



# THE CEYLON GOVERNMENT GAZETTE

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## PART II.—LEGAL.

*(Separate paging is given to each Part in order that it may be filed separately.)*

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COLOMBO :

H. ROSS COTTLE, GOVERNMENT PRINTER, CEYLON.

## DRAFT ORDINANCES.

12/1926

## MINUTE.

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

**An Ordinance to amend the Irrigation Ordinance,  
No. 45 of 1917.**

**B**E it enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Short title.

**1** This Ordinance may be cited as the Irrigation Ordinance, No. of 1927.

Amendment of section 3 of the principal Ordinance.

**2** Section 3 of the principal Ordinance is hereby amended by the substitution of the following for the definition of "Majority of proprietors," viz. :

"Majority of proprietors" means—

- (a) A majority consisting of two-thirds at least of the proprietors present at a meeting, such majority representing at least one-third of the acreage, the proprietors of which are present and constitute the meeting ; or
- (b) If such majority is not obtained, the proprietors present at the meeting who represent two-thirds of the acreage, the proprietors of which are present and constitute the meeting.

Provided that a meeting shall not be validly constituted unless there are present at least fifty proprietors or proprietors representing one-fifth of the acreage affected : And provided further that at any meeting of proprietors of which the owner, or any person representing the owner, of any land, together with any lessee, cultivator, or occupier of such land under the said owner, or any lessee of such land, together with any cultivator or occupier under such lessee, shall be present, the votes of persons claiming under the owner or the lessee, as the case may be, shall not be reckoned in computing the number of votes or the number of persons present.

Amendment of section 7 (1) of the principal Ordinance.

**3** Sub-section (1) of section 7 of the principal Ordinance is hereby amended so as to read as follows, viz. :

**7** (1) At every meeting called under section 5 every proprietor within the district or division for which the meeting has been called, who shall be present thereat, shall be entitled to vote.

Amendment of section 11 of the principal Ordinance.

**4** Section 11 of the principal Ordinance is hereby amended as follows, viz. :

- (a) By the substitution of the words "the proprietors representing one-fifth or more of the acreage of the district" for the words "a reasonable number of the proprietors" in lines 4 and 5 thereof ; and
- (b) By the substitution of the words "remuneration, and duration of office" for the words "and remuneration" in paragraph (c) thereof.

Amendment of section 12 (1) of the principal Ordinance.

**5** Sub-section (1) of section 12 of the principal Ordinance is hereby amended by the substitution of the words "at a meeting which shall be summoned by the Government Agent for the purpose, either of his own motion or on the requisition of the proprietors representing one-fifth or more of the acreage of the district" for the words "at a meeting summoned by the Government Agent for the purpose."

Amendment of section 21 of the principal Ordinance.

**6** Section 21 of the principal Ordinance is hereby amended as follows, viz. :

- (a) By the deletion in sub-section (1) of the words "and presided over by him or by any officer deputed by the Government Agent in that behalf," which were added by section 4 of Ordinance No. 22 of 1922.
- (b) By the substitution of the words "misconduct or neglect of duty" for the words "misconduct in the execution of his office" in sub-section (4) thereof : and

(c) By the substitution of the words "if in the opinion of the Government Agent, after consultation with the district advisory committee," for the words "if in the opinion of the Government Agent and the district advisory committee" in sub-section (6) thereof.

7 Sub-section (1) of section 50 of the principal Ordinance is hereby amended by the insertion of the words "or variable" after the word "fixed" in paragraph (a) thereof.

Amendment of section 50 (1) of the principal Ordinance.

8 Sub-section (5) of section 58 of the principal Ordinance is hereby amended so as to read as follows, viz. :

Amendment of section 58 (5) of the principal Ordinance.

(5) For the purpose of nominating an arbitrator on behalf of the proprietors or any section of the proprietors, the Government Agent shall summon a meeting of the proprietors concerned.

9 Sub-section (2) of section 59 of the principal Ordinance is hereby amended so as to read as follows, viz. :

Amendment of section 59 (2) of the principal Ordinance.

(2) Nothing in this chapter, or in any scheme or resolution sanctioned or passed in pursuance of this or any previous Irrigation Ordinance, shall preclude the Crown on the occasion of the sale or lease of any Crown lands then or subsequently to become irrigable by any irrigation work, either actually constructed or under process of construction, or thereafter to be constructed, from imposing in the grant or lease or reserving the right to impose an irrigation rate of such amount and variable in such manner as to the Governor may seem fit.

10 The following section shall be inserted in the principal Ordinance as section 64A, viz. :

Addition of new section to principal Ordinance.

64A (1) A register shall be kept at the Kachcheri of every revenue district in which irrigation works are situated of all the proprietors or mortgagees of lands under such irrigation works who may desire to have their names inserted therein.

(2) A proprietor or mortgagee shall be entitled to have his name and address entered in the register on payment of an annual fee of one rupee.

11 Section 65 of the principal Ordinance is hereby amended in the following respects, viz. :

Amendment of section 65 of the principal Ordinance.

(1) The following sub-sections shall be inserted immediately after the first paragraph of sub-section (2), as sub-sections (3) and (4), viz. :

(3) Where land is seized under this section the Government Agent shall forthwith, after the seizure, cause a notice setting out the facts of the seizure, the reasons therefor, and the date fixed for the sale of the land to be affixed to a conspicuous part of the land.

(4) Where a proprietor or mortgagee of land seized under this section has registered his address in the register provided by section 64A, the Government Agent shall cause a notice setting out the fact of the seizure, the reasons therefor, a specification of the property seized, and the date of the sale to be sent by registered post to the proprietor and mortgagee at the address specified in the register at least fourteen days before the date fixed for the sale.

(2) The first proviso to sub-section (2) shall be numbered (5), and this proviso together with the second and third provisos to sub-section (2) shall form sub-section (5).

(3) The present sub-sections (3) and (4) shall be numbered (6) and (7), respectively.

12 The following section shall be inserted in Chapter IX. of the principal Ordinance as section 73A :

Addition of new section to principal Ordinance.

73A (1) When any meeting is to be held under sections 5, 11, 12, 41, 42, 43, 50, 51, 52, or 58 the Government Agent shall, one month at least before the day of holding the meeting, cause notice of the meeting to be given by beat of tom-tom and posting written notices in the vernacular language or languages of the district in suitable places within the irrigation district or area. Such written notices shall state the time and place of the meeting and its objects, and shall call upon the proprietors to attend in person at the meeting.

(2) When any meeting is to be held under any other provision of this Ordinance or under any rule made under this Ordinance, the Government Agent shall cause as long notice of the meeting to be given as he considers to be reasonable and practicable in the circumstances.

(3) If at any meeting held under the provisions of this Ordinance any question arises as to the right of any person to vote, the presiding officer may then and there decide the question, and his decision shall be entered in the minutes and shall be final.

(4) The Government Agent or a public officer deputed by him shall preside at every meeting held under the provisions of this Ordinance or any rules made thereunder. Full minutes shall be made of the proceedings at every such meeting and shall be signed by the presiding officer and shall be kept on record at the Kachcheri.

Repeals.

13 Sub-section (5) of section 7, and sections 6, 8, 13, and 73 of the principal Ordinance are hereby repealed.

By His Excellency's command,

Colonial Secretary's Office,  
Colombo, March 23, 1927.

A. G. M. FLETCHER,  
Colonial Secretary.

*Statement of Objects and Reasons.*

THIS Bill gives effect to the recommendations contained in the report of the Committee on the Irrigation Ordinance, No. 45 of 1917, published as Sessional Paper VIII. of 1924. It also effects other modifications of the principal Ordinance for the reasons hereinafter given.

2. The effect of section 2 is that for the future the majority to be obtained will be either two-thirds of the proprietors present representing one-third of the acreage, the proprietors of which are present, or, if such majority is not obtained, the proprietors present who represent two-thirds of the acreage, the proprietors of which are present. Under the law as it stands at present, the one-third or two-thirds of the acreage is calculated on the whole acreage affected by the resolution. In practice it has been found very difficult to induce a sufficient number to attend meetings. The dangers of a "snap" vote are avoided by providing that a meeting shall not be validly constituted unless there are present at least fifty proprietors or proprietors representing one-fifth of the acreage affected.

3. At present under section 11 of the principal Ordinance, a requisition of "a reasonable number" of the proprietors makes it incumbent on a Government Agent to summon a meeting for the purpose of framing rules. The words "reasonable number" have been thought unsatisfactory, and the words "the proprietors representing one-fifth or more of the acreage of the district" have been substituted therefor by section 4 (a).

4. Section 4 (b) enables proprietors to make a rule limiting the duration of office of headmen. At present a headman, when elected under section 20, continues in office indefinitely.

5. Section 12 of the principal Ordinance provides that the proprietors within the irrigable area of any irrigation work may, by resolution passed at a meeting, exercise certain powers. The principal Ordinance provides that such a meeting be summoned by the Government Agent. Section 5 of the Bill provides that a meeting shall be summoned by the Government Agent either of his own motion or on the requisition of the proprietors representing one-fifth or more of the acreage of the district.

6. Under section 21 (4) of the principal Ordinance provision is made for the dismissal of a headman for "misconduct in the execution of his office." Section 6 (b) of the Bill provides that a headman may be dismissed for misconduct generally and also for neglect of duty.

7. Under section 21 (6) of the principal Ordinance provision is made for a meeting of proprietors to be called to decide whether the services of an irrigation headman should be dispensed with, if the Government Agent and the Advisory Committee are of opinion that they are not required. The

Committee thought that the full responsibility for the opinion should be placed on the Government Agent, but that he should consult the Advisory Committee on the subject; and recommended that this sub-section should be amended accordingly. Section 6 (c) of the Bill gives effect to this recommendation.

8. By section 50 of the principal Ordinance provision is made for the levying of an annual maintenance rate except in certain expressly excepted cases. One of these cases is that in which a fixed rate per annum in perpetuity is leviable. The Director of Irrigation pointed out to the Committee that the policy now adopted is to impose variable perpetuity rates. The Committee saw no difference in principle between these two rates. They thought that lands subject to variable perpetuity rates should also be freed from the maintenance rate, and recommended that section 50 (1) (a) should be amended accordingly. Section 7 of the Bill gives effect to this recommendation.

9. Section 59 (2) of the principal Ordinance allows the Crown on the occasion of the sale or lease of any Crown lands irrigable by any irrigation work to impose in the grant or lease an irrigation rate of such amount and variable in accordance with such conditions as to the Governor may seem fit. These words have been construed to mean that the lands must be irrigable by some existing irrigation work; so that the Crown would be precluded from imposing an irrigation rate in the grant or lease where the work was in course of construction or only under consideration. The Committee recommended that this sub-section should be amended by inserting after the words "irrigation work" in lines 4 and 5 thereof the words "either actually constructed or under process of construction, or thereafter to be constructed." Section 9 of the Bill gives effect to the substance of this recommendation, though the wording has been altered.

10. Section 10 of the Bill provides that a register of proprietors and mortgagees be kept at the Kachcheri for the purposes set out in the next paragraph.

11. Section 11 amends section 65 of the principal Ordinance so as to provide that the Government Agent shall cause notices of seizure to be posted up on all lands seized for the non-payment of irrigation rates.

The amendment also provides that notices be sent, at least fourteen days before sale, to proprietors and mortgagees of lands seized who have registered their addresses at the Kachcheri.

12. A new section numbered 73A is added to the principal Ordinance by section 12 of the Bill. Section 73A (1), which applies only to meetings held under sections 5 (for the election of an advisory committee), 11 and 12 (for making rules), 41, 42, 43, 50, 51, and 52 (for imposing or varying rates), and section 58 (for referring a question to arbitration), requires that at least one month's notice of the meeting shall be given.

Section 73A (2), which applies to all other meetings under the Irrigation Ordinance or the rules thereunder, requires as long notice of the meeting to be given as the Government Agent considers to be reasonable and practicable in the circumstances. The reason for this distinction is that matters constantly arise (*e.g.*, as to cultivation) which require urgent decision.

Section 73A (3) empowers the presiding officer to decide any question which may arise as to the right of any person to vote at any meeting.

Section 73A (4) allows the Government Agent to appoint a deputy to preside at any meeting. At present the Government Agent can appoint a deputy for meetings under Chapter III. for making rules, but not for meetings held under section 7 for electing advisory committees or under Chapter VI. for imposing or varying rates.

13. Sections 3, 6 (a), 8, and 13 of the Bill effect consequential amendments and repeals.

Attorney-General's Chambers,  
Colombo, February 15, 1927.

L. H. ELPHINSTONE,  
Attorney-General.

R 30/1927

## MINUTE.

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

By His Excellency's command,  
Colonial Secretary's Office, A. G. M. FLETCHER,  
Colombo, March 23, 1927. Colonial Secretary.

**An Ordinance to Incorporate the Young Men's Buddhist Association, Colombo.**

Preamble.

WHEREAS an association, called and known as "The Young Men's Buddhist Association, Colombo," has heretofore been established at Colombo for the purpose of effectually carrying out and transacting all matters connected with the said association according to the rules agreed to by its members:

And whereas the said association has heretofore successfully carried out and transacted the several objects and matters for which it was established, and has applied to be incorporated, and it will be for the public advantage to grant the application:

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.

1 This Ordinance may be cited for all purposes as "The Young Men's Buddhist Association, Colombo," Ordinance, No. of

Incorporation of the Young Men's Buddhist Association, Colombo.

2 From and after the passing of this Ordinance the President, Vice-Presidents, and members of the Committee of Management for the time being of the said Young Men's Buddhist Association, Colombo, and such and so many persons as now are members of the Young Men's Buddhist Association, Colombo, or shall hereafter be admitted members of the corporation hereby constituted, shall be and become a corporation with continuance for ever under the style and name of the "Young Men's Buddhist Association, Colombo," and by that name shall and may sue and be sued in all courts, with full power and authority to have and use a common seal and alter the same at their pleasure.

General objects of the corporation.

3 The general objects for which the corporation is constituted are hereby declared to be (a) the study and propagation of Buddhism, (b) the encouragement of the practical observance of Buddhism, (c) the promotion of unity and co-operation among Buddhists, and (d) the advancement of the physical, intellectual, and social welfare of the members.

Committee of Management.

4 (1) The affairs of the corporation shall, subject to the rules in force for the time being of the corporation as hereinafter provided, be administered by a Committee of Management consisting of the President, five Vice-Presidents, the Honorary General Secretary, and Honorary Treasurer respectively of the corporation and not less than seventeen other members, to be elected respectively in accordance with rules for the time being of the corporation.

(2) All members of the corporation shall be subject to the rules in force for the time being of the corporation.

(3) The first Committee of Management shall consist of D. B. Jayatilaka, Esq., M.A., M.L.C., President; W. A. de Silva, Esq., J.P., M.L.C.; Dr. C. A. Hewavitarne, M.R.C.S.; D. C. Senanayake, Esq.; A. E. de Silva, Esq., B.A.; D. S. Senanayake, Esq., M.L.C., Vice-Presidents; C. Victor Perera, Esq., Honorary General Secretary. T. W. Gunawardene Esq., J.P., Mudaliyar, Honorary Treasurer. Dr. D. B. Perera; Chas. Dias, Esq., Proctor; N. J. V. Cooray, Esq., Proctor; H. A. de Abrew, Esq.; J. D. A. Abeywickrama, Esq.; S. B. Ranasinha, Esq.; R. S. S. Gunawardana, Esq., B.A.

Advocate; H. Guneratna, Esq., Mudaliyar; J. N. Jinendradasa, Esq.; D. N. W. de Silva, Esq.; Thomas Rodrigo, Esq., Mudaliyar; W. E. Bastian, Esq., V. S. Nanayakkara, Esq.; L. A. Jayasekara, Esq.; D. C. Abeygunawardana, Esq.; and D. N. Hapugala, Esq.

5 It shall be lawful for the corporation from time to time, at any general meeting of the members, and by a majority of votes to make rules for the admission, withdrawal, or expulsion of members; for the conduct of the duties of the Committee of Management and of the various officers, agents, and servants of the corporation; for the procedure in the transaction of business; and otherwise generally for the management of the affairs of the corporation and the accomplishment of its objects. Such rules when made may, at a like meeting, be altered, added to, amended, and cancelled, subject, however, to the requirements of section 7.

Power to make rules.

6 Subject to the provisions in the preceding section contained, the rules set forth in the schedule hereto shall for all purposes be the rules of the corporation, provided, however, that nothing in this section contained shall be held or construed to prevent the corporation at all times hereafter from making fresh rules, or from altering, amending, adding to, or cancelling any of the rules in the schedule hereto or to be hereafter made by the corporation.

Rules in the schedule to be the rules of the corporation.

7 No rules in the schedule hereto, nor any rule hereafter passed at a general meeting, shall be altered, added to, amended, or cancelled, except by a vote of two-thirds of the members present at a general meeting of the association, provided that such amendment shall have been previously approved by the Committee of Management.

Procedure for amendment of rules.

8 On the coming into operation of this Ordinance all and every the property belonging to the said Young Men's Buddhist Association, Colombo, whether held in the name of the said Young Men's Buddhist Association, Colombo, or in the name or in the names of any person or persons in trust for the said Young Men's Buddhist Association, Colombo, shall be and the same are hereby vested in the corporation hereby constituted, and the same, together with all after acquired property, both movable and immovable, and all subscriptions, contributions, donations, amounts of loan, and advances received or to be received, shall be held by the said corporation for the purposes of this Ordinance and subject to the rules in force for the time being of the said corporation.

Property vested in corporation.

9 All debts and liabilities of the said Young Men's Buddhist Association, Colombo, existing at the time of the coming into operation of this Ordinance shall be paid by the corporation hereby constituted, and all debts due to and subscriptions and contributions payable to the said "Young Men's Buddhist Association, Colombo," shall be paid to the said corporation for the purposes of this Ordinance.

Dues due by and payable to the corporation.

10 The seal of the corporation shall not be affixed to any instrument whatsoever except in the presence of two of the members of the Committee of Management, who shall sign their names to the instrument in token of their presence, and such signing shall be independent of the signing of any person as a witness.

How the seal of the corporation is to be affixed.

11 The corporation shall be and capable in law to take and hold any property, movable or immovable, which may become vested in it by virtue of any purchase, grant, gift, testamentary disposition, or otherwise, and all such property shall be held by the corporation for the purposes of this Ordinance and subject to the rules for the time being of the said corporation, with full power to sell, mortgage, lease, exchange, or otherwise dispose of the same.

Corporation may hold property, movable and immovable.

12 Nothing in this Ordinance contained shall prejudice or affect the rights of His Majesty the King, his heirs, and successors, or of any body politic or corporate or of any other persons, except such as are mentioned in this Ordinance and those claiming by, from, or under them.

Saving as to the rights of His Majesty and others.

## SCHEDULE.

## Rules of the Young Men's Buddhist Association, Colombo.

1. *Designation*.—This association shall be called "The Young Men's Buddhist Association, Colombo."

2. *Objects*.—The objects of this association shall be—

- (a) The study and propagation of Buddhism.
- (b) The encouragement of the practical observance of Buddhism.
- (c) The promotion of unity and co-operation among Buddhists.
- (d) The advancement of the physical, intellectual, and social welfare of members.

3. *Membership*.—(a) Men, not less than eighteen years of age, having any or all of the above objects in view, are eligible for membership.

(b) Members shall be classified as honorary, active, and life members.

(c) Any person who has rendered distinguished service to the cause of Buddhism may be elected as an honorary member at a General Meeting of the association.

(d) Active members shall pay a minimum subscription of Re. 1 a month, or Rs. 10 a year or Rs. 5 a half year, payable in advance during the first month of each period.

(e) Any person who gives a donation of not less than Rs. 200 to the association may be elected as a life member.

(f) Every application for membership, countersigned by a member as referee, shall be forwarded to the Honorary General Secretary, who shall submit it to the Committee of Management for approval.

(g) If an active member be in arrears of subscription for a period of six months, his name may be removed from the roll of members after giving him a fortnight's notice. He may not be re-elected until the arrears due from him are paid.

(h) The name of any member whose conduct is found to be detrimental to the interests of the association may after investigation be suspended or removed from the roll by the Committee of Management at a meeting of the same specially convened for the purpose, if two-thirds of those voting approve of such suspension or removal, voting being by ballot. The quorum at such a meeting shall be not less than ten members.

4. *Management*.—(a) The affairs of the association shall be administered by a Committee of Management consisting of a President, five Vice-Presidents, an Honorary General Secretary, and an Honorary Treasurer, who shall be *ex officio* members of the Committee of Management, and seventeen members, to be elected at the Annual General Meeting of the association. They shall hold office for one year or until their successors shall have been elected and have entered upon their duties.

(b) The various activities of the association shall be in charge of Departmental Committees consisting of five members each, of whom four shall be elected at the Annual General Meeting and the other nominated by the Committee of Management from among its members. Such nominee of the Committee of Management shall be the Secretary and Convener of the Committee to which he is appointed.

(c) All officers and members of Committees shall be Buddhists.

(d) The President, or in his absence one of the Vice-Presidents, shall be the Chairman at the meetings of the association. If neither the President nor one of the Vice-Presidents be present, a member shall be voted to the chair. The Chairman shall have a casting vote.

(e) The Honorary General Secretary shall keep a record of all meetings of the association and of the Committee of Management, a register of members, and any other record that may be necessary.

(f) The Honorary Treasurer shall receive and keep accounts of all moneys and funds belonging to the association, and shall make such payments as are authorized by the Committee of Management. He shall prepare and submit a duly audited statement of accounts at the Annual General Meeting, and his books shall be open to the inspection of members at all reasonable times.

(g) Meetings of the Committee of Management shall be held at least once a month. Upon the written requisition of three members of the Committee of Management the President shall have a meeting of the Committee convened to transact such business as is intimated in the notice calling the meeting. Five days' notice shall be given to the members of any such special meeting. Five members shall form the quorum at all meetings of the Committee of Management.



(h) In the case of any vacancies occurring during the year among the Officers or in the Committee of Management, or in Departmental Committees, the Committee of Management shall have power to fill such vacancies for the unexpired term.

(i) The Committee of Management shall have power to make rules for its own government and for the management of the association and its departments provided that such rules are not inconsistent with this constitution.

(j) The Committee of Management shall hold and administer for the purposes of the association all property belonging to the association. It shall also have power, with the consent of a two-thirds majority of members present at a General Meeting of the association, to sell, mortgage, lease, exchange or otherwise dispose of the immovable property belonging to the association. Provided that such decision be confirmed at a subsequent General Meeting held within one month.

5. *General Meetings of the Association.*—(a) The Annual General Meeting of the association shall be held in the month of February, at which the reports of the Committee of Management and of the Honorary Treasurer shall be presented.

(b) The Honorary General Secretary shall convene a General Meeting of the association upon the request of the Committee of Management, or upon the written requisition of not less than twenty-five members.

(c) A fortnight's notice shall be given of any general meeting, and twenty members shall constitute the quorum at such meeting.

6. *Auditor.*—The members shall elect at the Annual General Meeting of the association a qualified auditor, who shall audit the accounts of the association for the ensuing year. In the event of an auditor so appointed not being able to act through any cause, the Committee of Management shall have power to elect another auditor.

7. *Branches.*—Branch associations may be established wherever possible in the Island under such conditions as shall be determined by the Committee of Management. All such associations shall be worked on the same principles as defined in these rules. A certificate of affiliation shall be issued to branches so formed.

8. *Amendment of Constitution.*—This constitution can be amended or altered only by a vote of two-thirds of those present at a General Meeting of the association, provided that such amendment shall have been previously approved by the Committee of Management. A fortnight's notice shall be given to the members of any proposed alteration of the rules.

#### *Statement of Objects and Reasons.*

THE Young Men's Buddhist Association, Colombo, was established in 1898 with the following objects:—(a) The study and propagation of Buddhism; (b) the encouragement of the practical observance of Buddhism; (c) the promotion of unity and co-operation among Buddhists; (d) the advancement of the physical, intellectual, and moral welfare of the members. It has a large number of members, and has acquired valuable property, movable and immovable, in Colombo and elsewhere, which is now held by trustees for the association. It is desirable that it should now be incorporated by law.

The Ordinance sets forth the general objects of the corporation (section 3), defines the constitution of the Committee of Management (section 4), prescribes the rules given in schedule to be rules of the corporation (section 6), and vests in the corporation the property now held in trust for the association.

Colombo, February 25, 1927.

D. B. JAYATILAKA,  
Mover of the Bill.

## PASSED ORDINANCE.

N 125/1926

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

## No. 3 of 1927.

**An Ordinance for exempting from Customs Duty certain Articles imported or purchased or exported for the use of His Majesty's Regular Naval and Military Forces.**

HUGH CLIFFORD.

**B**E it 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 Naval and Military Goods (Exemption from Customs Duties) Ordinance, No. 3 of 1927, and shall come into operation on such date as the Governor shall by Proclamation in the Government Gazette appoint.

Exemption of certain articles from import duties and export duties.

2 (1) From and after the commencement of this Ordinance the following articles shall be exempted from payment of import duties and export duties:

- (a) Articles of every description imported or exported for the public use of His Majesty's Regular Naval and Military Forces in Ceylon or the Royal Air Force in Ceylon, and all articles sold for the public use of His Majesty's Regular Naval and Military Forces in Ceylon or the Royal Air Force in Ceylon, though not directly imported for that purpose;
- (b) All wines, spirits, and stores which are imported or purchased or procured locally for the use of the Naval Commander-in-Chief when residing in the Colony, or which are supplied from His Majesty's dockyard at Trincomalee for the use of his servants and of the sailors on duty at his place of residence;
- (c) Articles, clothing, and materials for clothing imported for the use in athletic sports and games of His Majesty's Regular Naval Forces in Ceylon;
- (d) Articles imported, purchased, or procured or exported for the use of any mess or canteen of His Majesty's Regular Naval Forces in Ceylon.

(2) For the purposes of this section the expression "His Majesty's Regular Naval Forces in Ceylon" shall include such vessel or vessels of the Royal Fleet Auxiliary as may be approved by the Governor in Executive Council by notification in the Government Gazette.

Certificate from Naval or Military or Royal Air Force Officer required for exemption or payment of rebate.

3 (1) Upon the production of a certificate from such Naval or Military or Royal Air Force Officer as the Governor may from time to time authorize by notification in the Government Gazette to issue the same, the Collector of Customs shall pass free from duty the articles hereinbefore exempted, or, in the event of the duty having been paid, he shall allow a rebate of such duty.

Provided that if such articles shall not be required for the use for which they were imported or purchased or exported as aforesaid, and shall be sold, the same shall be liable to and be charged with such and the same duties of customs as may by law be payable or charged on the like articles; and the officer in whose charge such articles may be shall furnish the Collector of Customs with the particulars of the sale thereof, and out of the proceeds of the same pay to the said Collector the duties which may be due thereon.

(2) The rebate shall be paid out of the duties received by the Collector of Customs, anything in section 16 of the Ordinance No. 17 of 1869 to the contrary notwithstanding.

(3) The certificate required by this section shall be in such form as the Principal Collector of Customs shall from time to time prescribe.

4 The Governor, with the advice of the Executive Council, may authorize the payment annually of a sum not exceeding twenty-five thousand rupees from the revenue of this Colony to be applied in such manner as the Secretary of State for War may determine.

A sum not exceeding twenty-five thousand rupees annually to be paid out of the revenue as commutation allowance.

5 The sum or amount not exceeding twenty-five thousand rupees to be paid under the preceding section shall be deemed to be a fixed commutation, payable by the Colony, in lieu of the exemption from or rebate of customs duty on articles of every description imported, purchased, or procured or exported for the use of His Majesty's Regular Military Forces other than those imported, purchased, or procured or exported for the public use of such Forces.

And to be a fixed commutation.

6 The Ordinance No. 20 of 1892 entitled "An Ordinance for exempting from Customs Duty certain Articles imported or purchased for the use of His Majesty's Naval and Military Forces" and the amending Ordinance No. 22 of 1896 are hereby repealed.

Repeal.

Passed in Council the Twenty-eighth day of January, One thousand Nine hundred and Twenty-seven.

W. L. MURPHY,  
Clerk to the Council.

Assented to by His Excellency the Governor the Ninth day of April, One thousand Nine hundred and Twenty-seven.

W. L. MURPHY,  
Clerk to the Council.

## DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Matale by 29 labourers of Keppitigalla estate, Matale, against the proprietors of Keppitigalla estate, Matale, under the Ordinance No. 13 of 1889, for the recovery of their wages, amounting to Rs. 300.

Matale, March 30, 1927.

A. KANAGASABAY,  
Chief Clerk.

### Return of Uncertificated Insolvents for the Half-Year ended December 31, 1926.

In the District Court of Badulla.

Name of Insolvent : Muna Ana Muna Mohideen Abdul Cader of Bazaar street, Badulla—No. of case : Insolvency No. 3—Date of institution : September 30, 1926—Case at which stage : The second sitting of creditors adjourned for January 26, 1927.

District Court, Badulla, January 15, 1927.

MALCOLM POTGER, District Judge.

In the District Court of Batticaloa.

Nil.

District Court, Batticaloa, January 5, 1927.

W. D. NILES, District Judge.

In the District Court of Hatton.

Case No. 16—Name of insolvent : Hudson Tambiraja of Hatton—Remarks : First sitting adjourned for February 2, 1927.

Case No. 17—Name of insolvent : S. R. Kadiresan Pillai of Dikoya—Remarks : First sitting adjourned for January 19, 1927.

District Court, Hatton, January 19, 1927.

G. N. FARQUHAR, District Judge.

In the District Court of Kegalla.

Date of institution : December 22, 1925—Case No. 51—Name of insolvent : P. H. Abraham Silva of Rambukkana—Remarks : The examination of the insolvent is postponed to January 17, 1927.

Date of institution : January 13, 1926—Case No. 52—Name of insolvent : B. Yohanis Fernando of Warakapola—Remarks : Notice of examination of insolvent is issued to creditors for January 27, 1927.

District Court, Kegalla, January 12, 1927.

V. COOMARASWAMY, District Judge.

## In the District Court of Kurunegala.

- No. and date of institution : No. 85 of January 21, 1925—Name : Kande Jandris Silva of Mawatagama—Remarks : Balance sheet on January 20, 1927.  
 No. and date of institution : No. 86 of January 18, 1926—Name : Michael Pakkiam Carwallio of Kurunegala—Remarks : Certificate meeting on January 20, 1927.  
 No. and date of institution : No. 87 of April 28, 1926—Name : Sena Neyna Seyado Mustapha of Kurunegala—Remarks : Insolvent not in Ceylon. Whereabouts not known. Put by.

District Court, Kurunegala, January 6, 1926.

F. MARKUS, Acting District Judge.

## In the District Court of Mannar.

Nil.

District Court Mannar, January 4, 1927.

C. E. JONES, District Judge.

## In the District Court of Matara.

Nil.

District Court, Matara, January 7, 1927.

J. R. WALTERS, District Judge.

## In the District Court of Mullaittivu.

Nil.

District Court, Mullaittivu, January 17, 1927.

P. SARAVANAMUTTU, District Judge.

## In the District Court of Nuwara Eliya.

Nil.

District Court, Nuwara Eliya, January 19, 1927.

G. N. FARQUHAR, District Judge.

## In the District Court of Ratnapura.

- Case No. 56—Name of insolvent : Wellage Hendrick de Silva of Ratnapura.  
 District Court, Ratnapura, January 11, 1927.

H. E. JANSZ, District Judge.

## In the District Court of Trincomalee.

Nil.

District Court, Trincomalee, January 5, 1927.

B. G. DE GLANVILLE, District Judge.

**Return of Testamentary Cases under Official Administration for the Half-Year ended December 31, 1926.**

## In the District Court of Nuwara Eliya.

- Case No. 115—Name of deceased : Elgiriya Vitharanage Podiappuhamy—Value of estate : Rs. 2,545.

District Court, Nuwara Eliya, January 19, 1927.

G. N. FARQUHAR, District Judge.

## In the District Court of Ratnapura.

Nil.

District Court, Ratnapura, January 11, 1927.

H. E. JANSZ, District Judge.

## In the District Court of Trincomalee.

- Case No. 140—Name of estate : Meerasahib Rahumanpillai of Periya Kinniya—Name of administrator : Mootatamby Subramaniam, Secretary, District Court, Trincomalee—Value of estate : Rs. 11,475.

District Court, Trincomalee, January 4, 1927.

B. G. DE GLANVILLE, District Judge.

**List of all Moneys received and paid on account of Estates under Official Administration for the Half-Year ended December 31, 1926.**

## In the District Court of Trincomalee.

- Case No. 140—Particulars and remarks : Proceeds sale of two guns : Rs. 91—Rs. 66·04 spent on preliminary expenses ; balance in deposit. Proceeds sale of paddy : Rs. 571·05—in deposit.

District Court, Trincomalee, January 4, 1927.

B. G. DE GLANVILLE, District Judge.

**Return of Trustees appointed under Ordinance No. 7 of 1891 for the Half-Year ended December 31, 1926.**

## In the District Court and Court of Requests of Trincomalee.

Nil.

District Court, Trincomalee, January 4, 1927.

B. G. DE GLANVILLE, District Judge.

## NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 3,600. In the matter of the insolvency of Ana Leena Muna Othuman Alliyar of Prince street, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 17, 1927, for the grant of a certificate of conformity to the above-named insolvent.

By order of court, A. C. BELING,  
Colombo, April 6, 1927. Secretary.

In the District Court of Colombo.

No. 3,711. In the matter of the insolvency of E. Romiel Perera of Wattala.

WHEREAS the above-named E. Romiel Perera has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by W. Elaris Fernando of Wattala, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said E. Romiel Perera insolvent accordingly; and that two public sittings of the court, to wit, on May 24, 1927, and on June 7, 1927, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, A. C. BELING,  
Colombo, April 9, 1927. Secretary.

In the District Court of Kandy.

No. 1,740. In the matter of the insolvency of Nadesappulage Francis Fernando, of 56, Castle Hill street, Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 20, 1927, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, P. MORTIMER,  
Kandy, April 9, 1927. Secretary.

In the District Court of Galle.

No. 566. In the matter of the insolvency of Hamid Mohideen of Talapitiya in Galle.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 10, 1927, for appointment of an assignee.

By order of court, C. W. GOONEWARDENE,  
Galle, April 6, 1927. Secretary.

In the District Court of Galle.

No. 567. In the matter of the insolvency of Naarunne Badalge Pediris Hamy of Elliot road in Galle.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the adjourned first sitting of this court on April 29, 1927.

By order of court, C. W. GOONEWARDENE,  
Galle, April 6, 1927. Secretary.

In the District Court of Galle.

No. 568. In the matter of the insolvency of Manawaduge Darlis Goonewardene of Magalla.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 11, 1927.

By order of court, C. W. GOONEWARDENE,  
Galle, April 6, 1927. Secretary.

In the District Court of Galle.

No. 569. In the matter of the insolvency of Manawaduge Baba Singho Goonewardene of Galle Bazaar.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent adjourned at the first sittings of this court on May 2, 1927, for proof of Mr. Subasinghe's debts.

By order of court, C. W. GOONEWARDENE,  
Galle, April 8, 1927. Secretary.

In the District Court of Kegalla.

Insolvency In the matter of the insolvency of P. H. case Abraham Silva of Rambukkana.  
No. 51.

NOTICE is hereby given that the meeting of the creditors of the above-named insolvent for the grant of a certificate of conformity is adjourned to May 18, 1927.

By order of court, K. RATNASINGHAM,  
Kegalla, April 6, 1927. Secretary.

In the District Court of Kegalla.

Insolvency In the matter of the insolvency of Wijecase kule Jayasooria Wannakuwattewarduge  
No. 54. Don Anthony Perera of Ruwanwella.

NOTICE is hereby given that the sitting of this court in this matter is adjourned to May 26, 1927, for appointment of a suitable assignee.

By order of court, K. RATNASINGHAM,  
Kegalla, April 5, 1927. Secretary.

## NOTICES OF FISCALS' SALES.

## Western Province.

In the District Court of Colombo.

The Public Service Mutual Provident Association,  
Colombo ..... Plaintiffs.  
No. 21,176. Vs.

Mary Lavinia Perera of Alutmawata road,  
Colombo, executrix of the last will and testa-  
ment of John Frederick Perera, Fisher Muda-  
liyar, deceased ..... Defendant.

NOTICE is hereby given that on Friday, May 13,  
1927, at 4 P.M., will be sold by public auction at the  
premises the right, title, and interest of the said  
defendant as executrix of the last will and testament  
of John Frederick Perera, Fisher Mudaliyar, deceased,  
in the following property for the recovery of the sum  
of Rs. 1,723.25, with interest thereon at 9 per cent.  
per annum from November 30, 1926, till payment in  
full, and costs of suit Rs. 418.33, less Rs. 250, viz. :—

All those two contiguous allotments of land called  
Gorakagahawatta, together with the buildings stand-  
ing thereon bearing former assessment Nos. 119, 120,  
and 121, and now bearing assessment Nos. 2,955/319  
and 2,957A/313, situated at Alutmawata road in  
Mutwal, within the Municipality and District of  
Colombo, Western Province; bounded on the west by  
the Alutmawata road, on the north by the land  
belonging to the Crown and the garden of C. S.  
Anthony, on the east by the property belonging to  
the Asiatic Petroleum Company, and on the south, by  
the land belonging to the Asiatic Petroleum Company;  
containing in extent 3 acres 3 roods and 39 perches.

Fiscal's Office,  
Colombo, April 11, 1927.

R. O. DE SARAM,  
Deputy Fiscal.

In the District Court of Colombo.

Conganige Seraphine Anthony of Hill land house,  
Mutwal ..... Plaintiff.  
No. 21,877. Vs.

Mary Lavinia Perera of 317, Alutmawata road,  
Mutwal, Colombo, executrix of the last will and  
testament of John Frederick Perera, Fisher  
Mudaliyar, deceased ..... Defendant.

NOTICE is hereby given that on Friday, May 13,  
1927, at 3 P.M., will be sold by public auction at the  
premises the right, title, and interest of the said  
defendant as executrix of the last will and testament  
of John Frederick Perera, Fisher Mudaliyar, deceased,  
in the following property for the recovery of the sum  
of Rs. 1,281.10, with interest on Rs. 1,000 at 12 per  
cent. per annum from November 24, 1926, to January  
19, 1927, and thereafter on the aggregate amount at  
9 per cent. per annum till payment in full, and costs  
of suit, less Rs. 150, viz. :—

All those two contiguous allotments of land called  
Gorakagahawatta, together with the buildings stand-  
ing thereon bearing former assessment Nos. 119, 120,  
and 121, and now bearing assessment Nos. 2,955/319  
and 2,957A/313, situated at Alutmawata road in  
Mutwal, within the Municipality and District of  
Colombo, Western Province; bounded on the west by  
the Alutmawata road, on the north by the land

belonging to the Crown and the garden of C. S.  
Anthony, on the east by the property belonging to  
Asiatic Petroleum Company, and on the south by the  
land belonging to the Asiatic Petroleum Company;  
containing in extent 3 acres 3 roods and 39 perches.

Fiscal's Office,  
Colombo, April 11, 1927.

R. O. DE SARAM,  
Deputy Fiscal.

In the District Court of Colombo.

27/6/27  
Ganeatoni Pathirennehelage Don Abraham, Police  
Headman of Hakpitiya in Udugaha pattu of  
Siyane korale ..... Plaintiff.  
No. 51,175. Vs.

Arthur Betram Peiris Siriwardena of Henarat-  
goda ..... Defendant.

Indranie Peiris, administratrix of the estate of  
deceased defendant, of Yakwala in Meda pattu  
of Siyane korale ..... Substituted defendant.

NOTICE is hereby given that on Friday, May 20,  
1927, at 2 P.M., will be sold by public auction at the  
premises the right, title, and interest of the said  
substituted defendant as administratrix of the estate  
of the deceased defendant in the following property  
for the recovery of the sum of Rs. 990 and a further  
sum of Rs. 649.43½, viz. :—

An undivided half share of the field called Ihala-  
kumbura, situated at Pelahela in the Gangaboda pattu  
of Siyane korale, in the District of Colombo; bounded  
on the north by Ariapperumagekumbura and water  
course, east by high land of this same field, south by  
Asweddumkumbura, and west by water course; con-  
taining in extent about 18 beras of paddy sowing,  
together with everything thereto belonging.

Fiscal's Office,  
Colombo, April 11, 1927.

R. O. DE SARAM,  
Deputy Fiscal.

## Southern Province.

In the District Court of Matara.

26/6/27  
Uyangoda Manage Samodis Silva and another,  
both of Paramulla ..... Plaintiffs.  
No. 1,201. Vs.

John William de Silva Abeygunawardena of  
Pamburana ..... Defendant.

NOTICE is hereby given that on the day and at the  
hour specified below will be sold by public auction at  
the premises the right, title, and interest of the said  
plaintiffs in the following property for the recovery  
of Rs. 202.55 :—

On Saturday, May 7, 1927, commencing at 10 A.M.

The land called Gajamangederawatta, together  
with the tiled house of 11 cubits standing thereon,  
situate at Paramulla within the Four Gravets  
of the Matara District; and bounded on the north by  
Jambugahawatta, east by Kandegewatta and Malaige-  
watta, south by Dombagahawatta and Arambewatta,  
and on the west by Uswatta; and containing in extent  
about ½ acre.

E. T. GOONEWARDENE,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Matara, April 6, 1927.

In the District Court of Galle.

Don Davith de Silva Nagahawatte Appunay of Hapugala ..... Plaintiff  
No. 23,205. Vs. 52/10/12 ✓  
Don Abraham Abeywardane Wickremasinghe of Kirinda ..... Defendant.

NOTICE is hereby given that on Saturday, May 7, 1927, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following mortgaged property for the recovery of Rs. 2,004.19, with legal interest from October 7, 1926, less Rs. 150 paid:—

1. All that undivided 5/6 of 40/108 or 5/6 parts of 40 kurunies paddy sowing extent of the lands called Walakumbura, Udadepala, and Palledepala, situate at Kalugalamulla in the Gangaboda pattu of the Matara District, Southern Province; and bounded on the north by Ullalayakanuketiya and Puwakgahadeniya, east by Galbodatunpela and Godakumbura, south by Galboda-Tunpalaniyara, and west by Talgahawattedeniya and Badalwatta; and containing in extent about 9 bags of paddy.

2. All that undivided 1/16 part of Depala, situate at Kalugalamulla aforesaid; and bounded on the north by Weralugahakanuketiya, east by Ullalayakanuketiya, south by Walakumbura, and west by Puwakgahadeniya and Aratche Appulagewatta; and containing in extent 1 amunam of paddy sowing.

3. All that undivided 1/4 of 1/24 of the soil and all the fruit trees of the land called Ampitiywatta, and the 13 cubits wattle-walled and tiled boutique composed of four rooms erected thereon by the defendant, situated at Kirinda in the Gangaboda pattu aforesaid; and bounded on the north by Pahala-Ampitiywatta, east by the high road, south by Pujamadukoratuwa, and west by Hallambegedarawatta and Kattadigewattedeniya; and containing in extent about 5 kurunies of kurakkan sowing.

4. All that the soil and fruit trees of the defined northern half part of the land called Kumbalagodagegedarawatta, situated at Kalugalamulla aforesaid; and bounded on the north by Radagewatta *alias* Denagamegawatta belonging to Hewa Radage Sophe and others, east by Kahawattegewatta and Dewata, south by Kahawattegewatta and Kumbalagodagegedarawatta Dekenpangukebella belonging to Katukurunde Kalurachehige Don Carolis and others, and west by Godella belonging to Hewa Radage Sophe and others; and containing in extent about 2 acres.

Deputy Fiscal's Office,  
Matara, April 7, 1927.

E. T. GOONEWARDENE,  
Deputy Fiscal.

In the District Court of Tangalla.

Polwatte Gallege Peter Gunawardana, Vidane, Arachchi of Ambalantota ..... Plaintiff  
No. 2,375. Vs. 27/10/27 ✓  
Edward William Seneviratne of Hambantota ..... Defendant.

NOTICE is hereby given that on Friday, May 6, 1927, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz.:—

All that undivided one-half share of the two contiguous lands bearing assessment Nos. 504 and 505, and the entire building standing thereon, situated in Hambantota town in Magam pattu of Hambantota

District, in the Southern Province; and bounded on the north by Crown land, on the east by land belonging to the Wesleyan Society, on the south by the new road, and on the west by Government quarters; containing in extent 1 acre 2 roods and 37 perches.

Balance writ amount Rs. 942.26 together with legal interest on Rs. 1,135.51 from February 28, 1927, till payment in full and poundage.

G. DE SOYZA,

Additional Deputy Fiscal.

Deputy Fiscal's Office,  
Hambantota, April 6, 1927.

In the Court of Requests of Hambantota.

S. J. Simon Appu, Constable Arachchi of Tissa ..... Plaintiff  
No. 4,557. Vs. 25/10/27 ✓  
(1) Don Alwis Amerasinghe of Tissa, (2) Dona Thasina Amerasinghe of Kalagama ..... Defendants.

NOTICE is hereby given that on Saturday, May 7, 1927, at 2 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendants in the following property, viz.:—

An allotment of land in extent one acre, with the plantations and the tiled house of 13 cubits standing thereon, situated at Tihawa in Magam pattu of Hambantota District, in the Southern Province; and bounded on the north by Gansabhawa road, on the south by the land of Dr. Silva, on the east by the land of Dr. Dewasagayam, and on the west by the land of D. J. Abeywardana.

Writ amount Rs. 331.77, including poundage Rs. 3.66.

G. DE SOYZA,

Additional Deputy Fiscal.

Deputy Fiscal's Office,  
Hambantota, April 6, 1927.

In the Court of Requests of Matara.

E. A. Wijesinghe of Matara ..... Plaintiff  
No. 13,718. Vs.  
Weerasin Magam Pattuwe Vidane Arachehige Migel of Dondra ..... Defendant.

NOTICE is hereby given that on Saturday, May 14, 1927, at 2 o'clock in the afternoon, will be sold by public auction near Police Officer's house in the village of Godakoggala the right, title, and interest of the said defendant in the following property, viz.:—

All that undivided 1/3 share of the high and low land called Godakoggala in Magam pattu of Hambantota District in the Southern Province, in extent about 2,000 acres; and bounded on the north by Ridiyagama and partitioned block A in extent 961 acres 3 roods and 20 perches in District Court, Tangalla, case No. 1,207, on the east by Walagamperuwa and Karagaha-ara, on the south by the block partitioned for Messrs. Elliot and Cassim in District Court, Tangalla, case No. 1,538, and on the west by Walawe river.

Writ amount Rs. 329.40, with interest at 9 per cent. on Rs. 293.45 from October 1, 1925, till payment in full, and poundage.

G. DE SOYZA,

Additional Deputy Fiscal.

Deputy Fiscal's Office,  
Hambantota, April 8, 1927.

## Northern Province.

In the Court of Requests of Jaffna.

Karthikesar Nagalingam of Wettagama.....Plaintiff.

No. 17,950/A. Vs.

(1) Murugesu Chellappa and (2) wife, Sivakolunthu, both presently of Wettagama ..... Defendants.

NOTICE is hereby given that on Saturday, May 7, 1927, at 9 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said defendants in the following decreed property for the recovery of Rs. 214.50, with interest on Rs. 165 at 12 per cent. per annum from April 22, 1926, till May 17, 1926, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, costs Rs. 28.11, poundage, and charges, viz. :—

An undivided  $\frac{1}{2}$  share with house and portico of a piece of land situated at Urumpiray in Kopay parish, Valigammam East division of the Jaffna District, Northern Province, called Theeranpulam and other parcels containing or reputed to contain in extent  $16\frac{1}{2}$  lachams v. c. with cultivated and spontaneous plants; and bounded on the east by the property of Maruthar Veluppillai and shareholders, Ampalavanar Karthikesu and Annamuttu, wife of Thambiah, on the north by the property of Vinayar Karnakarar and Thankamuttu, wife of Vellupillai, on the west by the property of Theivy, widow of Valli, Raman Murugan, and Arumugam Veeragatty, and on the south by the property of Kathirgamar Ponnampalam and shareholders, Thangamuttu, wife of Katirevelu, Maruthar Velupillai, and shareholders and front of path.

Fiscal's Office,  
Jaffna, April 6, 1927.J. P. KANTHYAH,  
for Fiscal.

In the District Court of Jaffna.

A. S. S. Seenivasaga Nayakkar of Vannarponnai East ..... Plaintiff.

No. 19,098. Vs.

(1) Murtusamipillai Kurusamipillai and (2) Kurusamipillai Kandasamipillai, both of Vannarponnai East ..... Defendants.

NOTICE is hereby given that on Thursday, April 21, 1927, at 11 o'clock in the forenoon, will be sold by public auction at the Jaffna Fiscal's office the right, title, and interest of the 2nd defendant in the following property for the recovery of Rs. 990.25, with interest thereon at 21 per cent. per annum from June 10, 1924 (costs reserved), poundage, and charges, viz. :—

A debt of Rs. 2,500, with interest thereon at 8 per cent. per annum from March 30, 1918, until payment in full due on a mortgage bond executed by Sivasinghamparam Chellappah and wife, Rasamma, of Chundikul, Jaffna, in favour of Kurusamipillai Kandasamipillai of Vannarponnai East, and attested by Bernadpillai Joachimipillai, Notary Public of Jaffna, under No. 8,154 dated March 30, 1918.

Fiscal's Office,  
Jaffna, April 6, 1927.J. P. KANTHYAH,  
for Fiscal.

## North-Western Province.

In the District Court of Kurunegala.

(1) K. M. P. R. Kumarappa Chetty, (2) K. M. P. R. Periya Karuppen Chetty, by their attorney Suna Pana Kana Nana Natchiappa Chetty of Kurunegala ..... Plaintiffs.

No. 12,051. Vs.

(1) Wijekoon Mudiyansele Joseph Banda, (2) P. B. Wijekoon, both of Mawatagama in Gaudahe korale ..... Defendants.

NOTICE is hereby given that on Saturday, May 14, 1927, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

An undivided  $\frac{3}{8}$  share of Dewalegawawatta, Galhinna *alias* Gorakgahadeniyewatta, Kohilawewagawahena, Boambagahamulahena, and Ambagahamulawatta, now forming one property of about 16 acres in extent, situate at Arampola in Gaudahe korale of Weudawilli hatpattu, in the District of Kurunegala, North-Western Province; and bounded on the east by Delgollewatta, south by Crown forest and fence of the garden of Mr. Goonesekara, north by Galwala and fence of the garden of Ukku Menika and others and field, west by high road.

Amount to be levied Rs. 441.46, with further interest on Rs. 250 at 30 per cent. per annum from February 3, 1927, till February 21, 1927, and thereafter legal interest on the aggregate amount till payment in full.

S. D. SAMARASINHE,  
Deputy Fiscal.Fiscal's Office,  
Kurunegala, April 6, 1927.

## Province of Sabaragamuwa.

In the District Court of Colombo.

V. M. Silva of Grandpass in Colombo.....Plaintiff.

No. 15,498. Vs.

(1) Siriya and (2) Tikirmalie, both of Meegahagodella, Dodampe, Ratnapura..... Defendants.

NOTICE is hereby given that on Thursday, May 19, 1927, commencing at 10 o'clock in the morning, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 615.98, being costs and poundage :—

1. An undivided  $\frac{1}{2}$  share of the soil and plantations of Nagodahenyaya with the whole of the mineral inside the ground; bounded on the north by Pintuwagewatta, Siriyaewatta, and footpath, east by Indiwitiya, south by Otukumburedeniya and agala, west by Mahadeniya and Karagahahena; containing in extent about 5 amunams of paddy, situate at Dodampe in Uda pattu of Kuruwiti korale, in the District of Ratnapura.

2. All those undivided  $\frac{1}{2}$  share of the residing garden of Siriya and of Hena; bounded on the north by Gansabha road and Yamanunnehena, east by Pintuwagewatta and Nagodahenyaya *alias* rubber estate, south by Karagahahena, west by wewa and Dawatagahadeniya; containing in extent of about  $1\frac{1}{2}$  amunams of paddy, situate at ditto.



3. All those undivided  $\frac{2}{3}$  shares of Talagahawatta; bounded on the north by Acharigehena, east by Mahakumburedepawella, south by Otukumbura and Mahadeniya, west by rubber estate and Karagahena; containing in extent of about 2 pelas of paddy, situate at ditto.

4. All those undivided  $\frac{2}{3}$  share of Meegahagodelle-paranawatta; bounded on the north by Meegahadeniya, east by Ratmalekumbura, south by Bandarahena, west by Otukumbura; containing in extent of about 1 amunam of paddy, situate at ditto.

5. All those undivided  $\frac{2}{3}$  share of Wetakeiyapotehena *alias* Panugalgodehena; bounded on the north by Hidalaneladeniyedepawella, east by Manannalaye-hena, south by Kitanyewatta, west by Wetakeiyapotedepawella; containing in extent of about 15 lahas of paddy, situate at ditto.

6. All those undivided  $\frac{2}{3}$  share of the contiguous lands called Wetakeiyapotekumbura, Siriya-aswedduma, Dangaha-aswedduma, and Dankoralanda;

bounded on the north by Godadangaha-aswedduma, east by Depawella, south by Rupahingkumbura, west by Wela-asweddumeinniara and Yamanayakumbura; containing in extent of about 6 pelas of paddy, situate at ditto.

7. All those undivided  $\frac{2}{3}$  share of Meegasdeniya of 1 amunam of paddy, undivided  $\frac{2}{3}$  share of Otukumbura, 3 pelas and 5 lahas of paddy, an undivided  $\frac{2}{3}$  share of Andakumbura of 2 pelas and 5 lahas of paddy, belonging to Tikimalie, undivided  $\frac{2}{3}$  share of Diwela of 2 pelas and 5 lahas of paddy; together bounded on the north by Mahakumburedepawella, east by Migahagodelleparanawatta, south by Bandara-alketiyeinniara, west by Dehipahalayagekanuketiya and Pitawella; situate at ditto.

R. E. D. ABEYRATNE,  
Additional Deputy Fiscal.

Fiscal's Office,  
Ratnapura, April 9, 1927.

### NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi. 31/20/27

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Laura Hamilton, late No. 3,270. of Swiss Cottage, Bukhit Timah road, Singapore, deceased.

THIS matter coming on for disposal before A. L. J. Croos-Dabrera, Esq., District Judge of Colombo, on March 18, 1927, in the presence of Mr. Cecil Herbert Spence Blatch of Colombo, Proctor, on the part of the petitioner, Mr. Oscar Percy Mount of Colombo; and the affidavits of the said petitioner dated March 16, 1927, certified copy of letters of administration with a copy of the will annexed, power of attorney in favour of Arthur Koberwein Beckett Terrell, deed of substitution in favour of the petitioner, and Supreme Court's order dated February 16, 1927, having been read:

It is ordered that the will of the said deceased dated September 28, 1918, 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 annexed, issued to him accordingly, unless any person or persons interested shall, on or before May 12, 1927, show sufficient cause to the satisfaction of this court to the contrary.

A. L. J. CROOS-DABRERA,  
District Judge.  
March 18, 1927.

In the District Court of Negombo.

Order Nisi. 33/20/27

Testamentary In the Matter of the Intestate Estate Jurisdiction. of the late Wickramapathirannehelage Marthelis Appuhamy of Kelapitimulla, deceased. No. 2,489.

THIS matter coming on for disposal before G. Furse Roberts, Esq., District Judge of Negombo, on March 18, 1927, in the presence of Messrs. de Zylva & Jayawardana, Proctors, on the part of the petitioner, Kumarasinghe Katunayaka Appuhamillage

Marthinahamy of Kelapitimulla; and the affidavit of the said petitioner dated January 27, 1927, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled, as widow of the said deceased, to administer the estate of the deceased above named, and that letters of administration do issue to her accordingly, unless the respondents—(1) Lokukaththotage Menchohamy, (2) Wickramapathirannehelage Aron Appuhamy, (3) ditto Singhappuhamy, (4) ditto Punchi Nonahamy, all of Kelapitimulla, (5) ditto Inchohamy of Nawana, and (6) ditto Yohanahamy of Makandura—or any other person or persons interested shall, on or before April 5, 1927, show sufficient cause to the satisfaction of this court to the contrary.

G. FURSE ROBERTS,  
District Judge.  
March 18, 1927.

Time for showing cause against the Order Nisi is hereby extended to April 20, 1927.

G. FURSE ROBERTS,  
District Judge.  
April 5, 1927.

In the District Court of Kalutara. 20/20/27

Order Nisi.

Testamentary In the Matter of the Estate of the Jurisdiction. late Mallikunchchige Don Emis No. 1,991. Wijetunga, deceased, of Watawala estate in Rozelle.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on March 8, 1927, in the presence of Mr. F. A. C. Tirimanne, Proctor, on the part of the petitioner, Handapan-godage Ceciliana Peiris Wijetunga of Galtude; and the affidavit of the said petitioner dated February 16, 1927, having been read:

It is ordered that the said 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 respondents—(1) Kaha-tapitiyage Dona Apolonia Armor, (2) Mallika-achchige Don Abraham Wijetunga, (3) ditto Don Alwis Wijetunga, (4) ditto Don Peter Wijetunga, (5) ditto Dona

Sarah Elsy Wijetunga, all of Katubedda in Moratuwa, (6) ditto Dona Louisa Wijetunga of Bolabotuwa in Rayigam korale—or any other person or persons interested shall, on or before April 28, 1927, show sufficient cause to the satisfaction of this court to the contrary.

March 8, 1927.

N. M. BHARUCHA,  
District Judge.

In the District Court of Matara.

Testamentary In the Matter of the Estate of the Jurisdiction. late Don Deonis Senaweera Appuhamy of Walgama. No. 3,299.

Charles Senaweera Appuhamy of Walgama ..... Petitioner.

Against

(1) Corneliya Senaweera Namine of Madihe, (2) Eddy Manampary Appuhamy of ditto ..... Respondents.

THIS matter coming on for disposal before A. E. Christoffelsz, Esq., District Judge of Matara, on March 15, 1927, in the presence of Mr. G. E. Ernst, Proctor, on the part of the petitioner above named; and the petition and the affidavit of the said petitioner dated March 15, 1927, having been read:

It is ordered that the petitioner, Charles Senaweera Appuhamy, be and he is hereby declared entitled, as son of the said deceased, to administer the said estate, and letters of administration do issue to him accordingly, unless the respondents above named or any person or persons interested shall, on or before May 30, 1927, show sufficient cause to the satisfaction of this court to the contrary.

March 15, 1927.

A. E. CHRISTOFFELSZ,  
District Judge.

In the District Court of Trincomalee.

Order Nisi.

Testamentary In the Matter of the Estate of Siva-gurunathar Thiaagarajah of No. 2 Division, Trincomalee, deceased. No. 154.

Murugapper Vyrannattu of No. 2 Division, Trincomalee ..... Petitioner.

Vs.

(1) Veluppillai Kathirkamatamb, (2) Sivapakiyam, widow of Thiyagarajah, (3) Puspa Devi, daughter of Thiyagarajah, (4) Sarojini Devi, ditto, (5) Rukmani Devi, ditto, (6) Sachithanandam, son of Thiyagarajah, (7) Maheswari Devi, daughter of Thiyagarajah, (8) Puvaneswari Devi, daughter of Thiyagarajah, all of No. 2 Division, Trincomalee, by their guardian *ad litem* the 1st respondent ..... Respondents.

dam, son of Thiyagarajah, (7) Maheswari Devi, daughter of Thiyagarajah, (8) Puvaneswari Devi, daughter of Thiyagarajah, all of No. 2 Division, Trincomalee, by their guardian *ad litem* the 1st respondent ..... Respondents.

THIS matter coming on for disposal before George Crossette Thambyah, Esq., District Judge of Trincomalee, on February 25, 1927, and March 23, 1927, in the presence of Mr. M. M. Subramaniam, Proctor, on the part of the petitioner; and the affidavits of the petitioner dated February 9, 1927, and March 23, 1927, having been read:

It is ordered that the 1st respondent above named be appointed guardian *ad litem* of (1) Puspa Devi, (2) Sarojini Devi, (3) Rukmani Devi, (4) Sachithanandam, (5) Maheswari Devi, and (6) Puvaneswari Devi, children of Thiyagarajah, for the purpose of this testamentary action, unless the respondents above named or any person or persons interested show sufficient cause to the satisfaction of this court to the contrary on the date herein mentioned below.

It is also ordered that the said petitioner be and he is declared entitled to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents or any other persons interested shall, on or before April 25, 1927, show sufficient cause to the satisfaction of this court to the contrary.

It is also ordered that the said 3rd, 4th, 5th, 6th, 7th, and 8th respondents be produced before this court on April 25, 1927.

March 23, 1927.

G. C. THAMBYAH,  
District Judge.

In the District Court of Badulla.

Order absolute declaring Will proved, &c.

Testamentary In the Matter of the Estate of the Jurisdiction. late Thomas James Cooke of No. B/784. Chilaw, deceased.

THIS matter coming on for final determination before Hilary Rudolph Robert Blood, Esq., District Judge, Badulla, on March 16, 1927, in the presence of Messrs. Potger & Keyt, Proctors, for petitioner; and the affidavits of Alfred Poulier Bartholomeusz and Malcolm Cyril Francis Potger, both of Badulla, having been read:

It is ordered that probate of the will of the said Thomas James Cooke be issued to Victor James Cooke of Chilaw, presently of Bandarawela.

March 16, 1927.

H. R. R. BLOOD,  
District Judge.