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PART II.—LEGAL.

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

	PAGE		PAGE
Passed Ordinances	—	Supreme Court Notices	—
Draft Ordinances	836	District and Minor Courts Notices	—
List of Jurors and Assessors	—	Notices in Insolvency Cases	837
List of Notaries	—	Notices of Fiscals' Sales	838
Notifications of Criminal Sessions of the Supreme Court	837	Notices in Testamentary Actions	841
		Council of Legal Education Notices.. .. .	—

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B 1

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to amend the Tea (Control of Export) Ordinance, No. 11 of 1933.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows :—

Short title. **1** This Ordinance may be cited as the Tea (Control of Export) Amendment Ordinance, No. of 1934.

Insertion of new section 30A in Ordinance No. 11 of 1933. **2** The following section shall be inserted immediately after section 30 of the Tea (Control of Export) Ordinance, No. 11 of 1933, (hereinafter referred to as "the principal Ordinance"), and shall have effect as section 30A of that Ordinance :—

Licences to plant or maintain nurseries. **30A.** (1) Nothing in this Ordinance contained shall be deemed to prohibit the planting or growing of tea in a nursery on any land not forming part of any estate or small holding at the time of the registration of that estate or small holding, if in respect of that nursery the following conditions are fulfilled :—

(i) in the case of a nursery planted between the 23rd day of June, 1933, and the 1st day of February, 1935—

- (a) that the land used for the nursery had not at any time prior to the planting of the nursery been planted with tea for any purpose,
- (b) that a declaration in the prescribed form is forwarded by the owner to the Controller on or before the 1st day of March, 1935, and
- (c) that a licence authorising the maintenance of the nursery is obtained from the Controller on application made in the prescribed form ;

(ii) in the case of a nursery to be planted after the 1st day of February, 1935—

- (a) that the land to be used for the nursery has not at any time been planted with tea for any purpose, and
- (b) that before any work in connexion with the nursery is commenced, a licence authorising the planting of the nursery is obtained from the Controller on application made in the prescribed form.

(2) Every licence issued under this section—

- (i) shall be in the prescribed form and subject to the terms and conditions set out therein,
- (ii) shall describe the land on which the nursery may be planted or maintained and specify the extent thereof, and
- (iii) shall be valid for a period not exceeding—
 - (a) in the case of a licence for the maintenance of a nursery, three years from the date of issue, and
 - (b) in the case of a licence for the planting of a nursery, three years from the date on which the planting commences.

(3) (i) No nursery shall be maintained or planted in contravention of the terms or conditions of the licence issued therefor.

(ii) All tea grown in a nursery shall be eradicated and destroyed within one month after the date of expiry of the licence relating to that nursery.

Amendment of section 36 of the principal Ordinance.

3 Section 36 of the principal Ordinance is hereby amended in sub-section (3) thereof, as follows :—

- (1) by the substitution for "provisions of section 30 (1)", of "provisions of section 30 (1) or section 30A";
- (2) by the substitution for "under that section", of "under section 30 (1)"; and
- (3) by the substitution for "order that all tea planted", of "order that all tea planted or grown in any nursery or other land".

Objects and Reasons.

The object of this Bill is to give effect to the decision of the International Tea Committee in London that the prohibition against the planting of new areas contained in section 30 of the Tea (Control of Export) Ordinance, No. 11 of 1933, should not be extended to the planting of tea in nurseries, but that the planting and maintenance of nurseries should be permitted to be opened on virgin soil, subject to the conditions that they are under control, and are destroyed before the date on which the Ordinance ceases to be in force.

2. Clause 2 accordingly makes provision for the insertion in the principal Ordinance of a new section 30A which introduces a system of licences, limits the validity of the licences to a term of three years, and makes it obligatory to eradicate and destroy all tea grown in a nursery within one month of the expiry of the licence relating to that nursery.

3. Section 36 (3) which was added to the principal Ordinance by Ordinance No. 5 of 1934 provides that tea planted in contravention of the provisions of section 30 (1) may by order of a Magistrate be eradicated and destroyed. The purpose of the amendment introduced by clause 3 is to make section 36 (3) of the principal Ordinance applicable to breaches of the new section 30A referred to above.

D. S. SENANAYAKE,
Minister for Agriculture and Lands.

Ministry of Agriculture and Lands,
Colombo, December 15, 1934.

[Continued on pag 842.]

NOTIFICATION OF CRIMINAL SESSIONS.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Ratnapura will be holden at the Court-house at Hulftsdorp, Colombo, on Thursday, January 10, 1935, at 11 o'clock of the morning of the said day.

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

Fiscal's Office, Ratnapura, December 11/12, 1934. W. O. STEVENS,
Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 4,746. In the matter of the insolvency of Pettagun Dionysius Silva of Old Moor 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 February 19, 1935, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
December 13, 1934. Secretary.

In the District Court of Colombo.

No. 4,810. In the matter of the insolvency of A. L. M. H. Abdul Azeez of 30, Galle road, Wellawatta.

WHEREAS the above-named A. L. M. H. Abdul Azeez has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by M. L. M. Hashim of Thurabiya building, Panchikawatta road, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. L. M. H. Abdul Azeez insolvent accordingly; and that two public sittings of the court, to wit, on January 15, 1935, and on January 29, 1935, 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, GERALD E. DE ALWIS,
December 11, 1934. Secretary.

In the District Court of Colombo.

No. 4,813. In the matter of the insolvency of S. A. Gabriel Appuhamy of Bambalapitiya, Colombo.

WHEREAS the above-named S. A. Gabriel Appuhamy has filed a declaration of insolvency, and a petition for the

sequestration of his estate, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said S. A. Gabriel Appuhamy insolvent accordingly; and that two public sittings of the court, to wit, on January 15, 1935, and on January 29, 1935, 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, GERALD E. DE ALWIS,
December 14, 1934. Secretary.

In the District Court of Colombo.

No. 4,815. In the matter of the insolvency of S. V. Arumugampillai carrying on business with a A. Sunmugampillai under the name of A. N. A. Arumugampillai & Co., at 99, 5th Cross street, Pettah, Colombo.

WHEREAS the above-named S. V. Arumugampillai has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by K. R. R. M. Letchumanan Chettiar of No. 95, 4th Cross street, Pettah, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said S. V. Arumugampillai insolvent accordingly; and that two public sittings of the court, to wit, on January 15, 1935, and on January 29, 1935, 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, GERALD E. DE ALWIS,
December 10, 1934. Secretary.

In the District Court of Colombo.

No. 4,817. In the matter of the insolvency of J. A. V. Modder of Dalugama in the Adikari pattu of the Siyane korale.

WHEREAS the above-named J. A. V. Modder has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by (1) Leslie Mack and P. D. A. Mack, both of Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said J. A. V. Modder insolvent accordingly; and that two public sittings of the court, to wit, on February 5, 1935, and on February 19, 1935, 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, GERALD E. DE ALWIS,
December 12, 1934. Secretary.

In the District Court of Colombo.

No. 4,818. In the matter of the insolvency of C. T. Fernando of Mount Lavinia.

WHEREAS the above-named C. T. Fernando has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by C. A. Allanson Thiedeman of High street, Wellawatta, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said C. T. Fernando insolvent accordingly; and that two public sittings of the court, to wit, on January 29, 1935, and on February 12, 1935, 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, GERALD E. DE ALWIS,
December 12, 1934. Secretary.

In the District Court of Colombo.

No. 4,819. In the matter of the insolvency of M. Sr Ranganathan of "Gokula", Rajagiriya Colombo.

WHEREAS the above-named M. Sri Ranganathan has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by R. Muttusamy of Cinnamon Gardens, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said M. Sri Ranganathan insolvent accordingly; and that two public sittings of the court, to wit, on February 5, 1935, and on February 19, 1935, 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, GERALD E. DE ALWIS,
December 15, 1934. Secretary.

D. C., Colombo, No. 4,493 (Insolvency).

Insolvency of E. G. Gratiaen and others.

A meeting of the creditors of the above insolvency will be held at the offices of Messrs. Fraser & Ross, Chartered Accountants, Australia buildings, Colombo, at 4.40 P.M. on Wednesday, January 16, 1935, for the following purpose:

To consider and confirm the resolution passed at the meeting of the creditors of the above insolvency held on October 22, 1934, allowing the insolvents to retain for their own use the whole of their wearing apparel, bedding, household furniture and tools of trade, excepted from the sale of their personal property.

H. L. POPE,
Assignee of the Insolvent Estate of
Colombo, December 17, 1934. De Vos & Gratiaen.

In the District Court of Matara.

No. 108. In the matter of the insolvency of Don Methias Wickramasurendra of Kadeweediya.

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 March 5, 1935, for examination of the above-named insolvent.

By order of court, R. S. GUNASEKERA,
December 11, 1934. Secretary.

In the District Court of Matara.

No. 110. In the matter of the insolvency of Handunnetti Ranhulage Danoappu of Dickwella, insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 7, 1935, for examination of the above-named insolvent.

By order of court, R. S. GUNASEKERA,
December 10, 1934. Secretary.

In the District Court of Kegalla.

Insolvency In the matter of the insolvency of Sinhala-
Jurisdiction. pedige Pemanis of Wahawa.
No. 66.

NOTICE is hereby given that the second sitting of this court on the above matter has been adjourned to January 8, 1935.

By order of court, A. DE S. KANAKARATNE,
December 13, 1934. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Angeline Elizabeth Wijekoon of Norwood Plaintiff.
No. 1,133. Vs.

(1) Don Robert Lokubalasureya, of Mattumagala in Ragam pattu of Alutkuru korale, legal representative of the estate of Lokubalasureyage Don Francis Appuhamy, deceased, (2) Don Robert Lokubalasureya, (3) Don Lorenz Lokubalasureya, both of Mattumagala aforesaid Defendants.

NOTICE is hereby given that on Thursday, January 24, 1935, at 2 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 18 dated May 19, 1930, attested by W. E. Abayakoon of Colombo, Notary Public, 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 November 13, 1934, for the recovery of the sum of Rs. 1,873.32, with interest on Rs. 1,500 at 16 per cent. per annum from June 6, 1934, to date of decree (November 1, 1934), and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit taxed at Rs. 323.79, viz. :—

All that undivided $\frac{1}{4}$ part or share, together with the buildings, trees, and plantations, and the entirety of the tiled house built thereon from and out of the land called Delgahawatta, situated at Mattumagala in the Ragam pattu of Alutkuru korale in the District of Colombo, Western Province; and bounded on the north by the land or dewata road belonging to Migel Mendis, Isabella Mendis, and Degiri Thomas Perera, on the east by the high road leading to Negombo, on the south by the land belonging to Hitandura Dionis Silva and Rapiel Fernando, and on the west by the land belonging to Ranapuradewage Jana. Fernando; containing in extent 3 acres 3 roods and 34 perches, excluding therefrom 10 yards in length and 8 yards in breadth from the southern side.

Prior registration B 166/152, B 40/7.

Fiscal's Office,
Colombo, December 18, 1934.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Colombo.

The Hon. Mr. Edward St. John Jackson, His Majesty's Attorney-General in the Island of Ceylon Plaintiff.
No. 48,385. Vs.

(1) Rajapakse Pathirennhelage Justin Perera of Stamford House, Havelock road, Havelock Town, (2) W. L. Maurice Fernando of Bellevue, Edinburgh street, Kurunegala, assignee of the insolvent estate of the said Rajapakse Pathirennhelage Justin Perera Defendants.

NOTICE is hereby given that on Thursday, January 31, 1935, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 754 dated August 19, 1929, attested by David E. Martenz of Colombo, Notary Public, and declared specially bound and executable under the decree dated August 24, 1934, entered in the above action, and ordered to be sold by the order of court dated November 28, 1934, for the recovery of the sum of Rs. 28,532.42, together with interest on Rs. 25,031.25 at 7 per cent. per annum from April 1, 1932, till date of the said decree, plus a sum of Rs. 31.25, with interest thereon at 7 per cent. per annum from September 18, 1933, till date of the said decree, with further interest thereafter on the aggregate amount of the said decree at 9 per cent. per annum till date of payment in full and costs of suit, viz. :—

All that allotment of land marked lot No. 17 in plan No. 729 dated September 24, 1918, made by C. C. Wijetunga, Special Licensed Surveyor, being a divided and specific portion of the land described in Government title plan No. 48,976 dated June 11, 1846, presently bearing assessment No. 130, Havelock road, situated at Bambalapitiya, within the Municipality and District of Colombo, Western Province; bounded on the north by lot 14 in the said plan No. 729, on the east by Bambalapitiya road, on the south by lot 20 in the said plan No. 729, and on the west by lot 16 in the said plan No. 729; containing in extent 2 roods and 2.96 perches according to the said plan No. 729 dated September 24, 1918, and registered in folio A 131/61 at the Colombo District Land Registry, together with the buildings now standing and thereafter

to be erected thereon, and all rights, ways, privileges, easements, servitudes, and appurtenances whatsoever thereunto belonging or in any wise appertaining or held, used, or enjoyed therewith, and all the estate, right, title, interest, claim, and demand whatsoever of the said 1st defendant and the 2nd defendant, as assignee of the insolvent estate of the 1st defendant in, to, out of, or upon the same, and every part or portion thereof.

Prior registration Col A 163/135.

Fiscal's Office,
Colombo, December 18, 1934.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Colombo.

In the matter of the last will and testament of Idroos Lebbe Marikar Hadjir Abdul Hamid of Colombo, deceased.

No. 5,905 Testy.

Sinne Lebbe Marikar Raihanath Umna of Salonika,
Colpetty, Colombo Petitioner.

NOTICE is hereby given that on Wednesday, January 23, 1935, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the estate of the above-named deceased in the following property for the recovery of the sum of Rs. 12,291.18, with interest thereon at 4 per cent. per annum from July 21, 1932, to date of payment being estate duty due in this case, together with a further sum of Rs. 170 being costs of 2 citations and of this writ, viz. :-

All that allotment of land with the buildings thereon bearing assessment No. 9, Chatham street, presently bearing assessment No. 86, Chatham street, within the Municipality and District of Colombo, Western Province; and bounded on the east by premises bearing assessment No. 88, Chatham street, on the south by boundary wall, on the north by Chatham street, and on the west by premises bearing assessment No. 84, Chatham street; containing in extent 4 60/100 perches.

Fiscal's Office,
Colombo, December 19, 1934.

J. R. TOUSSAINT,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Herbert John Goddard Marley of Castle Milk estate in
Gampola Plaintiff.
No. 45,292. Vs.

(1) Ratnayake Mudiyansele *alias* Vedegedera Dingiri
Amma of Orange Field Group, Gampola, and
others Defendants.

NOTICE is hereby given that on Wednesday, January 23, 1935, at 12 noon, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 327 dated March 3, 1927, and attested by Mr. M. J. Taylor, Notary Public of Kandy, 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 November 28, 1934, for the recovery of the sum of Rs. 17,306.25, plus costs Rs. 250, together making the sum of Rs. 17,556.25, with interest on Rs. 17,306.25 at the rate of 9 per cent. per annum from April 1, 1934, till payment in full and poundage :-

1. All that portion in extent 14 acres 3 roods and 35 perches marked "A" in the plan dated August 12, 1896, and made by S. Karthigaser, Licensed Surveyor, situate at Atabage Pallegama in Kandukara Ihala korale of Udapalata in the District of Kandy, Central Province; and which said portion in extent 14 acres 3 roods and 35 perches is bounded on the north by Koskollie estate, Emanis Silva's estate, and Jame's estate, on the north-east by paddy fields the property of Thavithiawatte Punchimalie, Jame's property and Emanis Silva's estate, south-east by the property of Kuddy Kannu, property of Menika, and property of Oruthalis, south by the property of Kuda Duraya, property of Kathirai and paddy fields, and west and north-west by a portion of Samymallay estate in extent 3 acres and 16 perches and marked "B" in the aforesaid plan, P. Vaithilingam Pulley's estate and Emanis Silva's estate, with everything thereon.

2. All that portion in extent 8 acres 2 roods and 6 perches marked "C" in the aforesaid plan, situate at Atabage Pallegama aforesaid; which said portion in extent 8 acres 2 roods and 6 perches is bounded on the north by the portion of the said Samy Mallay estate in extent 3 acres and 16 perches and marked "B" in the aforesaid plan,

property of Kathirai and paddy fields, east by the chena of Nawalai Kuda Duraya, south by land claimed by natives, and west by P. Vaithilingam Pulley's estate, with everything thereon.

Which said two portions of land are parts and parcels of all that estate called and known as Samy Mallay estate, situate at Atabage Pallegama aforesaid; and bounded on the north by Koskollie estate, Emanis Silva's estate and Jame's estate, north-east by paddy fields and property of Thanithiyawatte Punchimalie Jame's property and Emanis Silva's estate, south-east by property of Kuddy Kannu, property of Menika, and property of Oruthalis, south by the property of Kuda Duraya, property of Kathirai paddy fields and the chena of Nawalai Kuda Duraya, south-west by land claimed by natives, and west and north-west by P. Vaithilingam Pulley's estate and Pamis Silva's estate; and containing in extent 26 acres 2 roods and 17 perches according to the figure of survey thereof dated August 12, 1896, and made by S. Karthigesar, Licensed Surveyor.

3. All those seven allotments of lands now forming one property called and known as Millagodapatana, situate at Pallegama aforesaid; and bounded on the north by the land described in T. P. 16,666 and land claimed by natives, east by land claimed by natives and land described in T. P. 92,949, south and south-east by Millagolla Kopiewatta and land described in T. P. 92,949, south-east by Millegollewatta, and west by Egodawatte Punchage Kumbura, Menikage Asweddumakumbura, Juwan Appuge Asweddumakumbura, Asweddumakumbura Ukkuge Viharekumbura, and property of Appuwa Vidane; and containing in extent 20 acres and 2 roods according to the figure of survey thereof dated October 17, 1907, made by S. W. Spencer, Licensed Surveyor, with everything thereon, and all the right, title, interest, and claim whatsoever of the 1st defendant in, to, upon, or out of the said several premises mortgaged by the 1st defendant.

Fiscal's Office,
Kandy, December 17, 1934.

H. C. WIJESINHA,
Deputy Fiscal.

Southern Province.

In the District Court of Tangalla.

Donald Stanley Warnakulasuriya Gunasekera of
Ambalantota Plaintiff.

No. 3,679.

V.

Kahandawe Geegana Achchige 1 on Carolis *alias*
Kahandawe Geegana Achchige Jarolis Appu of
Tissa Defendant.

NOTICE is hereby given that on Saturday, January 26, 1935, at 10.30 in the morning, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following mortgaged property for the recovery of Rs. 1,243.69, together with legal interest on Rs. 1,152 from August 22, 1934, till payment in full, viz. :-

At Wirawila *GA*

All those eight allotments of land bearing lot Nos. 229, 231, 255, 257, 259, 262, and 260 delineated in title plans Nos. 369,481, 369,540, 369,539, 369,541, 369,544, 369,542, 369,543, and 369,545 lying contiguous to each other and capable of being included in one and the same survey plan called and known as Molakepupatana and Uduwila-godana, containing in aggregate extent of 39 acres 2 roods and 19 perches, situated at Wirawila in Magam pattu of the Hambantota District, Southern Province; and bounded on the north by T. P. Nos. 354,763 and 266,562, east by lots 232, 252, 263, and 261, south by lots Nos. 261 and 298, and west by lots 298, 187, 256, 187, and T. P. No. 366,541.

Valuation, Rs. 8,000.

C. J. OORLOFF,
Deputy Fiscal's Office, Additional Deputy Fiscal.
Hambantota, December 13, 1934.

In the District Court of Tangalla.

Kuppasami Tirumini Nath of Tangalla Plaintiff.

No. 2,496.

Vs.

(2) A. Davudu Lebbe Marikkar Annamuttu Nach-
chiya and another, both of Tangalla Defendants.

NOTICE is hereby given that on Tuesday, January 15, 1935, at 2 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 mortgaged property for the recovery of Rs. 1,063.45, with further legal interest on Rs. 734.31 from November 21, 1934, and poundage, viz. :—

At Mahapokuna.

All that western portion of the land called Warahenawatta, together with the plantations and the 17 cubits tiled house bearing assessment No. 287 standing thereon, situated at Mahapokuna in Kadurupokuna in West Giruwa patta of the Hambantota District; and bounded on the north by dewata, east by the fence of Kassi Lebbe Padinghawatta, south by the fence of the garden whereon Samsi Lebbe Marikkar Ahamadu Lebbe Marikkar was residing, and west by Talgaha; and containing in extent about 2 roods. Value, Rs. 1,500.

A. L. M. NOOR MOHAMED,
Deputy Fiscal's Office, Additional Deputy Fiscal.
Tangalla, December 13, 1934.

Northern Province.

In the District Court of Jaffna.

Sinnathambiar Ponnampalam of Karavetty West. Plaintiff.

No. 23,044. Vs.

Seemampillai Thampu alias Anthonipillai of Karavetty West Defendant.

NOTICE is hereby given that on Saturday, January 26, 1935, at 9.30 in the forenoon, will be sold by public auction at the spots the right, title, and interest of the said defendant in the following property for the recovery of Rs. 419.33, with interest on Rs. 225 at the rate of 16 per cent. per annum from October 18, 1927, until date of decree and thereafter on the aggregate at 9 per cent. per annum from date of decree till payment in full, costs (reserved), less a sum of Rs. 249 already recovered, poundage, and charges, viz. :—

1. An undivided 5/9th share of a piece of land situated at Karaveddi Ventrikuruchi in Kaddaively parish, Vadamaradchi division of the Jaffna District, Northern Province, called Thampan, containing in extent 34½ lachams p. c.; and bounded on the east by Paththini, widow of Erampar, and others, north by Chinnachchi, wife of Sinnathamby, and others, west by Konar Sithamparapillai and others, and south by dam to walk upon.

2. An undivided 2½ lachams varagu culture, with share of the well and the usual way and water-course and the wells lying in the lands called Vadalithoddam and Thaddankaladdi in the western side of a piece of land situated at Karaveddi Vathirikuruchi ditto called Maravanpulo three parcels, containing in extent 54 lachams varagu culture; and bounded on the east by Paththini, wife of Veerakatty, and others, north by Sinnathamby Veluppillai and others, west by Annachipillai, wife of Thomingupillai, and others, and south by Sacred Heart School.

Fiscal's Office, S. TURAIYAPPAH,
Jaffna, December 18, 1934. Deputy Fiscal.

Eastern Province.

In the District Court of Batticaloa.

Aliyarpody Ahamadulevvepody of Addalachenai Plaintiff.

No. 7,474. Vs.

Ahamadulevvepody Marakayar Mohamadu Ismalevve of Oluvil Defendant.

NOTICE is hereby given that on Saturday, January 19, 1935, at 3.30 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 the sum of Rs. 1,500, with legal interest thereon from September 1, 1932, till payment in full. Less Rs. 1,078, viz. :—

A paddy land composed of Pallavayal and Muththadduvayal in Nadupurapallapanku in Roddu Veli in Cheenam-puddi Vaddai, situated at Oluvil in Akkarapattu, Batticaloa District, Eastern Province; and bounded on the north by the other share of this land, south by Kiravalthidal-poomie, east by road, and west by the land of K. Muhamadulevve Marakayar and others; in extent 10 acres, with inlets, outlets, and other rights subject to mortgage to one Aliyar Marakayar V. V. Uthumalevvepody of Palamunai for Rs. 2,000 (less Rs. 800 already paid), with interest of 11 avanams of paddy per year by deed No. 2,215 of May 7, 1930, attested by N. K. Sabaretnasamy, Notary Public.

Fiscal's Office, K. S. CHANDRASEGARAMPILLAI,
Batticaloa, December 12/14, 1934. Deputy Fiscal.

North-Western Province.

In the District Court of Kurunegala.

(1) Kuruppu Appuhampage Ago Sinno, (2) Dasanayake Mudiyansele Puni Mahatmaya, (3) ditto Muttu-menika, (4) Wijesundara Mudiyansele Ran Menika, all of Dambadeniya in Dambadeni Uducaha korale west Plaintiffs.

No. 11,032. Vs.

(1) Wijesundara Mudiyansele Punchappuhamy, (2) ditto Ranhamy, both of Dambadeniya. Defendants.
Jayasinghe Mudiyansele Kiri Banda, ex Arachchi of Ratkarawwa. Substituted in place of defendant.

NOTICE is hereby given that on Thursday, January 17, 1935, commencing from the 1st land at 4 o'clock in the afternoon, 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 the sum of Rs. 773.92 and poundage, viz. :—

1. All that land called Galagawawatta of about 3 lahas kurakkan sowing extent, situate at Dambadeniya in Dambadeni Uducaha korale west of Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by Lindagawawatta belonging to Ago Singho and others, east by Maligagala, south by Galgawawatta of Ago Singho and others, west by Ambaghamulawatta and field.

2. All that land called Banamaduvagawawatta of about 1 laha kurakkan sowing extent, situate at Dambadeniya aforesaid; and bounded on the north by Pansalwatta east by Bogahamulawatta, south by Pathahagawawatta, west by Kapahitawapuhena.

3. All that land called Uvagewatta of about 2 seers kurakkan sowing extent, situate at Dambadeniya aforesaid; and bounded on the north by land belonging to Punchirala and others, east by Wela, south by Haaliole-gewatta, west by rock.

4. All that field called Dhigahamadittekumbura of about 1 amunam paddy sowing extent, situate at Dambadeniya aforesaid; and bounded on the north by Uvagewatta and Arambewatta, east by Palaladhegahamadittekumbura, south by Wele-ela, west by Gorokgahakotuwekumbura.

5. All that field called Thalghakotuwekumbura of about 2 pelas paddy sowing extent, situate at Dambadeniya aforesaid; and bounded on the north and west by ela, east by Galagawawatta, south by Ambaghamulawatta.

6. An undivided ½ share of Kadurugahamulakumbura of about 2 pelas paddy sowing extent, situate at Dambadeniya aforesaid; and bounded on the north and east by Panwilekumbura, south by Kathgalagawahena, west by Thalawekekumbura.

7. All that land called Agalehena of about 2 lahas kurakkan sowing extent, situate at Dambadeniya aforesaid; and bounded on the north by Heemaphura, east by Helabadayagewatta, south by Kadurugahamulahena, west by Tibbotugollehena.

8. An undivided ¼ share of Panwilekumbura of about 1 amunam paddy sowing extent, situate at Dambadeniya aforesaid; and bounded on the north by ela, east by tank bund, south by Tawallapitiya, west by Kadurugahamulakumbura and Panwilekumbura.

Fiscal's Office, R. S. GOONESEKERA,
Kurunegala, December 13, 1934. Deputy Fiscal.

In the District Court of Kurunegala.

S. T. K. N. S. R. M. Ramanathan Chettiar of Kurunegala Plaintiff.

No. 15,913. Vs.

Helen Lucilla Alice Annamma Tambiraja of Valvetty, presently of Manipay Defendant.

NOTICE is hereby given that on Tuesday, January 15, 1935, commencing from the 1st land at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 565.13½ and poundage, viz. :—

1. All that allotment of land marked lot C (inclusive of watchman's house), in extent 13 acres 1 rood and 4 perches, of the land called Hidawe estate, situate at the villages Hidawa, Adukkane, Kumbepitiya, and Dangahawela in Angomu korale of Dewamedi hatpattu in the District of Kurunegala, North-Western Province; and bounded on the east by lot A, south by road to Kalupotha, west by road to Hettipola and burial ground, and on the north by land of Tikira and others; and registered in D 332/287.

2. All that allotment of land marked lot D in extent 41 acres and 8 perches of the land called Hidwe estate, situate at the villages Hidawe, Adukkane, Kumbepitiya, and Dangahawela aforesaid; and bounded on the north by land of Hapuwa Vel Duraya, water-hole and jungle, east and south-east by lands of Janguwa Naide and others, Appuhamy and others, and H. James and others, south by Crown lands and of John Singho and others, and on the west by road to Hettipola; and registered in D 1932/288.

3. The land called Iskolewatta *alias* Hidawawewatta, situate at Hidawa in Angomu korale aforesaid; and bounded on the north by lots 70r, 70v, and 70s and reservation for a road, east by lots 95 and 96, south by land in T. P. 333,982, and west by lot 70. With the buildings and plantations thereon; containing in extent 5 acres 3 roods and 10 perches.

4. The land called Ehetugahamulahena, situate at Hidawa aforesaid; and bounded on the north by lots 70s and 70r, east by land in T. P. 416,519, south by land in T. P. 333,982, west by village limit of Wetchepitiya; containing in extent 4 acres. With the plantations thereon.

5. The land called Gangodahenawatta, situate at Hidawa aforesaid; and bounded on the north by lots 88, 85A, and 85B, east by lot 85B, south by land in T. P. 333,982, west by lot 87; containing in extent 1 acre 1 rood and 38 perches. With everything thereon.

6. The land called Gangodehena, situate at Hidawa and bounded on the north by lots 85A and 85, east by lot 85 and village limit of Kirimetiya, south by land in T. P. 333,982, west by land in T. P. 416,518; containing in extent 1 acre and 38 perches. With everything thereon.

Fiscal's Office, R. S. GOONESEKERA,
Kurunegala, December 18, 1934. Deputy Fiscal.

In the District Court of Kurunegala.

Selema Lebbelage Nagoor Lebbe of Yagamwela . . Plaintiff.

No. 16,707. Vs.

Vana Uduma Lebbe of Ethungahakotuwa in Yagam-pattu korale Defendant.

(1) U. L. Mohammodu Cassim, (2) U. L. Ahamadu Lebbe, (3) U. L. Alima Natchi, all of Etungahakotuwa Substituted Defendants.

NOTICE is hereby given that on Saturday, January 19, 1935, commencing from the 1st land at 2.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 777.50, with further interest on Rs. 500 at the rate of 13 per cent. per annum from October 5, 1932, to November 7, 1932, and thereafter with legal interest on the aggregate amount till payment in full and costs of suit (less Rs. 163.60) and poundage, viz. :-

(1) The lands called Wewagawawatta and Paragahamulahena, situate at Diurumpola in Yagam-pattu korale of Katugampola hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by land belonging to Ahamadu Lebbe, east by wire fence of the garden belonging to Peer Lebbe, south by tank bund and land belonging to the heirs of Pitchatamby, west by garden belonging to Peer Lebbe and others; containing in extent about 13 acres.

(2) The land called Gorokgahamulawatta, situate at Polgahawela in Yagam-pattu korale aforesaid; and bounded on the north by garden belonging to Thana Ahamadu Lebbe, east by garden belonging to Mohammodu Cassim Vidane, south by road and garden belonging to Ahamadu Lebbe, west by land belonging to Ahamadu Lebbe; containing in extent about 13 acres.

(3) The land called Podiyagewatta, situate at Polgahawela aforesaid; and bounded on the north by garden belonging to Seiyadu Marikkar and others, east and south by Hinguruwatte-oya, west by fence of the garden belonging to Mohammodu Cassim Vidane and others; containing in extent about 9 acres.

(4) An undivided $\frac{1}{2}$ share of Kongahahena, situate at Polgahawela aforesaid; and bounded on the north by chena belonging to church, east by fence of the garden belonging to Ahamadu Lebbe and others, south by Gansabhawa road, west by fence of the garden belonging to Nauru Lebbe and garden belonging to Palli Tamby; containing in extent about 4 acres.

(5) An undivided $\frac{1}{2}$ share of Ambagahahena, situate at Polgahawela aforesaid; and bounded on the north by Gansabhawa road, east by fence of the garden belonging to Alima Natchi and others, south by tank, west by Gansabhawa road; containing in extent about 4 acres.

(6) The land called Palugahamulawatta, situate at Anukkane in Karandapattu korale of Katugampola hatpattu aforesaid; and bounded on the north by garden belonging to Guruwa and others, east by Gansabhawa road, south by garden belonging to Amaris, west by Gansabhawa road; containing in extent about 2 acres.

Fiscal's Office, R. S. GOONESEKERA,
Kurunegala, December 17, 1934. Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Colombo.

W. Simon de Alwis of St. James, Colpetty, now of Welimaluwa estate, Ratnapura Plaintiff.

No. 42,606. Vs.

M. I. N. A. Caffoor, presently of Main street, Ratnapura Defendant.

NOTICE is hereby given that on Wednesday, January 16, 1935, 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 for the recovery of the sum of Rs. 1,153, with interest thereon at 9 per cent. per annum from February 3, 1931, till payment in full and costs, less Rs. 100 recovered, viz. :-

All that land called Miriswelkanattemukalana bearing lots D and E, situate at Karawita in Meda pattu of Nawadun korale in the District of Ratnapura; bounded on the north by a portion of this land bearing lot C in plan No. 141/13.10.16, on the east by Karawiti-ganga, on the south by Ganga-addarahena and Lokadeniyehena, and west by Ginibokkedola; containing in extent 50 acres 2 roods and 17 $\frac{8}{30}$ perches.

Fiscal's Office, E. MUNASINHA,
Ratnapura, December 13, 1934. Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Amarasinghage Annie Perera of No. 71, Delgahawatta, Egoda Kolonnawa, Colombo, deceased.

K. T. Perera of No. 71, Delgahawatta, Egoda Kolonnawa Petitioner.

And

(1) K. Simon Perera of No. 71, Delgahawatta, Egoda Kolonnawa, (2) K. Stephen Perera of No. 71, Delgahawatta, Egoda Kolonnawa, minor, appearing by his guardian *ad litem* the 1st respondent above-named Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 13, 1934, in the presence of Mr. A. Ariaratnam, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 4, 1934, having been read:

It is ordered (a) that the 1st respondent above named be and he is hereby appointed guardian *ad litem* of the minor, the above-named 2nd respondent, to represent him for all the purposes of this action, and (b) 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 January 31, 1935, show sufficient cause to the satisfaction of the court to the contrary.

December 13, 1934.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment and Codicil of Agnes Lilian Beven
No. 7,025. of Stag lane, Thimbirigasyaya, Colombo,
deceased.

(1) Harris, Oswald Beven and (2) Rev. Doctor G. B.
Ekampake, both of Colombo..... Petitioners.

THIS matter coming on for disposal before G. C. Thambayah, Esq., District Judge of Colombo, on December 4, 1934, in the presence of Messrs. P. D. A. Mack & Sons, Proctors, on the part of the petitioners above named; and the affidavits (1) of the said petitioners dated November 20, 1934, (2) of the attesting Notary dated December 4, 1934, and (3) of one of the attesting witnesses also dated December 4, 1934, having been read :

It is ordered that the last will of Agnes Lilian Beven, 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 petitioners are the executors named in the said will and that they are entitled to have probate thereof issued to them accordingly, unless any person or persons interested shall, on or before January 17, 1935, show sufficient cause to the satisfaction of this court to the contrary.

December 4, 1934.

G. C. THAMBYAH,
District Judge.

In the District Court of Galle.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Don Abraham Goonesekara, deceased, of
No. 7,612. Katukurunda, Galle.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on October 11, 1934, in the presence of Mr. D. A. Wickramasingha, Proctor, on the part of the petitioner, Arthur Deli *alias* Sasanadasa Gunasekara of Katukurunda, Galle; and (1) the affidavit of the said petitioner dated October 9, 1934, (2) the affidavit of the Notary Public and the attesting witnesses to the said last will dated October 4, 1934, having been read :

It is ordered that the will of the said Don Abraham Gunasekara, deceased, dated June 9, 1934, and now deposited in this court, be and the same is hereby declared proved, unless the respondent, viz., Alpina Alexandrina Amarasingha Hamine of Katukurunda, shall, on or before November 22, 1934, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the executor named in the said will and that he is entitled to probate of the same issued to him accordingly, unless the said respondent shall, on or before November 22, 1934, show sufficient cause to the satisfaction of this court to the contrary.

October 11, 1934. T. W. ROBERTS,
District Judge.

Extended and re-issued for January 10, 1935.

T. W. ROBERTS,
District Judge.

In the District Court of Galle.

Order Absolute declaring Will proved.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Kottigoda Kankanange Juwanis
No. 7,614. Appu, deceased, of Gintota.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on November 5, 1934, in the presence of Messrs. D. & R. Amarasuriya, Proctors, on the part of the petitioner, Jocelyn Dora Weerasakera Hamine of Gintota; and (1) the affidavit of the petitioner dated October 25, 1934, (2) the affidavit of the Notary and attesting witnesses to the last will dated November 1, 1934, having been read :

It is ordered that the will of the said Kottigoda Kankanange Juwanis Appu, deceased, dated October 27, 1930, and now deposited in this court, be and the same is hereby declared proved.

It is further declared that the said petitioner is the executrix named in the said will, and that she is entitled to the probate of the same issued to her accordingly.

November 5, 1934. T. W. ROBERTS,
District Judge.

DRAFT ORDINANCES.

[Continued from page 837.]

MINUTE.

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

No. 16 of 1907. **An Ordinance to amend the Forest Ordinance, 1907.**

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows :—

Short title. **1** This Ordinance may be cited as the Forest Amendment Ordinance, No. of 1934.

Amendment of section 7 of Ordinance No. 16 of 1907. **2** Section 7 of the Forest Ordinance, 1907, (hereinafter referred to as "the principal Ordinance"), is hereby amended by the substitution for the words "Any forest officer" therein of the words "A forest officer duly empowered in that behalf".

Amendment of section 8 of the principal Ordinance. **3** Section 8 of the principal Ordinance is hereby amended—
(1) in paragraph (a), by the omission of the words "or pastures cattle,";
(2) by the repeal of paragraph (d) and the substitution therefor of the following new paragraph as paragraph (d) :—

"(d) Poisons water ;" and

(3) by the insertion between paragraph (d) and the words "shall be guilty of an offence" of the following as paragraph (e) :—

"(e) In contravention of any regulations made by the Governor, pastures cattle, hunts, shoots, fishes, or sets traps or snares or guns, or constructs or uses ambushes, or uses any explosive substance—".

4 Section 9 of the principal Ordinance is hereby amended by the substitution of the words "regulations made by the Governor" for the words "rules made by the Governor in Executive Council" in paragraph (b) thereof.

Amendment of section 9 of the principal Ordinance.

5 Section 10 of the principal Ordinance is hereby amended—

Amendment of section 10 of the principal Ordinance.

(1) in sub-section (1), by the omission of the words "in Executive Council";

(2) in sub-section (2)—

(a) by the omission of the words "in Executive Council", and

(b) by the substitution of the word and figures "section 21 (1)" for the words, figures and letters "section 21 (1) (b) and section 21 (1) (f)".

6 Section 15 of the principal Ordinance is hereby amended by the omission of all the words from the words "and no person" to the end of the section.

Amendment of section 15 of the principal Ordinance.

7 The following new section is hereby inserted immediately after section 15 of the principal Ordinance and shall have effect as section 15A of the principal Ordinance :—

New section 15A.

15A. (1) No person shall in a village forest—

(a) poison water, or injure by fire or otherwise any tree enumerated in Schedule II hereto, or

(b) in contravention of any regulation made by the Governor under sub-section (2), pasture cattle, or cut, mark, lop, girdle, saw, convert, or remove any tree enumerated in Schedule II hereto.

Acts prohibited in village forests.

(2) The Governor may by regulation prescribe the officers who shall be authorised to grant permission to any person in a village forest to do any act mentioned in paragraph (b) of sub-section (1), and the circumstances in which and the conditions subject to which such permission may be granted by such officers or any such act may be done.

8 Section 18 of the principal Ordinance is hereby amended by the substitution for the words "Every person who shall do any of the acts prohibited by section 15," of the words "Every person who shall act in contravention of the provisions of section 15A or of any regulation made thereunder".

Amendment of section 18 of the principal Ordinance.

Objects and Reasons.

1. Section 7 of the Forest Ordinance, 1907, empowers any forest officer to stop a public or private way or watercourse in a reserved forest. Clause 2 of the Bill amends that section in order to restrict the exercise of that power to officers specially authorised by regulations made by the Governor under section 62.

2. Section 8 of the principal Ordinance absolutely prohibits the pasturing of cattle in a reserved forest and penalises the act of poisoning water in such a forest only where it is done in contravention of rules made by the Governor in Executive Council. The purpose of clause 3 of the Bill is to make the poisoning of water an absolutely prohibited act and to add the pasturing of cattle to the category of acts which are offences only when they contravene the rules.

The opportunity has been taken to correct an obvious error by substituting "regulations" for "rules" and so to assimilate the phraseology of this section to that of section 10.

3. Clause 4 of the Bill amends section 9 of the principal Ordinance so as to make it clear that the "rules" referred to are "regulations" made by the Governor under section 10 (2).

4. Clause 5 of the Bill amends section 10 of the principal Ordinance so as to empower the Governor to make regulations under section 10 (2) for all the purposes mentioned in section 21 (1).

All references to the Executive Council in the sections amended by clauses 3, 4 and 5 have been deleted as the powers originally vested in the Governor in Executive Council are now exercised by the Governor alone by reason of the provisions of Article 93 of the Ceylon (State Council) Order in Council, 1931.

5. The purpose of clause 7 is to insert in Chapter III of the principal Ordinance a new section 15A which enumerates the acts which are penalised or restricted in a village forest.

6. Clauses 6 and 8 effect consequential amendments in sections 15 and 18 of the principal Ordinance.

D. S. SENANAYAKE,
Minister for Agriculture and Lands.

Ministry of Agriculture and Lands,
Colombo, December 19, 1934.