges, lemons, citrons, limes, and all fruits of the *Citrus* family.
- (d) The following seeds :—Cotton (all species of *Gossypium*).

(2) In the case of an importation of plants, otherwise than through the post, from a country whose service of plant inspection is recognized for the time being, each consignment shall be accompanied by a certificate issued after inspection, and not more than fourteen days prior to the date of shipment, by a duly authorized official of the country whence the plants are exported to the effect that such plants are free from pests or disease. Such certificate must be produced to the Customs Officer at the port of entry. A list of countries whose service of plant inspection is recognized shall be published in the *Government Gazette*, and may be added to or varied by the Director of Agriculture.

(3) In the case of consignments imported through the post, a copy of the prescribed certificate need not be produced to the Customs Officer, but a copy must be affixed to each package.

(4) The certificate shall be transmitted by the Customs Officer to the inspector in charge of the Colombo Fumigatorium.

(5) The inspector in charge of the Colombo Fumigatorium may open and examine the contents of any consignment or package imported or believed to have been imported, notwithstanding the fact that the consignment may be accompanied by or the package may have attached thereto the duly authorized copy certificate.

(6) In the case of the importation of plants from a country where no recognized service of plant inspection is maintained, and in the case of a consignment of plants which is not accompanied by copy certificates as above mentioned, or of a package of plants imported through the post to which a copy certificate is not attached, the plants before passing out of the Customs shall be subjected at the Colombo Fumigatorium to inspection.

(7) Any imported plants which on inspection are found to be unhealthy or attacked by any pest or disease shall be subjected to fumigation or disinfection as may be deemed necessary by the inspector.

(8) Any imported plants which in the judgment of the inspector cannot be cleaned by fumigation or other treatment shall, with the packing and package, be destroyed at the expense of the consignee.

(9) When fumigation or disinfection or other treatment is necessary, it shall be carried out at the Colombo Fumigatorium, and it may be competent for the Director of Agriculture to order that after such fumigation or disinfection the plants shall be grown for a period of quarantine in special nurseries provided for that purpose or approved by the Director of Agriculture. The said plants after landing at the Customs premises shall be conveyed to the Fumigatorium under Customs supervision at the expense of the consignee or his agent and delivered to the Fumigatorium Attendant, who shall certify receipt of the same. The consignee shall pay the fee of Re. 1 a day or part thereof (up to 4 p.m.), and thereafter at the rate of 25 cents an hour for supervision. As soon as possible after receipt of the articles by the Fumigatorium Attendant, they shall be inspected by the inspector and fumigated or disinfected when necessary. After inspection or treatment the articles shall be delivered to the consignee, together with a certificate showing that they have been so inspected or fumigated or disinfected, and without such certificate or certificates no article shall be conveyed from the Fumigatorium. A fee of 50 cents per package will be charged to cover the cost of fumigation or disinfection, and no certificate of fumigation or disinfection shall be granted until the fee shall have been paid in such manner as the Principal Collector of Customs

may direct. All disinfection or fumigation shall be carried out at the risk of the consignee, and the consignee or his agent shall be in attendance to unpack the articles for inspection, fumigation, or disinfection and to re-pack them afterwards, and shall provide the coolly labour necessary for handling the articles during the process of inspection or fumigation.

(10) When any plants are sent to Ceylon through the Post Office from a place beyond Ceylon, the plants shall be conveyed to the Fumigatorium under Customs supervision at the expense of the consignee or his agent, and shall be dealt with as prescribed above.

PART II.

5. *Notification of Pests, Diseases and Weeds.*—The Governor shall from time to time, by notification in the *Government Gazette*, declare the pests and diseases and weeds to which the regulations contained in this Part shall apply, hereinafter in these regulations referred to as a declared pest, disease, or weed, as the case be may.

6. The owner or occupier of any plantation, estate, garden, or land upon which any declared pests, diseases, and weeds are present shall forthwith report in writing the presence of such pest, disease, or weed to the Director of Agriculture either direct or through the nearest headman. A failure so to report shall be an offence under the Ordinance, unless such person shall prove that he had no reasonable ground for suspecting the presence of such pest, disease, or weed in his plantation, estate, garden, or land.

7. In the case of a declared infested area it shall be lawful for the Director of Agriculture, or for any inspector or sub-inspector, to enter at all reasonable times any plantation, estate, garden, or land whatsoever to determine whether any declared pest, disease, or weed is present. It shall be lawful for such Director of Agriculture, inspector, or sub-inspector to remove plants or any portion thereof for the purpose of further examination and inspection.

8. It shall be the duty of every owner or occupier of any plantation, estate, garden, or land to conduct or cause to be conducted the Director of Agriculture, inspector, or sub-inspector officer over such plantation, estate, garden, or land upon being requested to do so.

9. *Declaration of Areas Infested.*—When the Director of Agriculture shall be satisfied that any declared pest, disease, or weed is present in any plantation, estate, garden, or land, he shall, by notification in the *Government Gazette*, declare the plantation, estate, garden, or land, or the Chief Headmen's Division of the Revenue District or any part thereof in which the said plantation, estate, garden, or land is situated, and such adjoining Chief Headmen's Divisions of Revenue Districts as he may consider necessary as an infested area.

10. *Plants not to be removed from an Infested Area.*—No weed or plant or part of plant attacked by or liable to be attacked by the pest or disease specified in the notification of an infested area shall be removed from land within such infested area, save and except as may be permitted by the Director of Agriculture under permit in writing, and any person removing or receiving such plants shall be guilty of an offence.

11. *Declaration of Areas Free.*—Upon being satisfied that any such infested area or part thereof is no longer infested, the Director of Agriculture may, by notification in the *Government Gazette*, declare such area or part thereof to be no longer infested, and thereafter it shall cease to be an infested area.

12. *Spraying or other Treatment.*—The Director of Agriculture may, by notice in the *Government Gazette*, prescribe the manner in which weeds or plants attacked by a declared pest or disease shall be treated, and it shall be the duty of the owner or occupier of land within this defined area to cause such weeds or plants attacked by the declared pest or disease to be treated in the manner prescribed.

13. If on a visit of an inspector or sub-inspector any declared weed, pest or disease is found to be present, he may order the weeds or affected plants to be treated in the manner prescribed. If upon a second visit after an order has been issued the inspector or sub-inspector shall find the declared weed, pest, or disease still to exist, and that no action has been taken, he shall report the matter to the Director of Agriculture or to the local Agricultural

Committee, as the case may be, who may by notice which shall be in English, Sinhalese, and Tamil and in the form or to the effect set out in the schedule to these regulations order the owner or occupier to treat the plants or weeds in the manner prescribed within a defined time.

14. If the owner or occupier fails or neglects to comply with such notice, the inspector or sub-inspector may enter upon the land and spray or otherwise treat the weeds or plants or destroy them at the expense of the owner or occupier, but nothing contained therein shall relieve the owner or occupier from any penalty he may have incurred by reason of his default, failure, or neglect.

15. *Service of Notice.*—A notice shall be deemed to be served on any person if it is delivered to him personally or sent through the post in a registered letter addressed to him at his last known place of abode or business, or if the notice cannot be so served, or if there be no known owner or occupier, it may be put up at some conspicuous part of such land, and it shall be not necessary in any such notice to name the owner or occupier, and a notice purporting to be signed by the Director of Agriculture or the Chairman of the local Agricultural Committee shall be *prima facie* evidence that it was signed by him.

Notice under Regulation 13 made under "The Plant Protection Ordinance, No. of 1924."

1. You are hereby requested to take notice that _____ has been found to occur on _____ owned/occupied by you in _____ District, in _____ Province, and that you are required to adopt the following prescribed treatment within _____ days.

Treatment Prescribed.

2. If you fail to comply with this notice, _____ is authorized by law to carry out the measures ordered, and the cost of carrying out such measures shall be recovered from you under Regulation 14. In addition, you will be liable to the penalties specified in Section 7 of the Ordinance.

Signature and Designation of Officer.

Passed in Council the Twelfth day of June, One thousand Nine hundred and Twenty-four.

W. E. HOBDAY,
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-seventh day of June, One thousand Nine hundred and Twenty-four.

C. CLEMENTI,
Colonial Secretary.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

No. 11 of 1924.

An Ordinance to vest the Property of the Salvation Army in the General for the time being of the said Army.

W. H. MANNING.

Preamble.

WHEREAS by Deed Poll dated the 7th day of August, 1878, made by William Booth and duly recorded in the Chancery Division of His Majesty's High Court of Justice in England, it was declared that a Society had been formed under the name of the Christian Mission for the purposes mentioned in the said Deed :

And whereas by another Deed Poll dated the 24th day of June, 1880, made by the said William Booth and duly recorded as aforesaid, it was declared that the name of the said society had been changed to "The Salvation Army" :

And whereas by another Deed Poll dated the 26th day of July, 1904, made by the said William Booth and duly recorded as aforesaid, the purposes and objects of the Salvation Army were more fully set forth and declared :

And whereas in and by the said Deed Poll it was declared that the General of the Salvation Army should have power to acquire any real and personal estate which might in his judgment be required for the purposes of the Salvation Army, and the said William Booth was declared the first General of the Salvation Army and provision was made for the appointment of subsequent Generals of the Salvation Army :

And whereas in and by a certain further Deed Poll dated the 30th day of January, 1891, it was declared that all moneys and other property contributed, collected, or received for the purposes of a social scheme called the " Darkest England " Scheme therein referred to (and the administration whereof was vested in the General for the time being of the Salvation Army under the title of " Director " of such scheme) should be kept distinct from the other property of the Salvation Army and that all money and other property collected as aforesaid and the land investments and property for the time being representing the same should be held and applied upon the Trusts in the said Deed Poll contained :

And whereas it was by the said last recited Deed Poll further provided that the General of the Salvation Army for the time being should be at liberty to extend the benefit of the said scheme or of any part thereof to countries (other than the United Kingdom) from or for which contributions might be received due regard being had in the case of any such extension to the proportional amounts contributed from or for the different countries to which the said scheme was made to extend :

And whereas the said William Booth died on the 20th day of August, 1912, and William Bramwell Booth was duly appointed and still is the General of the Salvation Army in succession to the said William Booth :

And whereas the said William Booth acquired immovable property in this Colony for the purposes of the Salvation Army, which immovable property was conveyed to and vested in the Salvation Army or in the said William Booth as General of the Salvation Army or in the General of the Salvation Army or his successors in office, and also acquired certain movable property :

And whereas the said immovable and movable property is now vested in William Bramwell Booth, successor to the said William Booth as General of the Salvation Army, and it is now desirable to provide for the vesting of the said immovable and movable property in the General for the time being of the Salvation Army :

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 Salvation Army Incorporation Ordinance, No. 11 of 1924. "

Short title.

2 The General of the Salvation Army for the time being shall be deemed a corporation sole and shall be known and described as " The General of the Salvation Army " and by this name shall have perpetual succession.

General of the Salvation Army to be deemed a corporation sole.

3 All immovable and movable property in this Colony and all interest therein now vested in the said William Bramwell Booth are hereby vested in " The General of the Salvation Army " to the same extent to which they vested in the said William Bramwell Booth prior to the commencement of this Ordinance.

Immovable and movable property vested in General of Salvation Army.

Power of General of Salvation Army to acquire immovable and movable property. General entitled to sell, mortgage, &c.

4 "The General of the Salvation Army" shall have full power to acquire by purchase, transfer, donation, exchange, devise, bequest, grant, gift, conveyance, or otherwise any immovable or movable property in this Colony or any estate or interest therein.

5 "The General of the Salvation Army" shall, subject to any restraint, reservation, or condition contained in the document under which he shall acquire title thereto have full power and be entitled to sell, mortgage, lease, exchange partition, or otherwise dispose of and deal with all property (immovable as well as movable) which may for the time being be vested in or have been acquired by him under any of the provisions of this Ordinance

Change of person holding office of General not to affect property and interest.

6 No change of the person holding the office of General of the Salvation Army shall affect any immovable or movable property or any interest therein vested in "The General of the Salvation Army," but the same shall vest in the succeeding General of the Salvation Army in the same way and to the same extent as such property or interest vested in the former General of the Salvation Army.

Power to appoint Attorney.

7 "The General of the Salvation Army" shall have power to appoint an Attorney for such time and purposes and with such powers as may be stated in the power of attorney.

Who to be deemed General of the Salvation Army.

8 Upon the lodging at the office of the Registrar-General of copies certified by the proper officer or sealed by the proper Department of His Majesty's High Court of Justice in England of documents purporting to be the appointment of and acceptance of office by a General of the Salvation Army, the person named in such appointment and acceptance shall be deemed "The General of the Salvation Army," until the recording and lodging of similarly certified copies of a new appointment and acceptance.

Not to prejudice the right of His Majesty, &c.

9 Nothing in this Ordinance shall prejudice or affect the right of His Majesty the King, His Heirs, and Successors or any body politic or corporate or of any other person or persons, except such as are mentioned in this Ordinance and those claiming by, from, through, or under them.

Passed in Council the Twelfth day of June, One thousand Nine hundred and Twenty-four.

W. E. HOBDAY,
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-seventh day of June, One thousand Nine hundred and Twenty-four.

C. CLEMENTI,
Colonial Secretary.

NOTIFICATION OF CRIMINAL SESSIONS.

I do hereby give notice that the Criminal Session of the Hon. the Supreme Court of the Island of Ceylon proclaimed to be holden at Batticaloa on Thursday, July 17, 1924, will not be held on that date.

The Proclamation published in *Gazette* No. 7,401 dated Friday, June 20, 1924 (page 550), is hereby cancelled.

Fiscal's Office,
Batticaloa, June 28, 1924.

S. TURAIYAPPA,
for Fiscal.

DISTRICT AND MINOR COURTS NOTICE.

In the Court of Requests of Avissawella.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Avissawella, by 165 labourers of Panawatta estate, against the proprietor or proprietors thereof, under the Ordinance No. 13 of 1889, for the recovery of their wages, amounting to Rs. 578.42.

June 27, 1924.

A. K. ALVAPILLAI,
Chief Clerk.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 3,058 In the matter of the insolvency of A. M. Ghouse of Wellawatte.

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 July 15, 1924, for the appointment of an auditor.

By order of court, P. DE KRETZER,
Colombo, June 27, 1924. Secretary.

In the District Court of Colombo.

No. 3,273. In the matter of the insolvency of Solomon David Fernando of No. 231, Madampitiya, in Modera.

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 July 15, 1924, for proof of claim of Arunasalam Suppiah.

By order of court, P. DE KRETZER,
Colombo, July 1, 1924. Secretary.

In the District Court of Kalutara.

No. 184. In the matter of the insolvency of Watutantirige Philipo Alwis of Paranakade in Beruwala.

WHEREAS Watutantirige Philipo Alwis of Paranakade in Beruwala has filed a declaration of insolvency, and Usoof Lebbe Wappu Marikar Abdul Hamid of Beruwala has filed a petition for the sequestration of the estate of the said Watutantirige Philipo Alwis of Paranakade in Beruwala, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Watutantirige Philipo Alwis of Paranakade in Beruwala insolvent accordingly; and that two public sittings of the court, to wit, on July 30, 1924, and on August 20, 1924, 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, R. MALALGODA,
Kalutara, June 27, 1924. Secretary.

In the District Court of Kalutara.

No. 179. In the matter of the insolvency of Peter Gooneratne of Kalutara.

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 August 19, 1924, for inquiry into disputed claims.

By order of court, R. MALALGODA,
Kalutara, June 27, 1924. 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 a sitting in the above-mentioned case will be held on July 30, 1924 to examine the insolvent with reference to the assignee's report.

By order of court, B. L. ABEYRATNE,
Ratnapura, July 1, 1924. Secretary.

In the District Court of Kegalla.

No. 50. In the matter of the insolvency of A. M. Pillai of Kegalla.

NOTICE is hereby given that the certificate meeting in this matter has been adjourned for July 24, 1924.

By order of court, K. RATNASINGHAM,
Kegalla, June 27, 1924. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Nagalingam Suppiah of St. Sebastian, Colombo. Plaintiff.
No. 6,667. Vs.

Irving Fernando Wimalagoonewardene of Borella
Cross road, Borella, Colombo. Defendant.

NOTICE is hereby given that on Wednesday, July 30, 1924, at 3 P.M., 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. 5,000, with legal interest thereon from October 27, 1922, till payment in full, and costs of suit (bill not taxed yet), viz. :—

All that allotment of land with the buildings standing thereon bearing assessment No. 5, now 7, situated at Kynsey road, Maradana, within the Municipality and District of Colombo, Western Province; bounded on the north by the property of John Mendis, Muhandiram, on the east by the property of Aserappa, Proctor, on the south by the property of the late H. Palis Fernando Wimalagoonawardena, and on the west by the new Hospital road, now called Kynsey road; containing in extent 1 acre.

Fiscal's Office,
Colombo, July 1, 1924.

E. H. DAVIES,
Deputy Fiscal, W. P.

In the District Court of Colombo.

J. A. Poulrier of Colombo. Plaintiff.
No. 7,661. Vs.

(1) J. W. Mendis of Mount Pleasant, Kadugannawa,
(2) N. G. Gonsal of the Coop Limited, Chatham street, Colombo. Defendants.

NOTICE is hereby given that on Tuesday, July 29, 1924, will be sold by public auction at this office the following property for the recovery of the sum of Rs. 9,200, with interest thereon at 15 per cent. per annum from November 1, 1922, to July 19, 1923, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and the costs of suit, viz. :—

At 1 P.M.

Four hundred and ninety shares in the Coop Limited, Colombo, numbered 2,216 to 2,705 belonging to the 1st defendant. The right, title, and interest of the 1st defendant in and to the following property, and the same will be sold by public auction on Tuesday, July 29, 1924, at the premises :—

At 3 P.M.

A block of land with the buildings thereon bearing assessment Nos. 1,203-1,204/113-113A, Vuistwyke road, situated in the Kotahena Ward, within the Municipal limits

of Colombo, Western Province; bounded on the north by Kelani-ganga, east by the property of E. T. Mendis bearing assessment No. 1,202/112 and Vuistwyke road, south by Vuistwyke road and Modera street, and on the west by Modera street and the property of K. S. Fernando bearing assessment No. 3,922/120; containing in extent 2 acres and 3 roods according to plan No. 657 dated September 13, 1915, made by the Municipal Surveyor, E. F. Daniel.

Fiscal's Office,
Colombo, July 1, 1924.

E. H. DAVIES,
Deputy Fiscal, W. P.

In the District Court of Colombo.

(1) R. Dona Juliana Hamine and (2) T. Don Charles Jayatilaka, wife and husband, both of Kandana in Ragam pattu of Alutkuru korale Plaintiffs.

No. 10,695. Vs.

H. Don Abilinu Vedarala of Mahara Nugagoda in Ragam pattu aforesaid Defendant.

NOTICE is hereby given that on Thursday, July 31, 1924 will be sold by public auction at the respective premises the following property mortgaged with the plaintiffs by bond No. 4,487 dated March 30, 1921, and attested by D. P. S. Jayasooriya, Notary Public, and decreed and ordered to be sold by the order of court dated April 28, 1924, for the recovery of the sum of Rs. 1,416, with further interest on Rs. 1,000 at 15 per cent. per annum from December 7, 1923, till February 5, 1924, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit Rs. 295-03½, viz. :—

At 2 P.M.

(1) All that undivided 3/20 part or share of the land called and known as Pillewekumbura and the portions of pillas belonging to it, situated at Mahara Karagahamuna, in the Adikari pattu of Siyane korale, in the District of Colombo, Western Province; and bounded on the north by the land of Ranasingha Aratchige Dona Malichi Nona Weerasekara Hamine and the land of Edanchi Appu and others, on the east by the field called Asweddumedeniyakumbura belonging to Don Davith (the second teacher) and Delgahakumbura, on the south by the field called Delgahakumbura and the land of Migel Perera Amarasekera, Muhandiram, and the land of Don Andris Appuhamy and others, and on the west by the land of Kalutantrige Bastian Appu; containing in extent about 9 bushels of paddy sowing.

At 3 P.M.

(2) All that portion bearing letter C of the land called and known as Higgahawatta *alias* Higgahakurunduwatta, situated at Mahara Nugagoda aforesaid; and bounded on the north by a road, on the east by the portion marked letter D of this land partitioned to Hettikankanamalage Don Baron, on the south by Galpottawatta, and on the west by the portion marked letter B of this land partitioned to Hettikankanamalage Sadiris; containing in extent 3 acres 1 rood and 4 perches according to the plan filed of record in partition case No. 31,209 in the District Court of Colombo; and all the right, title, interest, and claim whatsoever of the said defendant in, to, upon, or out of the said several premises. Registered C 105/57 + 118/70.

Fiscal's Office,
Colombo, July 2, 1924.

E. H. DAVIES,
Deputy Fiscal, W. P.

In the District Court of Colombo.

R. M. S. Vaduganathan Chetty of No. 97B Sea street, Colombo Plaintiff.

No. 11,614. Vs.

David Rockwood of Dean's road in Colombo Defendant.

NOTICE is hereby given that on Wednesday, July 30, 1924, at 2 P.M., will be sold by public auction at No. 174, Dean's road, Maradana, Colombo, the following movable

property for the recovery of the sum of Rs. 2,036-75, together with interest thereon at 9 per cent. per annum from March 19, 1924, till payment in full, and costs of suit, viz. :—

One motor car bearing No. C 2683, 1 bookcase, 1 writing table, 1 book counter, 6 chairs, cushioned, 3 lounges, 2 low chairs, 6 arm chairs, 6 ebony chairs, 1 ebony round table, 1 almirah, 1 dining table, 6 chairs.

Fiscal's Office,
Colombo, July 1, 1924.

E. H. DAVIES,
Deputy Fiscal, W. P.

In the District Court of Colombo.

N. P. L. Palaniappa Chetty of Sea street, Colombo Plaintiff.

No. 12,573. Vs.

(1) N. Thiagarajah and (2) T. Basammah, husband and wife, both of Hill street, Colombo Defendants.

NOTICE is hereby given that on Saturday, July 26, 1924, at 2 P.M., will be sold by public auction at the premises the right, title, and interest of the said 2nd defendant in the following property for the recovery of the sum of Rs. 10,562-50, with legal interest thereon from June 30, 1924, till payment in full, and costs of suit, viz. :—

An undivided half part or share of and in all that and those two allotments of land, to wit :—All that allotment of land with the buildings thereon bearing assessment No. 26, situated at Barnes road, Barnes place, Cinnamon Gardens, within the Municipality and District of Colombo, Western Province; bounded on the north and east by roads, on the south and west by land said to belong to the Crown; containing in extent 1 acre 2 roods and 1 perch.

All that allotment of land bearing assessment No. 26, situated at Barnes road, Barnes place, Cinnamon Gardens aforesaid, marked letter B in the place thereof, being part of the land comprised and described in title plan No. 94,858; bounded on the north by Barnes street, on the east by land described in plan No. 36,967 (84,967), on the south by land described in plan No. 90,568, and on the west by the other portion marked A; containing in extent 2 roods and 30 perches which said two allotments of land adjoin each other and now form one property. Prior Registration A 97/300 & 301.

Fiscal's Office,
Colombo, July 2, 1924.

E. H. DAVIES,
Deputy Fiscal, W. P.

In the Court of Requests of Colombo.

Shank Abdul Cader Saboor Mohideen of 52, Ferry street, Colombo Plaintiff.

No. 13,767. Vs.

S. L. M. Abdul Raqab of Colpetty in Colombo Defendant.

NOTICE is hereby given that on Monday, July 28, 1924, at 3.30 P.M., 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. 300, with legal interest thereon from May 13, 1924, till payment in full, and costs of suit Rs. 73-15, viz. :—

All those premises bearing assessment No. 7, situated at Old Urugodawatta road, and part of the premises bearing assessment No. 46, New Urugodawatta, within the Municipality and District of Colombo, Western Province; bounded on the north-east by Old Urugodawatta road, on the south-east by premises bearing assessment No. 6, Old Urugodawatta road, and the other portion of premises No. 46 belonging to Jailamma wife of I. L. Sanser Lebbe Marikar, on the south-west by New Urugodawatta road, and on the north-west by premises bearing assessment Nos. 8 and 45 and Ward No. 650 and 699; containing in extent 12 25/100 perches.

Fiscal's Office,
Colombo, July 1, 1924.

E. H. DAVIES,
Deputy Fiscal, W. P.

Southern Province.

In the District Court of Galle.

No. 5,586 T. In the matter of the estate of deceased Mary Samanayake Seneviratna, late of Induruwa.

Aloysius George Perera Seneviratna of Calton Lodge, Dematageda, Colombo Administrator.

NOTICE is hereby given that on Friday, July 25, 1924, at 12 noon, will be sold by public auction at the spot the right, title, and interest of the said administrator in the following property, viz. :—

The land called Kekillawatta in extent about 11 acres, situated at Kosgoda; and bounded on the north by Crown jungle, east by field belonging to Agampodi Gabriel de Zoysa Appuhamy and Samel Mendis Wickramanayaka Aratchchi and field belonging to Goigama people, south by field belonging to Peter Fedrick Thabrew Wijewarnakula Appuhamy and field belonging to others, west by field belonging to Pines de Zoysa Appuhamy.

Writ amount Rs. 41.46.

Fiscal's Office,
Galle, June 25, 1924.

G. O. ABEYNAIKE,
Deputy Fiscal.

In the District Court of Colombo.

Kaluaratchige Charles Silva, No. 14, Front street, Colombo Plaintiff.
No. 11,974. Vs.

(1) G. M. Hendrick Silva and (2) G. M. Saris Silva, both of Ahangama Defendants.

NOTICE is hereby given that on Monday, July 21, 1924, at 1 o'clock in the afternoon, will be sold by public auction at the Office of the Fiscal's Aratchchi of Koggala the right, title, and interest of the said defendants in the following property, viz. :—

Motor bus bearing No. 705 F, with everything thereon.

Fiscal's Office,
Galle, June 25, 1924.

G. O. ABEYNAIKE,
Deputy Fiscal.

In the District Court of Matara.

Dickwellege Samodis alias Samoris of Bateegama, 5th Plaintiff.
No. 6,211. Vs.

J. K. Panchohamy and others Defendants.

NOTICE is hereby given that on Monday, July 23, 1924, at 9 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said 5th plaintiff in the following property for the recovery of Rs. 137.87, and Fiscal's charges, viz. :—

The divided lot C of the combined lands called Kaluambehena and Palliyegurunnansegehena, situated at Bateegama in the Wellaboda pattu of Matara District, Southern Province; and bounded on the north by the land called Wila-adderawatta appearing in plan No. 196,916 and Wila-adderawatta in T. P. 196,917, east by the divided portion D of the same land, south by the land appearing in plan No. 195,873 and Godabogahadeniya in T. P. No. 195,874, and on the west by portion B of the same land; and containing in extent 3 acres 1 rood and 10 perches.

Deputy Fiscal's Office,
Matara, July 1, 1924.

E. T. GOONEWARDENE,
Additional Deputy Fiscal.

In the District Court of Colombo.

N. P. L. S. P. Supparaman Chetty of Sea street, Colombo Plaintiff.
No. 8,619. Vs.

W. Balasuriya of Nupe in Matara Defendant.

NOTICE is hereby given that on Saturday, August 2, 1924, at 3 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said

defendant in the following property for the recovery of Rs. 2,566.88, together with interest at 9 per cent. per annum from May 21, 1923, till payment in full, and costs of suit :—

The land on which Sri Prakramabahu School stands, bearing assessment No. 1320, and situated at Gabadawediya in the Four Gravets of Matara, together with all the buildings standing thereon; the said premises being bounded on the north by high road, east by the premises known as Rose Cottage, south by Nilwala-ganga, and on the west by Preda alias Paranakandabodapattuewelawewatta; and containing in extent about $\frac{1}{2}$ acre.

Deputy Fiscal's Office,
Matara, July 1, 1924.

E. T. GOONEWARDENE,
Additional Deputy Fiscal.

In the District Court of Tangalla.

Welege Nandoris Appu of Kudawellakete Plaintiff.

No. 2,131.

Vs.

Kasturi Arachchige Girigoris of Dedduwawala. Defendant.

NOTICE is hereby given that on Saturday, July 26, 1924, at 3 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following mortgaged property for the recovery of Rs. 605.30, poundage, and Fiscal's charges, viz. —

At Dedduwawala.

(1) The soil and plantations of the land called Kongahahena; bounded on the north by T. P. 171,278 and lot 128 in P. P. 308, east by lot 128 in P. P. 306, south by lots 128, 131, and 132 in P. P. 306, and west by T. P. 171,278; containing in extent 2 acres 1 rood and 24 perches.

(2) All that undivided $\frac{1}{2}$ share of the soil and the plantations and planter's $\frac{1}{2}$ share of the land called Kongahahena; bounded on the north and east by lots 132 in P. P. 306, south by lots 301 and 133B in P. P. 306, and west by lots 133B and 98 in P. P. 306; containing in extent 2 roods.

Deputy Fiscal's Office,
Tangalla, June 28, 1924.

J. E. SENANAYAKE,
Deputy Fiscal.

North-Western Province.

In the District Court of Colombo.

Kaluaratchige Anthony Cooray of De Vaas lane, Grandpass, Colombo Plaintiff.
No. 3,515/1921. Vs.

(1) Patti Vidanelage Rensohami and her husband (2) Tosaintige James Perera, (3) Patti Vidanelage Leisohamy, (4) Patti Vidanelage Selohamy, and her husband (5) Alahakonge Robosingho, (6) Tosaintige Carlina Nona, and her husband (7) Amaratunge Aratchige Jaan Singho, (8) Hapuaratchige Don Solomon Appuhami, all of Makola in Adikari pattu, Siyane korale Defendants.

NOTICE is hereby given that on Saturday, August 2, 1924, commencing at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 2nd defendant in the following property, viz. :—

(1) An undivided $\frac{1}{2}$ share of the land called Meegahamulahena, situated at Mirihiliya near Alawwa in Kurunegala District; and bounded on the north by the limit of Rideegahamulahena belonging to Ranhamy and others; on the east by the field belonging to Ranhamy and others; on the south by the limit of Nugagahamulahena, and on the west by the limit of Leeniyagallehena; containing in extent about 3 acres more or less.

(2) An undivided $\frac{1}{2}$ share of the land called Galabendi-hena, situated at Mirihiliya aforesaid; and bounded on the north by the limit of Punchappuhamy's hena, on the east by the limit of Punchappuhamy's hena and limit of Radagehena, on the south by the railway line, and on the west by the limit of Kapuruhamy's hena; containing in extent about 3 acres more or less.

(3) An undivided $\frac{1}{2}$ share of the land called Schondihena, situated at Mirihiliya aforesaid; and bounded on the north by the limit of the chena belonging to Punchirala, on the

east by the limit of the chena belonging to Don Velaris Appuhamy, on the south by the railway line, and on the west by the field; containing in extent about 3 acres more or less.

(4) An undivided $\frac{1}{4}$ share of the land called Madapolehena, situated at Mirihiliya aforesaid; bounded on the north by the limit of Punchiappuhamy Aratchy's hena, on the east by Ukkurala's hena, on the south by Galabendihena, and on the west by Kapuruhamy's hena; containing in extent about 3 acres more or less.

(5) All that land called Etdematagahawatta, situated at Mirihiliya; and bounded on the north by lot 36D in P. P. 470, on the east by lots 36 and 49A in P. P. 470, on the south by lots 50 and 53F in P. P. 470, and on the west by lot 34 in P. P. 470; containing in extent 1 acre 1 rood and 7 perches according to plan No. 313,792 dated June 24, 1915.

Amount to be levied Rs. 460, being damages at the rate of Rs. 10 per month from July 31, 1919 to May 21, 1923, 46 months as per de ree, and poundage.

Fiscal's Office,
Kurunegala, June 30, 1924.

S. D. SAMARASINHA,
Deputy Fiscal.

In the District Court of Colombo.

Nawanna Pana Lana Caruppen Chetty of Sea street,
Colombo Plaintiff.

No. 6,702. Vs.

Sewa Muna Mohamado Meerasaibo of Bammanna in
Kurunegala Defendant.

NOTICE is hereby given that on Saturday, August 9, 1924, 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 mortgaged property decreed to be sold under the above order to sell, viz. :—

All that allotment of land called Dambagahamulawatta, situate in the village Dalupotamulla in Medapattu korale, west of Katugampola hatpattu, in the District of Kurunegala, North-Western Province; and bounded on the north by a road, on the east by T. Ps. 174,392 and 274,854, south by lots 2D and 2 in P. P. 320, and on the west by lot 2 in P. P. 320 and T. P. 270,270; containing in extent 11 acres and $\frac{1}{4}$ perches according to the figure of survey thereof No. 276,576 dated March 27, 1911, authenticated by R. S. Templeton, Esq., Surveyor-General, together with all the buildings thereon.

Amount to be levied Rs. 4,740, with interest on Rs. 4,000 at 12 per cent. per annum from October 31, 1922, till July 6, 1923, and thereafter further interest on the aggregate amount at 9 per cent. per annum till payment in full, and costs, and poundage.

Fiscal's Office,
Kurunegala, June 30, 1924.

S. D. SAMARASINHA,
Deputy Fiscal.

In the District Court of Colombo.

(1) Elsie Kate Marshall, wife of (2) Arthur Henry
Marshall, both of London Plaintiffs.

No. 9,962. Vs.

Garumuni Robert de Zoysa of Colombo Defendant.

NOTICE is hereby given that on Monday, July 28, 1924, at 11 o'clock in the forenoon, will be sold by public auction at the spot the following property mortgaged with the first plaintiff and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated October 31, 1923, for the recovery of the sum of Rs. 92,321.64, together with interest on the principal sum of Rs. 85,000 at the rate of 8 per cent. per annum from September 28, 1923, to October 19, 1923, and thereafter on the aggregate amount at the rate of 9 per cent. per annum till payment in full, cost of action Rs. 819.65, Fiscal's charges, and poundage, viz. :—

All that and those the coconut estate plantation and premises called and known as Chenaiuttukadutottam, presently called and known as Siri Sumana estate, situate in the village Ambalam in Ponparippu pattu, in the District of Puttalam, in the North-Western Province; and bounded on the north by a reservation for a road, on the east by land

described in Crown title plan No. 1 3,898, on the south by Ambalamkadu claimed by P. M. Ibrahim and others; containing in extent 178 acres according to figure of survey bearing No. 163,897 dated July 18, 1894, and authenticated by D. H. Mantell, Esq., Acting Surveyor-General, and registered in Puttalam G 1/85, which said property has also been registered as two divided lots, each of 89 acres in extent, in G 1/103 and G 1/104, together with the buildings, bungalow, fixtures, furniture, tools, implements, cattle, and other the dead and live stock, crops, produce, and appurtenances whatsoever to the said estate and premises belonging or in anywise appertaining, and all the estate, right, title, interest, property, claim, and demand whatsoever of the defendant of, in, to, upon, or out of the same.

Puttalam, June 30, 1924.

P. O. FERNANDO,
Deputy Fiscal.

In the District Court of Colombo.

(1) Arthur Henry Marshall of London Plaintiff.
No. 9,963. Vs.

Garumuni Robert de Zoysa of Colombo Defendant.

NOTICE is hereby given that on Monday, July 28, 1924, at 10 o'clock in the forenoon, will be sold by public auction at the spot the following property mortgaged with the plaintiff and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated October 31, 1923, subject to the mortgage created by deed No. 167 dated April 18, 1918, attested by D. E. Weerasooriya, Notary Public, in favour of the plaintiff's wife, Elsie Kate Marshall, for the recovery of the sum of Rs. 43,445.48, together with interest on Rs. 40,000 at the rate of 8 per cent. per annum from September 28, 1923, to October 19, 1923, and thereafter on the aggregate amount at the rate of 9 per cent. per annum till payment in full, cost of action Rs. 647.6, Fiscal's charges, and poundage, viz. :—

All that and those the coconut estate plantation and premises called and known as Siri Sumana estate, situate in the village Ambalam in Ponparippu pattu, in the District of Puttalam, in the North-Western Province; and bounded on the north by a reservation for a road, on the east by land described in Crown title plan No. 163,899, on the south by Ambalamkadu claimed by P. M. Ibrahim and others; containing in extent 178 acres according to figure of survey bearing No. 163,897 dated July 18, 1894, and authenticated by D. H. Mantell, Esq., Acting Surveyor-General, and registered in Puttalam G 1/85, which said property has also been registered as two divided lots, each of 89 acres in extent, in G 1/103 and G 1/104, together with the buildings, bungalows, fixtures, furniture, tools, implements, cattle, and other the dead and live stock, crops, produce, and appurtenances whatsoever to the said estate and premises belonging or in anywise appertaining, and all the estate, right, title, interest, property, claim, and demand whatsoever of the defendant of, in, to, upon, or out of the same.

Puttalam, June 30, 1924.

P. O. FERNANDO,
Deputy Fiscal.

In the District Court of Chilaw.

Comitige Peduru Perera of Kekunawala Plaintiff.
Charles Cyril Chetty of Kanjikkuliya Substituted Plaintiff.

No. 6,645. Vs.

Francis Jayawardene of Madampe Defendant.

NOTICE is hereby given that on Saturday, July 26, 1924, at 9.15 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. 588.62, and poundage, viz. :—

(1) The land called Madatiyagahawatta, situate at Madampe in Yagam pattu of Pitigal korale north in the District of Chilaw; and bounded on the north by the land of Ponjo, east by land of Ponjo and Juse Appu, south by the high road, and west by dewata road; containing in extent about $\frac{1}{2}$ acre.

(2) The land called Siyambalagahawatta, situate at Madampe aforesaid ; and bounded on the north by land of Sillappu, east by lands of Durant Abeyeratne and others, south by land in which Wijesinghe Ralahami resides, and west by land of Janihamy ; containing in extent about $\frac{1}{2}$ acre.

Deputy Fiscal's Office,
Chilaw, July 1, 1924.

A. BASNAYAKE,
Deputy Fiscal.

In the District Court of Chilaw.

Ana Sana Ana Nana Karuppen Chetty of
Madampe Plaintiff.
No. 7,054. Vs.

(1) Jane Emily Ampresekere and two others of
Madampe Defendants.

NOTICE is hereby given that on Saturday, July 26, 1924, at 8 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property declared specially bound and executable under the decree entered in the

above action for the recovery of Rs. 755, with interest on Rs. 500 at 24 per cent. per annum from July 27, 1922, up to January 17, 1924, and thereafter with legal interest on the aggregate sum till payment in full, costs, and poundage :—

(1) An undivided $\frac{1}{4}$ share of the garden called Uswatta with the buildings and plantations standing thereon, situate at Madampe in Yagam pattu of Pitigal korale north, in the District of Chilaw ; and bounded on the north by the land belonging to Mudaliyar Jayawardene, east by the land belonging to Mr. Charlie Corea, south by the Gansabhawa road, and west by the land belonging to Baron Perera Rupasinghe ; containing in extent about 4 acres.

(2) An undivided $\frac{1}{4}$ share of the garden called Medawalauwa with the buildings and plantations standing thereon, situate at Madampe aforesaid ; and bounded on the north by the land belonging to Peries Appu, east by the high road, south by the land belonging to Panditesekere, and west by the lands belonging to Mr. Joseph Philip Panditesekere and others ; containing in extent about 6 acres.

Deputy Fiscal's Office,
Chilaw, June 27, 1924.

A. BASNAYAKE,
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Weliwattage Pieris Perera of
No. 1,810. Pelawatta in the Palle pattu of the
Salpiti korale, deceased.

Malalage Helena Pieris of Pelawatta in the Palle
pattu of the Salpiti korale Petitioner.

THIS matter coming on for disposal before W. S. de Saram, Esq., District Judge of Colombo, on May 22, 1924, in the presence of Mr. W. L. P. Amaratunga, Proctor, on the part of the petitioner above named ; and the affidavits (1) of the said petitioner dated May 9, 1924, and (2) of the attesting witnesses also dated May 9, 1924, having been read :

It is ordered that the last will of Weliwattage Pieris Perera, 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 June 26, 1924, show sufficient cause to the satisfaction of this court to the contrary.

May 22, 1924. W. S. DE SARAM,
District Judge.

The date for showing cause against this *Order Nisi* is extended to July 24, 1924.

June 26, 1924. V. M. FERNANDO,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Maddumage Don Simon Peter of No. 170,
No. 1,819. Meetotamulla lane, Colombo, deceased.

Kannantudage Martho Nona of No. 170, Meetota-
mulla lane, Colombo Petitioner.

And

(1) Maddumage Don Somipala, (2) ditto Don Sumanapala, (3) ditto Don Wickremapala, (4) ditto Dona Somawati, (5) ditto Dona Nandawati, all minors, appearing by their guardian *ad litem* (6) Kannantudage Janohamy, all of No. 170, Meetotamulla .. Respondents.

THIS matter coming on for disposal before W. S. de Saram, Esq., District Judge of Colombo, on May 28, 1924, in the presence of Mr. R. P. Weeresinghe, Proctor,

on the part of the petitioner above named ; and the affidavit of the said petitioner dated May 20, 1924, 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 July 10, 1924 show sufficient cause to the satisfaction of this court to the contrary.

May 28, 1924. V. M. FERNANDO,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. and Effects of Mohottiwatte Janananda
No. 1,820. Ummase of Maligakanda, deceased.

Laddusinghe Sumana Silva of Maligakanda Petitioner.

THIS matter coming on for disposal before W. S. de Saram, Esq., District Judge of Colombo, on May 28, 1924, in the presence of Mr. S. A. Jayasekera, Proctor, on the part of the petitioner above named ; and the affidavit of the said petitioner dated May 25, 1924, having been read :

It is ordered that the petitioner be and she is hereby declared entitled, as sister of the above-named deceased, to have letters of administration to his estate issued to her, unless any person or persons interested shall, on or before July 10, 1924, show sufficient cause to the satisfaction of this court to the contrary.

May 28, 1924. W. S. DE SARAM,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Hewadewage Romanis Fernando of
No. 1,825. Padiliyatuduwa in the Adikari pattu of
Siyane korale, deceased.

Galabodadewage Rego Fernando of Padiliyatuduwa
aforesaid Petitioner.

And

(1) Hewadewage Sophia Fernando, (2) ditto Harmanis Fernando, (3) ditto Hendrick Fernando, (4) ditto Punchi Nona, (5) ditto Raphiel Fernando all of Padiliyatuduwa aforesaid Respondents.

THIS matter coming on for disposal before W. S. de Saram, Esq., District Judge of Colombo, on May 29, 1924,

in the presence of Mr. M. R. Akbar, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 28, 1924, 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 July 17, 1924, show sufficient cause to the satisfaction of this court to the contrary.

May 29, 1924.

V. M. FERNANDO,
District Judge.

In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Sembuge Marcellina Fonseka
No. 1,828. of No. 27, Alutnawata road, Mutwal,
Colombo.

Henry Ferdinandusz of Alutnawata, Mutwal,
Colombo Petitioner.

THIS matter coming on for disposal before W. S. de Saram, Esq., District Judge of Colombo, on May 30, 1924, in the presence of Messrs. de Vos & de Saram, Proctors, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated May 29 1924, and (2) of the attesting notary dated May 22, 1924, having been read:

It is ordered that the last will of Sembuge Marcellina Fonseka, 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 any person or persons interested shall, on or before July 17, 1924, show sufficient cause to the satisfaction of this court to the contrary.

May 30, 1924.

W. S. DE SARAME,
District Judge.

In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. the late Jayasuriya Appuhamillage Don
No. 1,829. Issac Dias Jayasuriya Adirisinghe of
Watareka in the Meda pattu of Hewagama
korale, deceased.

Handapangoda Mudaliga Dona Joslin Hamina of
Watareka aforesaid Petitioner.

And

(1) Arthur Felix Dias Jayasuriya, (2) Aldin Welmina
Dias Jayasuriya, (3) Lilawathi Dias Jayasuriya,
all of Watareka aforesaid Respondents.

THIS matter coming on for disposal before W. S. de Saram, Esq., District Judge of Colombo on May 30, 1924, in the presence of Mr. D. A. J. Goonewardhane, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 29, 1924, 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 July 17, 1924, show sufficient cause to the satisfaction of this court to the contrary.

May 30, 1924.

V. M. FERNANDO,
District Judge.

In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Kudasingankuttige Noncho
No. 1,837. Hanu late of Welagedara in the Udu-
gama pattu of Siyane korale, deceased.

Adirisingha Arachchige Sivadonis Appuhamy of Wela-
gedara aforesaid Petitioner.

THIS matter coming on for disposal before W. S. de Saram, Esq., District Judge of Colombo, on June 6, 1924, in the presence of Mr. D. A. J. Goonewardhane, Proctor, on the part of the petitioner above named; and the affidavits

(1) of the said petitioner dated June 5, 1924, and (2) of the attesting witnesses also dated June 5, 1924, having been read:

It is ordered that the last will of Kudasingankuttige Noncho Hanu, 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 any person or persons interested shall, on or before July 17, 1924, show sufficient cause to the satisfaction of this court to the contrary.

June 6, 1924.

V. M. FERNANDO,
District Judge.

In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Gabriel Perera Amerasinghe of Medda-
No. 1,838. gama in the Gangaboda pattu of Siyane
korale, deceased.

Albert Perera Amerasinghe of Meddagama in the
Gangaboda pattu of Siyane korale Petitioner.

And

(1) Dona Isabella Weli ala Hamine, (2) Adrian Perera
Amerasinghe, (3) Cornelia Perera Amerasinghe, all
of Meddagama aforesaid Respondents.

THIS matter coming on for disposal before W. S. de Saram, Esq., District Judge of Colombo, on June 6, 1924, in the presence of Mr. S. R. Ameresekere, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 23, 1924, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son 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 July 17, 1924, show sufficient cause to the satisfaction of this court to the contrary.

June 6, 1924.

V. M. FERNANDO,
District Judge.

In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Patirehennalage Maria Perera
No. 1,840. of Kotahena

John Paul Joseph of Sedawatta Petitioner.

THIS matter coming on for disposal before W. S. de Saram, Esq., District Judge of Colombo, on June 9, 1924, in the presence of Mr. J. M. Cadiramanpulle, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated June 4, 1924, and (2) of the attesting notary and witnesses also dated June 4, 1924, having been read:

It is ordered that the last will of Patirehennalage Maria Perera, 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 any person or persons interested shall, on or before July 17, 1924, show sufficient cause to the satisfaction of this court to the contrary.

June 9, 1924.

V. M. FERNANDO,
District Judge.

In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Ibrahim Lebba Johara Umra, deceased.
No. 1,848.

Zainul Abdeen of New Moor street
in Colombo Petitioner.

And

(1) Ismail Lebba Marikar Zainul Abdeen, and (2) Zainul
Abdeen Mohamed Ajuward, both of New Moor street
in Colombo Respondents.

THIS action coming on for disposal before V. M. Fernando, Esq., District Judge of Colombo, on June 10, 1924,

in the presence of Mr. N. M. Zaheed, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 30, 1924, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son 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 July 17, 1924, show sufficient cause to the satisfaction of this court to the contrary.

June 10, 1924.

V. M. FERNANDO,
District Judge.

In the District Court of Colombo.

Order Nisi.

21
Testamentary In the Matter of the Last Will and Testament of Reginald Philip Sumner of Fair Mile, Longford, in the County of Gloucester, deceased.

28
THIS matter coming on for disposal before V. M. Fernando, Esq., District Judge of Colombo, on June 23, 1924, in the presence of Mr. Geoffrey Thomas Hale of Colombo, Proctor, on the part of the petitioner, Mr. Oscar Percy Mount of Colombo; and the affidavit of the said petitioner dated June 19, 1924, certified copy of the will of the above-named deceased, certified copy of probate, power of attorney in favour of the petitioner, and Supreme Court's order dated May 29, 1924, having been read: It is ordered that the will of the said deceased dated October 4, 1922, of which a certified copy 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 a copy of the said will annexed, issued to him accordingly, unless any person or persons interested shall, on or before July 17, 1924, show sufficient cause to the satisfaction of this court to the contrary.

June 23, 1924.

V. M. FERNANDO,
District Judge.

In the District Court of Colombo.

Order Nisi in Intestacy.

21
Testamentary In the Matter of the Intestate Estate of William Nicol of 29, Goldington Avenue, Bedford, in the County of Bedford, England, deceased.

28
THIS matter coming on for disposal before V. M. Fernando, Esq., District Judge of Colombo, on June 30, 1924, in the presence of Percival Stephen Martensz, Proctor, on the part of the petitioner James Aubrey Martensz of Colombo; and (1) the affidavit of the petitioner dated June 27, 1924, (2) the power of attorney dated November 29, 1923, (3) the minute of consent dated October 4, 1922, (4) the order of the Supreme Court dated March 11, 1924, and (5) a duplicate grant under the seal of the probate division of His Majesty's High Court of Justice, England (Northampton Registry), of letters of administration to Jeannie Nicol, the lawful widow and relict of the said William Nicol, deceased, having been read: It is ordered that the said James Aubrey Martensz is the attorney in Ceylon of the said Jeannie Nicol, and that as such he is entitled to have letters of administration issued to him accordingly, unless any person or persons interested shall, on or before July 10, 1924, show sufficient cause to the satisfaction of the court to the contrary.

June 30, 1924.

V. M. FERNANDO,
District Judge.

In the District Court of Negombo.

Order Nisi.

28
Testamentary In the Matter of the Intestate Estate of the late Kaluaracci Tembilitige Sempiti No. 2,164. of Kanamiwala in Dambaden, dukula korale west.

THIS matter coming on for disposal before F. D. Peries, Esq., District Judge of Negombo, on March 11, 1924, in the presence of Messrs. Samaratunga & Pereira, Proctors,

on the part of the petitioner, Kaluaracci Tembilitige Carolis Appu of Ambagaspitiya in Meda pattu of the Siyane korale; and the affidavit of the said petitioner dated October 18, 1923, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as an heir of the deceased, to administer the estate of the deceased above named, and that letters of administration do issue to him accordingly, unless the respondents—(1) Kaluaracci Tembilitige Sinchi Nona, (2) ditto Jonis, (3) ditto Jamis, (4) ditto Magiris, all of Ambagaspitiya—or any other person or persons interested shall, on or before April 8, 1924, show sufficient cause to the satisfaction of this court to the contrary.

March 11, 1924.

F. D. PERIES,
District Judge.

Time for showing cause against this *Order Nisi* has been extended for July 15, 1924.

June 26, 1924.

F. D. PERIES,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Obinamuni Siriwa dena Sadohany of No. 2,241. Palugahawela in Dunagaha pattu of the Alutkuru korale, dece. sed.

THIS matter coming on for disposal before F. D. Peries, Esq., District Judge of Negombo, on June 19, 1924, in the presence of Messrs. Samaratunga & Pereira, Proctors, on the part of the petitioner Hiddadura Simon de Silva of Palugahawela aforesaid; and the affidavit of the said petitioner dated June 16, 1924, having been read:

It is ordered that the 5th respondent be and he is hereby appointed guardian *ad litem* over the minors, 2nd, 3rd, and 4th respondents, for the purpose of the above testamentary action, unless sufficient cause be shown to the contrary on or before the date mentioned hereinbelow.

It is further declared that the said petitioner be and he is hereby declared entitled, as a son 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 respondents—(1) Hiddadura Alice de Silva, (2) ditto De Nona de Silva, (3) ditto Diamond de Silva (4) ditto Aligim de Silva, and (5) Walimani John Mendis, all of Palugahawela—or any other person or persons shall, on or before July 18, 1924, show sufficient cause to the satisfaction of this court to the contrary.

And it is further ordered that the said 5th respondent do produce the said minors before this court at 9.30 A.M. on July 18, 1924, in connection with the above case.

June 19, 1924.

F. D. PERIES,
District Judge.

In the District Court of Kalutara.

Order Nisi deeming Will proved, &c.

Testamentary In the Matter of the Estate of the late Jurisdiction. Soo Dore Pattu Muttu Soharumma, No. 1,636. deceased, of Alutgama.

THIS matter coming on for disposal before W. H. B. Carbery, Esq., District Judge of Kalutara, on February 7, 1924, in the presence of Messrs. Wijemanne & Ismail, Proctors on the part of the petitioner, Alia Marikar Hadjar Obeid Hadjar of Alutgama; and the affidavit of the said petitioner dated February 5, 1924, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as husband of the above-named deceased to have letters of administration to her estate issued to him, unless the respondents—(1) Wappuehi Marikar Subaida Umma of No. 3A, 2nd Division, Maradana, Colombo, (2) Bastami Lebbe Mestriyar Saibo Dore of Alutgama, (3) Obeidu Hadjar Mohamed Fuadu, (4) Obeidu Hadjar Mohamed Huweis, both of Alutgama, minors, by their guardian *ad litem* (5) Mohamed Lebbe Marikar Mohamed Jamaldeen of Alutgama—or any other person or persons interested shall, on or before July 10, 1924, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 5th respondent be and he is hereby appointed guardian *ad litem* over the 3rd and 4th respondents for all the purposes of this action, unless the respondents or any other person or persons interested shall, on or before July 10, 1924, show sufficient cause to the satisfaction of this court to the contrary.

March 11, 1924.

W. H. B. CARBERY,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Padukkage Donia Missi Nona, deceased, of
No. 1,669. Walana.

THIS matter coming on for disposal before A. de Abrew, Esq., Acting District Judge of Kalutara, on May 1, 1924, in the presence of Mr. F. A. C. Tirimanne, Proctor, on the part of the petitioner, Kalutaramadamage Porolis Rodrigo of Walana; and the affidavit of the said petitioner dated February 16, 1924, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as husband and the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents—(1) Kalutaramadamage Louis, (2) ditto David, (3) ditto Ransohamy, (4) ditto Babanona, (5) ditto Edin, (6) ditto Isohamy all of Walana; the 1st to 6th respondents minors by their guardian *ad litem* (7) Samarakkodige Davith Peiris Appuhamy of Walana—or any other person or persons interested shall, on or before June 19, 1924, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 7th respondent be and he is hereby appointed guardian *ad litem* over the 1st to the 6th respondents, minors, for all the purposes of this action unless the respondents or any other person or persons interested shall, on or before July 17, 1924, show sufficient cause to the satisfaction of this court to the contrary.

May 1, 1924.

W. H. B. CARBERY,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Lewishennedige Seelawani Fernando,
No. 4,119. deceased, of Ulapane in Gampola District.
Ketawelagedera Lucia Nona of Ulapane ... Petitioner.

And
(1) Lewishennedige Edwin Fernando, (2) Lewishennedige Haramanis Fernando, both of Ulapane. Respondents.

THIS matter coming on for disposal before Paulus Edward Pieris, Esq., Doctor of Letters, District Judge, & Schokman, Proctors, on the part of Messrs. Jonklaas Ketawelagedera Lucia Nona of Ulapane; and the petitioner, of the said petitioner dated February 26, 1924, the affidavit petition having been read:

It is ordered that the said Ketawelagedera Lucia Nona, as the mother of the deceased above named, be and she is declared entitled to have letters of administration to the deceased's estate issued to her accordingly, unless the respondents—(1) Lewishennedige Edwin Fernando and (2) Lewishennedige Haramanis Fernando, both of Ulapane, the 1st respondent by his duly appointed guardian *ad litem* the 2nd respondent,—or any other person or persons shall, on or before July 10, 1924, show sufficient cause to the satisfaction of this court to the contrary.

June 9, 1924.

P. E. PIERIS,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. late Wenduru Hewage Danatcho,
No. 5,968. deceased, of Dangedera, Galle.

THIS matter coming on for disposal before A. P. Boone, Esq., District Judge of Galle, on June 9, 1924, in the presence of Mr. J. N. Goonetilleke, Proctor, on the part of the petitioners, (1) Malawenne Hewage Alice, wife of (2) Paulu Hewage John, both of Dangedera; and the affidavit of the said 1st petitioner dated June 9, 1924, having been read:

It is declared that the 1st petitioner, as daughter of the deceased above named, is entitled to have letters of administration issued to her accordingly, unless the respondents, viz., (1) Malawenne Hewage Jane, (2) ditto Lenty, (3) ditto Emmy, all of Dangedera, Galle, shall, on or before July 10, 1924, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the 1st respondent be and she is hereby appointed guardian *ad litem* over the 2nd and 3rd respondents for the purpose of this case.

June 9, 1924.

A. P. BOONE,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Godagama Gamage Don Henrick,
No. 5,970. deceased, of Baddegama East.

THIS matter coming on for disposal before A. P. Boone, Esq., District Judge of Galle, on June 9, 1924, in the presence of Mr. A. E. P. Jayatilaka, Proctor, on the part of the petitioner, Godagama Gamage Don William of Baddegama; and the affidavit of the said petitioner dated June 6, 1924, having been read: It is declared 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., Weragoda Vidanalege Kirihamy of Baddegama East, (2) Godagama Gamage Missinona, wife of (3) Jayasekera Gunawardene Carolis of Keradewala, (4) Godagama Gamage Alexander, (5) Godagama Gamage Romanis, both of Baddegama East, shall, on or before July 10, 1924, show sufficient cause to the satisfaction of this court to the contrary.

June 9, 1924.

A. P. BOONE,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Mohamadu Lebbe Marikar Kumisteru
No. 5,974. Abdul Kudus, deceased, of Weligama.

THIS matter coming on for disposal before A. P. Boone, Esq., District Judge, Galle, on June 24, 1924, in the presence of Mr. G. E. Abayasekera, Proctor, on the part of the petitioner, Mohamed Lebbe Marikar Mohamed Haniffa; and the affidavit of the said petitioner dated June 24, 1924, having been read: It is declared that the said petitioner, as the brother-in-law of the deceased above named and at the request of the widow, is entitled to have letters of administration issued to him accordingly, unless the respondents viz. (1) Mohamed Lebbe Marikar Mohamed Umma, (2) Abdul Kudus Fathumuttu Naome, (3) ditto Zahira Umma, (4) ditto Abdul Wadood, (5) ditto Mohamed Farook, (6) Wappu Marikar Mohamed Salie all of Kumbalwella, shall, on or before July 10, 1924, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the 6th respondent be appointed guardian *ad litem* over the minors, 2nd, 3rd, 4th, and 5th respondents, unless the said respondents shall, on or before July 10, 1924, show sufficient cause to the satisfaction of this court to the contrary.

June 24, 1924.

A. P. BOONE,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Estate of Dahanayakage Dona Balaetana Hamine, late of Puhulwella, deceased.

Don Nickulas Wijesinha, Vel-Vidane of Puhulwella Petitioner.

Vs.

- (1) Dona Senara Wijesinha of Puhulwella, (2) Don Samel Wijesinha of ditto, (3) Don Andris Wijesinha of Kadawedduwa, (4) Vidana Gamage Don Andris of Puhulwella, (5) Don Dennis Dahanayaka of ditto, (6) Don Davith Dahanayaka of ditto, (7) Dona Porolina Dahanayaka of ditto, (8) Dona Ciciliana Dahanayaka of ditto, (9) Leanagamage Don Jamis of Uda-aparekka, (10) ditto Don Denes of ditto, (11) Kammalgoda Mudalige Don Alwis Kulatunga of ditto, (12) Leanagamage Don Juwanis of Naradda, (13) ditto Dona Ciciliana of Galagama, (14) Wijesinghe Don Davith of Kahagala, (15) ditto Dona Christina of ditto, (16) ditto Sapirihami of ditto, (17) ditto Dingihamy of ditto. Respondents.

THIS matter coming on for disposal before E. Rodrigo, Esq., District Judge of Matara, on May 7, 1924, in the presence of the petitioner appearing in person; and the petition and affidavit of the said petitioner dated May 6, 1924, having been read: It is ordered that the petitioner, Don Nikulas Wijesingha, be and he is hereby declared entitled, as son of the said deceased, to administer the estate, and that letters of administration do issue to him accordingly, unless the above-named respondents or any other person or persons interested shall, on or before July 10, 1924, show sufficient cause to the satisfaction of this court to the contrary.

May 7, 1924.

E. RODRIGO,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Anammah, wife of Sinnappah Muttukumar of Vaddukkodai West, deceased.

Vaitianathan Kesava of Vaddukkodai East. Petitioner.

Vs.

- (1) Sellachchi, widow of Kalthiresu Sellappah of ditto, (2) Sannugam Muttukumar of Vaddukkodai East, presently employed as Station Master, Trolak, Perak, Federated Malay States. Respondents.

THIS matter of the petition of the above-named petitioner, praying for letters of administration to the estate of the above-named deceased, coming on for disposal before G. W. Woodhouse, Esq., District Judge, Jaffna, on March 20, 1924, in the presence of Mr. P. Canapathy Pillai, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated March 18, 1924, having been read: It is declared that the petitioner is the grandfather of the said deceased and is entitled to have letters of administration to the estate of the said deceased issued to him, unless the respondents or any other person shall, on or before April 15, 1924, show sufficient cause to the satisfaction of this court to the contrary.

April 2, 1924.

G. W. WOODHOUSE,
District Judge.

Time to show cause is extended to July 15, 1924.

G. W. WOODHOUSE,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Sinnappillai, wife of Saravanamuttu Kandiah of Vaddukkodai West, who died at Batu Gajah in the State of Perak in Federated Malay States, deceased.

Saravanamuttu Subramaniam of Vaddukkodai West. Petitioner.

Vs.

- (1) Nagammah, daughter of Saravanamuttu Kandiah of Vaddukkodai West, (2) Muthalithamby Subramaniam of Tholpuram. Respondents.

THIS matter of the petition of the above-named petitioner, praying that the 2nd respondent be appointed guardian *ad litem* over the 1st respondent and that letters of administration to the estate of the above-named deceased be granted to the above-named petitioner, coming on for disposal before G. W. Woodhouse, Esq., District Judge, Jaffna, on May 27, 1924, in the presence of Messrs. Nagalingam & Nagalingam, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated May 7, 1924, having been read: It is ordered that the 2nd respondent be made guardian *ad litem* over the 1st respondent and that the petitioner, as the brother of the husband of the deceased, is entitled to take out letters of administration to the estate of the said deceased, unless the respondents shall, on or before June 26, 1924, show sufficient cause to the satisfaction of this court to the contrary.

June 10, 1924.

G. W. WOODHOUSE,
District Judge.

Time to show cause extended to July 8 1924.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Ponnuru, daughter of Nagamuthu Selliah of Vaddukkodai West, deceased.

Valliammaipillai, widow of Arumugam Subramaniam of Vaddukkodai West. Petitioner.

Nagamuttu Selliah of Vaddukkodai West. Respondent.

THIS matter of the petition of the above-named Valliammaipillai, widow of Arumugam Subramaniam, praying for letters of administration to the estate of the above-named deceased, Ponnuru, daughter of Nagamuttu Selliah, coming on for disposal before G. W. Woodhouse, Esq., District Judge, on June 12, 1924, in the presence of Mr. P. Canapathy Pillay, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated June 7, 1924, having been read: It is declared that the petitioner is the grandmother of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondent or any other person shall, on or before July 15, 1924, show sufficient cause to the satisfaction of this court to the contrary.

July 1, 1924.

G. W. WOODHOUSE,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Murugasar Vaitilingam of Tholpuram, deceased.

Valliachy, widow of Murugasar Vaitilingam of Tholpuram. Petitioner.

- (1) Nagulambikai, daughter of Murugasar Vaitilingam of Tholpuram, minor, (2) Murugasar Kanagasabai of Tholpuram. 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 praying for letters of administration to the estate of the above-named deceased, coming on for disposal before G. W. Woodhouse, Esq., District Judge, Jaffna, on June 19, 1924, in the presence of Messrs. Nagalingam & Nagalingam, Proctors, for petitioner; and the affidavit of the petitioner dated June 11, 1924, having been read: It is ordered that the above-named 2nd respondent be appointed guardian *ad litem* over the said minor, and it is declared that the petitioner, as the widow of the said deceased, is entitled to have letters of administration to the estate of the above-named deceased issued to her accordingly, unless the above-named respondents or any other persons interested shall, on or before July 10, 1924, show sufficient cause to the satisfaction of this court to the contrary.

June 23, 1924.

G. W. WOODHOUSE,
District Judge.

In the District Court of Batticaloa.

Order Nisi.

Testamentary In the Matter of the Estate and Effects of Jurisdiction. the late Sanmugam Tangapillai of No. 120. Kallady Uppodai, deceased.

B. Emmanuel, Secretary, District Court, Batticaloa Petitioner.

Vs.

(1) Sapapathy Sanmugam and (2) Sapapathy Arambapathy, minors, by their guardian *ad litem*.
Kandamuttu Kandappen of Naveteudah .. Respondents.

THIS matter coming on for disposal before N. E. Ernst, Esq., District Judge of Batticaloa, on May 15, 1924, in the presence of Mr. E. T. Kadramer, Proctor, on the part of the petitioner; and the affidavits and petition of the petitioner dated April 8, 1924, and May 15, 1924, respectively, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as Secretary of the District Court of Batticaloa, to administer the estate of the deceased, and that letters of administration do issue to him accordingly, unless the above respondents or any other person or persons interested shall, on or before June 12, 1924, show sufficient cause to the satisfaction of this court to the contrary.

May 15 1924.

N. E. ERNST,
District Judge.

The above Order Nisi is extended to July 10, 1924.

June 12, 1924.

J. KADRAMATAMBY,
District Judge.

In the District Court of Puttalam.

Order Nisi.

Testamentary In the Matter of the Estate of Santiago Jurisdiction. Marko Pillai, late of Mampury in Ankarai pattu in the Puttalam District, deceased.

Miguel Pillai Mariamma of Mampury aforesaid, widow of the deceased above named Petitioner.

And

(1) Marko Pillai Annamma, wife of Santiago Cassimer of Mampury aforesaid, (2) Rayappen of Mundel in the Puttalam District, proposed guardian *ad litem* of the minor, Marko Pillai Anthonipillai, aged about 19 years (3) Miguel Pillai Anthony Pillai of Mampury aforesaid, proposed guardian *ad litem* of the minors, (a) Marko Pillai Susanna, aged about 11 years, (b) Marko Pillai Mary, aged about 10 years, (c) Marko Pillai Maria Salome, aged about 8 years, (d) Marko Pillai Emmanuel, aged about 5 years, all of Mampury aforesaid. Respondents.

THIS matter coming on for disposal before P. O. Fernando, Esq., Additional District Judge of Puttalam, on June 10, 1924, in the presence of Mr. Wilfred A. Muttukumar, Proctor, on the part of the petitioner above named; and the petitioner's affidavit dated May 28, 1924, and petition dated June 9, 1924, having been duly read:

It is ordered that Rayappen, the 2nd respondent above named, be and he is hereby appointed guardian *ad litem* of the minor Anthonipillai above named, and Miguel Pillai

Anthonipillai, the 3rd respondent above named, be and he is hereby appointed guardian *ad litem* of the minors, (a) Susanna, (b) Mary, (c) Maria Salome, and (d) Emmanuel above named, for all the purposes of these proceedings, and the petitioner above named be and she is hereby declared entitled, as widow of the deceased above named, to have letters of administration to the estate of the deceased above named, 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 July 1, 1924, show sufficient cause to the satisfaction of this court to the contrary.

June 10, 1924.

P. O. FERNANDO,
Additional District Judge.

Time extended to July 8, 1924.

July 1, 1924.

In the District Court of Chilaw.

Order Nisi.

No. 1,577. In the Matter of the Intestate Estate of Jayasinha Herathge Appusingho Vedarala of Muttibendiwila, deceased.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Chilaw, on May 31, 1924, in the presence of Mr. M. L. Marasinghe, Proctor, on the part of the petitioner, Wasalamudalige Punchirala Vedarala; and the affidavit of the said petitioner dated May 28, 1924, having been read:

It is ordered that the said petitioner, as the sole heir of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless any person or persons interested shall, on or before July 7, 1924, show sufficient cause to the satisfaction of this court to the contrary.

June 24, 1924.

N. M. BHARUCHA,
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Hettipatirannehelage Singho Appuhamy No. 968. of Madurupitiya, deceased.

Hettipatirannehelage Sediris Appu of Madurupitiya Petitioner.

(1) Rajarassa Mudiyansehelage Ethanahamy, (2) Hettipatirannehelage Mohana Appu, (3) ditto Punchi Nona, all of Madurupitiya; the 3rd respondent being a minor by her guardian *ad litem* her mother, the 1st respondent Respondents.

THIS matter coming on for disposal before Ehan Ondaatje, Esq., Acting District Judge, Kegalla, on February 23, 1924, in the presence of Mr. Molligode, Proctor, for petitioner; and his affidavit and petition dated December 14, 1923, and February 20, 1924, respectively, praying for letters of administration and the appointment of guardian *ad litem* over the minor respondent: It is ordered and declared that the petitioner, as a son of the deceased, is entitled to letters of administration of the said estate, and that such letters will be issued to him accordingly, and that the 1st respondent, being the mother of the 3rd respondent, is a fit and proper person to be appointed guardian *ad litem* over the said minor respondent, and that such appointment will be made accordingly, unless the respondents or any person or persons interested shall, on or before March 24, 1924, show sufficient cause to the contrary to the satisfaction of this court.

February 23, 1924.

D. H. BALFOUR,
District Judge.

The Order Nisi is extended to 17th proximo.

March 24, 1924.

D. H. BALFOUR,
District Judge.

The Order Nisi extended to July 8, 1924.

June 17, 1924.

V. COOMARASWAMY,
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Sinhalapedige *alias* Ilandarapedige
No. 991. iyatuwa of Diyagama, deceased.
Sinhalapedige *alias* of Diyagama. Petitioner.

Vs.

(1) Sinhalapedige *alias* Ilandarapedige Siripina of
Diyagama, (2) ditto Padumy of ditto, (3) ditto
Kirimenika of ditto, being minors by their guardian
ad litem (4) Perumbadapedige Ukkuwa, Vidane
Duraya of Diyagama Respondents.

THIS matter coming on for disposal before Elian Ondaatje, Esq., Acting District Judge, Kegalla, on May 29, 1924, in the presence of Mr. E. G. Weerakoon, Proctor, for petitioner; and his affidavit and petition dated May 16 and 26, 1924, respectively, praying for letters of administration of the aforesaid estate and for the appointment of guardian *ad litem* over the minor respondents: It is ordered and declared that the petitioner, as the step-father of the deceased, is entitled to letters of administration of the said estate, and that such letters will be issued to him accordingly, and that the 4th respondent, being the maternal grandfather of the minor respondents, is a fit and proper person to be appointed guardian *ad litem* over the said minors, and that such appointment will be made accordingly, unless the respondents or any person or persons interested shall, on or before July 9, 1924, show sufficient cause to the satisfaction of the court to the contrary.

May 29, 1924.

ELIAN ONDAATJE,
Acting District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Ambanpitiya Aratchillage Puncchirala of
No. 993. Amenawela, deceased.

Ambanpitiye Aratchillage Headrick Appuhamy of
Amenawela Petitioner.

(1) Ambanpitiye Aratchillage Mohotti Appuhamy of
Amenawela in Patha Bulathgama, Three Korales,
(2) ditto Mudiane of ditto, (3) ditto Punchi Appu-
hamy of ditto Respondents.

THIS matter coming on for disposal before Elian Ondaatje, Esq., Acting District Judge, Kegalla, on May 29, 1924, in the presence of Mr. G. S. Suraweera, Proctor,

for petitioner; and his affidavit and petition dated May 21, and 26, 1924, respectively, praying for letters of administration of the aforesaid estate having been read: It is ordered and declared that the petitioner, as the eldest brother of the deceased, is entitled to letters of administration of the said estate, and that such letters will be issued to him accordingly, unless the respondents or any person or persons interested shall, on or before July 10, 1924, show sufficient cause to the satisfaction of the court to the contrary.

May 29, 1924.

ELIAN ONDAATJE,
Acting District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Udaha Berakarayalage Rankira Veda of
No. 1,008. Ambadeniya.

Pahala Kankaniyalage Rankirie of Ambadeniya. Petitioner.

Vs.

(1) Udaha Berkarayalage Sundara, (2) ditto Sirmala,
(3) ditto Kiriya, (4) ditto Mencho, (5) ditto Ukku
Ammu, all of Ambadeniya, (6) Uyanwatte Bera-
karayalage Kaluwa of Meepitiya; 2nd to 5th being
minors, by their guardian *ad litem* the 6th
respondents Respondents.

THIS matter coming on for disposal before V. Coomaraswamy, Esq., District Judge, Kegalla, on June 19, 1924, in the presence of Mr. A. A. Wickramasinghe, Proctor, on the part of the petitioner; and her affidavit and petition dated June 12 and 18, 1924, respectively, praying for letters of administration of the said estate and the appointment of guardian *ad litem* over the minor respondents, having been read: It is ordered and declared that the petitioner, as the widow of the deceased, is entitled to letters of administration of the said estate, and that such letters will be issued to her accordingly, and that the 6th respondent, being a paternal of the 2nd to 5th respondents, is a fit and proper person to be appointed guardian *ad litem* over the said minor respondents, and that such appointment will be made accordingly, unless the respondents or any person or persons interested shall, on or before August 6, 1924, show sufficient cause to the contrary to the satisfaction of the court.

June 19, 1924.

V. COOMARASWAMY,
District Judge.