



THE

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PART II.—LEGAL.

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

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PASSED ORDINANCES.

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

No. 21 of 1938.

L. D.—O 39/37

An Ordinance to amend the Coconut Products Ordinance, No. 13 of 1935.

A. CALDECOTT.

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 Coconut Products Amendment Ordinance, No. 21 of 1938.

Amendment of section 30 of Ordinance No. 13 of 1935.

2 Section 30 of the Coconut Products Ordinance, No. 13 of 1935, is hereby amended as follows :—

- (1) by the insertion, immediately after the definition of "Chairman", of the following new definition :—
"coconut fibre" means fibre manufactured by machinery from the husk of the coconut and includes fibre commonly known as mattress fibre and bristle fibre ;
- (2) in the definition of "coconut products" by the substitution, for all the words from "copra" to "oil ;" of the words, "coconuts, copra, desiccated coconut, coconut oil, coconut poonac, coconut fibre and charcoal made from coconut shells ;" and
- (3) in the definition of "miller" by the substitution, for the words "coconut or coconut oil" of the words "coconut, coconut oil, or coconut fibre".

Passed in Council the Twenty-first day of June, One thousand Nine hundred and Thirty-eight.

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Governor the Twenty-seventh day of June, One thousand Nine hundred and Thirty-eight.

E. R. SUDBURY,
Secretary to the Governor.

LIST OF JURORS AND ASSESSORS.

SOUTHERN PROVINCE—Tangalla District.

LIST of Persons in the Tangalla District, Southern Province, qualified to serve as Jurors and Assessors, under the provisions of "The Criminal Procedure Code, 1898", as amended by Ordinance No. 1 of 1910, for the year July 1, 1938, to June 30, 1939.

N.B.—The Jurors numbered in a separate series in the left of those indicating ordinary Jurors are qualified to serve as special Jurors. New names added are denoted by an asterisk.

ENGLISH-SPEAKING JURORS.

- 1 Abeyesiriwardena, D. A., kachcheri mudaliyar, Hambantota
- 2*Alagaratnam, J. H. A., second clerk, Kachcheri, Hambantota
- 3 Amarasekera, H. E., pensioner, Hambantota
- 4 Andrado, P. M., chief clerk, Kachcheri, Hambantota
- 5 Aziez, P. S. A., trader, Hambantota
- 6 Cassim, T. H. A., landed proprietor, Hambantota
1. 7 Dahanayake, H. A., landed proprietor, Aggrahera
- 8 David, S., chief clerk, Public Works Department, Hambantota
- 9 Dias, P. B., chief clerk, District Road Committee, Hambantota
- 10*Dias, E., clerk, Kachcheri, Hambantota
- 11 Doole, B. Ran, landed proprietor, Hambantota
- 12*Doole, B. Rib, pensioner, Hambantota
2. 13 Ediriweera, Mendis, landed proprietor, Tangalla
- 14 Fernando, J. V., inspector, Public Works Department, Hambantota
- 15*Fernando, L. J. N., treasury officer, Tangalla
- 16 Fernando, C. L. T., teacher, Christ Church College, Tangalla

3. 17 Gunasekera, F. H. S., district engineer, Public Works Department, Hambantota
- 18 Gunasekera, B., clerk, Additional Provincial Registrar's Office, Hambantota
- 19 Gunasekera, J., clerk, Divisional Irrigation Engineer's Office, Tangalla
- 20 Haniffa, A. L. M., landed proprietor, Hambantota
- 21 Hanifa, U. L. M., landed proprietor, Hambantota
- 22 Hayden, R. C., cultivation officer, Ambalantota
- 23 Hewakopara, B. S., irrigation overseer, Mamadala
- 24 Jamion, B. T., clerk, Kachcheri, Hambantota
- 25 Junaido, A. H. M., trader, Hambantota
- 26 Jayasinha, P. R. P., teacher, Christ Church College, Tangalla
- 27 Kamar, P. M. M., agent, Shell Co., Tangalla
- 28 Kanagasuntharie, O. M., irrigation sub-inspector, Hambantota
- 29 Kandiah, S. T., irrigation inspector, Ridiyagama
- 30 Kanaganayagam, T., salt inspector, Hambantota
- 31 Kuruneru, C., trader, Hambantota
- 32 Kock, E. R. F., special licensed surveyor, Netolpitiya
- 33 Liyanage, D. U., clerk, Public Works Department, Hambantota
- 34 Lobo, F. A. A., irrigation officer in charge, Wiraketiya
- 35 Madawela, F. C., superintendent, Minor Roads, Tangalla
- 36 Marjan, G. A., clerk, Kachcheri, Hambantota
- 37 Meedin, M. Z., clerk, Irrigation Engineer's Office, Ridiyagama
- 38 Murrath, C. L. M., clerk, Irrigation Office, Tangalla
- 39 Mutaliph, T. C., salt storekeeper, Kirinda
- 40 Obeyinha, W. C., landed proprietor, Tangalla
- 41 Outschoorn, R. W., pensioner, Hambantota
- 42 Ponnambalam, A., irrigation sub-inspector, Tangalla
- 43*Perera, D. P. W. E., irrigation inspector, Tissamaharama
- 44 Rajapaksa, D. E., landed proprietor, Medamulana, Wiraketiya
- 45 Ranaweera, S. H., trader, Hambantota
- 46 Ratnayake, J. A., special licensed surveyor, Tangalla
- 47 Rodrigo, C., superintendent, Village Works, Tangalla
- 48 Samuel, N. D., principal, Christ Church College, Tangalla

- 49 Samaravickrama, S., cultivation officer, Tissamaharama
 50 Scharenguivel, H. O. T., engineer in charge, Tissamaharama
 51 Senanayake, J. E., landed proprietor, Tangalla
 52*Sharief, P. S. M., clerk, Public Works Department, Hambantota
 53*Silva, N. G. de, irrigation clerk, Kachcheri, Hambantota
 54 Singappuli, W., agricultural instructor, Middeniya
 55 Thajudeen, M. T., shroff, Kachcheri, Hambantota
 56 Vaz, F. L., superintendent, Collette estate, Ambalantota
 57*Webb, F. R. G., divisional irrigational engineer, Tangalla
 58 Wickramasinghe, J., landed proprietor, Tangalla
 59 Wickramasinghe, P. de S., proprietary planter, Tangalla
 60 Wickramasinghe, L. D., clerk, Land Registry, Tangalla
 61 Wickramasinghe, G. W. N., clerk, Kachcheri, Hambantota
 62 Wickramasuriya, D. A., landed proprietor, Beliatta
 63 Wijesekera, J. de S., chena surveyor muhandirana, Walasmulla
 64 Wijesinghe, W. E. P., clerk, Kachcheri, Hambantota
 65 Wijesinghe, A. W., landed proprietor, Wauwa
 66 Wijesinghe, C. St. F. A., landed proprietor, Kanumuldeniya
 67 Wijesinghe, R., registrar of lands, Tangalla
 68 Wirthamulla, S. D., clerk, Land Registry, Tangalla

Tangalla, June 27, 1938.

P. D. WEERAMAN,
 Additional Deputy Fiscal.

DISTRICT AND MINOR COURTS NOTICES.

Destruction of Valueless Records.

IN terms of section 6 of Ordinance 12 of 1894, it is hereby notified for general information that three months hence the valueless records of Criminal cases decided in the Police Court of Galle during the period of January 1 to December 31, 1932, and Civil cases decided in the Court of Requests of Galle from January 1, 1909, to December 31, 1927, will be destroyed.

Any person interested in any record referred to above may, personally or by Proctor, or by duly authenticated petitions claim upon good cause shown, that such record may not be destroyed.

Police Court,
 Galle, July 1, 1938.

N. SINNETAMBY,
 Police Magistrate and
 Commissioner of Requests.

SINHALESE-SPEAKING JURORS.

- 1 Abeygunawardena, D. E. S., landed proprietor, Dedduwawala
- 2 Alahapperuma, D. H., landed proprietor, Beminiyanwila
- 3 Amadoru, O. J., landed proprietor, Minietiliya
- 4 Amarasinghe, D. J., contractor, Tangalla
- 5 Amarasinghe, D. S., overseer, arachchi, Public Works Department, Tangalla
- 6 Amarasinghe, P., overseer, Public Works Department, Tangalla
- 7 Andrahennedi, D. D. de S., landed proprietor, Mawella
- 8 Andrahennadi, D. N. de S., landed proprietor, Mawella
- 9 Appu, Jatun Arachchige Dineris, landed proprietor, Ovilana
- 10 Atapattu, D. J., landed proprietor, Nakulugamuwa
- 11 Dahanayake, F., trader, Kanumuldeniya South
- 12 Daluwatta Don Andris, landed proprietor, Mamadala
- 13 Dyonis Appu, Wella Kankanange, landed proprietor, Palapota
- 14 Dissanayake, D. D. J., landed proprietor, Pallegama
- 15 Dissanayake, D. H. K., landed proprietor, Beminiyanwila
- 16 Dissanayake, D. N. M., landed proprietor, Katuwana
- 17 Dissanayake, D. M. W., landed proprietor, Welipitiya
- 18 Edirisinghe, M., overseer, Public Works Department, Hambantota
- 19 Ediriwickrama, D. D., landed proprietor, Walgandiya
- 20 Galapatty, D. A., landed proprietor, Mawella
- 21 Hendrick, Liyanage Don, landed proprietor, Palapota
- 22 Jayawickrama, Don Eliyas, landed proprietor, Modarawana
- 23 Jayasuriya, S. M. P., trader, Hambantota
- 24 Juliyas Tuppathi Baduge, landed proprietor, Katuwana
- 25 Lewis, Wagachchige Don, landed proprietor, Palapota
- 26 Mathes, Jatun Arachchige Don, landed proprietor, Ovilana
- 27 Sabapathy, D. D., landed proprietor, Ambalantota
- 28 Samarasinghe, R. M., trader, Ambalantota
- 29 Samichchi Appu, T. P., trader, Hambantota
- 30 Silva, P. H. M. de, landed proprietor, Hambantota
- 31 Silva, Alahendra, G. de S., landed proprietor, Angulmaduwa
- 32 Silva, J. M. N. de, landed proprietor, Nakulugamuwa East
- 33 Silva, H. H. S., trader, Hambantota
- 34 Singho Appu, V., landed proprietor, Tangalla
- 35 Siriwarnasinghe, D. H., landed proprietor, Hatagala
- 36 Siyadoris, A. M., landed proprietor, Welipatanwila
- 37 Siyadoris, Kumarasin Wanniachchige Don, landed proprietor, Kadurupokuna
- 38 Vidanapatirana, D. D. M., landed proprietor, Etbatuwa
- 39 Weeraman, D. D. R., landed proprietor, Pallegama
- 40 Weerawarna, D. A., landed proprietor, Kiula
- 41 Wijedoru, D. D. P., landed proprietor, Sinimodara
- 42 Wijesuriya, D. N., landed proprietor, Welipatanwila
- 43 Wijesuriya, S. A., landed proprietor, Tillawatawana
- 44 Wijetunga, M. de S., landed proprietor, Sinimodara

TAMIL-SPEAKING JURORS.

- 1 Abdul Latiff, S. K., trader, Hungama
- 2 Abdul Majid, A. L. M., trader, Tangalla
- 3 Ahamadu Lebbe, Pitche Bawa, trader, Hungama
- 4*Amath, T. B. K., pensioner, Hambantota
- 5*Buhary, A. L. M., trader, Hambantota
- 6 Cassim, P. S. M., trader, Tangalla
- 7*Cassim, A. L., salt trader, Hambantota
- 8*Cassim, T. M. A., landed proprietor, Hambantota
- 9 Deen Usuph, contractor, Hambantota
- 10*Hamid, A. L. M. Abdul, trader, Hambantota
- 11*Hanifa, P. M., trader, Hambantota
- 12*Ismail, M. L. M., trader, Hambantota
- 13*Khalid, A. H. M., trader, Hambantota
- 14*Latiff, P. S. A., landed proprietor, Hambantota
- 15*Mahamood, M. C., contractor, Hambantota
- 16*Maharoor, K. M., salt trader, Hambantota
- 17*Mohammath, A. L., trader, Hambantota
- 18*Mohammath, M. L., salt trader, Hambantota
- 19*Mowlana, S. I. H., landed proprietor, Hambantota
- 20*Mowlana, S. M. Makbool, trader, Hambantota

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,105. In the matter of the insolvency of Ana Pana Vana Packeer Mohideen Marikar and Ana Pana Vana Varsa Mohideen Marikar, carrying on business at 180, Gasworks street, Pettah.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on August 30, 1938, for the grant of a certificate of conformity to the insolvent.

June 28, 1938.

By order of court, A. C. BELING,
 Secretary.

In the District Court of Colombo.

No. 5,196. In the matter of the insolvency of Chelliah Selvadurai Vincent of Wattala.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on August 2, 1938, for the grant of a certificate of conformity to the insolvent.

June 28, 1938.

By order of court, A. C. BELING,
 Secretary.

In the District Court of Colombo.

No. 5,199. In the matter of the insolvency of Dialmal Ramchand of Marahagama in Pallepattu, Colombo District.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on August 23, 1938, for the grant of a certificate of conformity to the insolvent.

June 28, 1938.

By order of court, A. C. BELING,
 Secretary.

In the District Court of Colombo.

No. 5,209. In the matter of the insolvency of Eric Verne Joseph of Wellawatta.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on August 23, 1938, for the grant of a certificate of conformity to the insolvent.

June 28, 1938.

By order of court, A. C. BELING,
 Secretary.

In the District Court of Colombo.

No. 5,237. In the matter of the insolvency of Vistrini Alexes Baldsing of 26/3, Silversmith lane, Colombo.

WHEREAS the above-named V. A. Baldsing has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by D. A. Weerasinghe of Queen Mary's road, Gampaha, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said V. A. Baldsing, insolvent accordingly; and that two public sittings of the court, to wit, on August 2, 1938, and on September 6, 1938, 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, A. C. BELING,
June 28, 1938. Secretary.

In the District Court of Kandy.

No. I. 1. In the matter of the insolvency of P. Ambalawar of 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 July 29, 1938, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, R. MALALGODA,
June 25, 1938. Secretary.

In the District Court of Kandy.

No. 2,145. In the matter of the insolvency of K. R. Ranaweera of 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 July 29, 1938, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, R. MALALGODA,
June 25, 1938. Secretary.

In the District Court of Nuwara Eliya.

No. 28. In the matter of the insolvency of Mawalage Don Vincent of Kotmale.

NOTICE is hereby given that a sitting of this court will be held on July 22, 1938, for proving of further claims and appointment of an assignee.

By order of court, E. DE S. GUNAWARDENE,
June 24, 1938. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

N. M. Abdul Caffoor of 207, Second Cross street, Pettah, Colombo Plaintiff.
No. 2,458/S. Vs.

(1) Mrs. Florence Perera of Singhagiri, Lunawa, Moratuwa, and another Defendants.

NOTICE is hereby given that on Tuesday, August 2, 1938, will be sold by public auction at the respective premises the right, title, and interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 1,900, together with legal interest thereon at 9 per cent. per annum from March 8, 1938, till payment in full, viz. :—

(1) At 3.30 p.m.—All that land called Dicklanda *alias* Lansiyawatta, situated at Mandawala in the Gangaboda pattu of Siyane korale in the District of Colombo, Western Province; bounded on the east by the field of Peter Perera, west by the field of Marasingha Appu, south by land of Suwaneris Appu and others, and north by the ditch of the same land, containing in extent about 16 acres.

(2) At 3.45 p.m.—All that land called Dicklanda, situated at Mandawala (Mahamandawala) aforesaid; bounded on the east by the field of Marasinghearatchige Belenis Vedamahathmaya and others, west by the field of Welappulekamalage Bastian Perera, north by the barbed wire fence of the same land, south by the ditch of the land of Marasinghe Aratchige Podi Singho and others, in extent about 12 acres.

Fiscal's Office, J. R. TOUSSAINT,
Colombo, June 29, 1938. Deputy Fiscal.

In the District Court of Colombo.

The Chettinad Bank, Limited, of Pudukottai. . . . Plaintiff.

No. 6,021. Vs.

Chidambaram Chettiar, son of Muthappa Chettiar of Sea street in Colombo. . . . Defendant.

NOTICE is hereby given that on Monday, July 25, 1938, at 4 p.m., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 47,465, with interest on Rs. 43,829 annas 11 pies 5 at 5 per cent. per annum from October 15, 1936, to December 2, 1937, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full less the sums of Rs. 2,500 and Rs. 170, viz. :—

All that allotment of land bearing assessment No. 44c presently bearing assessment No. 214, Pickerings road, Kotahena, within the Municipality and District of Colombo, Western Province; and bounded on the north by Pickerings road, east by house and premises No. 44b, the property of David Dewapuraratne, south by property of Constantine Silva, and west by house and premises No. 44b of W. M. de Costa and others, containing in extent 4 55/100 perches. Registered A 115/167.

Fiscal's Office, J. R. TOUSSAINT,
Colombo, June 30, 1938. Deputy Fiscal.

In the District Court of Colombo.

Muthu Kana Layna Muthucaruppen Chettiar also known as M. I. T. K. L. Muthucaruppen Chettiar of 95, Sea street in Colombo Plaintiff.

No. 8,008. Vs.

(1) Uduma Lebbe Marikar Mohammadu Allie of 91, Van Rooyen street in Colombo, (2) B. D. Amit of Dam street, Colombo, assignee of the insolvent estate of Uduma Lebbe Marikar Mohammadu Allie the 1st defendant, and (3) G. E. de Alwis of Hulftsdorp, Colombo, Secretary of the District Court, Colombo Defendants.

NOTICE is hereby given that on Wednesday, August 3, 1938, at 3 p.m., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 3,996 dated February 26, 1935, attested by S. Somasundaram, 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 May 26, 1938, for the recovery of the sum of Rs. 1,766.81, with interest on Rs. 1,365 at 15 per cent. per annum from February 8, 1938, till April 4, 1938, and thereafter on the aggregate amount at 9 per cent. per annum limited to two years or till payment in full whichever is shorter, viz. :—

All that allotment of land called Delgahawatta with the buildings and plantations thereon formerly bearing assessment Nos. 407A1, 407A2, 407A3, and 407A4 and later Nos. 79, 79A, 79B, and 79c and presently bearing assessment Nos. 99, 99/1, 101, and 103, Kolonnawa road of ward No. 4, situated at Egoda Kolonnawa in Ambatalenpahala, Alutkuru korale south, within the Municipality and District of Colombo, Western Province; and bounded on the north by the property of J. Misso, presently belonging to H. L. Perera and A. Dep, on the east by the cart road leading to cabook quarry the property of A. Dep, on the south by the high road leading from Wellampitiya to Dematagoda, and on the west by the remaining portion of this land allotted to Edmund Silva and others, containing in extent 1 rood and 35 63/100 square perches. Prior registration B 303/96.

Fiscal's Office, J. R. TOUSSAINT,
Colombo, June 29, 1938. Deputy Fiscal.

In the Court of Requests of Colombo.

Maria Theresa Anandappa of Kotahena street, Colombo Plaintiff.

No. 32,608. Vs.

(1) Juliana Silva, and (2) Angoda Bandarage Don Charles Perera (wife and husband), both of 53, Nagalagan street in Colombo Defendants.

NOTICE is hereby given that on Friday, July 22, 1938, at 4 p.m., will be sold by public auction at the premises the following property for the recovery of the sum of Rs. 300

with legal interest thereon from June 3, 1937, till payment in full, and costs incurred Rs. 31.25 and costs prospective Rs. 12.50, viz. :—

The right, title, and interest of the defendants in and to the unexpired term of the lease No. 1,669 dated December 2, 1935, attested by B. O. Pullenayagam, Notary Public, in the following property :—

All those two allotments of land marked lots B and B 1, shaded lake in plan, situated at Nagalagam street and Victoria Bridge road, within the Municipality and District of Colombo, Western Province, bearing assessment No. 53, Ward No. 755/756 presently bearing assessment Nos. 755/53 (1-7), 756/53 (8-11), Nagalagam street, and 1579H/53 (2), Madampitiya Cemetery road and now bearing assessment Nos. 177 and 177 (1-9), Nagalagam street, Grandpass in Colombo; bounded on the north-east by lots A and A allotted to Philip Silvapulle, on the south-east by Nagalagam street, on the south-west by lots C and C 1 allotted to Philip Gaitan Fernandopulle, and on the north-west by Bokku-ela; containing in extent 2 roods and 14.74 square perches according to the plan and survey thereof dated May 9 and 11, 1896, made by D. Devapuraratne, Surveyor, excluding therefrom a portion in extent 22.74 perches acquired by the Crown.

Fiscal's Office,
Colombo, June 29, 1938.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Negombo.

Arthur Victor Pereira of Negombo Plaintiff.
No. 10,100. Vs.

Robert Jayatilake of Divulapitiya Defendant.

NOTICE is hereby given that on Thursday, July 28, 1938, commencing at 4 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, viz. :—

1. An undivided one-fifth share lying third when equally divided across the sun and counted from west to east and the buildings standing thereon of the portion of land called Kussalagala, situate at Kussala in Ragam pattu of Alutkuru korale in the District of Colombo, Western Province; and bounded on the north by a portion in extent 1 acre of this land gifted with church land of Abeysekera Wannakuwa-arachchige Niwanis and portion in extent 1 acre of this land gifted to A. Paulu Fernando, east by the land of Abeysekera Wannakuwa-arachchige Don Bastian, Don Siman, and Don Hendrick, south by the land of Kachchakaduge Lewis Fernando, Polwatuge Solomon Costa, and Kachchakaduge Cornelis Fernando, and west by the lands of Haputantrige Paulu Kulatunga, Don Andris, and Don Babappu; containing in extent 52 acres 2 roods and 30 perches.

2. The northern portion of Kussalagala, situate at Kussala aforesaid; and bounded on the north by the land of Abeysekera Wannakuwa-arachchige Don Juwanis, east, south, and west by the remaining portion of this land of Hendalaliyenege Waleriyan Perera; containing in extent 1 acre.

3. The land called Millagahawatta, situate at Kotarupe in Ragam pattu of Alutkuru korale in the District of Colombo, Western Province; and bounded on the north by the garden of L. Siman and others, east by the garden of A. Don Niwanis, Vel Vidane, south by Crown land, and west by portion of this land purchased by Don Daniel formerly of M. Lekamappu; containing in extent 4 acres.

Amount to be levied Rs. 613.40, with interest on Rs. 500 at 9 per cent. per annum from March 20, 1937, till payment in full, plus Rs. 14 and less Rs. 475.

Deputy Fiscal's Office,
Negombo, June 28, 1938.

A. W. ROSA,
Deputy Fiscal.

In the District Court of Kalutara.

Vidanerallage Paulu Silva of Matugama (dead) . . . Plaintiff.

Sam Marcus Silva of St. Mark estate, Matugama, executor of the last will and testament of the estate of the late V. Paulu Silva Substituted Plaintiff.

No. 17,894. Vs.

(1) Don Thomas Alexander Goonewardena of Paiyagalaga (dead), (2) Don Edmund Seneviratne of Diyagalagoda presently at Paiyagalaga South, (3) Vidanerallage Dona Agnes Suwaris presently of Kalutara, legal representative of the estate of the 1st defendant, deceased Defendants.

NOTICE is hereby given that on Thursday, July 28, 1938, commencing at 3.30 in the afternoon, will be sold by public auction at the respective premises 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. 13,000, with interest thereon at the rate of 9 per cent. per annum from January 18, 1933, till payment in full and costs of suit Rs. 284.85, viz. :—

1. An undivided 16/20 share of the soil and trees together with the entirety of the five boutique rooms adjoining the high road and standing thereon of the land called the northern halfshare portion of Daladawatta, situated at Paiyagalaga in Paiyagal badda of the Kalutara totamune in the District of Kalutara, Western Province; and bounded on the north by Galagawawatta, east by ela, south by the other halfshare portion of the same land, and on the west by the high road; and containing in extent about 1 acre and 30 perches.

2. Soil, trees, and buildings of all that allotment of land called the southern halfshare portion of Daladawatta, situated at Paiyagalaga aforesaid; and bounded on the north by the other halfshare portion of the same land, east by ela, south by Kanewatta alias Liyannawatta, and on the west by the high road; and containing in extent 1 acre and 29 94/100 perches.

Deputy Fiscal's Office,
Kalutara, June 27, 1938.

H. SAMERESINGHA,
Deputy Fiscal.

Central Province.

In the Court of Requests of Kandy.

N. W. Senaratne Banda of Walgowwagoda Plaintiff.
No. 22,443. Vs.

(1) P. B. Abeykoon, (2) Anula Aluwihare of Udurawana in Pata Dumbara Defendants.

NOTICE is hereby given that on Friday, July 29, 1938, at 2 p.m., will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

All that land called Dombagahamulahena (now garden) of about 2 pelus and 6 labas in paddy sowing in extent, situate at Udurawana in Pallegampaha of Lower Dumbara, in the District of Kandy, Central Province; and bounded on the east and south by the ditch of Kahatagasmudunewalawwehena (now watta), west by the fence of Ambagaspitiyewatta, and north by the fence of Kalu Duraya's land together with the newly built Mangalore tiled house, plantations and everything thereon. Registered in E 231/34 at the Kandy Land Registry Office.

Amount of writ: Rs. 273.25 with interest on Rs. 175 from June 21, 1937 till March 3, 1938, and thereafter legal interest on the aggregate amount and poundage.

Fiscal's Office,
Kandy, June 28, 1938.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Kandy.

Sena Kawanna Nagoor Meera of Nawalapitiya . . Plaintiff.
No. 46,658. Vs.

Muhandiramelegedara Omer Lebbe Mohamadu Abdul Cader of Balantota in Nawalapitiya Defendant.

NOTICE is hereby given that on Monday, July 25, 1938, at 3 p.m., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 193 dated June 21, 1933, attested by C. E. A. de Silva 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 December 22, 1936, for the recovery of the balance sum of Rs. 16,000, with legal interest from April 1, 1938, and costs of suit and poundage, viz. :—

An undivided one half part or share of and in all that tea estate called and known as Weralugollehena of 80 amunams in paddy sowing extent in the whole (part of Niyandagalahena), situate at Dekinda and Medagama in Pasbage korale of Uda Bulatgama palata in the District of Kandy, Central Province; and bounded on the north and east by lands belonging to the Crown, west by land belonging to Omer Lebbe and natives, and south by land belonging to Mr. Swan, together with a like share of the buildings, plantations, and everything thereon, which said tea estate called and known as Weralugollehena is also described in the figure of survey bearing dates April 18, 1933, and June 5, 1933, made by P. Spencer, Licensed Surveyor; as bounded on the north by Mr. W. P. Swan's estate now of Hynford estate and the other portion of this land surveyed by Mr. Buyzer, east by Mr. W. B. Swan's estate now Hynford estate and Crown land, south by Crown land, and

west by land sold to Mr. H. O. Lebbo and lands said to belong to villagers and Crown land; containing in extent 169 acres 3 roods and 21 perches according to the said survey; and registered in L 23/107 and all the right, title, interest, and claim whatsoever of the said defendant in, to, upon, or out of the said several premises mortgaged by the defendant.

Fiscal's Office,
Kandy, June 23, 1938.

H. C. WIJESINHA,
Deputy Fiscal. ○

In the District Court of Kandy.

Kuna Satappen Kangany of Pupuressa in Kandukarapahala korale of Udapalata Plaintiff.

No. 48,578.

Vs.

Bethge Mudiyanseledara Siyatu Vedarale of Pattiya-mulla in Gandahe korale of Lower Hewaheta. . Defendant.

NOTICE is hereby given that on Saturday, July 30, 1938, at 2 P.M., will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 29,466 dated August 16, 1930, and attested by J. W. Wickremasinghe 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 May 30, 1938, for the recovery of the sum of Rs. 1,000 with interest thereon at the rate of 9 per cent. per annum from July 19, 1937, till payment in full and poundage, viz. :—

1. All that northern portion in extent about 3 pelas paddy sowing out of all that land called Mahenemullehena alias watta of 3 amunams paddy sowing extent in the whole, situate at Haputale in Gandahe korale of Lower Hewaheta in the District of Kandy, Central Province; and which said northern portion being bounded on the east by limit of the remaining portion belonging to Bilinda, south and west by high road, and north by oya, together with everything thereon. Registered G 149/210 Kandy.

2. An undivided one half share out of undivided two-third shares out of all that land called Hitinagedarawatta of one pela paddy sowing extent in the whole, situate at Pattiya-mulla in Gandahe korale aforesaid; the entirety being bounded on the east by wela, south by ditch of Jayasingederawatta, west by Gansabhawa road, and north by limit of Wattedederawatta together with a like share of the plantations and the straw thatched house in its entirety, registered in G 149/211 Kandy, and all the right, title, interest, and claim whatsoever of the defendant in, to, upon, or out of the said several premises mortgaged by the defendant.

Fiscal's Office,
Kandy, June 28, 1938.

H. C. WIJESINHA,
Deputy Fiscal.

Southern Province.

In the District Court of Galle.

Haji Ahmed Lebbo Marikkar Syesha Umma of Dandagedera Plaintiff.

No. 28,754.

Vs.

(23) P. O. K. Mohammed Abdulla of Talapitiya, Galle, and others Defendants.

NOTICE is hereby given that on Saturday, July 23, 1938, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 23rd, 24th, 13th, 14th, 15th, 16th, 20th, 8th, 11th and 12th defendants in the following property, viz. :—

1. *Against 23rd defendant.* Writ amount Rs. 615·32 plus writ costs.—All that lot marked letter C of the land called Godadeniya estate comprising of the following lands to wit: Dolaliyaddekumbura, Godadeniyakanda, Godadeniya Pahala Udumulla, Godadeniya Duwa, Punchi Deniya, Babuwegedeniya, Rajaunkalagoda, situated at Narawala, Talgasyaya and Niyagama villages in the Four Gravets of Galle in the District of Galle, Southern Province; and which said lot is bounded on the north by lot marked letter B of this land, east by lot marked letter D of this land and Heenpandeniya, south by lot marked letter E of this land, and west by lot marked letter A of this land; and containing in extent 3 acres and 31 perches.

2. *Against the 24th defendant.* Writ amount Rs. 405·32 plus writ costs.—All that lot marked letter E of the land called Godadeniya estate aforesaid; and which said lot is

bounded on the north by reservation for a path and lot marked letter C of this land, east by reservation for a path, south by lot marked letter A of this land, and west by lot marked letter A of this land; containing in extent 3 acres and 31 perches.

3. *Against the 13th and 14th defendants.* Writ amount Rs. 220·51 plus writ costs.—All that lot marked letter F¹ of the land called Godadeniya estate aforesaid; and which said lot is bounded on the north by a reservation for a path, east by land bearing T. P. 252,445 and lot marked letter G of this land, south by lot marked letter F² of this land, and west by lot marked letter A of this land; and containing in extent 2 acres 1 rood and 12 perches.

4. *Against the 15th and 16th defendants.* Writ amount Rs. 134·42 plus writ costs.—All that lot marked letter F² of the land called Godadeniya estate aforesaid; and which said lot is bounded on the north by lot marked letter F¹ of this land, east by lot marked letter G of this land, south by lot marked letter F³ of this land, and west by lot marked letter A of this land; and containing in extent 1 acre 1 rood and 24 perches.

5. *Against the 20th defendant.* Writ amount Rs. 354·40 plus writ costs.—All that lot marked letter F³ of the land called Godadeniya estate aforesaid; and which said lot is bounded on the north by lot F² of this land, east by lot marked letter G of this land, and Crown reservation, south by land bearing T. P. No. 239,294, and west by land bearing T. P. No. 222,657; containing in extent 3 acres 2 roods and 36 perches.

6. *Against the 8th, 11th and 12th defendants.* Writ amount Rs. 300·43 plus writ costs.—All that lot marked letter H of the land called Godadeniya estate aforesaid; and which said lot is bounded on the north by land bearing T. P. No. 277,486 and Crown reservation, east by Crown reservation and Gansabhawa path, south by land bearing T. P. No. 221,852 and Yaddhegawatta and lot marked letter K of this land, and west by land bearing T. P. No. 205,938 and lot marked letter G of this land; and containing in extent 15 acres 3 roods and 34 perches.

Writ amount Rs. 2,230·49 plus Rs. 17·82 writ costs.

Fiscal's Office,
Galle, June 25, 1938.

T. D. S. DHARMASENA,
Deputy Fiscal.

In the District Court of Tangalla.

Abeydeera Patabendige Sinnoappu of Mawella . . Plaintiff.

No. 2,115.

Vs.

(17) Denagama Vitaranage Bachchiappu of Mawella, and others Defendants.

NOTICE is hereby given that on Saturday, July 23, 1938, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 202·38½ and poundage, viz. :—

At Mawella.

(1) The undivided 54/268 shares of lot G of the land called Kadurugasippeniyewatta in extent 2 roods and 37·97 perches, situated at Mawella in West Giruwa pattu of the Hambantota District; and bounded on the north by Mawelikalapuwa; east by lot H, south by road, and west by lot F (for the recovery of Rs. 45·17½ from the 17th defendant.)

(2) The undivided 54/268 shares of lot G of the land called Kadurugasippeniyewatta in extent 2 roods and 37·97 perches, situated at Mawella aforesaid; and bounded on the north by Mawelikalapuwa, east by lot H, south by road, and west by lot F (for the recovery of Rs. 40 from the 18th defendant as guardian over the minors, 19th-23rd defendants.)

(3) The undivided 33/485 shares of lot K of the land called Kadurugasippeniyewatta in extent 28·46 perches, situated at Mawella aforesaid; and bounded on the north by ela, east by ela, south by road, and west by lot J (for the recovery of Rs. 8·69 from the 27th defendant as guardian over the minor, 28th defendant.)

(4) The undivided 332/485 shares of lot K of the land called Kadurugasippeniyewatta in extent 28·46 perches, situated at Mawella aforesaid; and bounded on the north by ela, east by ela, south by road, and west by lot J (for the recovery of Rs. 87·32 from the 37th defendant.)

(5) The undivided 13/51 shares of lot H of the land called Kadurugasippeniyewatta in extent 2 roods and 4·20 perches, situated at Mawella aforesaid; and bounded on the north by ela and lot M, east by lot I, south by road, and west by lot G (for the recovery of Rs. 18·20 from the 4A and 4B defendants.)

(6) The undivided 1/24 share of lot C of the land called Kadurugaspittenyewatta in extent 1 rood and 28.41 perches, situated at Mawella aforesaid; and bounded on the north by Mawelikalapuwa, east by lot D, south by road, and west by lot B (for the recovery of Rs. 3 from 16c for himself and as guardian over the minors, 16A and 16B defendants.)

Deputy Fiscal's Office, P. D. WEERAMAN,
Tangalla, June 23, 1938. Additional Deputy Fiscal.

In the District Court of Tangalla.

Hector Dias Seneviratne of Kurunegala, presently of
Galle Plaintiff.
No. 4,107. Vs.

Usuph Deen Thassim of Hambantota Defendant.

NOTICE is hereby given that on Saturday, July 23, 1938, commencing at 9 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following mortgaged property for the recovery of Rs. 741.33, with further legal interest on Rs. 698.54 from June 10, 1938, and poundage, viz. :—

At Hambantota.

(1) All that undivided one-half ($\frac{1}{2}$) share of the soil and the entirety of the boutique bearing assessment No. 134 (now No. 77) of the allotment of land whereon stand the five boutique buildings bearing assessment Nos. 130, 131, 132, 133, and 134, situated at Jail street, now called Bazaar street, within the Four Gravets of Hambantota in Magam pattu of the Hambantota District; bounded on the north by Crown land, east by Jail street (now Bazaar street), south by Mahavidaneralahamigegeya, west by Mammatgegeya; containing in extent about 20 perches.

(2) The divided western portion of the allotment of land called Ahamatiligewatta (registered in E 9/256), together with the nine cubits tiled house standing thereon bearing assessment No. 245 (now No. 76), situated at Wilnot street in Hambantota aforesaid; bounded on the north by A. Abanchi Appu's property, east by Abdul Rahim's property, south by Wilnot street, and west by S. A. Mowlana's property; containing in extent 6.79 perches.

(3) An undivided one-half share ($\frac{1}{2}$) of the land bearing assessment No. 402 (now No. 28), situated at Walker street in Hambantota aforesaid, together with the buildings standing thereon; bounded on the north-east by land appearing in T. P. 53,005, south-east by Walker street, south-west by land appearing in T. P. 53,002, and north-west by Philip street; containing in extent 11 perches.

Valuation: (1) Rs. 1,500. (2) Rs. 750. (3) Rs. 500.

Deputy Fiscal's Office, V. L. WIRASINHA,
Hambantota, June 24, 1938. Additional Deputy Fiscal.

Northern Province.

In the District Court of Jaffna (held at Point Pedro).

(1) Sabapathy Thambirajah and wife (2) Alagammah
of Valvetty Plaintiffs.
No. 10,433. Vs.

(1) Sanmugampillai Palasubramaniam of Valvettiturai,
(2) Sanmugampillai Gnanamoorthy of ditto, presently
of General Post Office, Colombo Defendants.

NOTICE is hereby given that on Saturday, July 23, 1938, at 10 o'clock in the forenoon will be sold by public auction at the premises the right, title, and interest of the said defendants for the recovery of Rs. 1,398 with interest on Rs. 800 at 12 per cent. per annum from September 8, 1936, till January 22, 1937, and thereafter on the aggregate amount at 9 per cent. per annum until payment in full (less Rs. 910) and poundage and charges in the following property, viz. :—

A divided extent of 3 lachams varagu culture on the northern side out of the remaining 6 lachams varagu culture, exclusive of 3 lachams varagu culture and 12 kulies on the eastern side out of a piece of land situated at Thanakarakkurichy in Udupidy parish, Vadamaradchy division of the Jaffna District, Northern Province, called Navaladiyetchaddy in extent 29 lachams varagu culture; the said 3 lachams varagu culture with half share of well lying on the southern boundary is bounded on the east and north by the property belonging to Valvai Vaitheesparaswamy temple, west by lane, and south by Vadivelu Varithamby.

The land is said to be under otty mortgage.

Fiscal's Office, M. SELVADURAI,
Jaffna, June 28, 1938. for Fiscal.

North-Western Province.

In the District Court of Kurunegala.

(1) Meena Muna Jainambu, (2) Meena Muna Cader
Bacha, (3) Meena Muna Abdul Majeed, (4) Meena
Muna Ummasal Umma, all of Potuhera in Udapola
Medalasse korale Plaintiffs.

No. 18,807. Vs.

☞Thanippuli Appuhamillage Don John of Maradana,
Colombo Defendant.

NOTICE is hereby given that on Saturday, July 23, 1938, commencing at 2 o'clock in the afternoon will be sold by public auction at the respective premises the right, title, and interest of the said plaintiffs in the following property for the recovery of the sum of Rs. 216.96 being costs and poundage, viz. :—

(1) An undivided 381/600 share of the land called Nagahalandewatta of 28 acres 3 roods and 26 perches in extent, situated at Ahugoda in Recopattu korale of Dambadeni hatpattu, in the District of Kurunegala, North-Western Province; and bounded on the north by lot 280 and T. P. 311,960, east by village limits of Potuhera and Amunugama, south by road, and west by T. P. 312,445 and 312,431 and lot 284 $\frac{1}{2}$, and

At 3 p.m.

(2) An undivided 3/15 share of the land called Kahatagahamulahena *alias* Kahatagahamulawatta of 5 lahas paddy sowing in extent (now about 3 lahas kurakkan sowing in extent) situated at Potuhera in Udapola Medalasse korale, in Dambadeni hatpattu aforesaid; and bounded on the north by ditch and fence of the garden belonging to Ukkurala and others and chena of Ukkurala, now by Bogahamulawatta of Appuhamy and others, east by fence of the garden of Mohammodu Bawa Police Officer and garden of Gurunneho (now by Meegahamulawatta and Pinwatta), south by fence of the garden of Mohammodu Bawa Police Officer and chena of Punchappu (now by Nagahalandehitawatta of Hetuhamy and others), and west by fence of the garden of Mohammodu Bawa Police Officer, and chena of Wettewe Punchirala (now by Nagahalandewatta belonging to the plaintiffs herein and others).

Fiscal's Office,
Kurunegala, June 28, 1938.

CHARLES DE SILVA,
Deputy Fiscal.

In the District Court of Puttalam.

Sena Ena Moona Assenkudhoos of Puttalam Plaintiff.
No. 4,653. Vs.

M. S. Manuel, presently of Haemantha, Inner Flower
road, Colpetty, Colombo, now of Tetapolai in
Puttalam District Defendant.

NOTICE is hereby given that on Saturday, July 30, 1938, commencing from the first land at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, for the recovery of the sum of Rs. 3,068.32, with legal interest thereon from September 13, 1935, to date of payment in full viz. :—

1. The land called and known as Vasthianmesthri-thotam and Santhithotam on the eastern side of Solai Kinathadythotam, situated at Tetapolai in Mel Akkarnai pattu south, Puttalam pattu division, Puttalam District, North-Western Province, in extent of about 3 acres; and bounded on the north and west by land belonging to the heirs of Sella Marikar of Musselpitty, east and south by footpath called Mawathai. Out of the land coconut trees and all things within these boundaries an undivided $\frac{1}{2}$ share.

2. The land called Pungankulikany *alias* Vannikilavan-thotam, situated at the village of Settisenai in the aforesaid pattu; containing in extent about 3 acres; and bounded on the north by land belonging to Anthony Marian Muttukumar and others, and well, situated on the boundary, and the ant-hill and the palmyra tree, east by land belonging to the said Muthukumar and others, south by the land belonging to the estate of F. S. M. Mohamedo Cassim Marikar and others, west by land belonging to Santhia Pillai Suwakino Pullai and others and the mango tree standing on the boundary. An undivided $\frac{1}{2}$ of $\frac{1}{2}$ or 1/18 share of the land coconut, palmyra, mango, and tamarind trees and all things within these boundaries.

3. The land called Pulliadicchenai; situated at the village Tetapolai aforesaid; and containing in extent of 1 acre and 3 roods as per plan No. 15 dated February 16, 1901, and made by J. C. Stewart, Surveyor; and bounded on the north by garden belonging to Annamma, east by garden belonging

to Segó Ismail Marikar, south by footpath called Mawathai, and west by garden belonging to Sina Peduru. An undivided $\frac{1}{2}$ share out of the land coconut trees and all things within these boundaries.

4. The land comprising of plantation and jungle called Kokkarippanthotam, situated at the village of Tetapolai aforesaid; and containing in extent about 3 acres; and bounded on the north by Uppu tharavai, east by land belonging to the estate of Sana Pedurupillai and reservation, south by land belonging to the estate of Sana Pedurupillai and land belonging to Sana Thomas Pillai, and west by Kokkararippan stream. Out of the entirety within these boundaries an undivided $\frac{1}{2}$ share.

5. The lands situated at the village Tetapolai aforesaid called Puhailaithotam; containing in extent about $1\frac{1}{2}$ acre, Umirikkaraitotam in extent about $\frac{3}{4}$ acre, Puhailagalaitotam in extent 2 roods and 34 perches, Vettukulakkarai, in extent 2 roods and 18 perches, Kokkarippanthotam in extent 2 roods and 21 perches, Kokkarippanpuhailaithotam in extent 2 roods and 11 perches, Periya Puhailaithotam in extent about $\frac{1}{2}$ an acre, Vettukeniadithotam in extent about 2 acres, Vettukulathadythotam in extent about 1 acre $\frac{2}{5}$ th share of Puhailaithotam in extent 7 acres 2 roods and 7 perches, Vettukeniadithotam in extent of about $1\frac{1}{2}$ acres, Veeraiadykany in extent about 1 acre, the northern portion of Kathiravelpullaithotam and Kokkarippankany, both joined together forming one lot called Kokkarippankany in extent of 3 roods 21 perches, Puhailaithotam *alias* Navaladythotam in extent 2 roods and 39 perches, all presently joined together forming one lot in extent of 16 acres 2 roods and 39 perches excluding the Kalpitiya road running through as per plan No. 1,216 dated January 23, 1919, and made by Mr. A. M. Sundrum, Surveyor. Out of this excluding lots marked A, B, C; containing in extent 1 acre 3 roods and 6 perches, the rest of the land in extent of 14 acres 3 roods and 19 perches, together with the coconut trees and other trees standing thereon; is bounded on the north by land belonging to Rawanna Sepamalai and Tharavai, east by land belonging to Sethupathy Atehi, land belonging to the Roman Catholic Church, lots marked A, B, and C in the above-mentioned plan, land belonging to Sana Pedurupillai, land belonging to Louis Pillai, Headman, and others, land belonging to Francis Sepamalai and land belonging to the estate of E. S. M. Mohamedo Cassim Marakar, south by the land belonging to the estate of the said Mohamedo Cassim Marikar and land belonging to Sana Pedurupillai, west by reservation, madu, land belonging to Rawanna Sepamalai and land belonging to Sana Pedurupillai. Out of the entirety within these boundaries an undivided $\frac{1}{2}$ share.

6. The lands situated in the village Tetapolai aforesaid; and called Veetadythotam, in extent of about $1\frac{1}{2}$ acre, Melinjartotam in extent of about 1 acre, Piranchiar-kudirunthaviladiadithotam in extent of about 2 acres, the three portions called Veetadythotam, Puliadichenaithotam, and Ilampillayady comprising of one lot; containing in extent 3 acres 1 rood and 27 perches, situated at Puliadychenai in the aforesaid village, the two portions called Puliadichenaithotam comprising of one lot; and containing in extent about $\frac{1}{2}$ an acre. The portion called Vangalawadiadithotam, containing in extent 1 acre 2 roods and 25 perches, situated at Chettichenai in the aforesaid village. The four portions called Ilampillaithotam, Sammathyothotam, Velanthotam and Puliadichenaithotam, all comprising of one lot in extent of 3 acres 2 roods and 35 perches, situate at Puliadychenai in the aforesaid village, all presently forming one lot containing in extent of 10 acres 2 roods and 12 perches as per plan No. 1,217 dated January 25, 1919, and made by Mr. A. M. Sundrum, Surveyor, together with the tiled house and coconut trees standing thereon; is bounded on the north by separate lands belonging to Ana Kristho, the Roman Catholic Church, Agnes Muttukumaru, E. S. M. Mohamedo Cassim Marikar and others and Sana Abiram Fernando, east by separate lands belonging to the said Agnes Muttukumaru, E. S. M. Mohamedo Cassim Marikar and others, Sana Abiram Fernando, Ana Vana Mana Annamma, reservation, and land belonging to the heirs of Vawa Naina Sammatty, south by separate lands belonging to Sana Pedurupillai and others, testamentary case No. 406 and others, E. S. M. Mohamedo Cassim Marikar, and others, Ana Santhiago Pillai and others and Sana Wana Mariani Pillai, west by separate lands belonging to Wawa Neina Sammatty and Ana Kristho. Out of the entirety within these boundaries an undivided $\frac{1}{2}$ share.

7. The land called Thillangkuli *alias* Periyavayelthotam and Thillangkulipuhagalai, situated at the village Tetapolai aforesaid and described as lots Nos. 3 and 4 in P. P. No. 4,846 mentioned in T. P. No. 350,670, and containing in extent 13 acres 3 roods and 14 perches; and bounded on the north by land called Periyaveli claimed by A. Santiago Pillai, east by land called Periyaveli claimed by a Sepamalai and land called Thillangkulivayal claimed by A. Soosai and others, south by land called Thillangkulikany claimed by

K. P. S. Segó Sickander, west by land called Littrin claimed by Sebastian Annavi and others, by land called Paithiyankuda claimed by Pedrupillai and others and land called Vayal-thotam claimed by P. A. Loos Pillai. Out of the land coconut trees and all things within these boundaries an undivided $\frac{1}{2}$ share.

8. The land called Kovillungithotam, situated at the village Tetapolai aforesaid, and containing in extent 2 acres 3 roods and 7 perches as per plan No. 1,223 dated March 28, 1919, and made by the aforesaid surveyor is bounded on the north, east, and west by portions of lands belonging to the heirs of Alithamby Marikar and others, and south by portion of land belonging to Anthonippillai Annavi, Louis Moopu, and others. Out of the land coconut trees and all things within these boundaries the undivided $\frac{1}{2}$ share.

9. The land called Pungankulithotam, situated at Chettichenai in Tetapolai village aforesaid; containing in extent 3 acres 2 roods and 6 perches as per plan No. 1,219 dated January 27, 1919, and made by the aforesaid surveyor; is bounded on the north by land belonging to Vastian Seemampillai and others, east by the land belonging to the said Seemampillai, south by footpath called Mawathai, and west by land belonging to St. Anthony's Church. Out of the land coconut trees and all things within these boundaries and undivided $\frac{1}{2}$ share.

The lands Nos. 5, 6, 7, 8, and 9 mentioned above are subject to a primary mortgage in favour of Mr. W. A. Muttukumaru of Puttalam, by virtue of mortgage bond No. 3,327 dated February 23, 1927, and attested by Mr. V. V. Subramaniam, Notary Public, of Puttalam.

Deputy Fiscal's Office,
Puttalam, June 27, 1938.

J. P. KANTHYAH,
Additional Deputy Fiscal.

In the District Court of Negombo.

S. R. M. S. Sinthamany Chettyar by his attorney Seena
Kana Muttiah Pulle of Negombo Plaintiff.

No. 7,570.

Vs.

Jayakodiarchchige Dona Maria Hamine of 129,
Forbes road, Colombo, administratrix of the late G.
M. Perera (dead) Defendant.

(1) Gamamedaliyanage Joseph Perera and 9
others Substituted defendants.

NOTICE is hereby given that on Saturday, August 6, 1938, commencing from the first land at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 4,947.77 $\frac{1}{2}$, with interest on Rs. 6,250 at the rate of 12 per cent. per annum from May 12, 1933, till September 27, 1933, and thereafter at 9 per cent. per annum till payment, less a sum of Rs. 2,400 paid, viz. :—

(1) All that divided portion marked B in plan No. 531 dated June 14, 1930, and made by S. M. Assenkudoos, Licensed Surveyor, of the land called Periyakudakadu or Moongilatukadu in Periyakuda village Pomparippu pattu of Kalpitiya division in Puttalam District, North-Western Province; the said lot B is bounded on the north by a reservation for a path, on the east by land called Periyakudakadu belonging to the Crown, south by reservation along the Moongilaru, and west by lots C and A in the said plan; and containing in extent 108 acres 3 roods and 15 perches; and registered under K 15/65.

2. All that portion marked C in the said plan No. 531 called Periyakudakadu or Moongilathukado, situate at Periyakuda village aforesaid; bounded on the north by lot A in the said plan No. 531, on the east by lot B in the said plan No. 531, on the south by reservation along the Moongilaru, and on the west by lot D in the said plan No. 531; and containing in extent 41 acres 1 rood and 29 perches; and registered under K 15/66.

3. An allotment of land called Keluthodaikado or Thirukkappallamkado in Karaitivu village, Pomparippu pattu aforesaid; and bounded on the north by T. Ps. 274,182 and 177,979, east by Kalladikado, south by a reservation for a road, west by reservation along the Puttalam lake; containing in extent 52 acres and 24 perches; and registered under K 17/55 according to plan No. 369,576 dated August 11, 1925, and issued by A. J. Wickwar, Esq., Surveyor-General.

Deputy Fiscal's Office,
Puttalam, June 15, 1938.

J. P. KANTHYAH,
for Deputy Fiscal.

In the District Court of Negombo.

S. K. A. R. S. T. Sidambaram Chettiar by his attorney,
M. R. M. Muthusamy Naidu of Negombo Plaintiff.
No. 10,021. Vs.

Kalubovilage Don Manuel Joseph of Dungal-
pitiya Defendant.

NOTICE is hereby given that on Saturday, July 23, 1938, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 500, with interest thereon at the rate of 12 per cent. per annum from February 8, 1929, till April 15, 1937, and thereafter at 9 per cent. per annum till payment, less Rs. 30, viz. :—

All that defined $\frac{1}{4}$ portion of the land called and known as Mundalamawatta, situated at Mundel village in Puttalam pattu of the District of Puttalam, North-Western Province; and which said defined $\frac{1}{4}$ portion is bounded on the north by the defined portion allotted to G. Pelis Perera, east by the land of Ramiah and others, south by the other $\frac{1}{4}$ portion of this land allotted to K. D. Miguel Appuhamy, and west by high road; containing in extent 10 acres 2 roods and 11 perches together with the buildings and plantations standing thereon, and registered under E 5/77, subject, however, to a lease in favour of K. Don Alponus Appuhamy of Talahena for 4 years from July 2, 1935, upon deed No. 506 dated December 14, 1930, attested by A. S. Goonesekera, Notary Public, and registered under H 57/291.

Deputy Fiscal's Office,
Puttalam, June 24, 1938.

J. P. KANTHYAH,
Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

Gankande Muhandiramalaye PUNCHIMAHATMAYA,
Registrar of Pelmadulla Plaintiff.
No. 6,214. Vs.

Sinna Lebbe Marikar Mahamadu Lebbe of Wellan-
dura Defendant.

NOTICE is hereby given that on Friday, July 22, 1938, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 3,752 together with interest at 12 per cent. per annum on Rs. 2,000 from November 7, 1935, till December 19, 1935, and thereafter at the rate of 9 per cent. per annum on the aggregate till payment in full and costs Rs. 133.56 and poundage, viz. :—

1. An undivided $\frac{1}{2}$ share of the land called and known as Morawalawatta, situate at Būngiriya in the Pannil pattu of Atakalan korale in the District of Ratnapura; bounded on the north by Pālleratagewatta, east by galweta, south by Hallindeliena, and west by galweta and delgaha; containing in extent about 3 seers of kurakkan sowing; and registered in F. 35/280.

2. An undivided $\frac{1}{4}$ share of the land called and known as Lindagawahenakebella, situate at Wellandura in Pannil pattu aforesaid; bounded on the north by Maladola, east by high road, south by Pelaheraliyagahawatta, and west by a portion of this land; containing in extent about 2 seers of kurakkan sowing and tiled upstairs boutique house bearing assessment Nos. 55 and 56 built by the defendant thereon; and registered in F. 80/296.

Fiscal's Office,
Ratnapura, June 27, 1938.

N. SWAMINATHA AYER,
Additional Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Mohamado Lebbe Marikar Alim
No. 8,418. Sahib Ahamado Lebbe of Mosque lane,
Mutwal, in Colombo, deceased.

Hassen Meera Lebbe Balkis Umma of Mosque lane,
Mutwal in Colombo Petitioner.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on May 9, 1938, in the presence of Mr. A. R. M. Razeen, Proctor, on the part of

the petitioner above named; and the affidavits (1) of the said petitioner dated October 11, 1937, and (2) of the attesting witnesses dated October 15, 1937, having been read:

It is ordered that the last will of Mohamado Lebbe Marikar Alim Sahib Ahamado, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executrix named in the said will and that she is entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before June 23, 1938, show sufficient cause to the satisfaction of the court to the contrary.

May 9, 1938. W. SANSONI,
District Judge.

The date for showing cause is extended to July 7, 1938.

June 23, 1938. W. SANSONI,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and
Jurisdiction. Effects of the late Edmund Peter de
No. 8,438. Alwis of Mount Lavinia, deceased.

Mary Vandeline de Alwis presently of Singha Lena,
Kesbawa Petitioner.

And

(1) Donald Oliver de Alwis, (2) Justin Bernard de Alwis, both of Singha Lena, Kesbawa, minors, appearing by their guardian *ad litem* (3) Henry Edwin de Alwis of Edge Court, Mount Lavinia Respondents.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on May 23, 1938, in the presence of Mr. C. R. de Alwis, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 10, 1938, having been read:

It is ordered (a) that the 3rd respondent be and he is hereby appointed guardian *ad litem* of the minors, the 1st and 2nd respondents above named, to represent them for all the purposes of this action and (b) that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before July 7, 1938, show sufficient cause to the satisfaction of the court to the contrary.

May 23, 1938. W. SANSONI,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Ibrahim Lebbe Marikar Meera
No. 8,439. Lebbe Marikar late of New Castle,
Kuruwe street in Colombo, deceased.

Meera Lebbe Marikar Mohamed Ghouse of Golconda,
Colpetty, in Colombo Petitioner.

And

(1) Hafila Ghouse of Lauries road, Bambalapitiya, in Colombo, and (2) Huzaira Aziez of New Castle, Kuruwe street, in Colombo Respondents.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on May 24, 1938, in the presence of Mr. N. M. Zaheed, Proctor, on the part of the petitioner above named; and (1) the affidavits of the said petitioner dated April 6, 1938, and (2) of the attesting notary and one of the witnesses also dated April 6, 1938, having been read:

It is ordered that the last will of Ibrahim Lebbe Marikar Meera Lebbe Marikar, deceased, of which the original has been produced, and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executor in the said will, and that he is entitled to have probate thereof issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before July 7, 1938, show sufficient cause to the satisfaction of this court to the contrary.

May 24, 1938. W. SANSONI,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. John Albert Jayasinghe of Gonawala in
No. 8,441. Adikari pattu of Siyane korale, deceased.
Don Paulu Aratchige Allan Laurina de-Silva of Gona-
wala aforesaid Petitioner.

And

(1) Albert Gregory Jayasinghe, minor, appearing by his
guardian *ad litem* (2) Kodikarage Don Peter Appu-
hamy, both of Gonawala aforesaid Respondents

THIS matter coming on for disposal before W. Sansoni,
Esq., District Judge of Colombo, on May 24, 1938, in the
presence of Mr. U. L. Perera, Proctor, on the part of the
petitioner above named; and the affidavit of the said
petitioner dated May 11, 1938, having been read:

It is ordered (a) that the 2nd respondent be and he is
hereby appointed guardian *ad litem* of the minor, the 1st
respondent above named, to represent him for all the
purposes of this action, and (b) that the petitioner be and
she is hereby declared entitled, as widow of the above-
named deceased, to have letters of administration to his
estate issued to her, unless the respondents above named or
any other person or persons interested shall, on or before
July 7, 1938, show sufficient cause to the satisfaction of the
court to the contrary.

May 24, 1938.

W. SANSONI,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter, of the Intestate Estate and
Jurisdiction. Effects of the late Haji Hassim Moti of
No. 8,443. Kutiya in Kathiawar District, North
India, deceased.

Rahimtulla Haji Hashim Moti of 202, Main street,
Colombo Petitioner.

THIS matter coming on for disposal before W. Sansoni,
Esq., District Judge of Colombo, on May 25, 1938, in the
presence of Mr. K. T. Chittampalam, Proctor, on the part
of the petitioner above named; and the affidavit of the said
petitioner dated May 16, 1938, having been read:

It is ordered that the petitioner be and he is hereby
declared entitled, as son and heir of the above-named
deceased, to have letters of administration to his estate
issued to him, unless any person or persons interested shall,
on or before July 7, 1938, show sufficient cause to the
satisfaction of the court to the contrary.

May 25, 1938.

W. SANSONI,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Cecil Blackstone Barber of
No. 8,450. Gilcroft estate, Baddegama, in the Island
of Ceylon and of 8, Oakdale avenue,
Northwood Hills, in the County of
Middlesex, deceased.

THIS matter coming on for disposal before W. Sansoni,
Esq., District Judge of Colombo, on June 21, 1938, in the
presence of Mr. Patrick Merle Duggan of Colombo, Proctor,
on the part of the petitioner, Geoffrey Thomas Hale of
Colombo; and the affidavit of the said petitioner dated
May 28, 1938, an affidavit as to the due execution of the
will with a certified true copy of the will attached thereto,
original will, certificate of death of the above-named
deceased, power of attorney in favour of the petitioner,
deed of renunciation of probate by the executrix, and
Supreme Court's order dated May 11, 1938, having been
read: It is ordered that the will of the said deceased dated
November 21, 1933, of which the original has been produced
and is now deposited in this court be and the same is hereby
declared proved; and it is further declared that the said
petitioner is the attorney of Edith Gertrude Barber, the
widow of the said deceased, and that he is entitled to have
letters of administration with a copy of the said will
annexed issued to him accordingly, unless any person or
persons interested shall, on or before July 7, 1938, show
sufficient cause to the satisfaction of this court to the
contrary.

June 21, 1938.

W. SANSONI,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. the late Abdul Careem Ummu Fatheela,
No. 8,453. widow of the late Sheikh Abdul Cader
Lebbe Abdul Azeez of Galkapanawatta
road in Colombo, deceased.

Between

Abdul Careem Abdul Barry of 154, New Moor street in
Colombo Petitioner.

And

(1) Abdul Azeez Sithy Fakhira (2) Abdul Azeez Sithy
Lathefa, and (3) Abdul Azeez Ummul Fukhera, all
of 154, New Moor street in Colombo, minors, by their
guardian *ad litem* (4) Abdul Careem Mohamed
Muheeth of Old Moor street in Colombo, (5) Abdul
Careem Mohamed Ghouse of Messenger street in
Colombo. (6) Abdul Careem Mohamed Keyath, and
(7) Abdul Careem Mahmood, both of Galkapana-
watta road in Colombo Respondents.

THIS matter coming on for disposal before W. Sansoni,
Esq., District Judge of Colombo on June 3, 1938, in the
presence of Mr. M. U. M. Saleem, Proctor, on the part of
the petitioner above named; and the affidavit of the said
petitioner dated May 31, 1938, having been read:

It is ordered (a) that the 4th respondent be and he is
hereby appointed guardian *ad litem* of the minors, 1st, 2nd,
and 3rd respondents above named, to represent them for all
the purposes of this action, and (b) that the petitioner be
and he is hereby declared entitled, as brother and heir of
the above-named deceased, to have letters of administration
to her estate issued to him, unless the respondents above
named or any other person or persons interested shall, on or
before July 7, 1938, show sufficient cause to the satisfaction
of the court to the contrary.

June 3, 1938.

W. SANSONI,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the matter of the Intestate Estate of the
Jurisdiction. late Bastiampillai Saverimuttu Xavier
No. 8,454. (late Chief Clerk, P. W. D., Negombo),
and recently of Colombo, deceased.

X. J. S. Rasanayagam of 9, Wasala road, Kotahena,
Colombo Petitioner.

And

(1) Aloysius Xavier, (2) Stanislaus Xavier, (3) Joseph
Regis Xavier, (4) Pius Anthony Xavier, (5) Mary
Josephine Xavier (wife of X. J. S. Rasanayagam, the
petitioner above named), all of 9, Wasala road,
Kotahena, in Colombo, (6) Mary Antionette Xavier,
wife of (7) F. J. Emanuel, both of Diyatalawa; the
2nd, 3rd, and 4th respondents are minors appear-
ing by their guardian *ad litem* the 1st respon-
dent Respondents.

THIS matter coming on for disposal before W.
Sansoni, Esq., District Judge of Colombo, on June 4, 1938,
in the presence of Mr. V. Nallasegaram, Proctor, on the
part of the petitioner above named; and the affidavit of the
said petitioner dated June 4, 1938, having been read:

It is ordered (a) that the 1st respondent be and he is
hereby appointed guardian *ad litem* of the minors, 2nd, 3rd,
and 4th respondents above named, to represent them for all
the purposes of this action, and (b) that the petitioner be
and he is hereby declared entitled, as son-in-law of the above
named deceased, to have letters of administration to his
estate issued to him, unless the respondents above named
or any other person or persons interested shall, on or before
July 7, 1938, show sufficient cause to the satisfaction of the
court to the contrary.

June 4, 1938.

W. SANSONI,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the matter of the Intestate Estate of
Jurisdiction. Ethel Gertrude Senaratne nee Rodrigo of
No. 8,458. Dehiwala, deceased.

Joseph Henry Rodrigo of Dehiwala Petitioner.

And

(1) Adambarage Rosaline Rodrigo, (2) Godfry Lionel
Swaris Senaratne, both of Dehiwala Respondents.

THIS matter coming on for disposal before W. Sansoni,
Esq., District Judge of Colombo, on June 14, 1938, in the

presence of Mr. J. P. Salgadoe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 23, 1938, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as father and heir of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before July 7, 1938, show sufficient cause to the satisfaction of the court to the contrary.

June 14, 1938.

W. SANSONI,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Nelliwala Sriwardene Wasala Mudiyanse Ralahamillage Punchi Bandara Muttettuwegama, retired Ratemahatmaya of Kuruwiti korale, Pussella, deceased.

Wijeytunga Atapattu Mudiyanse Ralahamillage Delwala Muttettuwegama Kumarihamy of Pussella Walauwa, Kuruwita and presently of Jayasoma, Barnes place, Colombo Petitioner.

And

(1) Nelliwala Sriwardene Muttettuwegama Ralahamillage Somawathie Muttettuwegama Menika nee Somawathi Muttettuwegama Kiriella Kumarihamy of Jayasoma, Barnes place, Colombo; (2) Nelliwala Sriwardene Mudiyanse Ralahamillage Wilfred Muttettuwegama Bandara Mahatmaya of Ratnapura, and presently of 17th lane, Colpetty, Colombo, (3) Nelliwala Sriwardene Mudiyanse Ralahamillage Solomon Muttettuwegama Bandara Mahatmaya of Pussella, and presently of Pothupitiya, Rakwana Respondents.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on June 8, 1938, in the presence of Mr. H. A. Abeyewardene, Proctor, on the part of the petitioner above named; and (1) the affidavits of the said petitioner dated June 3, 1938, and (2) of the attesting witness dated June 6, 1938, having been read:

It is ordered that the last will of Nelliwala Sriwardene Wasala Mudiyanse Ralahamillage Punchi Bandara Muttettuwegama, retired Ratemahatmaya of Kuruwita korale, Pussella, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executrix in the said will and that she is entitled to have probate thereof issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before July 7, 1938, show sufficient cause to the satisfaction of this court to the contrary.

June 8, 1938.

W. SANSONI,
District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament or Trust Disposition and Settlement of William Lang, Tanner, of 1, Seedhill, Paisley, who resided at Holmhurst, Thornly Park, Paisley, Renfrewshire, Scotland, deceased.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on June 22, 1938, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Duncan Archibald Buchanan of Colombo; and (1) the affidavit of the said petitioner dated June 17, 1938, (2) the power of attorney dated February 18, 1938, and (3) the order of the Supreme Court dated May 30, 1938, having been read: It is ordered that the will of the said William Lang, deceased, dated May 20, 1936, a certified copy of which under the Seal of the Commissariat of Renfrew has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Duncan Archibald Buchanan is the attorney in Ceylon of the executors named in the

said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before July 7, 1938, show sufficient cause to the satisfaction of this court to the contrary.

June 22, 1938.

W. SANSONI,
District Judge.

In the District Court of Matara.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Randunu Kumara Punanool Karage No. 3,916. Elaris Abraham Fernando, deceased.

Liyana Kumarage Regina Elizabeth Perera of Pettigoda in Negombo Petitioner.

Vs.

(1) Randunu Kumara Punanool Karage Albert Peter Fernando, (2) ditto Titus Walter Fernando (minors), (3) Liniya Kumarage Daniel Perera of Pettigoda Respondents.

THIS matter coming on for disposal before Cyril Ernest de Pinto, Esq., District Judge of Matara, on March 9, 1936, in the presence of Mr. H. A. Bastiansz, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 29, 1936, having been read:

It is ordered (a) that the petitioner above named be and she is hereby declared entitled, as widow of the deceased above named, to have letters of administration of his estate issued to her, and (b) that the 3rd respondent above named be and he is hereby appointed guardian *ad litem* over the 1st and 2nd minor respondents above named, unless he or any other person or persons interested shall, on or before May 19, 1936, show sufficient cause to the satisfaction of this court to the contrary.

March 9, 1936.

C. E. DE PINTO,
District Judge.

Order extended to July 4, 1938.

JAMES JOSEPH,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of No. 3,998. the late Kankanamge Don Dias, deceased, of Dandeniya.

Wickremage Carlinahamy of Dandeniya Petitioner.

Vs.

(1) Kankanamge Edwin, (2) ditto Leelawathie, (3) ditto Gunadasa, (4) ditto Kusumawathie, (5) ditto Gunawathie, (6) ditto Pemadasa (minors by their guardian *ad litem* 7th respondent), (7) ditto Don Davith Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge, Matara, on March 30, 1938, in the presence of Mr. Samson Dias, Proctor, on the part of the petitioner, Wickremage Carlinahamy of Dandeniya; and the affidavit of the said petitioner dated March 30, 1938, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled, as wife, to have letters of administration to the estate of the said deceased issued to her, unless the said respondent or any other person or persons interested shall, on or before June 6, 1938, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 7th respondent consenting be and he is hereby appointed guardian *ad litem* over the 1st to 6th minor respondents for all the purposes of this action.

March 30, 1938.

JAMES JOSEPH,
District Judge.

Extended to August 1, 1938.

June 6, 1938.

JAMES JOSEPH,
District Judge.

In the District Court of Jaffna held at Point Pedro.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Annammah, wife of Mailvaganam Thil-
No. 55/p.t. laichittambalam of Valvettiturai,
deceased.

Mailvaganam Thillaichittambalam of Valvetti-
turai Petitioner.
Vs.

(1) Thillaichittambalam Selvaratnam of ditto, (2) Thavamaniammah, daughter of Thillaichittambalam of ditto, (3) Thillaichittambalam Kobalvadivelu of ditto, (4) Nesammah, daughter of Thillaichittambalam of ditto, (5) Thaiyalmattu, widow of Thillaichittambalam of ditto Respondents.

THIS matter coming on for disposal before C. E. A. Samarakody, Esq., Additional District Judge of Jaffna, on April 27, 1938, in the presence of Mr. K. Muttukumaru, Proctor, on the part of the petitioner; and the petition and affidavit of the petitioner having been read:

It is hereby ordered that the 5th respondent above named be and she is hereby appointed guardian *ad litem* over the minors the 1st to 4th respondents, and that the petitioner be and he is hereby declared entitled to take out letters of administration to the above estate as the husband of the deceased, and that letters of administration be issued to him accordingly, unless the respondents above named or any other person appear and show cause to the contrary on or before July 8, 1938.

C. E. A. SAMARAKODY,
Additional District Judge.

April 29, 1938.

In the District Court of Batticaloa.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of the late N. N. Notary Kana-
No. 464. pathipillai Kasipathipillai of Navat-
cudah, deceased.

N. K. Kasipathipillai Krishnapillai of Navat-
cudah Petitioner.

And

(1) N. K. Kasipathipillai Nagaretnam of Navatcudah.
(2) N. K. Kasipathipillai Thirumanjanam of Puliantivu, (3) Kandiah Krishnakumari of Puliantivu, (4) P. H. Sinnappu Sinnamuttu of Navatcudah. Respondents.

THIS matter coming on for disposal before P. Vythialingam, Esq., District Judge of Batticaloa, on June 7, 1938, in the presence of Mr. N. S. Rasiyah, Proctor, on the part of the above-named petitioner; and the affidavits of the petitioner dated June 7, 1938, and of the attesting notary and one of the witnesses dated June 4, 1938, having been read:

It is ordered that the last will of N. N. Notary Kana-pathipillai Kasipathipillai, deceased, of which the original has been produced, and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executor named in the said will and that he is entitled to have probate thereof issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before July 7, 1938, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 2nd respondent above named be and she is hereby appointed guardian *ad litem* of the minor, the 3rd respondent above named, unless the respondents above named or any other person or persons interested shall, on or before July 7, 1938, show sufficient cause to the satisfaction of this court to the contrary.

P. VYTHIALINGAM,
District Judge.

June 7, 1938.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. the late Dewaratna Banjanage Ukkuwa
No. 2,214. of Bairairuppuwa, deceased.

Dewaratna Banjanage Pina of Bairairuppuwa .. Petitioner.
Vs.

(1) Dewaratna Banjanage Kalu, (2) Dewaratna Banjanage Pulasena, (3) Dewaratna Banjanage Kusala-wathie, all of Bairairuppuwa Respondents.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Chilaw, on April 28,

1938, in the presence of Messrs. Corea & Silva, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated April 28, 1938, having been read: It is ordered that the petitioner above named be and he is hereby declared entitled, as brother 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 May 23, 1938, show sufficient cause to the satisfaction of this court to the contrary.

April 28, 1938.

M. A. SAMARAKOON,
District Judge.

The date for showing cause has been extended to June 16, 1938.

May 23, 1938.

M. A. SAMARAKOON,
District Judge.

The date for showing cause has been extended to July 13, 1938.

June 16, 1938.

M. A. SAMARAKOON,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late W. Simion Kurera of Kammala,
No. 2,211. deceased.

W. Victoria Fernando of Kammala Petitioner.

Vs.

(1) W. Estaky Kurera, (2) W. Pabilinu Kurera, (3) W. Migel Kurera, (4) W. Nicholas Kurera, (5) W. Alfred Kurera, (6) W. Cornelis Kurera, (7) W. Aloysius Kurera, all of Kammala, (8) W. Margaret Mary Kurera of Ulhithiyawa, (9) W. Cyril Kurera, (10) W. Bridget Kurera, (11) W. Luwis Kurera, (12) W. Lcnearia Kurera, (13) W. Babette Fernando *alias* Thanga Nona, all of Kammala, (14) W. Clementu Kurera of Muruthana, (15) W. Gracianu Kurera, (16) W. Savary Kurera, (17) W. Pedru Kurera, (18) W. Manuel Kurera of Malwatta, (19) W. Emerenchia Kurera of Aluttota, (20) W. Mary Kurera of Kaluairippuwa, (21) W. Ana Perera, (22) W. Odilia Perera, both of Aluttota, (23) W. Suse Kurera, (24) W. Juan Kurera, (25) W. Charles Kurera, (26) W. Simion Kurera, (27) W. Romanis Kurera, (28) W. Emalianu Kurera, all of Waikkal, (29) W. Porlentina Peris, (30) W. Sebastian Peris, both of Aluttota, (31) W. Girigoris Peris of Kammala, (32) W. Mikelia Peris, (33) W. Anthony Peris, all of Aluttota, (34) W. Theresia Peris of Marawila, (35) W. Benedick Peris of Kammala, (36) W. Stephen Fernando, (37) W. Veronica Fernando, both of Ihala Katuneria, (38) W. Kaithan Fernando of Vilaththawa, (39) W. Ana Fernando of Katuneria, (40) W. Euginu Fernando of Vilaththawa, (41) W. William Fernando of Katuneria, (42) W. Catherina Fernando of Lunuwila, (43) W. Lianora Fernando, (44) W. Juliana Fernando, (45) W. Simion Fernando, all of Vilaththawa Respondents.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Chilaw, on April 6, 1938, in the presence of Mr. C. V. M. Pandittesekere and his assistant H. G. Pandittesekere, Proctors, on the part of the petitioner and the affidavit of the petitioner dated March 9, 1938, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as the widow of the above name deceased, to be appointed administratrix of the estate of the late Warnaculasuria Simion Kurera of Kammala, deceased, and that letters of administration be issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before July 8, 1938, show sufficient cause to the satisfaction of this court to the contrary.

April 6, 1938.

M. A. SAMARAKOON,
District Judge.

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to provide for the regulation of the employment of persons in shops and for the control of the hours of business in shops.

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Appointment of officers, &c.
2. Appointment of officers and servants for the purposes of the Ordinance.
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6. Compulsory annual holiday with full wages.
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L.D.—O 34/38

An Ordinance to provide for the regulation of the employment of persons in shops and for the control of the hours of business in shops.

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 Shops Regulation Ordinance, No. of 1938, and shall come into operation on such date as the Governor shall appoint by Proclamation published in the Gazette.

Short title and date of operation.

Appointment of Officers, &c.

Appointment of officers and servants for the purposes of the Ordinance.

2 (1) The Governor may appoint such number of officers and servants as may from time to time be required for the purpose of carrying out or giving effect to the provisions of this Ordinance.

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

Employment of Persons in Shops.

Restriction of hours of employment of persons in shops.

3 (1) Subject to the provisions of any regulation made under sub-section (4), the normal period during which any person may be employed in or about the business of any shop—

- (a) on any one day shall not exceed nine hours, and
- (b) in any one week shall not exceed fifty hours.

(2) The period during which any person may be employed overtime in or about the business of any shop—

- (a) on any one day shall not exceed the prescribed number of hours, and
- (b) in any one week shall not exceed five hours.

(3) The periods referred to in sub-sections (1) and (2) shall include meal times.

(4) Regulations may be made—

- (a) varying any period mentioned in sub-section (1) or in paragraph (b) of sub-section (2) as regards persons employed in or about the business of different classes of shops or persons above or below a specified age, or prescribing different periods under paragraph (a) of sub-section (2) as regards such persons ;
- (b) prescribing the conditions subject to which persons may be employed overtime in or about the business of a shop, and the method of computing the remuneration (if any) which shall be paid in respect of such overtime work.

(5) No person shall be employed in or about the business of any shop in contravention of any provision of this section or of any regulation made thereunder which applies to that shop or class of shop.

Hours of employment in any other shop or in a factory to be taken into account.

4 No person, who has to the knowledge of the occupier of a shop been previously employed on any day in any other shop or in a factory, shall be employed in or about the business of the shop on that day for a period longer than will, together with the time during which he has so been previously employed on that day, complete the number of hours provided by or prescribed under section 3 as the maximum period during which that person shall be employed on any one day.

Weekly holidays.

5 Every person employed in or about the business of a shop shall be allowed, with full wages, one whole holiday and one half-holiday in each week.

Compulsory annual holiday with full wages.

6 (1) In each year succeeding that during which any person has been continuously employed in or about the business of any shop, that person shall be entitled to take, and shall take, one week's holiday with full wages ; and the occupier of that shop shall allow such holiday and be liable to pay such wages.

(2) Any contract or agreement, whether made before or after the commencement of this Ordinance, whereby any right under sub-section (1) of any person employed in or about the business of any shop is in any way affected or modified, or whereby any liability under that sub-section of the occupier of any shop is in any way removed or reduced, shall be null and void in so far as it purports to affect or modify any such right, or to remove or reduce any such liability.

(3) For the purposes of this section, the continuity of the employment of any person in or about the business of a shop shall be deemed not to be interrupted by reason of the absence of that person from work—

- (a) with full wages in accordance with any provision of this Ordinance ; or
- (b) for a longer period than one week, where a holiday in excess of the requirements of this section is granted to that person ; or
- (c) with the consent of the occupier of the shop in or about the business of which that person is employed.

(4) In this section " year " means a period of twelve months.

7 No person employed in or about the business of a shop shall be so employed continuously for more than four hours without an interval of at least half an hour, or such other longer period as may be prescribed, for rest or a meal :

Provided, however, that this section shall not apply to any person who is a member of the family of the occupier of the shop, maintained by him and dwelling in his house.

Intervals for meals.

8 (1) No person under the age of twelve years shall be employed in or about the business of a shop.

(2) No person who is above the age of twelve years and under the age of eighteen years, and no woman, shall be employed in or about the business of a shop before 6 A.M. or after 6 P.M. on any day.

Provisions relating to employment of women and persons under eighteen in shops.

Arrangements for Health and Comfort of Shop Assistants.

9 In every part of a shop in which persons are employed about the business of the shop, suitable and sufficient means of lighting and ventilation shall be provided and maintained by the occupier of that shop.

Provisions of lighting and ventilation.

10 (1) No person employed in or about the business of any shop shall be permitted or required by the occupier of that shop to live or reside therein except in a room or other place in which suitable and sufficient accommodation is provided for the purpose by the occupier of that shop :

Provision of living accommodation and of Facilities for taking meals.

Provided, however, that this section shall not apply in the case of any person who is a member of the family of the occupier of the shop and is maintained by him.

(2) Where any persons employed in or about the business of any shop take any meals in that shop, suitable and sufficient facilities for the taking of those meals in that shop shall be provided and maintained by the occupier of that shop.

11 Save and except to the extent to which a certificate issued under section 12 is in force in respect of any shop, there shall be provided and maintained in every shop by the occupier thereof suitable and sufficient sanitary conveniences and washing facilities for the use of all persons employed in or about the business of that shop.

Provision of sanitary conveniences and washing facilities, except in exempted shops.

12 (1) If the occupier of any shop furnishes to the satisfaction of the prescribed officer proof of—

- (a) the fact that suitable and sufficient sanitary conveniences and washing facilities are available, within the prescribed distance from that shop, for the use of the persons employed in or about the business of that shop ; and
- (b) any other prescribed circumstance or fact,

Procedure for exemption of shops from provisions of section 11.

such officer shall issue to the occupier of that shop a certificate in the prescribed form exempting that shop from any or all of the provisions of section 11.

(2) Where the prescribed officer refuses to grant a certificate under this section, the refusal shall be communicated to the occupier of the shop by notice in writing served on him.

(3) Every certificate issued under this section shall remain in force until withdrawn under sub-section (4) and where any such certificate is modified under that sub-section, such certificate shall continue in force as so modified until it is so withdrawn.

(4) The prescribed officer may at any time by notice in writing served on the occupier of any shop, and with effect from a date to be specified in such notice (which date shall not be less than three months from the date of service of the notice) withdraw any certificate issued under this section or modify, in the manner specified in the notice, any such certificate.

(5) The occupier of any shop who is aggrieved by the refusal of the prescribed officer to issue a certificate under this section, or the withdrawal or modification of any such certificate, may appeal against such refusal, withdrawal or modification to the Police Court having jurisdiction over the place in which the shop to which such certificate relates is situated.

(6) Where the occupier of any shop desires to appeal to the Police Court under the provisions of sub-section (5), he shall, within ten days of the receipt by him of the notice refusing, withdrawing or modifying the certificate, file in such court a written statement of appeal setting out the grounds on which he is dissatisfied with such refusal, withdrawal or modification ; and the Police Court shall, after giving notice in the prescribed manner to the officer who refused, withdrew or modified the certificate, proceed to hear and determine the appeal and make such order thereon as to it may seem just and equitable in all the circumstances of the case.

(7) No appeal from or application for the revision of any order made by a Police Court under this section shall lie to the Supreme Court.

Special provisions relating to prosecutions for breaches of section 11.

13 No prosecution against the occupier of any shop for the breach of any requirement of this Ordinance relating to the provisions of sanitary conveniences or washing facilities in any shop, shall be instituted in any court unless such occupier—

- (a) has been served with a notice issued by the prescribed officer calling on him to take such action as may be specified in the notice for the purpose of securing compliance with the said requirement; and
- (b) has failed to comply with such notice within a period of three months from the date of the service on him of such notice.

Provision of seats for female shop assistants.

14 (1) In all rooms of any shop in which female persons are employed in the serving of customers, there shall be provided for the use of such persons seats behind the counter or in such other position as may be suitable for the purpose.

(2) The seats provided under sub-section (1) shall be in the proportion of not less than one seat to every three female persons employed in each room.

(3) The occupier of every shop in which seats are provided under sub-section (1) shall permit the female persons employed in that shop to make use of such seats whenever the use thereof does not interfere with their work, and shall also in the prescribed manner and in the prescribed form give notice informing such persons that they are intended to do so.

Closing Orders.

Executive Committee to make "closing orders".

15 (1) Where the Executive Committee is of opinion that it is expedient to restrict the hours during which shops may be or remain open for the serving of customers, it may, subject to the provisions of section 16, make an order under this section (hereinafter referred to as a "closing order") requiring that every shop shall be closed for the serving of customers—

- (a) until a specified hour on each day, or on one or more specified days, in every week;
- (b) at and after a specified hour on each day, or on one or more specified days, in every week;
- (c) throughout a specified day in every week.

(2) Any closing order may—

- (a) specify different days or different hours for different classes of shops or for shops in different areas; or
- (b) specify different days or different hours for different periods of the year; or
- (c) authorise sales after the closing hour, in any specified class of shop, in cases of emergency or in such other circumstances as may be specified in the order; or
- (d) exempt from all or any of the provisions of any such order any particular class of shops; and
- (e) make such incidental, supplemental or consequential provisions as may appear necessary or expedient.

Notice of intention to make a closing order to be given in the Gazette.

16 (1) No closing order shall be made by the Executive Committee unless notification of its intention to make such order is published in the Gazette together with full particulars relating to such order, and a notice specifying a date on or before which objections to the proposed order will be received by the Executive Committee.

(2) Every objection preferred in consequence of a notice under sub-section (1) shall be made in writing and shall contain a statement of the grounds upon which objection is taken to the proposed order.

(3) The Executive Committee shall consider all objections made in consequence of a notice under sub-section (1) and may for the purpose of investigating any such objection, hold such inquiry as to it may seem necessary.

Closing orders to be approved by State Council and ratified by the Governor.

17 (1) Every closing order made by the Executive Committee under section 15 shall be published in the Gazette and shall be brought before the State Council by a motion that such order be approved.

(2) If the State Council approves any closing order such order shall be submitted to the Governor for ratification.

(3) No closing order shall have effect until it has been approved by the State Council and ratified by the Governor; nor until notification of such approval and ratification has been published in the Gazette.

(4) A closing order 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.

18 No shop shall be or remain open for the serving of customers in contravention of any provision of any closing order duly made under this Ordinance.

No shop to be open in contravention of a closing order.

Miscellaneous.

19 The occupier of every shop shall keep exhibited in the shop in such manner as may be prescribed a notice in the prescribed form setting out a list of persons employed in or about the business of the shop and such other particulars as may be prescribed.

List of persons employed, &c., to be exhibited.

20 The occupier of every shop shall, in the prescribed form and manner, keep a record of the hours actually worked by each person employed in or about the business of that shop, including particulars of all overtime work done by each such person.

Records to be kept by occupier.

21 (1) Every prescribed officer shall have power—

- (a) to enter and inspect, at all reasonable hours by day or night, any shop or any part of a shop, for the purpose of examining any record or notice required to be kept or exhibited by or under this Ordinance or of ascertaining whether the provisions of this Ordinance are being complied with; and
- (b) to examine any person whom he finds in any shop and who is employed in or about the business of any shop or whom he has reasonable cause to believe is so employed.

Powers of entry, &c., of prescribed officers.

(2) It shall be the duty of the occupier of any shop and of every agent or servant of such occupier to furnish such facilities as may be required by any officer for the purposes of any entry, inspection or examination which that officer is empowered to carry out under sub-section (1).

22 Where several trades or businesses are carried on in the same shop, and any of those trades or businesses is of such a nature that, if it were the only trade or business carried on in the shop, the shop would be exempt from any provision of this Ordinance or of any regulation, the exemption shall, subject to any regulation in that behalf, apply to the shop so far as the carrying on of that trade or business is concerned.

Provisions relating to shops where more than one business is carried on.

Offences.

23 In the event of any contravention of or failure to comply with any provision of this Ordinance or of any regulation relating to any shop or to the employment of any person in or about the business of that shop, the occupier of that shop shall be guilty of an offence and shall be liable—

Offences by occupier of shop.

- (a) for a first offence, to a fine not exceeding twenty-five rupees or to imprisonment of either description for a term not exceeding one month;
- (b) for a second offence, to a fine not exceeding fifty rupees or to imprisonment of either description for a term not exceeding three months;
- (c) for a third or subsequent offence to a fine not exceeding one hundred rupees or to imprisonment of either description for a term not exceeding six months, or to both such fine and imprisonment.

24 Any person who wilfully delays or obstructs any officer in the exercise of any power conferred by section 21 (1), or conceals or prevents any person liable to be examined by such officer from being so examined, shall be guilty of an offence and shall be liable to a fine not exceeding one hundred rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

Obstruction of officer exercising powers under section 21 (1).

25 If any person makes, or causes or allows to be made, in any record or notice required by or under this Ordinance to be kept or exhibited, any entry which is to his knowledge false in any material particular, or wilfully omits or causes or allows to be omitted from any such record or notice any entry required to be made therein, he shall be guilty of an

Offences in connection with notices or records under the Ordinance.

offence and shall be liable to a fine not exceeding two hundred rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

Offences under Ordinance to be triable summarily.

26 All offences under this Ordinance may be tried summarily before a Police Magistrate.

Liability of manager, agent, &c., of occupier for offences.

27 Where an offence for which the occupier of the shop is liable under this Ordinance, has in fact, been committed by some manager, agent, servant, or other person, the manager, agent, servant or other person shall be guilty of that offence and be liable to the like penalty as if he were the occupier.

Where occupier proves that some other person is guilty of the offence.
No. 15 of 1898.

28 Where the occupier of a shop is charged with an offence against this Ordinance, he shall, upon complaint duly made by him in accordance with the provisions of section 148 of the Criminal Procedure Code, 1898, and on giving to the prosecution not less than three days notice of his intention, be entitled, subject to the provisions of Chapter XV of that Code, to have any other person whom he charges as the actual offender brought before the court, and if, after the commission of the offence has been proved, the occupier proves to the satisfaction of the court that he has used due diligence to enforce the provisions of this Ordinance and that such other person has committed the offence without his knowledge, consent, or connivance, such other person shall be convicted of the offence and the occupier shall be acquitted of the offence.

No offence committed by occupier in certain cases where customer is served after hours.

29 (1) Where, on any day, any person employed in or about the business of a shop is, at the hour at which his employment should under this Ordinance cease on that day, actually engaged in serving any customer, the occupier of that shop shall not be deemed to be guilty of any offence by reason only of the fact that such person was employed on that day after such hour merely in continuing to serve that customer.

(2) Where, on any day, any customer is in any shop at the hour at and after which that shop should under this Ordinance be closed on that day, the occupier of that shop shall not be deemed to be guilty of any offence by reason only of the fact that such customer was served on that day after such hour.

Regulations.

Regulations.

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

(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 any or all of the following matters :—

- (a) all matters stated or required by this Ordinance to be prescribed ;
- (b) the manner in which notices under this Ordinance shall be served ;
- (c) the exemption of particular classes of premises, or of particular classes of trades or businesses, from the provisions of this Ordinance, either with or without conditions or restrictions, and either for specified periods or not.

(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.

Interpretation.

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

“ Executive Committee ” means the Executive Committee of Labour, Industry and Commerce ;

“ factory ” means a factory as defined in the Mines and Machinery Protection Ordinance, 1896 ;

No. 2 of 1896.

“ full wages ”, in relation to any holiday granted to a person employed in or about the business of a shop, means wages at a rate equivalent to the rate of wages to which such person was entitled immediately before the holiday ;

- “ half-holiday ” means a day on which the employment of a person employed in or about the business of a shop ceases not later than two o'clock in the afternoon and on which such person is not so employed for more than six hours, including meal times ;
- “ occupier ”, in relation to any shop, means the owner of the business of that shop or any person having the charge or the general management and control of that shop ;
- “ overtime ”, in relation to any employment or work, means employment or work in excess of the normal maximum period provided by or under section 3 ;
- “ Police Magistrate ” and “ Police Court ”, respectively include a Municipal Magistrate and the court of a Municipal Magistrate ;
- “ prescribed ” means prescribed by regulation ;
- “ regulation ” means a regulation made by the Executive Committee under this Ordinance ;
- “ shop ” means any premises in which any retail or wholesale trade or business is carried on and includes any premises in which the business of a barber or hairdresser, or the sale of articles of food or drink is carried on ; but does not include any prescribed premises or any premises in which any prescribed trade or business is carried on ;
- “ suitable and sufficient ”, in relation to any shop or part of a shop, means suitable and sufficient having regard to the circumstances and conditions affecting that shop or part of a shop ;
- “ week ” means the period between midnight on any Saturday night and midnight on the succeeding Saturday night ;
- “ whole holiday ” means a day on which a person usually employed in or about the business of a shop is not so employed during any period.

(2) For the purpose of this Ordinance—

- (a) a person shall be deemed to be employed in or about the business of a shop if he is wholly or mainly employed—
- (i) in a shop, in connexion with the serving of customers or the receipt of orders or the despatch or delivery of goods ; or
 - (ii) in the service of the occupier of any shop upon any work, whether in the shop or outside it, which is ancillary to the business carried on in that shop, and notwithstanding that he receives no reward for his labour ; but he shall not be deemed to be so employed if his only employment in the service of the occupier of the shop is in the capacity of a caretaker ;
- (b) employment shall be deemed to be continuous unless it is interrupted by at least half an hour.

Application of the Ordinance.

32 Nothing in this Ordinance shall apply to—

- (a) any bazaar or sale of work for charitable or other purposes from which no private profit is derived ; or
- (b) the hawking of newspapers ; or
- (c) the business of an undertaker ; or
- (d) any other prescribed trade or business.

Exemption
from application
of Ordinance.

33 The provisions of this Ordinance shall be in addition to and not in substitution or derogation of the provisions of any other written law relating to the carrying on of any trade or business, or the employment of any person in any trade or business ; and nothing in this Ordinance shall be deemed or construed to permit the carrying on of any business or trade or the employment of any person in contravention of any provision of any such other law.

Provisions of
Ordinance to be
in addition to
and not in
substitution of
other laws.

Objects and Reasons.

The need for legislation designed to ameliorate the conditions of service of shop assistants has long been recognised in England and elsewhere. In England there exists a large body of legislation, commencing with the Shops Act of 1912, which has generally provided the basis for similar legislation already enacted in other parts of the Empire.

The object of this Bill is to introduce into Ceylon legislation, based on the principles of the English law, for the regulation of the employment of shop assistants and the control of the opening and closing hours of shops.

2. Clause 3 of this Bill prescribes the maximum number of hours during which a person may be employed in a shop on any one day and in any one week. In view of the fact that the conditions obtaining in different trades and businesses vary considerably, exemptions to the general rule will be necessary, and sub-clause (4) of Clause 3 provides, therefore, that regulations made by the Executive Committee of Labour, Industry and Commerce may vary the maximum periods in the case of different trades and businesses. Clause 5 ensures to every employee in a shop one whole holiday and one half-holiday in each week, with full wages. Clause 6 provides that every employee in a shop shall be entitled to a week's holiday with full wages after twelve month's continuous work. It will not be possible for the employee or his employer to "contract out" of this provision of the law. Clause 7 provides for the allowance of proper intervals for meals.

Clauses 9 to 13 deal with the provision in all shops of suitable and sufficient means of lighting and ventilation, adequate living accommodation, facilities for taking meals, and sanitary conveniences and washing facilities. It will be possible, however, for the occupier of a shop in certain circumstances, to obtain for his shop exemption from the requirements regarding sanitary conveniences and washing facilities. (Clauses 12). Clauses 8 (1) prohibits altogether the employment in shops of persons under the age of twelve. The employment of women and persons under the age of eighteen years in shops is restricted by clause 8 (2).

3. Clauses 15 to 18 deal with the making of "closing orders" by the Executive Committee. A closing order may prescribe generally the opening and closing hours of shops and also provide that in each week there should be an early closing day and a day on which shops shall not be open at all. Provisions can be inserted in a closing order for the purpose of dealing with the special circumstances and conditions in any particular trade or business or in a particular area (Clause 15 (2)). Before making any closing order the Executive Committee is required, by clause 16 to give notice of its intention to make the order and an opportunity will then be afforded to any party interested to make representations against the proposed order. It is further provided in clause 17 that no closing order can have effect until it has been approved by the State Council and ratified by the Governor.

4. For the purpose of carrying out effectively the provisions of the Bill relating to the hours of employment, clauses 19 and 20 cast on the occupier of every shop certain duties with regard to the exhibition of notices and the keeping of books, and by clause 21 powers of entry and inspection are conferred on certain classes of officers to be prescribed by regulations.

5. The provisions of the new law will apply in the case of all premises in which any retail or wholesale trade or business is carried on, including any premises in which the business of a barber or hairdresser or the sale of articles of food and drink is conducted. (Clause 31). Bazaars and sales of work for charity, the hawking of newspapers, and the business of an undertaker will not be affected. (Clause 32). In addition to these exemptions, regulations made by the Executive Committee may exempt from the provisions of the Bill premises in which any particular trade or business is carried on. (Clauses 30, 31, 32).

6. The duty of complying with the provisions of the new law in the case of any shop is cast on the "occupier" of that shop, that is, on the owner of the business of that shop, or the person having the charge or the general management and control of the shop. (Clauses 23 and 31). Where, however, in any particular case, some person other than the occupier is in fact responsible for the contravention of any provision of the law, such other person may be prosecuted and convicted of the offence. (Clauses 27 and 28).

7. The Executive Committee is empowered by clause 30 to make regulations for the purpose of carrying out or giving effect to the provisions of the Bill. Such regulations will, of course, be subject to the approval of the State Council and ratification by the Governor.

G. C. S. COREA,
Minister for Labour, Industry and Commerce.
Colombo, June 30, 1938.

MINUTE.

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

An Ordinance to authorise the imposition and recovery of charges for the use of public aerodromes.

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

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| <p>1 This Ordinance may be cited as the Public Aerodromes Ordinance, No. of 1938, and shall come into operation on such date as the Governor may appoint by Proclamation published in the Gazette.</p> | <p>Short title and date of operation.</p> |
| <p>2 (1) The Governor may prescribe a tariff of charges for the use of any public aerodrome by aircraft and for services rendered to aircraft at that aerodrome.</p> <p>(2) Every such tariff shall include charges for landing and length of stay applicable to the aircraft of all countries alike.</p> | <p>Tariff of charges at public aerodromes.</p> |
| <p>3 Every tariff of charges prescribed by the Governor shall—</p> <p>(a) be notified in the Gazette ; and</p> <p>(b) be exhibited and kept exhibited in a conspicuous place in the public aerodrome to which the tariff relates.</p> | <p>Notification and exhibition of tariff of charges.</p> |
| <p>4 The Governor may for each public aerodrome appoint a Superintendent, one or more Assistant Superintendents, and such other officers and servants as may be necessary.</p> | <p>Appointment of Superintendent and other officers.</p> |
| <p>5 The aircraft of all countries alike shall be entitled to use a public aerodrome to the same extent and upon the same conditions.</p> | <p>Nationality of aircraft not to effect right to use public aerodrome.</p> |
| <p>6 Where any aircraft uses any public aerodrome or where any service is rendered or required to be rendered to any aircraft at any public aerodrome, the owner of that aircraft shall be liable to pay the prescribed charge for such use or service to the Superintendent of the Aerodrome on demand.</p> | <p>Liability of owner of aircraft to pay prescribed charges.</p> |
| <p>7 (1) Where the owner of any aircraft has made default in the payment of any prescribed charge, the Superintendent of the public aerodrome at which that charge was incurred may apply to the Police Court having jurisdiction over the place where the aerodrome is situate for the recovery of such charge ; and, on receipt of the application, the Police Court shall, after giving the owner of the aircraft an opportunity of being heard, and after such inquiry as the court may deem necessary, make order that the owner of the aircraft shall pay such amount as the court may find to be due as charges together with such amount as the court may award as costs.</p> <p>(2) Any amount which the owner of an aircraft is ordered to pay under sub-section (1), whether as charges or as costs, may be recovered as though it were a fine imposed by the Police Court which made the order, notwithstanding that the amount of such charges or of the costs awarded or of the aggregate of both charges and costs may exceed the amount of a fine which the court may impose in the exercise of its ordinary jurisdiction.</p> <p>(3) An appeal shall lie to the Supreme Court against an order made by a Police Court under sub-section (1). For the purposes of such appeal, an order under sub-section (1) shall be deemed to be a final order made by a Police Court ; and the provisions of Chapter XXX of the Criminal Procedure Code, 1898, shall apply accordingly.</p> | <p>Recovery of prescribed charges.</p> |
| <p>8 It shall be lawful for the Superintendent to detain any aircraft at any public aerodrome until all prescribed charges due in respect of that aircraft are paid or recovered.</p> | <p>Power to detain aircraft until prescribed charges are paid.</p> |
| <p>9 In this Ordinance, unless the context otherwise requires—</p> <p>“ aerodrome ” means any definite and limited ground or water area in Ceylon intended to be used, either wholly or in part, for the landing or departure of aircraft ;</p> <p>“ aircraft ” includes all balloons, whether fixed or free, kites, gliders, airships, airplanes, and other flying machines ;</p> <p>“ Government aerodrome ” means an aerodrome established and maintained by the Governor and under his control ;</p> | <p>Interpretation.</p> |

“owner” includes the hirer of an aircraft and the pilot or other person in charge of an aircraft;

“prescribed charge” means the charge specified in the tariff relating to any public aerodrome for the use of that aerodrome by any aircraft or for any service rendered or to be rendered to any aircraft at that aerodrome;

“public aerodrome” means a Government aerodrome which has been authorised by the Governor to be used by aircraft (including aircraft carrying passengers for hire or reward) as a regular place of landing and departure;

“Superintendent” means the Superintendent of a public aerodrome appointed under section 4 and includes an Assistant Superintendent of that aerodrome.

Savings.

10 Nothing in this Ordinance shall apply to any aircraft belonging to His Majesty or exclusively employed in the service of His Majesty.

Objects and Reasons.

Section 8 of the Air Navigation Act, 1920, as applied to Ceylon with necessary modifications by the Air Navigation (Colonies and Protectorates) Order in Council, 1922, empowers the Governor to establish and maintain aerodromes within the Island. The Governor is further empowered by Article 8 of the Air Navigation (Colonies, Protectorates and Mandated Territories) Order, 1927, as amended by the Second Amendment Order in Council of 1936 to licence for public use aerodromes which are established within Ceylon by private enterprise. An aerodrome which is under the control of the Governor may be authorised by him to be used as a regular place of landing and departure by aircraft carrying passengers for hire or reward. This type of aerodrome is referred to in the Bill as a public aerodrome. Though the Order in Council provides for the imposition of charges for the use of private licensed aerodromes, no statutory provision exists for the levy of similar charges at public aerodromes.

2. The object of this Bill is to make provision for the imposition and recovery of charges for the use of public aerodromes and for services rendered to aircraft at such aerodromes.

J. L. KOTALAWALA,

Minister for Communications and Works.

June 30, 1938.

MINUTE.

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

L. D.—O 44/38

An Ordinance to amend the Manufacture of Matches (Regulation) Ordinance, No. 9 of 1938.

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 Manufacture of Matches (Regulation) Amendment Ordinance, No. of 1938, and shall come into operation on such date as the Governor may appoint by Proclamation published in the Gazette.

Amendment of Ordinance No. 9 of 1938.

2 The Manufacture of Matches (Regulation) Ordinance, No. 9 of 1938, (hereinafter referred to as “the principal Ordinance”), is hereby amended by the substitution, for the word “Registrar-General” wherever that word occurs in the principal Ordinance other than in section 16 of the word “Director”.

Amendment of section 16 of the principal Ordinance.

3 Section 16 of the principal Ordinance is hereby amended in sub-section (1) thereof, as follows:—

(a) by the insertion, immediately after the definition of “box”, of the following new definition:—

““Director” means the Director of Commerce and Industries and includes the Deputy Director of Commerce and Industries and any Assistant Director of Commerce and Industries;”

- (b) in the definition of "licence", by the substitution for the word "Registrar-General", of the word "Director"; and
- (c) by the omission of the definition of "Registrar-General".

Objects and Reasons.

At the time the Manufacture of Matches (Regulation) Ordinance, No. 9 of 1938, was passed, the Registrar-General was also the Director of Commercial Intelligence, and the administration of that Ordinance was therefore vested in the Registrar-General.

As the two offices have now been separated, this Bill seeks to vest such administration in the Director of Commerce and Industries.

G. C. S. COREA,

Minister for Labour, Industry and Commerce.
Colombo, June 29, 1938.

The "Ceylon Government Gazette."

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