



THE

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

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DRAFT ORDINANCES.

MINUTE.

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

G 17a

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

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

Short title and date of operation.

1 This Ordinance may be cited as the Village Communities Amendment Ordinance, No. of 1937, and shall come into operation on such date as may be appointed by the Governor by Proclamation in the Gazette.

Amendment of section 2 of Ordinance No. 9 of 1924.

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

- (1) by the omission of the figure "1" in parenthesis from sub-section (1) thereof; and
- (2) by the repeal of sub-section (2) thereof.

Re-numbering of sections 37 to 98, and section 100 and repeal of section 99 of the principal Ordinance.

3 (1) Sections 37 to 98, both inclusive, and section 100, of the principal Ordinance are hereby renumbered respectively as sections 64 to 125, and section 128, of that Ordinance.

(2) Section 99 of the principal Ordinance is hereby repealed.

Repeal of sections 3 to 36 of the principal Ordinance and insertion of new sections 3 to 63 therein.

4 Sections 3 to 36, both inclusive, of the principal Ordinance are hereby repealed, and the following sixty-one sections are hereby inserted in the principal Ordinance and shall have effect as sections 3 to 63 thereof :—

PART I.

Village Areas.

Application of Ordinance to chief headman's divisions.

3. (1) It shall be lawful for the Governor by Proclamation published in the Gazette, to declare that any chief headman's division or any part thereof shall, from a date to be named therein, be brought within the operation of this Ordinance.

(2) On such Proclamation being published as aforesaid, such division or part thereof shall, from the said date, be within the operation of this Ordinance.

(3) Any chief headman's division or part thereof, which at the commencement of this Ordinance is within the provisions of any Ordinance repealed by this Ordinance, shall be deemed to be within the operation of this Ordinance, and the provisions of this Ordinance shall apply to such division or part as if it had been brought within the operation thereof by a Proclamation under this section.

4. (1) Every chief headman's division or part thereof brought within the operation of this Ordinance shall be subdivided into village areas consisting of one or more villages or groups of villages in such manner as the Governor may, by Proclamation published in the Gazette, appoint :

Provided that, where, in the opinion of the Governor, it is unnecessary that any such chief headman's division or part thereof should be subdivided in manner aforesaid, the Governor may, if he thinks fit, by Proclamation published in the Gazette declare that such chief headman's division or part thereof shall not be subdivided, and in such case such chief headman's division or part thereof shall be deemed to be a village area within the meaning of this Ordinance.

(2) Any subdivision declared or constituted under the provisions of any Ordinance repealed by this Ordinance shall, from the commencement of this Ordinance, be deemed to be a village area within the operation of this Ordinance, and the provisions of this Ordinance shall apply to such subdivision as if it were a village area declared by a Proclamation under this section.

5. (1) For the purpose of giving to a Village Tribunal jurisdiction over an area within the administrative limits of a Local Board of Health and Improvement or an Urban District Council, any such area may, by Proclamation under the provisions of this Part of this Ordinance, be brought within the operation of this Ordinance and be included in any village area :

Provided that—

- (a) no inhabitant of any such area shall be entitled to attend or vote at any meeting of the voters, or to be elected as a member of the Village Committee, of that village area ;

Subdivision of divisions into village areas.

Application of Ordinance to Urban and Sanitary Board areas.

- (b) no by-law made or deemed to have been made under this Ordinance shall have any operation in any such area ; and
- (c) section 39 shall not apply to any property belonging to the Local Board or Urban District Council.

(2) Where any town or village has been brought under the operation of both this Ordinance and the Small Towns Sanitary Ordinance, 1892—

- (a) no inhabitant of such town or village shall be entitled to attend or vote at any meeting of the voters, or to be elected as a member of the Village Committee, of any village area ;
- (b) section 39 of this Ordinance shall not apply to any property whatsoever belonging to the Sanitary Board ; and
- (c) rules made or deemed to have been made under any law for the time being in force for the purpose of regulating the procedure of Village Tribunals shall have force therein notwithstanding section 36 of the Small Towns Sanitary Ordinance, 1892.

6. (1) For the purposes of this Ordinance the Governor may, from time to time, by Proclamation in the Government Gazette—

- (i) alter and redefine the limits of any village-area ;
- (ii) divide any village area into two or more village areas ;
- (iii) amalgamate two or more village areas or portions thereof ;
- (iv) constitute new village areas.

Alteration of boundaries and extent of village areas.

(2) Anything in this Ordinance to the contrary notwithstanding, the Governor may, by Proclamation in the Government Gazette provide from time to time for all matters which he may deem to be necessary to give effect to any alteration, definition, division, amalgamation or constitution made under sub-section (1), including—

- (a) the dissolution of any Village Committee and the election of a fresh Committee ;
- (b) the continuance or the application of by-laws in force in the village area or any part thereof at the time of the Proclamation under sub-section (1) ;
- (c) the transfer, apportionment and adjustment of property rights, debts, liabilities and obligations ;
- (d) the extension, curtailment or redefinition of the area within the jurisdiction of any Village Tribunal ;
- (e) the collection and levy of taxes, tolls, penalties, fines and other sums of money which may be or become due ;
- (f) pending contracts and legal proceedings.

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

Proclamations to be laid before State Council.

PART II.

Election of Village Committees.

8. In every village area there shall be constituted a Village Committee, elected in accordance with the provisions of this Ordinance and the rules made thereunder.

Village Committee to be elected for each village area.

9. (1) Every Village Committee elected under the provisions of this Ordinance shall, subject to the provisions of section 62, go out of office on the last day of June of the third year after the general election at which the members were elected.

Term of office of Village Committee.

(2) All Village Committees in existence at the commencement of this Ordinance shall continue to exist until the thirtieth day of June in the year in which they would, under the provisions of any Ordinance repealed by this Ordinance, have gone out of office by the effluxion of time, and shall have and exercise all privileges, powers, and duties conferred or imposed on Village Committees by this Ordinance as if they had been constituted under the provisions of this Ordinance.

(3) Notwithstanding the provisions of sub-section (1) or sub-section (2)—

- (a) the Governor may, by order published in the Gazette in respect of any Village Committee, substitute for the date specified in those sub-sections the last day of any other month, whether in the year so specified or in the year immediately preceding or following that year, but so that the period by which the term of office of the Committee is extended or curtailed by the order shall not exceed twelve months; and
- (b) in the application of this Part of the Ordinance to any Village Committee in respect of which an order is so made, all references to the last day of June and to the first day of July shall be deemed to be references respectively to the date substituted by the order and to the day following that date.

Election of
new
Committees.

10. In place of every Village Committee going out of office, another Committee to be elected as hereinafter provided, shall come into, and remain in, office for the next ensuing period of three years, and, at the expiration of such period, shall in like manner go out of office and be succeeded by another such Committee for a like term of three years, and so on during the continuance of this Ordinance :

Provided that no Committee elected in place of a Committee going out of office otherwise than by effluxion of time, shall remain in office beyond the unexpired portion of such latter Committee's term of office.

Wards and
representa-
tion.

11. (1) For the purposes of the election of the Village Committee every police headman's division in a village area shall be deemed to be a ward of that area :

Provided, however, that no police headman's division or part thereof which is within the limits of any area or town or village to which section 5 applies shall be deemed to be a ward or part of a ward for the purposes of this section :

And provided further that with the approval of the Governor, the Executive Committee may, by notification published in the Gazette, subdivide any such police headman's division into two or more wards, or amalgamate two or more police headman's divisions into one single ward, with such limits as may be specified in the notification, and thereupon each such subdivision or amalgamated division shall be deemed to be a ward within the meaning of this section.

(2) Each of the wards of a village area within the meaning of this section shall be entitled to return one member to the Village Committee for that area.

(3) The total number of persons elected as members of the Village Committee for any village area shall not exceed or be less than the total number of the wards of that area.

Qualification
of voter.

12. Every person of either sex, other than an Indian labourer within the meaning of Ordinance No. 13 of 1889, shall be entitled to vote at the election of a member for any ward of a village area, if such person—

- (a) is a British subject; and
- (b) is not less than twenty-one years of age on the first day of May of the year in which the election is held; and
- (c) is resident in that ward, and has been so resident for a continuous period of six months during the eighteen months immediately preceding the date of the election :

Provided, however, that no person, otherwise qualified under this section to vote at an election, shall be entitled or permitted to vote, if he—

- (a) has been adjudged by a competent court to be of unsound mind; or
- (b) is at the time of the election disqualified by order of any court by which he has been convicted of an election offence under section 18.

Qualification
for election
as member.

13. Every person who is entitled to vote at the election of a member for any one of the wards of a village area shall be deemed to be qualified for election as the member for any ward of that area, if he—

- (a) is possessed, either in his own right or the right of his wife, of immovable property of the value of two hundred rupees exclusive of any mortgage debt thereon; and

- (b) is able to read and write the Sinhalese, the Tamil or the English language ; and
- (c) is not the holder of the office of chief or minor headman, or of any office of emolument in the service of the village committee of that area ; and
- (d) is not either directly or indirectly except as a shareholder in an incorporated company, interested in any contract entered into by any person with the village committee of that area ; and
- (e) has not at any time served a sentence of imprisonment of either description for a period of three months or any longer period on conviction of any crime within the meaning of the Prevention of Crimes Ordinance, No. 2 of 1926.

14. (1) Every election, whether it be of the first Village Committee for any area brought within the operation of this Ordinance, or of a Committee to succeed any Committee going out of office, or of one or more individual members to fill any casual vacancy or vacancies, shall, subject to the provisions of section 15 (4), be held at a meeting of the voters of each of the wards or of the ward for which a member has to be elected ; and every such meeting shall be summoned and conducted by the Government Agent in the manner hereinafter provided.

Meetings of voters for purposes of elections.

(2) The Government Agent shall fix one or more convenient dates for the meetings of the voters of the several wards, and such date or dates shall—

- (a) in the case of the first general election of a Committee for any village area brought within the operation of the Ordinance by a Proclamation under section 3, be not more than three months after the date of the Proclamation ;
- (b) in the case of a general election of a Committee to succeed a Committee going out of office by effluxion of time, be not more than three months before the date on which the term of office of the Committee is to expire, or not more than six months before that date in any case where the Governor, by order published in the Gazette, so directs on the ground of the impracticability of completing the election within a period of three months ;
- (c) in the case of a general election of a Committee to succeed a Committee which goes out of office otherwise than by effluxion of time, be not more than three months after the date on which the Committee goes out of office ; and
- (d) in the case of the election of a member to fill any casual vacancy in a Committee, be not more than six weeks after the date on which the vacancy arises.

(3) The place of each meeting of the voters of a ward, shall also be fixed by the Government Agent ; and where a suitable place is not available within any ward, any place within a convenient distance thereof may be fixed, but in no case shall any place be so fixed which is outside the limits of the village area of which that ward forms a part.

(4) Not less than one month's notice of the time and place fixed for each meeting of the voters of a ward, shall be given by the Government Agent, by beat of tom-tom, and by causing written notices in English and in Sinhalese or Tamil or both in Sinhalese and in Tamil to be affixed in conspicuous places within the ward.

(5) Every notice under sub-section (4) shall specify in addition—

- (a) a date on or before which the candidate or candidates for election shall be nominated, such date not being less than fourteen days before the date fixed for the meeting of the voters of the ward ; and
- (b) the place at which nomination papers shall be delivered to the Government Agent.

15. (1) No person shall be entitled to be a candidate for election at any meeting held under section 14, unless he is qualified for election within the meaning of section 13, and unless he has—

Nomination of candidates.

- (a) been nominated as a candidate by means of one or more nomination papers, each signed by himself to signify his consent and by a proposer and a seconder severally entitled to vote at that election ; and

- (b) delivered or caused such nomination paper or papers to be delivered to the Government Agent, on or before the date specified for the delivery of nomination papers in the notice under section 14, at the Kachcheri or such other place as may be specified in that notice; and
- (c) deposited or caused to be deposited with the Government Agent a sum of ten rupees on or before the date specified in that notice for the delivery of nomination papers.

(2) No person shall be entitled to be nominated as a candidate for more than one ward of any one village area in the course of the same general election or in the course of a bye-election for filling two or more vacant seats in the Village Committee of that area.

(3) The nomination paper or papers delivered by or on behalf of the candidate or candidates for election shall be scrutinised forthwith by the Government Agent; and all objections raised against any candidate, on the ground that he is not qualified to be elected or that he is not a candidate duly nominated, shall be disposed of by the Government Agent, after such inquiry as he may deem sufficient, either forthwith or at any convenient time prior to the date of the meeting of voters summoned under section 14. Every decision of the Government Agent under this sub-section shall be final and conclusive.

(4) If not more than one candidate is duly nominated for any ward, the Government Agent shall declare that candidate to be the duly elected member for that ward, and shall cancel the meeting of the voters of that ward summoned under section 14 by notice given in like manner as the notice under that section.

(5) If two or more candidates are duly nominated for any ward, the Government Agent shall hold a poll at the meeting of voters summoned under section 14.

Procedure at
meeting of
voters.

16. (1) Every meeting of the voters of a ward for the purposes of an election shall be held at the time and place specified in the notice issued in that behalf under section 14, and shall be presided over by the Government Agent: Provided, however—

- (i) that the Government Agent may appoint any other officer of Government other than a chief or minor headman to be the presiding officer at any meeting, and the presiding officer so appointed shall be entitled to exercise all the powers and to perform all the duties that may be exercised or performed by the Government Agent at that meeting; and
- (ii) that the Government Agent or the presiding officer may, for sufficient reason appearing to him, adjourn any such meeting to any other time or place to be then announced to the voters present at the meeting and also notified thereafter by beat of tom-tom and written notices as required by section 14.

(2) Every poll at a meeting of voters under this section shall be held by secret ballot and shall be conducted in accordance with such rules as may be made in that behalf under section 59.

(3) For the purposes of any election of members under this Ordinance, the preparation of a register of voters shall not be obligatory.

(4) If at any meeting any question is raised as to the right of any person to vote, the Government Agent shall then and there make such inquiry as he may deem sufficient and decide whether or not such person has the right to vote. Every decision of the Government Agent under this sub-section shall be final and conclusive.

(5) The Government Agent shall keep the minutes of each meeting of the voters of a ward and enter or cause to be entered therein a complete record of the proceedings, including—

- (a) the number of voters present at the meeting;
- (b) the reasons for any adjournment directed by him, and the time and place fixed for the adjourned meeting;
- (c) the name of each candidate nominated for election, with the names of the proposer and seconder in each case;
- (d) the objections or other questions raised, and the decision given by him in each case together with his reasons therefor; and
- (e) the name of the member declared by him to be elected, with details of the number of votes recorded.

17. (1) The deposit made by a candidate shall be returned to him, if—

- (a) he refrains from delivering any nomination paper for the purposes of the election for which the deposit was made; or
- (b) he withdraws from the candidature before four o'clock in the afternoon of the date specified in the notice under section 14 for the delivery of nomination papers; or
- (c) in the event of a poll being held, he obtains more than one-eighth of the number of votes polled.

Return or forfeiture of deposits.

(2) The deposit made by a candidate who fails to obtain more than one-eighth of the number of votes polled shall be forfeited to the Crown.

(3) The deposit made by a candidate who is declared to be duly elected shall not be returned to him until he has taken his seat as a member of the Committee.

18. Any person who is convicted of the offence of bribery or undue influence or personation, within the meaning of Chapter IXA of the Ceylon Penal Code, at or in connection with any election held for the purposes of this Ordinance, shall, in addition to such fine as may be imposed under the provisions of that Code, be disqualified by order of the court which convicts him from taking any part as a voter or as a candidate in any other such election for a period of four years.

Penalty of disqualification for election offences.

19. (1) Any member of a Village Committee shall be deemed to vacate his seat *ipso facto*, if he—

- (a) is disqualified after his election by an order of a court under section 18, or ceases to be qualified as required by section 13; or
- (b) is absent, without leave of the Committee, from more than three consecutive meetings of the Committee; or
- (c) is adjudicated an insolvent; or
- (d) is sentenced to, and has commenced to serve, any term of imprisonment imposed for any offence under the Ceylon Penal Code; or
- (e) is found to be of unsound mind by a court of competent jurisdiction.

Vacation of office by operation of law.

(2) Any member of a Village Committee who votes at or takes any other part in any meeting of the Committee after he has, either directly or indirectly, otherwise than as a shareholder of an incorporated company, become interested in any contract entered into by any person with the Committee, shall be guilty of an offence punishable by a police court after summary trial with a fine not exceeding one hundred rupees and with disqualification for a period of four years from taking part in any election under this Ordinance.

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

Refusal or resignation of office.

(2) After the first meeting of a Village Committee any member deciding not to continue in office, shall communicate his resignation of the office in writing to the Government Agent either direct or through the Chairman of the Committee.

21. In the event of any member of a Village Committee dying, or ceasing to possess the qualifications required by section 13, or vacating his office by virtue of the provisions of section 19, or refusing or resigning office under section 20, the Government Agent shall take steps for the election of a duly qualified person in place of that member in accordance with the provisions of sections 14, 15 and 16; and the person so elected shall hold office until the next succeeding general election of members of that Committee.

Filling of casual vacancies.

22. Where, for any reason, the voters of all or any of the wards of a village area fail either to nominate any candidate on the date fixed for the nomination of candidates, or to elect any member on the date fixed for the meeting or any adjourned meeting of the voters, for the purposes of a general election or a bye-election, it shall be lawful for the Executive Committee to nominate such number of duly qualified persons as may be necessary to constitute or to complete the Village Committee, as the case may be; and the Village Committee or the member or members so nominated shall be deemed, for all the purposes of this Ordinance, to have been duly elected.

Nomination of members on failure of election.

Delay in holding elections.

23. If the term of office of any Village Committee is allowed to expire before the election of another Committee as its successor, it shall nevertheless be lawful for the Government Agent to take steps under section 14 for the election of a Committee; but the term of office of any Committee elected in such circumstances shall be reckoned from the date on which the term of office of the first-mentioned Committee expired.

Procedure in cases of doubt as to validity of an election.

24. (1) Whenever any doubt arises as to the validity of the election of any Committee, the Attorney-General may state a case for the opinion of the Supreme Court as to the validity of such election.

(2) On the consideration of any case so stated, the Committee whose election is in question or any member thereof may appear and be represented, and the Supreme Court may make any such declaration or order thereon as it may think fit, including an order as to costs against any party to the proceedings if, in the opinion of the court, any other party to the proceedings has been put to expense or inconvenience by reason of the unnecessary or unreasonable opposition or delay of such first-mentioned party: Provided, however, that no such order as to costs shall be made against the Attorney-General.

(3) Whenever any election is declared invalid under this sub-section, the Government Agent shall, as soon as conveniently may be, proceed to convene a meeting of the voters of the several wards of the village area for the purpose of electing another Committee in all respects as if the Committee whose election is declared invalid were about to go out of office, and the term of office of the Committee so elected shall be reckoned from the first day of July next preceding the date of its election.

(4) All proceedings held or taken and all acts, matters, or things performed or done, by any Committee whose election is declared invalid under this sub-section, or by the members or any of the members thereof, in accordance with the provisions of this Ordinance and prior to the date on which such election is declared invalid, shall be deemed for all purposes whatsoever to have been duly held, taken, performed or done, as the case may be.

First meeting of a Committee and meetings for the election of the Chairman.

25. (1) The Government Agent shall, as soon as possible after the election of a Village Committee, convene the first meeting thereof by notices in writing addressed to and served upon each elected member of that Committee not less than five days before the date of the meeting. Where service of any such notice cannot for any reason be effected personally on any member, the notice shall be deemed to have been duly served if it is left at that member's last known place of abode.

(2) Every notice under sub-section (1) shall specify the date, time and place of the meeting, and the date specified shall be within the period of twenty-one days next succeeding the date appointed for the commencement of the term of office of the Committee, or in the case of a Committee elected as successor to another Committee, within the period of twenty-one days next succeeding the date on which such other Committee went out of office.

(3) Every meeting under this section shall be held at the time and place and on the date specified in the notice under sub-section (1), and shall be presided over by the Government Agent or other officer of Government deputed by him to act as presiding officer.

(4) At such meeting the members of the Committee shall elect two of their own number to be respectively the Chairman and the Vice-chairman of the Committee.

(5) Whenever the office of Chairman of a Village Committee falls vacant during the term of office of the Committee, the Government Agent shall within one month of his receiving information of the vacancy, take steps in the manner provided by sub-section (1) for the election of a new Chairman.

Quorum for election of Chairman.

25. (1) No election of a Chairman shall be held at any meeting summoned under section 25 unless there is present a quorum consisting of not less than half the number of the members elected to the committee.

(2) If there is no quorum present, the meeting shall not be held, and it shall be lawful for the Government Agent or other presiding officer to convene a meeting for another date or time or place in the manner prescribed in section 25, but so that the new date shall similarly be within the period of twenty-one days referred to in that section.

27. (1) The election of the Chairman of a Village Committee shall be by ballot, and, where there are three or more candidates for election, the balloting shall be repeated as often as may be necessary, the candidate obtaining the smallest number of votes at each ballot being excluded from the next succeeding ballot, until one candidate obtains more votes than the remaining candidate or the aggregate votes of the remaining candidates, as the case may be.

Procedure for election of Chairman.

(2) Every election of a Chairman and the ballot or ballots for that purpose shall be conducted in accordance with such procedure as may be prescribed by rules under section 59.

28. (1) The first Vice-chairman of a Village Committee shall be elected at the meeting held under section 25.

Procedure for election of Vice-chairman.

(2) Every vacancy in the office of Vice-chairman of a Committee after the first election to that office shall be filled by election held at the ordinary meeting of the Committee next succeeding the date on which the office became vacant.

(3) The Chairman shall preside at every election of a Vice-chairman, and such election shall be conducted in accordance with such procedure as may be prescribed by rules under section 59.

29. If a Chairman and Vice-chairman are not elected at any meeting convened and constituted as provided by sections 25 and 26 within the period of twenty-one days prescribed in section 25, it shall be lawful for the Executive Committee to nominate two of the members of the Committee to be respectively the Chairman and the Vice-chairman thereof, and the members so nominated shall for all purposes be deemed to be respectively the elected Chairman and Vice-chairman of the Committee.

In default of election, the first Chairman and Vice-chairman to be nominated by Executive Committee.

30. (1) The Chairman of a Village Committee shall hold office for the term of office of the Committee, unless he resigns the office earlier or ceases for any cause to be or to be qualified to be a member of the Committee.

Term of office and powers and duties of Chairman.

(2) The Chairman shall preside over every meeting of the Committee held for the election of a Vice-chairman and over every other meeting at which he is present, and shall be the chief executive officer of the Committee; and all executive acts and functions, which are by this Ordinance directed or empowered to be done or discharged by the Committee, may, unless the contrary intention appears from the context, be done or discharged by the Chairman: Provided always that the Chairman, in the exercise of his powers under this section, shall, except in matters expressly committed to him, act in conformity with such resolutions as may from time to time be passed by the Committee.

(3) The Chairman may at any time, without vacating his office as a member, resign the office of Chairman by a written communication addressed to the Government Agent.

(4) On vacating office whether by operation of law or by resignation, the Chairman of a Village Committee shall hand over charge of all minute books, accounts, records, furniture and other property of the Committee, either personally or by a duly authorized person—

(a) to the person duly elected to succeed him as Chairman, within twenty-four hours of the receipt of notice of the election of such successor, or

(b) where a successor is not elected within a period of fourteen days of the occurrence of the vacancy, to the Government Agent or an officer or person deputed in that behalf by the Government Agent, within twenty-four hours after the expiry of the aforesaid period of fourteen days.

(5) Any Chairman of a Village Committee who contravenes the provisions of sub-section (4) shall be guilty of an offence punishable with a fine not exceeding twenty rupees by the Village Tribunal having jurisdiction over the village area for which the Committee is constituted.

31. (1) The Vice-chairman of a Village Committee shall hold office for a period of one year from the date of his election to that office, unless he resigns the office earlier or ceases for any cause to be or to be qualified to be a member of the Committee. A Vice-chairman vacating his office by effluxion of time shall be eligible for re-election.

Term of office, powers and duties of Vice-chairman.

(2) The Vice-chairman shall whenever he is present preside over every meeting of the Committee from which the Chairman is absent, and may exercise any power or perform any duty of the Chairman which the Chairman may authorize him in writing to exercise or perform in his behalf.

(3) The Vice-chairman may at any time, without vacating his office as a member, resign the office of Vice-chairman by a written communication addressed to the Government Agent through the Chairman.

A member to preside at meetings in the absence of the Chairman and Vice-chairman.

32. In the absence of both the Chairman and the Vice-chairman, the members present at any meeting of a Committee may elect one of themselves to preside over that meeting; and if the meeting has been duly convened and is in all other respects properly constituted, it shall for all purposes be deemed to have been duly held.

Meetings of Committee.

33. (1) Ordinary meetings of a Village Committee shall be held for the despatch of business on such dates or at such intervals as may be fixed by by-laws made under section 49.

(2) A special meeting of a Committee may be convened by the Chairman whenever he considers it desirable, and shall be convened whenever a written requisition is presented to him signed by members of the Committee not less in number than the quorum prescribed for ordinary meetings of the Committee.

(3) The special meeting in compliance with any requisition shall be convened within seven days of the receipt of the requisition by the Chairman.

(4) If the Chairman of any Committee refuses or wilfully neglects to convene a special meeting within seven days of the receipt of any requisition presented to him, it shall be lawful for the Government Agent to convene a special meeting at any time thereafter and to preside or to depute an officer of Government to preside over that meeting.

(5) Not less than two days' notice of the date appointed for each special meeting under this section and of the business to be transacted thereat shall be given to, or left at the residence of, each member of the Committee.

Quorum.

34. Save as provided in section 26, the quorum for any meeting of a Village Committee shall, unless and until it is fixed by a by-law made in that behalf under section 49, be not less than one-third of the total number of members constituting the Committee.

Language in which business is to be conducted.

35. The business of every Village Committee shall, as far as possible, be conducted in the language prevailing in the village area for which that Committee is constituted.

PART III.

Status, Powers and Duties of Village Committees.

Village Committees to be corporations.

36. Every Village Committee shall be a corporation with perpetual succession and a common seal and shall have capacity to hold property, to enter into contracts, and to sue and be sued by the name and designation of the Village Committee of the area in and for which it is constituted.

Decisions and acts of Village Committees.

37. All acts whatsoever, authorised or required by this Ordinance or any other written law to be done by any Village Committee, shall be decided upon and done by the majority of members present at any meeting of the Committee held in accordance with the provisions of this Ordinance:

Provided that when the votes of the members present at any meeting are equally divided on any question brought up for decision, the Chairman, Vice-chairman or other member presiding over that meeting shall, in addition to his vote as a member, have also a casting vote.

Minutes.

38. All proceedings, decisions, orders and acts of a Village Committee shall be entered in a book of minutes, and upon their confirmation with such amendments as may be necessary at the next succeeding meeting of the Committee, shall be signed by the Chairman; and a copy, certified by the Chairman, of any record so entered and signed, shall be admissible in evidence in any court or Village Tribunal in the Island.

Property deemed to be vested in Village Committees.

39. All property movable or immovable vested in or enjoyed or controlled by the inhabitants of any village area under any Ordinance repealed by this Ordinance, shall be vested in the Village Committee constituted or deemed to have been constituted for that area under the provisions of this Ordinance:

Provided, however,—

- (i) that any building used, whether in whole or in part, as the court-house of a Village Tribunal together with the land on which that building stands and

any other land or building appurtenant thereto, may, if such building and any such land have heretofore been vested in the inhabitants or are vested in the Village Committee of the area in which they are situate, be resumed by or transferred to the Crown by Order of the Governor published in the Government Gazette ; and

- (ii) that the publication of such Order shall, without the execution of any deed or instrument, be sufficient to convey to the Crown the right, title and interest of the inhabitants or of the Committee in the land or building affected by such Order, and the description in any such order of any land or building as appurtenant to any court-house to which the Order relates shall, as between the Crown and the inhabitants or the Committee be conclusive proof of the fact that it is so appurtenant.

40. There shall further be vested in every Village Committee, the following classes of property :—

- (a) all such immovable property of the Crown as may hereafter, with the sanction of the Governor, be handed over to the Village Committee for the purposes of this Ordinance by a vesting order signed by the officer or person authorised in that behalf by the Governor : Provided, however, that nothing in this section shall be deemed to affect or prejudice any right or title of the Crown, at any time to resume possession of any such property or to dispose of it for any other public purposes ;
- (b) all moneys which for the time being form part of the communal fund ;
- (c) all village works and all fixtures, fittings or equipment in village works, for the construction, maintenance, or provision of which any part of the communal fund, or any tax payable in labour, is applied by the Committee.

Further
property
vested in
Village
Committees.

41. (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
Village
Committees
of the rights
and liabilities
of Sanitary
Boards.

- (a) transfer to the Village Committee of the area 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 aforesaid Village Committee 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 Village Committee 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 aforesaid Village Committee.

(2) Upon the publication of an order under sub-section (1)—

- (a) all the property or the rights over property or the funds, specified therein, shall vest in the Village Committee ;
- (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 Village Committee 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.

Use of
property and
revenue.

42. All property vested in a Village Committee under the provisions of sections 39, 40 and 41 shall be used or administered, and any revenue derived therefrom shall be employed, by the Village Committee for the purposes of this Ordinance.

Powers of
Village
Committees.

43. Subject to the provisions of section 53, every Village Committee shall have power—

- (a) to purchase or take on lease any land or building ;
- (b) to sell or exchange any land or building of which the full ownership is vested in the Committee, or to let or give out on lease any land or building vested in it, or to surrender to the Crown any immovable property handed over to the Committee by a vesting order under section 40 ;
- (c) to undertake the construction of such new village works as may be necessary and the alteration, improvement or maintenance of existing village works ;
- (d) to apply any part of the communal fund for the construction or alteration, improvement or maintenance of village works, and for the purposes of administering any property vested in or acquired by the Committee, or of carrying out the provisions of this Ordinance or any by-law duly made or deemed to have been made thereunder ;
- (e) to enter into any contract with any person for any work to be done, services to be rendered, or materials to be supplied ;
- (f) to employ all such officers and servants as may be necessary, and to provide for their remuneration and for the payment of pensions, gratuities or other compensation, on the termination of their services ;
- (g) to enter into any arrangement with any other Village Committee or other local authority for the joint execution of any work or for the employment and remuneration of any officer or servant for the several purposes of each Committee or local authority ;
- (h) to impose and levy taxes in accordance with the provisions of this Ordinance ;
- (i) to impose and levy tolls at any ferry established or maintained by the Committee, and for the protection of such ferry to prohibit or restrict private ferries by by-laws made in that behalf ;
- (j) to apply any part of the communal fund to the conduct of experiments in agriculture and the breeding of domestic animals, and to the maintenance of experimental farms and studs for this purpose ;
- (k) to organise schemes for the relief of distress in times of famine or of epidemic diseases, and to set apart contributions from the communal fund for such purposes and for any charitable purposes that may be approved by the Executive Committee ;
- (l) to enforce the by-laws made or deemed to have been made by it under this Ordinance, and to enter prosecutions in the Village Tribunal for breaches of such by-laws ; and
- (m) generally to do all things necessary for the effective discharge of its duties under this Ordinance.

Capitation
tax.

44. A Village Committee may impose and levy within the limits of the village area for which it is constituted a capitation tax on every male voter resident in that area, such tax being payable either in labour performed in or in connection with a village work, or in money by way of commutation, in such manner and according to such rates of commutation as may be prescribed by by-laws.

Authority to
levy land tax
in lieu of
capitation
tax.

45. (1) In lieu of the capitation tax under section 44 a land tax may be imposed and levied under this section by any Village Committee which is authorised in that behalf by the Executive Committee, with the approval of the the Governor, by notification published in the Gazette.

(2) A Village Committee shall not be authorised under sub-section (1) to impose and levy a land tax, unless a resolution, that such tax should be levied in that area in lieu of the capitation tax, is passed by that Committee.

(3) The land tax under this section shall consist of the following :—

- (a) an assessment tax not exceeding four per centum of the annual value of all buildings not wholly or mainly used for agricultural purposes and on all lands situated in localities within the village area which are declared by the Village Committee with the approval of the Government Agent to be built-up localities ; and
- (b) an acreage tax not exceeding one rupee a year on each acre of land which is situated outside a built-up locality and is under permanent cultivation or regular cultivation of any kind other than chena cultivation, and in the case of uncultivated land situated outside a built-up locality, an acreage tax at one-quarter of the rate of the aforesaid acreage tax imposed for the time being on cultivated land :

Provided, however, that no assessment tax or acreage tax shall be imposed by any Village Committee on—

- (a) any land or building wholly or mainly used for religious, educational, or charitable purposes ;
- (b) any building in charge of military sentries ;
- (c) any burial or cremation ground ; or
- (d) any divided portion of land, duly defined and forming one property, which is less than one quarter of an acre in extent :

And provided, further, that the Committee may by resolution specially exempt any property from the assessment tax or acreage tax on the ground of the poverty of the owner.

(4) The land tax under this section shall be assessed and levied, and, in cases of default, shall be recovered summarily, in such manner as may be prescribed by rules under section 59.

(5) The authority to levy a land tax given to a Village Committee by the Executive Committee by notification under sub-section (1) may at any time be withdrawn by a like notification upon the passing of a resolution in that behalf by the Village Committee in the manner required by sub-section (2) and upon the recommendation of the Government Agent that effect should be given to such resolution ; and where the authority is so withdrawn the Village Committee shall forthwith impose and take steps to levy the capitation tax under section 44.

46. A Village Committee may impose and levy on every licence issued by it under this Ordinance or the by-laws made or deemed to have been made thereunder, a licence duty at such rates as may be approved by the Governor.

Licence duties.

47. (1) A Village Committee may impose and levy each year a tax on such of the vehicles and animals specified in the First Schedule as are ordinarily used or kept for use within the village area, at such rates not exceeding the respective amounts set out in that Schedule as the Committee may from time to time determine by resolution :

Tax on vehicles and animals.

Provided, however, that no such tax shall be levied in respect of—

- (a) any vehicle or animal which is the property of the Crown or of the Village Committee ; or
- (b) the authorised number of horses belonging to military officers doing staff, regimental or other public duty within the village area ; or
- (c) any vehicle kept for sale by a *bona fide* dealer in such vehicles and not used for any other purpose ; or
- (d) any vehicle subject to a licence duty under sections 5 and 7 of the Vehicles Ordinance, No. 4 of 1916, or under the Motor Car Ordinance, 1927.

(2) The tax on vehicles and animals shall be payable by any person in whose possession or custody or control any vehicle or animal liable to the tax may be found thirty days after it has been used for the first time within the village area or brought into the village area for use therein.

(3) No person shall be liable in any year to pay the tax in respect of any vehicle or animal—

- (a) which has been in his possession for less than thirty days in that year, or
- (b) which has been transferred to him after the payment by the previous owner of the tax due thereon for that year.

Communal
fund.

48. Every village area shall, for the purposes of this Ordinance, have a communal fund, and there shall be paid into that fund—

- (a) all fines and penalties enumerated in the Second Schedule ;
- (b) all taxes levied under sections 44, 45 and 47 ;
- (c) all licence duties levied under section 46 and the amount of all stamp duties enumerated in the Third Schedule ;
- (d) all sums realised by sales, leases, or other transactions of the Committee ;
- (e) all revenue derived from any property vested in the Committee or from any public service maintained by the Committee ;
- (f) all grants from the general revenue of the Island allocated to the Committee by the State Council whether by resolution or otherwise ; and
- (g) all sums otherwise accruing to the Committee in the course of the exercise of its powers and duties under this Ordinance.

Power to
make
by-laws.

49. (1) Every Village Committee may from time to time make all such by-laws as may be necessary for the exercise of its powers or the performance of its duties under this Ordinance.

(2) In particular and without prejudice to the generality of the powers conferred by sub-section (1), a Committee may make by-laws for or in respect of all or any of the following purposes :—

- (i) Meetings and procedure, including—
 - (a) the intervals at which ordinary meetings are to be convened ;
 - (b) special meetings ;
 - (c) mode of convening a meeting ;
 - (d) the quorum ;
 - (e) conduct of meeting.
- (ii) Officers and servants, including—
 - (a) the number of officers and servants to be employed, and the qualifications necessary for each grade or class ;
 - (b) the salaries or wages for each grade or class ;
 - (c) the conditions for the payment to officers and servants of compensation on termination of service whether by way of pension, gratuity or contribution to a provident fund ;
 - (d) the procedure to be followed in appointing, and in paying salaries or wages and compensation on termination of service to, officers or servants employed in the joint service of the Committee and of any other Committee or local authority ;
 - (e) conditions for the grant of leave of absence to officers and servants.
- (iii) The Capitation Tax, including—
 - (a) the exemption of any person or class of persons from the liability in respect of the tax ;
 - (b) the number of days' labour not exceeding ten days' labour in any one year to be imposed on every male inhabitant electing to pay the tax by the performance of labour ;
 - (c) the allotment, performance and supervision of labour, and the enforcement of double labour in cases of default ;
 - (d) the rate at which payment is to be made in money by way of commutation of the liability to perform labour, or in cases of default, of double labour ;
 - (e) the manner of collecting the tax when it is paid in money.
- (iv) Taxation of land, including—
 - (a) the fixing, for the purposes of the assessment tax on property, of the percentage or rate to be deducted from the annual value for the probable annual average cost of insurance, repairs, maintenance and upkeep ;
 - (b) the form of the returns, statements or information that may be called for for the purposes of any tax, and the manner in which they are to be called for by the Chairman and furnished by the inhabitants.

- (v) Loans, including—
 - (a) the form and manner of execution of securities ;
 - (b) the arrangements for liquidation ;
 - (c) the mode and order of repayment of securities ;
 - (d) the conditions of any loan and the appropriation of the sums advanced.
- (vi) Land and property, including—
 - (a) the provision, regulation, and management of ambalams and madams, open spaces, and places for public recreation ;
 - (b) the care of waste or public land ;
 - (c) the maintenance and management of immovable property vested in, or under the control of, the Committee ;
 - (d) the care, regulation, and provision of common pasture grounds, and the levy of fees for the use of the same ;
 - (e) the putting up and preservation of boundaries and of fences of lands, whether private or public ;
 - (f) the authorization of entry upon private lands for the purpose of the prevention of damage to, or the repairing or remedying defects in, any wires or apparatus or the supports thereof maintained for the purpose of any public service ;
- (vii) Roads and paths, including—
 - (a) the improvement, alignment, level, width, and construction of new roads and paths in the area ;
 - (b) the cleaning, watering, and lighting of roads and paths ;
 - (c) the use of, and regulation of traffic in, roads and paths, including the limitation of the weight and speed of vehicles, and the prevention or restriction of the use of vehicles upon any bridge, road, or path, or in any place where such use may be attended with danger to the public, or may be likely to damage such bridge, road, or path ;
 - (d) the regulation of processions and assemblages and of the performance of music in roads or paths ;
 - (e) the prevention, abatement, supervision, and regulation of obstructions, encroachments, projections and other interferences with roads and paths ;
 - (f) the erection of hoardings and other temporary structures, and charging of fees for the use of hoardings erected by the Committee ;
 - (g) the protection of the public against dangers resulting from building and other operations in or about roads and paths.
- (viii) Buildings, building operations, and works, including—
 - (a) the definition, after due notice and hearing of objections, of areas to which the by-laws under this heading are to apply ;
 - (b) the regulation of the material of new buildings with a view to securing stability, the prevention of fire, and purposes of health ;
 - (c) the space to be left about any building or block of buildings to facilitate and secure free circulation of air and to facilitate scavenging ;
 - (d) the dimensions of doors and windows, the level of the floor, the height of the roof, general ventilation, and drainage ;
 - (e) the number and nature of latrines ;
 - (f) foundation and stability of structure ;
 - (g) the line of building frontage.
- (ix) Public health and amenities, including—
 - (a) drainage ;
 - (b) conservancy and scavenging, and the charging of fees therefor ;
 - (c) the inspection, regulation, maintenance, and cleansing of drains, privies, cesspits, ash-pits, and sanitary conveniences and appliances ;
 - (d) the regulation and management of public sanitary conveniences ;

- (e) the regulation, supervision, inspection, and control of lodging-houses and tenement buildings ;
 - (f) the abatement of nuisances ;
 - (g) the seizure, forfeiture, removal, and destruction of unwholesome articles of food or drink, and the prevention of the sale or exposure for sale thereof ;
 - (h) the regulation, supervision, inspection, and control of bakeries, eating-houses, and restaurants, and tea and coffee boutiques ;
 - (i) the regulation, supervision, inspection, and control of dairies, and the sale of milk ;
 - (j) the sale of provisions, including the inspection, regulation, and control of shops and places (other than markets) used for the sale of meat, poultry, fish, fruit, vegetables, or other perishable articles of food for human consumption, and the licensing of shops and places used for the sale of fresh meat, fresh fish, or live animals ;
 - (k) the regulation, supervision, inspection, and control of trades deemed to be offensive or dangerous by the Committee ;
 - (l) the regulation of the dimensions and use of kraals in public lakes, rivers, lagoons, and estuaries for soaking coir husks, and the charging of fees for the use of such kraals ;
 - (m) the regulation, supervision, inspection, control, and licensing of breweries and aerated water manufactories ;
 - (n) the compelling of owners and occupiers in the village area to keep their lands free of undergrowth and rubbish, and their dwelling compounds in a clean and sanitary condition ;
 - (o) the prevention of malaria and the destruction of mosquitoes and disease-bearing insects ;
 - (p) the draining, cleansing, covering, or filling up of ponds, pools, open ditches, sewers, drains, and places containing or used for the collection of any drainage, filth, water, matter, or thing of an offensive nature or likely to be prejudicial to health ;
 - (q) the cleansing, purifying, ventilating, and disinfecting of houses, dwellings, and places of assembly or worship by the owners or occupiers and persons having the care and ordering thereof ;
 - (r) the prevention or mitigation of epidemic, endemic, or contagious diseases, and the speedy interment of the dead during the prevalence of such diseases ;
 - (s) washing and bathing, including the establishment, maintenance, and regulation of public bathing places and places for washing animals and clothes ;
 - (t) all such other purposes as are not specially provided for by this Ordinance, and may be necessary for the preservation of the public health and the suppression of nuisances.
- (x) Animals, including—
- (a) the regulation, supervision, inspection, and control of slaughter-houses, including the levy and recovery of fees for the use of village slaughter-houses ;
 - (b) the housing and penning of cattle, horses, sheep, goats, and pigs ;
 - (c) stray cattle, goats, and pigs, including the fixing, levying, and recovery of charges for the occupation of pounds, and the cost of the keep of the animals impounded ;
 - (d) the control of epidemic diseases among animals, the maintenance and regulation of quarantine stations for animals, and the levying of fees for the occupation thereof ;
 - (e) the regulation of the time and manner of fishing and the use of fish kraals, the preservation of fish, and the charging of fees in respect of fishing and the use of fish kraals in public streams, lakes, lagoons, and estuaries ;
 - (f) the protection and preservation of fish, game, and wild birds ;

- (g) the destruction of stray dogs ;
 - (h) the prevention of cruelty to animals (including the restriction of the exposure for sale of live animals in any manner which in the opinion of the Committee is likely to cause unnecessary pain or suffering) ;
 - (i) the regulation and supervision of cattle sheds, galas, and halting places and the control of the location thereof.
- (xi) Markets and fairs, including—
- (a) the establishment, maintenance, and improvement of village markets ;
 - (b) the protection, regulation, supervision, inspection, and control of village markets ;
 - (c) the conservancy and scavenging, and the prevention of nuisances in connection with village markets ;
 - (d) the control of traffic, and the preservation of order within village markets and in their immediate vicinity ;
 - (e) the provision, inspection, and control of latrines, slaughter-houses, water supply, and lighting on the premises of village markets ;
 - (f) the allotment of stalls, stands, seats or spaces in village markets ;
 - (g) the inspection of food and seizure of unwholesome articles of food ;
 - (h) the prohibition of the introduction or sale of any article or articles of food in cases where, in the opinion of the Committee there exists good reason for such prohibition ;
 - (i) the absolute prohibition, or the restriction by means of special licences, of the sale of any article, and the charging of fees for such special licences ;
 - (j) the provision of security against fires ;
 - (k) the temporary closing of any village market or fair ;
 - (l) the due performance of their duties by market keepers and other employees at village markets ;
 - (m) the fixing and recovery of fees or rents for the use of the premises of a village market or any part thereof, or of the buildings thereon, and for the leasing of the right to collect any such fees or rents ;
 - (n) the declaration of a market area for each village market, and the licensing, restriction, or prohibition of private markets or of the sale of market commodities within such area in any place other than the village market ;
 - (o) the licensing of private markets or fairs, the conditions of the licence, and the fees payable in respect thereof ;
 - (p) the standards to be observed in respect of accommodation, drainage, roads, air spaces, equipment, and sanitary requirements in private markets or fairs ;
 - (q) the renovation, alteration, enlargement, and improvement of existing buildings, and the erection of new buildings after notice to the Committee and in accordance with plans to be approved by the Committee, in or about the premises of private markets or fairs.
- (xii) Water supply, including—
- (a) the regulation, protection and maintenance of communal wells, spouts, springs or other watering places for the supply of water for domestic purposes ;
 - (b) the regulation and maintenance of watering places of any kind set apart by the Committee for bathing or for the washing of animals, clothes and other articles ;

- (c) the regulation of the construction and maintenance of private wells in such manner as may be necessary to safeguard the public health and safety.
- (xiii) Public services, including all matters necessary for their establishment, maintenance, working, and supply, for the recovery of charges in connection therewith, and for their protection against damage and against competition.
- (xiv) The measure or dimension of bread, and the regulation of its manufacture and quality.
- (xv) The regulation of weights and measures.
- (xvi) The prevention of accidents connected with toddy drawing and for the periodical inspection of the ropes and other appliances used for that purpose.
- (xvii) The prevention of accidents caused by the setting of spring guns and traps.
- (xviii) The fencing of wells and pits.
- (xix) The prevention of gambling and cock-fighting and of cart-racing on public paths or roads.
- (xx) The prevention of disorderly conduct, of loitering in public paths or roads or public places, and of the use of abusive language.
- (xxi) The prevention of the sale to boys under sixteen years of age or to females, of any description of spirits or other intoxicating liquor or toddy drawn from any species of palm or the fermented juice of the sugar cane.
- (xxii) The enforcement of ancient custom relating to cultivation, the repair, protection and maintenance of village tanks, and the irrigation of fields and gardens under such tanks.
- (xxiii) All other purposes, whether of the same nature as those above enumerated or otherwise, which, in the opinion of the Committee, may be necessary for the protection or promotion of the local public interests, conveniences, and amenities.

(3) No by-law made under this section shall have effect until it is approved by the Executive Committee and confirmed by the Governor, and notification of such approval and confirmation is published in the Government Gazette.

Power to
raise loans.

50. (1) Subject to the provisions of section 56, a Village Committee may, from time to time, raise a loan for the purpose of carrying out any resolution passed by it as to the construction or maintenance of any village work.

(2) For the purpose of securing repayment of the sum or sums so borrowed and the interest accruing thereon, the Committee may mortgage and assign to the lender, by or on whose behalf such sum or sums or any part thereof may be lent, any revenues accruing under the provisions of this Ordinance and any property acquired by or belonging to the Committee.

(3) Notwithstanding anything in section 14 of the Local Loans and Development Ordinance, No. 22 of 1916, contained, it shall be lawful for the Commissioners appointed under that Ordinance to advance money to a Village Committee for the purposes aforesaid on such security as such Commissioners may deem sufficient, and the provisions of that Ordinance shall apply to any such loan whether made before or after the commencement of this Ordinance.

(4) All securities given by a Village Committee in respect of loans under this section shall be free of stamp duty.

(5) It shall be the duty of any Village Committee which raises a loan under this section to set apart each year such portion of the communal fund as may be sufficient for the purpose of paying the interest falling due on the loan and of repaying the principal when it falls due.

(6) Any loan raised by the Village Committee or the inhabitants of any area, under any provision of law repealed by this Ordinance, shall be deemed to be a loan raised under this section by the Village Committee constituted or deemed to be constituted for that area under this Ordinance; and all liabilities under that loan shall accordingly be discharged by such last-mentioned Village Committee.

Village
Committee to
be proper
authority under
Ordinance No. 9
of 1899.

51. Notwithstanding the provisions of section 4 of the Cemeteries and Burials Ordinance, 1899, every Village Committee shall be the proper authority under that Ordinance within the limits of the village area, for which that Committee is constituted.

52. In this Part of the Ordinance, "village work" includes—

Definition of village work.

- (a) any path, road, drain, bridge, culvert, edanda, ambalam, madam, schoolroom, spout, well, watering or bathing place, canal, tank, ford, ferry, burial or cremation ground, pasture land, gala, market or slaughtering place, or
- (b) any other work or scheme for the preservation of the public health or the promotion of the comfort, convenience or welfare of the people,

which is constructed, established, maintained, protected, or regulated and controlled, by a Village Committee.

PART IV.

Supervision and Control of Village Committees.

53. The powers conferred on a Village Committee by sections 43 to 47 shall be subject to the limitation and condition that it shall not be lawful for the Village Committee to give effect to any resolution or decision arrived at in the exercise of those powers, until such resolution or decision is approved—

Limitation of powers of Village Committees.

- (1) by the Governor, in every case where the resolution or decision relates to the imposition of any tax, licence duty, or toll ; or
- (2) by the Government Agent, subject to an appeal to the Executive Committee, in every case where the resolution or decision relates to—
 - (a) the purchase, sale or exchange of any land or building ; or
 - (b) the lease of any immovable property handed over to the Committee by a vesting order under section 40 ; or
 - (c) the creation of any salaried office in the service of the Committee ; or
 - (d) the expenditure of any sum of money exceeding one hundred rupees out of the communal fund on any work, scheme or project ; or
 - (e) the formation of any contract or other agreement involving any expenditure exceeding one hundred rupees out of the communal fund ; or
 - (f) the organisation of any scheme for the relief of distress, to which contributions are to be given from the communal fund.

54. The administration of the communal fund by a Village Committee shall be further subject to such rules of procedure as may be made under section 59 for prescribing—

Further financial control.

- (a) the form in which estimates and budgets shall be prepared ;
- (b) the period within which, and the manner in which, the approval of the Governor or of the Government Agent shall be obtained in any matter connected with a budget, which requires such approval under the provisions of this Ordinance ;
- (c) the steps to be taken in any matter connected with a budget, in the event of its being disapproved by the Governor or the Government Agent ;
- (d) the form in which books of accounts shall be kept by a Village Committee ;
- (e) the form of the periodical statement of accounts which shall be prepared by a Village Committee ;
- (f) the manner in which, the intervals at which, and the persons by whom, the accounts of a Village Committee shall be audited ; and
- (g) the mode of giving notice, within the village area, of the financial proposals of a Village Committee, and of publishing the periodical statements of accounts.

55. (1) The communal fund of each village area shall be deposited with the Government Agent to the credit of an account bearing the name of that area, and such of the moneys payable into that fund as are collected or recovered by the Village Committee or by the Chairman on behalf of the Village Committee, shall be paid by the Chairman into that account within two weeks of the receipt thereof, or in the case of moneys received in commutation of the capitation tax, within one month after the respective final dates fixed by the by-laws of the area for the performance and the commutation of labour and double labour.

Deposit and use of communal fund.

(2) No payment shall be made out of the communal fund by the Government Agent except on an order of payment under the hand of the Chairman, or of the Vice-chairman acting under the authority of the Chairman ; and no order

of payment shall be issued by the Chairman unless the expenditure to which it relates has been authorised by the Committee, either generally or by a resolution in that behalf.

(3) For the purposes of this section the Chairman of a Village Committee shall be deemed to be a public servant within the meaning of the Ceylon Penal Code.

Interest on loans raised by Village Committee.

56. (1) Every resolution passed by a Village Committee relating to the raising of a loan shall specify the rate of interest which is to be paid on the loan and the purposes to which the money is to be applied, and a copy of the resolution shall be submitted forthwith to the Governor for approval.

(2) No loan shall be raised by a Village Committee unless the resolution relating thereto has been approved by the Governor.

PART V.

Supplemental Provisions relating to Village Committees.

Expenses of elections and other meetings.

57. No part of the expenses incurred by the Government Agent in conducting meetings of the voters of any village area for the election of members or for any other purpose, shall be chargeable to the Village Committee of that area; but all such expenses shall be defrayed out of the general revenue of the Island.

Payment of costs awarded against Village Committees.

58. All costs, charges, and expenses arising from or in respect of any suit, action, or legal proceeding, which a Village Committee may become liable to pay, shall be paid from the communal fund; and no member of the Village Committee or inhabitant of the village area shall be personally liable for the payment thereof.

Rules as to elections, land tax and finance.

59. (1) The Executive Committee may make all such rules as may be necessary for the purpose of prescribing—

- (a) the procedure to be followed by Government Agents or presiding officers in conducting the election of members to a Village Committee, and the election of the Chairman and Vice-chairman of a Village Committee;
- (b) the manner in which the land tax shall be assessed and levied, or, in cases of default, recovered summarily, by a Village Committee;
- (c) the manner in which any toll, rent, fee or licence duty, which is not payable in advance under the by-laws made by a Village Committee, may be recovered summarily in the event of default being made in the payment thereof; and
- (d) the several matters appertaining to finance for which rules are required under section 54.

(2) No rule made by the Executive Committee under this section shall have effect until it is approved by the State Council and ratified by the Governor and until notification of such approval and ratification is published in the Gazette.

Publication of by-laws and translation in village area.

60. (1) As soon as may be after the publication, in the Gazette, of any by-law made by a Village Committee under section 49 the Government Agent shall cause such by-law to be translated and printed at the expense of the Committee in the language or languages prevailing in the village area in which the by-law is to be enforced.

(2) The Village Committee shall cause copies of the by-law, and copies of the translation thereof, to be made available for purchase at the Village Committee office at such price as may be fixed by the Government Agent.

Savings for rules in force at the commencement of this Ordinance.

61. Every rule, not inconsistent with the provisions of this Ordinance—

- (a) made under any provisions of law repealed by this Ordinance, and in force at the commencement of this Ordinance; or
- (b) duly made under any law relating to village communities which was in force at the time the rule was made, and kept in force by virtue of any provisions of law repealed by this Ordinance,

shall continue in force, and shall be deemed, for the purposes of any amendment that may be necessary and for all other purposes, to be a by-law made under this Ordinance, until such rule is rescinded by a by-law made under this Ordinance or a by-law made under this Ordinance is substituted for such rule.

62. (1) If at any time the Governor is satisfied that there is sufficient proof of—

- (a) incompetence and mismanagement, or
- (b) persistent refusal or wilful neglect to perform the duties imposed by this Ordinance, or
- (c) misconduct in the performance of those duties, or
- (d) abuse of the powers conferred by this Ordinance,

on the part of the Chairman of a Village Committee or on the part of the Village Committee, the Governor may by order published in the Gazette—

- (i) remove the Chairman from office, or
- (ii) supersede and dissolve the Committee, and direct the Government Agent either to take steps for the election of a fresh Committee or to administer the affairs of that area for such period as may be specified in the order.

(2) Upon the publication of an order under sub-section (1) the following consequences shall ensue :—

- (a) if the order removes the Chairman from office, he shall be deemed to vacate forthwith the office of member of the Committee as well as the office of Chairman ;
- (b) if the order directs the election of a fresh Committee, any fresh Committee so elected shall go out of office on the date on which the original Committee would have gone out of office if it had not been superseded and dissolved ;
- (c) if the order directs the Government Agent to administer the affairs of the area, all the property and the rights under contracts, and all the powers vested in the Committee, shall be deemed to be vested in the Government Agent for all the purposes of this Ordinance ; and all the liabilities and duties of the Committee shall be deemed to be transferred to him and shall be discharged by him, until the end of the period specified in the order.

63. Every contravention of a by-law made or deemed to have been made under this Ordinance, shall be an offence punishable in the manner provided by section 84, by the Village Tribunal having jurisdiction over the area in which the contravention takes place, or, if there is no such Village Tribunal, by the Village Committee of that area.

5 Section 39 of the principal Ordinance (renumbered as section 66 thereof by this Ordinance) is hereby amended as follows :—

- (1) by the substitution for the expression " section 95 " of the expression " section 122 " ; and
- (2) by the substitution for paragraph (a) set out therein, of the following new paragraph :—

" (a) possess the qualifications specified in section 13 for members of Village Committees ; and "

6 Section 40 of the principal Ordinance (renumbered as section 67 thereof by this Ordinance) is hereby amended by the substitution for the expression " section 38 " of the expression " section 65 " .

7 Section 44 of the principal Ordinance (renumbered as section 71 thereof by this Ordinance) is hereby amended as follows :—

- (1) by the substitution for the words " any rules shall have been duly made by the Village Committee of any subdivision ", of the words " any by-laws made or deemed to have been made under this Ordinance are in force in any village area " ;
- (2) by the substitution for the words " for such subdivision " of the words " with jurisdiction over such village area " ; and
- (3) by the substitution for the words " of such rules " of the words " of such by-laws " .

8 Section 55 of the principal Ordinance (renumbered as section 82 thereof by this Ordinance) is hereby amended as follows :—

- (1) in that part of that section which is set out under the heading " A. Civil ", by the substitution in paragraph (c) for the expression " section 95 " of the expression " section 122 " ;

Removal of Chairman and dissolution of Committee.

Contravention of by-laws to be an offence.

Amendment of section 39 of the principal Ordinance.

Amendment of section 40 of the principal Ordinance.

Amendment of section 44 of the principal Ordinance.

Amendment of section 55 of the principal Ordinance.

(2) in that part of that section which is set out under the heading "*B. Criminal*"—

(a) by the substitution in paragraph (a) for the words "rules made under section 29 of this Ordinance", of the words "by-laws made or deemed to have been made under this Ordinance"; and

(b) by the substitution in paragraph (b) for the word "schedule" of the words "Fourth Schedule";

Amendment of sections 56, 59 and 60 of the principal Ordinance.

9 Sections 56, 59 and 60 of the principal Ordinance (renumbered as sections 83, 86 and 87 thereof by this Ordinance) are hereby amended by the substitution for the words "rules made under section 29 of this Ordinance" or "rules under section 29", of the words "by-laws made or deemed to have been made under this Ordinance".

Amendment of section 63 of the principal Ordinance.

10 Section 63 of the principal Ordinance (renumbered as section 90 thereof by this Ordinance) is hereby amended by the substitution for the expression "section 62 of this Ordinance", of the expression "section 89".

Amendment of section 64 of the principal Ordinance.

11 Section 64 of the principal Ordinance (renumbered as section 91 thereof by this Ordinance) is hereby amended by the substitution for the words "rule under section 29 of this Ordinance", of the words "by-law made or deemed to have been made under this Ordinance".

Amendment of section 70 of the principal Ordinance.

12 Section 70 of the principal Ordinance (renumbered as section 97 thereof by this Ordinance) is hereby amended by the substitution for the expression "section 69 of this Ordinance" of the expression "section 96".

Amendment of section 80 of the principal Ordinance.

13 Section 80 of the principal Ordinance (renumbered as section 107 thereof by this Ordinance) is hereby amended by the substitution for the words "or of any rule", of the words "or of any by-law made or deemed to have been".

Amendment of section 95 of the principal Ordinance.

14 Section 95 of the principal Ordinance (renumbered as section 122 thereof by this Ordinance) is hereby amended in sub-section (1) thereof, as follows:—

- (1) by the omission of the words "in Executive Council";
- (2) by the substitution in paragraph (viii) set out in that sub-section, for the expression "sections 55 and 60", of the expression "sections 82 and 87"; and
- (3) by the substitution for paragraph (ix) set out in that sub-section, of the following new paragraph (ix):—

"(ix) The person by whom, the times at which, and the manner in which, fines, penalties, and other sums recovered by a Village Tribunal shall be deposited with the Government Agent".

Amendment of section 96 of the principal Ordinance.

15 Section 96 of the principal Ordinance (renumbered as section 123 thereof by this Ordinance) is hereby amended by the substitution for the expression "section 95" of the expression "section 122".

Further amendment of sections 37 to 97 of the principal Ordinance.

16 The principal Ordinance is hereby further amended by the substitution for the expression "subdivision", "village tribunal" or "village committee" wherever such expression occurs in any of the sections 37 to 97 thereof (renumbered as sections 64 to 124 thereof by this Ordinance) of the expression "village area" or "Village Tribunal" or "Village Committee", as the case may be.

Insertion of new sections 126 and 127 in the principal Ordinance.

17 The following new sections shall be inserted immediately after section 98 (renumbered as section 125 by this Ordinance) and shall have effect as sections 126 and 127, of the principal Ordinance:—

Fines recovered by Village Tribunals to be deposited with Government Agent.

126. (1) All fines, penalties and other sums recovered by a Village Tribunal shall, subject to the provisions of sections 97, 98 and 99, be deposited with the Government Agent by the President or such other person as may be designated, and at such times and in such manner as may be prescribed, by rules made under section 122.

(2) Of the fines, penalties and other sums deposited with the Government Agent under sub-section (1), such part as may be payable under section 48 into the communal fund of any village area within the jurisdiction of the Village Tribunal shall be credited by the Government Agent to that communal fund and the balance shall be credited by him to the general revenue.

127. In this Ordinance, unless the context otherwise requires—

Interpreta-
tion.

- “ chief headman ” means a ratemahatmaya, mudaliyar, adikar, maniyagar, or vanniya ;
- “ chief headman’s division ” means the area under the supervision of a chief headman ;
- “ co-operative society ” means any society registered under any law for the time being in force relating to such societies ;
- “ excepted persons ” means persons resident in the colony and being (a) persons commonly known as Europeans, (b) persons commonly known as Burghers, and (c) labourers as defined in Ordinance No. 13 of 1889, including any woman or child related to any such labourer or any aged or incapacitated relative of any such labourer ;
- “ Executive Committee ” means the Executive Committee of Local Administration ;
- “ Fiscal ” includes a Deputy Fiscal within the province of the Fiscal ;
- “ Government Agent ” includes the Assistant Government Agent of a district ;
- “ minor headman ” means any headman other than a chief headman and includes a muhandiram, korala, udayar, vidane arachchi, or police headman ;
- “ plantation ” includes any land on which tea, coffee, cacao, cardamoms, cinchona, or rubber is growing, and any coconut estate of over five acres in extent ;
- “ police headman ” means a police vidane or gan-arachchi ;
- “ produce ” includes the fruit, leaf, bark, latex, and roots of any plant or tree cultivated on a plantation ;
- “ village area ” means a portion of a chief headman’s division declared to be a village area by Proclamation under section 4 ;
- “ voter ” in relation to any ward means a person entitled under section 12 to vote at an election of a member for that ward ;
- “ ward ” means a ward of a village area within the meaning of section 11.

18 The Schedule to the principal Ordinance is hereby amended by the substitution for the heading “ SCHEDULE ” of the heading “ FOURTH SCHEDULE ”.

Renumbering of the Schedule to the principal Ordinance as the Fourth Schedule thereto.

19 The three following Schedules shall be set out immediately before the Fourth Schedule, and shall have effect respectively as the First, the Second and the Third Schedule to the principal Ordinance :—

Insertion of First, Second and Third Schedules to the principal Ordinance.

FIRST SCHEDULE. Section 47.

	Rs.	c.
For every carriage of whatever description other than a cart, hackery, or jinricksha ..	5	0
For every double bullock cart or hackery of whatever description ..	4	0
For every single bullock cart or hackery ..	2	50
For every jinricksha ..	2	50
For every bicycle ..	1	0
For every--		
Elephant ..	10	0
Horse ..	5	0
Mule ..	2	50
Donkey ..	2	50

SECOND SCHEDULE. Section 48.

All fines, penalties and other sums, recovered by the Village Committee of a village area or by a Village Tribunal having jurisdiction over that area, in respect of breaches, committed within that area, of the following provisions of written law :—

- (1) The provisions of this Ordinance.
- (2) The by-laws made or deemed to have been made under this Ordinance.
- (3) The Nuisances Ordinance, 1862.
- (4) Any other written law the operation of which is extended to the village area.

THIRD SCHEDULE. Section 48.

1. All stamp duties and fees paid by or recovered from the inhabitants of the village area under—

- (a) The Boats Ordinance, 1900
- (b) The Butchers Ordinance, 1893
- (c) The Vehicles Ordinance, No. 4 of 1916
- (d) Any other Ordinance the operation of which is extended to the village area.

2. All stamp duties and fees paid in respect of licences by the inhabitants of the village area under—

- (a) The Masters Attendant's Ordinance, 1865
- (b) The Petroleum Ordinance, 1887
- (c) The Explosives Ordinance, 1902
- (d) The Firearms Ordinance, No. 33 of 1916
- (e) The Poisons, Opium and Dangerous Drugs Ordinance, No. 17 of 1920.

3. All stamp duties paid by inhabitants of the village area—

- (a) as advocates or proctors, on certificates of admission under section 1 of Ordinance No. 12 of 1848, or as proctors on the annual certificates and declarations under sections 2 and 3 of that Ordinance;
- (b) as notaries, on warrants, certificates and declarations issued under sections 4, 25 and 26 of the Notaries Ordinance, 1907;
- (c) in respect of articles of apprenticeship or upon any contract whereby any person first becomes bound in order to qualify himself as a notary.

Objects and Reasons.

The object of this Bill is to substitute in the Village Communities Ordinance, No. 9 of 1924, in place of the thirty-four sections relating to Village Committees, sixty-one new sections based for the most part on the provisions of the Local Government Ordinance, No. 11 of 1920, and designed as far as possible to assimilate the powers, duties and functions of Village Committees to those of District Councils. For this purpose the remaining sections of the Village Communities Ordinance and its schedule are first to be renumbered (Clause 3) and partly rearranged (Clauses 16 and 18); and thereafter consequential amendments, chiefly of a verbal or formal nature, are also to be made in them (Clauses 2 and 5 to 15.)

2. The main object is dealt with in Clauses 4 and 19. Clause 4 seeks to repeal sections 3 to 36 of the Village Communities Ordinance and to insert new sections 3 to 63 to take their place. Clause 19 contains three new Schedules which are to be added to the Ordinance.

3. The principal features of the new provisions may be summarised as follows:—

- (1) The unit of village self-government is in future to be known as a village area, and a Village Committee is to be established in every such area. Except in special cases, every police headman's division in a village area will be a ward entitled to return a member. The number of members of a Village Committee will therefore not remain uncertain and variable as before, and every part of an area will be duly represented.
- (2) Adult suffrage for both sexes is to be introduced, subject to a condition requiring residence in the ward for a period of six months in the eighteen months next preceding an election. For candidates for election, the qualifications are to include literacy and property of the value of two hundred rupees.
- (3) The elections, as in the past, are to be held at meetings of voters, but in order to prevent unnecessary expenditure on such meetings, provision is made for a nomination day on which uncontested candidates can be declared to be duly elected.

In order to keep out the man of straw, provision is also made for a deposit of a sum of ten rupees by every candidate.

- (4) Where the voters for any reason refuse or fail to elect the requisite number of members, power is to be given to the Executive Committee of Local Administration to nominate the necessary number of qualified persons.
- (5) The Chairman is to hold office for the full term of a Committee, and the Vice-Chairman for one year at a time.
- (6) Every Village Committee will be a corporation with perpetual succession and capacity to hold property and to enter into contracts.

- (7) The existing tax payable in labour, or in money by way of commutation, is to be retained under the name of the capitation tax; but as an alternative in suitable cases, there will be a land tax leviable (a) on buildings and building sites, (b) on cultivated lands and (c) on uncultivated lands. In addition to the usual statutory exceptions, deserving cases will be exempted from the tax on the ground of poverty. Where the land tax is found to be unsuitable, a Committee will be permitted to revert to the capitation tax.
- (8) Provision is also made for adding to the funds of a Village Committee the licence duties which in other areas have been made over to the District Councils by Ordinance No. 11 of 1920; and Village Committees are given the same power as District Councils to impose a tax on vehicles and animals.
- (9) The administration of the funds, and all other financial matters including the raising of loans, will be governed by rules of procedure made by the Executive Committee of Local Administration, and will be under the supervision and control of the Government Agent. In the more important matters it will be obligatory to obtain the approval of the Governor before a Village Committee proceeds to give effect to its decisions.
- (10) The subsidiary legislation passed by a Village Committee will, in future, be called "by-laws". The enabling provisions are almost identical with those of the Local Government Ordinance, but it is not expected that a Village Committee will find it necessary to exercise all the powers that are conferred on it in this behalf.
- (11) In cases of incompetence and mismanagement or wilful misconduct or neglect of duty, the Governor is given the power to remove a Chairman from office or to supersede and dissolve a Committee.

S. W. R. D. BANDARANAIKE,
Minister for Local Administration.

Colombo, March 10, 1937.

DISTRICT AND MINOR COURTS NOTICES.

The Village Communities Ordinance, No. 9 of 1924.

IT is hereby notified in terms of section 98 of the Village Communities Ordinance, No. 9 of 1924, that the under-mentioned Village Committee has, with the approval of the Government Agent, Northern Province, prescribed the building noted below as its Court-house from December 12, 1936. The Police Magistrate's bungalow, Mallakam, has ceased to be used as a Village Committee Court-house as from December 1, 1936.

The Kachcheri,
Jaffna, March 1, 1937.

E. T. DYSON,
Government Agent.

Name of Village Committee.	Description of the Building.
Mallakam	Building on the land called "Palluvan Kalladdy", situated at Mallakam

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 3,910 & 3,887 In the matter of the insolvency of (1) Velaathan Pillay Menatchy Sundaram, (2) Velaathan Pillay Suppramaniam, (3) Poromasium Pillay Ramanathan, (4) Velaathan Pillay Malayappa Pillay, (5) Velaathan Pillay Arumugam, all carrying on business under the name, style, and firm of "Veyanna Moona Ravanna Mana" Malayappa Pillay & Co., insolvents.

NOTICE is hereby given that a meeting of creditors will be held at a sitting of this court on April 27, 1937, for the purpose of granting remuneration to the assignee and for any creditor or creditors to show cause against the payment of a sum of Rs. 92.45 to the assignee as his remuneration out of the money lying to the credit of the above case.

By order of court, GERALD E. DE ALWIS,
March 3, 1937. Secretary.

B 4

In the District Court of Colombo.

No. 4,960. In the matter of the insolvency of Kalathil Aiyappan Kumaran of Prince street, Pettah, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 11, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
March 8, 1937. Secretary.

In the District Court of Colombo.

No. 5,006. In the matter of the insolvency of Ahamad Lebbe Mohamed Khalid of 117/10, 11, Dematagoda road, Maradana, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 11, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
March 9, 1937. Secretary.

In the District Court of Colombo.

No. 5,018. In the matter of the insolvency of Don Augustine Kumarasinghe of Wattala.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 4, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
March 3, 1937. Secretary.

In the District Court of Colombo.

No. 5,024. In the matter of the insolvency of Sadayan Selliath of 58, Nelson-lane, Colpetty.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 4, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
March 3, 1937. Secretary.

In the District Court of Colombo.

No. 5,026. In the matter of the insolvency of K. Thamboo of 5/58, Muhandiram lane, Colpetty.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 4, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
March 3, 1937. Secretary.

In the District Court of Colombo.

No. 5,029. In the matter of the insolvency of Charles Wilfred Perera Seneviratna of 49, Averi-watta road, Wattala, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 4, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
March 3, 1937. Secretary.

In the District Court of Colombo.

No. 5,031. In the matter of the insolvency of Mataramba Kanattegamage Jackson de Silva of Hunupitiya, Slave Island.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 11, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
March 9, 1937. Secretary.

In the District Court of Colombo.

No. 5,032. In the matter of the insolvency of Abobucker Hadjar Mohamed Sheriff also known as H. M. Sheriff, presently of 49, Stanley place, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 4, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
March 3, 1937. Secretary.

In the District Court of Colombo.

No. 5,072. In the matter of the insolvency of Kandane-aratchige Richard Thomas Fernando of 349, Moratuwella, in Moratuwa.

WHEREAS the above-named K. R. T. Fernando has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by B. E. Mendis of Karagampitiya, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said K. R. T. Fernando insolvent accordingly; and that two public sittings of the court, to wit, on April 27, 1937, and on May 14, 1937, 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,
March 3, 1937. Secretary.

In the District Court of Colombo.

No. 5,073. In the matter of the insolvency of Geeganage Charles Silva of 120/4, Temple road, Maradana, Colombo.

WHEREAS the above-named G. C. Silva has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by Robert Weerasuriya of Mirissa, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said G. C. Silva insolvent accordingly; and that two public sittings of the court, to wit, on April 27, 1937, and on May 11, 1937, 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,
March 5, 1937. Secretary.

In the District Court of Badulla.

No. 28. In the matter of the insolvency of Nawenna Ana Moona Mohamadu Ossen of Bandarawela.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the 2nd sitting of this court on April 30, 1937.

By order of court, A. K. ALVAPILLAI,
Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Estelle Grace Bultjens of Cork road at Dematagoda in Colombo Plaintiff.

No. 260. ⁵⁹ Vs.

(1) Hiddadura George Albert Mendis, (2) ditto Alexander Mendis, both of Nagoda in the Ragam pattu of Alutkuru korale, (3) ditto Edwin Bonaventure Mendis of Mutwal in Colombo, (4) Ravanna Mana Raju Naidu of 222, Main street, Negombo, (5) Walimuni Lee, Ponsaka of Welisara Defendants.

NOTICE is hereby given that on Friday, April 23, 1937, commencing at 10 A.M., will be sold by public auction at the respective premises in their respective order the following property mortgaged to the plaintiff by bond No. 780 dated October 17, 1927, and attested by B. S. Wickramaratne, 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 February 18, 1937, for the recovery of the sum of Rs. 5,550, together with interest on Rs. 3,500 at 12 per cent. per annum from February 8, 1934, to November 7, 1934, and thereafter legal interest on the aggregate amount till payment in full and costs of suit, Rs. 342.04, viz. :-

1. An undivided $\frac{1}{3}$ part or share from and out of all that portion of the land called Ambagahawatta *alias* Lansiyawatta, together with the trees, plantations, and everything standing thereon, situated at Wattala in the Ragam pattu of Alutkuru korale in the District of Colombo, Western Province; bounded on the north by high road to Hunupitiya, east by the live fence of the land of Telenis and others, south by the live fence of the land of Marthelis Fonseka and others, and on the west by the live fence of the land of Cornelis Silva and Girigoris Silva; containing in extent about 3 acres.

2. All that portion of land called Berigewatta or Delgahawatta, together with the trees, plantations, and everything thereon, situated at Nagoda in the Ragam pattu aforesaid; bounded on the north by the fence of the land of Hiddadura Ponsianu Mendis, east by the boundary of the land of Hettige Francisu Silva Wickramasinghe, south by the land of Ethige Siman Silva and others, and on the west by the boundaries of the lands of Hettige Don Thomas Samaranayake, Notary; containing in extent 3 roods and 21 perches, more or less.

3. All that allotment of land comprising of a sixth part of Kosgahawatta, a half part of Welapaulawutukotasa, and a five-sixth part of Badullagahawatta contiguous to each other, situated at Nagoda aforesaid, together with the

trees and buildings thereon; bounded on the north by Bangalawewatta belonging to Cornelis Mendis, Police Officer, and others, east by the live fence of the land of Hettiyadura Akasiannu Fernando, south by the live fence of Dumangewatta belonging to Hiddadura Fredrick Mendis, and on the west by a portion of Welapaulawatta belonging to Fredrick Mendis and field; containing in extent about 1½ acres.

Prior registration B 181/108, 183/12, 191/298.

Fiscal's Office, J. R. TOUSSAINT,
Colombo, March 10, 1937. Deputy Fiscal.

In the District Court of Colombo.

Alexander Young (London) Ltd., of 60, Fenchurch street, London Plaintiffs.
No. 520/S. Vs.

V. O. Mohamed Ally of Third Cross street, Pettah, Colombo Defendant.

NOTICE is hereby given that on Wednesday, April 21, 1937, at 1 P.M., will be sold by public auction at 4, Third Cross street, Pettah, Colombo, the following movable property for the recovery of the sum of Rs. 337.88, together with interest on Rs. 320.60 at 5 per cent. per annum from September 13, 1935, to date of decree (June 17, 1936), and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, less Rs. 861.40, viz. :—

- 50 brass handles, 45 nickel handles, 12 packets nails, 4 rolls wire netting, 375 sauce pans, 100 doz. Condi buttons (iron), 25 doz. tower bolts (iron), 5 doz. hinges (iron), 18 doz. square hinges (iron), 6 doz. drawer handles, 25 packets bolts (iron), 70 packets screw nails (iron), 37 packets screw nails (brass), 12 packets hooks, 33 tins paint, 94 tins paint (small), 70 hammers, 5 chain blocks, 12 bags revet nails (iron), 1 lot pipe fittings, 12 bags hooks, 2 galvanized sheets, 3 doz. pickaxes, 24 packets nails, 3 doz. padlocks, 12 tape packing rubber rolls, 11 packing rubber rolls, 2 doz. bridles, 2 doz. awls, 2 doz. spades, 10 scales, 12 blocks, 14 rubber tapping knives, 2 doz. brass taps, 2 iron safes, 125 sickles, 1 clock, 1 office table, 3 bentwood chairs, 2 bentwood chairs, 12 fittings, 1 hand cart, 3 doz. brushes, 1 lot sundries.

Fiscal's Office, J. R. TOUSSAINT,
Colombo, March 10, 1937. Deputy Fiscal.

In the District Court of Colombo.

(1) John Andrews Lammas Dore and two others, all carrying on business in partnership as Brooker Dore & Company, at 5, Fenchurch street, London . . . Plaintiffs.
No. 1,099/S. Vs.

(1) Joseph Manuel Francis Rodrigo and two others, all carrying on business in partnership under the name, style, and firm of Rodrigo Bros, at 6, Jampettah street, Colombo Defendants.

NOTICE is hereby given that on Thursday, April 15, 1937, at 9.30 A.M. will be sold by public auction at 6, Jampettah street, Colombo, the following movable property for the recovery of the sum of Rs. 685.84, with interest on Rs. 623.58 at 5 per cent. per annum from June 1, 1936, to date of decree (July 22, 1936), and thereafter legal interest on the aggregate amount of the decree till payment in full, viz. :—

- In No. 1 Glass Almīrah.—13 large and small images, 1 lot cards, 4 candle stands (brass), 4 candle stands (nickel), 1 lot candles, 1 brass lamp, 16 small images.
- In No. 2 Glass Almīrah.—2 candle stands (brass), 10 small jugs (brass), 1 cross (nickel).
- In No. 3 Glass Almīrah.—12 large images, 8 small images, 25 images (porcelain), 105 mass books.
- In No. 4 Small Glass Almīrah.—1 lot candles.
- In No. 5 Small Glass Almīrah.—55 medals.
- In No. 6 Glass Almīrah.—30 images, 1 lot cards, 1 lot books.
- In No. 1 Show Case.—1 lot medals (aluminium).
- In No. 2 Show Case.—1 image, 2 flower vases (nickel).
- In No. 3 Show Case.—1 lot medals, 20 glass lamps, 2 brass candle stands, 5 incense burners (nickel), 1 stand with drawers, 250 pictures, 1 lot medals, 5 crosses, 6 glass almīrahs, 3 show cases, 33 pictures, 1 wall clock, 1 office table, 2 chairs, 1 ladder, 1 scale with weights, 1 lot sundries.

Fiscal's Office, J. R. TOUSSAINT,
Colombo, March 10, 1937. Deputy Fiscal.

35 In the District Court of Colombo.
M. K. R. M. Sinnakaruppen Chettiar of Sea street, Colombo Plaintiff.
No. 1,538/S.

(1) K. J. Rodrigo of 40, Silversmith lane, Colombo Defendant.

NOTICE is hereby given that on Thursday, April 22, 1937, at 4 P.M. 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. 1,880 and legal interest thereon from January 13, 1937, till payment in full, viz. :—

All that land and premises called and known as lot A Uplands bearing assessment No. 3401/19 (1-27), New Fisher's quarters, Alutmawatta, within the Municipality and District of Colombo, Western Province; and bounded on the north by road, east by lot B, south by land in plan No. 178,213, and on the west by land in plan No. 178,210; and containing in extent 1 32/100 perches otherwise described as follows :—

All that land and premises bearing assessment No. 19 (1), now bearing No. 97, New Fisher's quarters, situated at Alutmawatta road aforesaid; and bounded on the east by lot B bearing assessment No. 19 (2), south by land in T. P. 178,213 bearing assessment No. 55 of Ana Maria Fernando, west by land in T. P. 178,210 bearing assessment No. 18, and on the north by the road; containing in extent 1.32 perches, and registered under A 222/289.

The present boundaries of premises No. 97, St. Andrew's place, Alutmawatta, is bounded on the north by St. Andrew's place, on the east by premises No. 95, St. Andrew's place, south by drain, and on the west by premises No. 99, St. Andrew's place, Colombo.

Fiscal's Office, J. R. TOUSSAINT,
Colombo, March 10, 1937. Deputy Fiscal.

In the District Court of Colombo.

Ponnahenedige Simon Peter Dias of Moratuwella . . Plaintiff.
No. 5,090. Vs.

(1) Sampathawaduge Robert, David Fernando,
(2) Kolombapatabendige Pavistina Perera, both of 114, Moratumulla, in Moratuwa Defendants.

NOTICE is hereby given that on Friday, April 2, 1937, at 11 A.M., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 7,129 dated June 19, 1934, and attested by W. F. Wijesekera, 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 October 19, 1936, for the recovery of the sum of Rs. 2,318.75, together with further interest on the principal sum of Rs. 1,750 at 18 per cent. per annum from April 10, 1936, to date of decree (September 10, 1936), and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit, viz. :—

All that undivided western half share, together with trees, plantations, buildings, and everything belonging thereto out of the two contiguous portions of land called Lindamulagewatta and Madangahawatta, situated at Moratumulla in Moratuwa in the Palle pattu of Salpiti korale in the District of Colombo, Western Province; bounded on the north by cart road, east by the lands belonging to Manuel Perera and Bastian Fernando, south by the land belonging to Arnawattage Francisco Fernando, and on the west by the portions of this garden belonging to Yalagalage Pedru Pieris and Lindamulage Domingo Silva; containing in extent 1 rood and 25 5/100 perches as per plan No. 627 dated February 7, 1890, made by J. Mendis, Surveyor, together with all the rights, privileges, easements, servitudes, and appurtenances whatsoever to the said premises belonging or usually held, occupied, used, or enjoyed therewith and all the estate, right, title, interest, property, claim, and demand whatsoever of the said defendants. Prior Registration M 349/7.

Fiscal's Office, J. R. TOUSSAINT,
Colombo, March 11, 1937. Deputy Fiscal.

In the District Court of Kalutara.

(1) Dehiwalaliyanage Don Elias, Veda Mahatmaya, for himself and as next friend of (2) Dehiwalaliyanage Don Kulman, both of Yatawatura Plaintiffs.
No. 17,328. Vs.

Warakagodage Nomis Singho of Handupelpola in Raigam korale Defendant.

NOTICE is hereby given that on Saturday, April 3, 1937, at 4 o'clock in the afternoon, will be sold by public auction

at the said premises in the following property mortgaged by the defendant with the plaintiff and declared bound and ordered to be sold by the decree entered in the above case for the recovery of Rs. 2,444.52, with interest on Rs. 1,450 at 10 per cent. per annum from February 11, 1932, till December 5, 1934, and thereafter at the rate of 9 per cent. per annum of the aggregate till payment in full and costs of suit, Rs. 407.67, viz. —

All that the undivided 10/32 shares of the soil trees and plantations of Gonnagahawatta *alias* Kirigalpottchena, situated at Handupelpola in the Udugaha patu of Raigam korale in the District of Kalutara, Western Province; and bounded on the north-east by Kirigalhena belonging to the Crown, east by the land appearing in title plan No. 46,099 belonging to Egodahage Juwan and others, south-west by the land appearing in figure of survey No. 125,754, west by Kirigalkumbura belonging to Vitanage Allis and others, north-west by Kirigalakumbura belonging to the said Allis and others, and the land belonging to Reverend Sobitha; containing in extent 15 acres 1 rood and 13 perches.

Deputy Fiscal's Office,
Kalutara, March 9, 1937.

H. SAMERESINGHA,
Deputy Fiscal.

In the District Court of Kalutara.

(1) P. S. S. M. K. T. Kadiresan Chettiar, (2) P. S. S. M. K. T. Chellappah Chettiar, both of 139, Sea street, Colombo Plaintiffs.
No. 39,714. Vs.

(1) P. D. M. P. Gunatileke, wife of (2) G. M. H. F. Gunatileke, (3) P. D. P. H. Perera, all of Gamagoda in Kalutara totamune in Kalutara District. Defendants.

NOTICE is hereby given that on the following dates 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 defendants in the following property mortgaged by the defendant with the plaintiff and declared bound and ordered to be sold by the decree entered in the said case for the recovery of Rs. 7,380, together with interest on Rs. 6,000 at 24 per cent. per annum from August 5, 1930, September 5, 1930, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs, viz. —

On Monday, April 26, 1937.

1. An undivided half part of all that land called and known as Welipitiyaawattawatta and Bambigawatta, situated at Pattiya in Panadure totamune in the District of Kalutara, Western Province; bounded on the north by lot No. 3 of this land Delgahawatta and lot No. 5 of this land, east by Pattidorawatta *alias* Polwatta and road, south by land belonging to the estate of Mathes Peiris, and on the west by land belonging to the estate of Don Bastian Abeysekera, Arachchi; containing in extent 1 rood and 7 33/100 perches.

2. An allotment of land called and known as Galpaththewatta, together with all trees, plantations, and the tiled house standing thereon, situated at Pattiya North in Panadure totamune in the District of Kalutara, Western Province; and bounded on the north by Bambigahawatta, east by Bogahawatta of Kuruppuge people and Kitulgahawatta of Konsekage people, south by drain, and on the west by Colombo-Galle high road; containing in extent 3 roods and 28 perches as per plan No. 651 dated March 26, 1929, made by B. S. P. de Silva, Licensed Surveyor and Leveller.

3. On Tuesday, April 27, 1937.—The entirety of the land called and known as Ambatotuwekele, situated at Gamagoda in the Kalutara totamune in the District of Kalutara, Western Province; bounded on the north by land described in plan No. 179,783 and a road, east by road, south by reservation along the road and lots 13244 and 13245½ in plan No. 11,660 and lands described in plans Nos. 199,789, 179,785, and 179,787, and west by lands described in plans Nos. 179,787, 179,785, 179,786, and 179,782; containing in extent 13 acres and 37 perches and in the alternative all the right to which the first and third obligors shall become entitled after a partition shall have been entered in partition case No. 14,597 of the District Court of Kalutara, and also the advantages or disadvantages and also the share to which the said first and third obligors would be entitled to either in common or partition by virtue of decree in the said partition action No. 14,597 aforesaid, instituted to partition the land described in this schedule.

Deputy Fiscal's Office,
Kalutara, March 5, 1937.

H. SAMERESINGHA,
Deputy Fiscal.

Central Province.

In the District Court of Kurunegala.

Tikiri Gunarat Kumarihamy *alias* Ellis Nona of Nattandiya in Chilaw District Plaintiff.

No. 12,770.

Vs.

(2) Herath Mudiyansele Martin Appuhamy of Wennappuwa in Pitigal korale of Chilaw, (1) Ben-tara Dewamitta Therunansa of Batata Temple in Ambetenne in Harispattu, Kandy District. Defendants.

NOTICE is hereby given that on Saturday, April 10, 1937, commencing at 2 P.M., will be sold by public auction at the respective premises the right, title, and interest of the said defendants for the recovery of the sum of Rs. 2,573.42, with legal interest at 9 per cent. per annum until payment in full and costs of the action from the 2nd defendant and Rs. 750 and costs of execution Rs. 13.20 from the 1st defendant and poundage, viz. —

1. Banagewatta *alias* Etambillepanehena of 15 lahas in paddy sowing extent, situate at Ullandupitiya in Kulgammannasapattu of Harispattu in the District of Kandy, Central Province; and bounded on the north by the fence of Gunarathdeniyewatta, east by fence of Ginigatharambewatta, south and west by fence of Hapudeniyewatta, with everything thereon.

2. Gunarathdeniyewatta of 2 pelas paddy sowing extent, situate at Ullandupitiya aforesaid; and bounded on the north by fence of Gunarathdeniyewatta of Tikiri Banda, east by the chena of the field, south by fence of Banagewatta, and west by ditch, with everything thereon.

3. Pohorambetenne of 3 pelas paddy sowing extent, situate at Ullandupitiya aforesaid; and bounded on the north and east by fence of Pohorambetnewatta, south by the limit of the garden of Muhandirama, and west by Dickkumbure-ella, with everything thereon.

4. Pohorambetenne of 2 pelas paddy sowing extent, situate at Ullandupitiya aforesaid; and bounded on the north and east by fence of Godayangollewatta, south by Pohorambetennehena, west by Dickkumbure-ella, with everything thereon.

5. Hapudeniyehena of 1 pela paddy sowing extent, situate at Ullandupitiya aforesaid; and bounded on the north, east, and south by limit of the chenas of Banda and others, and west by ella of Hapudeniyekumbura, with everything thereon.

6. Delgasdeniyehena of 15 lahas paddy sowing extent, situate at Ullandupitiya aforesaid; and bounded on the north and south by chena belonging to Tikiri Banda and others, east by the limit of Andekohehena, west by Delgasdeniyekumbura, with everything thereon.

7. An undivided ½ share of Hittarakotuwa of 1 pela paddy sowing extent, situate at Ullandupitiya aforesaid; and bounded on the north by ella of the field, east by fence of Tikiriwalawewatta, south by fence of Tikiriwalawewatta, and west by fence of Ginigath-Arambe, with everything thereon.

8. An undivided ½ share of Kadewatta of 1 pela paddy sowing extent, situate at Ullandupitiya aforesaid; and bounded on the north by ditch, east by ella of Edandagasdeniyakumbura, south by ditch of Wadugederawatta, and west by ditch, with everything thereon.

9. Dickkumburehena of 8 lahas paddy sowing extent, situate at Ullandupitiya aforesaid; and bounded on the north and east by Kodayangollehena, south by limit of Pohorambetenne, and west by ella, with everything thereon.

10. Asweddumekumbura of 6 lahas paddy sowing extent, situate at Ullandupitiya aforesaid; and bounded on the north by Kohowilekumbura, east by ella, south by Nawasideniyekumbura, and west by ella.

11. Dickkumbura of 2 pelas and 1 ½ thimba paddy sowing extent, situate at Ullandupitiya aforesaid; and bounded on the north by limitary ridge of Divelakumbura, east by ella of Kodayangollehena, south by the limitary ridge of the remaining portion of this field of Ratwatte Kumarihamy, and west by Dambegollehena and ella.

12. An undivided ½ share of Polgaspitiyewalawwewatta *alias* Arambe of 1½ amunams paddy sowing extent, situate at Ullandupitiya aforesaid; and bounded on the north by the fence of the garden of Tikiri Banda, east by the ditch of Wadugederawatta, south by the fence of the garden of Medduma Banda, and west by the ditch of Mudaligederahena, with everything thereon.

13. An undivided ½ share of Ginigatharambewalawwewatta *alias* Polgaspitiyewalawwewarambe of 3 pelas paddy sowing extent, situate at Ullandupitiya aforesaid; and bounded on the north by the limit of Pallege Bandage Arambe, east by the limit of the Arambe of Dingiri Banda, south by the fence, and west by the limit of Mudaligederahena, with everything thereon.

14. The divided northern 8 lahas paddy sowing extent from and out of Hapudeniye-kumbura of 1 pela paddy sowing extent, situate at Ullandupitiya aforesaid; and which said northern portion is bounded on the north by the liminary ridge of the field of Tikiri Banda, east by the ella of Mudaligederahena, south by the limit of the remaining portion of this field of Ananda Annanse, and west by ella of Mudaligederahena.

Fiscal's Office,
Kandy, March 3, 1937.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Kandy.

M. C. Fernando of Ananda Hotel, Matale Plaintiff.
No. 47,538. Vs.

Katupulgedara Tikiri Menika of Gamagedara in Rambukwella, legal representative of the estate of R. M. G. Ran Banda, deceased, and guardian *ad litem* over E. M. G. Ekananayake and five others of Rambukwella in Pata Dumbara Defendant.

NOTICE is hereby given that on Saturday, April 3, 1937, commencing at 2 P.M., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 6,451 dated March 27, 1929, and attested by M. E. E. Seneyratne, Notary Public of Kandy, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated January 28, 1937, for the recovery of the sum of Rs. 2,000, with interest thereon at the rate of 10 cents per Rs. 10 per month from April 27, 1936, till June 29, 1936, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full and Rs. 180.60 being the costs of this action and poundage, viz. :—

1. An undivided $\frac{1}{2}$ part or share out of all those contiguous lands called Munkotuwelandehena now watta of 11 nellies in kurakkan sowing extent and Galbokkekumburawanata of about 2 nellies kurakkan sowing, and containing in extent in the aggregate about 13 nellies in kurakkan in extent, situate at Rambukwella in Pallispattu of Pata Dumbara in the District of Kandy, Central Province; and together bounded on the north by the fence of Pinkumbura belonging to Kundasale Vihare, east by the limit of Gamagedarahena belonging to Kiri Banda, south by limit of Munkotuwelanda belonging to Tennekoongedera Aratchilla, and west by the limit of Galbokkekumbura belonging to Appuhamy and of the tiled house plantations and everything thereon.

2. Undivided $\frac{1}{2}$ part or share out of Tennegederawatta of about 7 $\frac{1}{2}$ nellies in kurakkan sowing extent, situate as aforesaid; and bounded on the north by high road, east by the fence of Tennegammeddehena belonging to Dingiri Menika and Kaly Banda, south by the limit of Batalawattahena belonging to Appuhamy, and west by the fence of Munkotuwelandehena belonging to Kiri Banda and Dingirale and of the buildings, plantations, and everything thereon; and registered in E 228/198 and 157/68 Kandy, and all the right, title, interest, and claim whatsoever of the defendant in, to, upon, or out of the said several premises mortgaged by the defendant.

Fiscal's Office,
Kandy, March 3, 1937.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Kandy.

Ana Runa Una . Lana Olagappa Chettiar of Matale Plaintiff.
No. 46,012. Against

Karpenen Servakaram's son, Periyasamy of Dullewa in Udasiya pattuwa of Matale Defendant.

NOTICE is hereby given that on Friday, April 16, 1937, commencing at 12 noon, will be sold by public auction at the respective lands the right, title, and interest of the said defendant, K. S. Periyasamy, in the following property for the recovery of Rs. 14,000, with interest thereon at the rate of 9 per cent. per annum from January 18, 1935, till payment in full and costs of suit, viz. :—

1. All those contiguous allotments of land called and known as Kolapusseyawatta, of the extent of about 8 nellies kurakkan sowing, Kolapusseyaye-hemagahamulahena of the extent of about 6 seers in kurakkan sowing, and Kolapusseyawatta of the extent of 5 nellies kurakkan sowing, situated at Aluvihare in Gampahasiya pattu of Matale South, in the District of Matale, Central Province, and now forming one property containing in extent 4 acres 1 rood and 16 96/100 perches according to plan of survey No. 34 dated February 6, 1914, made by S. S. Kandasamy, Licensed Surveyor of Matale; and bounded on the east by chena, belonging to Owala Banda and Meddumabanda,

south by Aluvihare estate, Asgiriya road, and the limit of the land belonging to Ponnachyamma, west by the boundary of Aluvihare estate, and on the north by Beeridewala estate, together with the houses and plantations and everything thereon, registered in B 10/119 (Matale).

2. The defined half portion in extent 5 acres 1 rood and 6 $\frac{1}{2}$ perches according to plan No. 1036 dated November 27, 1924, made by J. Robert Holloway, Licensed Surveyor, and annexed hereto out of the lands called and known as Kosgahamulahena, Olindaporuwehena, Ambagahamulahena, Berawakanda, Welikadewatta, Nitulamulawatta, Wepanduramullehena, and Serrikandegederawatta, all situated at Dullewa in Asgiri-udasiya pattu of Matale South aforesaid; and which said divided half portion is bounded on the north by Kosgahamulawatta road and the remaining half portion of this land, east by stone fence, Ela-karpanengewatta, rock, ela, Mahawalwewatta and rock, south by the remaining half portion of this land, and on the west by the remaining half portion of this land, together with all the plantations thereon which said last named premises are separately described as (a) adjoining lands called Kosgahamulahena in extent about 6 nellies kurakkan sowing, Olindaporuwehena in extent 12 nellies kurakkan sowing, and Ambagahamulahena in extent about 10 measures kurakkan sowing, forming one property in extent about 4 acres, more or less, situated at Paragahakotuwa in Aramudugolla in Asgiri-udasiya pattu in Matale South aforesaid; and bounded on its entirety on the east by the road to Yatawatta, south by the land belonging to Mutturakku and Lokubanda's land, west by the stone fence, and on the north by the land belonging to Harasgamedera, registered in B 73/120 (Matale).

(b) The adjoining lands called Berawakandehena, Welikandewatta, Nitulamulawatta, Wepandurumullehena, and Seerawakandegederawatta, containing in their entirety about 10 acres, situated at Dullewa in Asgiri-udasiya pattu aforesaid; and bounded on the east by the stone of Crown land, south Mahawalawwehena, west by Sinnalebbe's land, Wahacottegedera Peduru Appu's land, and Wattedegederawatte-ela, and on the north by the limit of Harasgamederahena.

3. Land called Berawakande-attikkagahamulahena, in extent 5 measures kurakkan sowing or by survey 1 acre and 33 perches according to plan No. 30 dated June 13, 1913, made by J. C. Stuart, Licensed Surveyor, annexed hereto, situated at Alakola-anga in Udasiya pattu aforesaid; and bounded on the east by Dodangahamulahena, now belonging to mortgagor (K. S. Periyasamy), south by the limit of Sinnalebbe's garden (hena), west by Galheeriyaya Mahawalawwehena, and on the north by the limits of chenas belonging to Wahacotterala and Karpane, together with the plantations and everything thereon, registered in B 73/121 (Matale).

4. The portion in extent about 5 nellies kurakkan sowing from and out of the land called Berawakande-galkotuwewatta, situated at Dullewa aforesaid; and which said portion is bounded on the east by stone, south and west by Endaru fence of Hettiyagewatta and on the north by stone fence of Peduru's garden, together with the plantations and everything thereon, registered in B 73/122 (Matale), and all the right, title, and interest and claim whatsoever of the said defendant in, to, upon, or out of the said several premises mortgaged with the plaintiff upon bond No. 6,208 dated July 20, 1929, attested by Mr. S. W. Wijayatillake of Matale, Notary Public, and decreed to be sold in satisfaction of the judgment entered in this case.

Deputy Fiscal's Office,
Matale, March 9, 1937.

H. A. PERERA,
Additional Deputy Fiscal.

In the District Court of Kandy.

S. T. S. Valliappa-Chettiar of Matale town Plaintiff.
No. 46,458. Vs.

K. M. Kadiravale of Mandandawela in Matale town Defendant.

NOTICE is hereby given that on Thursday, April 8, 1937, commencing at 1 o'clock in the afternoon, will be sold by public auction at the respective places the right, title, and interest of the said defendant, K. M. Kadiravale, in the following property in the schedule hereto for the recovery of Rs. 1,090, with further interest on Rs. 1,000 at the rate of 15 per cent. per annum from May 1, 1935, till July 1, 1935; and thereafter legal interest on the aggregate amount till payment in full, viz. :—

Schedule referred to.

1. Mahakumburewededaranda-aswedduma of 6 lahas paddy sowing in extent, situated at Dorakumbura in Gampahasiya pattu of Matale South in the District of Matale,

Central Province; and bounded on the east by Udagedera-kumbura, south by the field of Kohonagedera-Panda, west by ela or stream, and on the north by Mahakumbura belonging to Ukku Banda, Ratamahatraya.

2. All that field called Mesakumburedaran-aswedduma of about 6 lahas paddy sowing in extent, situated at Dorakumbura aforesaid; and bounded on the east by the field of Udagedera Ukubanda and Kalubanda, south by the field of Dorakumbura-Dismahatraya, west by Anuhevula, and on the north by the water-course which irrigates the field called Anuwela.

3. All that field called Alwaswedduma of 5 lahas of paddy sowing in extent, situated at Dorakumbura aforesaid; and bounded on the east by Kitulwättegederakumbura or Udagederakumbura, south by Iriyagahamulakumbura, west by Ulpotha and Iriyagahamulakumbura, and on the north by Dorakumbura-ela.

The above said three premises adjoining each other now forming one property called and known as Mahakumbura, containing with the asweddumized portions now in extent 2 pelas and 5 lahas paddy sowing; and bounded on its entirety on the east by Kitulwättegederakumbura alias Udagederakumbura now belonging to the defendant, K. M. Kadiravai, south by Iriyagahamulakumbura, west by Ulpotha, and on the north by the water-course which irrigates the fields called Kananwela, registered in B Volume 82, folio 278, in the Matale District Land Registry Office.

4. An undivided one half share of (1) northern portion of Etambagayedikkosgahamulawatta, (2) Etambagasyayadikkosgahamulawatta, (3) northern one-third portion of Etambagasyayedikkosgahamulawatta, all forming one property, situated at Dombagolla in Kohonsiya pattu of Matale South, now within the Urban District Council limits of Matale; and bounded on the east by main road, south by land claimed by Mr. K. V. Renganathan, west by Etambagasyayedikkosgahamulawatta claimed by Paramaguruswamy, and on the north by Crown land; containing in extent 3 acres 2 roods and 7 perches in the aggregate, together with the buildings standing thereon and water pump.

5. Pallewelambureasweddumepillawa, containing in extent 10 nellies kurakkan sowing; bounded on the north and east by the field, south by the Anissamadehena, and on the west by Galpillawewatta and Gansabhawa road, together with everything thereon, situated at Dunukewatta, Kanangomuwa in Gampahasiya pattuwa of Matale South in the District of Matale, Central Province, and registered in B Volume 56, folio 119.

6. Anissamadehena, containing in extent 6 nellies kurakkan sowing; and bounded on the east by Sudu-ganga, south by the limit of the garden of Mudiyanse, west by Kapukotuwehena, and on the north by the field and pillewa, together with everything thereon, situated at Dunukewatta in Gampahasiya pattu aforesaid, and registered in B Volume 56, folio 120.

7. Kapukotuwehena, containing in extent 3 lahas kurakkan sowing; bounded on the east and north by Gansabhawa road, south by Kapukotuwehena, and on the west by Dissanayakagedera Appuhamy's garden, together with everything thereon, situated at Dunukewatta aforesaid, registered in B 56, folio 121.

Deputy Fiscal's Office,
Matale, March 9, 1937.

H. A. PERERA,
Additional Deputy Fiscal.

Southern Province.

In the District Court of Tangalla.

In the matter of the intestate estate of the deceased Abeywarnapatabendige Don Mendias, ex Police Officer, late of Unakuruwa.

T. No. 1,100.

NOTICE is hereby given that on Saturday, April 3, 1937, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said estate in the following property for the recovery of Rs. 302.60 on account of stamp duty, Fiscal's charges, and poundage, viz.:

At Unakuruwa.

All that soil and fruit trees of the land called Ambagahena; containing in extent 17 acres, situated at Unakuruwa in West Giruwa pattu of the Hambantota District; and bounded on the north by Nugahena and Brakmasuriyagelebima, east by Yakaduruappugeidama and Bogahahena, south by Gadalimuduna and lands sold by the Crown, and west by Bogahahena and lands sold by the Crown.

Deputy Fiscal's Office,
Tangalla, March 5, 1937

P. D. WEERAMAN,
Additional Deputy Fiscal.

Eastern Province.

In the District Court of Batticaloa.

K. Vallipillai of Navetkudah, administratrix of the estate of the late Palanitamby Kanagasabey of Navetkudah in D. C. Testy case No. 384 Plaintiff.

No. 8,020. Vs.

Muhamadu Mukdeer Seenimuhamu of Kattankudi Division No. 4 Defendant.

NOTICE is hereby given that on Wednesday, April 7, 1937, at 4 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,420, with legal interest thereon from May 13, 1935, till payment in full and costs, incidental costs Rs. 7.20, poundage, and other charges, viz.:

The coconut estate composed of the southern half share lot No. 11456 known as Sunkankernykada, lot No. 11457, remaining portion of lot No. 1232 after excluding the portion sold and lots Nos. 11462, 11464, 11465, 11466, 1420, and 1233, situated at Sunkankerny in Koralai pattu, Batticaloa District, Eastern Province; and bounded on the north by the coconut estate belonging to E. M. Aliyarlevve and others, south by the property belonging to the heirs of Tisseveerasingham, east by the estate belonging to E. M. Aliyarlevve, and west by the estate belonging to U. P. Uthumalve; in extent about 20 acres, 1 rood and 26½ perches, with house, wall, coconut trees, produce, and rights.

This is subject to mortgage to T. Sinnatamby of Arapattai for Rs. 1,000 by deed No. 11,786 of February 13, 1935, attested by S. Kanthappah, Notary Public.

N.B.—This property is also seized under D. C. B. 7,835.

Fiscal's Office, K. S. CHANDRASEGARAMPILLAI,
Batticaloa, March 2, 1937. Deputy Fiscal.

In the District Court of Trincomalee.

Kurunather Sinnathamby of Kantalai Plaintiff.

No. 1,784. Vs.

A. L. Mohammed Hassan of Division No. 7, Trincomalee Defendant.

NOTICE is hereby given that on Saturday, April 3, 1937, at 10 o'clock in the forenoon, will be sold by public auction at the spot the following property seized under a writ of execution issued in the above case dated February 17, 1937, for the recovery of the sum of Rs. 586.42, with interest thereon at the rate of 9 per cent. per annum from November 2, 1933, until payment in full and costs of suit (reserved), Fiscal's fees and charges and poundage, viz.:

A piece of land bearing assessment Nos. 202 and 203, situated at Division No. 10, Trincomalee, Eastern Province; with a boutique roofed with corrugated iron sheets, well, and plantations thereon, with all rights relating thereto; bounded on the east by the land of M. Mohamadu Vappu Marikar, on the north by the land belonging to the heirs of Kravathy and Marimuttu; west by the land belonging to the heirs of Kravathy, and south by road; extent 6 perches.

Deputy Fiscal's Office,
Trincomalee, March 3, 1937.

B. VRASPILLAI,
Additional Deputy Fiscal.

In the District Court of Trincomalee.

Arumalam Muttuvelu of Division No. 3, Trincomalee Plaintiff.

No. 1,882. Vs.

(1) Joseph Rajendran of Division No. 1 and (2) Prakasij, wife of Nagamuttu; Francis Xavier of Division No. 1, Trincomalee, now officer in charge of Railway Station, Moratuwa Defendants.

NOTICE is hereby given that on Monday, April 12, 1937, at 10 o'clock in the forenoon, will be sold by public auction at the spot the following property mortgaged with the plaintiff by bond No. 1,363 dated May 13, 1931, attested by Mr. M. Somanathapillai of Trincomalee, Notary Public, and declared specially bound and executable under the decree entered in the above case and ordered to be sold by order of court dated July 30, 1936, for the recovery of the balance sum of Rs. 230.15 and Fiscal's fees and charges and poundage, viz.:

An undivided ½ share of and in all that land bearing assessment No. 254 and the tiled house of three rooms, kitchen, well, well-sweep and posts, and other rights relating thereto, situated at Division No. 2, Trincomalee, Eastern

Province; bounded in its entirety on the north-east by the land belonging to Velu and wife, Vellachy, and others, south-east by land belonging to the heirs of S. Sanmugampillai, south-west by land of Thomas Speering, and on the north-west by road; extent on the north-east 21 fathoms 2 cubits, south-east 19 fathoms 2 cubits, south-west 20 fathoms 2 cubits, and on the north-west 16 fathoms; registered A 11/39.

Deputy Fiscal's Office, B. VRASPILLAI,
Trincomalee, March 9, 1937. Additional Deputy Fiscal.

In the District Court of Trincomalee.

Kandapper Kanapathypillai of Nilaveli Plaintiff.

No. 1,928. ²⁷ Vs.

Nannitamby Tampiah Aiyathurai of Division No. 8,
Trincomalee Defendant.

NOTICE is hereby given that on Wednesday, April 7, 1937, at 10 o'clock in the forenoon, will be sold by public auction at the spot the following property mortgaged with the plaintiff by bond No. 1,378 dated June 18, 1931, and attested by Mr. M. Somanathapillai of Trincomalee, Notary Public, and declared specially bound and executable under the decree entered in the above case and ordered to be sold by order of court dated June 18, 1936, for the recovery of the sum of Rs. 1,381.33, with interest on Rs. 1,000 at 12 per cent. per annum from February 27, 1935, till April 1, 1935, and thereafter at 9 per cent. per annum till payment in full and costs Rs. 145.10, less Rs. 50 recovered, Fiscal's fees and charges and poundage, viz. :—

A piece of land situated at Division No. 8, Trincomalee town, Eastern Province, and the houses and buildings and well, well-sweep and posts thereon; bounded on the east by premises belonging to Vallipillai, widow of Vyramattu, north and south by roads, and on the west by premises belonging to Nagamma, wife of Krishnan, and others, extent 8 33/100 perches. Registered A 11/184.

Deputy Fiscal's Office, B. VRASPILLAI,
Trincomalee, March 5, 1937. Additional Deputy Fiscal.

In the District Court of Trincomalee.

Pasupathypillai Paramasivampillai of Division No. 6,
Trincomalee Plaintiff.

No. 2,042. ⁴¹ Vs.

Veerakutty Kathirgamatampy of Navamarthidal in
Tamblegampattu Defendant.

NOTICE is hereby given that on Saturday, April 10, 1937, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following properties mortgaged with the plaintiff by bond No. 1,074 dated January 26, 1930, attested by Mr. M. Somanathapillai of Trincomalee, Notary Public, and declared specially bound and executable under the decree entered in the above case and ordered to be sold by order of court dated February 2, 1937, for the recovery of the sum of Rs. 1,749, with interest on Rs. 1,350 at 12 per cent. per annum from March 27, 1936, till May 7, 1936, and thereafter at 9 per cent. per annum until payment in full and costs of suit (reserved), Fiscal's fees and charges and poundage, viz. :—

(1) All that field called Kamathyvayal, situated at Pallaveli in Tamblegam pattu, Trincomalee District, Eastern Province; bounded on the east by Vaikal, north by path leading to Konesarthidal, west by Payvayal, and on the south by path leading to Pandariyarvayal; in extent 1 acre and 36 perches. Registered D 1/367.

(2) All that field called Nambuvayal, situated at Mullivadi in Tamblegam pattu aforesaid; bounded on the north by T. P. 108,225, east by T. P. 108,227, south-east by T. P. 108,169, and on the south-west and west by a water-course; in extent 1 acre 3 roods and 23 perches. Registered D 2/210.

(3) An undivided 2/3 share of and in all that field called Vammykaddukeethu, situated at Makkaivelij in Tamblegam pattu aforesaid; bounded in its entirety on the north by Madu, north-east by Madu, T. P. 107,830, and land claimed by natives, south-east by water-course, south by T. P. 107,878, west by T. P. 107,877, and on the north-west by T. P. 107,881; in extent 4 acres and 19 perches. Registered D 8/167.

Deputy Fiscal's Office, B. VRASPILLAI,
Trincomalee, March 4, 1937. Additional Deputy Fiscal.

²³ North-Western Province.

In the Additional Court of Requests of Kurunegala.

T. B. Ratnayake, Korala of Kappitiya Plaintiff.

No. 9,794. ^{Rs. 16.00} ^{Vs.} ³⁷

S. A. Majid of Teliyagonna in Tiragandahe korale
east Defendant.

NOTICE is hereby given that on Thursday, April 8, 1937, at 4.30 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. 145.84, with legal interest thereon from November 20, 1936, till payment in full on Rs. 121.84, and poundage, viz. :—

An undivided 1/3 share of Nikatennewatta of about 70 acres in extent, situated at Indulgoda in Tiragandahaya korale east of Weudawili hatpattu, Kurunegala District, North-Western Province; and bounded on the east by Bogahamulahena, Silvakandewatta, and limit of Kalaotuwa-wehena, south by Aransaleyaya-ela, west by Ihalawatta, land of Haramanis, land of Menikrala, and lands of Appuhamy and others, north by lands of Jusey Appu and others, with plantations and everything thereon.

Fiscal's Office, R. S. GOONESEKERA,
Kurunegala, March 9, 1937. Deputy Fiscal.

In the District Court of Kurunegala.

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

No. 15,970. ⁸⁰ Vs.

P. Don Marsel Appuhamy of Kalugomuwa in Dewamedi Udukaha korale Defendant.

NOTICE is hereby given that on Friday, April 9, 1937, commencing from the 1st and at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 722.41, with legal interest on Rs. 507.24 from April 24, 1936, till payment in full and poundage, viz. :—

1. An undivided 1/3 share of all that block of land called Karambehena alias Theberumewatta, situated at Meewewa in Udukaha korale north of Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by the high road from Narammala to Kurunegala, east by Thabarumwatta belonging to the heirs of Seelanchy Appu and field of Ranhamy and others, south by pillewa belonging to Kirihamy and Mudiyanse and the land of Punchirala and others, and west by Karambe Assedduma belonging to Mudiyanse and others; containing in extent about 8 acres, together with the buildings thereon. Registered F 272/26.

2. (a) All that land called Bogahamulahena of 2 seers kurakkan sowing extent, situated at Weragala in Dambadeni Udukaha korale north aforesaid; and bounded on the north by the chena of Kiriya, east by the garden of Menika and others, south by the chena of Mqluwa, and west by the chena of Mudalihamy, and everything standing thereon.

(b) An undivided 1/3 share of all that land called Kahatagahamulawatta of 2 lahas kurakkan sowing extent, situated at Weragala aforesaid; and bounded on the north by Lebunapadipchiwatta, east by the garden of Hetuwa, south by the chena of Bali, and west by the chena of Pitche, together with everything standing thereon.

(c) An undivided 1/3 share of all that land called Talgaskanattawatta of 6 seers kurakkan sowing extent, situated at Weragala aforesaid; and bounded on the north by the Kahatagahamulawatta, east by the garden of Setuwa, south by the garden of Unga, and west by the garden belonging to Sitta and others, with everything standing thereon.

(d) All that land called Meegahamulawatta of 8 seers kurakkan sowing extent, situated at Weragala aforesaid; and bounded on the north by the fence of the garden of Balaya, east by the ditch of the garden of Setuwa, south by the fence of the garden of Kiriya and Setuwa, and west by the fence of the garden of Balaya, together with everything standing thereon.

(e) All that land called Talgaskanattahena of 2 roods and 3 perches in extent, situated at Weragala aforesaid; and bounded on the north by lot 9 in P. P. 244, east by land in T. P. 265,084, south by T. P. 269,899, and west by T. P. 265,124 according to the survey and description thereof No. 300,623 dated March 19, 1914, and authenticated by W. C. S. Ingles, Esq., Surveyor-General.

(f) All that land called Pamburugahamulawatta, containing 6 lahas kurakkan sowing extent, situated at Weragala aforesaid; and bounded on the north by garden of Sitta, east and south by garden of H. Kiriya, and west by garden of Baiya and others.

Which said lands called Bogahamulahena of 2 seers kurakkan sowing extent and an undivided $\frac{3}{4}$ share of Kahatagahamulawatta of 2 lahas kurakkan sowing extent which has now been divided, an undivided $\frac{3}{4}$ share of Talgahakanattewatta of 6 seers kurakkan sowing extent which has now been divided, Migahamulawatta of 8 seers kurakkan sowing extent, Talgaskanattehena now garden of 2 roods and 3 perches in extent, and Pamburugahamulawatta of 6 lahas kurakkan sowing extent all now form one property, situated at Weragala aforesaid; and bounded on the east by garden of Hetuwa and others, south by the garden of Kiriya and others, west by the gardens of Baiya and others, and north by the gardens of Sitta and others; containing in extent about 10 $\frac{1}{2}$ kurunies kurakkan sowing, together with everything standing thereon.

Fiscal's Office,
Kurunegala, March 9, 1937.

R. S. GOONESEKERA,
Deputy Fiscal.

Province of Uva.

28 In the Court of Requests of Colombo.
G. C. Roche, carrying on business under the name, style, and firm of G. C. Roche & Co., at Maliban street, Colombo Plaintiff.
No. 20,889.

(1) Simon de Silva, (2) Punchi Hewage Harry de Silva, carrying on business under the name, style, and firm of De Silva Stores, Bandarawela Defendants.

NOTICE is hereby given that on Saturday, April 10, 1937, at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 300, with interest on Rs. 300 at 9 per cent. per annum from April 8, 1936, to date of decree, i.e., June 29, 1936, and thereafter legal interest on the aggregate amount of the decree till payment in full and costs incurred Rs. 41.75 and prospective Rs. 14 (less Rs. 25), viz. :-

The land and building bearing assessment No. 80 (a portion of the land called Dambagahaulpotha); containing in extent $\frac{1}{2}$ acre, situated in Bandarawela town, Mahapalata korale in Udukinda division in Badulla District of the Province of Uva; and bounded on the north by main road leading to Welimada and land belonging to James Perera, south by land belonging to Mr. Soris, east by land belonging to Messrs. Miller & Co., and west by land belonging to Mr. Soris.

Fiscal's Office,
Badulla, March 8, 1937.

T. J. MENDIS,
Deputy Fiscal.

Province of Sabaragamuwa.

28 In the District Court of Ratnapura.
John Wise of Concordia estate, Kandapola Plaintiff.
No. 5,753. Vs.

H. M. A. Ismail, Hadjiar of Main street, Ratnapura (dead) Defendant.

H. M. A. Junaid of Jiffiriya Stores, Ratnapura, presently of Gem Villa, Alugama Substituted defendant.

NOTICE is hereby given that on Tuesday, April 6, 1937, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 2,518.42, together with interest on Rs. 2,000 at 12 per cent. per annum from November 1, 1932, till February 7, 1933, and thereafter on the aggregate amount at 9 per cent. till payment in full and costs Rs. 158.12 $\frac{1}{2}$, less Rs. 275, viz. :-

All that allotment of land with the tiled building standing thereon bearing assessment No. 50 (which said building has been rebuilt at and now the execution of the bond—bears assessment No. 43), situate at Ratnapura town in the Uda pattu of Kuruwiti korale in the District of Ratnapura; bounded on the north by high road, east by the boutique wherein Vetti Uduma Lebbe Marikar presently resides, south by Kanthoruwwatta, on the west by the boutique belonging to Mokan Marikar Abdul Wadood Marikar; and containing in extent 15 perches, and registered in A 114/171.

Fiscal's Office,
Ratnapura, March 8, 1937.

N. SWAMINATHA AYER,
Additional Deputy Fiscal.

I, Arthur Eric Christoffelsz, Fiscal for the North-Western Province, do hereby appoint Bertram Eriyawa to be Marshal for the divisions of Dambadeni Uducaha North and West and Mairawathi korales of Dambadeni hatpattu, Giratalana, Baladora, and Angomu korales of Dewamedi hatpattu, Karandapattu, Meddeketiya Yaticaha, Yagampattu, Kinyama, Katugampola Medapattu East and West, Katugampola North and South, and Pitigal korales of Katugampola hatpattu in the District of Kurunegala, 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 which this shall be his warrant.

Given under my hand at Kurunegala, this 3rd day of March, 1937.

A. E. CHRISTOFFELSZ,
Fiscal.

I, Arthur Eric Christoffelsz, Fiscal for the North-Western Province, do hereby appoint Augustine Perera to be Marshal for the Puttalam District, 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 which this shall be his warrant.

Given under my hand at Kurunegala, this 3rd day of March, 1937.

A. E. CHRISTOFFELSZ,
Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

34 In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Conganige Barlam No. 7,328.

Anthony of Ragama in the Palle pattu of Alutkuru korale, deceased.

Ettige Peter Rose Silva of Wattala Petitioner.

(1) Conganige Murti Assanta Anthony, (2) Conganige Xavier Spencer Anthony, (3) Conganige Warlis Anthony, all of Ragama Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on February 24, 1937, in the presence of Mr. P. M. Seneviratne, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 23, 1937, having been read:

It is ordered that the last will of Conganige Barlam Anthony of Ragama, 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 brother of the above-named deceased, is entitled to have letters of administration *de bonis non* with copy of the said will annexed issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before March 18, 1937, show sufficient cause to the satisfaction of this court to the contrary.

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

M. W. H. DE SILVA,
District Judge.
February 24, 1937.

25 In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Muttamma Madasamy of Mutwal No. 7,882.

Annie Catherine Florence Cassie Chitty of Elie House road, Colombo Petitioner.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on January 26, 1937, in the presence of P. M. Aloysius Corea, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated January 21, 1937, and (2) of the attesting notary dated January 26, 1937, having been read:

It is ordered that the last will of Muttamma Madasamy, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby

declared proved; and it is further declared that the petitioner is the executrix named in the said will and that she is entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before March 18, 1937, show sufficient cause to the satisfaction of this court to the contrary.

January 26, 1937.

M. W. H. DE SILVA,
District Judge.

In the District Court of Colombo.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Michael Joseph Ward of No. 7,913. *Rs. 25* Colombo, deceased.
Joseph Alexander Torrence of Colombo Petitioner.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on February 25, 1936, in the presence of Mr. John Wilson, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated February 23, 1937, (2) of the attesting notary also dated February 23, 1937, and (3) power of attorney in favour of the petitioner dated December 22, 1936, having been read:

It is ordered that the last will of Michael Joseph Ward, 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 said petitioner is the attorney of the executrix named in the said will and that he is entitled to have letters of administration with a copy of the said will annexed issued to him accordingly, unless any person or persons interested shall, on or before March 18, 1937, show sufficient cause to the satisfaction of this court to the contrary.

February 25, 1937.

M. W. H. DE SILVA,
District Judge.

35 In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Componnage Eomuald Fonseka of Rattmalana in the Palle pattu of Salpiti korale, deceased.
No. 7,730.

Adambarage John Peter de Alwis Karunaratne of Pallimulla in Panadura Petitioner.

And

(1) Componnage Mabel Beatrice Fonseka, (2) ditto Ethel Iestitia Fonseka, (3) ditto Winifred Charlotte Fonseka, (4) ditto Neville Graham Fonseka, (5) ditto Collin Theobald Fonseka, (6) ditto Olga Alfreda Fonseka, (7) ditto Hilda Agnes Fonseka, (8) ditto Wilfred Fonseka, all of Rattmalana, deceased, minors, appearing by their guardian *ad litem* (9) Wanniaratchige Joseph Hendrick Rodrigo of Dehiwala Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on January 23, 1937, in the presence of Mr. M. P. Wijesinghe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 24, 1937, having been read:

It is ordered (a) that the 9th respondent be and he is hereby appointed guardian *ad litem* of the minors, the 1st 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, as brother-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 March 18, 1937, show sufficient cause to the satisfaction of the court to the contrary.

January 28, 1937.

M. W. H. DE SILVA,
District Judge.

36 In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Danansuriya Arachchige Don Abraham Appuhamy of Kehelwathugoda in Meda pattu of Siyane korale, deceased.
No. 3,029.

Mallikakanamalage Eusahamy of Kehelwathugoda Petitioner.

(1) Danansuriya Arachchige Don Seemon Danansuriya, (2) ditto Dona Magie Nona Danansuriya, (3) ditto Don Davith Danansuriya, (4) ditto Don Wilson Danansuriya, (5) Mallikakanamalage Romanis Appuhamy, all of Kehelwathugoda Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Negombo, on February

20, 1937, in the presence of Mr. P. P. Jayawardena, Proctor, on the part of the petitioner; and the petitioner's petition and affidavit dated February 20 and February 2, 1937, respectively, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as the widow of the above-named deceased, to have letters of administration to the above estate issued to her, unless the respondents above named or any other person or persons interested shall show sufficient cause to the satisfaction of this court to the contrary on or before March 16, 1937.

It is further ordered that the 5th respondent be and he is hereby appointed the guardian *ad litem* of the 1st to 4th respondents above named, who are minors, for the purpose of this case, unless the respondents above named or any other person or persons interested shall show sufficient cause to the satisfaction of this court to the contrary on or before March 16, 1937.

February 20, 1937.

N. M. BHARUCHA,
District Judge.

34 In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Mellawatantrige Lewis Perera of Kongodamulla, deceased.
No. 3,030.

Mellawatantrige Joseph Edwin Perera of Kongodamulla Petitioner.

Vs.

(1) Wanigasekera Aratchige Dona Reginahamy, (2) Mellawatantrige Mary Winifred, (3) ditto Peter Aloysius, (4) ditto Mary Agnes, (5) ditto Mary Margaret Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Negombo, on February 23, 1937, in the presence of Mr. P. A. Fernando, Proctor, on the part of the petitioner; and the petitioner's petition and affidavit dated February 23 and February 11, 1937, respectively, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the son of the above-named deceased, to have letters of administration to the above estate issued to him, unless the respondents above named or any other person or persons interested shall show sufficient cause to the satisfaction of this court to the contrary on or before March 17, 1937.

It is further ordered that the 1st respondent be and he is hereby appointed guardian *ad litem* of the 3rd, 4th, and 5th respondents, who are minors, for the purpose of this case, unless the respondents above named or any other person or persons interested shall show sufficient cause to the satisfaction of this court to the contrary on or before March 17, 1937.

February 23, 1937.

N. M. BHARUCHA,
District Judge.

44 In the District Court of Kalutara.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late Jurisdiction. Kuruppuachchige Charles Perera *alias* K. D. Charles Appuhamy, deceased, of Wewala.
No. 2,754.

(1) Alice Kannangara, (2) Kuruppuachchige Don Simon, both of Wewala Petitioners.

Vs.

(1) Dona Easawathie, (2) Dona Karunawathie, (3) Don Pathmaperuma, (4) Don Manidasa, (5) Don Jayatissa, all of Wewala; and the 5th respondents are minors by their guardian *ad litem* (6) Kuruppuachchige Don William of Wewala Respondents.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Kalutara, on February 11, 1937, in the presence of Messrs. Tirimanne & Meegama, Proctors, on the part of the petitioners (1) Alice Kannangara and (2) Kuruppuachchige Don Simon, both of Wewala; and the affidavit of the said petitioners dated January 24, 1937, having been read:

It is ordered that the will of Kuruppuachchige Charles Perera *alias* K. D. Charles Appuhamy of Wewala, deceased, dated September 22, 1936, bearing No. 535 and now deposited in this court, be and the same is hereby declared proved, unless the respondents or any other person or persons interested shall, on or before April 8, 1937, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Alice Kannangara and Kuruppuachchige Don Simon are the executors named in the said will and that they are entitled to have probate

Galle; and that the affidavit of the said petitioner and of the attesting notary and witnesses dated January 23 and January 18, 1937, respectively, having been read:

It is ordered that the will of the late Johannes Paul Wickramasingha *alias* Korallage Johannes Paul Wickramasingha, deceased, dated February 5, 1927, and now deposited in this court, be and the same is hereby declared proved, unless any person or persons interested shall, on or before March 23, 1937, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the petitioner is the executrix named in the said 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 March 23, 1937, show sufficient cause to the satisfaction of this court to the contrary.

January 26, 1937.

G. FURSE ROBERTS,
District Judge.

In the District Court of Galle.

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Order Nisi.

Testamentary In the Matter of the Estate of Withanage No. 7,757. William Kaithan Fernando, deceased, late of Panadure.

(1) Kankanitantrige Caroline Fernando *nee* Wijesiriwardana, (2) K. T. E. de Silva, Proctor, Galle Petitioners.

(1) Withanage Mallika Fernando, (2) ditto Leelawathie Fernando, (3) ditto Mahadewo Fernando, (4) ditto Tarkadewo Fernando, (5) ditto Rajadewo Fernando, (6) ditto Nandawathie, spinners, by their guardian *ad litem* (7) Peduruheva Arnolis de Silva of Bata-pola Respondents.

THIS matter coming on for disposal before G. Furse Roberts, Esq., District Judge, Galle, on January 30, 1937, in the presence of Mr. A. D. de Silva, Proctor, on the part of the said petitioners; and the affidavit of the said petitioner and of the attesting notary and one of the witnesses dated August 25, 1936, and August 1, 1936, respectively, having been read: It is ordered that the will of the said deceased dated May 5, 1935, and now deposited in this court, be and the same is hereby declared proved, and that the 7th respondent is hereby appointed guardian *ad litem* over 1st to 6th respondents, unless the above-named respondents or any person or persons interested shall, on or before March 23, 1937, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioners are the joint executors named in the said will and that they are entitled to have probate of the same issued to them accordingly, unless the said respondents or any person or persons interested shall, on or before March 23, 1937, show sufficient cause to the satisfaction of this court to the contrary.

G. FURSE ROBERTS,
District Judge.

In the District Court of Galle.

D. C. Galle. In the Matter of the Estate of the late Don Testamentary Deonis Jayasingha of Keradewala, Case No. 7,759. deceased.

Between

(1) Kariyawasan Majuwane Gamagei Charles Dias of Galle, (2) Kariyawasan Majuwane Gamagei Don Francis Dias of Keradewala Petitioners. This 12th February, 1937.

Mr. E. C. Abeygunawardene, Proctor, Galle, files proxy, last will and codicil, affidavits and a petition of the petitioners praying for probate to the estate of the above-named deceased, and move that an order absolute be entered declaring the status of the petitioners and their rights to take out probate to the estate of the intestate.

The motion is allowed, it is hereby ordered that an order absolute be entered declaring that the petitioners are entitled to probate to the estate of the said intestate and that a copy of the said order be published in the *Government Gazette* and twice in the local news papers for March 19, 1937.

G. FURSE ROBERTS,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of No. 3,927. Kekunewala Gamatchige Don Andrayas, late of Hittetiya, deceased.

Hewa Batagodage Don Andris Appuhamy of Hittetiya Petitioner.

(1) Hettimatchige Hettimachy of Kekunewala, (2) Gamatchige Baba Appuhamy of Godapitiya, (3) ditto Babun Appuhamy of Kekunewala, (4) ditto Babahamy of Hittetiya Respondents.

THIS matter coming on for disposal before Cyril Ernst de Pinto, Esq., District Judge of Matara, on May 12, 1936, in the presence of Mr. G. E. Dantanarayana, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated March 26, 1936, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as brother-in-law of the deceased above named, 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 22, 1936, show sufficient cause to the satisfaction of this court to the contrary.

May 12, 1936.

C. E. DE PINTO,
District Judge.

Order Nisi extended to May 6, 1937.

C. E. DE PINTO,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of No. 3,951. Illinduwanatchi Kankanange Don Andris Appuhamy of Beragama.

Don Lewis Hettimatchi of Ransegoda Petitioner.

(1) Illinduwanatchikankanange Babyhamy of Ransegoda, (2) ditto Punchihamy of Beragama, (3) John Henry Samarasinha Dissanayaka Diddenipotha, (4) Francina ditto of Heenipela, (5) Edwin ditto of Diddenipotha, (6) Cornelia ditto of ditto, (7) Salaman ditto of ditto Respondents.

THIS matter coming on for disposal before Cyril Ernest de Pinto, Esq., District Judge of Matara, on January 23, 1937, in the presence of Mr. A. E. Buultjens, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 8, 1937, having been read: It is ordered that the 3rd respondent above named be and he is hereby appointed guardian *ad litem* over the 5th to 7th minor respondents above named, his children, unless the respondents above named or any other person or persons interested shall, on or before March 18, 1937, 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 son-in-law of the deceased above named, to have letters of administration to the estate of the deceased issued to him, unless respondents above named or any other person or persons interested shall, on or before March 18, 1937, show sufficient cause to the satisfaction of this court to the contrary.

C. E. DE PINTO,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Vairavanather Sadai Aiyer of Tondamanar, deceased. No. 284.

Sadai Aiyer Sinnadurai Iyer of Tondamanar .. Petitioner.

Thangamuttu, widow of Arunasalam of Tondamanar Respondent.

THIS matter of the petition of Sadai Aiyer Sinnadurai Iyer of Tondamanar, praying for letters of administration to the estate of the above-named deceased, Vairavanather Sadai Aiyer of Tondamanar, coming on for disposal before C. Coomaraswamy, Esq., District Judge, on May 22, 1936,

in the presence of Mr. C. Muttu Raja, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated February 10, 1936, having been read. It is declared that the petitioner is the son and one of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to the petitioner, unless the respondent or any other person shall, on or before July 17, 1936, show sufficient cause to the satisfaction of this court to the contrary.

May 26, 1936.

C. COOMARASWAMY,
District Judge.

Reissued and extended till March 18, 1937.

February 4, 1937.

S. RODRIGO,
Additional District Judge.

33/ In the District Court of Jaffna.
Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Annamma, wife of Bastiampillai Gnanapragasam of Periaivilan, deceased.
No. 341.

Bastiampillai Gnanapragasam of Periaivilan . . . Petitioner.
Vs.

(1) Gnanapragasam Edwin Joseph of Periaivilan, (2) Gnanapragasam Alfonso Jaesics of ditto, (3) Gnanapragasam Thiruselya Rainam, (4) Gnanapragasam Sinnamalai Therasa, (5) Gnanapragasam Mary Vibret Narayany, (6) Philippaththai, widow of Gabrielpillai of Periaivilan . . . Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on November 13, 1936, in the presence of Mr. S. Ilayatambi, Proctor, on the part of the petitioner; and on reading the affidavit and petition of the petitioner dated November 6 and 13, 1936.

It is ordered that letters of administration in respect of the estate of the above-named deceased be granted to the petitioner, unless the above-named respondents or any other person shall, on or before December 18, 1936, appear before this court and show sufficient cause to the satisfaction of this court to the contrary.

November 27, 1936.

K. KANAGASABAI,
Acting District Judge.

Order Nisi extended for February 19, 1937.

December 18, 1936.

C. COOMARASWAMY,
District Judge.

Order Nisi extended for March 19, 1937.

February 19, 1937.

C. COOMARASWAMY,
District Judge.

24/ In the District Court of Jaffna.
Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the Sithamparapillai Velupillai of Suthumalai, deceased.
No. 394.

Pooranam, widow of S. Velupillai of Suthumalai. Petitioner.
Vs.

(1) Velupillai Sanmuganathan, (2) Paramsothy, daughter of Velupillai, (3) Velupillai Kathiravel, (4) Sekasomayamma, and (5) Arulsothy, daughters of Velupillai of ditto, the 2nd to 5th respondents are minors by their guardian *ad litem* the 1st respondent . . . Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, on February 9, 1937, in the presence of Mr. E. Murugesampillai, Proctor; and the affidavit of the petitioner, having been read:

It is ordered that the petitioner is the lawful widow of the said deceased, and is entitled to have letters of administration to the estate of the said deceased, unless the respondents shall appear before the court on March 15, 1937, and state objection to the contrary.

February 16, 1937.

C. COOMARASWAMY,
District Judge.

24/ In the District Court of Jaffna.
Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Chelliah Kanagaratnam Woodhull of Vaddukoddai East, deceased.
No. 408.

Rasammah, widow of Chelliah Kanagaratnam Woodhull of Vaddukoddai East . . . Petitioner.
Vs.

Vinayaratnam Woodhull of Vaddukoddai East, presently of T. M. S., . . . Respondent.

THIS matter of the petition of the petitioner above named, coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on January 13, 1937, in the presence of Mr. S. Nagalingam, Proctor for petitioner; and the affidavit of the petitioner dated January 11, 1937, having been read:

It is ordered that letters of administration in respect of the estate of the above-named deceased be granted to the plaintiff, unless the above-named respondent or any other person shall, on or before February 8, 1937, show sufficient cause to the satisfaction of this court to the contrary.

January 27, 1937.

C. COOMARASWAMY,
District Judge.

Order Nisi extended for March 15, 1937.