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PASSED ORDINANCES.

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

No. 19 of 1935.

An Ordinance to provide for the Systematic Development and Alienation of Crown Land in Ceylon.

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**An Ordinance to provide for the Systematic Development
 and Alienation of Crown Land in Ceylon.**

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 Land Development Ordinance No. 19 of 1935, and shall come into operation on such date as the Governor shall appoint by proclamation in the Government Gazette. Short title and commencement.

2 In this Ordinance, unless the context otherwise requires— Interpretation.

- "alienation" with its grammatical variations and cognate expressions means the alienation of Crown land under this Ordinance.
- "Ceylonese" means a person of either sex domiciled in this Island and possessing a Ceylon domicile of origin.
- "Chief Headman" has the same meaning as in "The Village Communities Ordinance, No. 9 of 1924".
- "condition of ownership" means a condition contained in a grant at the time it is issued.
- "court" means any court of justice constituted under "The Courts Ordinance, 1889," and includes a Village Tribunal and a Village Committee when such Committee is acting judicially.
- "Crown land" means all land to which the Crown is lawfully entitled together with all rights, interests and privileges attached or appertaining thereto.
- "disposition" with its grammatical variations and cognate expressions means any transaction of whatever nature affecting land or the title thereto and includes any conveyance, devise, donation, exchange, lease, mortgage or transfer of land.
- "Executive Committee" means the Executive Committee of Agriculture and Lands.
- "Government Agent" includes an Assistant Government Agent.
- "grant" means a grant of land from the Crown under this Ordinance.
- "holding" means land alienated by grant under this Ordinance and includes any part thereof or interest therein.
- "Kacheheri" means the office of a Government Agent.
- "land" includes (a) the bed of any waterway or of any collection of water, whether natural or artificial; (b) things attached to the earth or permanently fastened to anything attached to the earth; and (c) any title to land or any interest in the crops growing or to be grown thereon.

- “Land Commissioner” means the officer appointed by the Governor under section 3 of this Ordinance, and includes any officer of his Department authorized by him in writing in respect of any particular matter or provision of this Ordinance.
- “Land Kachcheri” means a meeting held in the prescribed manner for the purpose of alienating Crown land.
- “Land Officer” means an officer appointed under section 6 for the purposes of this Ordinance and the expression “the Land Officer” means the officer dealing with the particular land which is referred to in the context in which such expression is used.
- “local authority” includes a Municipality, a District Council established under “The Local Government Ordinance, No. 11 of 1920”, a Sanitary Board, a Local Board, and a Village Committee.
- “mapping out” with its grammatical variations and cognate expressions means the reservation of Crown land for one or more of the purposes specified in section 8 or for any purpose prescribed under that section.
- “middle-class Ceylonese” does not include a Ceylonese who is not qualified to be deemed a “middle-class Ceylonese” under the provisions of section 171.
- “minimum fraction” means the smallest fraction of a holding which can lawfully be held in undivided ownership.
- “owner” means the owner of a holding whose title thereto is derived from or under a grant issued under this Ordinance.
- “Peace Officer” means a police officer and includes any headman appointed by the Government Agent in writing to perform police duties.
- “permit” means a permit for the occupation of Crown land issued under Chapter IV.
- “permit-holder” means any person to whom a permit has been issued.
- “prescribed” means prescribed by this Ordinance or by the regulations made thereunder.
- “protected holding” means a holding alienated by grant in which is inserted a condition prohibiting the disposition of the holding except with the prior permission in writing of the Government Agent.
- “regulation” means a regulation made under this Ordinance by the Executive Committee of Agriculture and Lands.
- “scheme” means the scheme referred to in section 9.
- “surveyed” means surveyed by the Surveyor-General or under his authority.
- “Surveyor-General” means the Surveyor-General of Ceylon or any other officer deputed to act on his behalf for the purposes of this Ordinance to the extent to which such officer is deputed.
- “title” means, right, title, or interest.
- “unit of sub-division” means the minimum extent of land below which a holding cannot lawfully be sub-divided.
- “unprotected holding” means a holding other than a protected holding.

CHAPTER I.

Appointment, powers and duties of officers.

Appointment
and duties of
Land
Commissioner.

3 (1) The Governor shall appoint a Land Commissioner who shall be responsible—

- (a) for the due performance of the duties and functions assigned to him as Land Commissioner under this Ordinance ;
- (b) for the general supervision and control of all Government Agents and Land Officers in the administration of Crown land and in the exercise and discharge of the powers and duties conferred and imposed upon them by this Ordinance.

(2) In the exercise of his powers and in the discharge of his duties under this Ordinance, the Land Commissioner shall be subject to the general direction and control of the Executive Committee of Agriculture and Lands.

Powers of Land
Commissioner.

4 (1) The Land Commissioner may from time to time give general or special directions to a Government Agent or to a Land Officer as to the performance of his duties relating to land administration and may direct or authorise any question of doubt or difficulty in connexion with such duties to be referred to the Land Commissioner for decision.

(2) Any direction or decision of the Land Commissioner shall be observed and given effect to by the Government Agent or by the Land Officer as the case may be.

5 The Governor may appoint one or more Assistant Land Commissioners and such other officers as may from time to time be required for the purposes of this Ordinance.

Appointment of Assistant Land Commissioner and other officers.
Land Officers.

6 (1) The Governor may appoint one or more Land Officers for the whole Island or for any province or district.

(2) Every such Land Officer may, for the purposes of this Ordinance, perform, execute and exercise in any province or district or in the particular province or district for which he shall have been appointed, all or any of the functions, duties and powers assigned to or imposed upon or vested in a Government Agent under this Ordinance.

(3) Every person appointed by the Governor as a Settlement Officer or as an Assistant Settlement Officer under the Land Settlement Ordinance, 1931, shall be deemed to be appointed a Land Officer for the whole Island for the purposes of this Ordinance.

7 All officers appointed for the purposes of this Ordinance shall be deemed to be public servants within the meaning of the "Ceylon Penal Code".

All Officers to be public servants.

CHAPTER II.

Mapping-out of Crown land.

8 Subject to the general or special directions of the Land Commissioner, Crown land may be mapped-out by the Government Agent for any one or more of the following purposes:—

Purposes for which Crown land may be mapped-out.

- (1) village expansion ;
- (2) village forest ;
- (3) village pasture ;
- (4) chena cultivation ;
- (5) village purposes not herein specified ;
- (6) colonisation ;
- (7) protection of the sources or courses of streams ;
- (8) prevention of the erosion of the soil ;
- (9) forest reserves ;
- (10) Government purposes, including Government buildings, roads or works ;
- (11) preservation of objects of archaeological or historical interest ;
- (12) the requirements of local authorities ;
- (13) the development of towns ;
- (14) alienation to middle-class Ceylonese ;
- (15) alienation to any persons whomsoever irrespective of the class or race to which they belong ;
- (16) any other purpose that may be prescribed.

9 When Crown land has been mapped-out in accordance with the provisions of section 8, the Government Agent shall cause to be prepared—

Scheme and diagram to be prepared by Government Agent.

- (1) a scheme specifying the mapped-out areas and the purposes for which the lands in such areas have been respectively reserved ;
- (2) a diagram depicting the mapped-out areas specified in the scheme.

10 (1) The Governor may, by notification published in the Gazette, establish a Local Land Advisory Committee for any revenue district of the Island or for any smaller area the limits of which shall be specified in the notification by which the Local Land Advisory Committee for that area is established.

Local Land Advisory Committees.

(2) It shall be the duty of a Local Land Advisory Committee to examine every scheme and diagram prepared under section 9 which affects land in the district or area for which that Committee is established and to make recommendations thereon to the Government Agent.

(3) Every Local Land Advisory Committee shall consist of five members all of whom shall be appointed by the Governor. No person who is permanently or temporarily employed in the service of Government shall be a member of a Local Land Advisory Committee.

(4) The Government Agent having jurisdiction over the district or area for which any Local Land Advisory Committee has been established under sub-section (1) shall convene the meetings of that Committee and shall preside at such meetings.

(5) Three members of a Local Land Advisory Committee shall form a quorum thereof and any matter or question before a Committee shall be decided by a majority of the votes of the members present and voting at the meeting at which such matter or question is discussed. In the event of an equality of votes, the Government Agent shall have a casting vote ; but he shall not have an original vote on any matter or question before the Committee.

(6) The decisions of the Local Land Advisory Committee shall be recorded by the Government Agent or under his direction.

(7) Regulations may be made prescribing the manner in which the meetings of a Local Land Advisory Committee shall be convened and the procedure to be followed at meetings of such a Committee ; but each Local Land Advisory Committee shall determine its own procedure in any matter for which no provision is made by such regulations or in this Ordinance.

Notice that scheme and diagram are open to inspection.

11 (1) When the scheme and diagram referred to in section 9 have been prepared, the Government Agent shall exhibit in a conspicuous position in the Kachcheri a notice to the effect that the scheme and diagram are open to inspection. The notice shall be dated as of the date on which it is exhibited.

(2) Any person interested shall be entitled to inspect the scheme and diagram at the Kachcheri during office hours for a period of thirty days reckoned from the date of the notice exhibited under sub-section (1) and shall be entitled to make representations to the Government Agent on that scheme or diagram.

(3) The Government Agents shall not be bound to consider any representations which have not been received in writing at the Kachcheri within a period of thirty days reckoned from the date of the notice exhibited under sub-section (1).

Scheme and diagram to be laid before Local Land Advisory Committee.

12 (1) Every scheme and every diagram prepared under section 9 shall be laid by the Government Agent before the Local Land Advisory Committee at a meeting of that Committee which shall be convened by him for the purpose :

Provided that at any meeting convened under sub-section (1) for the purpose of examining any scheme and diagram, it shall be lawful for the Government Agent to lay before the Local Land Advisory Committee any other scheme and diagram provided that notice in writing was given to the members of that Committee not less than seven clear days before the date of the meeting of the proposal to add the examination of such other scheme and diagram to the agenda of that meeting :

Provided further that nothing in this section contained shall preclude any Local Land Advisory Committee from examining any scheme and diagram at any meeting if all the members of the Committee are present at that meeting and unanimously agree to examine that scheme and diagram.

(2) A meeting of the Local Land Advisory Committee convened under sub-section (1) may be adjourned once or oftener to a date to be fixed by the Government Agent.

(3) If at the first meeting of a Local Land Advisory Committee convened by the Government Agent under sub-section (1) no quorum is present, the Government Agent may proceed as though no recommendations had been made on the scheme and diagram by that Committee.

(4) If a quorum of the Local Land Advisory Committee is not present on any date to which a meeting convened under sub-section (1) shall have been adjourned under sub-section (2), the Government Agent shall not be bound to consider any recommendations of that Committee other than those, if any, which were made by that Committee before that date.

Scheme and diagram to be forwarded to Land Commissioner.

13 After considering the representations received under section 11 and the recommendations made by the Local Land Advisory Committee under section 12, the Government Agent may modify the scheme and diagram prepared under section 9 ; and such scheme and diagram or the modified scheme and diagram, as the case may be, shall thereupon be forwarded by the Government Agent to the Land Commissioner together with all representations or recommendations so received or made. The Government Agent shall also forward to the Land Commissioner all recommendations of the Local Land Advisory Committee which he may have considered notwithstanding the fact that he was not bound to consider them under the provisions of section 12.

14 Upon receipt of a scheme and diagram forwarded to him under section 13, the Land Commissioner may confirm such scheme and diagram or may issue to the Government Agent such further directions or instructions in regard to the mapping-out or to the scheme or to the diagram as he may consider requisite; and the Government Agent shall observe and give effect to such directions or instructions.

Power of Land Commissioner to confirm scheme or issue further instructions.

15 Notice of the fact that the Land Commissioner has confirmed any scheme forwarded to him under section 13 shall be published in such manner as may be prescribed.

Notification of confirmation.

16 Upon publication of a notice under section 15, every member of the public shall be entitled to inspect free of charge at the District Kachcheri or at the office of the Surveyor-General the diagram depicting the scheme of mapping-out referred to in such notice.

Right of public to inspect diagram.

17 No scheme which has been confirmed by the Land Commissioner shall, except with the approval and consent of the Executive Committee of Agriculture and Lands, be varied or modified so as to enable—

No modification of scheme to be made except with the approval of the Executive Committee in certain cases and of the Land Commissioner in others.

- (1) land which has been mapped-out for any purpose mentioned in paragraphs (1) to (6) of section 8 to be mapped-out or to be utilised for any purpose mentioned in paragraphs (14) or (15) of that section;
- (2) land mapped-out for the purpose mentioned in paragraph (14) of section 8 to be mapped-out or to be utilised for the purpose mentioned in paragraph (15) of that section:

Provided, however, that any modification or variation of a scheme not requiring the approval and consent of the Executive Committee of Agriculture and Lands may be effected on the written authority of the Land Commissioner.

18 Crown land may be alienated whether it has been mapped-out or not.

Mapping-out not essential before alienation.

19 Unmapped-out land, which has been alienated, shall be deemed to have been mapped-out for alienation to persons of the class to which the alienee belongs.

Unmapped-out land deemed to be mapped-out upon alienation.

CHAPTER III.

Alienation of Crown Land.

20 No land shall be alienated by grant except at a Land Kachcheri.

Mapped-out land not to be alienated except at a Land Kachcheri.

21 The notification that a Land Kachcheri will be held shall be substantially in the prescribed form and shall be published in such manner as may be prescribed.

Notification of Land Kachcheri.

22 (1) The Government Agent may in a notification under section 21 fix a date before which application shall be made to him for the land proposed to be alienated at the Land Kachcheri appointed to be held by such notification.

Applications for land; when and how received and considered.

(2) Where a date has been so fixed in such notification, the Government Agent may, in his discretion, refuse at the Land Kachcheri to accept or to consider any application for land received after such date.

(3) Where no date has been so fixed, the Government Agent shall be bound to consider all applications received, whether at the Land Kachcheri or before the date fixed for the holding of such Land Kachcheri:

Provided that it shall be lawful for the Government Agent, in a case where no date has been so fixed in terms of sub-section (1), to receive or to call for applications before the date fixed for the holding of the Land Kachcheri.

23 (1) At a Land Kachcheri the Government Agent may, in his discretion,

Powers of Government Agent at Land Kachcheri. Appeal to Land Commissioner.

- (a) select any applicant to receive a permit or a grant of Crown land either immediately, or on, or before, a future date;
- (b) postpone consideration of any application;
- (c) reject any application.

(2) In making any selection under sub-section (1), the Government Agent shall have special regard to applications received from persons resident in the neighbourhood of the land proposed to be alienated at the Land Kachcheri.

(3) An appeal in the manner prescribed shall lie to the Land Commissioner against any decision made by a Government Agent under sub-section (1) in respect of any matter in which he has exercised the discretion vested in him by that sub-section:

Provided that it shall be lawful for the Land Commissioner to vary any such decision of the Government Agent by way of revision if in the opinion of the Land Commissioner the justice of the case so requires.

Date of selection is material date for determination of qualification of alienee.

24 (1) The date on which a person is selected to receive a permit or a grant of Crown land shall be the material date for the purpose of ascertaining whether such person is duly qualified to receive such permit or grant.

(2) Where land alienated to a person on a permit is subsequently alienated to the same person on a grant, the material date for the purpose of ascertaining whether such person is duly qualified to receive such land on a grant shall be the date on which such person was selected by the Government Agent to receive the same land upon a permit.

CHAPTER IV.

Permits and Grants.

Form of permit.

25 Every permit shall be substantially in a prescribed form.

Permit to be personal to permit-holder.

26 A permit shall for all purposes be and be construed as personal to the permit-holder and upon his death no title whatever to the land held under such permit shall pass or accrue to his heirs or to any person other than a successor duly nominated by such permit-holder in the manner hereinafter provided.

Form of Grant.

27 Every grant shall be substantially in a prescribed form.

Grant not to issue for unsurveyed land.

28 Land which has not been surveyed shall not be alienated by grant.

Registration of grants.

29 (1) Every grant, when issued, shall be registered at the instance of the Government Agent in such manner as may be prescribed.

(2) No fee shall be paid or recovered for such registration.

Diagram to be attached to grant.

30 The land alienated on any grant shall be described with reference to a plan prepared by or under the authority of the Surveyor-General and kept in his charge. There shall be attached to each grant a diagram of the land alienated on that grant. The diagram shall be prepared under the authority of the Surveyor-General but it shall not be necessary for the diagram to bear on the face thereof a certificate to the effect that it was so prepared.

Copy of plan to be supplied on payment of prescribed fee.

31 The Surveyor-General shall cause to be issued to any applicant a copy of any plan or of any part thereof on payment of the prescribed fee.

Essential conditions of grant.

32 Every grant shall contain the conditions specified in the First Schedule.

Optional conditions of grant.

33 Every grant may, in addition, contain any one or more of the conditions specified in the Second Schedule.

Conditions of grant may be amended by regulation.

34 Any one or more of the conditions specified in the First or Second Schedules may be amended and further conditions may be added to either schedule by regulations made under this Ordinance: provided that the conditions contained in any grant shall not be varied or affected by any amendment of or addition to the conditions specified in the First and Second Schedules made on a date subsequent to that of the grant.

Land Commissioner may authorise insertion of special conditions in grants.

35 The Land Commissioner may authorise the Government Agent to include in a grant special conditions applicable to individual cases or to classes of cases in particular areas.

Condition imposing obligation of residence not infringed by temporary absence of owner.

36 Any condition included in a grant which imposes an obligation of residence on the owner shall not be deemed to have been infringed by reason only of the temporary absence from his holding of an owner who has established permanent residence therein.

Conditions in a grant to run with the land.

37 The conditions included in any grant shall, as from the date of such grant, run with the land and shall bind the original and all owners thereof and all persons whomsoever who acquire any title thereto.

Principal governing the determination of amount of annual payment.

38 The amount to be paid annually to the Crown in respect of any land alienated under a grant or a permit shall be fixed in such grant or permit with reference to the value of the land on the date of such alienation.

CHAPTER V.

Protection of land held on permits or grants.

39 No land alienated on a permit or as a protected holding shall be seized or sold in execution of the decree of any court.

Immunity of land alienated on permits and of protected holdings.

40 The seizure or sale of any land alienated on a permit or as a protected holding shall be invalid.

Seizure or sale in execution of land alienated on permit or as protected holding invalid.

41 The provisions of sections 39 and 40 shall apply to land alienated by grant as a protected holding notwithstanding the devolution or disposition under this Ordinance of the title of the original grantee to any other person.

Scope of protection.

CHAPTER VI.

Dispositions.

42 No disposition of a protected holding shall be effected except with the prior written consent of the Government Agent.

Disposition of protected holding requires consent of Government Agent.

43 No protected holding shall be leased or mortgaged.

Protected holdings not to be leased or mortgaged.

44 Any disposition of a protected holding executed without the prior written consent of the Government Agent and any disposition purporting to operate as a lease or mortgage of such a holding shall be invalid.

What dispositions are invalid.

45 The decision of a Government Agent refusing consent to the execution of any disposition of a protected holding shall be subject to an appeal to the Executive Committee in such manner as may be prescribed.

Appeal to Executive Committee where Government Agent refuses consent to disposition.

46 No permit-holder shall execute or effect any disposition of the land held under his permit.

Permit-holder not entitled to execute disposition.

47 Any disposition of land held under a permit shall be invalid.

Disposition of land held under a permit is invalid.

CHAPTER VII.

Succession.

48 In this Chapter—

Definitions of life-holder and successor.

“life-holder” when used with reference to a holding means the person who, subject to the restrictions imposed by section 50, is entitled under this Chapter to succeed to a holding upon the death of the owner thereof;

“successor” when used with reference to a holding means a person who is entitled under this Chapter to succeed to a holding upon the death of the owner thereof or if that owner has nominated a life-holder, upon the death of that life-holder or upon the failure of that life-holder to succeed to the holding, as the case may be;

“successor” when used with reference to land alienated on a permit means the person entitled under this Chapter to obtain a permit for that land upon the death of the permit-holder who nominated that person as his successor.

49 The owner of a holding may nominate a successor who shall be entitled to succeed to the holding upon the death of that owner, or upon the death of the life-holder if one has been nominated by that owner, or upon the failure of that life-holder to succeed to that holding.

Nomination of successor.

50 (1) The owner of a holding may nominate a life-holder, who shall be entitled to succeed to the holding upon the death of that owner, subject to the following restrictions:

Nomination of life-holder.

(a) such life-holder shall have no power to dispose of a holding;

(b) such life-holder shall have no power to nominate a successor or another life-holder.

(2) Any disposition or nomination made by a life-holder in contravention of the provisions of sub-section (1) shall be invalid.

51 Except with the prior written consent of the Government Agent, no person shall be nominated by the owner of a protected holding either as successor to or as life-holder of such holding unless that person is the spouse of that owner or belongs to one of the groups of relatives enumerated in Rule I of the Third Schedule.

Restriction on nomination.

General principles applicable to nomination.	<p>52 (1) More persons than one may be nominated by the owner as successors to a holding, provided that such nomination does not contravene the conditions of ownership of that holding.</p> <p>(2) The owner of a holding shall not on any occasion nominate more than one person as the life-holder of that holding.</p> <p>(3) No person shall be nominated as the life-holder of a part or share of a holding, whether divided or undivided.</p> <p>(4) No person shall be nominated as successor to a part or share of a holding whether divided or undivided, unless in the document whereby he is so nominated a successor is duly nominated for the remaining part or share of that holding.</p> <p>(5) The owner of a holding may nominate a life-holder only without nominating a successor or may nominate a life-holder together with one or more successors.</p> <p>(6) The nomination of a successor or of a life-holder and the cancellation of any such nomination shall not be made subject to any condition or defeasance.</p>
Cancellation of nominations.	<p>53 Any nomination of a successor or of a life-holder may at any time be cancelled by the owner who made such nomination.</p>
Further nomination in lieu of cancelled nominations.	<p>54 The owner of a holding may make a further nomination in lieu of any nomination which has been duly cancelled; and a person may be renominated as successor or as life-holder notwithstanding the previous cancellation of the nomination of that person in either such capacity.</p>
Act of nomination is not a disposition.	<p>55 The act or transaction whereby a successor or a life-holder is lawfully nominated under the provisions of this Chapter shall not be or be construed as a disposition of the land for which such successor or life-holder is so nominated.</p>
How nomination is effected.	<p>56 (1) The nomination of a successor or of a life-holder and the cancellation of any such nomination shall be effected by a document substantially in the prescribed form executed and witnessed in duplicate before a Government Agent, or a Registrar of Lands, or a Chief Headman, or a Notary, or a Justice of the Peace.</p> <p>(2) The provisions of sub-section (1) shall not apply to any nomination or cancellation of the nomination of a successor or of a life-holder made by last will in the manner hereinafter provided.</p> <p>(3) A document by which the nomination of a successor or of a life-holder or the cancellation of any such nomination is effected under sub-section (1) shall not be deemed to be an instrument affecting land for the purposes of the Registration of Documents Ordinance, No. 23 of 1927, nor shall the provisions of Chapter II of that Ordinance apply to any person before whom any such document is executed.</p>
No stamp duty for nominations or cancellation of nominations.	<p>57 No stamp duty shall be charged or levied on the execution of a document whereby a successor or a life-holder is nominated or whereby any such nomination is cancelled.</p>
Documents of nomination or cancellation invalid unless registered.	<p>58 (1) A document (other than a last will) whereby the nomination of a successor or of a life-holder is effected or cancelled shall not be valid unless and until it has been registered by the Registrar of Lands of the district in which the holding to which that document refers is situated.</p> <p>(2) Regulations may be made prescribing the procedure for the registration of documents whereby nominations of successors or of life-holders are effected or cancelled and for all matters connected therewith or incidental thereto, including the registers which shall be kept and the fees which shall be charged for such registration.</p>
Right of public to inspect registers.	<p>59 Any person shall on payment of the prescribed fee be entitled to inspect at the office of the Registrar of Lands any register kept by him under this Ordinance for the purposes of section 58.</p>
Nomination or cancellation of nomination invalid unless registered before death of owner.	<p>60 No nomination or cancellation of the nomination of a successor or of a life-holder shall be valid unless the document (other than a last will) effecting such nomination or cancellation is duly registered before the date of the death of the owner of the holding in respect of which such nomination or cancellation was made.</p>
Nomination cancelled by death of nominee.	<p>61 The death during the lifetime of the owner of a holding of a person who has been nominated by that owner as a successor or life-holder of that holding shall operate as a cancellation of the nomination of that person as a successor or life-holder, as the case may be.</p>

62 (1) After the registration of a document whereby a person is nominated as successor to a holding, a document which purports to nominate any other person as successor to that holding shall not be registered unless the nomination effected by the registered document has been duly cancelled by the registration of a document of cancellation :

No document of nomination to be registered until after cancellation of previous nomination.

Provided that it shall be lawful in one and the same document to cancel a registered nomination and to make some other nomination in lieu thereof ; and, in that event, notwithstanding anything in this section contained, the document in which such cancellation and nomination are combined may be registered and shall upon due registration operate both as a cancellation of a previously registered nomination and as a nomination of a new nominee.

(2) The provisions of sub-section (1) shall apply equally in the case of a life-holder and for that purpose the sub-section shall be construed as though the word "life-holder" were substituted for the word "successor" wherever that word occurs in that sub-section.

(3) Nothing in this section contained shall apply to any nomination or cancellation of a nomination made in the last will of the owner of a holding.

63 The nomination of a person as successor to or as life-holder of a holding, or the cancellation of any nomination effected by any document duly registered under this Chapter, or both such nomination and cancellation may be made in the last will of the owner of that holding.

Nomination and cancellation may be made in last will of owner.

64 A nomination or a cancellation of a nomination made in the last will of the owner of a holding shall not be valid unless it is registered in the prescribed manner within a period of three months reckoned from the date of the death of the owner of that holding.

Registration essential to validity of nomination or cancellation made in last will.

65 (1) A nomination or a cancellation of a nomination made in the last will of the owner of a holding shall not be registered unless the applicant for registration shall furnish to the registering officer a certified copy of that will together with a certificate in the prescribed form to the effect that probate of that will has been applied for, signed by the Secretary of the District Court to which the application for probate was made.

Probate essential to validity of nomination or cancellation made in last will.

(2) A nomination or a cancellation of a nomination made in the last will of the owner of a holding shall be invalid if probate of that will is refused or recalled or set aside by order of a court of competent jurisdiction ; and, in that event, the title to the holding shall devolve as though no nomination or cancellation of a nomination had been registered after the death of the owner thereof.

66 A nomination effected by a document duly registered before the death of the owner of a holding and in force at the time of his death shall not be cancelled by the last will of that owner unless—

Conditions applicable to cancellation of registered nomination by last will.

(1) the last will was executed on a date later than the date of the execution of the registered document by which nomination was effected before the death of the owner, and

(2) the last will specifically refers to the nomination effected by that registered document and definitely cancels such nomination.

67 Save as is otherwise specially provided, those provisions of this Chapter which apply to nominations or cancellations of nomination effected by documents other than a last will shall apply equally to nominations or cancellations of nomination made in a last will.

General principles governing nominations and cancellations by last will.

68 (1) A nominated life-holder fails to succeed if he refuses to succeed or does not enter into possession of the holding within a period of six months reckoned from the date of the death of the owner of that holding.

Failure of succession.

(2) A nominated successor fails to succeed if he refuses to succeed or if he does not enter into possession of the holding within a period of six months reckoned—

(a) if no life-holder has been nominated, from the date of the death of the owner of the holding ; or

(b) if a life-holder has been nominated, from the date of the death of that life-holder, or from the date on which that life-holder fails to succeed, as the case may be.

69 Upon the death of the owner of a holding the life-holder, if any, shall succeed to the holding.

Succession of life-holder.

- Succession of successor.** **70** If no life-holder has been nominated or if the nominated life-holder fails to succeed, the successor, if any, shall succeed to the holding.
- Succession under Third Schedule.** **71** If no successor has been nominated or if the nominated successor fails to succeed, the title to the holding shall devolve as prescribed by the rules in the Third Schedule.
- Succession upon death of life-holder.** **72** (1) Upon the death of the life-holder of a holding the nominated successor, if any, shall succeed to the holding.
(2) If no successor has been nominated or if the nominated successor fails to succeed, the title to the holding shall devolve as prescribed by the rules in the Third Schedule.
- Date of succession.** **73** (1) Title to the holding shall be deemed to have devolved on any person succeeding under the provisions of sections 69, 70, and 71 as from the date of the death of the owner to whose title such person so succeeds.
(2) Title to a holding shall be deemed to have devolved on any person succeeding under the provisions of section 72 as from the date of the death of the life-holder of the holding to which such person so succeeds.
- Accrual of rights in case of plurality of successors.** **74** Where two or more persons have been duly nominated as successors of a holding, the title of any one of such successors who is dead on the date on which such successor is entitled to succeed, or who refuses so to succeed, or who fails so to succeed within a period of six months reckoned from such date, shall, as from such date, be deemed to have accrued to the other successors who were duly nominated with him.
- Nomination or cancellation of nomination is invalid if contrary to provisions of Ordinance.** **75** Any nomination of a successor or of a life-holder and any cancellation of any registered nomination of either shall be wholly invalid if such nomination or cancellation in any way contravenes the provisions of this Ordinance.
- Curators.** **76** (1) If the Government Agent is satisfied after such inquiry as he may deem necessary that title to a holding has devolved on a minor, he may, notwithstanding anything in any other written law, appoint a fit and proper person to be the curator of that minor for the purpose of enabling the minor to exercise his right and to be responsible for his obligations in respect of that holding under this Ordinance.
(2) No stamp duty shall be payable on the instrument by which a curator is appointed under sub-section (1).
(3) A curator appointed under sub-section (1) shall be responsible for the performance of all duties and for the discharge of all obligations imposed on the minor as owner of the holding and may be removed from office by the Government Agent if he is satisfied after inquiry that such curator has failed to perform his obligations or has been guilty of neglect of duty or of action or conduct adverse or prejudicial to the interests of the minor, or that the curator is unfit to continue to hold office or for any other sufficient cause.
A curator aggrieved by an order of the Government Agent removing him from office may appeal against that order to the Executive Committee in such manner as may be prescribed.
(4) A person appointed under sub-section (1) as the curator of a minor shall cease to hold office upon the appointment by any court of competent jurisdiction of any other person as curator of that minor.
(5) Subject to the provisions of this section, a curator appointed under sub-section (1) shall, in respect of the holding of the minor whose curator he is and in respect of the management, control, occupation, and protection of that holding, have and exercise all the rights and be subject to all the liabilities of a curator appointed by a court of competent jurisdiction.
- Permit-holder may nominate spouse or relative as his successor. Third Schedule.** **77** A permit-holder may nominate as his successor his spouse or any relative of his out of the group of relatives mentioned in Rule 1 of the Third Schedule.
- Nomination of successor who is not spouse or relative. Third Schedule.** **78** A permit-holder shall not nominate as his successor any person not included in the group of relatives mentioned in Rule 1 of the Third Schedule, unless the nomination of that person as successor is approved by the Government Agent: Provided that the approval of the Government Agent shall not be necessary for the nomination of the spouse of the permit-holder.

- 79 A permit-holder may appeal to the Executive Committee in such manner and subject to such conditions as may be prescribed against a refusal of the Government Agent to approve the nomination of the person selected by that permit-holder as his successor.
- 80 The name of the person who has been duly nominated by a permit-holder as his successor shall be endorsed on the permit of that permit-holder and such endorsement shall be signed and dated by the Government Agent.
- 81 Not more than one person may be nominated as successor to land held under a permit and such nomination shall not be subject to any condition or defeasance.
- 82 The Government Agent shall, at the request of a permit-holder, cancel any nomination of a successor made by that permit-holder. Such cancellation shall be endorsed upon the permit and shall be signed and dated by the Government Agent.
- 83 (1) A permit-holder may nominate a successor in place of any successor whose nomination has been cancelled; and those provisions of this Chapter which relate to the nomination of a successor by a permit-holder shall apply accordingly in the case of any such further nomination.
- (2) The successor of a permit-holder whose nomination has been cancelled may be nominated again as the successor of that permit-holder.
- 84 Upon the death of a permit-holder the duly nominated successor of that permit-holder shall be entitled, on application made to the Government Agent, to receive a permit for the land which was alienated to the deceased permit-holder.
- 85 A successor duly nominated by a permit-holder, who fails to make application for a permit within a period of one year reckoned from the date of the death of that permit-holder shall be deemed to have surrendered to the Crown his title as successor to the land.
- 86 Land deemed to have been surrendered under section 85 shall vest in the Crown free from all encumbrances.
- 87 It shall be lawful for a person to whom the Government Agent has agreed to alienate land upon a permit to nominate his successor and the name of the successor may be endorsed on the permit before it is issued to that person and the provisions of sections 77, 78, 81, 82, 83, 84 and 85 shall apply accordingly to any successor nominated or to be nominated under this section.

CHAPTER VIII.

Cancellation of grants and permits.

- 88 If it appears to the Government Agent that the owner of a holding has failed to observe a condition of ownership, the Government Agent may issue a notice in the prescribed form intimating to such owner that a recommendation will be made to the Governor for the cancellation of the grant of such holding unless sufficient cause to the contrary is shown to the Government Agent on a date and at a time and place specified in such notice.
- 89 The date specified in a notice issued under section 88 shall not be less than thirty days from the date of the issue of such notice on the owner.
- 90 (1) A copy of the notice issued by the Government Agent under section 88 shall be served on the owner of the holding and a copy shall be affixed in a conspicuous position on the holding.
- (2) If an owner who has to be served under sub-section (1) with a notice issued under section 88 cannot by the exercise of due diligence be found, the notice shall be deemed to be duly served on that owner if a copy thereof is left with some adult member of his family or with his servant residing with him; and, if there is no member of the family or servant of that owner on whom the notice can be so served by way of substitution for personal service, the notice shall be deemed to be duly served on that owner if a copy thereof is affixed to some conspicuous part of the house or homestead in which he ordinarily resides.

Appeal to Executive Committee against refusal of Government Agent to approve nomination.

Name of successor to be endorsed on permit.

Permit-holder may nominate only one person as successor. No conditional nomination.

Cancellation of permit-holder's nomination.

Further nomination permitted upon cancellation of a nomination by permit-holder.

Rights of nominated successor on death of permit-holder.

Land reverts to Crown unless successor nominated by permit-holder applies for permit within specified time.

Vesting of surrendered land.

Name of successor nominated by permit-holder may be endorsed on permit before issue.

Notice to owner of holding where there has been a breach of a condition of ownership.

Period allowed for showing cause.

Notice to be posted on land and served on interested parties.

(3) The Government Agent may also cause a copy of such notice to be served on any person who, in his opinion, is interested in the holding or may be affected by a cancellation of the grant thereof.

Procedure where no cause is shown against cancellation of grant.

91 (1) If the owner of the holding or other person interested therein fails to appear on the date and at the time and place specified in a notice issued under section 88, or appears and states that he has no cause to show why the grant should not be cancelled, the Government Agent may, if he is satisfied that there has been due service of such notice and that there has been a breach of any of the conditions of ownership, recommend to the Governor the cancellation of the grant of such holding, but no such recommendation shall be made until after the expiry of a period of fourteen days reckoned from the date specified in the notice issued under section 88.

(2) If, within a period of fourteen days reckoned from the date specified in the notice issued under section 88, the owner of the holding or any other person satisfies the Government Agent that he has cause to show against the proposal to cancel the grant of the holding referred to in such notice and that he was prevented by accident, illness, misfortune or other unavoidable cause from appearing on the date and at the time and place specified in such notice, the Government Agent shall appoint another date, time and place for the purpose of enabling cause to be shown against the proposal to cancel the grant of the holding.

Procedure where cause is shown; Government Agent may after inquiry recommend cancellation of grant.

92 (1) If on the date and at the time and place specified in a notice issued under section 88 or appointed by the Government Agent under section 91 (2) cause is shown by any person against the proposal to cancel the grant of the holding referred to in such notice, the Government Agent may, if he is satisfied after inquiry that there has been due service of notice and that there has been a breach of any of the conditions of ownership, recommend to the Governor the cancellation of the grant of such holding.

(2) The Government Agent may adjourn any inquiry under this section from time to time and shall hear evidence before making his recommendation. All such evidence shall be given on oath or affirmation which the Government Agent is authorised to administer for the purpose.

Date of recommendation.

93 Every recommendation made by a Government Agent for the cancellation of the grant of a holding shall be dated as of the date on which such recommendation was so made.

Order of Government Agent to be served on parties showing cause and to be posted on land.

94 (1) A copy of the recommendation made by the Government Agent under section 92 shall be served forthwith upon every person who showed cause against the cancellation of the grant at the inquiry held under that section and a copy shall also be affixed forthwith in a conspicuous position on the holding. Every copy so served or affixed shall contain a statement to the effect that an appeal will lie to the Executive Committee against the recommendation of the Government Agent if preferred within a period of thirty days reckoned from the date on which such recommendation was made, and such date shall be specified in such statement.

(2) If a person who has to be served under sub-section (1) with a copy of the recommendation made by the Government Agent under section 92 cannot by the exercise of due diligence be found, the copy shall be deemed to be duly served if it is left with some adult member of that person's family or with his servant residing with him; and, if there is no member of the family or servant of that person on whom the copy can be so served by way of substitution for personal service, it shall be deemed to be duly served on that person if it is affixed to some conspicuous part of the house or homestead in which he ordinarily resides.

Appeal to Executive Committee.

95 A person aggrieved by an order made by the Government Agent under section 91 (2) or by a recommendation made by the Government Agent under section 92 may appeal therefrom to the Executive Committee.

Time limit for appeal.

96 (1) An appeal under section 95 shall be preferred by written petition within a period of thirty days reckoned from the date on which the recommendation for cancellation of the holding or the order under section 91 (2) was made.

(2) In computing the time within which an appeal must be preferred, the date on which the recommendation or order was made shall be excluded, but all public holidays and Sundays shall be included.

- 97** It shall be competent for the Executive Committee in appeal—
- (1) to allow the appeal and reverse the recommendation or order of the Government Agent ; or
- (2) to direct further inquiry to be made or information to be furnished or evidence to be taken ; or
- (3) to modify the recommendation of the Government Agent ; or
- (4) to affirm the recommendation or order of the Government Agent.
- 98** If the Executive Committee acts under heads (1) or (2) of section 97, the decision of the Executive Committee shall be communicated to the Government Agent who shall forthwith comply with and give effect to the terms thereof.
- 99** If the Executive Committee acts under heads (3) or (4) of section 97, the decision of the Executive Committee shall be submitted to the Governor for confirmation through the Minister of Agriculture and Lands.
- 100** No appeal shall lie against a recommendation made by the Government Agent under section 91 (1), but such recommendation shall be submitted to the Governor for confirmation through the Minister of Agriculture and Lands.
- 101** The Governor may, when a recommendation of the Government Agent or a decision of the Executive Committee is submitted to him for confirmation, order the cancellation of the grant or make such other order as he may consider just. Any order made by the Governor under this section shall be final and conclusive for all purposes.
- 102** Every order made by the Governor for the cancellation of a grant shall be registered, and, upon such registration, the grant shall be deemed to be cancelled with effect from the date of the Governor's order and the holding shall revert to and become the exclusive and absolute property of the Crown, free from all encumbrances.
- 103** No claim against the Crown for compensation of any kind whatever by any person shall be entertained by any court in any case where the grant of a holding has been cancelled ; but nothing in this section contained shall preclude the free grant of compensation in such cases.
- 104** The Governor may make order cancelling the grant of a holding if he is satisfied that there has been a failure of succession thereto either because there is no person lawfully entitled to succeed or because no person so entitled is willing to succeed.
- 105** Delay in the issue of a notice under section 88, or the acceptance from the owner of any annual payment after a breach by him of any of the conditions of his grant shall, under no circumstances, be regarded or construed as condonation of any breach of the conditions of ownership.
- 106** If it appears to the Government Agent that a permit-holder has failed to observe a condition of his permit, the Government Agent may issue a notice in the prescribed form intimating to such permit-holder that his permit will be cancelled unless sufficient cause to the contrary is shown to the Government Agent on a date and at a time and place specified in such notice.
- 107** The date specified in a notice issued under section 106 shall not be less than thirty days from the date of the issue of such notice on the permit-holder.
- 108** (1) A copy of every notice issued under section 106 shall be served on the permit-holder and a copy shall also be affixed in a conspicuous position on the land affected by such notice. The Government Agent may also cause a copy of such notice to be served on any person who, in his opinion, is interested in the land or may be affected by a cancellation of the permit.
- (2) If a permit-holder who has to be served under subsection (1) with a notice issued under section 106 cannot by the exercise of due diligence be found, the notice shall be deemed to be duly served on that permit-holder if a copy thereof is left with some adult member of his family or with his servant residing with him ; and, if there is no member of the family or servant of that permit-holder on whom the notice can be so served by way of substitution for personal service, the notice shall be deemed to be duly served on that permit-holder if a copy thereof is affixed to some conspicuous part of the house or homestead in which he ordinarily resides.

Powers of the Executive Committee in appeal.

Decision of Executive Committee under heads (1) or (2) to be communicated to Government Agent.

Decision of Executive Committee under heads (3) or (4) to be submitted to the Governor for confirmation.

No appeal against recommendation of Government Agent under section 91.

Powers of Governor.

Order of cancellation to be registered. Effect of such registration.

Exclusion of claims in court for compensation.

Powers of the Governor in the case of failure of succession to a holding.

Delay or acceptance of annual payment not to be considered as condonation of breach of condition of ownership.

Notice to permit-holder where there has been a breach of the conditions of permit.

Period allowed for showing cause.

Notice to be posted on land and served on interested parties.

Order cancelling permit if permit-holder fails to appear.

109 (1) If the permit-holder fails to appear on the date and at the time and place specified in a notice issued under section 106, or appears and states that he has no cause to show why his permit should not be cancelled, the Government Agent may, if he is satisfied that there has been due service of such notice and that there has been a breach of any of the conditions of the permit, make order cancelling such permit, but no such order shall be made until after the expiry of a period of fourteen days reckoned from the date specified in the notice issued under section 106.

(2) If, within a period of fourteen days reckoned from the date specified in the notice issued under section 106, the permit-holder satisfies the Government Agent that he has cause to show why his permit should not be cancelled and that he was prevented by accident, illness, misfortune or other unavoidable cause from appearing on the date and at the time and place specified in such notice, the Government Agent shall appoint another date, time and place for the purpose of enabling the permit-holder to show cause why his permit should not be cancelled.

Procedure where permit-holder appears and shows cause.

110 (1) If on the date and at the time and place specified in a notice issued under section 106 or appointed by the Government Agent under section 109 (2) the permit-holder appears and offers to show cause why his permit should not be cancelled, the Government Agent may, if he is satisfied after inquiry that there has been a breach of any of the conditions of the permit, make order cancelling the permit.

(2) The Government Agent may adjourn any inquiry under this section from time to time and shall hear evidence before making his order.

Date of order of cancellation.

111 Every order made by the Government Agent for the cancellation of a permit shall be dated as of the date on which such order was made.

Order of Government Agent to be served on permit-holder and to be posted on land.

112 (1) A copy of an order made by a Government Agent under section 110 shall be served forthwith on the permit-holder and a copy of such order shall also be affixed forthwith in a conspicuous position on the land affected by such order. Every copy so served or affixed shall contain a statement to the effect that an appeal from such order will lie to the Land Commissioner if preferred within a period of thirty days reckoned from the date of the order and such date shall be specified in such statement.

(2) If a permit-holder who has to be served under sub-section (1) with a copy of an order made by the Government Agent under section 110 cannot by the exercise of due diligence be found, the copy shall be deemed to be duly served if it is left with some adult member of the permit-holder's family or with his servant residing with him; and, if there is no member of the family or servant of that permit-holder on whom the copy can be so served by way of substitution for personal service, it shall be deemed to be duly served on that permit-holder if it is affixed to some conspicuous part of the house or homestead in which he ordinarily resides.

Appeal to Land Commissioner.

113 A permit-holder aggrieved by an order made by the Government Agent under section 110 may appeal therefrom to the Land Commissioner.

Time limit for appeal.

114 (1) An appeal under section 113 shall be preferred by written petition within a period of thirty days reckoned from the date on which the order appealed from was made.

(2) In computing the time within which an appeal must be preferred, the date on which the order appealed from was made shall be excluded, but all public holidays and Sundays shall be included.

Powers of Land Commissioner.

115 The Land Commissioner may in appeal—

- (1) direct further inquiry to be made or information to be furnished or evidence to be given; or
- (2) allow the appeal and set aside the order of the Government Agent; or
- (3) modify the order of the Government Agent; or
- (4) affirm the order of the Government Agent; or
- (5) make such other order as he may consider just.

Decision of Land Commissioner to be communicated to permit-holder and to be final.

116 (1) The decision of the Land Commissioner under section 115 shall be communicated to the Government Agent who shall forthwith cause a copy thereof to be served on the permit-holder who preferred the appeal.

(2) Any decision made by the Land Commissioner under section 115 shall be final and conclusive for all purposes.

117 No appeal shall lie against an order of cancellation made by the Government Agent under section 109 but such order shall be final and conclusive for all purposes.

Government Agent's order under section 109 is final.

118 The agent or representative of any owner or permit-holder may appear before the Government Agent in any proceedings taken or inquiry held under this Chapter :

Right of party to be represented by agent.

Provided that the Government Agent may at any time require any owner or permit-holder to appear in person before him if in his opinion the attendance of that owner or permit-holder is necessary for the purpose of any proceedings taken or inquiry held under this Chapter.

CHAPTER IX.

Procedure in ejectment.

119 When the grant of a holding has been cancelled, the Government Agent may issue a notice on any person in possession or occupation of the holding calling upon such person forthwith to vacate the holding.

Notice to issue on party in occupation to vacate holding.

120 If any person on whom a notice has been issued under section 119 fails forthwith to vacate the holding and deliver over possession thereof in terms of the notice so issued and served upon him, the Government Agent, or some other person deputed by him for the purpose, may present to the Police Magistrate a written report stating the fact that the grant relating to such holding has been duly cancelled and that the person named in such report is in unlawful possession or occupation of such holding and has failed to vacate such holding though served with a notice issued under section 119.

Report to a Police Magistrate if person served with notice refuses to vacate holding.

121 Upon receipt of a written report presented to him under section 120, the Police Magistrate shall forthwith issue a summons to the person named in such report to appear and show cause on a specified date why he should not be ejected from the holding.

Summons to issue.

122 If on the date specified in a summons issued under section 121, the person to whom such summons was issued fails to appear, or appears and informs the court that he has no cause to show against an order of ejectment, the court shall forthwith issue an order directing such person to be ejected from the holding.

Order of ejectment where no cause is shown.

123 If the person to whom summons has been issued under section 121 appears on the date specified in such summons and states that he has cause to show against the issue of an order of ejectment, the Police Magistrate may proceed forthwith to hear and determine the matter or may set the case down for inquiry on some future date.

Inquiry if cause is shown.

124 At such inquiry it shall not be open to the person whose grant has been cancelled or any other person claiming title to the holding through or under the person whose grant has been cancelled to assert or prove—

Scope of inquiry.

- (1) that the holding does not belong to the Crown ;
- (2) that the order of cancellation of the grant should not have been made.

125 If, after due inquiry, the Police Magistrate is not satisfied that the person showing cause is entitled to the possession or occupation of the holding, he shall make order directing such person forthwith to be ejected from the holding.

Order of ejectment.

126 Any person aggrieved by an order made against him by the Police Magistrate under section 125 may appeal therefrom to the Supreme Court; and the provisions of Chapter XXX of the Criminal Procedure Code, 1898, shall apply accordingly as though the appeal were preferred against a final order of a Police Magistrate in respect of which an appeal lies to the Supreme Court under that Chapter of that Code.

Appeal to Supreme Court.

127 (1) If no appeal has been preferred against an order of ejectment made by a Police Magistrate under section 125 within the time allowed for such an appeal, or, if an appeal has been preferred, after the final decision of the Supreme Court affirming the order of ejectment shall have been duly certified to the Police Court, the Police Magistrate shall, on the application of the Government Agent, direct the Fiscal or a Peace Officer to eject from the holding any person bound by the order of ejectment and to deliver possession of the holding to the Government Agent or to his representative.

Execution of order of ejectment.

(2) The Fiscal or the Peace Officer entrusted with the execution of the order of ejectment shall comply with the directions of the Police Magistrate and make due return of the manner in which he executes the order.

(3) In executing an order of ejectment, the Fiscal or the Peace Officer or any officer authorized by either of them may use such force as may be necessary to enter the holding, to eject any person bound by the order of ejectment and to deliver possession of the holding to the Government Agent or to his representative.

Ejectment from land alienated on permit.

128 The provisions of this Chapter shall apply, *mutatis mutandis*, in a case where any person is in unlawful or unauthorised possession or occupation of Crown land after the cancellation of the permit whereby such land was alienated.

CHAPTER X.

Recovery of annual payments and moneys due to the Crown.

Payment of moneys due to the Crown.

129 Any annual or other payment of any money due to the Crown by an owner or by a permit-holder in respect of any land alienated under this Ordinance may be made at the District Kachcheri to the Government Agent or to an officer authorised by the Government Agent to receive such payments and to issue receipts therefor.

Remission, reduction and waiver of annual payments.

130 (1) It shall be lawful for the Governor at any time to remit any annual payment or arrears of annual payments or any moneys due to the Crown under this Ordinance.

(2) The powers of the Governor under sub-section (1) may be exercised on his behalf by such persons and in such manner as may be prescribed.

(3) If the Government Agent is satisfied that there is sufficient cause for granting relief generally to any class of persons in any locality in respect of any annual payments due by such persons on account of lands alienated in such locality on grants or permits, he may either reduce the amount of any such annual payment or waive it altogether: provided that such reduction or waiver shall not be made operative for a period exceeding one year.

Specified grounds upon which a reduction or waiver of annual payments may be made.

131 Without prejudice to the generality of the grounds upon which a Government Agent may reduce or waive any annual payment under section 130, any general failure of crops due to unfavourable weather conditions, any exceptional fall in the price of any staple commodity, any epidemic, or any outbreak of cattle disease adversely affecting the cultivation of the land, may be deemed to be a sufficient cause for granting relief under that section.

Penalties for payments overdue or in arrears.

132 The owner of a holding or a permit-holder shall be liable, in respect of any payments which may be overdue or in arrears, to make additional payments to the Crown according to such scale and in such manner as may be prescribed.

Money due to Crown a first charge on land.

133 Any amount due to the Crown by an owner or by a permit-holder in respect of any land alienated under this Ordinance shall be a first charge on the holding of such owner or on the land held by such permit-holder on his permit, as the case may be.

Seizure and sequestration of crops and movable property of defaulting owner.

134 If the owner of a holding makes default in the due payment of any moneys payable by him to the Crown in respect of such holding, the Government Agent or any person authorised by him in writing may seize and sequester the crops and produce of such holding together with any movable property thereon belonging to the owner who has so made default:

Provided that the following property shall not be liable to seizure or sequestration under this section:—

- (1) the necessary wearing apparel, beds, and bedding of the owner who has made default, or of his wife, and children; and,
- (2) Utensils used in his dwelling-house for cooking or for the preparation of food, his implements of husbandry and such cattle and seed-grain as may, in the opinion of the officer effecting the seizure or sequestration, be necessary to enable him to earn his livelihood as an agriculturist.

In this Chapter a growing crop is movable property.

135 In this Chapter a growing crop on any land shall not be regarded as an interest in land but shall be deemed to be movable property.

- 136** The person effecting the seizure may take charge of or place another person in charge of any crops, produce or movable property seized under section 134. Property seized to be taken charge of.
- 137** (1) If the defaulter fails to pay the amount due to the Crown together with the costs of seizure within a period of thirty days reckoned from the date of such seizure, the Government Agent may cause the property seized to be sold by public auction or by tender: provided that perishables may be sold as soon as may be deemed expedient by the person effecting the seizure. Sale of property seized.
- (2) In computing the period of thirty days referred to in sub-section (1), the date on which the seizure was made shall be excluded but all Sundays and public holidays shall be included.
- (3) Regulations may be made prescribing the costs which may be charged or recovered for any seizure or sale effected under this Chapter.
- 138** (1) A list shall be made showing details of the property seized under section 134 and sold under section 137, the names and addresses of the purchasers, the prices realised, and the total amount recovered by the sale. List of property seized.
- (2) Upon payment of the purchase money, a purchaser at a sale under section 137 shall receive a certificate of sale showing the property purchased and the price paid for such purchase.
- 139** If the amount realised by the sale of the property seized under section 134 exceeds the total amount of the debt due to the Crown together with the costs of seizure and sale, the Government Agent shall refund the excess to the defaulter. Excess to be refunded to defaulter.
- 140** If at a sale under section 137 the amount recovered is insufficient to discharge the debt due by the owner to the Crown together with the costs of seizure and sale, the Government Agent or a person authorised by him in writing may seize the holding. Seizure of holding.
- 141** (1) A seizure of a holding shall be effected by serving upon the owner thereof a notice substantially in the prescribed form and by affixing a copy of such notice in a conspicuous position on such holding. A copy of such notice may also be served on any other person interested in the holding or affected by the seizure thereof. Seizure, how effected.
- (2) If the owner of a holding who has to be served with a notice under sub-section (1) cannot by the exercise of due diligence be found, the notice shall be deemed to be duly served on that owner if a copy thereof is left with some adult member of his family or with his servant residing with him; and, if there is no member of the family or servant of that owner on whom the notice can be so served by way of substitution for personal service, the notice shall be deemed to be duly served on that owner if a copy thereof is affixed to some conspicuous part of the house or homestead in which he ordinarily resides.
- (3) No holding shall be seized if the defaulting owner thereof surrenders free and unclaimed movable property to satisfy the entirety of the amount due from him.
- 142** (1) Every seizure of a holding shall be registered. Registration of seizure.
- (2) No disposition of a holding shall be valid if it is effected or registered after the seizure of that holding has been registered.
- 143** (1) The seizure of a protected holding under this Chapter shall operate as a cancellation of the grant thereof and shall vest such holding absolutely in the Crown free from all encumbrances; but the person who was the owner of such holding at the time of seizure shall be entitled to a re-conveyance thereof upon payment within a period of one year reckoned from the date of that seizure of the total amount due in respect of such holding together with the costs of seizure. Seizure of protected holding operates as cancellation of grant thereof and vests holding in the Crown.
- Where the owner dies before the expiry of the period of one year hereinbefore specified, the right to a re-conveyance of the holding may be exercised by the successor of that owner on the same terms and within the same period.
- (2) The re-conveyance referred to in sub-section (1) may be effected by an endorsement substantially in the prescribed form made by the Government Agent on the grant relating to such protected holding. Every such endorsement shall be registered.
- 144** No protected holding shall be sold by the Crown under this Chapter. Protected holding not to be sold.

- Sale of unprotected holding.** **145** An unprotected holding, which has been seized under section 141, may be sold at the instance of the Government Agent by public auction in such manner as may be prescribed.
- Moneys realised by sale to be paid to Government Agent.** **146** All moneys realised by the sale of an unprotected holding shall be paid to the Government Agent who shall, after deducting the amount due to the Crown including the costs of the seizure and sale of such holding, pay the balance, if any, to the person who was the owner of such holding before the sale.
- Certificate of sale.** **147** (1) A certificate substantially in the prescribed form shall, when signed by the Government Agent, be sufficient to vest in the purchaser the title of the owner against whom the unprotected holding was sold under section 145.
(2) Such certificate shall be liable to the stamp duty payable on conveyances of immovable property and to any registration or other charges authorised by law. Such duty and all such charges shall be paid by the purchaser.
- Purchase of unprotected holding by the Crown.** **148** An unprotected holding sold under section 145 may be purchased by the Crown and the Government Agent may authorise any person in writing to bid for and purchase such holding on behalf of the Crown, but no stamp duty or other charges referred to in section 147 (2) shall be payable by any person who so purchases an unprotected holding on behalf of the Crown.
- Cancellation of sale.** **149** (1) Where the Crown purchases an unprotected holding sold under section 145, it shall be lawful for the Government Agent, at any time before such holding shall have been re-alienated, on payment by the owner against whom such holding was sold of the total amount due to the Crown in respect of such holding (including the costs of seizure and sale), together with interest thereon at the rate of nine per centum per annum, by endorsement on a certified copy of the certificate referred to in section 147, to cancel the sale; and upon the registration of such endorsement, such holding shall revert in the owner as though such sale had never been made.
(2) No stamp duty shall be payable on an endorsement made under this section, but the registration and other charges shall be payable by the owner in whom the unprotected holding is so re-vested.
- Re-sale by Crown.** **150** (1) Where the Crown purchases an unprotected holding sold under section 145, and such sale has not been cancelled under section 149, it shall be competent for the Government Agent at any time, when re-alienating the land, to transfer to the purchaser, by endorsement on a certified copy of the certificate referred to in section 147, the title which would have been acquired by such purchaser if he had purchased such holding at the original sale, and upon the registration of such endorsement such title shall vest in the purchaser accordingly.
(2) Every such endorsement shall be liable to the same duty and charges as a certificate to a purchaser at the original sale and such duty and charges shall be payable by the purchaser.
- Rights of mortgagee.** **151** (1) If an unprotected holding to be sold under section 145 is subject to a mortgage, it shall be lawful for the mortgagee, on payment to the Government Agent of the total amount due to the Crown including the costs of seizure, to add the amount so paid to his mortgage debt and the amount so added shall be secured in the same manner, and shall be subject to the same interest and be recoverable on the same conditions as the mortgage debt.
(2) The amount paid by the mortgagee under sub-section (1) shall be certified by the Government Agent by an endorsement on the mortgage bond and such certificate may be registered by the mortgagee. No stamp duty shall be payable on the certificate so endorsed.
- Recovery of money due to local authorities.** **152** (1) If the owner of a protected holding fails to pay any sum due to a local authority in respect of such holding, such local authority may report the defaulter to the Government Agent, who may thereupon take action under this Chapter to recover the sum due from the defaulter as though such sum were due to the Crown and not to such local authority.
(2) Save as is herein expressly provided, a local authority shall not take proceedings for the recovery of any sum due to such local authority from the owner of a protected holding in respect of such holding.

153 The Government Agent shall deliver to a local authority any sum recovered by him in satisfaction of the debt due to such local authority and of the interest thereon, if any, and shall pay the costs of seizure, if recovered, into the general revenue of the Island.

Delivery to local authority of money received by Government Agent.

154 No money, rate, tax, duty or fee due to the Crown under any other written law in respect of or on account of a protected holding, shall be recovered except in accordance with the provisions of this Chapter.

All moneys due to Crown must be recovered by procedure under this Chapter.

CHAPTER XI.

Regulations.

155 The Executive Committee of Agriculture and Lands may make regulations for the purpose of carrying out or giving effect to the principles and provisions of this Ordinance.

Executive Committee authorised to make regulations.

156 In particular and without prejudice to the generality of the powers conferred by section 155, regulations may be made for, and with respect to, all or any of the following matters :—

Matters which may be provided for by regulations.

- (1) The forms, fees, documents, and matters stated in or required by this Ordinance to be prescribed ;
- (2) the mapping-out of Crown land ;
- (3) the alienation under this Ordinance of Crown land over 5,000 feet in elevation ;
- (4) the maintenance of reserves for the preservation of the sources and courses of streams and for the prevention of erosion of the soil ;
- (5) the manner of paying or recovering fees, costs or other charges ;
- (6) the collection by the Government Agent of moneys due to local authorities ;
- (7) the classification of persons for the purpose of alienating Crown land under this Ordinance ;
- (8) the procedure to be observed, the fees to be paid and the forms to be used in preferring appeals to the Executive Committee ;
- (9) the manner of publishing or serving notices or of serving other process ;
- (10) the assessment of annual payments ;
- (11) any matters incidental to or connected with the matters or subjects specifically referred to in this section.

157 No regulation shall have effect until it has been approved by the State Council and ratified by the Governor. Notification of such approval and ratification shall be published in the Government Gazette.

Regulations to be approved by State Council and ratified by the Governor.

158 A regulation made by the Executive Committee of Agriculture and Lands shall, upon the publication of the notification of approval and ratification provided for in section 157, be as valid and effectual as though it were herein enacted.

Regulations to have statutory force.

CHAPTER XII.

Miscellaneous.

159 Where in any Crown lease or permit executed before the date on which this Ordinance shall come into operation it is provided—

- (i) that such lease or permit shall terminate when legislation is passed for its cancellation ; or
- (ii) that at the expiration of a stated period of time or upon the fulfilment by the lessee or by the permit-holder of stated conditions such lessee or permit-holder shall be given the right to hold the land upon a tenure to be thereafter introduced by legislation,

this Ordinance shall be deemed to be the legislation referred to in such lease or permit.

Ordinance deemed to be referred to in leases or permits executed prior to its introduction.

160 The Government Agent or any person duly authorised by him in writing may at any time of the day between 6 A.M. and 6 P.M. enter any holding for the purpose of inspection or for any other purpose incidental to or connected with the duties of a Government Agent under this Ordinance.

Right of Government Agent to enter any holding at any time.

161 No person shall, by possession of any land alienated on a permit or a grant, acquire any prescriptive title thereto against any other person or against the Crown.

No prescriptive title to be acquired to land alienated under Ordinance.

Notary prohibited from attesting disposition of a holding unless consent of Government Agent is attached thereto.

162 (1) A notary shall not attest any deed operating as a disposition of a protected holding unless the written consent of the Government Agent to such disposition shall have been previously obtained nor unless such deed shall have attached thereto the document by which the Government Agent granted his consent to the disposition sought to be effected by such deed. Such document of consent shall be specifically referred to by the notary in the attestation of such deed.

(2) A deed executed or attested in contravention of the provisions of this section shall be null and void for all purposes.

Notary attesting deed in breach of section 162 guilty of offence.

163 A notary who knowingly attests any deed in breach of the provisions of section 162 shall be guilty of an offence and shall, on conviction by a Police Magistrate after summary trial, be liable to a fine not exceeding five hundred rupees.

Mapped-out land may be settled.

164 The fact that any land has been mapped out shall be no bar to the inclusion of such land in a settlement notice under the Land Settlement Ordinance, 1931.

Action *rei vindicatio* may be maintained against Crown in respect of alienated land.

165 Nothing in this Ordinance contained shall preclude any person claiming to be entitled to any land which has been alienated from instituting an action against the Crown for the vindication of his title thereto ; but nothing in this section shall enable or authorize the owner of a holding or a permit-holder to sue the Crown for the vindication of title to such holding or to the land alienated to such permit-holder, as the case may be.

Protection of public servants.

166 No suit shall lie against any public servant for anything done by him in good faith under this Ordinance.

Provisions of particular Ordinances not to apply.

167 (1) The provisions of the Ordinances enumerated in the first column of the Fourth Schedule shall, to the extent indicated in the second column of such Schedule, have no application to any land alienated under this Ordinance.

(2) The Executive Committee of Agriculture and Lands may, by regulation made under section 155, add to the Fourth Schedule.

Penalty for clearing mapped-out land.

168 (1) If any person—

- (i) clears or breaks up for cultivation or cultivates any Crown land which has been mapped out, or,
- (ii) erects any building or structure on such land, or,
- (iii) fells or otherwise destroys any trees standing on such land, or
- (iv) otherwise encroaches on such land,

he shall be guilty of an offence and shall on conviction by a Police Magistrate be liable to pay a fine not exceeding one hundred rupees.

Provided that no person shall be convicted under this section unless the land in question has been declared to be the property of the Crown under "The Land Settlement Ordinance, 1931" or under any Ordinance repealed thereby, or has been acquired by the Crown under "The Land Acquisition Ordinance, 1876".

(2) A conviction under this section shall operate as an order of ejection made under section 125 and on such conviction the Government Agent may, after the lapse of the appealable time, or, if an appeal has been preferred, after the conviction has been affirmed in appeal, apply to the Magistrate under section 127 for the enforcement of such order of ejection.

Trusts, &c., affecting land not to be recognised.

169 No trust, *fidei commissum*, or equitable charge shall be created, declared, recognised or enforced in respect of any land alienated under this Ordinance.

Succession to be regulated entirely by this Ordinance.

170 (1) No written law (other than this Ordinance) which provides for succession to land upon an intestacy and no other law relating to succession to land upon an intestacy shall have any application in respect of any land alienated under this Ordinance.

(2) No person shall, by virtue of any appointment in any last will, have or acquire any title to succeed to any land alienated under this Ordinance save and except a life-holder or a successor duly nominated by last will under the provisions of Chapter VII.

Definition of "middle-class Ceylonese".

171 No person shall for the purposes of this Ordinance be deemed to be a "Middle Class Ceylonese" on a particular date if the statutory income of such person computed under the provisions of the Income Tax Ordinance, 1932, for the year of assessment ending on the thirty-first day of March, preceding such date exceeds a sum of six thousand rupees.

Provided that—

- (1) in the case of spouses, the statutory income of either spouse shall be computed as though separate assessment had been claimed and made in pursuance of notice duly given under the provisions of section 22 of the Income Tax Ordinance, 1932 ;
- (2) in the case of spouses who have not been divorced by the decree of a competent court, or who are not living apart under a duly executed deed of separation, neither spouse shall be deemed to be a middle-class Ceylonese for the purposes of this Ordinance if the joint statutory income of both spouses exceeds in the aggregate a sum of twelve thousand rupees.

172 Regulations may be made for lending money to owners of holdings out of funds provided for the purpose by the State Council. Such regulations may prescribe the conditions upon which and the terms for which such money may be lent. Where default is made in the re-payment of any money lent to the owner of a holding under this section such money together with the interest, if any, which is due thereon shall be deemed to be money due to the Crown under this Ordinance and may be recovered in the manner hereinbefore provided in Chapter X ”.

Loans to
owners of
holdings.

FIRST SCHEDULE.

(Section 32.)

Essential Conditions.

1. The owner shall not dispose of a divided share of the holding less, in extent, than the unit of subdivision specified in the grant.
2. The owner shall not dispose of an undivided share in the holding less than the minimum fraction specified in the grant.
3. No person shall be the owner of a divided share of the holding less in extent than the unit of subdivision specified in the grant.
4. No person shall be the owner of an undivided share in the holding less than the minimum fraction specified in the grant.
5. The holding or a specified portion or proportion thereof shall be regularly cultivated or utilised in any other manner specified in the grant. For the purposes of this condition chena cultivation shall not be deemed to be regular cultivation.
6. There shall be paid annually to the Crown on account of the holding the sum specified in the grant.

SECOND SCHEDULE.

(Section 33.)

Optional Conditions.

1. Specified crops shall not be grown and specified plantations shall not be made on the whole or a specified portion of the holding without the written consent of the Government Agent.
2. Specified crops shall be grown or specified plantations shall be made upon the whole or a specified portion of the holding unless the written consent of the Government Agent be obtained to any relaxation of this condition.
3. The holding shall not be leased or mortgaged except to the Crown. No other disposition of the holding shall be made except with the prior permission in writing of the Government Agent.
4. If the Government Agent considers that any works are necessary in order to prevent surface erosion of the soil, the owner shall at his own expense carry out such works to the satisfaction of the Government Agent.
5. The owner shall reside upon the holding.
6. Within a specified period after the issue of the grant the timber on the holding shall be used for specified purposes only and not for any other purpose except with the permission of the Government Agent.

THIRD SCHEDULE.

(Sections 71 and 72.)

Rules.

1. Where, on the death of the owner, no successor or life-holder succeeds to the holding, the title thereto shall devolve on the surviving spouse of such deceased owner and, failing such spouse, on one only of the relatives of such owner in the order of

priority in which they are respectively mentioned in the subjoined table, the older being preferred to the younger where there are more relatives than one in any group.

Table.

1. Sons.
2. Daughters.
3. Grandsons.
4. Granddaughters.
5. Father.
6. Mother.
7. Brothers.
8. Sisters.
9. Uncles.
10. Aunts.
11. Nephews.
12. Nieces.

In this rule, "relative" means a relative by blood and not by marriage.

2. Where in any group of relatives mentioned in the Table subjoined to Rule 1 there are two or more persons of the same age who are equally entitled and willing to succeed, the Government Agent may nominate one of such persons to succeed to the holding. Such decision of the Government Agent shall be final.

3. Where the surviving spouse on whom the title to a holding devolves under the provisions of Rule 1 is unwilling to succeed, the title to such holding shall devolve upon the relative next entitled to succeed to the holding under the provisions of Rule 1.

4. If any relative on whom the title to a holding devolves under the provisions of these rules is unwilling to succeed to such holding, the title thereto shall devolve upon the relative who is next entitled to succeed under the provisions of Rule 1.

5. It shall be lawful for the surviving spouse or any relative of the deceased owner of a holding to refuse to succeed to such holding.

FOURTH SCHEDULE.

(Section 167.)

Column 1.	Column 2.
1. Ordinance No. 10 of 1863	.. The whole

*Passed in Council the Twenty-second day of November, One thousand Nine hundred and Thirty-four.

E. W. KANNANGARA,
Clerk of the Council.

* See Proclamation dated July 15, 1935, in Part I. of this Gazette.

DRAFT ORDINANCES.

MINUTE.

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

D 18/32

An Ordinance to provide for the Registration of Aliens in the Island.

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 Aliens Registration Ordinance, No. of 1935.

Appointment of Registrar of Aliens.

2 The Governor may appoint any person, by name or by office, to be or to act as Registrar of Aliens.

Returns to be furnished by aliens.

3 Every alien who—

(a) enters the Island intending to remain therein for a period of one month or longer, or

(b) is in the Island one month after the date of his arrival therein, or

(c) has, at the date of the commencement of this Ordinance, been in the Island for a period of one month or longer,

shall forthwith furnish to the Registrar a return in the form prescribed in the Schedule to this Ordinance :

Provided that the Governor may at any time by proclamation in the Gazette direct that every alien of any race, nationality, or class specified therein shall immediately upon

entering the Island furnish the aforesaid return ; and, upon the publication of any such proclamation, it shall be the duty of every alien to whom the proclamation applies to furnish the aforesaid return accordingly :

Provided further that this section shall not apply to—

- (1) any alien who is in the Island at the date of the commencement of this Ordinance and who has furnished a return under section 8 of the Supervision of Aliens Ordinance, No. 14 of 1917 ; and
- (2) any alien who is under the age of fifteen years at the time of his arrival in the Island, but every such alien shall, if at the date on which he attains his fifteenth year he intends to remain in the Island for a period of one month or longer, or if he is in the Island one month after that date, forthwith furnish to the Registrar a return in the form prescribed in the Schedule to this Ordinance.

4 The Governor may by order restrict the movements of any alien or class of aliens and may in such order prohibit any alien or member of a class of aliens from changing his residence or travelling within the Island without a permit issued in that behalf by such officer or officers and subject to such conditions as may be specified in the order.

Restriction of movements of aliens.

5 (1) The Governor may by order direct the deportation of any alien from the Island if he is satisfied, after such inquiry as he may deem necessary, that the deportation of that alien is essential in the public interest.

Deportation of aliens.

(2) An alien who has been deported from the Island in pursuance of an order made under sub-section (1) shall not at any time after the date of that order enter the Island without a permit issued by the Governor.

6 The Registrar or any police officer not below the rank of Assistant Superintendent may direct any alien—

Verification of returns.

- (a) to appear before him and to supply on or before a specified date such information or explanation as the Registrar or such police officer may require in respect of any particulars stated in any return furnished by such alien ;
- (b) to produce before a specified date such documentary or other evidence as the Registrar or such police officer may require for the purpose of verifying any facts or particulars in any return furnished by such alien.

7 (1) The Chief Secretary may make regulations—

Regulations.

- (a) requiring any alien or any class of aliens to notify to the Registrar or other specified officer all changes or intended changes of residence ;
- (b) varying the particulars required by the form of return prescribed in the Schedule ;
- (c) generally for the purpose of carrying out or giving effect to the provisions of this Ordinance.

(2) A regulation made under sub-section (1) shall not come into operation unless it has been approved by the State Council and ratified by the Governor, nor until notification of such approval and ratification has been published in the Gazette.

(3) A regulation made under sub-section (1) shall when approved by the State Council, ratified by the Governor, and published in the Gazette be as valid and effectual as if it were herein enacted.

8 (1) Any alien who—

Offences.

- (a) commits a breach of any of the provisions of this Ordinance or of any regulation made thereunder, or
- (b) makes default in complying with any order, direction, condition, or requirement duly made under the powers conferred by this Ordinance, or
- (c) knowingly makes any false statement in any return furnished by him under this Ordinance or knowingly supplies any false information or any false explanation when required to furnish any information or explanation under this Ordinance,

shall be guilty of an offence and shall, on conviction after summary trial by a Police Magistrate, be liable to a fine not exceeding one thousand rupees or to simple or rigorous imprisonment for a term not exceeding one year or to both such fine and imprisonment.

(2) All offences against this Ordinance shall be deemed to be cognizable offences within the meaning of the Criminal Procedure Code. 1898.

- Onus of proof.** **9** Whenever any question arises in any proceeding under this Ordinance whether any person alleged to be an alien is or is not an alien, the onus of proving that such person is not an alien shall lie upon such person.
- Interpretation.** **10** In this Ordinance unless the context otherwise requires—
 “alien” means any person not being either a British subject or the subject of a state under His Majesty’s protection or the subject of a state in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty;
 “Registrar” means the person appointed by the Governor to be or to act as Registrar of Aliens under section 2.
- Repeal of Ordinance 14 of 1917.** **11** The Supervision of Aliens Ordinance, No. 14 of 1917, is hereby repealed.

SCHEDULE.

Form of Return.

- (1) Name in full (designation to be stated, Rev., Mr., Mrs., or Miss, &c.): _____.
- (2) Parentage, that is—
 (a) Father’s name in full and nationality: _____.
 (b) Mother’s (maiden) name in full, and original nationality: _____.
- (3) Date of birth: _____.
- (4) Place and country of birth: _____.
- (5) Nationality: _____.
- (6) Number, date and place of issue of passport or other papers of identity: _____.
- (7) If male, whether he has served in the armed forces of his country, and if so in what capacity and between what dates: _____.
- (8) Whether previously in the British Empire, and if so, places of residence, with dates: _____.
- (9) Occupation: _____.
- (10) Name and address of employer if any. (If engaged in religious or missionary work state the name of the religious body or missionary society): _____.
- (11) Date of arrival in Ceylon and name of ship by which arrived: _____.
- (12) Names and addresses of persons, not exceeding three, to whom he is well known: _____.

 _____.
- (13) Duration of intended stay and address in Ceylon: _____.

Objects and Reasons.

1. The Supervision of Aliens Ordinance, No. 14 of 1917, provides for the registration of aliens who come out to the Island to engage in missionary or educational work. In practice, however, all aliens have been hitherto required to fill in the return prescribed by that Ordinance in order to ascertain whether they were persons whom the Ordinance required to be registered. The Secretary of State has pointed out that it is desirable that aliens who come out to the Island to engage in missionary or educational work should be dealt with on the same footing as other foreign immigrants rather than that they should be made the subject of special legislation.

2. The object of this Bill is to repeal the Supervision of Aliens Ordinance, No. 14 of 1917, and to introduce a system of registration which will be applicable to all aliens entering the Island.

3. Clause 3 of the Bill provides for the registration of all aliens who remain in the Island for any period longer than one month. Registration will be in the charge of a Registrar of Aliens, who will be an officer appointed by the Governor under Clause 2 of the Bill. All aliens to whom the Bill applies will be required to furnish to the Registrar the particulars prescribed in the Schedule attached to the Bill; but registration will not be required in the case of aliens who have already furnished returns under the Supervision of Aliens Ordinance or of aliens under the age of fifteen years. Clause 6 of the Bill authorizes the Registrar or any police officer not below the rank of Assistant Superintendent to summon and examine any alien or to require proof of the particulars stated in any return furnished by an alien.

4. Clause 4 empowers the Governor to restrict the movements within the Island of any alien or class of aliens, and Clause 5 provides for the deportation of an alien where the Governor considers such deportation to be essential in the public interest.

5. By Clause 7, power is conferred on the Chief Secretary to make regulations for the purpose of giving effect to the provisions of the Bill. The regulations may, *inter alia*, require any alien or any class of aliens to notify any change of residence to the Registrar or other prescribed officer. Regulations made under this clause will not be effective until they are approved by the Council and ratified by the Governor.

6. Clause 8 penalises a breach of any provision of the Bill or of any regulation made thereunder.

Chief Secretary's Office,
Colombo, July 1, 1935.

M. M. WEDDERBURN,
Acting Chief Secretary.

MINUTE.

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

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 :—

1 This Ordinance may be cited as the Village Communities Amendment Ordinance, No. of 1935. Short title.

2 The following new section shall be inserted immediately after section 35, and shall have effect as section 35A, of the Village Communities Ordinance, No. 9 of 1924 :— Insertion of new section 35A in Ordinance No. 9 of 1924.

35A. (1) Where any town or village excluded from the operation of the Small Towns Sanitary Ordinance, 1892, by Proclamation under section 4 of that Ordinance, is duly brought or continues to be within the operation of this Ordinance, the Governor may by order published in the Gazette—

Transfer to inhabitants of the rights and liabilities of Sanitary Boards.

(a) transfer to the inhabitants of the subdivision in which that town or village is situated, the whole or any specified part of any property or rights over property or any funds acquired or received by or vested in the Sanitary Board for the use or benefit of that town or village ;

(b) apportion and assign to the inhabitants of that subdivision the whole or any specified part of the rights, liabilities, debts or obligations of the Sanitary Board under any contract entered into by the Board for the benefit of that town or village ; and give directions as to the security to be given by the inhabitants for any debt and as to the mode and conditions of discharge of any liabilities or obligations so apportioned or assigned ; and

(c) prescribe the terms and conditions on which any officer or servant employed by the Sanitary Board for any purpose relating exclusively to that town or village may be transferred to the service of the Village Committee of that subdivision.

(2) Upon the publication of an order under subsection (1)—

(a) all the property or the rights over property or the funds specified therein shall vest in the inhabitants of the subdivision and shall be employed, administered or applied for their use and benefit ;

(b) such rights, liabilities, debts or obligations as may be apportioned or assigned thereby, shall be enforceable or shall be secured or discharged by the inhabitants of the subdivision in such manner and subject to such conditions as may be specified therein ; and

(c) any officer or servant of the Sanitary Board who is offered and accepts employment under the Village Committee, shall be appointed and shall hold office on the terms and conditions specified in the order, without prejudice, however, to any qualifications acquired by him for any pension, gratuity or other compensation payable out of the funds of the Sanitary Board in respect of his service under the Board.

(3) In this section the expression "Sanitary Board" used in relation to any town or village means the Sanitary Board of the province or district within which that town or village is situated.

Objects and Reasons.

A Sanitary Board established under the Small Towns Sanitary Ordinance, 1892, is under that Ordinance constituted a quasi-corporation with power to receive moneys, to enter into contracts and to incur obligations for and on behalf of all towns and villages situated within its administrative limits and brought under the operation of that Ordinance; but each town or village has individually no legal status and has no power either to hold or acquire property or to enter into contracts.

2. Section 4 of the Small Towns Sanitary Ordinance, 1892, authorises the Governor by proclamation published in the Gazette to exclude a town or village from the operation of that Ordinance. Where an individual town or village has been so excluded from the operation of the Ordinance, administrative difficulties arise by reason of the fact that the Sanitary Board continues to hold such property as may have been acquired for the use and benefit of that town or village and to be responsible for the performance and discharge of such contracts and obligations as may have been entered into or incurred in the interests of that town or village.

3. The object of this Bill is to provide legal machinery for making such adjustments as may be necessary for the apportionment of property, the distribution of funds and the transfer or assignment of debts or obligations in a case where a town or village which has been excluded from the operation of the Small Towns Sanitary Ordinance, 1892, is brought within the operation of the Village Communities Ordinance, No. 9 of 1924.

CHAS. BATUWANTUDAWE,

Colombo, July 4, 1935. Minister for Local Administration.

MINUTE.

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

**An Ordinance for making provision for the Public,
Railway and Colombo Electricity Supply Services
for the financial year 1935-36.**

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 Appropriation Ordinance, No. of 1935.

Appropriation for the financial year 1935-36.

2 Without prejudice to any other law authorizing any expenditure, sums not exceeding eighty-seven million five hundred and ninety-six thousand four hundred and thirty-two rupees, twenty-one million nine hundred thousand rupees, and two million one hundred and twenty-two thousand five hundred rupees are hereby declared to be payable for the financial year beginning on October 1, 1935, and ending on September 30, 1936, out of the revenue and other funds of the Island, the Ceylon Government Railway, and the Colombo Electricity Supply respectively; and the said sums may be expended as specified in the Schedules to this Ordinance.

SCHEDULE I.

Sums payable out of the Revenue of the Island.

	Rs.
1. His Excellency the Governor	184,895
2. Supreme Court	468,497
3. State Council	483,991
4. Audit Office.	503,321
5. Chief Secretary	263,837
6. Civil Service	370,606
7. Clerical Service	26,000
8. Defence	995,273

	Rs.
8A. Royal Naval Volunteer Reserve ..	10,720
9. Attorney-General	496,754
10. Public Trustee	155,795
11. District Courts	875,494
12. Courts of Requests and Police Courts ..	484,642
13. Village Tribunals	333,431
14. Fiscals	956,430
15. Treasury	390,288
16. Public Debt	24,050
17. Pensions	888,000
18. Exchange	100,000
19. Currency	215,649
20. Loan Board	11,640
21. Government Stores	255,710
22. Government Press	578,916
23. Department of Income Tax, Estate Duty and Stamps	445,800
24. Customs	800,211
25. Miscellaneous Services	813,331
26. Minister for Home Affairs	46,108
27. Provincial Administration	3,859,730
27A. Commissioner for Relief	1,500,000
28. Excise Department	1,556,138
29. Police	3,622,035
30. Prisons	919,087
31. Government Analyst	83,424
32. Minister for Agriculture and Lands	65,537
33. Commissioner for Development of Agricultural Marketing	71,555
34. Appeal Board (Land Settlement Ordinance) ..	600
35. Land Commissioner	226,212
36. Land Settlement Department	501,720
37. Survey Department	3,295,987
38. Department of Agriculture	1,172,841
39. Veterinary Department	335,156
40. Forest Department	638,040
41. Registrar of Co-operative Societies	234,345
42. Irrigation Department	1,075,004
43. Irrigation Annually Recurrent	369,000
44. Irrigation Extraordinary	1,249,325
45. Minister for Local Administration	23,489
46. Commissioner of Local Government	2,434,977
47. Registrar of Motor Cars	103,234
48. Salt and Mineralogy	631,880
49. Department of Fisheries	52,056
50. Minister for Health	24,247
51. Quarantine	236,508
52. Medical and Sanitary Services	10,608,932
53. Medical College	193,912
54. Ayurvedic Medicine	57,500
55. Minister for Labour, Industry and Commerce ..	46,868
56. Registrar-General and Director of Commercial Intelligence	940,872
57. Controller of Labour	257,551
58. Minister for Education	25,341
59. Education	15,252,283
60. University College	550,196
61. Archæological Department	133,140
62. Colombo Museum	110,439
63. Minister for Communications and Works ..	46,328
64. Colombo Port Commission	2,975,588
65. Ports other than Colombo	43,010
66. Post Office and Telegraphs	7,326,269
67. Public Works Department	2,041,067
68. Public Works Annually Recurrent	5,159,415
69. Public Works Extraordinary	3,224,345
70. Electrical Department	330,763
71. Electrical Undertakings Annually Recurrent ..	133,110
72. Electrical Undertakings Extraordinary	418,753
	85,337,198
73. Loan Works	2,259,234
	87,596,432

SCHEDULE II.

Sums payable out of the Revenue of the Ceylon
Government Railway.

	Rs.
1. Ordinary working expenditure of the Railway	20,026,800
2. Payment to Renewals Fund on account of depreciation	491,500
3. Interest on Railway Capital payable to the revenue of the Island	1,381,700
4. Payment to Betterments Fund	—
	21,900,000

SCHEDULE III.

Sums payable out of the Revenue of the Colombo
Electricity Supply.

	Rs.
1. Ordinary working expenditure of the Colombo Electricity Supply	1,108,962
2. Payment to Depreciation Fund	369,982
3. Interest on capital of the Colombo Electricity Supply payable to the Revenue of the Island	595,540
4. Minor and special works	48,016
5. Net revenue of the Colombo Electricity Supply payable to the revenue of the Island	—
	2,122,500

Objects and Reasons.

This Bill makes provision for expenditure, not covered by other law, on the Public, Railway and Colombo Electricity Supply services of the Island for the financial year 1935-36.

In accordance with Article 59 (1) of the Ceylon (State Council) Order-in-Council, 1931, provision is not made in this Bill for sums which are already authorised by law, amounting to Rs. 22,303,329 in the aggregate, as detailed under the appropriate Heads in the Estimates.

D. S. SENANAYAKE,
Minister for Agriculture and Lands, and
Acting Leader of the State Council.

Colombo, July 12, 1935.

MINUTE.

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

An Ordinance to amend the British and Colonial Probate Ordinance, No. 7 of 1921.

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 British and Colonial Probate Amendment Ordinance, No. of 1935.

Amendment of section 2 of Ordinance No. 7 of 1921. 2 Section 2 of the British and Colonial Probate Ordinance, No. 7 of 1921, is hereby amended by the insertion of the following new definition at the end thereof :—

“ British possession ” includes any territory which is under His Majesty’s protection or in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty.

Objects and Reasons.

Under section 3 of the British and Colonial Probate Ordinance, No. 7 of 1921, the provisions of that Ordinance can be applied to any British possession which has made adequate provision for the recognition in that possession of probates and letters of administration granted by any District Court in Ceylon.

2. The object of this Bill is to insert in the principal Ordinance a definition of British possession so as to enable the Ordinance to be applied by proclamation to a British Protectorate or to a territory in respect of which a mandate has been accepted by His Majesty on behalf of the League of Nations.

3. The Colonial Probates Act, 1892, which is the corresponding imperial statute, was similarly amended by the Colonial Probates (Protected States and Mandated Territories) Act, 1927.

J. W. R. ILANGAKOON,
Acting Attorney-General.

Attorney-General’s Chambers,
Colombo, July 16, 1935.

MINUTE.

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

An Ordinance to amend the Motor Car Ordinance, 1927.

No. 20 of 1927.

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 Motor Car Amendment Ordinance, No. of 1935. Short title.

2 Section 9 of the Motor Car Ordinance, 1927, (herein after referred to as "the principal Ordinance"), is hereby amended by the addition of the following new sub-section (3) :— Amendment of section 9 of Ordinance No. 20 of 1927.

"(3) The registrar may, subject to the approval of the Executive Committee of Local Administration, issue a written permit for the use within the Island of any motor car not constructed in accordance with the requirements of sub-section (1), for such period as may be specified in the permit, if the car is fitted to his satisfaction on the right or off side thereof with a mechanical or illuminated device capable of giving distinct and intelligible signals for the purposes of section 54 and of indicating clearly any intention to stop."

Copies with memo.
2/3/35

3 Section 37 of the principal Ordinance is hereby amended as follows :— Amendment of section 37 of the principal Ordinance.

(1) by the insertion between sub-sections (2) and (3) thereof of the following new sub-section (2A) :—

"(2A) (i) Every certificate of competence shall have affixed thereto a photograph of the person to whom that certificate is issued.

(ii) Every applicant for a certificate of competence shall furnish two copies of his photograph to the registrar at the time of his application.

(iii) Every holder of a certificate of competence shall furnish two copies of his photograph to the registrar whenever the photograph affixed to his certificate is faded, defaced, damaged, or torn, or whenever he is ordered to do so by a court before which he is convicted under any written law of an offence in connection with the driving of a motor car, or by the registrar.

(iv.) One of the copies furnished under paragraph (ii) or paragraph (iii) of this sub-section shall be filed of record in the office of the registrar, and the other shall be affixed to the certificate and authenticated by the registrar with a facsimile of his signature or with his official seal or stamp."

(2) in sub-section (7) thereof, by the substitution for the words "under the age of eighteen years", of the words "who has not completed eighteen years of age";

(3) in sub-section (9A) thereof, by the addition of the following proviso at the end of that sub-section :

"Provided that the registrar may in his discretion restrict the endorsement made under this sub-section to such class or classes of motor car as may be specified by him in the endorsement, if he is of opinion that such restriction is necessary for the public safety."

(4) in sub-section (13) thereof, by the substitution for all the words from "in Executive Council" to "character", of the following words :—

"refuse or at any time suspend or cancel an endorsement under sub-section (12), in any case where he is satisfied that the holder of the certificate is unfit to be the driver of a hiring car because he habitually behaves in a riotous or disorderly manner or is habitually drunk or suffers from any disease of an infectious or contagious nature."

(5) in sub-section (16) thereof—

(i) by the substitution for the words "which convicts" of the words "which under any written law convicts";

(ii) by the substitution for all the words from “ may order ” to “ endorsement ” of the words—

“ may in addition to any other punishment order the certificate to be produced within five days and cancel such endorsement as may have been made on it under sub-section (12). If the certificate is not produced on or before the date specified in any order so made by the court, the holder of the certificate may by a further order of that court be disqualified for driving a car until the certificate is produced for cancellation.”.

Amendment of section 39 of the principal Ordinance.

4 Section 39 of the principal Ordinance is hereby amended as follows :—

(1) in sub-section (2) thereof, by the addition of the following words at the end of that sub-section :—

“ If any such person fails to produce the certificate upon conviction, the court shall enter an order disqualifying that person for driving a car until the certificate is produced for endorsement under this sub-section.” ;

(2) by the re-numbering of sub-sections (3) and (4) thereof, as sub-sections (4) and (5) respectively ;

(3) by the insertion, between sub-section (2) and the re-numbered sub-section (4), of the following new sub-section (3) :—

“ (3) Where the certificate of competence of any person convicted of any one of the following offences—

(a) using on a highway any omnibus or lorry which has defective brakes or is otherwise unsuitable for use,

(b) negligent driving,

(c) reckless driving.

(d) exceeding the speed limit,

(e) overloading,

contains at the time of such conviction endorsements in respect of not less than nine previous convictions of any one or more of those offences, the court endorsing the particulars of such last conviction shall cancel the certificate and make order disqualifying that person permanently for obtaining another certificate of competence in this Island.” ; and

(4) by the insertion, immediately after the renumbered sub-section (5) thereof, of the following new sub-section (6) :—

“ (6) Any person who drives a motor car at any time while an order suspending his certificate of competence or disqualifying him for driving is in force, shall be guilty of an offence.”.

Amendment of section 46 of the principal Ordinance.

5 Section 46 of the principal Ordinance is hereby amended in sub-section (1) thereof by the addition of the following proviso at the end of that sub-section :—

“ Provided, however, that when a motor car is stationary no instrument affixed to that car shall be sounded except for the purpose of preventing an accident or ensuring the safety of the car or its occupants.”

Amendment of section 48 of the principal Ordinance.

6 Section 48 of the principal Ordinance is hereby amended as follows :—

(1) in paragraph (ii) thereof, by the substitution for the words “ and address ; ” of the words—

“ and address, and also the distinctive number and other identification marks of the motor car and the name and address of the owner of the car ; ” ;

(2) by the re-numbering of paragraphs (iii) and (iv) thereof as paragraphs (iv) and (v) respectively ; and

(3) by the insertion, between paragraph (ii) thereof and the re-numbered paragraph (iv), of the following new paragraph (iii) :—

“ (iii) Where the driver of the car has not furnished the particulars mentioned in paragraph (ii) to any person entitled to obtain such particulars from him, he shall forthwith proceed to the nearest police station and report the accident to the officer in charge thereof or to the first police constable or officer whom he meets on his way thereto.”

- 7 Section 55 of the principal Ordinance is hereby amended by the substitution for the words "to stop the car or to make it slow down", of the words "to stop or reverse the car, or to make it slow down or turn back,".
- 8 Section 56 of the principal Ordinance is hereby amended in sub-section (1) thereof, by the substitution for the words "obey all notices", of the words "obey all notices for regulating the movement of traffic or indicating the route to be followed and all other notices".
- 9 Section 57 of the principal Ordinance is hereby amended in sub-section (3) thereof, by the substitution for the word "negligently", of the words—
"negligently or without reasonable consideration for other persons using the road".
- 10 Section 60 of the principal Ordinance is hereby amended as follows :—
(1) in sub-section (3) thereof, by the substitution for the words "is used", of the words "is used or is usually kept"; and
(2) in sub-section (9) thereof, by the substitution for the words "hiring cars", of the words "hiring cars or lorries".
- 11 Section 70 of the principal Ordinance is hereby amended in sub-section (1) thereof, by the substitution in paragraph (e) of that sub-section for the words "of hiring cars", of the words—
"providing for the licensing and supervision of conductors and prescribing the duties of drivers and conductors of hiring cars".
- 12 The following new section shall be inserted immediately after section 75, and shall have effect as section 75A, of the principal Ordinance :—
"75A. The owner of a motor car shall when he engages a driver or a conductor obtain from him the serial number of his certificate of competence or conductor's licence as the case may be, and his full name and address."
- 13 Section 76 of the principal Ordinance is hereby amended by the substitution for the words "the person driving" of the words "the driver, the conductor,".
- 14 Section 81 of the principal Ordinance is hereby amended by the substitution for the words "this Ordinance", of the words "this Ordinance, or fraudulently alters the particulars painted on an omnibus or lorry under section 7, or knowingly causes particulars other than those authorised by that section to be painted on any omnibus or lorry,".
- 15 The following new section shall be inserted immediately after section 81, and shall have effect as section 81A, of the principal Ordinance :—
"81A. (1) Where a derelict motor car is so left on any part of a highway as to cause any obstruction or nuisance, the registrar or the licensing authority may, by notice served either personally or by registered post, require the registered owner of that car to take steps to remove the obstruction or nuisance.
(2) It shall be the duty of every registered owner on whom a notice is served under sub-section (1), to comply with the requirements set out therein.
(3) If the registered owner of any such derelict car cannot for any reason be found or makes default in complying with any notice served under sub-section (1), the registrar or the licensing authority may cause the car to be removed and make such order as may be necessary for its disposal.
(4) No proceedings civil or criminal shall be instituted or maintained against the registrar or a licensing authority in respect of any order made under sub-section (3).

Objects and Reasons.

The objects of these amendments to the Motor Car Ordinance, 1927, are—

- (1) to enable the Registrar to permit the use of motor cars with left-hand steering, brought by tourists for their own use in Ceylon, if the cars are fitted with certain prescribed safety devices (Clause 2);
- (2) to make express provision for the affixing of the holder's photograph in every certificate of competence (Clause 3 (1));

- (3) to make it clear that certificates of competence are to be issued only to persons who have completed eighteen years of age (Clause 3 (2));
- (4) to enable the Registrar to specify by endorsement on a certificate of competence the class or classes of motor cars which may be driven by a person who has passed the test for driving an omnibus or a lorry (Clause 3 (3));
- (5) to enable the Registrar to cancel or suspend the authority to drive hiring cars endorsed on the certificate of competence of a driver who habitually behaves in a riotous or disorderly manner or suffers from any infectious or contagious disease (Clause 3 (4));
- (6) to enable the court convicting any driver to disqualify him for driving until the certificate is produced for the endorsement of the conviction (Clauses 3 (5) and 4 (1));
- (7) to enable a court to cancel the certificate of a driver and disqualify him permanently for driving in any case where there are endorsed on the certificate nine previous convictions of negligent or reckless driving, exceeding the speed limit, overloading, or using a defective omnibus or lorry on a road (Clause 4 (3));
- (8) to declare it an offence for any person to drive a car while an order of suspension or disqualification is in force (Clause 4 (4));
- (9) to prevent the unnecessary sounding of horns in motor-cars which are stationary (Clause 5) ;
- (10) to amplify the existing provisions relating to—
 - (a) the information to be given in case of accidents (Clause 6),
 - (b) compliance with traffic signals and notices (Clauses 7 and 8),
 - (c) negligent driving (Clause 9),
 - (d) the periodical examination of hiring cars and lorries (Clause 10) ;
- (11) to make provision for the licensing of the conductors and the supervision of the drivers and conductors of hiring cars (Clause 11) ;
- (12) to declare it the duty of the owner of a car to ascertain the name, address and licence number of every driver or conductor engaged by him (Clause 12), and to give all possible information to the police or any headman making any inquiry (Clause 13) ;
- (13) to declare it an offence to alter the tare or other particulars painted on any omnibus or lorry (Clause 14) ;
- (14) to give power to the Registrar and the licensing authority to cause derelict motor-cars to be removed from a highway (Clause 15).

CHAS. BATUWANTUDAWA,
Minister for Local Administration.

Colombo, July 11, 1935.

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the Districts of Jaffna, Mannar, and Mullaittivu to be holden at the District Court-house at Jaffna on Tuesday, July 30, 1935, at 11 o'clock of the morning of the said day has been postponed to Wednesday, August 7, 1935, at 12 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,
Jaffna, July 16, 1935.

S. TURAIYAPPAH,
for Fiscal.

DISTRICT AND MINOR COURTS NOTICES.

Destruction of Old Village Tribunal Records.

NOTICE is hereby given that the Gansabhawa records in connection with the Village Tribunal Criminal cases of the Colombo District from January 1, 1930, to December 31, 1933, will be destroyed on August 20, 1935, at the

Colombo Kachcheri, in terms of the Government Notification published in *Gazette* of December 11, 1908.

The Kachcheri,
Colombo, July 16, 1935.

L. F. B. PERERA,
for Government Agent.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Badulla-Haldummulla holden at Bandarawela by 177 labourers of Manicawatta estate, Haputale, against the proprietors thereof under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 2,637.66.

H. A. DE SILVA,
Court of Requests, Commissioner of Requests.
Badulla-Haldummulla, July 8, 1935.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 4,836. In the matter of the insolvency of W. J. W. Mottau of 233, Galle road, Wellawatta.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on August 20, 1935, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
July 15, 1935. Secretary.

In the District Court of Colombo.

No. 4,874. In the matter of the insolvency of J. T. W. Goonewaradena of 120, Averiawatta, Wattala.

WHEREAS the above-named J. T. W. Goonewaradena has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by C. A. Perera of Mutwal in Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said J. T. W. Goonewaradena insolvent accordingly; and that two public sittings of the court, to wit, on August 20, 1935, and on September 3, 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,
July 12, 1935. Secretary.

In the District Court of Colombo.

No. 4,875. In the matter of the insolvency of R. F. Rajasooriya of Angulana in the Palle pattu of Salpiti korale.

WHEREAS the above-named R. F. Rajasooriya has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by R. R. Perera of Kelaniya, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said R. F. Rajasooriya insolvent accordingly; and that two public sittings of the court, to wit, on August 20, 1935, and on September 3, 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,
July 12, 1935. Secretary.

In the District Court of Avissawella.

No. 10. In the matter of the insolvency of Don Thomas Wettasinghe of Puwakpitiya, near Avissawella.

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 September 10, 1935, to appoint an assignee.

By order of court, C. GUNASEKERA,
July 15, 1935. Secretary.

In the District Court of Kandy.

No. 2,068. In the matter of the insolvency of Dissanayake Mudiyanse of Maningamuwa in Matale.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on August 16, 1935, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, R. MALALGODA,
July 15, 1935. Secretary.

In the District Court of Kandy.

No. 2,072. In the matter of the insolvency of Richard Lucas of Malabar street, Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on August 16, 1935, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, R. MALALGODA,
July 15, 1935. Secretary.

In the District Court of Kandy.

No. 2,084. In the matter of the insolvency of Ponsuge Edwin Tissera of Malabar street, Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on August 16, 1935, to appoint an assignee.

By order of court, R. MALALGODA,
July 15, 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.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on August 16, 1935, to appoint an assignee.

By order of court, R. MALALGODA,
July 15, 1935. Secretary.

In the District Court of Kandy.

No. 2,092. In the matter of the insolvency of Ismail Lebbe Abdul Cader of Akurana in Harispattu, Kandy.

WHEREAS Ismail Lebbe Abdul Cader has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Karuppen Velar's son Sinniah, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Ismail Lebbe Abdul Cader insolvent accordingly; and that two public sittings of the court, to wit, on August 2, 1935, and on August 30, 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,
July 16, 1935. Secretary.

In the District Court of Kandy.

No. 2,093. In the matter of the insolvency of Raymond William Van Sandan of Kandy.

WHEREAS Raymond William Van Sandan has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Ernest de Saram of Galagedara, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Raymond William Van Sandan insolvent accordingly; and that two public sittings of the court, to wit, on August 16, 1935, and on September 6, 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,
July 16, 1935. Secretary.

NOTICES OF FISCALS' SALES.

36. Western Province.

In the District Court of Colombo.

Kollure Appuhamillage Don Paulu Appuhamy of Weboda in Kadawatha Plaintiff.

No. 947. Rs. 16.

Batawala Acharige Niko Naide of Weboda, administratrix of the intestate estate of Palpita Acharige Thimmo Naide Defendant.

NOTICE is hereby given that on Wednesday, August 14, 1935, at 1.30 in the afternoon will be sold by public auction at the respective premises the right, title, and interest of the said defendant as administratrix in the following property for the recovery of the sum of Rs. 362.84, with interest on Rs. 230 at 16 per cent. per annum from May 15, 1934, to June 18, 1934, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit, viz. :-

1. An undivided $\frac{1}{4}$ share of the land called Millagahawatta, situated at Weboda, in the Adicari pattu of Siyane korale, in the District of Colombo, Western Province; and bounded on the north by Watukebella belonging to Uggala Acharige Juwanis Naide, on the east by the limit of the land belonging to Uggala Acharige Raphael Naide, on the south by the limit of the land belonging to Galaboda Hakuruge Endochi Fernando, and on the west by a rock; containing in extent about 4 bushels of paddy sowing.

At 2 p.m.

2. An undivided $\frac{1}{4}$ share of the field called Horagahakumbura alias Horakagahakumbura, situated at Weboda aforesaid; and bounded on the north by high land, on the east by the limitary ridge of the field of Maddumage Amaris

Appu, on the south by high land, and on the west by the liminary ridge of the field belonging to Kahandawa Aratchige Cornelis Appu and others; containing in extent about 8 bushels of paddy sowing.

Fiscal's Office,
Colombo, July 17, 1935.

J. R. TOUSSAINT,
Deputy Fiscal.

32 In the Court of Requests of Colombo.

(1) Minette Mack, wife of (2) W. G. Mack, both of Dehiwala Plaintiffs.
No. 5,862.

C. A. Wijesinghe of the Audit Office, presently of the Public Works Department, Torrington square, Colombo Defendant.

NOTICE is hereby given that on Friday, August 16, 1935, at 2 o'clock in the afternoon will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 39.46, with legal interest thereon from September 18, 1934, till payment in full and costs Rs. 12.75 to wit, Rs. 7.75 incurred costs and Rs. 5 prospective costs, viz. :—

1. All that lot marked D of the land called Millagahawatta together with the trees and plantations standing thereon, situated at Gangodawila, in the Palle pattu of Salpiti korale, in the District of Colombo, Western Province; and bounded on the north by the high road, on the east by lot C of the same land, on the south by the land of A. W. Karthelis, and on the west by lot E of the same land; containing in extent 20 36/100 perches.

2. All that lot marked E of the land called Millagahawatta with the buildings, trees, and plantations standing thereon, situated at Gangodawila aforesaid; and bounded on the north by the high road leading to Kesbewa, on the east by lot D of the same land, on the south by Kahata-gahawatta now of Mohandiramge Michohamy, and on the west by lot F of the same land; containing in extent 10 96/100 perches.

Fiscal's Office,
Colombo, July 16, 1935.

J. R. TOUSSAINT,
Deputy Fiscal.

24 In the Court of Requests of Colombo.

Pattambilam Alavi of 101, Messenger street, Colombo Plaintiff.
No. 8,933.

John Edward de Mel of 400, Armour street, Colombo Defendant.

NOTICE is hereby given that on Tuesday, August 13, 1935, 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. 226, with legal interest thereon from February 4, 1935, till payment in full and costs of suit, Rs. 43.75 being incurred costs and Rs. 10 being prospective costs, viz. :—

All that western half part marked B bearing assessment Nos. 455 and 457, Old Moor-street, within the Municipality and District of Colombo, Western Province; and bounded on the north by property bearing assessment No. 124 (1), on the east by other half part of this property marked A, on the south by Old Moor-street, and on the west by the property bearing assessment No. 449; containing in extent 9.2 perches and registered in A 227/268.

Fiscal's Office,
Colombo, July 16, 1935.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Colombo.

P. L. M. Abdul Majeed of 83, Dematagoda in Colombo Plaintiff.

Packeer Lebbe Mampfan Sameen of Stafford place in Colombo Substituted plaintiff.
No. 34,658.

Mrs. Patricia de Soysa of Ragama Walawwa, Ragama Defendant.

NOTICE is hereby given that on Monday, August 19, 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. 971.94 and Rs. 13.20 being costs of execution and a further sum of Rs. 30.40, viz. :—

The land called Ragama Walawwa, situated at Ragama in the Ragam pattu of Alutkuru korale, in the District of Colombo, Western Province; and bounded on the north

by the Government property of the Cooly Camp, on the east by Walawwawatta belonging to Norbert Perera, on the south by the high road leading to the Railway Station and paddy field called and known as Iriyawattakumbura belonging to Mrs. Cecil de Soysa, and on the west by a portion of the same land; containing in extent about 5 acres, together with the buildings and everything standing thereon.

Fiscal's Office,
Colombo, July 17, 1935.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Colombo.

Percy Grey Cooke of Colombo, executor and trustee of the last will and testament of Frederick Dornhorst, deceased Plaintiff.

No. 53,270. Vs.

(1) Wannekuwattewaduge Manuel Fernando of Angulana, an insolvent, (2) F. F. Krishnapillai of Hulftsdorp, Colombo, assignee of the insolvent estate of Wannekuwattewaduge Manuel Fernando, (3) Percy Grey Cooke of College House, Darley road, Colombo Defendants.

NOTICE is hereby given that on Wednesday, August 21, 1935, will be sold by public auction at the respective premises the right, title, and interest of the said defendants, in the following property mortgaged with the plaintiff by bond No. 5,090, dated November 6, 1929, attested by G. M. Silva of Colombo, Notary Public, and the mortgage bond No. 760 dated June 8, 1925, attested by S. Ratnaswamy of Colombo, Notary Public, respectively, 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 17, 1934, for the recovery of the sum of Rs. 5,828.05, together with further interest on Rs. 2,000 at 12 per cent. per annum and on Rs. 1,000 at 10 per cent. per annum from July 1, 1933, till date of this decree (September 11, 1934), and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit, viz. :—

The First Schedule.

At 1.45 p.m.—All that allotment of land called Wetakeiyagahawatta, situated in the village of Angulana in Moratuwa, under the Palle pattu of Salpiti korale, in the District of Colombo, Western Province; and bounded on the north by Wetakeiyagahawatta of Hartelis Fernando, on the east by Wetakeiyagahawatta of Juan Fernando and Selestina Fernando, on the south by the high road leading to the Angulana Railway Station, and on the west by Wetakeiyagahawatta of Manuel Fernando; and containing in extent 23.4 square perches (excluding therefrom a portion in the north-west in extent 3.18 square perches and the house thereon), together with the new house standing thereon and all the right, title, interest, claim, and demand whatsoever of the 1st defendant and of the 2nd defendant as assignee as aforesaid in and to the same.

The Second Schedule.

1. At 2 p.m.—All that defined portion of the garden called Wetakeiyagahawatta with the buildings and plantations thereon and the appurtenances thereunto belonging, situated at Angulana in Moratuwa, in Palle pattu of Salpiti korale, in the District of Colombo, Western Province; bounded on the north by the property of Palamamdadige Carnis Fernando, on the east by the property of Weerahennedige Francisco Fernando and others, on the south by the property of Mututantribastiangie Artenis Fernando, and on the west by the properties of Moderamihallage Hendrick Fernando and Artenis Fernando; and containing in extent 18 20/100 square perches, as per figure of survey bearing No. 2,964, dated March 26, 1910, and made by J. Mendis, Registered Surveyor.

2. At 2.30 p.m.—An undivided $\frac{1}{2}$ share of the northern half of a portion of one land called Mudanneketekelagahawatta with the trees and half of the buildings standing thereon, situated at Laxapatiya in Moratuwa, under the Palle pattu of Salpiti korale, in the District of Colombo, Western Province; and bounded on the north by the stream, on the east by the property of Weerahennedige Tamby Naide and others, on the south by the property of Weerahennedige Thambi Naide and others, and on the west by the other portion of this land; containing in extent 2 roods and 13 square perches.

3. At 3 p.m.—An undivided $\frac{1}{2}$ of $\frac{1}{5}$ of $\frac{1}{2}$ of Kapurubandarawatta, situated at Laxapatiya aforesaid; and bounded on the north by the garden of Merennage Istegu Fernando, on the east by the garden of Sellapperumage

Abraham Fernando, on the south by the garden of Merennage Andris Fernando, and on the west by the garden of Telge Andris Peeris; containing in extent sufficient to plant 75 coconut trees.

4. At 2 p.m.—All that allotment of land with the house standing thereon marked C in the plan No. 2,729, dated November 4, 1908, made by J. Mendis, Registered Surveyor, and lying to the north-west from and out of the portion of the land called Wetakeyagahawatta, situated at Angulana aforesaid; and which said lot C is bounded on the north by a portion of the same garden belonging to Ungamadadige Juanis Fernando, and the portion of Geeris Fernando, on the east and south by portions of the same land, and on the west by land belonging to Charles Singho and formerly belonging to Muttutantry Bastian Silvestri Fernando; and containing in extent 3 18/100 perches and the right, title, interest, claim, and demand whatsoever of the 1st defendant and of the 2nd defendant as assignee as aforesaid in and to the same. Prior Registration M 200/28. Prior Registration M 145/223, 116/180, 258/16, 138/12, and 258/173.

Fiscal's Office,
Colombo, July 16, 1935.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Colombo.

M. P. M. Narayanan Chettiar of 30 Mohandirams road, Colpetty Plaintiff.
No. 54,478. Vs.

(1) S. M. Zainudeen Maricar of 198, Galle road, Colpetty, Colombo Defendant.

NOTICE is hereby given that on Friday, August 9, 1935, at 3.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 1,800.75, with interest thereon at 9 per cent. per annum from November 20, 1933, till payment in full and costs of suit, viz. :—

All the soil (excluding the portion owned by the Ceylon Government Railway), the trees and the tiled buildings thereon in that allotment of land bearing assessment No. 224, now No. 198 or 68/224, Galle road, situated at Colpetty within the Municipality limits of Colombo, in the District of Colombo, Western Province; and bounded on the north by the property of Halpewattege Silvestry Silva, on the east by the high road, on the south by the property of Uduma Lebbe Bawa Lebbe, and on the west by the seashore; containing in extent 28 57/100 perches. Prior Registration A 196/162.

Fiscal's Office,
Colombo, July 16, 1935.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Colombo.

K. S. P. S. Arunasalam Chettiar of Sea street, Colombo Plaintiff.
No. 2,068. Vs.

M. F. P. Gunaratne of Ward place, Colombo Defendant.

NOTICE is hereby given that on Friday, August 23, 1935, commencing at 4 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 Rs. 750, with interest thereon at the rate of 9 per cent. per annum from October 10, 1934, to date of decree April 10, 1935, and thereafter in the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit which the said plaintiff has recovered against the said defendant, less a sum of Rs. 250, viz. :—

1. The entire soil, all the plantations and of everything standing thereon of the land called Katumbulgahawatta, situated at Desastara Kalutara in Kalutarabadda of Kalutara totamune, District of Kalutara; bounded on the north by Madatiyagahawatta and Uswatta, on the east by Jankuragewatta, on the south by Katukosgahawatta, and on the west by old high road; containing in extent about 3 roods and 32 perches. Registered in Kalutara A 331/139.

2. All that undivided one half part or share towards the north from and out of the land called Kalukosgahawatta, together with the entirety of the tiled and thatched house and the trees and plantations standing thereon, situated at Desastara Kalutara aforesaid; bounded on the north-west by Gikiyanagewatta and Jancuregaywatta, on the north-east by Duwewatta Walauwewatta and the cart road leading to the said Walauwe, on the east also by the cart road leading to the said Walauwe, on the south-west by the old high road; containing in extent 1 rood and 29 16/100 square perches. Registered in A 331/140.

3. An undivided $\frac{1}{2}$ share of the soil and trees of the land called Jankurewatta, situated at Desastara Kalutara aforesaid; bounded on the north by Uswatta, on the east by land in the name of Seneviratne Mudaliyar, on the south by Katukosgahawatta, and on the west by Pilokhrendaralegewatta; and containing in extent about 1 acre. Registered in A 305/292.

Deputy Fiscal's Office,
Kalutara, July 15, 1935.

H. SAMERESINGHA,
Additional Deputy Fiscal.

28 In the District Court of Colombo.

In the matter of the intestate estate and effects of the late Francis Edmund Wijesundera of Bandaragama in Raigam korale, deceased.

No. 3,432 Testy.

Ruwana Venetia Wijesundra of Raigam Walauwa in Bandaragama aforesaid, administratrix.

NOTICE is hereby given that on Tuesday, August 20, 1935, commencing at 4 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said estate in the following property for the recovery of Rs. 72.40, viz. :—

1. Undivided $\frac{1}{2}$ share of Achariyakumbura, situated at Weedagamawe in Adicari pattuwa in Raigam korale, in the District of Kalutara, Western Province; and bounded on the north by Pokurekumbura, east by Wanakkumbura, south by Depa-ela, and west by Kiripellagahawita and Asweddumekumbura; and containing in extent 1 acre and 18 perches.

2. Undivided $\frac{1}{2}$ share of the land called Tunandahena alias Ankuttawalaowita, situated at Bandaragama in Adicari pattuwa in Raigam korale as aforesaid; and bounded on the north by Liyangahawatta, east by Ankuttawaladeniya and Malwatta, south by Malwatta, and west by Gansabhawa road; and containing in extent 4 acres 3 roods and 28 perches.

Deputy Fiscal's Office,
Kalutara, July 15, 1935.

H. SAMERESINGHA,
Additional Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Messrs. Brown and Co., Ltd. Plaintiffs.
No. 41,074. Vs.

P. B. Nugawela, Arambegama Factory, Werellagama, Kandy Defendant.

NOTICE is hereby given that on Friday, August 9, 1935, commencing at 2 P.M., will be sold by public auction at the respective premises the right, title, and interest of the said defendant for the recovery of the balance sum of Rs. 910.99 with legal rate of interest on Rs. 584.38 from September 18, 1934, till payment in full, and costs of suit and poundage in the following property, viz. :—

1. All that field called Narankumbura Attikkagahayatapela of 1 pela in paddy sowing extent, situate at Werellagama in Kulugammanasiyapattu, Harispattu, in the District of Kandy, Central Province; and bounded on the east by the imaniyara of Dikliyadde, south by ela, west by the imaniyara of the field belonging to Dingiri Menika, and north by the ella of Gederawatta.

2. All that eastern 3 pelas in and out of all that field called Narankumbura of 5 pelas in paddy sowing extent, situate at Werellagama aforesaid; and the said 3 pelas being bounded on the east by the ela, south by the imaniyara of Attikkagahayatapela, west by the imaniyara of Godapela, and north by Kurunde-ela.

3. All that field called Medaliyadde of 12 lahas paddy sowing extent, situate at Werellagama aforesaid; and bounded on the east by ela, south by the imaniyara of Dikliyadde, west by Kurunde-ella, north by the imaniyara of Mulwakkade, 12 lahas.

4. All that land called Kurundewatta alias Kurukudewatta of about 1 amunam in paddy sowing extent, situate at Werellagama aforesaid; and bounded on the east by the fence of Vidanelewatta and the ditch of Medakurundehena, west by stone fence of Kiri Appu's garden, south by Wele-ella, and north by the fence of Pilasdeniyegederawatta.

5. The land called Medakurundehena alias Medakurukudehena of 1 amunam paddy sowing extent, situate at Werellagama aforesaid; and bounded on the east by the ela of Narankumbura, south by ella of Godapelekumbura, west by the Kandaheeriya of the field of Ukku Menika and the ditch of Vidanelegewatta, and north by the ela of Elamalpothekumbura.

605 The land called Rambe of 5 pelas paddy sowing extent, situate at Werellagama aforesaid; and bounded on the east by the agala of the Amikotuwa and the road, south by the agala of Pansalewatta, west by the agala and the fence of Ampitiye Pachirale's garden, and north by Pansale-ella.

7. The land called Amukotiwewatta of 15 lahas paddy sowing extent, situate at Werellagama aforesaid; and bounded on the north, east, west, and south by the agala.

8. The land called Amukotiwewatta of 15 lahas paddy sowing extent, situate at Werellagama aforesaid; and bounded on the east by the fence of Mudunegederawatta, south by the agala, west by Padassaleanga-ella, and north by the ella of Narankumbura.

9. The field called Padathalangekumbura of 1 pela in paddy sowing extent, situate at Werellagama aforesaid; and bounded on the east by the imaniyara of Godaliyadde, south by the ella of Ampitiyegederawatta, west by the imaniyara of Gederakumbura, and north by below the ella of Amuhenewatta.

Fiscal's Office,
Kandy, July 13, 1935.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Kandy.

Hilary Donald Jansz of Mount Lavinia in
Colombo .. 31 .. Plaintiff.
No. 43,821. Vs.

Abeykoon Mudiyanse Uku Banda, late Registrar
of Ulapane .. Defendant.

NOTICE is hereby given that on Monday, August 12, 1935, commencing at 12 noon, will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 314 dated December 14, 1928, and attested by G. V. Schokman of Vampola, 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 18, 1934, for the recovery of the sum of Rs. 1,130, with interest on Rs. 1,000 from May 16, 1933, till February 12, 1934, at the rate of 12 per centum per annum and thereafter on the aggregate amount of decree at the rate of 9 per cent. per annum till payment in full and costs of suit (which will be included when taxed), and poundage, viz. :—

All that field called Ethinnimeritchideniya, in extent 2 acres and 7 perches, situate at Yatapane in Dolosbage in Ganga Ihala korale of Udapalata in the District of Kandy, Central Province; and bounded on the east by Crown land and water-course, on the south by Crown land, on the west by Crown land and water-course, and on the north by water-course, and all the right, title, interest, and claim whatsoever of the said defendant in, to, upon, or out of the said premises mortgaged by the defendant.

Fiscal's Office,
Kandy, July 11, 1935.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Kandy.

Kawanna Kawanna Nan Muna Ibrahim Saibo of
Katugastota, deceased .. Plaintiff.

(1) K. S. Ibram Saibo, (2) N. M. S. Segu Moham-
mado .. Substituted Plaintiffs.
No. 38,479. Vs.

(1) Munshi Abdulla of Gampola, assignee of the insolvent estate of Mohideen Abdul Cader's son Seyyadu Ahamadu alias Muna Keena Seyyadu Ahamadu, (2) Kunji Marikar's daughter Asia Umma of 188, Trincomalee road, Matale .. Defendants.

NOTICE is hereby given that on Thursday, August 15, 1935, at 1 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. 12,000 interest and costs, and whereas the sum of Rs. 6,000 with legal interest from April 1, 1930, and costs Rs. 150 less Rs. 3,382.50 are still due from the defendants to the plaintiff, viz. :—

1. All those houses and premises presently bearing assessment Nos. 186, 187 and 188, situated alongside Trincomalee road in the town of Matale in Kohonsiya pattu, in Matale south, in the District of Matale, Central Province; and bounded or reputed to be bounded on the east by the property of Marikar Thamby Mohandiram, south by the house and ground bearing assessment No. 185 belonging to Muna Thana Thaibo, west by Trincomalee road, and

north by road leading to Godapola; containing in extent about 6 perches; which said houses and premises comprise the following properties, to wit :—

(1) All that house and ground formerly bearing assessment No. 182 and presently No. 187 (being the middle portion of the premises formerly bearing assessment Nos. 181, 182, and 183), situated at Trincomalee road aforesaid; and bounded on the east by the fence on the limit of the property belonging to K. J. Marikar Thamby Mohandiram, south by the limit of the portion belonging to Muna Keena Seyyadu Ahamadu and another and the house formerly bearing assessment No. 181, and presently No. 186; west by Trincomalee road, and north by the limit of the portion belonging to Muna Keena Seyyadu Ahamadu and another and the house formerly bearing assessment No. 183, and presently No. 188; containing in extent about 1 kurakkan seer, also described as all that boutique formerly bearing assessment Nos. 200 and 183 and presently No. 187; bounded on the east by the properties of Asia Umma, south by the wall of house No. 186, west by Trincomalee road, and north by the wall of house No. 188; which said property is according to the former description registered in N 209/340 and according to the latter description in N 224/102.

(2) All that house and ground formerly bearing assessment No. 183 and presently No. 188, situated at Trincomalee road aforesaid; and bounded on the east by fence of the limit of K. Marikar Thamby Mohandiram's property, south by the wall of the boutique bearing assessment No. 187, west by Trincomalee road, and on the north by the Godapola road (formerly the premises bearing assessment No. 189); containing in extent about 2 perches, formerly described as containing about 1 kurakkan laha, in extent; and as bounded on the east by the limitary fence of K. Marikar Thamby Mohandiram's property, south by the house and ground bearing assessment No. 182, west by Trincomalee road, and north by the house and ground bearing assessment No. 184; which said property is registered in N 213/251.

(3) All that house and ground formerly bearing assessment No. 181 and presently No. 186, situated at Trincomalee road aforesaid; and bounded on the east by the property of Marikar Thamby Aratchy, south by the wall of the boutique bearing assessment No. 185, west by Trincomalee road, and north by the wall of the boutique formerly bearing assessment No. 182 and presently No. 187; containing in extent about 1½ lahas in kurakkan sowing, registered in N 213/252 and all the right, title, interest, and claim whatsoever of the said defendants in, to, upon, or out of the said several premises mortgaged with the plaintiff upon bond No. 1,155 dated April 1, 1921, and attested by N. B. Jansze, Notary Public of Kandy.

Deputy Fiscal's Office,
Matale, July 16, 1935.

S. C. FERNANDO,
Additional Deputy Fiscal.

In the District Court of Kandy.

Seena Thana Seena Valliappa Chettiar of Matale,
administrator of the estate of Seena Thana Seena
Sidambram Chettiar, deceased .. Plaintiff.

No. 44,885. Vs.

(1) Katheebu Abdul Cader Lebbe's daughter Leila Umma, (2) Seyyed Hussain Ibun Seyyadu Abdul Cader Balavivul Ba Maqar, (3) Hachi Mohideen's son Mohammed Saib, all of Gongawela in Matale .. Defendants.

NOTICE is hereby given that on Wednesday, August 21, 1935, commencing at 1 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. 1,750 with interest thereon at the rate of 18 per centum per annum from March 25, 1929, up to January 22, 1935, and thereafter legal interest on the aggregate amount till payment in full, less Rs. 1,276 paid on or before May 22, 1935 :—

1. All that land called Polwatte Meeragammahelayewatta, containing in extent about 2 seers kurakkan sowing, situated at Gongawela within the Urban District Council limits of Matale town in the District of Matale, Central Province; and bounded on the east by the fence of Galkumbura, south by the limit of Abdul Caffoor Lebbe's Veetutotam and the limit of Ali Uduman Pulle's land, west by the road leading to dola, and on the north by the limit of Wattedkapunargewatta and the limit of Abdul Caffoor Lebbe's portion of this land sold to Abdul Caffoor Lebbe, together with the tiled house, plantations, and everything thereon.

2. Undivided ¼ share of all that field called Dolegal-kumbura in extent 2 pelas and 4 lahas paddy sowing situate at Gongawela aforesaid; and bounded on the east

by the limit of Pahalagalkumbura, south by Dole-ela, west by the limit of Galkumburewatta, and on the north by the limit of Galkumburepillewa bearing assessment No. 17A, Dole road, with everything thereon, and registered in A 6/238 and 237, and all the right, title, interest, and claim whatsoever of the said 1st and 2nd defendants in, to, upon, or out of the said several premises mortgaged with the plaintiff upon bond No. 5,648 dated March 25, 1929, and attested by S. W. Wijayatilake, Notary Public of Matale.

Deputy Fiscal's Office,
Matale, July 16, 1935.

S. C. FERNANDO,
Additional Deputy Fiscal.

Southern Province.

In the District Court of Tangalla.

Balacharige *alias* Sonnadarage Sinnoappu of Mahahilla Plaintiff.
No. 3,848. Vs.

Balacharige *alias* Sonnadarage Rosahany of Mahahilla, the administratrix of the estate of the deceased, L. A. Sadiris de Silva, late of Thalabeligalla, Defendant.

NOTICE is hereby given that on Saturday, August 10, 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. 890.78, with further legal interest on Rs. 828 from June 6, 1935, till payment and poundage, viz. :—

At Ithalabeligalla.

The entire fruit trees and soil of the land called Kongahena, situated at Ithalabeligalla in West Giruwa pattu of the Hambantota District, Southern Province; and bounded on the north by lots bearing Nos. 80A and 80, east by lot bearing No. 80 and land mentioned in plan No. 16,377, south by land mentioned in plan No. 316,035, and west by lots bearing Nos. 86B and 79; containing in extent 4 acres and 19 perches.

Deputy Fiscal's Office,
Tangalla, July 12, 1935.

A. L. M. NOOR MOHAMED,
Additional Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

Sinnappu Chelliah of Thirunelvely East Plaintiff.
Sinnathamby Ponniah of Nallur Substituted Plaintiff.
No. 4,477. Vs.

(1) Ponnu, widow of Vallipuram, (2) Kumaru Ramalingam and his wife (3) Parupathy, all of Nallur Defendants.

NOTICE is hereby given that on Saturday, August 10, 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 3rd defendant in the following property for the recovery of Rs. 510.66, with legal interest thereon at the rate of 9 per cent. per annum from July 10, 1933, until payment in full and costs of suit being Rs. 123.27, less a sum of Rs. 410 already recovered, poundage and charges, viz. :—

An undivided $\frac{1}{4}$ share of a piece of land situated at Nallur in Nallur parish, Jaffna division of the Jaffna District, Northern Province, called "Kakkaiyanvalavu and other parcels", in extent 1 lacham varagu culture and 11 kulies with stone built house, well, and plantations and the share of well lying in the land on the south of the road and the right, use of way, and water-course; and bounded on the north by Visuvanather Sivakolunthu, shareholders, and others, east by Muttuvelu Saravanamuttu and wife, west by Alvar Kuddippillai, and south by road.

Fiscal's Office,
Jaffna, July 16, 1935.

S. TURAIYAPPAH,
Deputy Fiscal.

North-Western Province.

In the District Court of Kurunegala.

Diungalpedige Abadda of Meetenwala Wambugangoda Plaintiff.
No. 17,502. Vs.

Yodapedige Peruma of Meetenwala Udagama in Gandahe korale Defendant.

NOTICE is hereby given that on Saturday, August 10, 1935, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the

said defendant in the following property mortgaged with the plaintiff by bond No. 48,699 dated October 10, 1928, and attested by A. Abeygoonaratne, Notary Public, declared specially bound and executable under the decree dated April 12, 1934, entered in the above action and ordered to be sold by the order of court dated June 26, 1935, for the recovery of the sum of Rs. 299.95 being balance due with legal interest thereon from June 12, 1935, till payment in full, and Rs. 13.05, costs and poundage :—

1. The land called Madurugahamulahena, now garden, of 1 seer kurakkan sowing; and bounded on the east by Pallediwalekumbura, south by Meethenwala, west by Tikka's garden, north by Pansalwatta, with the plantations, houses, and buildings, &c. thereon situated at Meethenwala in Gandahe korale, Weudawili hatpattu, in the District of Kurunegala, North-Western Province.

2. An undivided $\frac{3}{16}$ share of Walakadewatta of about 3 pelas paddy in extent, situate at Meethenwala aforesaid; and bounded on the north by Pansalwatta and fence of Abadda Vel-Duraya's garden, east by ditch of Pansalwatta, south by ditch, and west by fence of the garden of Balaya and others and of the plantations, houses, buildings, &c. thereon in the aforesaid korale.

Fiscal's Office,
Kurunegala, July 15, 1935.

R. S. GOONESEKERA,
Deputy Fiscal.

Province of Uva.

In the District Court of Badulla.

Agness Grace Lisk of Badulla Plaintiff.
No. 5,405. Vs.

George Harold Dimbulana of Kohle Walauwva, Gampaha Defendant.

NOTICE is hereby given that on Monday, August 12, 1935, at 4 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 a sum of Rs. 1,620, being the aggregate amount of the principal and interest, together with further interest on Rs. 1,500 at 12 per cent. per annum from October 22, 1931, till November 27, 1933, and thereafter at the legal rate of interest on the aggregate amount till payment in full and cost of suit, less Rs. 500, viz. :—

All that undivided $\frac{1}{4}$ part or share of the property and premises called "Gerlitz House" with the buildings and plantations bearing assessment No. 402, situated at Talagoda, within the town and gravets of Badulla, in Badulla District of the Province of Uva; bounded on the north by the live fence of garden belonging to B. L. Potger (now to Mr. D. H. Kotalawala), east by ela and paddy field, south by live fence of garden belonging to T. Perumal, west by the high road; containing in extent 1 acre 1 rood and 17 perches according to plan No. 750 dated June 24, 1907, made by E. F. Ebert, Licensed Surveyor.

Fiscal's Office,
Badulla, July 15, 1935.

T. J. MENDIS,
Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

In the matter of the last will and testament of James William Maduwanwala, Maduwanwala, deceased.

No. 971. Vs.

Mr. A. F. Molamure of Lalitha, Dawson's road, Colombo Executor.

NOTICE is hereby given that on Friday, August 23, 1935, at 10 o'clock in the forenoon, will be sold by public auction at the Rakwana Resthouse premises the right, title, and interest of the said estate in the following property for the recovery of the sum of Rs. 34,108.46, together with interest thereon at 4 per cent. per annum from September 7, 1934, and outstanding interest Rs. 498.66 less Rs. 375.78, being estate duty due on the estate of the above-named deceased.

1. Lot L 90 $\frac{1}{2}$ in preliminary plan No. 732, Sabaragamuwa, of the extent of 3,492 acres, situate at Maduwanwala in Kolonnagam pattuwa of Kolonna korale, in the District of Ratnapura; bounded on the north by Timbolketiya-ganga *alias* Ratharawa-ganga, east by Walawe-ganga, south by Ketakela-ara, west by eastern boundary of title plan No. 196,384.

2. Part of lot L 90 in preliminary plan No. 732 part of T. P. 196,384, Sabaragamuwa, of the extent of 2,025 acres more or less, situate at Maduwanwala aforesaid; bounded

on the north by Andolu-ganga and Timbolketiya-ganga, east by western boundary of lot L 304 in preliminary plan No. 732, south by a line from 99th milepost on the Madampe-Hambantota road drawn due west (270°) until it meets Halmilla-ara, west by Halmilla-ara.

Fiscal's Office,
Ratnapura, July 16, 1935.

E. MUNASINHA,
Deputy Fiscal.

In the District Court of Ratnapura.

P. B. Gajanayaka of Wellandura, Kahawatta . . . Plaintiff.
No. 5,640. Vs.

M. M. Faleel of Ratnapura . . . Defendant.

NOTICE is hereby given that on Tuesday, August 13, 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. 1,812 and poundage and Rs. 7.20 being costs of reissue of writ, viz. :—

An undivided portion in extent 10 acres towards the bordering on Katukele, together with the rubber plantation of the lands called Peragaswatta Kandewatteyaya and Katukelehena, registered under No. 753 as Handukanda estate, with the Rubber Controller, Colombo, situate at Kiriella in Medā pattu of Kuruwiti korale in the District of Ratnapura; bounded on the north by lots 107x, 106c, 106d, 107x, east by lots 107x, 108, 107w, 111, 107v, 112, 122, 121A, 121B, and 121, south by Kandewatte-dola lots 123, 107R, 107s, Epitawala village boundary and Peragaswatte-dola, and on the west by Udukumbure-dola lot 107v and Pinnagolla; and containing in extent 50 acres 1 rood and 30 perches according to T. P. 387,926 and registered under A 147/45.

Fiscal's Office,
Ratnapura, July 15, 1935.

E. MUNASINHA,
Deputy Fiscal.

In the District Court of Kegalla.

Albinahamy of Meepitiya . . . Plaintiff.
No. 10,782. Vs.

T. B. Madana of Madana in Deyala-dahamunu pattu . . . Defendant.

NOTICE is hereby given that on August 17, 1935, 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, viz. :—

An undivided $\frac{2}{3}$ share of the land called Dombagantenne-watta and Yakambemulawatta of 17 acres and 14 perches, situated at Madana in Deyala-dahamunu pattu of Kinigoda korale in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the north by Galapitadeniyekumbura of Madana and Yakambemula-assedduma, east by Yakambemulawatta of James Baas, south by Crown land and Kolongalawatta of Mr. Gunawardena, and west by Dombagantenne-watta of Madana Banda and registered in B 92/158.

For the recovery of the sum of Rs. 461.10, with legal interest on Rs. 385.75 from July 24, 1934, till payment in full.

Deputy Fiscal's Office,
Kegalla, July 15, 1935.

R. H. WICKRAMASINGHE,
Additional Deputy Fiscal.

I, Roger Herbert Whitehorn, Fiscal for the Western Province, do hereby appoint Mr. James Alexander Siri-manne, to be Marshal for the division comprising the Gampaha peruwa of Ragam pattu in Alutkuru korale south, the Meda pattuwa of Siyane korale west, the Udu-gaha pattuwa of Siyane korale east, the following peruwās, viz. :—Radawana, Keragala, Dompe and Welgama of Gangaboda pattuwa of Siyane korale east, and the Hapiti-gam korale, under the provisions of the Fiscal's Ordinance, No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal from July 13 to 16, 1935, for which this shall be his warrant.

Fiscal's Office,
Colombo, July 10, 1935.

R. H. WHITEHORN,
Fiscal.

I, Roger Herbert Whitehorn, Fiscal for the Western Province, do hereby appoint Mr. James Alexander Siri-manne, to be Marshal for the division comprising the Gampaha peruwa of Ragam pattu in Alutkuru korale south,

the Meda pattuwa of Siyane korale west, the Udu-gaha pattuwa of Siyane korale east, the following peruwās, viz. :—Radawana, Keragala, Dompe, and Welgama of Gangaboda pattuwa of Siyane korale east, and the Hapiti-gam korale, under the provisions of the Fiscal's Ordinance, No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal for July 17, 1935, for which this shall be his warrant.

Fiscal's Office,
Colombo, July 15, 1935.

R. H. WHITEHORN,
Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Dozilla Harriot Fernando nee of No. 7,107. Colombo, deceased.

Eric Collin Fernando of Hill street, Dehiwala . . . Petitioner.

Gertrude Agnes Jansen nee Fernando of Uda-hamulla . . . Respondent.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on March 1, 1935, in the presence of M. B. S. Wickremeratne, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 2, 1934, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before July 25, 1935, show sufficient cause to the satisfaction of the court to the contrary.

March 1, 1935.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Mapalagama Acharig Thinnoris de Silva No. 7,112. Wijeratne of Baddegama, deceased.

Frederick Arthur de Silva Wijeratne of Minuwangoda, Galle . . . Petitioner.

(1) Liyana Badalge Nonahamy de Silva Wijeratne of Minuwangoda, Galle, (2) Helen Keerthiratne, and (3) J. S. Wijeratne, both of 52, Wajira road, Bambalapitiya . . . Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on March 6, 1935, in the presence of Mr. S. E. A. Perera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 22, 1935, having been read: It is ordered that the petitioner be and he is hereby declared entitled, as son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before July 25, 1935, show sufficient cause to the satisfaction of the court to the contrary.

March 6, 1935.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Mohsin Bhoj Hyderally of 37, Clifford No. 7,202. place, Bambalapitiya in Colombo, deceased.

Hyderally Mullah Rehmanjee of 37, Clifford place in Colombo . . . Petitioner.

Fathm Mullah Hakimjee, wife of Hyderally Mullah Rehmanjee of 37, Clifford place, Bambalapitiya in Colombo . . . Respondent.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on June 5, 1935, in the presence of Mr. M. N. M. Salahudeen, Proctor,

on the part of the petitioner above named; and the affidavit of the said petitioner dated June 5, 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 his estate issued to him, unless the respondent above named or any other person or persons interested shall, on or before July 25, 1935, show sufficient cause to the satisfaction of the court to the contrary.

June 5, 1935.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Senaratharatchige Don Joseph Wijesinghe of Wattala, in the Ragam pattu of Alutkuru korale, deceased.

Mary Elizabeth Wijesinghe of Wattala aforesaid Petitioner.

And 29.

(1) Senaratharatchige Dona Agnes Josephine Wijesinghe, (2) Senaratharatchige Dona Matilda Leonara Wijesinghe, (3) Senaratharatchige Don Simon Aloysius Wijesinghe, (4) Senaratharatchige Don Victor Sylvester Wijesinghe, (5) Senaratharatchige Don Edmund Peter Wijesinghe, (6) Senaratharatchige Don Aloysius Gonzaga Wijesinghe, (7) Senaratharatchige Don Cyril Clement Wijesinghe, (8) Senaratharatchige Don Roland Arthur Wijesinghe, all of Wattala aforesaid; the 2nd, 3rd, 4th, 5th, 6th, 7th, and 8th being minors appearing by their guardian *ad litem* (9) Don Daniel Wijesinghe of Negombo Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on March 26, 1935, in the presence of Mr. David de Silva, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 19, 1935, having been read:

It is ordered (a) that the 9th respondent be and he is hereby appointed guardian *ad litem* of the minors, the 2nd, 3rd, 4th, 5th, 6th, 7th, and 8th respondents above named, to represent them 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 June 27, 1935, show sufficient cause to the satisfaction of the court to the contrary.

March 26, 1935.

G. C. THAMBYAH,
District Judge.

The date for showing cause is extended to July 25, 1935.

June 27, 1935.

G. C. THAMBYAH,
District Judge.

32 In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Segu Jurisdiction. Lebbe Mohammed Lebbe of Thihariya in the District of Colombo, deceased.

Uvanna Mohammed Ali of Thihariya in the District of Colombo Petitioner.

And 29.

(1) Mohamed Lebbe Saudoonath Umma, (2) ditto Thaha Sheriff, (3) ditto Ummal Ekkina, (4) ditto Ummu Saheeda, (5) ditto Mohamed Suhu, (6) ditto Mohamed Abdul Cader, (7) ditto Mohamed Uvais, and (8) ditto Ummu Rahuma, all of Thihariya in the District of Colombo Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on June 11, 1935, in the presence of Mr. M. M. A. Raheem, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated June 10, 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 4th to 8th respondents above named to represent them for all the purposes of this action, and (b) that the petitioner be and he is hereby declared entitled, as son-in-law of the above-named deceased, to have letters of administration to his

estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before July 25, 1935, show sufficient cause to the satisfaction of the court to the contrary.

June 11, 1935.

G. C. THAMBYAH,
District Judge.

33 In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Rajapakse Pathirage Don Cornelis Appuhamy of Demaladuwa in Kesbewa, in the Palle pattu of Salpiti korale, deceased.

Liyana Dona Charlotte Wanigasooriya of Demaladuwa in Kesbewa aforesaid Petitioner.

And

(1) Rajapakse Pathirage Dona Missie Margaret, (2) ditto Clara Adlin, (3) ditto Dona Beatrice, (4) ditto Don Henry Alfred, (5) ditto Dona Cecie Harriet, (6) ditto Don George Winson, (7) ditto Don Cyril Victor, (8) ditto Don Gilbert Dicks, all of Demaladuwa in Kesbewa aforesaid, (9) Liyana Don Bartholomeusz Wanigasooriya of Suwara-pala Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on June 11, 1935, in the presence of Mr. Ben Samarasinghe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated June 10, 1935, having been read:

It is ordered (a) that the 9th respondent be and he is hereby appointed guardian *ad litem* of the minor the 3rd to 8th respondents above named, to represent them 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 July 25, 1935, show sufficient cause to the satisfaction of the court to the contrary.

June 11, 1935.

G. C. THAMBYAH,
District Judge.

21 In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Nanayakkaramage Don Haramanis of Kalapaluwawa in the Palle pattu of Heragam korale, deceased.

Amerasinghe Missi Silva of Kalapaluwawa aforesaid Petitioner.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Acting District Judge of Colombo, on June 12, 1935, in the presence of Mr. F. J. Botejue, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated June 5, 1935, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless any person or persons interested shall, on or before July 25, 1935, show sufficient cause to the satisfaction of the Court to the contrary.

June 12, 1935.

V. L. ST. CLAIR SWAN,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Valentage Joseph Anthony Perera of No. 7,214. 34, St. James street, Mutwal in Colombo, deceased.

Magallage Cecilia Theodora Perera Hamine of 34, St. James street, Mutwal, Colombo Petitioner.

And

(1) Valentage Anthony Dunstan Perera, (2) Valentage Thomas Winifred Perera, both of 34, St. James street, Mutwal. The 2nd respondent is a 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 June 18, 1935, in the presence of Mr. S. Ratnakaram, Proctor,

on the part of the petitioner above named; and the affidavit of the said petitioner dated June 11, 1935, having been read :

It is ordered (a) that the 1st respondent be and he is hereby appointed guardian *ad litem* of the minor, the 2nd 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 July 25, 1935, show sufficient cause to the satisfaction of the court to the contrary.

June 18, 1935.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament Jurisdiction. of Francis Henry Wijeyekoon, No. 7,215. Retired Postmaster, of Desmond Hill estate, Galpata in Ruanwella, deceased.

Hilda Beatrice Wijeyekoon of St. Therese, High street, Wellawatta in Colombo. Petitioner.

(1) Desmond Wijeyekoon, (2) Meryna Wijeyekoon, and (3) Hugh Wijeyekoon, all of Lansdale, Rajasinghe road, Wellawatta, Colombo, minors, appearing by their guardian *ad litem* (4) H. G. Scharenguivel of St. Therese, High street, Wellawatta in Colombo Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on June 18, 1935, in the presence of Mr. C. E. P. Jayanayake, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated June 18, 1935, and (2) of the attesting notary dated June 14, 1935, having been read :

It is ordered (a) that the 4th respondent be and he is hereby appointed guardian *ad litem* of the minors the 1st, 2nd, and 3rd respondents to represent them for all the purposes of this action, and (b) that the last will of Francis Henry Wijeyekoon, 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, as widow of the above-named deceased, is entitled to have letters of administration with copy of the said will annexed issued to her, unless the respondents above named or any other person or persons interested shall, on or before July 25, 1935, show sufficient cause to the satisfaction of this court to the contrary.

June 18, 1935.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Wilaratchige Dona Lily Wijesinghe No. 7,226. Goonatilleke of Kalubowila West in the Palle pattu of Salpiti korale, deceased.

Jayasooriya Aratchige Simon Perera also of Kalubowila West aforesaid Petitioner.

(1) Jayasooriya Aratchige Lillian Metilda Perera and (2) ditto Annie Catherine Perera both of Kalubowila, minors appearing by their guardian *ad litem*, (3) Wilaratchige Don Richard Wijesinghe Goonatilleke of Kalubowila West aforesaid Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on June 21, 1935, in the presence of Mr. D. R. de S. Abhayanayake, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 13, 1935, having been read :

It is ordered (a) that the 3rd respondent be and he is hereby appointed guardian *ad litem* of the minor the 1st and 2nd respondents above named to represent them for all the purposes of this action and (b) that the petitioner be and he is hereby declared entitled, as widower of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before July 25, 1935, show sufficient cause to the satisfaction of the court to the contrary.

June 21, 1935.

G. C. THAMBYAH,
District Judge.

in the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament Jurisdiction. of Ravanna Mana Muna Runa Murugappa Chettiar of Nachchandupatti Pudukottah State, South India, deceased. No. 7,237.

Ravanna Mana Muna Runa Ramanathan Chettiar of Sea street, Colombo Petitioner.

(1) Periakappi Alamelu Achi of Nachchandupatti Pudukottah State, South India, (2) Letchimi of Kulpirai of Pudukottah aforesaid, (3) Palaniappen, (4) Swarnam, and (5) Settiappan, all of Nachchandupatti aforesaid Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on July 4, 1935, in the presence of Mr. G. E. G. Weeresinghe, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated June 25, 1935, and (2) of the attesting witnesses dated June 8, 1935, and the order of the Supreme Court dated June 24, 1935, having been read : and the *viva voce* evidence of one of the attesting witnesses having also been recorded on July 4, 1935 :

It is ordered (a) that the 1st respondent be and she is hereby appointed guardian *ad litem* of the minors the 3rd, 4th, and 5th respondents above named to represent them for all the purposes of this action, and (b) that the last will of Ravanna Mana Muna Runa Murugappa Chettiar, 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, as the son and sole devisee under the said will, is entitled to have letters of administration, with copy of the will annexed, to the estate of the above-named deceased issued to him, unless the respondents above named or any other person or persons interested shall, on or before August 29, 1935, show sufficient cause to the satisfaction of this court to the contrary.

July 4, 1935.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi in Intestacy.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Margaret Stewart Murray or Edwards, No. 7,248, N.T. wife of Charles Harold Edwards of 30, Falkland Mansions, Hyndland, Glasgow Scotland, deceased.

John William Thompson of Harrisons & Crosfield, Limited, Colombo Petitioner.

(1) Douglas Murray Burnell Edwards of 30, Falkland Mansions, Hyndland, Glasgow, Scotland, (2) Gerald Ernest de Alwis, Secretary of the District Court of Colombo, Colombo Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on July 8, 1935, in the presence of Messrs. F. J. & G. de Saram, Proctors, on behalf of the petitioner, John William Thompson of Colombo; and (1) the affidavit of the said petitioner dated June 19, 1935, (2) power of attorney dated February 20, 1935, (3) order of the Supreme Court dated May 22, 1935, (4) affidavit dated February 20, 1935, and (5) minute of consent dated February 20, 1935, both from Charles Harold Edwards, having been read; It is ordered that the said John William Thompson is the attorney in Ceylon of Charles Harold Edwards the executor-dative, and one of the heirs and next of kin of the said Margaret Stewart Murray or Edwards, deceased, and that as such he is entitled to have letters of administration issued to him accordingly, unless the above-named respondents or any other person interested shall, on or before July 25, 1935, show sufficient cause to the satisfaction of this court to the contrary : It is further ordered that the said 2nd respondent be and he is hereby appointed guardian *ad litem* over the 1st minor respondent above named for the purposes of this action.

July 8, 1935.

G. C. THAMBYAH,
District Judge.

In the District Court of Galle.

Order Nisi.

93 Testamentary In the Matter of the Estate of the late Jurisdiction. Madala Mudrige Menchihamy, deceased, No. 7,617. of Walahandurwa.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on November 20, 1934, in the presence of Mr. E. S. Jayawickrama, on the part of the petitioner, Diyee Wijesiri Goonawardena of Bataduwa; and the affidavit of the said petitioner dated November 19, 1934, having been read:

It is ordered that the said petitioner, as son of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondents—(1) Beltis Wijesiri Goonawardena, (2) Dias Wijesiri Goonawardena, (3) Alexander Wijesiri Goonawardena, (4) Dona Gimara Wijesiri Goonawardena, (5) Benjamin Gunatilleke—shall, on or before January 8, 1935, show sufficient cause to the satisfaction of this court to the contrary.

November 20, 1934.

T. W. ROBERTS,
District Judge.

Order Nisi extended to February 12, 1935.

January 8, 1935.

T. W. ROBERTS,
District Judge.

Order Nisi extended to March 12, 1935.

February 12, 1935.

T. W. ROBERTS,
District Judge.

Order Nisi extended to June 25, 1935.

March 12, 1935.

C. E. DE VOS,
District Judge.

Order Nisi extended to July 23, 1935.

June 25, 1935.

C. E. DE VOS,
District Judge.

32 In the District Court of Galle.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of Warnakula Jurisdiction. Hewage Ceaser deceased, of Galupiadda No. 7,654. of Galle.

THIS matter coming on for disposal before C. E. de Vos, Esq., District Judge of Galle, on May 13, 1935, in the presence of Mr. W. A. Gunatilleke, Proctor, on the part of the petitioner, Kururuge Emyyna of Galupiadda; and the affidavit of the said petitioner dated September 9, 1934, and the affidavit of the Notary and the attesting witnesses to the last will dated May 9, 1935, having been read:

It is ordered that the will of Warnakula Hewage Ceaser of Galupiadda, Galle, deceased, dated June 13, 1933, and now deposited in this court be and the same is hereby declared proved, unless any person or persons interested shall, on or before June 13, 1935, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said petitioner is the executrix named in the last will and that she is entitled to have probate of the same issued to her accordingly, unless any person or persons interested shall, on or before June 13, 1935, show sufficient cause to the satisfaction of this court to the contrary.

May 13, 1935.

C. E. DE VOS,
District Judge.

Date for showing cause is extended to June 28, 1935.

C. E. DE VOS,
District Judge.

Date for showing cause is extended to August 16, 1935.

C. E. DE VOS,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Lama Hewage Charles Silva, deceased, No. 7,655. of Koggala.

THIS matter coming on for disposal before C. E. de Vos, Esq., District Judge of Galle, on May 21, 1935, in the presence of Mr. C. E. Abeyewickreme, on the part of the

petitioner, Hapu Henedige Henry Dias of Pamburana in Matara; and the affidavit of the said petitioner dated May 15, 1935, having been read:

It is ordered that the 2nd respondent be appointed guardian *ad litem* of the 1st minor respondent, unless the respondents, (1) Lama Hewage Ariyapala, (2) Arukatti Patabendige Charliya Abeyesooriya both of Pamburana in Matara, or any other person or persons interested shall, on or before June 21, 1935, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner, as brother-in-law of the deceased, is entitled to have letters of administration issued to him accordingly, unless the said respondents or any other person or persons interested shall, on or before June 21, 1935, show sufficient cause to the satisfaction of this court to the contrary.

May 21, 1935.

C. E. DE VOS,
District Judge.

Date for showing cause is extended to July 26, 1935.

June 21, 1935.

C. E. DE VOS,
District Judge.

30 In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Apparatthy Girigoris de Silva Premawardane, deceased, of Mahamodera, No. 7,659. of Galle.

THIS matter coming on for disposal before C. E. de Vos, Esq., District Judge of Galle, on June 26, 1935, in the presence of Mr. H. de S. Kararatne Proctor, on the part of the petitioner, Kariyasan Bewitantirige Prancinahamy of Mahamodera, Galle; and the affidavit of the said petitioner dated June 26, 1935, having been read:

It is ordered that the 7th respondent be appointed guardian *ad litem* over the 4th minor respondent, unless the respondents Apparatthy Bernard Premawardane, (2) ditto Bertie Premawardane, (3) ditto Charles Premawardane, (4) ditto Lambert Premawardane, (5) ditto Evelyn Premawardane, (6) ditto Allen Premawardane, (7) Vincent Gunawardane, all of Mahamodera, Galle, or any other person or persons interested shall, on or before July 24, 1935, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner, as widow of the above-named deceased, is entitled to have letters of administration issued to her accordingly, unless the said respondents or any other person or persons interested shall, on or before July 24, 1935, show sufficient cause to the satisfaction of this court to the contrary.

June 26, 1935.

C. E. DE VOS,
District Judge.

30 In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Walalawita Maha Arachchige Don Noris No. 7,662. Appihamy, deceased, of Jorsigoda in Induruwa.

THIS matter coming on for disposal before C. E. de Vos, Esq., District Judge of Galle, on July 4, 1935, in the presence of Mr. W. A. G. S. S. Proctor, on the part of the petitioner, Totamane Kanlanage Nona Hamine of Jorsigoda in Induruwa; and the affidavit of the said petitioner dated July 4, 1935, having been read: It is ordered that the 10th respondent be appointed guardian *ad litem* over the 4th, 5th, 6th, 7th, 8th, and 9th minor respondents, unless the respondents—(1) Tissa Walalawita Maha Arachchi, (2) Seelawathie ditto, (3) Don Edward Dharmadasa ditto, (4) Karunawathie ditto, (5) Leelawathie ditto, (6) Yasawathie ditto, (7) Nandawathie ditto, (8) Naunasinghe ditto, (9) Dinadasa ditto, all of Jorsigoda, Induruwa, (10) Lokuge Alwis Singho of Weragoda—or any other person or persons interested shall, on or before August 1, 1935, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner, as widow of the above-named deceased, is entitled to have letters of administration issued to her accordingly, unless the said respondents or any other person or persons interested shall, on or before August 1, 1935, show sufficient cause to the satisfaction of this court to the contrary.

July 4, 1935.

C. E. DE VOS,
District Judge.

In the District Court of Jaffna

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Cumaraswamy Velauther of Puloly West,
No. 124. deceased.

C. Velauther Candappa of Puloly West Petitioner.
Vs. Respondents.

- (1) C. Velauther Cumaraswamy of ditto, (2) C. Velauther Arumugam of ditto, (3) Kathiramanby Subramaniam and (4) wife, Thangamma of Puloly West, (5) Paramoe Thambirajah and (6) wife, Ponnachippillai, (7) C. Velauther Nagalingam of Puloly West. . Respondents.

THIS matter of the petition of the above-named petitioner, praying that letters of administration to the estate of the said late Cumaraswamy Velauther be issued to him, coming on for disposal before C. Coomarasamy, Esq., District Judge, on June 12, 1935, in the presence of Messrs. Kandaiya & Mylvaganam, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated June 12, 1935, having been read: It is ordered that the petitioner be declared entitled to have letters of administration to the estate of the said intestate issued to him, as one of the heirs of the said intestate, unless the respondents or any other person shall, on or before July 31, 1935, show sufficient cause to the satisfaction to this court to the contrary.

June 22, 1935. C. COOMARASAMY,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Sivakamy, wife of Sthamparan of Va-
No. 8,526. rany Iyattalai, deceased.

Sinnappah Sithamparan of Varany Iyattalai .. Petitioner.
Vs. Respondents.

- (1) Velan Kanapathy of Varany Iyattalai, (2) Velan Kanapathy of ditto Respondents.

THIS matter of the petition of the above-named petitioner, praying that letters of administration to the estate of the above-named deceased be granted to the petitioner, coming on for disposal before C. Coomaraswamy, Esq., District Judge of Jaffna, on May 16, 1934, in the presence of Mr. V. S. Karthigesu, Proctor, on the part of the petitioner; and on reading the affidavit and petition of the petitioner: It is ordered that letters of administration to the estate of the above-named deceased be granted to the petitioner as the husband of the said deceased, unless the respondents appear before this court on June 27, 1934, and show sufficient cause to the satisfaction of this court to the contrary.

June 2, 1934. C. COOMARASWAMY,
District Judge.

Extended for July 22, 1935.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
No. 8,618. Sivagamamma, widow of Maru-
thapper of Manippay, deceased.

Arunasalam Suntherampillai of Manippay Petitioner.

Swaminathapillai Puvirajasingam of ditto, and 12
others Respondents.

THIS matter coming for letters of administration to the estate of the above-named deceased, coming on for disposal before C. Coomaraswamy, Esq., District Judge, on June 19, 1935, in the presence of Mr. E. Murugesampillai, Proctor, for petitioner; and the affidavit of the petitioner dated April 28, 1935, having been read: It is declared that the petitioner is one of the heirs of the said intestate, and is entitled to have letters of administration to her estate, unless the respondents or any other person shall, on or before July 26, 1935, show cause to the contrary.

June 25, 1935. C. COOMARASWAMY,
District Judge.

In the District Court of Batticaloa.

Order Nisi.

Testamentary In the Matter of the Estate and Effects of
Jurisdiction. the late Fencia Mabel Grace Allegakoen
No. 426. of Batticaloa, deceased.

John Edward Allegakoen of Batticaloa Petitioner.
And

- (1) Gladwin Bertram Allegakoen, (2) Primrose Allegakoen, and (3) Mervyn Allegakoen of Batticaloa, (4) Sanford Chelliah Devanayagam of Mudaliar's street, Batticaloa Respondents.

THIS matter coming on for disposal before G. N. Tisserasinghe, Esq., District Judge of Batticaloa, on June 15, 1935, in the presence of Mr. K. Thambiah, Proctor, on the part of the above-named petitioner; and the affidavit and petition of the said petitioner dated June 13, 1935, having been read: It is ordered that the 4th respondent above named, be and he is hereby appointed guardian *ad litem* of the minors the 1st, 2nd, and 3rd respondents above named, unless the respondents above named or any other person or persons interested shall, on or before August 6, 1935, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the petitioner above named, be and he is hereby declared entitled, as the husband of the said 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 August 6, 1935, show sufficient cause to the satisfaction of this court to the contrary.

June 15, 1935. P. VYTHILINGAM,
District Judge.

In the District Court of Trincomalee.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of the late Manikkam, widow of
No. 229, D. C. 00 Sinnapillai of No. 10 Division, Trin-
comalee, deceased.

Kaliappu Ponnidi of No. 10 Division,
Trincomalee Petitioner.
Vs.

- (1) Muttipillai, wife of K. Ponniah of No. 10 Division, Trincomalee, (2) Sinnapillai Sinniah *alias* Ponniah of No. 10 Division, Trincomalee, presently of Mutwal, Colombo Respondents.

THIS matter coming on for disposal before A. R. Supramaniam, Esq., District Judge of Trincomalee, on July 4, 1935, in the presence of Mr. D. Rajaratnam, Proctor, on the part of the petitioner; and the affidavits of the petitioner and the attesting witnesses to the said last will dated June 25, 1935, and June 30, 1935, respectively having been read: It is ordered that the will of Manikkam, widow of Sinnapillai, deceased, dated July 1, 1934, and now deposited in this court, be and the same is hereby declared proved.

It is further declared that the said petitioner is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless the respondents or any other person or persons interested in the estate of the said deceased shall, on or before August 5, 1935, show sufficient cause to the satisfaction of this court to the contrary.

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

In the District Court of Puttalam.

Order Nisi.

Testamentary In the Matter of the Estate of Seta Meera
Jurisdiction. Lebbe Mohideen Pitche, late of Kura-
No. 684. vankudi, deceased.

S. M. S. R. M. Ramanathan Chettiar of Putta-
lam Petitioner.
And

- (1) Muhallam Meera Saino Lebbe Assen Mohideen Wawa Saino Lebbe, (2) Meina Mohamedo Lebbe Meera Saino Lebbe, a minor by his proposed guardian *ad litem* the 1st respondent, (3) Mohamedo Sarah Umma, wife of Nagoor Pitche, (4) Peer Rawther Mohamedo Ibrahim, all of Poolachenai, (5) Abdul Careem by his proposed guardian *ad litem* (6) Sinne Maraikar Segu Noordeen of Theli, (7) Aysia Umma, a minor by her proposed guardian *ad litem* (8) Segu Noordeen Nagur of Panayadi Respondents.

THIS matter coming on for final disposal before S. M. Duff, Esq., Additional District Judge of Puttalam, on March 30, 1935, in the presence of Mr. Ben Kanahasundra,

Proctor, on the part of the petitioner; and the petitioner's affidavit dated February 25, 1935, and the petition dated March 30, 1935, having been duly read:

It is ordered that the above-named 6th respondent, Sinne Maraikar Segu Noordeen, be and he is hereby appointed guardian *ad litem* of the 5th respondent above named, and the 8th respondent, Segu Noordeen Nagur, be and he is hereby appointed guardian *ad litem* of the 7th respondent above named.

And it is further ordered that the 4th respondent, Peer Rawther Mohamedo Ibrahim, be and he is hereby appointed administrator *debonis non* of the estate of the above said Segu Meera Lebbe Mohideen Pitche, deceased, unless sufficient cause be shown to the contrary on or before April 17, 1935, to the satisfaction of this court.

March 30, 1935. S. M. DUFF,
Additional District Judge.

Time extended and reissued returnable on May 28, 1935.

April 17, 1935. W. A. MUTTUKUMARU,
Additional District Judge.

Time extended and reissued returnable on July 23, 1935.

July 5, 1935. S. M. DUFF,
Additional District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late Jayasinghe Mudalige Utku Bandap-
No. 2,145. puhany of Pilakatumulla, deceased.

Kudacola Pathirehelage Gunamal Ethana of Pilakatu-
mulla Petitioner.

(1) Jayasinghe Mudalige Mary Nona of Paluwalgala,
(2) ditto Podi Nona of Narawila, (3) ditto Punchi
Nilame Appu Hany of Pilakatumulla, (4) ditto Podi
Menikany of Siyambalagaswela, (5) ditto Punchap-
puyany of Pilakatumulla, (6) ditto Manel Hany of
Kekulawadia, (7) ditto Engo Nona; (8) ditto Seenchi
Nona, both of Pilakatumulla Respondents.

THIS matter coming on for disposal before M. Chinniah,
Esq., District Judge of Chilaw, on June 4, 1935, in the

presence of Mr. C. V. M. Pandittesekere, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated May 7, 1935, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the said deceased, to have letters of administration to his estate issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before July 25, 1935, show sufficient cause to the satisfaction of this court to the contrary.

June 4, 1935.

M. CHINNIAH,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late Ganaparakasam Simon Peter of Dum-
No. 2,146. maladenia, deceased.

S. Maria Salomai of Dummaladenia Petitioner.

Vs.

(1) Lazy Ganapoo Dewakerupai, (2) Rosalin Dewa-
nesam, (3) Victor Chelvadorai, (4) Sam Dewaraja, all
of Dummaladenia, minors, by their guardian *ad litem*
(5) C. J. Cumarasamy, 110, Kotahena street,
Colombo Respondents.

THIS matter coming on for disposal before M. Chinniah,
Esq., District Judge of Chilaw, on June 11, 1935, in the
presence of Mr. C. V. M. Pandittesekere, Proctor, on the
part of the petitioner; and the affidavit of the said peti-
tioner dated June 11, 1935, having been read:

It is ordered that the 5th respondent be and he is hereby
appointed guardian *ad litem* of the minors 1st, 2nd, 3rd, and
4th respondents above named to represent them for all the
purposes of this action.

It is further ordered that the petitioner be and she is
hereby declared entitled, as widow of the said deceased, to
have letters of administration to his estate issued to her
accordingly, unless the respondents above named or any
person or persons interested shall, on or before August 2,
1935, show sufficient cause to the satisfaction of this court
to the contrary.

June 4, 1935.

M. CHINNIAH,
District Judge.