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

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PASSED ORDINANCES.

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

No. 2 of 1937.

An Ordinance to provide for the protection of the Fauna and Flora of Ceylon.

R. E. STUBBS.

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

1 This Ordinance may be cited as the Fauna and Flora Protection Ordinance, No. 2 of 1937, and shall come into operation on a date to be appointed by the Governor by proclamation published in the Gazette.

Short title and date of operation.

PART I.

National Reserves and Sanctuaries.

2 (1) The Governor may by proclamation published in the Gazette declare that any specified area of Crown land shall for the purposes of this Ordinance be a National Reserve and may by that proclamation or by any proclamation subsequently published in the Gazette declare that the whole or any specified part of any such National Reserve shall be—

- (a) a Strict Natural Reserve ; or
- (b) a National Park ; or
- (c) an Intermediate Zone.

Constitution of National Reserves, Strict Natural Reserves, National Parks, Intermediate Zones, and Sanctuaries.

(2) The Governor may by proclamation published in the Gazette declare that any specified area of land within the Island (other than land declared to be a National Reserve) shall be a Sanctuary for the purposes of this Ordinance.

(3) An area declared to be a Sanctuary may include both Crown land and land other than Crown land.

(4) The Governor may by proclamation published in the Gazette declare that from a specified date—

- (a) the limits of any National Reserve, Strict Natural Reserve, National Park, Intermediate Zone or Sanctuary shall be altered or varied ;
- (b) any National Reserve or part thereof shall cease to be a National Reserve ;
- (c) any Sanctuary or part thereof shall cease to be a Sanctuary ;
- (d) that a National Reserve of one class shall be a National Reserve of another class.

Essential features of—

Strict Natural Reserves,

National Parks.

Strict Natural Reserves and National Parks, Sanctuaries.

Intermediate Zones.

Restriction of entry into Strict Natural Reserves.

Restriction of entry into National Parks.

Acts prohibited in Strict Natural Reserves and National Parks.

3 (1) Save as hereinafter provided—

- (a) no person shall be entitled to enter any Strict Natural Reserve or in any way to disturb the fauna and flora therein ;
- (b) no person shall be entitled to enter any National Park except for the purpose of observing the fauna and flora therein ;
- (c) no animal shall be hunted, killed or taken and no plant shall be damaged, collected, or destroyed, in a Strict Natural Reserve or in a National Park ;
- (d) no person shall hunt, shoot, kill or take any wild animal in any Sanctuary.

(2) Any person shall be entitled, subject to such conditions and restrictions as may be prescribed, to enter any Intermediate Zone and to hunt, shoot, kill or take any wild animal therein.

4 (1) No person other than the Warden shall enter or remain within any Strict Natural Reserve except—

- (a) for the purpose of discharging any official duty on the instructions or with the written permission of the Warden ; or
- (b) under the authority and in accordance with the conditions of a written permit from the Warden.

(2) A permit under sub-section (1) (b) shall be issued only for the purpose of authorizing scientific research.

5 (1) No person shall enter or remain within any National Park except under the authority and in accordance with the conditions of a permit issued by the prescribed officer on payment of the prescribed fee.

(2) A permit under sub-section (1) shall be issued only for the purpose of enabling the permit-holder to study or observe the fauna and flora in a National Park.

(3) If no fee is prescribed for the issue of a permit under sub-section (1), such permit shall be issued free of charge.

6 (1) No person shall in a Strict Natural Reserve or in a National Park—

- (a) hunt, shoot, kill or take any wild animal ; or
- (b) take or destroy any egg of any bird or reptile, or any nest of any bird ; or
- (c) fire any gun or do any other act which disturbs or is likely to disturb any wild animal or do any act which interferes or is likely to interfere with the breeding place of any such animal ; or
- (d) fell, girdle, lop, tap, burn or in any way damage or destroy any plant, or take, collect, or remove any plant therefrom ; or
- (e) clear or break up any land for cultivation, mining or for any other purpose ; or
- (f) kindle or carry any fire ; or
- (g) possess or use any trap or any explosive or poisonous substance capable of being used for the purpose of injuring or destroying any animal or plant.

(2) No person shall introduce any animal into any Strict Natural Reserve or National Park or tether, liberate or release any animal therein :

Provided, however, that the Warden or the prescribed officer may, when he issues a permit under section 4 or section 5 to any person, authorize that person by such permit to introduce into any Strict Natural Reserve or National Park, and to tether therein, any animal which in the opinion of the Warden or of such officer, as the case may be, is required by that person solely for the purpose of carrying that person or his goods or of drawing any vehicle.

7 (1) No person shall, except in accordance with regulations—

Acts regulated
in Intermediate
Zones and
Sanctuaries.

- (a) enter any Intermediate Zone ; or
- (b) in any Intermediate Zone or Sanctuary—
 - (i) fire any gun, or do any other act which disturbs or is likely to disturb any wild animal or do any act which interferes or is likely to interfere with the breeding place of any such animal ; or
 - (ii) hunt, shoot, kill, or take any wild animal ; or
 - (iii) take or destroy any egg of any bird or reptile or any nest of any bird ; or
- (c) in any Intermediate Zone—
 - (i) fell, girdle, lop, tap, burn or in any way damage or destroy any plant, or take, collect, or remove any plant therefrom ; or
 - (ii) clear or break up any land for cultivation, mining or for any other purpose ; or
 - (iii) kindle or carry any fire ; or
 - (iv) possess or use any trap or any explosive or poisonous substance capable of being used for the purpose of injuring or destroying any animal or plant.

(2) No person shall, except in accordance with regulations, introduce any animal into any Intermediate Zone or tether, liberate or release any animal therein.

8 Regulations may be made—

Special
regulations for
Part I.

- (a) prescribing the conditions and restrictions subject to which persons may be permitted to enter any Intermediate Zone or to hunt, shoot, kill or take any wild animal therein ;
- (b) prescribing the circumstances and cases in which and the conditions and restrictions subject to which wild animals may be hunted, shot, killed or taken in a Sanctuary ;
- (c) prescribing the conditions to be attached to any permit issued for the purposes of this part of this Ordinance and the fees to be paid for the issue of such permits ;
- (d) for the purpose of extending, with such modification as may be necessary, all or any of the provisions of Part II or of Part III of this Ordinance to any Intermediate Zone or Sanctuary ;
- (e) for the purpose of extending, with such modification as may be necessary, all or any of the provisions of this Part of this Ordinance to any specified insect ;
- (f) declaring that all or any of the provisions of this Part of this Ordinance shall not apply to any specified species of animal in any specified area.

9 Any person who acts in contravention of—

Offences and
penalties under
Part I.

- (a) any provision of this Part of this Ordinance ; or
- (b) any regulation made under section 8 for any purpose set out in that section ; or
- (c) any provision of Part II or Part III of this Ordinance which has by regulation been extended, with or without modification, to any Intermediate Zone or Sanctuary ; or
- (d) any provision of this Part of this Ordinance which has by regulation been extended, with or without modification, to any specified insect,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a term which may extend to six months or to both such fine and imprisonment.

10 In this Part of this Ordinance, unless the context otherwise requires—

Interpretation
of Part I.

“ animal ” means any vertebrate animal and includes a bird, fish, or reptile ;

“ domestic animal ” means—

- (a) any head of cattle, or any sheep, goat, horse, ass, mule, dog, or cat ;
- (b) any domestic fowl or other bird commonly reared by man as poultry ; and
- (c) when domesticated by man, any elephant, buffalo, pig, deer, hare, rabbit, peacock, parrot, pigeon, or other animal ;

“ plant ” means any member of the vegetable kingdom and includes the seed or any other part of any plant ;

“ wild animal ” means any animal which is not a domestic animal.

PART II.

Tuskers, Elephants, Buffaloes, Deer and Fowl.

Protection of
tuskers,
elephants,
buffaloes, deer
and fowl in
areas outside
National
Reserves and
Sanctuaries.

11 (1) Save as is hereinafter provided, no person shall, in any area outside a National Reserve or a Sanctuary—

- (a) shoot or kill any tusker ; or
- (b) during the close season, hunt, shoot, kill, or take any deer or fowl ; or
- (c) without a licence in that behalf from the Warden—
 - (i) hunt or take any tusker, or
 - (ii) hunt, shoot, kill or take any elephant or buffalo, or
 - (iii) at any time other than during the close season, hunt, shoot, kill, or take any deer or fowl.

(2) A person permanently settled in a village area may within that area and at any time other than during the close season shoot or kill any deer without a licence for the purpose of providing food for consumption by himself or by any member of his family.

In this sub-section, "village area" means an area declared by the Executive Committee to be a village area by notification in the Gazette.

(3) Every licence under sub-section (1) shall be issued in the prescribed form on payment of the prescribed fee and shall continue in force for such period and within such limits and be subject to such conditions as the Warden may consider necessary or expedient to insert therein.

Declaration of
areas in which
damage by
tuskers,
elephants,
buffaloes or
deer is
apprehended.

12 (1) Whenever it appears to the Warden that in any area outside a National Reserve damage to any person or to any crop, plantation, or other property is likely to be caused by any tusker, elephant, buffalo, or deer, he may by notices affixed in conspicuous places within that area declare that area to be one within which damage by tuskers, elephants, buffaloes, or deer is apprehended and may issue a licence subject to such conditions as he may deem necessary or expedient, either free or on payment of the prescribed fee or of such fee not exceeding the prescribed fee as he may consider adequate, authorising the licensee to hunt, shoot, kill, or take tuskers, elephants, buffaloes, or deer, as the case may be, within that area while the declaration is in force :

Provided, however, that nothing in this section shall be deemed to require any person residing or cultivating land in that area to obtain a licence to hunt, shoot, kill, or take tuskers, elephants, buffaloes, or deer, as the case may be, while the declaration is in force.

(2) Every declaration under sub-section (1) shall be forthwith reported by the Warden to the Executive Committee and shall continue in force for a period of twenty-one days from the date of such declaration.

(3) The Executive Committee may by notification in the Gazette extend or restrict the period for which such declaration shall continue in force, or may otherwise vary or revoke such declaration, but without prejudice to anything done or suffered thereunder prior to the publication of such notification.

Killing and
taking of
tuskers,
elephants
buffaloes, deer
and fowl
without licence
in prescribed
cases.

13 (1) It shall be lawful for any person without a licence to shoot, kill or take any tusker, elephant, buffalo, deer or fowl which is found trespassing or attempting to trespass in or upon any cultivated land outside a National Reserve.

(2) The owner or person in charge of any cultivated land outside a National Reserve who has been unable to shoot or kill any tusker or elephant in the exercise of the rights conferred by sub-section (1) may, after reporting the facts of the case to any Police Officer or to any other prescribed officer, follow or pursue such tusker or elephant to any place (not being a place within a National Reserve) and there shoot or kill such tusker or elephant.

The Governor may at any time by proclamation published in the Gazette suspend the operation of this sub-section for any period either throughout the Island or in any specified part of the Island.

(3) If the Warden is satisfied that any tusker or elephant found trespassing or attempting to trespass in or upon any cultivated land has not been shot, killed or taken in the exercise of the rights conferred by sub-section (1), he may, on payment of the prescribed fee, issue to any person a special licence in the prescribed form containing such conditions as he may deem necessary or expedient to insert therein and authorising that person to follow or pursue such tusker or elephant to any place (not being a place within a National Reserve) and there to shoot or kill such tusker or elephant.

(4) It shall be lawful for the owner or person in charge of any cultivated land at any time to set, lay or spread any trap, snare, net or pitfall in or upon that land for the purpose of killing or taking any deer or fowl which trespasses or attempts to trespass thereon.

(5) Save as is provided in sub-section (4), no person shall set, lay or spread any trap, snare, net or pitfall for the purposes of taking any deer or fowl.

14 It shall be lawful for any person without a licence to shoot, kill or take in any area outside a National Reserve any male buffalo which joins and accompanies a herd of domestic buffaloes.

Right to kill or take wild buffalo which joins a herd of domestic buffaloes.

15 Any person who in the exercise of any right conferred by section 11, or section 12, or section 13, or section 14, kills or takes any tusker, elephant, buffalo, deer or fowl, shall forthwith report such killing or taking to any Police Officer entitled to officiate in the area within which such killing or capture took place or to any prescribed officer.

Killing or taking of tuskers, &c., to be reported forthwith.

16 (1) Any elephant duly killed or taken by any person under the authority of any licence issued under this Part of this Ordinance, shall be the property of that person, unless otherwise provided in the conditions attached to the licence.

Property in elephants, tuskers, &c., killed or taken under Part II.

(2) Subject to the provisions of sub-section (1), every tusker or elephant which is killed or captured shall be the property of the Crown.

(3) Any buffalo, deer, or fowl duly killed or taken by any person in accordance with the provisions of this Part of this Ordinance, shall be the property of that person, unless otherwise provided in the conditions attached to the licence, where any such buffalo, deer or fowl was killed or taken under the authority of a licence.

17 Subject to such restrictions or conditions as may be prescribed, the Warden may, by sale or otherwise, dispose of—

Warden authorised to dispose of tusks and carcases of dead tuskers and elephants.

- (a) the carcase, or any part of the carcase of any dead elephant which is the property of the Crown ; or
- (b) the tusks or the carcase or any part of the carcase of any dead tusker.

18 (1) A royalty according to such rates as may from time to time be prescribed shall be levied as export duty by the officers of customs at the port of shipment in respect of every tusker or elephant, whether wild or tame, exported from the Island to any place outside the Island.

Royalties payable on export of tuskers and elephants.

(2) No tusker, whether wild or tame, shall be exported from the Island to any place outside the Island except under the authority of a special permit issued by the Warden.

(3) This section shall have effect as if it formed part of Ordinance No. 17 of 1869, and the provisions of that Ordinance shall apply accordingly.

19 Any person who—

Offences—
Tuskers.

- (a) in contravention of this Part of this Ordinance or contrary to the tenor of any licence issued to him thereunder, hunts, shoots, kills, takes, follows, or pursues any tusker ; or
- (b) exports any tusker, whether wild or tame, from the Island except under the authority of a special permit issued under section 18, or in any way evades payment of the royalty payable on such export,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term which may extend to one year or to both such fine and imprisonment ; and where any person who is convicted of an offence mentioned in paragraph (a) of this section in respect of the killing or taking of any tusker is found by the court to be in possession of that tusker or its carcase or tusks, the court may make order directing such tusker, carcase, or tusks to be delivered to the possession or custody of any officer of Government to be held by that officer for and on behalf of the Crown.

20 Any person who—

Offences—
Elephants.

- (a) in contravention of this Part of this Ordinance or contrary to the tenor of any licence issued to him thereunder, hunts, shoots, kills, takes, follows or pursues any elephant ; or
- (b) in any way evades payment of the royalty prescribed in respect of the export of any elephant from the Island,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a term which may extend to six

months or to both such fine and imprisonment; and where any person who is convicted of an offence mentioned in paragraph (a) of this section in respect of the killing or taking of any elephant is found by the court to be in possession of that elephant or its carcase, the court may make order directing such elephant or carcase to be delivered to the possession or custody of any officer of Government to be held by that officer for and on behalf of the Crown.

Offences—
Buffaloes,
deer or fowl.

21 Any person who—

- (1) in contravention of this Part of this Ordinance or contrary to the tenor of any licence issued to him thereunder, hunts, shoots, kills, or takes any buffalo, deer, or fowl; or
- (2) in contravention of this Part of this Ordinance—
 - (a) sets, lays, or spreads any snare, net, or pitfall for the purpose of killing or taking any deer or fowl; or
 - (b) during the close season, hunts, shoots, kills or takes any deer or fowl; or
- (3) during the close season takes or removes the eggs of any fowl,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding two hundred rupees or to imprisonment of either description for a term which may extend to three months or to both such fine and imprisonment.

Penalty for
unlawful
possession
of tusker or
elephant.

22 (1) Any person who is in unlawful possession of a tusker or an elephant shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a term which may extend to six months or to both such fine and imprisonment; and the court may on the conviction of any such person make order for the disposal of the tusker or elephant in respect of which the offence was committed, having regard to the rights of any other person who may appear to the court to be lawfully entitled to the possession of such tusker or elephant.

(2) A person who is found in possession of a tusker or an elephant shall be deemed to be in unlawful possession of that tusker or elephant unless—

- (a) he is the captor of that tusker or elephant under the authority of a licence issued under this Ordinance or under any written law repealed by this Ordinance; or
- (b) he is the successor in title to such captor; or
- (c) he is in possession on behalf of such captor or his successor in title.

Power of
Warden, &c.,
to detain
tusker or
elephant on
suspicion.

23 (1) Where it appears to the Warden or to any Police Officer or other prescribed officer that any person is in unlawful possession of any tusker or elephant, it shall be lawful for the Warden or such Police or other prescribed officer to seize and detain such tusker or elephant and to apply to the Police Magistrate having jurisdiction over the place where the animal was seized to make order for the disposal of such tusker or elephant and the Police Magistrate to whom such application is made may, after such inquiry as he may deem necessary, make such order for the disposal of the tusker or elephant as the justice of the case may require.

(2) An order made under this section shall not affect the liability of any person to be prosecuted for any offence committed in respect of the tusker or elephant to which the order relates.

Penalty for
unlawful
possession of
fresh meat, &c.,
of deer and fowl.

24 (1) Any person who is in unlawful possession of—

- (a) the fresh meat or flesh of any deer or fowl; or
- (b) the fresh hide or horn of any deer; or
- (c) the freshly taken skin, feathers or eggs of any fowl,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding fifty rupees or to imprisonment of either description for a term which may extend to three months or to both such fine and imprisonment.

(2) A person who is found in possession of—

- (a) the fresh meat or flesh of any deer or fowl; or
- (b) the fresh hide or horn of any deer; or
- (c) the freshly taken skin, feathers or eggs of any fowl,

shall be deemed to be in unlawful possession thereof unless such meat, flesh, hide, horn, skin, feathers or eggs, as the case may be, was or were part of or taken or obtained from any deer or fowl lawfully killed or taken in accordance with the provisions of this Part of this Ordinance.

25 Regulations may be made prescribing the circumstances in which and the conditions subject to which the Warden may waive or reduce the fee prescribed for the issue of any licence under this Part of this Ordinance.

Special regulations for Part II.

26 In this Part of this Ordinance, unless otherwise expressly provided or unless the context otherwise requires—

Interpretation of Part II.

“ buffalo ” means a wild buffalo ;

“ deer ” means any of the following species of deer :—

- (a) Sambur (*Rusa unicolor unicolor*),
- (b) Spotted deer (*Axis axis ceylonensis*),
- (c) Red or barking deer (*Muntiacus malabaricus*),
- (d) Paddy field or hog deer (*Hyelaphus porcinus*) ;

“ elephant ” means a wild elephant other than a tusker ;

“ fowl ” means any of the following species of fowl or partridge :—

- (a) Pea fowl (*pavo cristatus*),
- (b) Ceylon spur fowl (*Galloperdix bicalcarata*),
- (c) Grey partridge (*Francolinus pondicerianus*),
- (d) Painted partridge (*Francolinus pictus*) ;

“ tusker ” means a wild elephant having a tusk or tusks.

27 The foregoing provisions of this Part of this Ordinance shall have no application to the hunting, killing, taking, pursuit, or possession of—

Part II not to apply to tuskers, &c., seized at kraals.

- (a) any tusker or elephant seized or taken at any elephant kraal held under the Elephant Kraal Regulation Ordinance, No. 1 of 1912 ; or
- (b) any buffalo seized or taken at any buffalo kraal held in such manner and circumstances and subject to such conditions as may be prescribed.

PART III.

Birds, Beasts and Reptiles.

28 (1) Any person who in any area outside a National Reserve or a Sanctuary—

Offences relating to birds, beasts and reptiles included in schedule I. Schedule I.

- (a) knowingly kills, wounds or takes any bird, beast, or reptile included for the time being in Schedule I ; or
- (b) takes or destroys the eggs or nest of any such bird or reptile ; or
- (c) uses any boat or any lime, snare, net, trap or other instrument for the purpose of killing or taking any such bird, beast, or reptile ; or
- (d) has in his possession or under his control any such bird, beast, or reptile recently killed or taken, or the skin of any such bird, beast, or reptile recently killed or taken, or the feathers of any such bird recently killed or taken or the recently taken eggs of any such bird or reptile ; or
- (e) exposes or offers for sale any such bird, beast, or reptile or any part of any such bird, beast, or reptile,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding twenty-five rupees or to imprisonment of either description for a term which may extend to one month or to both such fine and imprisonment :

Provided that no person shall be convicted under this section of taking any bird or beast or of having any bird or beast in his possession or under his control, if the court is satisfied that the bird or beast was taken *bona fide* for the purpose of being kept alive or reared in captivity.

(2) A person shall not be guilty of an offence under this section if the act which constitutes such offence has been done in the circumstances and subject to the conditions under which such act is authorised or permitted by any regulation made under section 30.

29 (1) Any person who in any area outside a National Reserve or Sanctuary during the close season—

Offences relating to birds and beasts included in Schedule II

- (a) knowingly kills, wounds or takes any bird or beast included for the time being in Schedule II ; or
- (b) takes or destroys the eggs or nest of any such bird ; or
- (c) uses any boat or any lime, snare, net, trap, or other instrument for the purpose of killing or taking any such bird or beast ; or
- (d) has in his possession or under his control any such bird or beast recently killed or taken or the skin of any such bird or beast recently killed or taken, or the feathers of any such bird recently killed or taken, or the recently taken eggs of any such bird ; or
- (e) exposes or offers for sale any such bird or beast or any part of any such bird or beast ; or

- (f) purchases the feathers of any such bird for the purpose of preparing such feathers for use or wear, or purchases the skin of any such beast for the purpose of preparing or tanning such skin for use,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding ten rupees or to imprisonment of either description for a term which may extend to two weeks or to both such fine and imprisonment.

(2) A person shall not be guilty of an offence under this section if the act which constitutes such offence has been done in the circumstances and subject to the conditions under which such act is authorised or permitted by any regulation made under section 30.

Sections 28 and 29 inapplicable in prescribed cases.

30 The Executive Committee may by regulation prescribe the circumstances in which and the conditions subject to which any person may be authorised or permitted to do any act which is penalised by section 28 or section 29.

Power to ascertain name and address of an offender against Part III.

31 Where any person is found offending against this Part of this Ordinance, it shall be lawful for any other person to require the person offending to state his name and place of abode, and in case the person so offending after being so required refuses to state his correct name or place of abode or states a name or place of abode which is incorrect, he shall be guilty of an offence and shall on conviction be liable to a fine not exceeding twenty rupees.

Alteration of Schedules I and II.

32 The Executive Committee may by regulation add to, rescind, vary, or amend any of the provisions of Schedule I or Schedule II.

Proof of species of bird, beast, or reptile.

33 A certificate purporting to be signed by the Director of the Colombo Museum to the effect that any bird, beast, or reptile or part of any bird, beast, or reptile forwarded to him for examination and report is a bird, beast, or reptile or a part of a bird, beast, or reptile of a species for the time being included in Schedule I or Schedule II, shall, on production in any court of law, be sufficient evidence of the facts stated in such certificate until the contrary is proved.

Temporary prohibition against killing or taking of birds in specified areas.

34 The Executive Committee may by notification in the Gazette declare that for a specified period not exceeding three months reckoned from the date of the publication of the notification no person shall shoot, kill, or take any bird of any species in any area outside a National Reserve or a Sanctuary mentioned in the notification; and any person who in any such area and during such specified period shoots, kills, or takes any bird, save on any cultivated land shall be guilty of an offence and shall on conviction be liable to a fine not exceeding twenty-five rupees or to imprisonment of either description for a term which may extend to one month or to both such fine and imprisonment.

Prohibition of import of non-indigenous birds, beasts and reptiles without permit.

35 (1) No person shall import into the Island any living bird, beast, or reptile of a species which is not indigenous to the Island, or the eggs of any such bird or reptile, except upon a permit in the prescribed form obtained from the prescribed officer on payment of the prescribed fee.

(2) This section shall have effect as if it formed part of Ordinance No. 17 of 1869 and the provisions of that Ordinance shall apply accordingly.

(3) In any case of doubt or dispute a certificate purporting to be signed by the Director of the Colombo Museum to the effect that any bird, beast or reptile belongs to a species which is not indigenous to the Island or that any species of any bird, beast, or reptile is a species not indigenous to the Island, or that any egg of any bird or reptile is the egg of a bird or reptile of a species which is not indigenous to the Island shall for all purposes be final and conclusive as to the facts stated therein.

(4) In this section the expression "bird, beast, or reptile" does not include a domestic animal as defined in section 10.

Regulations relating to non-indigenous birds, beasts, and reptiles.

36 Regulations may be made—

- (a) requiring any person who imports any bird, beast or reptile on a permit issued under section 35 to produce a certificate from an approved authority that such bird, beast, or reptile is free from disease or infection;
- (b) prohibiting any bird, beast, or reptile imported on a permit issued under section 35 from being liberated or released in any part of the Island, or prescribing any area or areas within which any such bird, beast, or reptile may be liberated or released;
- (c) exempting any specified species of bird, beast, or reptile from the operation of section 35 or of any regulation made under this section.

37 (1) Any person who—

- (a) imports into the Island any bird, beast, or reptile in contravention of the provisions of section 35 or of any regulation made under section 36 ; or
- (b) contravenes any regulation made under section 36,

Penalties for unlawful import or release of non-indigenous birds, beasts and reptiles.

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term which may extend to six months or to both such fine and imprisonment.

(2) Any person who liberates or releases any bird, beast, or reptile which has been imported into the Island in contravention of the provisions of section 35 shall be guilty of an offence and shall, in addition to any punishment to which he may be liable under sub-section (1), be liable on conviction to a fine of one hundred rupees in respect of each bird, beast, or reptile so liberated or released.

38 (1) No person shall export from the Island—

- (a) any bird, beast or reptile, whether dead or alive ; or
- (b) the eggs, feathers, or plumage of any bird, the horns or skin of any beast, or the eggs or skin of any reptile, or any other part of any bird, beast or reptile,

Prohibition of export of birds, beasts and reptiles without a permit.

except upon a permit in the prescribed form obtained from the prescribed officer on payment of the prescribed fee.

(2) This section shall have effect as if it formed part of Ordinance No. 17 of 1869, and the provisions of that Ordinance shall apply accordingly.

(3) In this section—

“ bird ” or “ reptile ” does not include any bird or reptile of a species which is not indigenous to the Island ;

“ beast ” does not include—

- (a) a domestic animal as defined in section 10, or
- (b) any wild elephant, whether a tusker or not, or
- (c) any beast of a species which is not indigenous to the Island.

(4) In any case of doubt or dispute a certificate purporting to be signed by the Director of the Colombo Museum to the effect that any bird, beast, or reptile belongs to a species which is not indigenous to the Island, or that any species of any bird, beast, or reptile is a species not indigenous to the Island, or that any part of any bird, beast, or reptile is a part of a bird, beast, or reptile of a species which is not indigenous to the Island, or that any egg of any bird or reptile is the egg of a bird or reptile of a species which is not indigenous to the Island shall for all purposes be final and conclusive as to the facts stated therein.

39 Any person who exports from the Island any bird, beast, or reptile, whether dead or alive, or any part of any bird, beast or reptile, or any eggs, feathers, plumage, horns or skin in contravention of the provisions of section 38 shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term which may extend to six months or to both such fine and imprisonment.

Penalty for unlawful export of birds, beasts and reptiles.

PART IV.*Flora.*

40 (1) No person shall in any area specified for the time being in the second column of Schedule III—

Protection of plants included in Schedule III.

- (a) remove, uproot or destroy, or cause any damage or injury to, any plant which is for the time being included in the first column of Schedule III and—

Schedule III.

- (i) is the property of any other person ; or
- (ii) is growing in any public place ; or

- (b) destroy any plant which is for the time being included in the first column of Schedule III and is his own property ; or

Schedule III.

- (c) sell or expose or offer for sale any plant for the time being included in the first column of Schedule III,

Schedule III.

except upon a permit in the prescribed form obtained from the prescribed officer on payment of the prescribed fee.

(2) If no fee is prescribed for the issue of a permit for the purposes of sub-section (1) that permit shall be issued free of charge.

Protected trees.	41 No person shall uproot or destroy or cause any damage or injury to any tree (hereinafter called a "protected tree") growing in any public place and included for the time being in Schedule IV :
Schedule IV.	Provided that nothing herein contained shall be deemed to prohibit or to penalise any act done by or on the orders of any person entrusted by the Crown or by any local authority with the charge or care of any protected tree if such act is done in order to stimulate the growth or to improve the condition or appearance or to secure the safety or to preserve the existence of any such tree.
Alteration of Schedules III and IV.	42 The Executive Committee may by regulation add to, rescind, vary or amend any of the provisions of Schedule III or Schedule IV :
Schedule IV.	Provided that no tree shall be so added to the list of trees in Schedule IV unless that tree is growing in a public place and unless in the opinion of the Executive Committee the preservation or protection of that tree is necessary or desirable for scientific or æsthetic purposes or on religious or historical grounds.
Regulations relating to Flora.	43 Regulations may be made—
Schedule III.	<p>(a) Prohibiting or regulating the exportation from the Island of any specified plant, whether or not such plant is included for the time being in Schedule III ;</p> <p>(b) prohibiting or regulating the cultivation of any specified plant ;</p> <p>(c) prescribing the conditions to be attached to any permit issued under section 40 ;</p> <p>(d) generally, for the protection and conservation of the wild vegetation, plant life and flora of the Island.</p>
Offences under Part IV.	44 Any person who acts in contravention—
	<p>(a) of the provisions of section 40 or of any permit issued to him under that section or of any condition attached to any such permit ; or</p> <p>(b) of the provisions of section 41 ; or</p> <p>(c) of any regulation made under section 43,</p>
	shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one hundred rupees or to imprisonment of either description for a term which may extend to one month or to both such fine and imprisonment.
Savings— Part IV.	45 Nothing in this Part of this Ordinance shall affect the provisions of—
16 of 1907.	(a) the Forest Ordinance, 1907, or any rules or regulations made thereunder ;
4 of 1909.	<p>(b) the Water Hyacinth Ordinance, 1909 ;</p> <p>(c) the Plant Protection Ordinance, No. 10 of 1924, or of any regulation made thereunder ;</p> <p>(d) the Tea (Control of Export) Ordinance, No. 11 of 1933, or of any regulation made thereunder ;</p> <p>(e) the Rubber Control Ordinance, No. 6 of 1934, or of any regulation made thereunder ;</p> <p>(f) any other written law relating to the cultivation or to the regulation or the prohibition of the cultivation of any plant.</p>
Interpretation of Part IV.	46 In this Part of this Ordinance, unless the context otherwise requires—
	<p>" plant " means any member of the vegetable kingdom and includes the seed and any part of a plant other than the flower ;</p> <p>" public place " means any Crown land or land at the disposal of the Crown or land belonging to or vested in a local authority and includes any land which is not private property.</p>

PART V.

Miscellaneous Provisions.

Taxidermists and traders in animals, skins, &c. to be licensed.

47 (1) No person shall carry on or exercise the business or trade of a taxidermist or any business or trade for the purchase or sale of any animal, whether dead or alive, or of any part of any dead animal except upon a licence in the prescribed form obtained from the prescribed officer on payment of the prescribed fee.

(2) Every licence issued under sub-section (1) shall be subject to the prescribed conditions and if no fee is prescribed for the issue of such a licence, it shall be issued free of charge.

(3) In this section "animal" means an animal as defined in section 10, but does not include a domestic animal as defined in that section.

48 (1) The Executive Committee may by notification in the Gazette declare any road in any area outside a National Reserve or a Sanctuary to be a prohibited road for the purposes of this Ordinance.

No gun to be discharged on a prohibited road.

(2) Any person who discharges any gun on any prohibited road or on any land adjoining any such road and reserved for its extension, protection or benefit, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one hundred rupees or to imprisonment of either description for a term which may extend to one month or to both such fine and imprisonment.

(3) Regulations may be made prescribing the means by which and the manner in which the fact that any road is a prohibited road for the purposes of this Ordinance may be brought to the notice of members of the public who have occasion to use that road or to travel thereon.

49 No person shall shoot at any bird or animal from any position in or on any moving or stationary vehicle of any kind.

Prohibition of shooting from vehicles.

50 No person shall use any artificial light for the purpose of enabling or facilitating the destruction of any bird or animal, whether by dazzling the vision of any such bird or animal or otherwise.

Prohibition of use of artificial lights.

51 Except in accordance with regulations, no person shall on any Crown land outside a National Reserve—

Regulation of hunting, shooting, &c., on Crown land outside National Reserves.

(a) hunt, shoot, kill, or take any animal, reptile, or bird, between sunset and sunrise; or

(b) set, lay, or spread any net, pitfall, trap, snare or other instrument for the purpose of killing or taking any animal, reptile, or bird.

52 Where in any area outside a National Reserve any damage has been caused by elephants to any crops, plantations, or other property, the Warden may, with the approval of the Executive Committee, pay a reward to any person who has killed any elephant which in the opinion of the Warden caused or was likely to have caused such damage whether alone or in association with other elephants:

Rewards for destruction of elephants responsible for damage to property.

Provided that the reward so paid to any person shall not in any case exceed a sum of one hundred rupees for each elephant killed by that person.

53 (1) The Warden may by a writing under his hand authorise any person to do any act otherwise prohibited or penalised under this Ordinance or any regulation made thereunder, if in the opinion of the Warden such act should be authorised for the protection, preservation or propagation, or for the scientific study or investigation of the fauna and flora of the Island.

Circumstances in which acts otherwise prohibited may be authorised.

(2) No person authorised under sub-section (1) to do any act shall, by reason only of the commission of that act, be guilty of an offence under this Ordinance or any regulation made thereunder.

PART VI.

GENERAL.

Licences and Permits.

54 (1) The Warden or any officer empowered to issue a licence or permit under this Ordinance or any regulation made thereunder may in his discretion—

Refusal and revocation of licences and permits.

(a) insert in any such licence or permit any condition which he may consider necessary or expedient;

(b) refuse to issue any such licence or permit;

(c) revoke any such licence or permit, by notice in writing to the person to whom such licence or permit was issued.

(2) Any person aggrieved by the refusal or revocation of any permit or licence (other than a licence under section 47) may appeal against such refusal or revocation to the Executive Committee of Agriculture and Lands.

(3) Any person aggrieved by the refusal to issue a licence under section 47 or by the revocation of any licence issued under that section may appeal against such refusal or revocation to the Executive Committee of Labour, Industry and Commerce.

(4) The decision of the Executive Committee of Agriculture and Lands or of the Executive Committee of Labour, Industry and Commerce on any appeal preferred under sub-section (2) or sub-section (3), as the case may be, shall be final and conclusive.

(5) Regulations may be made prescribing the time within which appeals shall be preferred and generally in respect of all matters incidental to or connected with the hearing or disposal of such appeals.

Licences and permits not to be transferred.

55 (1) No person other than the person named in any licence or permit issued under this Ordinance or any regulation made thereunder shall be entitled under cover of that licence or permit to do any act to authorise which that licence or permit was issued.

(2) Any person who transfers to any other person any licence or permit issued to him under this Ordinance or any regulation made thereunder shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one hundred rupees or to imprisonment of either description for a term which may extend to one month or to both such fine and imprisonment.

Offences and Penalties.

General penalty.

56 Any person who does any act in contravention of any of the provisions of this Ordinance or of any regulation or of any condition inserted in any licence or permit issued under this Ordinance or under any regulation shall be guilty of an offence punishable, where no other penalty is expressly provided by this Ordinance, with a fine not exceeding two hundred rupees or with imprisonment of either description for a term which may extend to three months or with both such fine and imprisonment.

Attempts and abetment.

57 Any person who attempts to commit or abets the commission of any offence under this Ordinance or any regulation made thereunder shall himself be guilty of the same offence.

General exceptions to criminal liability.

58 (1) An act otherwise prohibited or penalised under this Ordinance or any regulation made thereunder shall not be an offence if it is done—

(a) for the purpose of protecting any crop, plantation, or other property from any damage caused or likely to be caused by any animal trespassing on any land on which such crop, plantation or other property is situate; or

(b) for the purpose of protecting any human being or any domestic animal from any immediate danger or from injury by any wild animal; or

(c) for the purpose of killing or taking in or in the immediate vicinity of any human dwelling or of the land in which such dwelling is situate any leopard, bear, wild boar, crocodile or poisonous reptile.

(2) In this section the expressions "animal", "domestic animal" and "wild animal" respectively have the meanings assigned to those expressions in section 10.

No prosecution without sanction of Warden.

59 No prosecution for any offence under this Ordinance or any regulation made thereunder shall be instituted except by the Warden or with his written sanction.

Offences to be triable summarily by Police Courts.

60 It shall be lawful for a Police Magistrate summarily to try any offence under this Ordinance or under any regulation:

Provided that nothing herein contained shall affect the right of a Village Tribunal or a Village Committee to try any such offence in respect of which jurisdiction is conferred on such tribunal or committee under the provisions of the Village Communities Ordinance, No. 9 of 1924.

Power of Police Court to make order of confiscation.

61 (1) Except as is hereinbefore expressly provided in regard to the disposal of any tusker or elephant or of the carcase of any tusker or elephant or the tusks of any tusker or elephant, any animal or any part of any animal in respect of which any offence has been committed and any gun, boat, artificial light, snare, net, trap, or other instrument, contrivance, appliance or thing used in or for the commission of any offence may be confiscated by order of the court before which the offender is convicted and may be disposed of in such manner as the court may direct.

(2) In this section " animal " means an animal as defined in section 10.

62 It shall be lawful for the court before which an offender is convicted of an offence to direct in respect of any fine that may be imposed for such offence that any share not exceeding one half thereof or of so much as shall actually be recovered be awarded to the informer.

Informers' share of fines.

63 Any Police Officer and any other prescribed officer may, subject to such restrictions as may be prescribed, stop and search—

Powers of arrest and search.

- (i) any person whom he suspects on reasonable grounds of having committed any offence ; or
- (ii) any boat, vessel or vehicle in which that person may be or may on reasonable grounds be suspected to be.

Appointment of Officers and Advisory Committee.

64 (1) For the purposes of this Ordinance, the Governor may appoint—

Appointment of Officers.

- (a) any person by name or by office to be or to act as Warden or as Deputy Warden ;
- (b) any person by name or by office to be or to act as District Warden for any specified district or area ;
- (c) any person to act as an Honorary District Warden of any National Reserve or Sanctuary ;
- (d) such other officers and servants as may from time to time be required.

(2) In the exercise of their powers and in the discharge of their duties under this Ordinance all persons, officers and servants appointed by the Governor under this section shall be subject to the general direction and control of the Executive Committee.

(3) All persons, officers and servants appointed under this section shall be deemed to be public servants within the meaning of the Ceylon Penal Code.

65 The Warden may with the approval of the Executive Committee delegate to any District Warden in respect of his district or area or to any Honorary District Warden in respect of the National Reserve or Sanctuary for which he is appointed any power or duty conferred or imposed on the Warden by this Ordinance or by any regulation made thereunder.

Delegation of powers of Warden.

66 (1) The Governor may appoint an Advisory Committee which shall consist of the Warden as Chairman and of eleven other persons, for the purpose of advising the Warden and making recommendations to the Executive Committee on all matters and questions relating to the fauna and flora of the Island.

Advisory Committee.

(2) Meetings of the Advisory Committee shall be held at least twice in every year.

(3) The Advisory Committee shall be entitled to determine its own procedure in any matter of procedure for which no provision is prescribed.

General Regulations.

67 (1) The Executive Committee may make regulations for the purpose of carrying out or giving effect to the principles and provisions of this Ordinance.

General regulations.

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

- (a) the circumstances in which and the conditions subject to which the Warden may exercise the powers conferred on him by section 53 ;
- (b) the circumstances in which and the conditions subject to which any licence or permit may be issued free of charge ;
- (c) the fee to be paid for any licence or permit issued under this Ordinance or under any regulation, and the mode and manner of payment or recovery of any such fee ;
- (d) the prohibition or regulation of the import, manufacture, sale, possession or use of any headgear so constructed as to be capable of being fitted with any lamp or artificial light or of any lamp constructed so as to be capable of being fitted into any headgear ;

- (e) the period of office of the members of the Advisory Committee appointed under section 66, the manner in which meetings of that Committee shall be convened, the procedure to be followed at such meetings, and the manner in which the recommendations of that Committee shall be made ;
- (f) the declaration of any period other than that specified in section 68 as a close season in respect of any particular species of bird or beast either throughout the whole Island or in any specified area ; and
- (g) all matters for which regulations are required or authorised to be made under this Ordinance, all matters stated or required by this Ordinance to be prescribed, and all other matters incidental to or connected with such matters.

(3) Every regulation made by the Executive Committee shall be brought before the State Council by a motion that such regulation shall be approved and if so approved shall be submitted to the Governor for ratification. No regulation made by the Executive Committee shall have effect until it has been approved by the State Council and ratified by the Governor. Notification of such approval and ratification shall be published in the Gazette.

(4) A regulation made by the Executive Committee when approved by the State Council and ratified by the Governor shall, upon notification of such approval and ratification in the Gazette be as valid and effectual as if it were herein enacted.

Interpretation, Repeals and Savings.

Interpretation.

68 (1) In this Ordinance, unless the context otherwise requires—

- “close season” means the period from the thirtieth day of April to the thirty-first day of October in each year, or such other period as may be prescribed in respect of any particular species of bird or beast either throughout the whole Island or in any specified area ;
- “Crown land” means all land to which the Crown is lawfully entitled together with all rights, interests and privileges attached or appertaining thereto ;
- “cultivated land” includes land used for chena cultivation when a crop is growing on such land ;
- “Executive Committee” means the Executive Committee of Agriculture and Lands ;
- “Intermediate Zone” means an Intermediate Zone proclaimed under section 2 (1) ;
- “gun” has the same meaning as in the Firearms Ordinance, No. 33 of 1916 ;
- “local authority” means any Municipality, District Council, Local Board, Sanitary Board, District Road Committee, or Village Committee and includes the inhabitants of a sub-division constituted under the Village Communities Ordinance, No. 9 of 1924 ;
- “National Park” means a National Park constituted by proclamation under section 2 (1) ;
- “National Reserve” means a National Reserve constituted by proclamation under section 2 (1) ;
- “offence” means an offence under this Ordinance or under any regulation ;
- “Police Officer” includes any Headman appointed by a Government Agent to perform police duties ;
- “prescribed” means prescribed by this Ordinance or by regulation ;
- “regulation” means a regulation made by the Executive Committee of Agriculture and Lands under this Ordinance ;
- “Sanctuary” means a Sanctuary constituted by proclamation under section 2 (2) ;
- “Strict Natural Reserve” means a Strict Natural Reserve constituted by proclamation under section 2 (1) ;
- “Warden” means the person appointed by the Governor to be or to act as Warden under section 64 and includes the Deputy Warden appointed under that section.

(2) Any reference in this Ordinance or in any regulation or in any other written law to a Schedule of this Ordinance shall be deemed to be a reference to the Schedule for the time being in force.

69 Every licence issued by any authority under any written law repealed by this Ordinance for the doing of any act for which a licence is required by this Ordinance shall be valid and continue in force until the expiration of the period for which it was granted.

Savings—
Licences.

70 All such proclamations, notifications and orders issued, and all such regulations and rules made, and all such concessions, permissions and authorisations given, and all such royalties fixed under any written law repealed by this Ordinance as are in force at the date on which this Ordinance comes into operation shall, so far as they relate to matters for which provision may in any manner be made under this Ordinance and so far as they are not inconsistent with the provisions of this Ordinance, continue in force unless or until provision in regard to such matters is made in accordance with the provisions of this Ordinance.

Savings—
Proclamations,
Notifications,
Rules, &c.

71 (1) The provisions of written law specified in the first column of Schedule V are hereby amended or repealed in the manner and to the extent specified in the second column of that Schedule.

Repeals, &c.
Schedule V.

(2) The provisions of the Game Protection Ordinance, 1909, (as amended in Schedule V for the purpose of limiting the application of that Ordinance to matters relating to the protection of fish and the regulation of fishing), shall cease to be in operation in any National Reserve or Sanctuary as from the date on which such National Reserve or Sanctuary is duly constituted under section 2; but, subject as aforesaid, the provisions of that Ordinance as so amended shall continue to be in operation in any area outside a National Reserve or a Sanctuary.

No. 1 of 1909.

SCHEDULE I.

(Section 28.)

BIRDS, BEASTS AND REPTILES.

List of Birds absolutely protected.

English Name.	Scientific Name.	Sinhalese Name.	Tamil Name.
1. Ceylon Magpie ..	<i>Cissa ornata</i>	.. Kehibella	.. Kari-kuruvi
2. Paradise Fly-catcher	<i>Terpsiphone paradisi paradisi</i>	Redi-hora, Gini-hora	Vedi-vat-kuruvi
3. Orange Minivet ..	<i>Pericrocotus speciosus flammeus</i>	Gini-kurulla	.. Mampala-kuruvi
4. Malabar Small Minivet	<i>Pericrocotus peregrinus malabaricus</i>	Kos-kurulla	.. Mampala-kuruvi
5. Southern Hill-Mynah or Southern Grackle	<i>Eulabes religiosa</i>	.. Sela-lihiniya	.. Malai-nakanam-pachchi
6. Ceylon Hill-Mynah or Ceylon Grackle	<i>Eulabes ptilogenys</i>	.. Mal-kawadiya, kam-patiya	Malai-nakanam-pachchi
7. Black-headed Oriole	<i>Oriolus xanthonus ceylonensis</i>	Kaha-kurulla	.. Mampala-kuruvi, man-kuyil
8. Painted-Thrush Indian Pitta	<i>Pitta brachyura</i>	.. Avichchiya	.. Aru-mani-kuruvi totta-kallan
9. Woodpeckers of all species	All members of the family <i>Picidae</i>	Kerella	.. Maran-kotti, tachchan kuruvi
10. Indian Roller (Blue Jay)	<i>Coracias benghalensis indica</i>	Dumbona, dunka-wuluwa	Panam-kakam, tottukili
11. Kingfishers of all species	All members of the family <i>Alcedinidae</i>	Pilihuduwa	.. Minkotti
12. Malabar Pied Hornbill	<i>Anthracoceros coronatus coronatus</i>	Poruwa-kendetta	.. Irattai-chondu-kuruvi
13. Ceylonese Hornbill	<i>Lophoceros griseus gingalensis</i>	Kendetta	.. Irattai-chondu-kuruvi
14. Ceylon Hoopoe ..	<i>Upupa epops ceylonensis</i>	Porowa-kurulla	.. Chaval-kuruvi
15. Ceylon Trogon ..	<i>Harpactes fasciatus</i>	Gini-kurulla	.. Tachchan-kuruvi
16. Storks of all species	All members of the sub-family <i>Ciconiidae</i>	Kokka, Mana or Datu-eluwa	Narai
17. Purple Heron ..	<i>Ardea purpurea manillensis</i>	Karawala-kokka, barendi-kokka	Chen-narai
18. Pond Heron ..	<i>Ardeola grayii</i>	.. Kana-kokka	.. Kuruttu-kokku, Nuli-madayan
19. Large White Egret ..	<i>Egretta alba modesta</i>	Loku-sudda-kokka, badadel-kokka	Periya-vellai kokku
20. Smaller White Egret	<i>Egretta intermedia intermedia</i>	Sudda-kokka	.. Vellai-kokku
21. Little Egret ..	<i>Egretta garzetta garzetta</i>	Sudda-kokka	.. Sinna-vellai kokku
22. Cattle Egret ..	<i>Bubulcus ibis mandus</i>	Harak-kokka	.. Nunni-kokku
23. Legge's Baza ..	<i>Baza jerdoni ceylonensis</i>	Kurullugoya	.. —
24. Indian Broadbilled Roller	<i>Eurystomus orientalis orientalis</i>	—	.. Pulupporukki
25. Owls of all species ..	All members of the family <i>Strigidae</i>	Bakamuna, Bassa, Ulama	Andai, Pakkul
26. Hawk-eagles ..	All eagles of the genera <i>Lophotriorchis</i> , <i>Ictinactis</i> , and <i>Limnaetops</i>	Rajaliya	.. Rasali, kalagu
27. Serpent and fish eagles	All eagles of the genera <i>Haematormis</i> , <i>Haliactis</i> and <i>Ichthyophaga</i>	Rajaliya, muhudurajaliya, wewarajaliya, lul-mara	Kudumpiyan, Kadai-ala, ala

List of Beasts absolutely protected.

English Name.	Scientific Name.	Sinhalese Name.	Tamil Name.
1. Bear Monkey, or Hill Wanduroo	Pithecus vetulus monticola	Maha Wandura	Periya Mundi
2. Grey Flying Squirrel	Petaurista philippensis lanka	Hambawa or Hangu	Paravai-anil
3. Small Ceylon Flying Squirrel	Pteromys layardi	Hambawa	Paravai-anil
4. Highland Squirrel	Ratufa macroura	Dandolena	Mali-anil

List of Reptiles absolutely protected.

1. Water lizard	Varanus salvator	Kabaragoya	Kabaragoyen
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SCHEDULE II.

(Section 29.)

BIRDS AND BEASTS.

List of Birds protected during the Close Season.

English Name.	Scientific Name.	Sinhalese Name.	Tamil Name.
1. Jungle Fowl	Gallus lafayettii	Weli-kukula, kikili	weli- Kaddu-koli
2. Bustard Quail	Turnix suscitator leggei	Bola-watuwa	Kadai
3. Golden Plover	Pluvialis dominicus fulvus	Oleyiya, rana-watuwa	Kotan
4. Snipe, all species including Jack-snipe and painted snipe	Genus Gallinago all species, Lymnocyptes minima and Rostratula benghalensis	Kes-watuwa, keswatuwa	Ullan-kuruvi, ulu- Ullan-kuruvi
5. Whistling teal	Dendrocygna javanica	java- Seruwa	Chemba-tara
6. Cotton Teal, Quacky Duck	or Nettapus coromandelianus	Mal-seruwa	Raja-tara

List of Beasts protected during the Close Season.

SCHEDULE III.

(Section 40.)

Protected Plants.

I.				II.
English Name.	Botanical Name.	Sinhalese Name.	Tamil Name.	Area.
Wesak orchid or May orchid	Dendrobium thiaae Thw.	Macar- Wesak mala	—	The whole Island
Baobab Tree or Judas bag or Monkey-bread-Tree	Adansonia digitata L.	—	Papparappuli or Perukka or Anaippuli	The Northern Province
Fox-tail orchid or Batticaloa orchid	Rhynchosstylis retusa Bl.	—	—	The whole Island
Sphagnum-moss, or Bogmoss	Sphagnum zeylanicum Mitt.	—	—	The Central Province

SCHEDULE IV.

(Section 41.)

Protected Trees.

1. The tree popularly known as Knox's Tree, situated at Muthur in Koddiyar pattu in the revenue district of Trincomalee.

English Name	..	Tamarind
Botanical Name	..	Tamarindus indica
Sinhalese Name	..	Siyambala
Tamil Name	..	Puli

2. The tree popularly known as the Madara Tree, situated near Kaltota in the Meda korale of the revenue district of Ratnapura.

Botanical Name	..	Cleistanthus collinus
Sinhalese Name	..	Madara
Tamil Name	..	Wudacha-maram

SCHEDULE V.

(Section 71.)

REPEALS AND AMENDMENTS.

I.		II.
Number and Year.	Short Title.	Nature and Extent of Repeal or Amendment.
1 of 1909	The Game Protection Ordinance, 1909	1. <i>Part I.</i> In section 3 (2), the words "beasts, birds, or" shall be omitted 2. <i>Part II.</i> The whole Part (sections 4 to 13B) shall be omitted 3. <i>Part III.</i> (1) In section 14, for all the words from the beginning of the section to the word "hereto", there shall be substituted the words "The word "fishes" in this Part of this Ordinance means fishes mentioned in Schedule III hereto."

Number and Year.	I. Short Title.	II. Nature and Extent of Repeal or Amendment.
		(2) In sections 14 and 18, the words "birds, beasts, and" shall be omitted wherever those words occur.
		(3) In sections 15 and 19, the words "birds, beasts, or" shall be omitted wherever those words occur.
		4. <i>Part IV.</i> The whole Part (sections 20 to 26) shall be omitted
		5. <i>Part VI.</i> In section 31, for the words and figures "under sections 12 (5), 13b, 19, 20, 21, 23, and 27 (3)" there shall be substituted the words and figures "under sections 19 and 27 (3)".
		6. Schedules II, IV, and V shall be omitted
		7. <i>Schedule III.</i> The two columns headed respectively "Birds" and "Beasts" in Schedule III and all the items appearing in those columns shall be omitted
13 of 1912 ..	The Game Protection (Amendment) Ordinance, No. 13 of 1912	The whole Ordinance shall be repealed
13 of 1914 ..	The Game Protection (Amendment) Ordinance, No. 13 of 1914	The whole Ordinance shall be repealed
32 of 1921 ..	The Game Protection (Amendment) Ordinance, No. 32 of 1921	The whole Ordinance shall be repealed
6 of 1922 ..	The Game Protection (Amendment) Ordinance, No. 6 of 1922	The whole Ordinance shall be repealed
12 of 1923 ..	The Game Protection (Amendment) Ordinance, No. 12 of 1923	The whole Ordinance shall be repealed
15 of 1927 ..	The Game Protection Ordinance, No. 15 of 1927	The whole Ordinance shall be repealed
17 of 1869	In the Table of Export Duties set out in Schedule B, the words and figures "Elephants (not tuskers), royalty on .. per head .. 200·0" and "Elephants (tuskers), royalty on .. per head .. 300·0" shall be omitted
11 of 1891	The whole Ordinance shall be repealed

Passed in Council the Twenty-third day of February, One thousand Nine hundred and Thirty-seven.

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Governor the Tenth day of March, One thousand Nine hundred and Thirty-seven.

E. R. SUDBURY,
Secretary to the Governor.

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

No. 7 of 1937.

An Ordinance to make provision for the creation and issue of Registered Stock, Government Promissory Notes and Bearer Bonds for the purpose of raising loans in Ceylon.

R. E. STUBBS.

TABLE OF SECTIONS.

1. Short title and date of operation.
2. Issue of registered stock, promissory notes, and bearer bonds for the purpose of raising authorised loans.
3. Loans to be a charge upon revenue.
4. Governor to specify mode of raising loan and other particulars.
5. Registrar to make necessary arrangements.

Registered Stock.

6. Register of stock.
7. Liability of Government in respect of issue of registered stock.
8. Stockholders.
9. Registration of first stockholders.
10. Stock certificates.
11. Transfer of registered stock.
12. Registration of transfers of stock.
13. Payment of interest to joint stockholders.
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Government Promissory Notes.

17. Government promissory notes.
18. Manner and effect of indorsement.
19. Right of survivors of joint or several payees of promissory notes.

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20. Bearer bonds.
21. Interest coupons.

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22. Appropriation of revenue for payment of interest.
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27. Appropriation of revenue for sinking fund.
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29. Investment of sinking fund.
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34. Power of Governor to authorise—
 - (a) conversion of loans generally ;
 - (b) creation and issue of stock or securities necessary for conversion ;
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35. Arrangements for conversion.

Issue of Duplicates and Renewals of Stock Certificates and Securities.

36. Issue of duplicate stock certificates.
37. Issue of duplicate securities.
38. Renewal of stock certificates and securities.
39. Right of Registrar to compel renewal of securities.
40. Renewal of promissory note in case of dispute as to title.
41. Exchange of registered stock and securities.
42. Consolidation and subdivision of stock and securities.
43. Liability in respect of promissory note renewed, &c.
44. Indemnity bonds.
45. Immediate discharge in certain cases.
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47. Summary procedure in special cases.

Miscellaneous.

48. Registrar and Trustees.
49. Signature of Registrar may be printed on stock or securities.
50. Holding of stock and securities by holders of public and other offices.
51. Notice of trust not receivable save as provided.
52. Seizure of stock or securities by Fiscal.
53. Exemption from stamp duties.
54. Inspection of register and documents.
55. Regulations.
56. Delegation of powers of Governor.
57. Savings.
58. Interpretation.

An Ordinance to make provision for the creation and issue of Registered Stock, Government Promissory Notes and Bearer Bonds for the purpose of raising loans in Ceylon.

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 Registered Stock and Securities Ordinance, No. 7 of 1937, and shall come into operation on such date as the Governor shall appoint by Proclamation in the Gazette.

Issue of registered stock promissory notes and bearer bonds for the purpose of raising authorised loans.

2 (1) Whenever by any Ordinance, whether enacted before or after the date on which this Ordinance comes into operation, authority has been or is hereafter given to raise any sum of money by way of loan for any purpose mentioned in that Ordinance, or whenever it is necessary to raise any sum of money for the purpose of repaying any loan raised by the Government under this or any other Ordinance, the Governor may from time to time raise such sum or any part thereof under the provisions of this Ordinance in any one or more of the following modes :—

- (a) by the creation and issue of registered stock ;
- (b) by the issue of securities in the form of Government promissory notes ;
- (c) by the issue of securities in the form of bearer bonds.

(2) Registered stock or securities issued under this Ordinance for the purpose of raising any specified sum of money shall be deemed to be stock or securities issued in respect of a separate loan notwithstanding that the sum of money so raised is part only of a sum of money authorised by any other Ordinance to be raised by way of a loan.

3 The principal moneys and interest represented or secured by any registered stock or securities issued under this Ordinance are hereby charged upon and shall be payable out of the general revenue and assets of Ceylon.

Loans to be a charge upon revenue.

4 (1) The Governor shall, in respect of each loan to be raised under this Ordinance, specify by Order published in the Gazette—

Governor to specify mode of raising loan and other particulars.

- (a) the sum of money to be raised by that loan ;
- (b) the mode or modes of raising the loan ;
- (c) the rate of interest payable on the loan ;
- (d) the dates in each year on which the half-yearly interest on the loan shall be payable ;
- (e) the rate at which a half-yearly appropriation out of the general revenue and assets of Ceylon shall be made as a contribution to the sinking fund established for the purpose of redeeming that loan and the date from which such contributions shall commence ;
- (f) the date of redemption of the registered stock or securities to be issued for the purpose of raising that loan.

(2) The date of redemption of any registered stock or securities shall not be later than sixty years from the date of issue of such stock or securities.

(3) Where the Governor deems it expedient to reserve an option to redeem any registered stock or securities at any date earlier than the date of redemption specified for such stock or securities by the Order under sub-section (1), he shall by that Order further specify the terms and conditions on which such stock or securities may be redeemed at any earlier date.

5 Upon the publication under section 4 of an Order of the Governor in respect of any loan to be raised under this Ordinance, the Registrar may, subject to the provisions of that Order and to such further directions as the Governor may issue in that behalf, make all such arrangements as may be necessary to raise that loan upon the most favourable terms that can be obtained.

Registrar to make necessary arrangements.

Registered Stock.

6 The Registrar shall keep a register in respect of each issue of registered stock under this Ordinance.

Register of stock.

7 The Government of Ceylon shall be bound to pay to the person registered for the time being as the owner of any registered stock (hereinafter called the "stockholder"), the principal sum represented by that stock and the interest due thereon, in accordance with the provisions of this Ordinance, at the rate and on the dates specified by the Governor by Order under section 4 or in pursuance of an option to redeem such stock reserved in that Order.

Liability of Government in respect of issue of registered stock.

8 For the purposes of this Ordinance, no person shall be entitled to any registered stock unless he is registered as a stockholder.

Stockholders.

9 No person shall be registered as the first stockholder of any registered stock except upon payment in full of the purchase price of that stock.

Registration of first stockholders.

10 Every stockholder shall be entitled to obtain from the Registrar a stock certificate, that is to say, a certificate of the registration in the register of the name of that stockholder as the owner of the stock specified in that certificate. No stockholder of any stock, other than the first stockholder of that stock, shall be entitled to obtain a stock certificate except upon payment of the prescribed fee.

Stock certificates.

11 (1) For the purposes of this Ordinance, the title of any stockholder to any registered stock shall not be deemed to be transferred to any other person except upon the execution of an instrument in writing signed by the stockholder and the transferee and upon the registration of that transferee as the stockholder in the manner hereinafter provided.

Transfer of registered stock.

(2) Interest which has fallen due in respect of any registered stock but which has not been paid to the stockholder for the time being shall not be deemed to be payable to a transferee of that stock unless the instrument of transfer expressly provides for the payment of that interest to that transferee.

Registration of transfers of stock.	12 No person shall be registered as the transferee of any registered stock except upon payment of the prescribed fee and surrender to the Registrar of the stock certificate and the instrument of transfer relating to that stock.
Payment of interest to joint stockholders.	13 (1) Where two or more persons are registered as joint holders of any stock, it shall be lawful for the Registrar to pay any interest due thereon to the person whose name appears first in the register among those joint holders: Provided, however, that where one or more of the joint holders, including the person whose name appears first in the register, is dead or under any legal disability, it shall be lawful for the Registrar on proof to his satisfaction of such death or disability, to pay such interest to that person whose name appears first on the register among the surviving joint holders or among the joint holders who are not under any such disability: Provided, further, that if the first of such joint holders or, if that joint holder is dead or under any legal disability, then if the first of the surviving joint holders or the first of the joint holders who are not under legal disability requests the Registrar in writing to pay the interest due on such stock to any specified person, it shall be lawful for the Registrar to pay such interest to that person accordingly. (2) Nothing herein contained shall affect the rights of joint holders of any registered stock <i>inter se</i> or any claim which the representative of a deceased person may have against the survivor or survivors under or in respect of any registered stock to which sub-section (1) applies.
Closing of Register.	14 The register of stock shall be closed for a period of fourteen days immediately preceding each date on which interest on that stock falls due; and no transfer of that stock shall be registered during that period.
Alteration of register.	15 (1) No alteration shall be made in the register of stock except for the purpose of effecting or recording— (a) a transfer of registered stock; (b) an exchange of registered stock for securities or of securities for registered stock; (c) a subdivision or consolidation of registered stock; (d) a devolution or vesting of title to registered stock on or in any person by reason of the death or insolvency of a stockholder or otherwise; (e) a seizure or sequestration of stock by process of law; (f) a change in the name, title or designation of any stockholder: Provided that the Registrar may at any time alter the register for the purpose of correcting any <i>bona fide</i> clerical or arithmetical error. (2) No alteration shall be made in the register except upon— (a) application made in such form as the Registrar may provide; (b) proof to the satisfaction of the Registrar of the facts stated in the application and of any other matters relevant thereto; and (c) payment of the prescribed fee.
Register to be conclusive evidence of facts entered therein.	16 The entries in the register of stock kept under this Ordinance shall be conclusive evidence of the facts, matters, particulars, and transactions to which those entries relate: Provided that nothing herein contained shall affect the provisions of Ordinance No. 12 of 1864 entitled "An Ordinance to provide for the production in evidence of copies instead of originals of public documents".
Government promissory notes.	<i>Government Promissory Notes.</i>
	17 (1) Every promissory note shall be signed by the Registrar for and on behalf of the Government of Ceylon and shall, when issued, bind the Government of Ceylon to pay the principal sum mentioned in that note and the interest thereon in accordance with the provisions of this Ordinance, at the rate and on the dates specified in the Order of the Governor under section 4 or in pursuance of an option to redeem such notes reserved in that Order. (2) Promissory notes shall be issued in such denominations as the Governor may direct. (3) The provisions of section 10 of the Money Lending Ordinance, No. 2 of 1918, shall have no application to any promissory note issued under this Ordinance.

18 Notwithstanding anything in the Bills of Exchange Ordinance, 1927—

Manner and effect of indorsement.
No. 25 of 1927.

- (1) no indorsement of a Government promissory note shall be valid unless made by the signature of the holder written on the back of the note in one of the spaces provided for that purpose ;
- (2) a person shall not, by reason only of his having indorsed a Government promissory note, be liable to pay any money due either as principal or as interest thereon.

19 (1) Notwithstanding anything in any law to the contrary—

Right of survivors of joint or several payees of promissory notes.

- (a) when a promissory note is payable to two or more persons jointly, and either or any of them dies, the note shall be payable to the survivor or survivors of those persons ; and
- (b) when a promissory note is payable to two or more persons severally, and either or any of them dies, the note shall be payable, to the survivor or survivors of those persons, or to the representative of the deceased, or to any of them.

(2) Nothing herein contained shall affect any claim which any representatives of a deceased person may have against the survivor or survivors under or in respect of any promissory note to which sub-section (1) applies.

Bearer Bonds.

20 (1) Every bearer bond shall be signed by the Registrar for and on behalf of the Government of Ceylon and shall, when issued, bind the Government of Ceylon to pay the principal sum mentioned in that bond and the interest thereon in accordance with the provisions of this Ordinance, at the rate and on the dates specified in the Order of the Governor under section 4 or in pursuance of an option to redeem such bond reserved in that Order.

Bearer bonds.

(2) Bearer bonds shall be issued in such denominations as the Governor may direct.

21 (1) There shall be attached to every bearer bond coupons for the payment of interest which fall due thereunder :

Interest coupons.

Provided that the number of coupons attached to a bearer bond on the date of its issue to any person may cover a period shorter than that of the currency of the bond if, in the opinion of the Registrar, it is inconvenient or inexpedient to attach to that bond coupons sufficient in number to cover the entirety of the period of the currency of the bond.

(2) If the number of coupons attached to any bearer bond on the date of its issue to any person is insufficient to cover all payments of interest due on that bond after that date, the holder of the bond shall be entitled to a renewal thereof at the prescribed time and in the prescribed manner and circumstances.

Payment of interest and redemption of stock and securities.

22 So long as any interest is payable under this Ordinance in respect of any stock or securities, the Governor shall, in each half-year ending with the date on which the interest on such stock or securities falls due, appropriate out of the general revenue and assets of Ceylon a sum sufficient to meet all interest payable on that date and shall authorise the Registrar to pay such interest out of the sum so appropriated.

Appropriation of revenue for payment of interest.

23 (1) The interest due on any registered stock or securities shall be payable half-yearly on the dates specified by Order of the Governor under section 4.

Payment of interest.

(2) Where any amount has become payable on any date as interest due on any registered stock or securities, no interest on that amount shall, after that date, be paid or payable by the Government to any person in any circumstances.

24 No person shall be entitled to claim interest on any registered stock or securities in respect of any period which has elapsed after the earliest date on which demand could lawfully have been made for the payment of the principal amount due on such stock or securities.

Cessation of liability to pay interest.

25 All payments of interest and all payments of the principal amount due on any registered stock or securities shall be made at the Treasury in Colombo : Provided that it shall be lawful for the Registrar or any person authorised by the Registrar in that behalf to pay any such interest or principal amount at any other place, whether within or outside Ceylon, in pursuance of any arrangement which the Registrar may make for that purpose.

Place of payment.

Payment to minors and lunatics.

26 Any sum not exceeding five thousand rupees payable by way of interest or as principal in respect of any registered stock or security standing in the name of or held by a minor or lunatic may be paid in such manner as may be prescribed ; and, upon payment of any such sum in the prescribed manner, the Government shall, notwithstanding any written or other law to the contrary, be discharged from all liability to pay that sum.

Sinking Funds.

Appropriation of revenue for sinking fund.

27 After the date specified in the Order of the Governor under section 4 as the date from which contributions to the sinking fund for any loan shall commence, the Governor shall, in each half-year ending with the date specified in that Order for the payment of the half-yearly interest on any stock or securities issued in respect of that loan, appropriate out of the general revenue and assets of Ceylon a sum determined in accordance with the rate specified in that Order as the contribution to the sinking fund established for the purpose of redeeming that loan.

Separate sinking fund for each loan.

28 A separate sinking fund shall be established for each loan raised under this Ordinance.

Investment of sinking fund.

29 (1) All moneys appropriated under section 27 as contributions to the sinking fund established for any loan shall be paid to the Trustees, and may by them be invested—

- (a) in stock or securities issued in respect of that loan : provided that such stock or securities shall not, for the purpose of such investment, be purchased at a price in excess of their par value ; or
- (b) in such other investments or classes of investments as may be approved by the Governor.

(2) The Trustees may from time to time in their discretion vary any investment made under sub-section (1) or may realise and re-invest any moneys invested under that sub-section ; and the provisions of sub-section (1) shall apply in like manner to any such variation or re-investment.

Investment of interest on sinking fund.

30 The dividends, interest, bonus and other profits of any investment of any part of any sinking fund shall be invested by the Trustees so as to form part of that sinking fund in like manner as moneys appropriated under section 27 as contributions to that sinking fund.

Cessation of contributions to sinking fund.

31 Notwithstanding anything to the contrary contained in this Ordinance, if at any time the Trustees are satisfied that the sinking fund of any loan raised under the provisions of this Ordinance will be sufficient with further accumulations of interest, but without further payments of contributions, to enable the loan to be redeemed at the time fixed for its redemption, they shall inform the Governor accordingly ; and the Governor is hereby authorised in such event to suspend further payments of half-yearly contributions to that sinking fund :

Provided, however, that the contributions to that sinking fund shall be recommenced if the Trustees at any time thereafter inform the Governor that they are no longer satisfied that the sinking fund with further accumulations of interest will be sufficient for the redemption of that loan.

Expenses to be paid out of sinking fund.

32 There shall be paid out of the sinking fund all expenses specifically incurred in, or incidental to, the investment and management of that fund and the repayment of the loan for which that fund was established.

Deficiency in sinking fund to be a charge upon revenue.

33 In the event of the sinking fund established for any loan under this Ordinance being found, at the time fixed for the repayment of that loan, to be insufficient for such redemption, the deficiency shall be made good out of the general revenue and assets of Ceylon.

Conversion of Loans.

Power of Governor to authorize—

34 The Governor shall have and may from time to time exercise the following powers and authorities or any of them :—

(a) conversion of loans generally ;

(a) he may declare any stock or securities issued in Ceylon under the provisions of this or any other Ordinance to be convertible into registered stock or other securities to be issued under the provisions of this Ordinance ;

(b) creation and issue of stock or securities necessary for conversion ;

(b) he may authorise the creation and issue under this Ordinance of such an amount of registered stock or securities as may be necessary for the conversion of the stock or securities in respect of which a declaration has been made under paragraph (a) ;

- (c) he may authorise the creation and issue under this Ordinance of such registered stock or securities as may be necessary for the purpose of paying any expenses incurred in the creation and issue of registered stock or securities under this section ;
- (d) he may declare that all privileges, exemptions and immunities attaching by virtue of any written law in force in Ceylon to any stock or securities shall attach to any new registered stock or securities issued under this Ordinance in conversion of such earlier stock or securities.

- (c) creation and issue of stock or securities to meet expenses of conversion ;
- (d) new stock or securities to have all privileges of original stock or securities.

35 Any conversion authorised under section 34 may be effected either by arrangement with the holders of existing stock or securities, or by purchase thereof out of moneys raised by the sale of stock or securities, or partly in one way and partly in the other.

Arrangements for conversion.

Issue of Duplicates and Renewals of Stock Certificates and Securities.

36 When a stock certificate is lost, stolen or destroyed either wholly or in part, the Registrar may, on proof to his satisfaction of such loss, theft or destruction and on payment of the prescribed fee, issue a duplicate stock certificate in the name of the stockholder of the registered stock to which the stock certificate relates. Every duplicate stock certificate so issued shall have the word "DUPLICATE" printed, impressed or stamped thereon.

Issue of duplicate stock certificates.

37 (1) When a security is alleged to have been lost, stolen or destroyed either wholly or in part, and a person claims to be the person to whom but for the loss, theft or destruction it would be payable, he may, on application to the Registrar and on producing proof to the satisfaction of the Registrar of the loss, theft or destruction and of the justice of the claim, obtain from the Registrar on payment of the prescribed fee, an order for—

Issue of duplicate securities.

- (a) the payment of interest in respect of such security said to be lost, stolen or destroyed, pending the issue of a duplicate security ; and
- (b) the issue after a period to be specified in the order of a duplicate security payable to the applicant.

(2) An order shall not be made under sub-section (1) until after the issue of the prescribed notification of the loss, theft or destruction.

(3) The loss of the security in respect of which an order is made under sub-section (1) shall be published in the prescribed manner.

(4) If at any time before the Government becomes discharged under the provisions of this Ordinance from liability in respect of any security the whole of which is alleged to have been lost, stolen or destroyed, such security is found, any order passed in respect thereof under this section shall be cancelled.

38 On the surrender to the Registrar of a stock certificate or promissory note or bearer bond which is defaced or damaged, or of a promissory note in which the spaces provided for indorsement have all been used for that purpose, or of a bearer bond at the end of the period which the interest coupons originally attached to that bond were intended to cover, the Registrar may, if he is satisfied that the claim of the person surrendering the certificate, note or bond is just and lawful, issue to such person on payment of the prescribed fee, if any, a new certificate, note or bond of the same class or series and value, and shall thereupon cancel the certificate, note or bond surrendered to him for renewal.

Renewal of stock certificates and securities.

39 It shall be lawful for the Registrar, in such circumstances as may be prescribed—

Right of Registrar to compel renewal of securities.

- (a) to issue a notice to the holder of any security directing him to apply for a renewal of that security ; and
- (b) to withhold payment of the interest or principal amount due in respect of that security until the application for renewal has been made and determined.

40 (1) Where there is a dispute as to the title to a promissory note in respect of which application for renewal has been made, the Registrar may—

Renewal of promissory note in case of dispute as to title.

- (a) where any party to the dispute has obtained a final decision from a court of competent jurisdiction declaring him to be entitled to such note, issue a renewed note in favour of such party, or

- (b) refuse to renew the note until such a decision has been obtained, or
- (c) after such inquiry as he may deem necessary, declare by order in writing which of the parties is, in his opinion, entitled to such note, and may, after the expiration of three months from the date of such declaration, issue a renewed note in favour of such party, unless within that period he has received notice that proceedings have been instituted by any person in a court of competent jurisdiction for the purpose of establishing title to such note.

In this sub-section, the expression "final decision" means a decision from which no appeal or further appeal lies or any decision which is appealable but against which no appeal has been filed within the period of limitation allowed by law.

(2) The Registrar may for the purposes of any inquiry under this section exercise all or any of the powers of a Commissioner under Ordinance No. 9 of 1872.

Exchange of registered stock and securities.

41 On application made by any person claiming to be the holder of any registered stock or securities issued under this Ordinance, the Registrar may, if he is satisfied that the applicant is the lawful holder of such stock or securities, and on payment of the prescribed fee, exchange stock for securities or securities for stock or securities of one kind for securities of the other kind :

Provided that—

- (a) all stock and securities so given or taken in exchange shall have been issued in respect of the same loan ; and
- (b) the nominal value of the stock or securities given by the Registrar in exchange shall be the same as the nominal value of the stock or securities taken by him in exchange.

Consolidation and subdivision of stock and securities.

42 Subject to such conditions as may be prescribed, the Registrar may—

- (a) on the application of a person claiming to be entitled to any stock or securities, and
- (b) on being satisfied of the justice of the claim of such applicant, and
- (c) on surrender of the stock certificate relating to such stock or of such securities received in the prescribed manner, and
- (d) on payment of the prescribed fee,

consolidate or subdivide such stock or securities and issue to the applicant one or more new stock certificates or securities as may be required.

Liability in respect of promissory note renewed, &c.

43 (1) When a renewed promissory note has been issued under section 38 or section 40, or a new promissory note has been issued on an exchange under section 41 or upon a consolidation or subdivision under section 42, in favour of any person, the note so issued shall be deemed to constitute a new contract between the Government and such person and all persons deriving title thereafter through him.

(2) No such renewal, exchange, consolidation or subdivision shall affect the rights as against the Government of any other person to the security or securities so renewed, exchanged, consolidated or subdivided or to any stock so exchanged.

Indemnity bonds.

44 Where application is made to the Registrar under this Ordinance for the issue of a duplicate stock certificate or a duplicate security or for the exchange, renewal, consolidation or subdivision of any stock or securities, the Registrar may require the applicant, as a condition precedent to the grant of the application, to execute a bond with or without sureties undertaking to indemnify the Government against the claims of all persons claiming under the original stock certificate or security or under the stock or securities so exchanged, renewed, consolidated or subdivided, as the case may be.

Immediate discharge in certain cases.

45 On payment by or on behalf of the Government to the holder of a bearer bond of the amount expressed therein on or after the date when it becomes due or on the renewal of a bearer bond under section 38, or on the renewal of a promissory note under section 40, or on the exchange of a bearer bond under section 41, or on the consolidation or subdivision of a bearer bond under section 42, the Government shall be discharged in the same way and to the same extent as if such bearer bond or promissory note were a promissory note payable to bearer :

Provided that in the case of a promissory note renewed under section 40, nothing in this section shall be deemed to bar a claim against the Government in respect of such note by any person who had no notice of proceedings under that section or who derives title through a person who had no such notice.

46 Save as otherwise provided in this Ordinance, the liability of the Government shall—

Discharge in other cases.

- (a) in respect of any registered stock or security redeemed on or after the date on which payment of the principal amount becomes due, be discharged after the lapse of six years from that date ;
- (b) in respect of any security in place of which a duplicate is issued under section 37, be discharged after the lapse of six years from the date of the first notification under section 37 (3) published in respect of such security or from the date of the last payment of interest on such security, whichever date is the later ;
- (c) in respect of a security for which a renewed security is issued under section 38 or section 40, or in respect of stock or securities in place of which new stock or securities are issued upon an exchange under section 41, or upon a consolidation or subdivision under section 42, be discharged after the lapse of six years from the date of the issue of the renewed security or of the new stock or securities, as the case may be.

47 (1) If within six months of the death of a person who was entitled to registered stock or to a promissory note the nominal or face value of which does not in the aggregate exceed five thousand rupees, probate of the will or letters of administration of the estate of such person is not produced to the Registrar, he may, after such inquiry as he may deem necessary, determine who is the person entitled to such stock or promissory note or to administer the estate of the deceased and may—

Summary procedure in special cases.

- (a) where any such stock relates to a loan due for repayment, authorise the registration of the name of such person in substitution for the name of the deceased in the register of stock and the payment to such person of the amount due in respect of that stock ;
- (b) where any such promissory note relates to a loan due for repayment, authorise payment to such person of the amount due on that promissory note ;
- (c) where any such stock or promissory note relates to a loan not due for repayment, authorise, in the case of stock, the registration of the name of such person in substitution for the name of the deceased, and, in the case of a promissory note, the renewal of such promissory note in favour of such person.

(2) Upon the payment or renewal of any promissory note in accordance with sub-section (1), the Government shall be discharged from all liability in respect of the note so paid or renewed ; and any substitution of names made under that sub-section shall, for the purposes of any claim against the Government, be deemed to have effected a valid transfer of the stock in respect of which it was made.

(3) Any creditor or claimant against the estate of the deceased may recover his debt or claim out of money paid to any person under sub-section (1) and remaining in his hands unadministered in the same manner and to the same extent as if the said person had obtained letters of administration of the estate of the deceased ; and nothing in this section shall affect any claim of an executor or administrator or other representative of the deceased against such person other than a claim to recover amounts lawfully paid by him in due course of administration of the estate of the deceased.

Miscellaneous.

48 (1) For the purposes of this Ordinance—

- (a) the Deputy Financial Secretary shall be the Registrar ; and
- (b) the Deputy Chief Secretary and the Deputy Financial Secretary shall be the Trustees of the sinking fund established for each loan.

Registrar and Trustees.

(2) The Registrar may by writing under his hand delegate to any officer of the Department of the Deputy Financial Secretary any of the powers or duties conferred or imposed upon him by this Ordinance.

Signature of Registrar may be printed on stock or securities.

49 The signature of the Registrar may be printed, stamped, engraved, or impressed by any mechanical process on any stock certificate, promissory note or bearer bond and a signature so printed, stamped, engraved or impressed shall be as valid as if it had been inscribed in the proper handwriting of the Registrar.

Holding of stock and securities by holders of public and other offices.

50 (1) In the case of any public or other office to which the Governor may by Notification in the Gazette declare this sub-section to apply—

- (a) registered stock may be issued to or transferred to or by the holder for the time being of that office by the name of his office ;
- (b) a promissory note may be made or indorsed payable to or to the order of the holder of that office by the name of his office.

(2) When registered stock or a promissory note is issued to or held by the holder of an office to which sub-section (1) applies, such stock or promissory note shall be deemed to be transferred, notwithstanding anything to the contrary in this Ordinance, from each holder of the office to the succeeding holder of the office on the date on which the latter takes charge of the office.

(3) When the holder of an office to which sub-section (1) applies indorses to a third party a promissory note made or indorsed as aforesaid, he shall subscribe the indorsement with his name and the name of the office.

(4) This section applies as well to an office of which there are two or more joint holders as to an office of which there is a single holder.

Notice of Trust not receivable save as provided.

51 (1) Save as otherwise provided in or under this Ordinance, no notice of any trust in respect of any registered stock or securities shall be receivable by the Registrar or by the Government.

(2) The Registrar shall not be deemed to have received notice of any trust by reason only of the fact that he has recognised an indorsement on a Government promissory note by an executor or an administrator as such, nor shall he inquire into the terms of any will by which such executor or administrator may be bound ; but, on being satisfied of the due appointment of such executor or administrator, he shall be entitled to treat such executor or administrator as the owner of any promissory note belonging to the estate represented by such executor or administrator.

Seizure of stock or securities by Fiscal.

52 The provisions of section 229 of the Civil Procedure Code, 1889, shall apply to the seizure of stock or securities by the Fiscal in the execution of a decree of court, as if stock certificates or securities were share certificates and as if the Registrar were the proper officer of a company or corporation referred to in that section.

Exemption from stamp duties.

53 All documents or instruments made or used under the provisions of this Ordinance shall be in such form as the Financial Secretary may specify and shall be free from stamp duty, anything in any other Ordinance to the contrary notwithstanding.

Inspection of register and documents.

54 (1) No person shall be entitled to inspect, or to receive information derived from, any registered stock or security in the possession of the Government or any register, book or other document kept or maintained by or on behalf of the Government in relation to registered stock or securities, save on payment of such fee and save in such circumstances and on such terms and conditions as may be prescribed.

(2) Nothing in this section shall apply to the Auditor-General or to the Commissioner of Income Tax.

Regulations.

55 (1) The Governor may make regulations for the purpose of giving effect to the provisions of this Ordinance.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters :—

- (a) the manner in which payment of interest in respect of stock or securities is to be made and acknowledged ;
- (b) the circumstances in which promissory notes must be renewed before further payment of interest thereon can be claimed ;

- (c) the fees to be paid in respect of the issue of duplicate stock certificates or securities and of the renewal, exchange, consolidation and subdivision of stock or securities ;
- (d) the proof required to be produced by persons applying for duplicate stock certificates or securities ;
- (e) the conditions subject to which stock or securities may be exchanged, consolidated or subdivided ;
- (f) enabling holders of registered stock to be described in the register of stock as trustees, and either as trustees of any particular trust or as trustees without qualification, and for the recognition of powers of attorney granted by holders of stock so described ;
- (g) the holding of registered stock or promissory notes by the holders of offices other than public offices, and the manner in which and the conditions subject to which stock so held may be transferred ;
- (h) all matters required by this Ordinance to be prescribed and all matters incidental to or connected with the matters hereinbefore enumerated.

(3) Nothing in any regulation made under heads (f) and (g) shall, as between any trustees or as between any trustees and beneficiaries under a trust, be deemed to authorise the trustees to act otherwise than in accordance with the rules of law applying to the trust and the terms of the instrument constituting the trust ; and neither the Government nor the Registrar nor any person holding or acquiring any interest in any registered stock shall by reason only of any entry in the register of stock or of anything in any document or instrument relating to registered stock, be affected with notice of any trust or of the fiduciary character of any stockholder or of any fiduciary obligation attaching to the holding of any registered stock.

(4) All regulations made by the Governor shall be published in the Gazette and shall upon such publication be as valid and effectual as if herein enacted.

56 The Governor may by Order published in the Gazette delegate to the Financial Secretary any power conferred on the Governor by this Ordinance subject to such conditions, reservations and restrictions as may be specified in the Order.

Delegation of powers of Governor.

57 Nothing in this Ordinance contained shall affect the provisions of—

Savings.

The Ceylon Paper Currency Ordinance, 1884 ;
 The Ceylon Inscribed Rupee Stock Ordinance, 1892 ;
 The General Loan and Inscribed Stock Ordinance, No. 5 of 1921 ;
 The Colonial Treasury Bills Ordinance, No. 7 of 1923 ;
 The Colonial Treasury Bills Ordinance, No. 8 of 1923 ;

No. 32 of 1884.
 No. 8 of 1892.

or any stock, debentures, Treasury bills or other Government securities issued thereunder.

58 In this Ordinance, unless the context otherwise requires—

Interpretation.

“ bearer bond ” means a bearer bond issued under this Ordinance ;
 “ prescribed ” means prescribed by this Ordinance or by any regulation made thereunder ;
 “ promissory note ” means a Government promissory note issued under this Ordinance ;
 “ register of stock ” means the register of stock kept under section 6 ;
 “ registered stock ” or “ stock ” means registered stock issued under this Ordinance ;
 “ security ” means a bearer bond or a promissory note ;
 “ stockholder ” means the person registered for the time being as the owner of any registered stock.

*Passed in Council the Eighteenth day of December, One thousand Nine hundred and Thirty-six.

E. W. KANNANGARA,
 Clerk of the Council.

* See Proclamation dated March 17, 1937, appearing in Part I. of the *Government Gazette* of March 19, 1937.

DRAFT ORDINANCES.

MINUTE.

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

No. 9 of 1899. **An Ordinance to amend the Cemeteries and Burials Ordinance, 1899.**

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

Short title. **1** This Ordinance may be cited as the Cemeteries and Burials (Amendment) Ordinance, No. of 1937.

Insertion of new section 37A in Ordinance No. 9 of 1899. **2** The Cemeteries and Burials Ordinance, 1899, is hereby amended by the addition immediately after section 37 of the following new section, which shall have effect as section 37A of that Ordinance :—

Corpse not to be removed from burial ground without authority.

37A. No corpse buried in any part of any burial ground shall be removed from its place of burial without the authority of the District Court within the jurisdiction of which such burial ground is situated : Provided that nothing in this section shall affect or limit the provisions of section 365 of the Criminal Procedure Code, 1898.

Objects and Reasons.

Section 15 of the Cemeteries and Burials Ordinance, 1899, provides that no corpse buried in any cemetery shall be removed from its place of burial without the authority of a District Court. There is, however, no provision in that Ordinance relating to the removal of Corpses from burial grounds.

2. The object of this Bill is to insert in the principal Ordinance a new section 37A which will provide that no corpse buried in any burial ground shall be removed from its place of burial without the authority of the District Court having jurisdiction over the place in which the burial ground is situated.

3. The new section will not affect or limit the power conferred by section 365 of the Criminal Procedure Code, 1898, to cause a body to be disinterred for the purpose of a post-mortem examination.

Colombo, March 11, 1937.

W. A. DE SILVA,
Minister for Health.

MINUTE.

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

L. D.—O 5/37
No. 8 of 1904. **An Ordinance to repeal the Cacao Thefts Prevention Ordinance, 1904.**

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

Short title. **1** This Ordinance may be cited as the Cacao Thefts Repeal Ordinance, No. of 1937.

Repeal of Ordinance No. 8 of 1904. **2** The Cacao Thefts Prevention Ordinance, 1904, is hereby repealed.

Objects and Reasons.

The object of this Bill is to give effect to the recent decision of the State Council that the Cacao Thefts Prevention Ordinance, 1904, should be repealed.

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

Ministry of Agriculture and Lands,
Colombo, March 18, 1937.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

Insolvency In the matter of the insolvency of P. Don No. 4,039. Henry de Almeida of Colombo, insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on April 20, 1937, to approve the scheme of distribution filed by the assignee, Mr. B. D. Amit, in the above case.

By order of court, GERALD E. DE ALWIS,
March 15, 1937. Secretary.

In the District Court of Colombo.

Insolvency In the matter of the insolvency of B. N. de No. 4,728. Silva of Moratuwa, insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on April 20, 1937, to approve the scheme of distribution filed by the assignee, Mr. B. D. Amit, in the above case.

By order of court, GERALD E. DE ALWIS,
March 15, 1937. Secretary.

In the District Court of Colombo.

No. 5,004. In the matter of the insolvency of Saranguhewage Samuel de Silva of 23, Canal row in 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 18, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
March 12, 1937. Secretary.

In the District Court of Colombo.

No. 5,015. In the matter of the insolvency of S. M. Usoof, carrying on business under the name, style, and firm of Premier Hardware Stores at 115, 3rd Cross street, Colombo.

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

By order of court, GERALD E. DE ALWIS,
March 12, 1937. Secretary.

In the District Court of Colombo.

No. 5,074. In the matter of the insolvency of Kanapathipillai Nadarajah of 120, Barber street, Colombo.

WHEREAS the above-named K. Nadarajah has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by P. Kandiah of Thavady, Jaffna, presently of 68, Wolfendahl street, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said K. Nadarajah insolvent accordingly; and that two public sittings of the court, to wit, on April 20, 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 9, 1937. Secretary.

In the District Court of Kandy.

No. 2,118. In the matter of the insolvency of Pakkiyanathan Arumanayagam Chelliah of Katukelle, Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on April 23, 1937, to consider the granting of a certificate of conformity to above-named insolvent.

By order of court, R. MALALGODA,
March 13, 1937. Secretary.

In the District Court of Kandy.

No. 2,128. In the matter of the insolvency of Weda Arachchige Dharmawardana of Hantane estate, Kandy.

WHEREAS Weda Arachchige Dharmawardana has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Hector Cromwell Wijeratna, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Weda Arachchige Dharmawardana insolvent accordingly; and that two public sittings of the court, to wit, on April 9, 1937, and on April 30, 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, R. MALALGODA,
March 16, 1937. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

(1) Deraniyagalage Elias Peiris (deceased), (2) Kuragamage Don James, (3) Balasoorie Maj. Nona, (4) Deraniyagalage Leanora Peiris, (5) ditto Mariana Peiris, (6) ditto Selina Peiris, (7) ditto Arthur Peiris, (8) ditto Charlotte Peiris, (9) ditto Daniel Peiris, all of Pelanwatta; the 4th to 9th plaintiffs minors appearing by their next friend the 3rd plaintiff. The 3rd to 9th plaintiffs substituted in place of the 1st plaintiff, deceased. Plaintiffs.
No. 2,975M. Vs. 36

(1) Don Johannes Ranasinghe of Kottawa, (2) Edward Herbert Perera of Padukka, (3) Suraweera Aratchige Don Albin Suraweera of Siddamulla, (4) Padukkage Don John of Siddamulla, (5) Abeysinghe Aratchige Sarnelis Perera of Kottawa, (6) Ranasinghearatchige Don Piyasena, (7) ditto Don Neposingho, both of Kottawa, (8) D. A. D. Jayasooriya of Meegoda, (9) Don Aron William Ranasinghe, (10) Makumburage James Perera, both of Kottawa. Defendants.

NOTICE is hereby given that on Tuesday, April 27, 1937, commencing at 10 A.M., will be sold by public auction at the respective premises in their respective order the following property mortgaged with the plaintiffs by bond No. 27,576 dated February 12, 1931, and attested by T. D. S. A. Dissanayake, 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 16, 1937, for the recovery of the sum of Rs. 838, together with interest on Rs. 500 at 16½ per cent. per annum from March 18, 1935, to date of decree, August 25, 1936, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit, Rs. 388-24, viz. :-

1. All that undivided ¼ part or share from and out of the land called Gonnagahawatta and of the trees and plantations and everything standing thereon, together with one half part or share of the buildings standing thereon, situated at Kottawa, in the Palle pattu of Hewagam korale in the District of Colombo, Western Province; and bounded on the north by the high road and the buildings belonging to R. D. Carolis and others, on the east by Ankendagahawatta, on the south by Godaporagahawatta, and on the west by the high road, containing in extent 5 acres 2 roods and 19 70/100 perches.

2. All that undivided 2/9 part or share from and out of the land called Ankendagahawatta, together with the tiled house standing thereon, situated at Kottawa aforesaid; and bounded on the north by the land in the name of Don Siman, deceased, on the east by the land of Don Thepanis, on the south by Godaporagahawatta in the name of Don Siman, and on the west by the land belonging to Don Carolis and others, containing in extent 4 acres 1 rood and 33 88/100 perches.

3. All that undivided 19/160 part or share from and out of undivided ½ part or share from and out of Bogahawilakumbura, situated at Makumbura, in the Palle pattu of Hewagam korale, in the District of Colombo, Western Province; and bounded on the north by the high land of Makumburage Naidehamy, on the east by the ditch of Bogahawilakumbura belonging to Ranasinghearatchige Christian, on the south by Rathmahara high land and Millagahawatta belonging to Aratchige Siman Appu, and

on the west by the ditch of Galabodakumbura of Porage Juanis Appu, containing in extent 24 bushels of paddy sowing.

4. All that undivided $\frac{1}{2}$ part or share from and out of undivided 21/24 part or share from and out of a defined portion of Etapanwilakumbura, situated at Rukmale, in the Palle pattu of Hewagam korale aforesaid; and bounded on the north by a portion of this field, on the east by the land of Don Charles Samarasinghe Amarasekera-aratchi, on the south by Kolayinkumbura, and on the west by Depa-ela, containing in extent 4 bushels of paddy sowing. Prior registration G 128/120, 128/121, 128/77, 128/122.

Fiscal's Office,
Colombo, March 17, 1937.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Colombo.

Incorporated Trustees of the Church of England in
Ceylon Plaintiffs.
No. 5,114. Vs.

Timbiripellege Petronella Maria Fernando of Havelock
Town, Colombo Defendant.

NOTICE is hereby given that on Monday, April 26, 1937, at 4 p.m., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 1,227 dated November 17, 1927, attested by J. A. Martensz of Colombo, Notary Public, and declared specially bound and executable under the decree dated September 25, 1936, entered in the above action and ordered to be sold by the order of court dated March 2, 1937, for the recovery of the sum of Rs. 18,750, together with further interest on Rs. 14,000 at 9 per cent. per annum from and including April 1, 1936, till the date of the said decree, and thereafter on the aggregate amount of the said decree at the rate of 9 per cent. per annum till date of payment in full and costs of suit as taxed at Rs. 365/77, viz. :-

All that allotment of land called Kelankaduwwewatta (being lot No. 61c of registered plan No. 2) with the buildings standing thereon, bearing assessment No. 977/471, Paman-kada road, situated at Wellawatta, within the Municipality and District of Colombo, Western Province of the Island of Ceylon; bounded on the north by lot No. 54, on the south by a road, on the east by lot No. 61d, and on the west by lots Nos. 55 and 61b, containing in extent 2 roods and 22 50/100 perches, according to the plan and survey thereof bearing date February 17, 1891, made by Mr. G. E. Leembruggen, District Surveyor, and all rights, privileges, easements, servitudes, and appurtenances whatsoever to the said premises belonging or in anywise appertaining or used or enjoyed therewith or reputed or known as part and parcel thereof, and all the estate, right, title, interest, claim, and demand whatsoever of the said Timbiripellege Petronella Maria Fernando into, upon, or out of the same. Registered well, 22/2.

Fiscal's Office,
Colombo, March 17, 1937.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Colombo.

(1) Smanayake Alagiyawanna Mohotti Appuhamillage
Don Abraham, Vidane Arachchi, and another, both of
Meeswitigammana in the Udugaha pattu of Siyane
korale Plaintiffs.
No. 53,262.

Ransinghe Heenatatchige Don Grigoris Edward
Ransinghe Gunasekera of Watapalana in the Meda
pattu of Siyane korale Defendant.

NOTICE is hereby given that on Thursday, April 29, 1937, at 10 a.m., will be sold by public auction at the premises the following property mortgaged with the plaintiffs by bond No. 3,928 dated February 26, 1926, attested by D. S. M. Abeyasekera, 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 August 31, 1934, for the recovery of the sum of Rs. 1,500, with interest thereon at 9 per cent. per annum from date of decree (July 10, 1934), till payment in full and costs of suit, less Rs. 170, viz. :-

The portion of land called Nugelanda and the trees and plantations thereto belonging, situated at Warapalana in the Meda pattu of Siyane korale in the District of Colombo, Western Province; bounded on the north by the limit of the $\frac{1}{2}$ portion of this land apportioned to Don Bempy, Vel-Vidane, on the east by land of Mudaliyar Peeris, on the south by land called Giranwakkella of Don Peter Gunasekera, Vidane Arachchi, and on the west by Kolainkumbura

presently of Don Peter Gunasekera, Vidane Arachchi within these boundaries in extent 7 acres 3 roods and 23 $\frac{1}{2}$ perches, together with all the rights and powers held by the defendant in respect of the said land and premises.
Prior registration E 156/291.

Fiscal's Office,
Colombo, March 17, 1937.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Kalutara.

The Public Trustee of Ceylon, Colombo, as Trustee of
Meegama Aratchige Silvestry Perera of Kuda
Wadduwa Plaintiff.
No. 19,494. Vs.

Don Alfred Francis Jayasundera of Talpitiya, presently
of Nuwara Eliya, legal representative of the estate
of the late Dionysius Alexander Goonetilleke of
Kuda Wadduwa Defendant.

NOTICE is hereby given that on Wednesday, April 21, 1937, commencing at 3.30 in the afternoon, will be sold by public auction at the respective 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 said case for the recovery of Rs. 16,757-90, with interest on Rs. 11,100 at the rate of 12 $\frac{1}{2}$ per cent. per annum from September 20, 1935, till August 28, 1936, and thereafter on the aggregate amount at the rate of 9 per cent. per annum from August 28, 1936, till payment in full, and costs of suit Rs. 513/77, viz. :-

1. The soil, buildings, trees, and everything thereon of the land called a portion of Kiripellagahawatta, situated at Maha Wadduwa in Wadduwa badda of Panadure totamune, in the District of Kalutara, Western Province; and bounded on the north and east by Uswatta, south by high road leading to and from Wadduwa Railway Station, and west by another portion of Kiripellagahawatta; and containing in extent about 2 roods and 2 36/100 perches.

2. The soil, buildings, trees, and everything thereon of the land called a portion of Metiwalewatta, situated at Maha Wadduwa aforesaid; and bounded on the north by cart road leading to railway station, east by Moonamal-gahawatta, south by a portion of the same land that belonged to Maria Fonseka, and west by Kiripellagahawatta now the portion of this land acquired by Crown; and containing in extent about 2 roods and 20 perches.

At 4.30 p.m.

3. The soil, trees, and everything together with the tiled house built by the mortgagor, thereon exclusive of the high road running across the land of the land called the $\frac{1}{2}$ share portion of Kiripellagahawatta, situated at Talpitiya in Talpitiyabadda of Panadure totamune aforesaid; and bounded on the north by a $\frac{1}{2}$ share portion of the same land whereon Mestiyage Don Davith Goonetilleke Appuhamy resided, east by live fence of the ditch of Heenkathawela, south by $\frac{1}{2}$ share portion of the same land belonging to Pulahinge Siman Rodrigo Appuhamy and others, and west by railway line; and containing in extent about one acre.

4. The soil, trees, and everything thereon of the land called the southern Irawalla of Heenkathawela and its adjoining Heenkathawelayeambagahakumbura, situated at Talpitiya aforesaid; and bounded on the north by a portion of the same field belonging to Hettikankanange Bastian Perera Samarasekera Appuhamy, east by owita belonging to the heirs of Anpitiyage Davith Perera, south by Kumburu Irawalu belonging to Mestiyage Don Sardiell Appuhamy and Wadduwege Siman Perera, and west by Kiripellagahawatta described herein as land No. 3; and containing about 4 bushels of paddy sowing extent.

Deputy Fiscal's Office,
Kalutara, March 13, 1937.

H. SAMERESINGHA,
Deputy Fiscal.

Central Province.

In the District Court of Hatton.

Gardiye Punchihewage Daisa Nona of Madakumbura
in Watagoda Plaintiff.
No. 2,598. Vs.

Mahapatunage William Perera of Madakumbura in
Watagoda Defendant.

NOTICE is hereby given that on Saturday, April 24, 1937, at 12 noon, will be sold by public auction at the premises the following property mortgaged with the

plaintiff by bond No. 1,743, dated December 19, 1928, and attested by P. B. Ellangasinghe of Gampola, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated December 4, 1936, for the recovery of the sum of Rs. 2,000, with interest thereon at the rate of 9 per cent per annum from February 19, 1936, till payment in full (less a sum of Rs. 51-12) brought into court and poundage, viz. —

An undivided $\frac{1}{2}$ part or share from and out of the land called and known as Othunketiya, situate at Madakumbura Udapone korale in Kotmale in the District of Nuwara Eliya; containing in extent about 9 pelas paddy sowing; and bounded on the north by the stone fence of Kalansigedera Punchiralegewatta, east by the iura of Ambagahawatta, Dingirale's watta, south by Madakumburewattaella, and west by the ima of Wiyale Pallegederawatta, together with all the plantations and everything appertaining thereto, registered in Q 14/304 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 11, 1937.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Kandy.

Francois Joseph Holloway of Trafford Hill, Galagedara Plaintiff.
No. 47,562. Vs.

(1) Paekker Thamby Salegar, executor of the estate of Omer Kanda Pulle's son, Kandasamy Kandapulle of Kengalla, (2) Sadasiva Kandaviraya's son, Sambamoorthy Kandaviraya, (3) Rengasamy Kandiyyar's son, Shivarama Krishnasamy Kandiyyar, both of Moragahapitiya in Udagampaha of Lower Dumbara Defendants.

NOTICE is hereby given that on Saturday, April 17, 1937, at 2 P.M., will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 2,014 dated April 3, 1919, and attested by R. L. Cooraywadena of Kandy, 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 26, 1937, for the recovery of the sum of Rs. 36,674-14, with legal interest of Rs. 30,000 from May 1, 1936, till date of decree and thereafter legal interest on the total amount due to the said date till payment in full and costs of suit and poundage, viz., 40/150 shares of the following lands, to wit:—

1. All that tract of land 46 acres 3 roods and 25 perches in extent and marked lot No. 1 in plan dated April, 1915, and made by James T. Trowell of Kandy, Licensed Surveyor, situated at Kengalla in Udagampaha of Pata Dumbara in the District of Kandy, Central Province; and bounded on the north by cacao gardens of S. S. Abubakker, Yammedy, Siyatu, and paddy field belonging to Ramasamy, east and south-east by paddy field belonging to Godawela Arachchi, cacao garden belonging to natives and by the limit of the property of Kanapathy Pulle, south by Pallekelle estate, and west by the cacao garden of Kannappen according to the said plan.

2. All those two tracts of lands of 39 acres and 34 perches in extent and marked lots Nos. 2 and 3 in the said plan, together with all the buildings and everything standing thereon, situated at Kengalla aforesaid, and which said two tracts of lands are adjoining each other now forming one property; and bounded on the north by the property of Kanapadipillai Ukkurale Arachchi's land, paddy field, cacao garden of Alla Pitche, and Henegedera Dingiri Amma's land, east by paddy field, south by Pallekelle estate, and west by the property of Kanapadipulle according to the said plan (save and except the high road passing through the land).

3. All that tract of land of 4 acres and 2 perches in extent marked No. 4 in the said plan, situated at Kengalla aforesaid; and bounded on the north by the garden of Kaduruwell Pillai, east by the barbed fence of the garden of Angantenne Velu, south by the barbed wire fence separating Dingiri Amma's land, and west by paddy field belonging to natives according to the said plan.

4. All that tract of land 12 acres 2 roods and 30 perches in extent marked lot No. 5 in the said plan, situated at Kengalla aforesaid; and bounded on the north by barbed wire fence separating Appurale's and Dingiri Amma's land, on the east by the barbed wire fence separating the property of Angantenne Walloo, south by Pallekelle estate, and west by paddy fields according to the said plan.

5. All that paddy field of 31 perches in extent and marked lot No. 6 in the said plan, situated at Kengalla aforesaid; and bounded on the north and south by paddy field, and east by the limit of lot No. 5, and west by the drain separating lot No. 3 according to the said plan.

6. All that paddy field of 1 rood and 11 perches extent and marked lot No. 7 in the said plan, situated at Kengalla aforesaid; and bounded on the north and south by paddy fields, east by the limit of lot No. 5, west by the drain separating lot No. 3 according to the said plan, which said several lots of lands are made up and composed of the following premises, to wit:—

(i.) All that estate, plantations, and premises called and known as Moragahapitiya estate, situate at Kengalla aforesaid and comprised of the following tracts of lands, namely:—

(a) All that tract of land bounded on the north by the fence of the property of Kattan Kangany, nuga tree, makulu tree, high land and paddy field belonging to Mudalihamy Arachchi, fence of Keeralegewatta, nitul tree, damunu tree and land belonging to Kengalla Arachchi, east by paddy fields, south by land belonging to Siyatu, fence of Weerakiti estate, seru tree, huri tree, and water-course of Pallekelle estate, and west by large nuga tree and property belonging to Kattan Kangany; containing in extent 40 acres 2 roods and 14 perches, and marked lot No. A in plan dated February 5, 1897, and made by Francis M. Perera.

(b) All that tract of land bounded on the north by path, east by the property of Ibram Saibo, Erawadi, the rock and property belonging to Kattan Kangany, south by fence and water-course of Pallekelle estate, west by property belonging to Kattan Kangany, north-west by property belonging to Kalimuttu, rock, fence, and path; containing in extent 27 acres 1 rood and 8 perches and marked lot B in the said plan.

(c) All that tract of land bounded on the north by the fence of Henegederawatta, east by the land said to belong to Weerappen Kangany and slabrock, south by drain of Weraketiya estate and rock, west by property belonging to Siyatu and paddy field; containing in extent 12 acres 2 roods and 23 perches and marked lot No. C in the said plan.

(ii.) All that estate called and known as Nitulgahapitiya-watta, situate at Kengalla aforesaid and comprising the following allotments of the land to wit:—

(a) The northern $\frac{1}{2}$ share of Nitulpitiyawatta of 8 acres 1 rood and 30 $\frac{1}{2}$ perches in extent.

(b) The remaining $\frac{1}{2}$ share of the 30 perches from and out of Rajapaksegederawatta of 1 pela paddy sowing in extent excluding therefrom 2 coconut trees standing thereon.

(c) The southern portion of Madugastennehena of northern $\frac{1}{2}$ share of Madugastennehena and Nitulgahapitiyawatta alias Maditiyagahamulawatta, all adjoining each other and forming one property, in extent 4 amunams and 2 pelas paddy sowing.

(d) Half share of Madugastennehena of 3 amunams paddy sowing extent.

(e) Mawikumbura Daranda of 16 lahas paddy sowing extent.

(f) Mawikumbura of 6 kurunies in paddy sowing extent.

(g) Nitulgahapitiyawatta of 1 pela paddy sowing extent.

(h) Mawikumbura of 1 pela paddy sowing extent.

(i) The northern $\frac{3}{4}$ parts of 2 amunams out of Galapita Diwalahena of 3 amunams paddy sowing extent.

(j) The western 1 amunam paddy sowing extent out of Galapitawalahena of 1 $\frac{1}{2}$ amunams paddy sowing extent.

(k) The northern 1 amunam paddy sowing extent of Galapita Diwalahena of 3 amunams paddy sowing; and which said several allotments are bounded on the east by Mawikumbure Elaweilla, south by fence of Kattan Kangany and Oman Kanda Pulle's garden, west by fence of Oman Kanda Pulle's garden, and north by fence of garden of Oman Kanda Pulle and Erawadi Rawther; containing in extent about 15 acres.

(iii.) The eastern portion of Galapitiyawatta of the extent of 2 pelas paddy sowing, situate at Kengalla aforesaid; and bounded on the east by Galheeriya, south by fence of Oman Kanda Pulle's estate, west by the remaining share of the land belonging to Seyanna Katcha, and north by fence of Weeran's garden.

(iv.) An undivided $\frac{1}{2}$ share out of the south-eastern portion of 5 pelas paddy sowing extent out of the land called Kuratiyagahakanattiyahena now watta, situate at Kengalla aforesaid; the said south-eastern portion is bounded on the east by the property of Appu Bass now belonging to Kandasamy Kanda Pulle, south by Galahitiyawatta belonging to Maradai, west by the property of Kandasamy Kanda Pulle, and north by the remaining portion of the land belonging to Kannappa.

(v.) All that western $\frac{1}{2}$ share of the extent of 2 pelas paddy sowing extent out of Kuratiyagahakanatthena, situate at Kengalla aforesaid; and bounded on the east by the remaining portion of this land belonging to Sena Veeran, south by the property of Oman Kanda Palle, west by the fence of the property of Muthuweera alias Sena Veeran, and north by the fence of the property of Appu Bass now belonging to Kandasamy Kanda Palle.

(vi.) An undivided $\frac{1}{3}$ share of and in all that allotment of land called Kuratiyagaha Kanate Galahitiyaweheha alias Thiyambaragalalena of 2 pelas paddy sowing extent in the whole, situate at Kengalla aforesaid; and bounded on the east by the fence of Oman Kanda Palle's garden, south and west by the limit of Oman Kanda Palle's garden, and north by the fence of cotton trees, and registered in E 211/208 to 213, and all the right, title, interest, and claim whatsoever of the said 1st defendant as executor of the estate of the said Ramasamy Kandapulle in, to, upon, or out of the said several premises mortgaged by the said Ramasamy Kandapulle.

Fiscal's Office,
Kandy, March 11, 1937.

H. C. WIJESINHA,
Deputy Fiscal.

Southern Province.

In the District Court of Colombo.

Adam Khan Bhai of Slove Island, Colombo Plaintiff.

No. S/1,144.

Vs.

Alfred Kahaduwa of Wackwella road, Galle . . Defendant.

NOTICE is hereby given that on Wednesday, April 14, 1937, at 2 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, viz. —

All the soil and trees of the defined lot of the land called Mahaowita, together with the new masonry built tiled house bearing Municipal assessment No. 41 and all other buildings thereon, situated at Kumbalwella, within the Municipal limits of Galle, Southern Province; and bounded on the north by a road, east by Wackwella road, south by lot 2 of the same land, and west by Parana-ela; containing in extent 13.89 perches.

Writ amount Rs. 504, together with interest on Rs. 450 at 18 per cent. per annum from July 7, 1936, till date of decree (to wit, September 25, 1936), and thereafter on the aggregate amount at 9 per cent. per annum till payment in full.

Fiscal's Office,
Galle, March 17, 1937.

T. D. S. DHARMASENA,
Deputy Fiscal.

In the District Court of Galle.

In the matter of the last will and testament of Ponniah Vettiyale, late of Galle, deceased.

No. 6,947 T.

Cadiravel Letchery of Pothigalawatta Administratrix.

NOTICE is hereby given that on Saturday, April 10, 1937, at 2 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said estate in the following property, viz. —

Undivided one half share of all the soil and trees of the land called Mahamoderawatta, situated at Mahamodera or Dadalla, within the Four Gravets of Galle, Galle District; containing in extent 2 acres and 12 perches; and bounded on the north by Siyambalagahawatta, east by river, south and west by Mahamoderawatta.

Writ amount Rs. 127.32, plus Rs. 20.40 writ costs.

Fiscal's Office,
Galle, March 16, 1937.

T. D. S. DHARMASENA,
Deputy Fiscal.

In the District Court of Galle.

Kana Rupa Vinathethan Chettiyar of Havelock place, Galle, attorney of R. M. S. Lechumanan Pillai of Havelock place, Galle Plaintiff.

No. 34,711.

Vs.

K. T. Thomas de Silva of Batale, presently at Ambalangoda Defendant.

NOTICE is hereby given that on Saturday, April 10, 1937, at 2 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said

defendant (subject to security bond No. 51 dated July 17, 1928, attested by Mr. T. W. Roberts, District Judge, Galle, for Rs. 3,000) in the following property, viz. —

All that defined lot No. 7A of the land called Wellabodawatta alias Paluwatta, situated at Poramba in Wellaboda pattu of Galle District; and bounded on the north by lot A 6 of the same land, east by road, south by Acharigewatta alias portion of this land, and west by lot B 3 of this land; and containing in extent 37 $\frac{1}{10}$ perches, together with all the buildings and plantations standing thereon.

Writ amount Rs. 1,424.66 being principal and interest up to March 2, 1936, and thereafter legal interest.

Fiscal's Office,
Galle, February 10, 1937.

T. D. S. DHARMASENA,
Deputy Fiscal.

In the District Court of Colombo.

Edward George Box, presently in England Plaintiff.

No. 3,959.

Vs.

(1) Alfred Gunaratne of Weligama, (2) Jane de Silva and (3) Patabendige Abraham de Silva, both of Denepitiya, Weligama, (4) Alfred Gunaratne of Weligama, (5) Jane de Silva of Denepitiya, (6) Tuppatrige Abanchi Appu de Silva Kurukulasekere of Weligama, administrator of the intestate estate of Tuppatrige Lilian Kurukulasekere of Weligama, deceased, (7) Herbert Gunaratne of Weligama, deceased, (8) Seena Nana Seena Odayappa Chetty of Kaluwella, Galle, (9) Wilfred Gunasekere, Proctor, Matara, (10) Trixie Muriel Gunaratne nee Fernando, administratrix of the estate of 7th defendant, deceased, substituted in place of 7th defendant, deceased Defendants.

NOTICE is hereby given that by virtue of the order to sell issued to me in the above case and upon the conditions of sale approved by court forming a part of the decree and filed in the record of the said case subject to the primary mortgage bond No. 453 dated October 25, 1926, attested by O. P. Mount of Colombo, Notary Public, will be sold by public auction at the respective premises on Tuesday, April 20, 1937, commencing at 2.30 p.m. the right, title, and interest of the said 1st, 2nd, and 3rd defendants in the following property ordered and agreed to be specially bound and executable for the payment of the sum of Rs. 22,716.44, with interest thereon at 9 per cent. per annum from November 27, 1936, till payment in full and the costs of action, viz. —

All that and those the estate plantations and premises called and known as Kosgahahena, comprising the following allotments of land, which said allotments of land adjoin each other and from their situation as respects each other can be included in one survey, to wit: —

1. All that allotment of land called Kosgahahena, situate at Udukawa in the Weligama korale of Matara District, Southern Province; and bounded on the north by Kitulgala Udumulla, and land said to belong to the Crown, on the east by lands described in plans No. 111,233 and 111,231, on the south by land described in plan No. 111,231, on the south-west by Galamunewela and Minirandolakumbura, land said to belong to the Crown, and on the west by Kitulgahaudumulla; and containing in extent (exclusive of the water-course passing through the land) 138 acres according to the title plan thereof No. 111,232 dated November 5, 1878, authenticated by Mr. A. B. Evers, Surveyor-General.

2. All that allotment of land called Kosgahahena, situate at Udukawa aforesaid; and bounded on the north by land said to belong to the Crown and Mahadola, on the north-east and east by land said to belong to the Crown, on the south-east by land said to belong to the Crown, land described in plan No. 111,234 and water-course, on the south by land described in plan No. 111,231, and on the west by land described in plan No. 111,232; and containing in extent (exclusive of the Mahadola passing through the land) 107 acres according to the title plan No. 111,233 dated November 5, 1878, authenticated by Mr. A. B. Evers, Surveyor-General, registered D 304/21 and 22 in the Matara District Land Registry Office, together with the buildings, bungalows, machinery, fixtures, furniture, tools, implements, cattle, and other the dead and live stock, crops, produce, and appurtenances whatsoever to the said Kosgahahena estate and premises belonging or in anywise appertaining and the full benefit and advantage of all insurances effected thereon and all the estate, right, title, interest, property, claim, and demand whatsoever of them the said 1st and 3rd defendants of, in, to, upon, or out of the said estate and premises.

Deputy Fiscal's Office,
Matara, March 15, 1937.

H. V. F. ABAYAKOON,
Additional Deputy Fiscal.

Northern Province.

31 In the District Court of Jaffna.

Vairavipillai Kathirithamby of Punnalakadduvan who is adjudged a lunatic appearing by his next friend Sivakampillai, wife of V. Kathirithamby of Punnalakadduvan Plaintiff.

No. 8,690.

Vairavipillai Kandiah of Tellipallai Defendant.

NOTICE is hereby given that on Saturday, April 10, 1937, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said plaintiff in the following property for the recovery of Rs. 25 and costs Rs. 42.27½ and poundage and charges, viz. :—

An undivided ¼ share with the share of well lying on the eastern side of a piece of land, situated at Tellipallai East in Tellipallai parish, Valikamam North division of the Jaffna District, Northern Province, called Sithansathavathai, Odai, Kampanai, and Murukuthanai in extent 15 lachams varagu culture with stone-built house, cultivated and spontaneous plants, palmyras and the share of the spontaneous plants and the share of well lying on the northern boundary; and bounded on the east by Arulampalam Kanagasuntharam and brother, Sinnammah, wife of Ponnuthurai, and road, north by Rasammah, wife of Kandiah, Mailvaganam Sinnathambu, and Rasammah, wife of Kandiah, west by Rasammah, wife of Kandiah, and Mailvaganam Sinnathambu, and south by Arulampalam Kanagasuntharam, Sinnammah, wife of Ponnuthurai, Ratnammah, wife of Appathurai, Muttuammah, widow of Swaminather, and her heirs.

Fiscal's Office,
Jaffna, March 15, 1937.

S. TURAIYAPPAH,
for Fiscal.

North-Western Province.

22 In the District Court of Colombo.

Alibhoy Abdulhussan Davoodbhoy of Dam street, Colombo Plaintiff.

No. S 602.

R. Rajaratnam of 127, Kynsey road, Colombo, presently of Munnessaram Defendant.

NOTICE is hereby given that on Tuesday, April 20, 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 Rs. 2,720.75, with interest on Rs. 2,500 at 12 per cent. per annum from October 29, 1935, to March 13, 1936, and thereafter at 9 per cent. per annum till payment in full, costs, and poundage, less Rs. 688.32, viz. :—

The land called Kengahawatta, situate at Munnessaram in Munnessaram pattu of Pitigal korale north (in the District of Chilaw, North-Western Province; and bounded on the north by land claimed by the villagers and the temple, east by Munnessaram tank, south by Theppukulam, and west by cart road; containing in extent about 2 acres.

Deputy Fiscal's Office, Chilaw, March 12, 1937. L. F. ROSA,
Additional Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

32 In the District Court of Colombo.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Mapitigamage Lauris Perera of Pahala Biyanwila, Kadawatta, deceased.

Moderage Don Andris Silva of Pahala Biyanwila, Kadawatta, Ragama Petitioner.

And

(1) Cocilina Perera of Kadawatta, (2) Mapitigamage Appolonia Perera Daniel, wife of G. Daniel, deceased, of Nandagiri, Kadawatta, Ragama, (3) Mapitigamage Kalo of Honanthara, Moratuwa, (4) Mapitigamage Nandawathie Silva, wife of M. D. A. Silva, Pahala Biyanwila, Kadawatta, Ragama Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on January 19,

B 6

1937, in presence of Mr. E. L. Gomes, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 27, 1936, having been read :

It is ordered that the petitioner be and he is hereby declared entitled, 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 4, 1937, show sufficient cause to the satisfaction of the court to the contrary.

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

January 19, 1937.

The date for showing cause is extended for April 22, 1937.

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

32 In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Muttachiamma Sandrasegra of New Chetty street in Colombo, deceased.

(1) Arumugam Sellamuttu of Rosin Road place, Colombo, (2) Hallock Tiruvilangam Ramanachandra of Campbell place in Colombo Petitioners.

(1) Thaiyamayaki Sandrasegra, (2) Saraswathy Sandrasegra, wife of (3) Sinnathamby Sandrasegra of Perera lane, Welawatta, and (4) Thangamma Chitravelu, all of Colombo 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. S. Somanathan, Proctor, on the part of the petitioners above named; and the affidavits (1) of the said petitioners dated February 15, 1937, (2) of the attesting notary also dated February 15, 1937, and (3) of the attesting witnesses dated February 17, 1937, having been read :

It is ordered that the last will of Muttachiamma Sandrasegra, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared that the petitioners are the executors named in the said will and that they are entitled to have probate thereof issued to them accordingly, unless the respondents above named or any other person or persons interested shall, on or before April 22, 1937, show sufficient cause to the satisfaction of this court to the contrary.

February 24, 1937.

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

In the District Court of Kalutara.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Hassana Marikar Notaris Hadjiyar Ahamed Ismail Hadjiyar of Alutgamvidiya, deceased.

Mahamood Marikar Ummu Kuldoon Natchia of Alutgamvidiya Petitioner.

Vs.

(1) Ahamed Ismail Hadjiyar Mohamed Abdul Cader by his guardian *ad litem* (2) Hassana Marikar Notaris Hadjiyar Junaid Marikar of Alutgamvidiya Respondents.

THIS matter coming on for disposal before M. A. Samarakoön, Esq., District Judge of Kalutara, on November 27, 1936, in the presence of Mr. H. M. Saheed, Proctor, on the part of the petitioner, Mahamood Marikar Ummu Kuldoon Natchia of Alutgama; and the affidavit of the said petitioner dated January 13, 1936, having been read : It is ordered that the will of Hassana Marikar Notaris Hadjiyar Ahamed Ismail Hadjiyar of Alutgama, deceased, dated May 31, 1933, 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 February 12, 1937, show sufficient cause to the satisfaction of this court to the contrary. It is further declared that the said Mahamood Marikar Ummu Kuldoon Natchia of Alutgama, widow of the deceased above named, be and she is entitled to have letters of administration with copy of will annexed issued to her, unless the respondents

or any other person or persons interested shall, on or before February 12, 1937, show sufficient cause to the satisfaction of this court to the contrary. It is further declared that the 2nd respondent be and he is hereby appointed guardian *ad litem* over the said 1st respondent, who is a minor, for all the purposes of this action, unless the respondents shall, on or before February 12, 1937, show sufficient cause to the satisfaction of this court to the contrary.

November 27, 1936. M. A. SAMARAKOON,
District Judge.

This Order Nisi is extended for March 19, 1937.

M. A. SAMARAKOON,
District Judge.

In the District Court of Kalutara.
Order Nisi.

Testamentary In the Matter of Estate of the late Ismail Jurisdiction. Lebbe Marikkar Asa Lebbe Marikkar, deceased, of Maggona. No. 2,708.

THIS action coming on for disposal before M. A. Samarakoon, Esq., District Judge of Kalutara, on April 24, 1936, in the presence of M. R. A. Cooray, Proctor, on the part of the petitioner, Assona Lebbe Mohammod Hassen of Maggona; and the affidavit of the said petitioner dated February 27, 1936, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as son of the deceased above named, to have letters of administration to his estate issued to him, unless the respondent, Meera Lebbe Marikkar Pathuma Umma of Maggona, or any other person or persons interested shall, on or before June 2, 1936, show sufficient cause to the satisfaction of this court to the contrary.

April 24/28, 1936. M. A. SAMARAKOON,
District Judge.

Time for showing cause is extended till March 23, 1937.

M. A. SAMARAKOON,
District Judge.

In the District Court of Kalutara.
Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Umange Dalian de Silva, deceased, of No. 2,755. Kuda Waskaduwa.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Kalutara, on March 11, 1937, in the presence of M. D. K. Goonetilleke, Proctor, on the part of the petitioner, Nissangka Agnes de Silva Karunaratne of Kalutara; and the affidavit of the said petitioner dated March 10, 1937, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as widow of the deceased above named, to have letters of administration to his estate issued to her, unless the respondents—(1) Umange Lila Agnes de Silva Wijegunasekare, (2) ditto Percy Gijinton de Silva Wijegunasekare, (3) ditto Berty Newton de Silva Wijegunasekare, (4) ditto Henry Wilfred de Silva Wijegunasekare, (5) ditto Vincy Arwin de Silva Wijegunasekare, and (6) Jayamuni Aron de Silva Waidyatilake of Matugama—or any other 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 6th respondent be and he is hereby appointed guardian *ad litem* over the said 1st to 5th respondents, who are minors, for all the purposes of this action, unless the respondents shall, on or before March 23, 1937, show sufficient cause to the satisfaction of this court to the contrary.

March 11, 1937. M. A. SAMARAKOON,
District Judge.

In the District Court of Kandy.
Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Muttu Kana Rana Karuppen Chettiar, deceased, of Dewakottai in Ramnad District South India. No. 5,472.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on February 9, 1937, in the presence of Messrs. Beven & Beven, on the part of the petitioner, V. M. Subramaniam Pillai; and the affidavit of the said petitioner dated November 19, 1936, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the attorney of the sole heir at law, the son of the above-named deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondent, Muttu Kana Rana Muna Muttiah Chettiar or any other person or persons interested shall, on or before March 22, 1937, show sufficient cause to the satisfaction of this court to the contrary.

February 9, 1937. R. F. DIAS,
District Judge.

In the District Court of Kandy.
Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Awanna Rawanna Mana Ramanathan Chettiar, deceased, of Sevoor in Tirupattour Taluga, Ramnad District, South India. No. 5,474.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on February 9, 1937, in the presence of Messrs. Beven & Beven, on the part of the petitioner, Oona Ramasamy; and the affidavit of the said petitioner dated January 7, 1937, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the attorney of the widow of the above-named deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents—(1) Awanna Rawanna Mana Ramanathan Chettiar's widow, Natchi Amma Natchy, (2) A. R. M. Andiappa Chettiar, (3) A. R. M. Natchiappa Chettiar, (4) A. R. M. Kadiresan Chettiar, and (5) A. R. M. Cassie Chettiar—or any other person or persons interested shall, on or before March 22, 1937, show sufficient cause to the satisfaction of this court to the contrary.

February 9, 1937. R. F. DIAS,
District Judge.

In the District Court of Jaffna.
Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Rasamany, wife of Karthigesu Vijayarajam of Vannarponnai East, deceased. No. 140.

Karthigesu Vijayarajam of Vannarponnai East Petitioner.

(1) Vijayarajam Rajarajam, (2) Vijayarajam Samruganathan, both of Vannarponnai East, (3) Kandiah Madarajah, Town Officer, Matare; the 1st and 2nd respondents are minors by their guardian *ad litem* the 3rd respondent. Respondents.

THIS matter of the petition of the above-named petitioner, praying that letters of administration to the estate of the above-named deceased be issued to the petitioner, coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on September 14, 1936, in the presence of Mr. C. C. Somasegaram, Proctor, on the part of the petitioner; and on reading the affidavit of the petitioner dated July 8, 1935.

It is ordered that letters of administration to the estate of the above-named deceased be issued to the petitioner as the lawful husband of the said deceased, unless the above-named respondents appear before this court on October 9, 1936, and show sufficient cause to the satisfaction of this court to the contrary.

September 22, 1936. C. COOMARASWAMY,
District Judge.

Extended for March 22, 1937.

In the District Court of Jaffna,
Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Sinnappu Thambiturai of Urelu, deceased. No. 204.

Sinnappu Kumara Pillai of Urelu Petitioner.

(1) Thambiturai Karapalay, (2) Saraswathy, daughter of Thambiturai, (3) Thambiturai Chelvarayar (minors) appearing by their guardian *ad litem* (4) Annammal, widow of Thambiturai, all of Urelu Respondents.

THIS matter of the petition of the above-named petitioner, coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on January 15, 1936, in the

presence of Mr. K. Aiyadurai, Proctor, on the part of the petitioner; and the petition and affidavit of the petitioner having been read: It is ordered that letters of administration to the estate of the above-named deceased be granted to the petitioner above named, unless sufficient cause be shown to the contrary on April 29, 1936, to the satisfaction of this court.

February 26, 1936. C. COOMARASWAMY,
District Judge.

Extended and reissued for March 24, 1937.

C. COOMARASWAMY,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Vaitialingam Ramalingam of Karainagar No. 311. West, deceased.

Sethupillai, widow of Vaitialingam Ramalingam of Karainagar West Petitioner.

(1) Sivapakiam, daughter of Ramalingam, (2) Ramalingam Vaitialingam, (3) Ramalingam Subramaniam (minors), and (4) Vaitialingam Muttiar, all of Karainagar West Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on October 12, 1936, in the presence of Mr. T. Arumainayagam, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner dated July 1 and 2, 1936, respectively having been read:

It is ordered that the above-named petitioner be declared entitled to have letters of administration to the estate of the above-named deceased, and that letters of administration be granted to her accordingly, unless the respondents or any other person shall, on or before November 30, 1936, appear before this court and show sufficient cause to the satisfaction of this court to the contrary.

October 9/15, 1936. C. COOMARASWAMY,
District Judge.

Time extended till March 22, 1937.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Appapillai of Thavady, deceased. No. 8,515.

Appapillai Sivagurunathan of Thavady Petitioner.

(1) Appapillai Sithamparanathan of ditto, (2) Nagaratham, daughter of Appapillai of ditto, (3) Retnam, daughter of Appapillai of ditto, (4) Appapillai Navaratnam of ditto, (5) Mageswari, daughter of Appapillai of ditto, (6) Sellachi, widow of Appapillai of ditto Respondents.

THIS matter of the petition of the above-named petitioner, praying for letters of administration to the estate of the above-named deceased be granted to the petitioner, coming on for disposal before C. Coomaraswamy, Esq., District Judge, on November 1, 1934, in the presence of Mr. T. N. Subbiah, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October 29, 1934, having been read: It is declared that the petitioner is the lawful son and one of the heirs of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before November 23, 1934, show sufficient cause to the satisfaction of this court to the contrary.

November 16, 1934. C. COOMARASWAMY,
District Judge.

Order Nisi extended for March 24, 1937.

C. COOMARASWAMY,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Ponnammal, wife of Subramania Sastriar No. 8,641. Narayanasamy Sastriar of Vaddukodai, deceased.

Carthigesar Canapathipillai, Secretary of the District Court of Jaffna Petitioner.

(1) Subramania Sastriar Narayanasamy Sastriar, (2) Narayanasamy Sastriar Visuvanathan, (3) Sathasivakurukkal Ramakrishnasarma, (4) and wife, Kalambal of Vannarponna, (5) Ramasamykurukkal Swami nathakurukkal, (6) and wife, Rasambal of Madduvil, (7) Sarathambal, (8) N. Subramaniam, (9) Rajeswary, (10) Kamadchy, all children of Narayanasamy Sastriar; the 2nd, 7th, 8th and 9th respondents appearing by their guardian *ad litem* (11) K. M. Chellappah, Chief Clerk, District Court, Jaffna Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on February 11, 1937, in the presence of Mr. M. Kathiravelu, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner having been read:

It is declared that the petitioner above named, Secretary of the District Court of Jaffna, is entitled to have letters of administration to the estate of the said intestate, unless the respondents or any other person shall, on or before March 24, 1937, show sufficient cause to the satisfaction of this court to the contrary.

February 11, 1937. C. COOMARASWAMY,
District Judge.

In the District Court of Puttalam.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Ibrahim Naina Parihary Pitchai No. 722. Thamby Marikar of Puttalam, deceased.

Between

(1) Pitchai Thamby Marikar Muhammad Ibrahim Naina Marikar, (2) Pitchai Thamby Marikar Ahmadu Naina Marikar, both of Puttalam Petitioners.

(1) Seeni Meera Saibu, Mohideen Meera Natchchiya, (2) P. T. Marikar Mahamoothu Naina Marikar Hadjiar, (3) P. T. Marikar Mohammad Haniffa Marikar, (4) P. T. Marikar Mohamed Jamaldeen Marikar, (5) P. T. Marikar Hameedu Hussain Marikar, (6) P. T. Marikar Hajara Umma, wife of Seiful Abdeen, (7) P. T. M. Seinambu Natchchiya, wife of Muhammad Naina Marikar, all of Puttalam, (8) Muhammad Ibrahim Naina Marikar Aysha Umma, (9) Muhammad Ibrahim Naina Marikar Muhammad Abu-Salihi, (10) Muhammad Ibrahim Naina Marikar Seyanambu Natchchiya, (11) Muhammad Ibrahim Naina Marikar Muhammad Abdul Rahman, (12) Muhammad Ibrahim Naina Marikar Abdul Hussain; the 8th to 12th respondents minors appearing by their proposed guardian *ad litem* the 1st respondent, (13) Mahmoothu Naina Marikar Hadjiar Muhammad Ibrahim Natchchiya, (14) Mahamoothu Naina Marikar Abdul Caffoor, (15) Mahmoothu Naina Marikar Muhammad Ussen, (16) Mahmoothu Naina Marikar Ummul Hasifa; the 13th to 16th respondents minors appearing by their proposed guardian *ad litem* (17) Muhammad Ismail Muhammad Sulaiha, all of Puttalam Respondents.

THIS matter coming on for disposal before H. Jindasa, Esq., Additional District Judge of Puttalam, on February 15, 1937, in the presence of Mr. H. S. Ismail, Proctor, on the part of the petitioners; and the petition of the petitioners and affidavit, both dated February 12, 1937; and the affidavit of the witnesses to the last will of the said deceased dated February 12, 1937, having been read: It is ordered that the will of Ibrahim Naina Parihary Pitchai Thamby Marikar, deceased, dated November 25, 1936, and now deposited in this court, be and the same is hereby declared proved; It is further declared that the petitioners above named are the executors named in the said will and that they are entitled to have probate of the same issued to them accordingly; and it is further declared that the above-named 1st respondent be and she is hereby appointed guardian *ad litem* over the 8th, 9th, 10th, 11th, and 12th minor respondents and that the 17th respondent be and

she is hereby appointed the guardian *ad litem* over the 13th, 14th, 15th, and 16th minor respondents, unless the respondents above named or any other person or persons interested in the matter of this application shall, on or before March 22, 1937, show sufficient cause to the contrary.

February 15, 1937.

H. JINADASA,
Additional District Judge.

31/ In the District Court of Badulla.
Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Kumaran's son, Ponnambalam, Head
No. B/985. Kangany of Shawlands, Lunugala,
deceased.

Between
Ponnambalam's widow, Veeramma *vs.* Kovindamma
of Shawlands aforesaid. Petitioner.

and
(1) Kumaran's son, Palanandy Kangany of Shawlands
aforesaid, (2) Theivans of Wediwelagama in Pampola
korale, (3) Pakiam of Shawlands aforesaid
said Respondents.

THIS matter coming on for disposal before M. K. T. Sandys, Esq., District Judge of Badulla; on March 5, 1937, in the presence of Mr. K. V. Nadarajah, Proctor, on the part of the petitioner above named; and her affidavit dated March 4, 1937, having been read:

It is ordered that the petitioner above named be and she is hereby appointed administratrix in respect of the estate and effects of the deceased, Kumaran's son, Ponnambalam, Head Kangany of Shawlands, Lunugala, as his lawful widow, and that letters of administration in respect of the above-said estate be issued to her accordingly, unless the respondents above named or any person or persons lawfully interested therein shall, on or before March 30, 1937, show sufficient cause to the satisfaction of this court to the contrary.

March 5, 1937.

M. K. T. SANDYS,
District Judge.

27/ In the District Court of Ratnapura.
Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Valaendeen Mohamed Cassim, of Kaha-
No. 1,054. watta, deceased.

Abdulla Madar Umma of Rakwana Petitioner.

Vs.
(1) Mohamed Cassim Jain Ramou Natchia, (2) ditto
Abdul Cassoor, (3) ditto Mohamed Haniffa, (4) ditto
Amina Umma, (5) ditto Mohamed Sheriff, (6) ditto
Ummu Khatun; 3rd, 4th, 5th, and 6th are minors
by their duly appointed guardian *ad litem* the 2nd
respondent Respondents.

THIS matter coming on for disposal before L. H. de Alwis, Esq., District Judge of Ratnapura, on February 23, 1937, in the presence of Mr. O. M. L. Pinto, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 23, 1937, having been read:

It is declared that the said petitioner above named is the widow of the deceased above named, and that she is entitled to have letters of administration to the estate of

the said deceased issued to her accordingly, unless the above-named respondents or any other person or persons interested shall, on or before March 22, 1937, show sufficient cause to the satisfaction of this court to the contrary.

February 23, 1937.

L. H. DE ALWIS,
District Judge.

27/ In the District Court of Kegalla.
Order Absolute.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Jayasooriya Mudiyansele Biso
No. 1,597. Manika of Mawela in Ganne pattu of
Kalboda korale, Kegalla District,
deceased.

Mirihelle Mankapitiye Mudiyansele Tikiri Banda of
Mawela aforesaid. Petitioner.

THIS matter coming on for final determination before H. A. de Silva, Esq., District Judge of Kegalla, on December 17, 1936, in the presence of Mr. A. I. de S. Abeyewickreme, Proctor, on the part of the petitioner; and the affidavit of the petitioner, (2) the affidavit of one of the attesting witnesses, and (3) the affidavit of the attesting notary dated February 6, 1936, December 12, 1936, and August 25, 1936, respectively having been read:

It is ordered that the last will of the said deceased No. 7,463 dated December 16, 1935, 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 above named petitioner be and he is hereby appointed executor of the said will and that he is entitled to have probate thereof issued to him accordingly.

G. S. SURAWERA,
District Judge.

December 17, 1936.

24/ In the District Court of Kegalla.
Order Absolute.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Don James Randunu Tenna-
No. 1,599. koon Seneviratne of Kegalla, deceased.

E. A. P. Wijeyeratne, Havelock Town, Colombo. Petitioner.

THIS matter coming on for final determination before G. S. Suraweera, Esq., District Judge of Kegalla, on February 11, 1937, in the presence of Mr. R. L. Perera, Proctor, on the part of the petitioner; and the affidavits of the petitioner and of the attesting notary dated November 2 and 3, 1936, respectively having been read:

It is ordered that the last will of the said deceased No. 549 dated February 3, 1932, 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 above-named petitioner be and he is hereby appointed executor of the said will and that he is entitled to have probate thereof issued to him accordingly.

February 11, 1937.

H. A. DE SILVA,
District Judge.

Extended for April 7, 1937.

March 3, 1937.