



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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PASSED ORDINANCES.

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

No. 6 of 1935.

AL. 162/33

No. 25 of 1909. **An Ordinance to amend "The Contagious Diseases (Animals) Ordinance, 1909."**

R. E. STUBBS.

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 Contagious Diseases (Animals) Amendment Ordinance, No. 6 of 1935.

Amendment of section 9 of Ordinance No. 25 of 1909.

2 Section 9 of "The Contagious Diseases (Animals) Ordinance, 1909," (hereinafter referred to as "the principal Ordinance"), is hereby amended as follows :—

(1) by renumbering that section as section "9 (1)";

(2) in renumbered sub-section (1)—

(a) by substituting for all the words from "The Governor in Executive Council" to "purposes or any of them:" the following :—

"The Executive Committee of Agriculture and Lands may make regulations for or in respect of all or any of the following matters :—";

(b) by substituting in paragraph (20) thereof for the words "and for compulsory inoculation of the same for the purpose of diagnosing the nature of any disease." the following words :—

"and for the compulsory testing or inoculation of suspected cattle or animals for the purpose of detecting the presence or diagnosing the nature of any disease."

(3) by the addition of the following as sub-section (2) :—

"(2) Every regulation made by the Executive Committee of Agriculture and Lands under this section shall be published in the Gazette and shall come into operation upon such publication."

(4) by the addition of the following as sub-section (3) thereof :—

"(3) Every regulation made by the Executive Committee of Agriculture and Lands shall be brought before the State Council as soon as may be after the publication thereof by a motion that such regulation shall be approved and, if so approved, shall be submitted to the Governor for ratification."

(5) by the addition of the following as sub-section (4) thereof :—

"(4) Any regulation which the State Council refuses to approve or which the Governor refuses to ratify shall be deemed to be rescinded but without prejudice to the validity of anything previously done thereunder or to the making of any new regulation. The date on which a regulation shall be deemed to be so rescinded shall be the date on which the State Council refuses to approve, or the date on which the Governor refuses to ratify the regulation, as the case may be."

(6) by the addition of the following as sub-section (5) thereof :—

"(5) Notification of the date on which any regulation made by the Executive Committee of Agriculture and Lands is deemed to be so rescinded shall be published in the Gazette."

(7) by the addition of the following as sub-section (6) thereof :—

"(6) Any regulation made by the Executive Committee of Agriculture and Lands shall, when approved by the State Council and ratified by the Governor, be as valid and effectual as if it were herein enacted. Notification of such approval and ratification shall be published in the Gazette."

3 Section 11 of the principal Ordinance is hereby amended in sub-section (1) thereof by the substitution for the words "any rule" of the words "any regulation".

Amendment of section 11 (1) of the principal Ordinance.

4 Section 18 of the principal Ordinance is hereby repealed.

Repeal of section 18 of the principal Ordinance.

Passed in Council the Fourth day of April, One thousand Nine hundred and Thirty-five.

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Governor the Thirtieth day of April, One thousand Nine hundred and Thirty-five.

G. M. RENNIE,
Secretary to the Governor.

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

No. 7 of 1935.

M.L.A.—B 897

An Ordinance to amend the Municipal Councils Ordinance, 1910.

No. 6 of 1910.

R. E. STUBBS.

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

1 This Ordinance may be cited as the Municipal Councils Amendment Ordinance, No. 7 of 1935.

Short title.

2 Section 110 of the Municipal Councils Ordinance, 1910, is hereby amended as follows :—

Amendment of section 110 of Ordinance No. 6 of 1910.

(1) by renumbering the three sub-sections following immediately after sub-section (20), in the order in which they occur, as sub-sections (21), (22), and (23) respectively; and

(2) by the addition, immediately after re-numbered sub-section (23), of the following sub-section as sub-section (24) :—

(24) The prohibition of fishing in waters polluted by refuse and sewage and the regulation and control of fishing generally within municipal limits.

Passed in Council the Fourth day of April, One thousand Nine hundred and Thirty-five.

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Governor the Thirtieth day of April, One thousand Nine hundred and Thirty-five.

G. M. RENNIE,
Secretary to the Governor.

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

No. 8 of 1935.

M.L.A.—B 1037

An Ordinance to amend the Municipal Councils Ordinance, 1910.

No. 6 of 1910.

R. E. STUBBS.

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

1 This Ordinance may be cited as the Municipal Councils Amendment Ordinance, No. 8 of 1935.

Short title.

2 Section 130 of the Municipal Councils Ordinance, 1910, is hereby amended as follows :—

Amendment of section 130 of Ordinance No. 6 of 1910.

(1) by the renumbering thereof as sub-section (1) of section 130;

(2) by the substitution, for all the words from "Provided" to "shall", of the following :—

"(2) The Municipal Councils of Colombo, Kandy, and Galle, respectively, may";

(3) by the addition of the following new sub-section as sub-section (3) :—

(3) The Council may by resolution, approved by the Executive Committee of Local Administration and published in the Gazette, make over any toll established or taken and received by them or made over or to them as aforesaid in respect of any ferry, to any of the following local authorities or bodies—

- (a) any other Municipal Council constituted under this Ordinance or other written law ;
- (b) any Provincial Road Committee or District Road Committee ;
- (c) any Local Board ;
- (d) any District Council constituted under the Local Government Ordinance, No. 11 of 1920 ;
- (e) the inhabitants of any subdivision constituted under the Village Communities Ordinance, No. 9 of 1924, or deemed to be within the operation of that Ordinance.

Passed in Council the Fourth day of April, One thousand Nine hundred and Thirty-five.

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Governor the Thirtieth day of April, One thousand Nine hundred and Thirty-five.

G. M. RENNIE,
Secretary to the Governor.

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

No. 9 of 1935.

M.L.A.—G. 789

An Ordinance to amend the Village Communities Ordinance, No. 9 of 1924.

R. E. STUBBS.

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 Village Communities Amendment Ordinance, No. 9 of 1935.

Amendment of section 6A of Ordinance No. 9 of 1924.

2 Section 6A of the Village Communities Ordinance, No. 9 of 1924, (hereinafter referred to as "the principal Ordinance"), is hereby amended in the proviso to sub-section (1) and in sub-section (2), by the substitution in paragraph (a) of that proviso and that sub-section for all the words from "have power" to "meeting", of the words "be entitled to attend or vote at any meeting of the inhabitants of the sub-division,".

Insertion of new section 13A in the principal Ordinance.

3 The following new section shall be added immediately after section 13 of the principal Ordinance and shall have effect as section 13A of that Ordinance :—

Appointment of presiding officers.

"13A Notwithstanding the provisions of section 10, the Government Agent may appoint any officer of Government to be the presiding officer at any meeting of the inhabitants of a subdivision, and the presiding officer so appointed shall be entitled to exercise all the powers and to perform all the duties that may be exercised or performed by the Government Agent at that meeting."

Amendment of section 14 of the principal Ordinance.

4 Section 14 of the principal Ordinance is hereby amended as follows :—

Village Committees.

(1) by the repeal of sub-section (1) thereof and the substitution of the following sub-section for that sub-section :—

"(1) In every subdivision there shall be a village committee elected by the inhabitants of that subdivision in accordance with the provisions of this Ordinance and the rules made thereunder."

(2) by the repeal of sub-section (2) thereof ; and
(3) by the renumbering of the existing sub-section (3) as sub-section (2) thereof.

Amendment of section 17 of the principal Ordinance.

5 Section 17 of the principal Ordinance is hereby amended in sub-section (1) thereof, by the omission from paragraph (a) of that sub-section of all the words from "if" to "them" forming the parenthesis in that paragraph.

6 The following new section shall be added immediately after section 23 of the principal Ordinance and shall have effect as section 23A of that Ordinance :—

Insertion of new section 23A in the principal Ordinance.

“ 23A Where for any reason the inhabitants of a sub-division fail, on the date of the election meeting called by the Government Agent or on any later day to which the meeting may be duly adjourned, to elect a committee or one or more of the required number of members, it shall be lawful for the Executive Committee of Local Administration to nominate such number of duly qualified persons as may be necessary to constitute or to complete the committee, as the case may be, and the committee or the member or members so nominated shall be deemed for the purposes of this Ordinance to have been duly elected.”

Nomination of members on failure of election.

7 Section 24 of the principal Ordinance is hereby amended in sub-section (2) thereof by the substitution, for all the words from “ the Government Agent ” to “ Village Committee ”, of the following words :—

Amendment of section 24 of the principal Ordinance.

“ a person duly qualified under section 18 shall, at a meeting called and held in accordance with provisions of sub-sections (2) and (3) of section 22, be elected to fill the vacancy, and such person shall hold office until the next general election of members for the committee : Provided, however, that in the case of a vacancy in any committee elected before the 22nd day of December, 1933, such person may be elected by the remaining members of that committee.”

8 Section 26 of the principal Ordinance is hereby amended in sub-section (2) thereof by the substitution for all the words from “ the inhabitants ” to “ that purpose ”, of the words “ the committee may ”.

Amendment of section 26 of the principal Ordinance.

9 Section 27 of the principal Ordinance is hereby amended by the repeal of sub-section (1) thereof and the substitution of the following sub-section for that sub-section :—

Amendment of section 27 of the principal Ordinance.

“ (1) A committee may impose an annual tax upon the inhabitants of the sub-division for the payment of such number of police headmen as may be necessary for the protection of the subdivision, and may prescribe by rules the manner in which such tax shall be assessed and recovered.”

10 Section 28 of the principal Ordinance is hereby amended in sub-section (1) thereof by the substitution, for all the words from “ At any ” to “ levy ”, of the words “ A committee may impose and levy within the limits of the sub-division ”.

Amendment of section 28 of the principal Ordinance.

11 Section 29 of the principal Ordinance is hereby amended as follows :—

Amendment of section 29 of the principal Ordinance.

(1) by the substitution, for the word “ inhabitants ”, of the word “ committee ” ;

(2) in paragraph (1) thereof, by the omission of the word “ ferries ” ;

(3) by the insertion of the following new paragraphs (1) (a) (1) (b), and (1) (c) between paragraphs (1) and (2) thereof :—

(1) (a) For the establishment, construction, maintenance, protection, and regulation, of ferries between places situated wholly within the sub-division ;

(1) (b) For the establishment, construction, maintenance, protection, and regulation, of a ferry between any place within the subdivision and any place in any adjoining subdivision or area ; for the allocation of the cost of construction and maintenance, and for the distribution of the tolls that may be imposed or levied in respect of any such ferry, in such manner or proportion as may be fixed by agreement entered into with the committee of the other subdivision or the local authority of that area ; and for the appropriation of funds or labour for any work of construction or maintenance to be carried out beyond the limits of the subdivision in connection with any such ferry ;

(1) (c) For the prohibition of any private ferry over the same water within one quarter-mile of any ferry so established, constructed, maintained, protected, or regulated, by the committee ;

(4) in paragraph (22) thereof, by the substitution, for the words "For the collection of", of the words "For the collection of, or for the sale of the right to collect".

Amendment of section 30 of the principal Ordinance.

12 Section 30 of the principal Ordinance is hereby amended in sub-section (4) thereof by the substitution, for all the words from "The inhabitants" to "Ordinance," of the words "Subject to the provisions of this Ordinance, the committee".

Amendment of section 32 of the principal Ordinance.

13 Section 32 of the principal Ordinance is hereby amended by the substitution, for all the words from "All rules" to "shall continue", of the following words:—

"All rules not inconsistent with the provisions of this Ordinance—

(1) made under any Ordinance repealed by this Ordinance and in force at the commencement of this Ordinance, or

(2) duly made by, or by virtue of powers delegated by, the inhabitants of any subdivision under any written law relating to village communities which was in force at the time such rules were made,

shall continue".

Amendment of section 35 of the principal Ordinance.

14 Section 35 of the principal Ordinance is hereby amended by the addition of the following new sub-section as sub-section (5) at the end thereof:—

"(5) All securities given in respect of loans under this section shall be free from stamp duty."

Amendment of section 36 of the principal Ordinance.

15 Section 36 of the principal Ordinance is hereby amended in sub-section (1) thereof by the substitution, for the word "inhabitants", of the word "committee".

Amendment of section 39 of the principal Ordinance.

16 Section 39 of the principal Ordinance is hereby amended by the substitution, for all the words from "out of" to "Ordinance", of the following words:—

"in the manner prescribed by rules made under section 95 of this Ordinance, out of those inhabitants of the subdivision who—

(a) possess the qualifications prescribed in section 18 for members of committees; and

(b) are not over 60 years of age; and

(c) do not labour under any bodily or mental incapacity likely to render them unfit to discharge the duty of a councillor."

Amendment of section 44 of the principal Ordinance.

17 Section 44 of the principal Ordinance is hereby amended by the substitution, for the words "inhabitants or", of the words "inhabitants under any written law relating to village communities which was in force at the time such rules were made or by the".

Reprinting of principal Ordinance.

18 The principal Ordinance may be reprinted from time to time by order of the Governor, together with all amendments, additions, alterations or modifications which may have been or may be made thereto by written law; and any copy of that Ordinance so reprinted by order of the Governor shall be deemed for all purposes to be a correct copy of the principal Ordinance as so amended, added to, altered, or modified, at the date of such reprinting.

Passed in Council the Fourth day of April, One thousand Nine hundred and Thirty-five.

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Governor the Thirtieth day of April, One thousand Nine hundred and Thirty-five.

G. M. RENNIE,
Secretary to the Governor.

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

No. 10 of 1935.

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

No. 45 of 1917.

R. E. STUBBS.

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

1 This Ordinance may be cited as the Irrigation Amendment Ordinance, No. 10 of 1935.

Short title.

2 Sub-section (1) of section 15 of the Irrigation Ordinance, No. 45 of 1917, is hereby repealed and the following sub-section is substituted therefor :—

Amendment of
section 15 of
Ordinance
No. 45 of 1917.

“(1) Any proprietor may by proxy in writing authorise any other person to represent him and to vote on his behalf at any meeting of proprietors held for the purposes of this Chapter ; and a proprietor who is so represented at any such meeting shall be deemed to be present thereat for the purpose of determining whether the meeting is validly constituted or whether any resolution has been duly passed by a majority of proprietors.”

Passed in Council the Fourth day of April, One thousand Nine hundred and Thirty-five.

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Governor the Thirtieth day of April, One thousand Nine hundred and Thirty-five.

G. M. RENNIE,
Secretary to the Governor.

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

No. 11 of 1935.

M. L. A.—B. 1139

**An Ordinance to amend the Housing and Town
Improvement Ordinance, No. 19 of 1915.**

No. 19 of 1915.

R. E. STUBBS.

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

1 This Ordinance may be cited as the Housing and Town Improvement Amendment Ordinance, No. 11 of 1935.

Short title.

2 Sub-section (1) of section 13 of the Housing and Town Improvement Ordinance, No. 19 of 1915, (hereinafter referred to as “ the principal Ordinance ”), is hereby amended—

Amendment of
section 13 (1)
of Ordinance
No. 19 of 1915.

- (1) by the omission of the word “ or ” occurring at the end of paragraph (d) ;
- (2) by re-lettering paragraph (e) as paragraph (f) ; and
- (3) by the insertion of the following as paragraph (e) between paragraph (d) and re-lettered paragraph (f) :—

“(e) fail to remove or pull down any building or alteration to any building erected or made for a temporary purpose under a permit issued by the Chairman, within the time specified in such permit ; or”.

3 The following section is hereby inserted immediately after section 16 of the principal Ordinance, and shall have effect as section 16A of Chapter I. of that Ordinance :—

New section
16A.

“16A (1) Anything in this Ordinance or any other written law to the contrary notwithstanding, it shall be lawful for the Chairman in his discretion to grant to any person, on his depositing as security such sum of money as the Chairman may direct, a permit in writing to erect any building or make any alteration in any building, which may otherwise conflict or cause any building to conflict with the provisions of this Ordinance, on condition

Power of
Chairman
to permit
erection of
buildings,
&c., for
temporary
purposes.

Handwritten signature and initials

that such building or alteration shall be erected or made for a temporary purpose only and shall be removed or pulled down by the holder of the permit within such time not exceeding one year from the date of the permit as may be specified therein :

Provided that the Chairman may, if he thinks fit, grant such a permit without any deposit of security.

(2) If the holder of a permit granted under sub-section (1) shall remove or pull down the building or alteration referred to in that permit within the time specified therein, any sum of money deposited by him as security shall be returned to him.

(3) If the holder of a permit shall fail to remove or pull down the building or alteration referred to in that permit within the time specified therein, the Chairman may, without prejudice to the remedy provided by section 13, himself remove or pull down the building or alteration, and the expenses thereby incurred shall be deducted from any sum of money deposited by the holder of the permit as security and the balance, if any, returned to him.

(4) (a) Where no sum has been deposited as security, the expenses incurred by the Chairman under sub-section (3) shall be paid by the holder of the permit and may be recovered in the same manner and by the same process as a rate.

(b) Where the expenses incurred by the Chairman under sub-section (3) exceed the sum deposited as security, the amount of the excess shall be paid by the holder of the permit and may be recovered in the same manner and by the same process as a rate."

Passed in Council the Fourth day of April, One thousand Nine hundred and Thirty-five.

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Governor the Thirtieth day of April, One thousand Nine hundred and Thirty-five.

G. M. RENNIE,
Secretary to the Governor.

DRAFT ORDINANCES.

MINUTE.

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

G 904

An Ordinance to amend the Village Communities Ordinance, No. 9 of 1924.

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 Village Communities Amendment Ordinance, No. of 1935.

Amendment of section 16 of Ordinance No. 9 of 1924.

2 Section 16 of the Village Communities Ordinance, No. 9 of 1924, (hereinafter referred to as "the principal Ordinance"), is hereby amended as follows :—

- (1) in sub-section (3) thereof, by the substitution for the words "Government Agent", of the words "Government Agent or other officer of Government deputed by him to be the presiding officer in accordance with rules made for the purpose under section 95";
- (2) in sub-section (6) thereof—
- (a) by the substitution for all the words from "it shall be lawful" to "meeting and", of the following :—
- "the meeting shall not be held, and it shall be lawful for the Government Agent";
- and
- (b) by the substitution for the words "the adjourned date" of the words "the new date";
- (3) in sub-section (7) thereof, by the substitution for the words "Government Agent" wherever they occur therein, of the words "Government Agent or presiding officer"; and

Copy note with memo.
[Signature]
1935.

(4) in sub-section (9) thereof, by the substitution for all the words from "An elected" to "member thereof", of the following words:—

"An elected or nominated chairman shall hold office during the term of the committee unless he resigns that office earlier or ceases for any cause to be or to be qualified to be a member of the committee. He may, without vacating his office as a member, resign the office of Chairman by a written communication addressed to the Government Agent".

3 Section 18 of the principal Ordinance is hereby amended as follows:—

Amendment of section 18 of the principal Ordinance.

- (1) by the substitution, for each of the fullstops at the end of paragraphs (d) and (e), of a semi-colon; and
- (2) by the addition of the following new paragraph as paragraph (f) at the end thereof:—

"(f) If, except as a shareholder in an incorporated company, he is or becomes either directly or indirectly interested in any contract entered into by any person with the inhabitants or with the committee of that subdivision."

4 Section 22 of the principal Ordinance is hereby amended by the addition of the following new sub-section as sub-section (4) at the end thereof:—

Amendment of section 22 of the principal Ordinance.

"(4) Where a subdivision has been divided into wards by order under section 14A, the Government Agent may, subject to the provisions of sub-sections (1) and (2), appoint different dates for the election of members for the several wards."

5 Section 24 of the principal Ordinance is hereby amended as follows:—

Amendment of section 24 of the principal Ordinance.

- (1) by the renumbering of sub-sections (1) and (2) as sub-sections (2) and (3) respectively of that section; and
- (2) by the insertion of the following new sub-section as sub-section (1) immediately before the renumbered sub-section (2):—

"(1) (a) Any person elected but deciding before the first meeting of a committee not to serve as a member of the committee, shall communicate his refusal of office to the Government Agent in writing.

(b) After the first meeting of a committee any member deciding not to continue in office, shall communicate his resignation of the office in writing to the Government Agent either direct or through the chairman of the committee."

6 Section 29 of the principal Ordinance is hereby amended in paragraph (15) thereof, by the addition at the end of that paragraph of the following words:—

Amendment of section 29 of the principal Ordinance.

"for the establishment of conservancy and scavenging services for the whole or any specified part of the subdivision and for the imposition of fees in connection therewith;"

Objects and Reasons.

The purpose of this Bill is to amend the Village Communities Ordinance, No. 9 of 1924, so as to achieve the following objects:—

- (1) to enable a Government Agent to appoint a deputy to preside at election meetings (clause 2);
- (2) to enable the Chairman of a Village Committee to resign that office without ceasing to be a member (clause 2 (4));
- (3) to declare that interest whether direct or indirect in any contract entered into with the committee or the inhabitants of a subdivision shall be a disqualification for election to or membership of that committee (clause 3);
- (4) to make it possible for the Government Agent to fix separate dates for the election meetings of the several wards in a case where a subdivision has been divided into wards (clause 4);

- (5) to prescribe the procedure to be followed by a person who decides to refuse or to resign membership of a committee (clause 5) ;
- (6) to enable a committee to establish scavenging and conservancy services for the whole subdivision or any part of it, and to charge fees in that connection (clause 6).

CHAS. BATUWANTUDAWE,
Minister for Local Administration.

The Ministry of Local Administration,
Colombo, May 2, 1935.

MINUTE.

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

An Ordinance to establish a Board for the Administration and Control of Electrical Undertakings.

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

Short title and commencement.

1 This Ordinance may be cited as the Electricity Board Establishment Ordinance, No. of 1935, and shall come into operation on a date to be appointed by the Governor by proclamation in the Gazette.

Establishment of Electricity Board.

2 For the purposes of this Ordinance there shall be established a Board to be called the Electricity Board of Ceylon which shall be a body corporate with perpetual succession and a common seal.

Constitution of the Board.

3 (1) The Board shall be appointed by the Governor and shall consist of—

- (a) a Chairman nominated by the Governor ;
(b) three persons nominated by the Executive Committee ;
(c) the Financial Secretary or some other person deputed by the Financial Secretary from time to time to act on his behalf.

(2) The Chairman and every other member of the Board shall, upon appointment, hold office for a period of three years ; but the Governor may, notwithstanding the term of any such appointment, remove the Chairman or any other member of the Board from office at any time :

Provided that it shall be lawful for the Chairman or any other member of the Board to resign from his office on the Board at any time.

(3) A member of the Board who is absent without reasonable cause from three consecutive meetings of the Board may, by resolution of the Board passed at a meeting of which due notice has been given, be held to have vacated his office ; and upon the passing of any such resolution, the member affected by that resolution shall cease to be a member of the Board.

(4) Any person ceasing to be a member of the Board shall be eligible for re-appointment thereto.

(5) If the Chairman or any other member of the Board is likely to be unable to discharge his duties as a member of the Board for a period exceeding one month by reason of absence from the Island or ill-health or other sufficient cause, the Governor may appoint a person temporarily to act as Chairman or as a member of the Board until the resumption of duties by the Chairman or such other member.

Members of the Board to be public servants.

4 Every member of the Board shall be deemed to be a public servant within the meaning of the Ceylon Penal Code.

Right to sue and service of process.

5 (1) The Board may sue and be sued under the name and style of " The Electricity Board of Ceylon " .

(2) Service on the Board of all legal processes and notices may be effected by service on the Chairman of the Board. In civil proceedings it shall be lawful for the Chairman to sign a proxy on behalf of the Board.

Conduct of business and procedure.

6 The seal of the Board shall be authenticated by the signature of the Chairman of the Board and of some other member authorised by the Board to act in that behalf and, when so authenticated, shall be judicially noticed.

7 (1) The Chairman may summon a meeting of the Board at any time and shall summon a meeting upon receipt of a requisition therefor signed by two members of the Board or by the Chief Engineer and Manager of the Department.

Conduct of business and procedure.

(2) The Chairman shall preside at all meetings of the Board at which he is present. In the absence of the Chairman from any meeting, the members present at the meeting may elect one of their own number to preside at that meeting.

(3) Three members of the Board including the Chairman or other presiding member shall form a quorum thereof.

(4) It shall be competent for the Board to act notwithstanding any vacancy in their number.

(5) All questions shall be decided by a majority of the members voting at a meeting of the Board. The Chairman or presiding member shall have an original vote on all questions as well as a casting vote if the votes are equally divided.

(6) The Board may regulate its own procedure in any matter not provided for in this Ordinance.

8 (1) Subject to the provisions of sub-section (3), the Chairman and the other members of the Board shall receive such monthly salaries and, in addition, such fees for attendance at meetings of the Board as the Executive Committee may determine with the approval of the Governor.

Remuneration fees and allowances.

(2) Travelling expenses at rates approved by the Board shall be paid to the Chairman and every other member thereof when travelling out of Colombo on duty on behalf of the Board.

(3) No person in the employ of the Government of Ceylon shall be entitled to receive any remuneration or fee for his services on the Board other than such amount as may be allowed as travelling expenses under sub-section (2).

(4) No person shall be entitled to receive any remuneration as Chairman or as a member of the Board while another person is acting in either capacity; but a person who is appointed under section 3 (5) temporarily to act as Chairman or as a member of the Board shall be entitled to receive the remuneration payable to the person for whom he acts.

9 A person shall be disqualified from being appointed or from acting as Chairman or as a member of the Board so long as he is a member of the State Council of Ceylon:

State Councillors not entitled to serve on Board.

Provided that nothing in this section contained shall apply to the Financial Secretary.

10 Any member of the Board shall, if he is interested directly or indirectly in any contract which the Board has made or proposes to make, disclose to the Board the fact and nature of his interest, and shall take no part in any deliberation or decision of the Board relating to such contract and such disclosure shall be duly recorded in the minutes of the meetings of the Board.

Duty of member to disclose interest in contract.

11 (1) Subject to the provisions of this Ordinance, the Board shall have full power and authority—

General powers and duties of the Board.

- (a) to take such action as the Board may deem necessary to promote, improve and develop the generation, transmission, distribution and sale of electricity in the Island;
- (b) to administer the Electricity Ordinance, 1906;
- (c) to administer and control the Department;
- (d) to conserve and harness such water-power resources of the Island as may be required in order to provide an adequate supply of electricity;
- (e) to undertake the construction and promote the development of the Aberdeen-Laxapana Hydro-Electric Works;
- (f) to generate, transmit, and distribute electricity for sale direct to the consumer or by bulk supply to licensed undertakings;
- (g) to purchase electricity from any licensed undertaking, company or person and to convey electricity so purchased for disposal as circumstances may necessitate;
- (h) to receive and disburse moneys for the accomplishment of the objects for which it is established;
- (i) to purchase and acquire the plant, equipment and property of any licensed undertaking;
- (k) to acquire and hold property, movable or immovable, and to sell, transfer, lease, mortgage or otherwise dispose of such property;
- (l) generally to do all such acts as may be necessary for the due exercise of the powers conferred and for due compliance with the duties imposed upon it by this Ordinance.

(2) Nothing in this section contained shall be deemed to confer on the Board power or authority—

- (a) to decide any matter of policy, or
- (b) to initiate, undertake, execute or complete any new scheme, work or project which affects or involves a matter of policy,

except with the prior approval of the State Council.

In this sub-section "matter of policy" includes any matter dealt with in any resolution passed by the State Council or declared by resolution of the State Council to be a matter of policy.

Vesting of property in the Board.

12 All movable and immovable property in the possession or under the control of the Department at the date on which this Ordinance comes into operation shall from that date be vested in the Board for the purposes of this Ordinance.

Presentation of estimates and reports to the State Council.

13 (1) The Board shall on or before the thirty-first day of March in each year present to the Executive Committee for submission to the State Council—

- (a) estimates of anticipated revenue and expenditure of the Board for the period of twelve months commencing on the first day of October of the year in which the estimates are so presented and ending on the thirtieth day of September of the year next succeeding that year ;
- (b) an annual report on the administration of the electrical undertakings of the Board with audited accounts and statistics together with proposals for the disposal or disbursement of the net profits or surplus funds at the disposal of the Board ;

(2) The State Council may refer back to the Board for revision any estimates, proposals or report submitted under sub-section (1) and if the Board refuses or fails to revise such estimates, proposals or report in the manner desired by the State Council, the State Council may present an address to the Governor praying for the removal of the Chairman and the other members of the Board from office ; and, upon the presentation of any such address, the Governor shall take action in accordance therewith.

Provided that no such address shall be presented to the Governor unless at least two-thirds of the members of the State Council (other than the Officers of State and the Speaker or other presiding member) were present and voted on the occasion when it was decided to present that address.

Finance provisions.

14 (1) All charges made by the Board for electricity sold by bulk or direct to consumers, and for services rendered by the Board, shall be fixed at such rates and on such scales that the revenue derived in any year by the Board from such sales and services, together with their revenue (if any) in such year from other sources, will be sufficient and only sufficient, as nearly as may be, to pay all salaries, working expenses and other outgoings of the Board properly chargeable to income in that year, including the payments falling to be made in such year by the Board in respect of the interest on, or repayment of, the principal of any money borrowed by the Board, and such sums as the Board may think proper to set aside in such year for reserve fund, extensions, renewals and like purposes.

The charges under this section may, if the Board think fit, be fixed at different rates and scales for different localities, but so that no undue preference shall be given to any locality.

(2) To meet the cost of the administration of the Electricity Ordinance, 1906, in the area supplied by a licensed undertaking, and the cost of any periodical report or inspection which the Board may deem necessary, every licensed undertaking which generates its own supplies of electricity and does not take bulk supplies of power from the supply system of the Board shall contribute to the Board an annual sum payable half-yearly at a rate not exceeding ten rupees for every thousand units generated per annum by that licensed undertaking. The receipt of such contributions shall not, however, preclude the Board from charging fees in respect of professional services rendered at the request of any licensed undertaking.

(3) All revenue derived from any property vested in the Board or realised by the generation, sale or distribution of electrical energy shall be credited to the funds of the Board.

Advances from public funds.

15 (1) Where in accordance with the terms of any vote or resolution of the State Council any moneys have been advanced to the Board out of the loan funds or other funds of the Island for the purpose of providing loan capital for the

Board, the official receipt of the Board for such moneys shall, without the execution of any further document or deed of hypothecation, establish a first charge on all the assets and property of the Board for securing the repayment of the amount of the moneys so advanced and of the interest chargeable thereon; and such charge shall continue to be operative and of full force and effect until such amount and the interest due thereon have been repaid by the Board:

Provided that nothing herein contained shall preclude the Board from borrowing money from any person on the security of its assets or property or from executing a deed hypothecating any such assets or property for securing the repayment of any moneys advanced to the Board by the Government.

(2) Any deed whereby the Board hypothecates any of its assets or property to the Government shall be exempt from stamp duty.

16 (1) The Board shall cause proper accounts and books in relation thereto to be kept, and shall prepare an annual statement of commercialised accounts in such form and containing such particulars as may be prescribed by the Governor on the advice of the Financial Secretary.

Accounts
and audit.

(2) The accounts of the Board shall be audited by the Auditor-General.

17 In this Ordinance, unless the context otherwise requires—

Interpretation.

“ Board ” means the Electricity Board of Ceylon established by this Ordinance;

“ Department ” means the Department of Government Electrical Undertakings;

“ Executive Committee ” means the Executive Committee of Communications and Works;

“ licensed undertakings ” means a Municipal Council, District Council, Local Board or other person licensed under the Electricity Ordinance, 1906, to supply electrical energy to the public or for the purpose of electric traction or to lay down electric supply lines for the conveyance and transmission of electrical energy.

Objects and Reasons.

The object of this Bill, which is modelled on the relevant provisions of the Electricity Supply Act, 1926, is to establish an Electricity Board which will be responsible for the administration of the Electricity Ordinance, 1906, and for the control of the Government Department of Electrical Undertakings.

The Board will be empowered generally to take such measures as may be necessary for the promotion, improvement, and development of the generation, transmission, distribution and sale of electricity in the Island and will, in particular, be authorised to undertake the construction of the Aberdeen-Laxapana Hydro-Electric Works. Clause 11 (2) provides that the Board shall have no power or authority to decide any matter of policy or to undertake any new scheme, work or project which affects or involves a matter of policy as defined in that Clause.

2. The Board will be a corporation consisting of a Chairman nominated and appointed by the Governor, the Financial Secretary, and three others appointed by the Governor on the nomination of the Executive Committee of Communications and Works. No member of the State Council will be eligible for nomination as a member of the Board (Clause 9). In this respect the Bill follows the corresponding provisions of the Electricity Supply Acts of Great Britain and of Northern Ireland.

3. The budget of the Board will be presented annually to the Executive Committee for submission to the State Council and will be accompanied by a report on the administration of the electrical undertakings of the Board, together with proposals for the disposal or disbursement of the net profits or surplus funds at the disposal of the Board (Clause 13).

4. Clause 15 provides for the creation of a first charge on the assets of the Board in favour of the Crown in order to secure the repayment of advances made to the Board from public funds in pursuance of a vote or resolution introduced in the State Council in the ordinary way with the approval of the Board of Ministers.

E. C. VILLIERS,

Acting Minister for Communications and Works.

Ministry of Communications and Works,

Colombo, May 9, 1935.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 4,850. In the matter of the insolvency of M. J. W. Ahamat of the Stanmore Agency, 329, Galle road, Colpetty, Colombo.

WHEREAS the above-named M. J. W. Ahamat has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by H. J. M. Adjwad of 206, Mutwal street, Colombo, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said M. J. W. Ahamat insolvent accordingly ; and that two public sittings of the court, to wit, on May 28, 1935, and on June 11, 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,
April 17, 1935. Secretary.

In the District Court of Colombo.

No. 4,851. In the matter of the insolvency of Don Cornelis Waragoda of 190, Maradana, Colombo.

WHEREAS the above-named Don Cornelis Waragoda has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by W. Sam Boteju of Kotiyagoda, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said Don Cornelis Waragoda insolvent accordingly ; and that two public sittings of the court, to wit, on June 4, 1935, and on June 18, 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,
April 30, 1935. Secretary.

In the District Court of Kandy.

No. 2,086. In the matter of the insolvency of Simon Benedict Perera of Peradeniya road, Kandy.

WHEREAS Simon Benedict Perera has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Roy Aloysus Raymond, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said Simon Benedict Perera insolvent accordingly ; and that two public sittings of the court, to wit, on May 31, 1935, and on June 28, 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, R. MALALGODA,
May 1, 1935. Secretary.

In the District Court of Badulla.

No. 24. In the matter of the insolvency of Punchi Banda Bothalawa of Ettampitiya.

WHEREAS Punchi Banda Bothalawa of Ettampitiya has filed a declaration of insolvency, and a petition for the sequestration of the estate of Punchi Banda Bothalawa of Ettampitiya, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said Punchi Banda Bothalawa of Ettampitiya insolvent accordingly ; and that two public sittings of the court, to wit, on June 4, 1935, and on July 9, 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, J. N. CULANTHAIVALU,
May 4, 1935. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Panagoda Liyanage Dona Nelsina Wijewickrema *nee* Seneviratne Hamine of Nawalapitiya Plaintiff.

No. 974 ^{Rs. 20.39} Vs.

Mrs. M. D. Caroline *nee* Kappurubanda Aratchige Dona Selestina of 20, Cross Road, Borella, Colombo, legal representative of the estate of the late Mahabalage Don Simon Appuhamy of Mount Lavinia, deceased Defendant.

Mrs. K. D. H. de Silva *nee* Mahabalage Dona Coranelia Hamine, legal representative of the estate of the late Mahabalage Don Simon Appuhamy of Mount Lavinia, deceased, substituted in place of the above-named defendant, deceased.

NOTICE is hereby given that on Saturday, June 8, 1935, at 1 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 198 dated January 23, 1929, attested by A. Clive Abeyawardene, 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 December 6, 1934, for the recovery of the sum of Rs. 3,000, with further interest on Rs. 2,000 at 10 per cent. per annum from January 23, 1934, up to June 22, 1934, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of this action, viz. :—

All that allotment of land called and known as Kahata-gahawatta *alias* Madangahakurunduwatta, together with the trees, plantations, and the tiled house bearing assessment Nos. 266 and 267 standing thereon, situated at Ratmalana in the Palle pattu of Salpiti korale in the District of Colombo, Western Province ; bounded on the north by dewata road, on the east by another portion of the same land belonging to Panagoda Liyanage Nicolas Seneviratne, and on the south and west by land belonging to Dochcho Hamy ; containing in extent 1 rood and 5½ perches as per figure of survey dated November 23, 1909, made by J. Hardie Harris, Licensed Surveyor. Registered M 257/42.

Fiscal's Office,
Colombo, May 8, 1935.

C. EMMANUEL,
Deputy Fiscal.

In the District Court of Colombo.

In the matter of the estate of M. Charles Fernando, deceased.

No. 5,088 Testy. ^{Rs. 16.00} ³⁹

Arunanda Hewage Podina Fernando ³⁹ 4, Albert road, Colpetty, Colombo Administratrix.

NOTICE is hereby given that on Monday, June 10, 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. 39.84 being deficiency of stamp duty, viz. :—

All that allotment of land presently bearing assessment Nos. 1, 3, and 5, Nelson lane, situated in Colpetty, within the Municipality and District of Colombo, Western Province ; and bounded on the north by Nelson lane, on the east by premises No. 9, on the south by premises No. 46, and on the west by Albert road ; containing in extent 3.52 perches.

Fiscal's Office,
Colombo, May 8, 1935.

C. EMMANUEL,
Deputy Fiscal.

In the District Court of Colombo.

H. D. John Peiris of Hulftsdorp, Colombo Plaintiff.

No. 42,282. Vs.

G. E. de Alwis, Secretary of the District Court of Colombo, official administrator of the estate of the late L. Dona Bastiana Hamine of Getahetta. . Defendant.

NOTICE is hereby given that on Saturday, June 1, 1935, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 3,826.03, with interest on Rs. 3,332.83 at 18 per cent.

per annum from January 1, 1931, till date of decree and thereafter at 9 per cent. per annum on the aggregate till payment in full, and costs of suit (to be taxed), less a sum of Rs. 2,038·19, viz: —

The following lots in all that and those the allotments of land called Kandekankamamalage Gamwasaha, situated at the village of Dehigahapitiya in Madela in Panawal korale of Three Korales in the District of Kegalla, Province of Sabaragamuwa, divided under the decree in case No. 4,457 of the District Court of Kegalla.

1. Lot 8B in extent 1 acre 2 roods and 4 perches; bounded on the north and east by Moragahadola *alias* Hiragedola, south by lots D 44, D 71, and D 46, west by lot D 11.

2. Lot D 71 in extent 2 roods and 31 perches; and bounded on the north by lot 8B, east by D 44, south by Hiragedola *alias* Moragahadola, and west by Lot D 46.

3. Lot 7 in extent 1 acre 2 roods and 28 perches; and bounded on the north and east by Horagolladola, south by lot 6, west by Railway line.

Valuations Rs. 1,000.

Fiscal's Office, CHARLES DE SILVA,
Avisawella, May 3, 1935. Additional Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Nagar Ponnempalem's son, Selliah of Matale Plaintiff.

No. 44,268. Vs.

(1) Awanna Muna Mohammado Ibrahim Alim Saiboo, legal representative of the estate of Sego Mohammado's son, Aron, and 5 others, all of Ulpothepitiya in Matale Defendants.

NOTICE is hereby given that on Friday, June 7, 1935, commencing 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 for the recovery of a sum of Rs. 1,280·22, with interest at 9 per cent. per annum thereon from March 21, 1934, till payment in full and costs, viz: —

1. All that field called Udelindekumbura of about 15 lahas paddy sowing extent, situated at Kiule in Medasiya pattu of Matale South in the District of Matale, Central Province; and bounded on the east by Godapola road, south by Heendenduwa and arecanut fence, west by Mahaela, and north by sapu tree standing on the fence of Wappu Thamby's garden; registered in B 12/190 (Matale).

2. All that land called Kawdubogahamulawatta of about 3 lahas kurakkan sowing extent, situated at Ulpothepitiya in Medasiya pattu aforesaid; and bounded on the east by Godapola road, south by ditch of Bandarapola estate, west by Kandewatta road and limit of Mailagahapitiyawatta, and north also by the ditch of Bandarapola estate, together with the rubber plantations and everything thereon; registered in B 60/1 (Matale).

3. All that land called Ritigahamulawatta in extent about 1 acre, situate at Ulpothepitiya aforesaid; and bounded on the east by Bandarapola estate, south by Memmusen's garden (Mosque garden), west by Godapola road, and on the north by the wall of the house belonging to Meera Mohideen and his garden. Registered in B 60/2 (Matale).

4. All that field called Godapela of about 1 pela paddy sowing extent, situate at Bandarapola in Medasiya pattu aforesaid; and bounded on the east by the fence of Hennekederawatta, south by fence of aswedduma, west by Mahaela, and north by ela and Imaniya of Heneyalekumbura; registered in B 12/191 (Matale), and all the right, title, and interest and claim whatsoever of the said defendants in, to, upon, or out of the said several premises mortgaged by Sego Mohammado Aron with the plaintiff upon bond No. 519 dated November 1, 1927, and attested by Mr. Chelvetamby of Matale, Notary Public.

Deputy Fiscal's Office, S. C. FERNANDO,
Matale, May 7, 1935. Additional Deputy Fiscal.

Southern Province.

In the District Court of Galle.

Don Alexander Pandita Gunawardene of Tiranagama Plaintiff.

No. 28,729. Vs.

E. C. Abeygunawardene, administrator of the estate of C. A. Samaranyaka, deceased, of Kakkaduwa, and another Defendants.

NOTICE is hereby given that on Saturday, June 1, 1935, commencing at 3 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 (sale to be subject to lease bond No. 2,963 attested by D. S. M. Abeysekera on February 2, 1932), viz: —

1. 296/576 parts of the soil and soil share trees of the first plantation and 16/36 parts of the planter's share of 2nd and 3rd plantations and whole of the 15 cubits tiled house and the planter's share of the young plantation of Pepaliyagahawatta, situated at Tiranagama in Wellaboda pattu, Galle District; and bounded on the north by Seelamagewatta, south by Ketakelagahawatta, east by Dolegodawatta, west by Anadaragovitenyaya; and containing in extent about 3 acres.

2. Undivided 37/80 shares of Henewatta *alias* Diyaparagahawatta, situated at Tiranagama aforesaid; and bounded on the south by Dolegodawatta, east by Udumullekumbura *alias* Doleaddaraowita, west by Sellamagewatta, north by Udumullepahalakumbura; and containing in extent about 3 acres 2 roods and 3·14 perches.

3. Undivided 37/80 parts of Udumullekumbura *alias* Doleaddaraowita, situated at Tiranagama aforesaid; and bounded on the north by Kurunduwatta, south by Diyaparagahawatta, east by Dolegodakumbura, and west by Udumullepahalakumbura; and containing in extent about 1 acre 2 roods and 18·80 perches.

Writ amount Rs. 2,770·51 and costs Rs. 33·40 (plus cost of bill Rs. 273·31, Rs. 200 already paid), together with Rs. 38·39 due as stay sale fees, legal interest on Rs. 2,770·81 from November 26, 1931, less Rs. 1,966·40.

Fiscal's Office, E. T. GOONEWARDENE,
Galle, May 2, 1935. Deputy Fiscal.

In the District Court of Gungalla.

Babasinno Lokumarakkala of Kahandamodera, administrator of the estate of the deceased, Don Thomis Lokumarakkala Plaintiff.

No. 3,543. Vs.

Sawundias Dias Warnakula of Minieti-liya Defendant.

NOTICE is hereby given that on Saturday, June 8, 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 mortgaged property for the recovery of Rs. 1,283·85, together with legal interest on Rs. 1,000 from December 11, 1934, till payment and poundage, viz: —

At Magama.—All those contiguous lands called Modera-kumbura marked A 70, Kankanamappuge Irikonda marked B 70, and Palapotaralageirikonda marked C 70, situated at Magamawela in Magama pattu of the Hambantota District, Southern Province; and bounded on the north by Totupalagawakumbura, on the east by Palapotaralageirikonda, on the south by a road, and on the west by Moderawela; containing in extent about 20 acres. Valuation Rs. 3,000.

Deputy Fiscal's Office, M. RAJENDRA,
Hambantota, May 2, 1935. Additional Deputy Fiscal.

Northern Province.

In the Court of Requests of Jaffna.

Vairamuttu Sundaramuthaliyar of Thirunelvely. Plaintiff.

No. 1,599/A. Vs.

Vairamuttu Chellappa and wife, Meenachy of ditto Defendants.

NOTICE is hereby given that on Thursday, May 30, 1935, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said 2nd

defendant in the following property for the recovery of Rs. 113.75, with further interest on Rs. 100 at the rate of 12 per cent. per annum from February 23, 1934, till payment in full, costs Rs. 27.58, poundage, and charges, viz.:—

A piece of land situated at Thirunelvely in Nallur parish, Jaffna division of the Jaffna District, Northern Province, called Amarakkon Aradenivalava, containing in extent 3½ lachams varagu of pure, with house and cultivated and spontaneous plantations; and bounded on the east by Vinasithamby Nagularasa and road, north by Manickam, wife of Sellathurai, and others, west by Manickam, wife of Sellathurai, and south by Nagamuttu, wife of Veluppillai, and the heirs of Vinasithamby Thambiah.

Fiscal's Office,
Jaffna, May 4, 1935.

S. TURAIYAPPAH,
Deputy Fiscal.

Eastern Province.

In the District Court of Trincomalee.

Subramaniam Kaliappen of Tamblegam Plaintiff.
No. 1,583. Vs.

K. Vallepurampillai Mudaliar of No. 1 Division,
Trincomalee (dead) Defendant.

V. M. Myilvaganam, H. M. Customs, Colom-
bo Substituted Defendant.

NOTICE is hereby given that on Saturday, June 8, 1935, at 10 o'clock in the forenoon, will be sold by public auction at the spot the following property for the recovery of Rs. 6,000, cost of suit (reserved), Fiscal's fees and charges and poundage:—

All that piece of land called Pichavelykadu bearing lot 9767, situated at Tamblegam in Tamblegam pattu, Trincomalee District, Eastern Province; bounded on the north and west by Crown lands, east by lot 9767½ in P. P. 811 and T. P. 169,173, and on the south by T. P. 175,629; extent 26 acres 1 rood and 39 perches.

Deputy Fiscal's Office, K. RATNASINGHAM,
Trincomalee, May 7, 1935. Additional Deputy Fiscal.

Province of Uva.

In the District Court of Colombo.

Polwattege Gallage Edwin of Mirissa Plaintiff.
No. 1,184. Vs.

Alice Fernando Weerasurriya of 456, Rawatawatta,
Moratuwa Defendant.

NOTICE is hereby given that on Saturday, June 15, 1935, commencing at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 766.25 together with further interest on Rs. 366.25 at 18 per cent. per annum from March 22, 1934, up to July 27, 1934, and thereafter on the aggregate amount of the debt at 9 per cent. per annum and costs of suit, viz.:—

1. An undivided ½ share of the soil and of the plantation and of the buildings thereon of the land called Kowilawatta, situated at Yahalabedda in Haputale in Mahapalata korale of Udukinda division in the District of Badulla; and bounded on the north by the field belonging to Ukku Banda, east by the land belonging to the Tangamale Tea Company, south by the road to Palugama, and west by the land belonging to Kudahenaya; and containing in extent about 8 acres.

2. An undivided ½ share of the soil and of the plantations and of the buildings standing thereon of the land called Kadawattakade, situated within the Sanitary Board limits of Haputale, bearing assessment No. 79; and bounded on the north by the land belonging to Haputale Tea Company, east by Crown land, south by high road, and west by the land belonging to Messrs. Walker & Greig; and containing in extent about 1 rood.

3. An undivided ½ share of the soil and of the plantations and of the buildings thereon of the land called Kadawattakanda, bearing assessment No. 96, and situated within the Sanitary Board limits of Haputale; and bounded on the north by land belonging to the Ceylon Government Railway, east by the land belonging to K. Ibrahim Saibo & Co., south by the land belonging to Mr. James Peiris and Mrs. Gunawardene, and west by land belonging to the Ceylon Government Railway; and containing in extent about 10 perches.

The above-mentioned properties are held and possessed by the defendants under and by virtue of deed No. 5,268 attested by D. W. S. Ekanayake, Notary Public of Bandarawela.

Fiscal's Office,
Badulla, May 4, 1935.

T. J. MENDIS,
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Lokupatirennahalage Don Andy Samara-
No. 7,059. singhe Appahamy, late of Ranala, deceased.

Morawakage Aggie Perera of Depanama Petitioner.

(1) Lokupatirennahalage Don Stanley Samarasinghe of Ranala, by his guardian *ad litem* (2) Lokupatirennahalage Don Stanley Appahamy of Ranala .. Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on January 31, 1935, in the presence of Mr. G. E. de Livera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 26, 1935, having been read:

It is ordered (a) that the 2nd respondent be and he is hereby appointed guardian *ad litem* of the minor, the 1st respondent above named, to represent him for all the purposes of this action, and (b) that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before May 16, 1935, show sufficient cause to the satisfaction of the court to the contrary.

January 31, 1935.

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 of Sinnappillai Subbian Pillai *alias*
No. 7,165. Subbramaniam Pillai Pandian Pillai *alias*
Mariam Pillai *alias* Pothiadia Pillai of
Sevalai, Srivaikuntam Taluq, Tinne-
velly District, South India, deceased.

Sinnappillai Subbramaniam Pillai Pothiadia Pillai Bala
Subbramaniam Pillai of 34, New Chetty street,
Colombo Petitioner.

(1) Sornathammal, (2) Sivagnathammal, and (3)
Badrakali Ammal, all of Sevalai aforesaid; the 2nd
and 3rd respondents are minors, appearing by their
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 April 13, 1935, in the presence of Mr. G. R. Motha, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated April 13, 1935, and (2) of three of the attesting witnesses also dated April 13, 1935, and (3) the order of the Supreme Court dated April 12, 1935, having been read:

It is ordered (a) that 1st respondent be and she is hereby appointed guardian *ad litem* of the minors, the 2nd and 3rd respondents above named, to represent them for all the purposes of this action, and (b) that the last will of Pandian Pillai *alias* Mariam Pillai *alias* Pothiadia Pillai, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executor named in the said will and that he is entitled to have probate thereof issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before May 16, 1935, show sufficient cause to the satisfaction of this court to the contrary.

April 13, 1935.

G. C. THAMBYAH,
District Judge.

In the District Court of Kalutara.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of the late Mahawaduge Simon
No. 2,637. Perera, deceased, of Wekada.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on April 4, 1935, in the presence of C. S. Perera, Proctor, on the part of the said petitioner dated January 10, 1935, having been read:

It is ordered that the will of Mahawaduge Simeon Perera, the deceased above named, and which is now deposited in this court, be and the same is hereby declared proved, unless any person or persons interested shall, on or before May 16, 1935, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Mahawaduge Martin Perera, the petitioner above named, is the executor named in the will, and that he is entitled to have probate of the same issued to him accordingly, unless any person or persons interested shall, on or before May 16, 1935, show sufficient cause to the satisfaction of this court to the contrary.

April 4, 1935. N. M. BHARUCHA,
District Judge.

In the District Court of Kalutara.

Testamentary In the Matter of the Estate of the late Jurisdiction. Migelhwage Araneris Ariyadasa, deceased, No. 2,639. of Potupitiya.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on April 4, 1935, in the presence of Mr. S. L. de Silva, Proctor, on the part of the petitioner, Euphania Adm Fernando of Potupitiya; and the affidavit of the said petitioner dated March 11, 1935, having been read: It is ordered that the petitioner above named be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents—(1) Migelhwage Wimalawathie Ariyadasa, (2) ditto Nandawathie Ariyadasa, (3) ditto Martin Karunadasa—or any other person or persons interested shall, on or before May 14, 1935, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 3rd respondent be and he is hereby appointed guardian *ad litem* over the 1st and 2nd respondents, who are minors, for all the purposes of this action, unless the respondents or any other person or persons interested shall, on or before May 14, 1935, show sufficient cause to the satisfaction of this court to the contrary.

April 4, 1935. N. M. BHARUCHA,
District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. 29. Haluappullana Henayalegedara Kuda No. 5,299. Ridie of Siyambalagastenna in Gangawata korale of Yatinuwara, deceased.

Tunbana Dunuweera Henayalegedara Setha of Siyambalagastenna in Gangawata korale of Yatinuwera Petitioner.

(1) Haluappullana Henayalegedara Ariyawa of 42, Siyambalagastenna aforesaid, (2) Haluappullana Henayalegedara Ukku Ridie of 60, Mawilimada aforesaid, and (3) Haluappullana Henayalegedara Carolis *alias* Kira of 42, Siyambalagastenna aforesaid Respondents.

THIS matter coming on for disposal before W. E. Barber, Esq., District Judge, Kandy, on March 25, 1935, in the presence of Mr. S. B. Yatawara, on the part of the petitioner, Tunbana Dunuweera Henayalegedara Setha on the part of the respondent; and the affidavit of the said petitioner dated March 25, 1935, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as widower of the aforesaid deceased, to have letters of administration to her estate issued to him, unless the respondents or any other person or persons interested shall, on or before May 16, 1935, show sufficient cause to the satisfaction of this court to the contrary.

March 25, 1935. W. E. BARBER,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Matara Aratchige Edward Perera *alias* No. 5,291. Edwin Perera, deceased, of the Civil Hospital, Kandy.

THIS matter coming on for disposal before W. E. Barber, Esq., District Judge, Kandy, on February 18, 1935, in the presence of Mr. M. J. Taylor, on the part of the petitioner, Matara Aratchige Suwaris Perera; and the affidavit of the said petitioner dated February 15, 1935, having been read: It is ordered that the petitioner be and he is hereby declared entitled, as father of the above-named deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents—(1)

Atalage Lucia Perera, (2) Matara Aratchige Francina Perera, (3) Matara Aratchige Peter Perera, all of Hendeniya in Gangapalata of Nuwara—any other person or persons interested shall, on or before April 4, 1935, show sufficient cause to the satisfaction of this court to the contrary.

February 18, 1935. W. E. BARBER,
District Judge.

The date for showing cause is extended to May 20, 1935.

April 4, 1935. W. E. BARBER,
District Judge.

In the District Court of Nuwara Eliya.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Jurisdiction. Effects of K. Kader Hussien Saibo of No. 289. Karumbu Kudi, Pudukottai State, in South India, deceased.

K. K. Ibrahim Sheriff of Nuwara Eliya ... Petitioner.

(1) K. K. Mohamed Mohideen, (2) K. K. Mohamed Kudoos, both of Nuwara Eliya, (3) Varusai Amma, (4) Amina Beebee, both of Karumbu Kudi, Pudukottai State, South India, (5) Ameela Beebee of Alangudi, South India Respondents

THIS action coming on for disposal before R. M. G. Monypenny, Esq., District Judge of Nuwara Eliya, on April 12, 1935, in the presence of Mr. V. Ponnusamy, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner above named dated April 10, 1935, and the certificate of the Supreme Court dated October 15, 1934, having been read: It is ordered that the petitioner above named be and he is hereby declared entitled, as one of the sons of the above-named deceased, to have letters of administration to his estate issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before May 21, 1935, show sufficient cause to the satisfaction of the court to the contrary.

April 12, 1935. R. M. G. MONYPENNY,
District Judge.

In the District Court of Nuwara Eliya.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Don Abileenu Senaviratna Abayaweera, No. 290. Notary Public of Nawangama, deceased.

Warahene Liyanage Dona Dal-leela Priyawathie de Alwis Haminae of Nawangama Petitioner.

And

(1) Dona Suleela Senaviratne Abayaweera, (2) Don Bernard Senaviratna Abayaweera, (3) Don Lionel Seneviratna Abayaweera, (4) Don Henry Seneviratna Abayaweera, all of Nawangama, minors, appearing by their guardian *ad litem* (5) Don Simon Abayaweera of Nawangama Respondents.

THIS matter coming on for disposal before V. C. Modder, Esq., District Judge, Nuwara Eliya, on April 25, 1935, in the presence of Mr. P. P. Sumanatilake, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner above named dated April 12, 1935, having been read: It is ordered that the petitioner above named be and she is hereby declared entitled to administer the estate of the deceased above named, and that letters of administration in respect thereof do issue to her, unless the respondents above named or any other person or persons interested shall, on or before May 31, 1935, show sufficient cause to the contrary.

And it is further ordered that the 5th respondent above named be and he is hereby appointed guardian *ad litem* over the 1st, 2nd, 3rd, and 4th respondents above named, minors, unless the respondents above named or any other person or persons interested shall, on or before May 31, 1935, show sufficient cause to the contrary.

April 25, 1935. R. M. G. MONYPENNY,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Velauther Sanmugam of Moolai, deceased. No. 8,630.

Sithamparanachippillai, widow of Velauther Sanmugam of Moolai Petitioner.

Vs.

(1) S. U. Somasegaram, (2) and wife, Valliammaipillai of ditto Respondents.

THIS matter of the petition of the above-named petitioner, praying for letters of administration to the estate of the

above-named deceased, coming on for disposal before C. Coomaraswamy, Esq., District Judge, on November 1, 1934, in the presence of Mr. V. Nagalingam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October, 1934, having been read: It is declared that the petitioner is the lawful husband of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before December 19, 1934, show sufficient cause to the satisfaction of this court to the contrary.

December 1, 1934. N. SINNATAMBY, District Judge.
 Extended to May 15, 1935.

In the District Court of Jaffna.
Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Muttuppillai, wife of Veluppillai No. 16. Viswalingam of Chaiyiddy in Jaffna, who died at Kuala Lumpur in the F. M.S., deceased.

Veluppillai Viswalingam Chaiyiddy Petitioner.

(1) Pakkiam, daughter of Visuvalingam of ditto, (2) Visuvalingam Tharmarajah of ditto, (3) Theivayagay, daughter of Visuvalingam of ditto, (4) Kanapathiar Vaitillgam of Moolai (the 1st to 3rd respondents and minors appearing by their guardian *ad litem* the 4th respondent) Respondents.

THIS matter of the petition of above-named petitioner praying for letters of administration to the estate of the above named deceased, coming on of disposal before C. Coomaraswamy, Esq., District Judge, on March 25, 1935, in the presence of Mr. V. Nagalingam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated March 22, 1935, having been read: It is declared that the petitioner is the husband of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before May 15, 1935, show sufficient cause to the satisfaction of this court to the contrary.

April 2, 1935. C. COOMARASWAMY, District Judge.

In the District Court of Jaffna.
Order Nisi.

Testamentary In the Matter of the Estate and Effect of Jurisdiction. Sinnathamby, wife of Covinthapillai Kandiah, late of Chiviatheru, deceased.

Covinthapillai Candiah, of Chiviatheru presently employed at Ahangama Petitioner.

Vs.

(1) Pushparani Ammat, daughter of Candiah of Chiviatheru, presently of Ahangama, (2) Candiah Karagalingam of ditto, (3) Candiah Annampalam of Chiviatheru, presently of Colombo. The 1st and 2nd respondents are minors and appear by their guardian *ad litem* the 3rd respondent Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on April 9, 1935, in the presence of Mr. P. Casipillai, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated April 5, 1935, having been read: It is ordered that letters of administration to the estate of the above-named deceased be issued to the petitioner, as he is the lawful husband of the deceased, unless the respondents appear before this court on June 11, 1935, and show sufficient cause to the satisfaction of the court to the contrary.

April 23, 1935. S. RODRIGO, District Judge.

In the District Court of Trincomalee.

Testamentary In the Matter of the Last Will and Testament of Sellachypillai, widow of Sinnathamby, late of Division No. 8, Trincomalee, deceased.

Nannithamby Thambiah Ayathurai of Division No. 8, Trincomalee Executor.

THIS matter coming on for disposal before Ampalavanar Richard Supramaniam, Esq., District Judge of Trincomalee, on July 17, 1933, in the presence of Mr. M. Somnathapillai, Proctor for petitioner; and on reading the affidavit of the petitioner dated June 19, 1933, and the

affidavit of Vyravanathar Kandiah and Kathiripillai Sinniah, the attesting witnesses to the last will and testament of the deceased, Sellachypillai, dated November 27, 1931:

It is ordered that the will of Sellachypillai, widow of Sinnathamby, late of Division No. 8, Trincomalee, deceased, dated August 17, 1928, now deposited in this court, be and the same is hereby declared proved, unless any person or persons interested on the will shall, on or before August 14, 1933, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Nannithamby Thambiah Ayathurai, the executor named in the said will, is hereby declared entitled to have probate of the same issued to him accordingly.

July 17, 1933. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to September 11, 1933.

July 31, 1933. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to September 18, 1933.

September 11, 1933. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to October 9, 1933.

September 18, 1933. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to November 16, 1933.

October 9, 1933. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to December 18, 1933.

November 16, 1933. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to January 18, 1934.

December 19, 1933. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to February 17, 1934.

January 18, 1934. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to March 19, 1934.

February 17, 1934. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to April 12, 1934.

March 19, 1934. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to May 17, 1934.

April 12, 1934. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to August 30, 1934.

May 17, 1934. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to September 24, 1934.

August 30, 1934. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to October 8, 1934.

September 24, 1934. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to November 12, 1934.

October 8, 1934. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to November 15, 1934.

November 12, 1934. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to December 13, 1934.

November 15, 1934. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to January 24, 1935.

December 13, 1934. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to February 28, 1935.

January 24, 1935. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to March 28, 1935.

February 28, 1935. A. R. SUPRAMANIAM, District Judge.

Order Nisi extended to May 9, 1935.

April 4, 1935. A. R. SUPRAMANIAM, District Judge.