



THE CEYLON GOVERNMENT GAZETTE

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PART II.—LEGAL.

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

	PAGE		PAGE
List of Jurors and Assessors	—	Supreme Court Notices	—
Governor's Ordinances	—	District and Minor Courts Notices	511
Passed Ordinances	503	Notices in Insolvency Cases	511
Draft Ordinances	510	Council of Legal Education Notices	—
List of Notaries	—	Notices of Fiscals' Sales	512
Notifications of Criminal Sessions of the Supreme Court	—	Notices in Testamentary Actions	513
		Miscellaneous	—

PASSED ORDINANCES.

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

No. 27 of 1942.

L. D.—O 16/37

An Ordinance to declare and define certain powers, privileges and immunities of the State Council and of its members ; to secure freedom of speech in the State Council ; to regulate admittance to the State Council Chamber ; to give protection to persons employed in the publication of the reports and other papers of the State Council ; and for purposes incidental to or connected with the matters aforesaid.

[Assented to by His Majesty the King : See Proclamation dated July 14, 1942, published in Government Gazette No. 8,968 of July 17, 1942.]

A. CALDECOTT.

TABLE OF SECTIONS.

- Short title.
Freedom of speech.
- Freedom of speech.
- Immunity of members in respect of statements made and votes given in the Council.
Attendance of witnesses before the Council and matters incidental thereto.
- Power to order the attendance of witnesses.
- Attendance to be notified by summons.
- Witnesses may be examined on oath.
- Objection to answer questions or to produce papers.
- Penalty for perjury before Council or committee.
- Privileged evidence.
- Certificate issued to witnesses making full disclosure to be a bar to civil or criminal proceedings.
- Evidence of proceedings in the Council or committee not to be given without leave.
Regulation of admittance to the Council Chamber.
- Right to enter Council Chamber.
- Power of Speaker to regulate admittance to the Council Chamber.
- Power of Speaker to order withdrawal from Council Chamber.
Offences and Penalties.
- Offences relating to admittance to the Council Chamber.
- Other offences.
- Officers of Council to have powers of peace officers.
- All offences to be cognizable offences.
- Attorney-General to sanction prosecutions.
- Members not to receive compensation for promotion or opposition of Bills, &c.
- Recovery of penalties.
Miscellaneous.
- Commons Journals to be *prima facie* evidence in inquiries touching privilege.

23. Journals printed by order of the Council to be admitted as evidence.
24. Penalty for printing false copy of Ordinance, Journal, &c.
25. Protection of persons responsible for publications authorised by the Council.
26. Publication of proceedings without malice.
27. Powers of Speaker to be supplementary to his powers under Order in Council.
28. Courts not to exercise jurisdiction in respect of acts of Speaker and Officers of the Council.
29. Speaker to act notwithstanding dissolution of Council.
30. Civil process not to be served in Council Chamber.
31. Privileges to be judicially noticed.
32. Interpretation.
33. Saving of rights, powers and privileges of the Council.

An Ordinance to declare and define certain powers, privileges and immunities of the State Council and of its members ; to secure freedom of speech in the State Council ; to regulate admittance to the State Council Chamber ; to give protection to persons employed in the publication of the reports and other papers of the State Council ; and for purposes incidental to or connected with the matters aforesaid.

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 State Council Powers and Privileges Ordinance, No. 27 of 1942.

Freedom of speech.

Freedom of speech. 2. There shall be freedom of speech in the Council and such freedom of speech shall not be questioned in any court or place out of the Council.

Immunity of members in respect of statements made and votes given in the Council. 3. No member shall be liable to any civil or criminal proceedings in any court or to arrest, fine, imprisonment or damages in respect of anything said or any vote given by him in the Council or in respect of any matter or thing which he may have brought before the Council by bill, motion, petition, resolution, or otherwise.

Attendance of witnesses before the Council and matters incidental thereto.

Power to order the attendance of witnesses. 4. The Council, and any committee which is duly authorised by an order of the Council to send for persons, documents or papers, may order any person to attend before the Council or before such committee and to produce any paper, book, record or document in the possession or under the control of such person.

Attendance to be notified by summons. 5. (1) Any order to attend or to produce documents before the Council or before any committee shall be notified to the person required to attend or produce documents by a summons under the hand of the Clerk issued by direction of the Speaker ; and in every such summons there shall be stated the time when and the place where the person summoned is required to attend and the particular documents which he is required to produce ; and the summons shall be served on the person mentioned therein either by delivering to him a copy thereof or by leaving a copy thereof at his usual or last known place of abode in Ceylon, with some adult person ; and there shall be paid or tendered to the person so summoned, if he does not reside within four miles of the Council Chamber, such sum for his expenses as may be prescribed by any Standing Order made in that behalf.

(2) A summons under this section may be served by an Officer of the Council or through the Fiscal or the Police ; and every Fiscal and his deputies and their officers and all police officers are hereby required to assist in the service of any such summons.

Witnesses may be examined on oath. 6. The Council or a committee may require that any facts, matters, and things relating to the subject of inquiry before the Council or such committee be verified or otherwise ascertained by the oral examination of witnesses, and may cause any such witnesses to be examined upon oath which the Speaker or the chairman of the committee or other person specially appointed for that purpose is hereby authorised to administer.

Objection to answer questions or to produce papers. 7. (1) Where any person ordered to attend or to produce any paper, book, record or document before the Council refuses to answer any question that may be put to him or to produce any such paper, book, record or document on the ground that the same is of a private nature and does not affect the subject of inquiry, the Speaker may excuse the answering of such question or the production of such paper, book, record or document, or may order the answering or production thereof.

(2) Where any person ordered to attend or to produce any paper, book, record or document before any committee refuses to answer any question that may be put to him or to produce any such paper, book, record or document on the ground that the same is of a private nature and does not affect the subject of inquiry, the chairman of the committee may report such refusal to the Speaker with the reasons therefor; and the Speaker may thereupon excuse the answering of such question or the production of such paper, book, record or document, or may order the answering or production thereof.

8. Any person who, before the Council or any committee (and whether or not that person has been sworn or has made a solemn affirmation or declaration), after being duly cautioned as to his liability to punishment under this section, intentionally gives a false answer to any question material to the subject of inquiry which may be put to him during the course of any examination, shall be guilty of an offence under section 190 of the Penal Code and shall be liable, on conviction, to the penalties prescribed by that section for that offence.

Penalty for perjury before Council or committee.

Cap. 15.

9. Every person summoned to give evidence or to produce any paper, book, record or document before the Council or a committee shall be entitled, in respect of such evidence or the disclosure of any communication or the production of any such paper, book, record or document, to the same right or privilege as before a court of law; and the provisions of the Evidence Ordinance shall apply accordingly; and, for the purposes of such application, the summons to such person shall be deemed to be a summons issued by a court of law and the proceedings before the Council or such committee shall be deemed to be a proceeding in such a court.

Privileged evidence.

Cap. 11.

10. (1) Every witness before the Council or a committee who shall answer fully and faithfully any questions put to him by the Council or such committee to its satisfaction shall be entitled to receive a certificate under the hand of the Speaker or the chairman of the committee, as the case may be, stating that such witness was upon his examination so required to answer and did answer any such questions.

Certificate issued to witnesses making full disclosure to be a bar to civil or criminal proceedings.

(2) On production of such certificate to any court of law such court shall stay any proceedings, civil or criminal, except for a charge under section 190 of the Penal Code for perjury against such witness for any act or thing done by him before the time and revealed by the evidence of such witness, and may, in its discretion, award to such witness such expenses as he may have been put to.

Cap. 15.

11. No member or officer of the Council and no shorthand writer employed to take minutes of evidence before the Council or any committee shall give evidence elsewhere in respect of the contents of such evidence or of the contents of any manuscript or document laid before the Council or any committee or in respect of any proceedings or examination held before the Council or before any committee without the special leave of the Council first had and obtained. Such special leave may be given after a dissolution or during a recess or adjournment by the Speaker, or, in his absence or other incapacity, by the Clerk.

Evidence of proceedings in the Council or committee not to be given without leave.

Regulation of admittance to the Council Chamber.

12. No stranger shall be entitled, as of right, to enter or to remain within the Council Chamber.

Right to enter Council Chamber.

13. (1) The Speaker is hereby authorised to issue such orders as he may in his discretion deem necessary for the regulation of the admittance of strangers to the Council Chamber.

Power of Speaker to regulate admittance to the Council Chamber.

(2) Copies of orders made by the Speaker under this section shall be duly authenticated by the Clerk of the Council and exhibited in conspicuous positions in the Council Chamber; and such copies, when so authenticated and exhibited, shall be deemed to be sufficient notice to all persons affected thereby.

14. The Speaker may at any time order any stranger to withdraw from the Council Chamber.

Power of Speaker to order withdrawal from Council Chamber.

Offences and Penalties.

15. Any person who—

(1) being a stranger enters or attempts to enter the Council Chamber in contravention of any order of the Speaker, or

Offences relating to admittance to the Council Chamber.

- (2) being a stranger fails or refuses to withdraw from the Council Chamber when ordered to withdraw therefrom by the Speaker, or
- (3) contravenes any rule made by the Speaker under the Standing Orders, or
- (4) attends any sitting of the State Council as the representative of any journal after the general permission granted under the Standing Orders to the representative or representatives of that journal has been revoked,

shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding two hundred rupees, or to imprisonment of either description for a period not exceeding six months, or to both such fine and imprisonment.

Other offences.

16. Any person who—

- (a) disobeys any order made by the Council or a committee for attendance or for production of papers, books, documents or records, unless such attendance or production be excused as hereinbefore provided; or
- (b) refuses to be examined before or to answer any lawful and relevant question put by the Council or a committee unless such refusal be excused as hereinbefore provided; or
- (c) offers to any member or Officer of the Council any bribe, fee, compensation, gift or reward in order to influence him in his conduct as such member or officer, or for or in respect of the promotion of or opposition to any Bill, resolution, matter, rule, or thing submitted to or intended to be submitted to the Council; or
- (d) assaults, obstructs or insults any member coming to or going from the Council, or endeavours to compel any member by force, insult or menace to declare himself in favour of or against any proposition or matter depending or expected to be brought before the Council; or
- (e) assaults, interferes with, resists or obstructs any officer of the Council while in the execution of his duty; or
- (f) creates or joins in any disturbance which interrupts or is likely to interrupt the proceedings of the Council while the Council is sitting; or
- (g) presents to the Council or a committee any false, untrue, fabricated or falsified document with intent to deceive the Council; or
- (h) publishes any false or scandalous libel on the Council,

shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding one thousand rupees.

**Officers of Council to have powers of peace officers.
Cap. 16.**

17. Every officer of the Council shall, for the purposes of this Ordinance and of the application of the provisions of the Criminal Procedure Code, have all the powers of a peace officer under that Code.

**All offences to be cognizable offences.
Cap. 16.**

18. Every offence under this Ordinance shall be a cognizable offence for the purposes of the application of the Criminal Procedure Code, notwithstanding anything contained in the second schedule to that Code.

Attorney-General to sanction prosecutions.

19. No prosecution for an offence under this Ordinance shall be instituted except with the written sanction of the Attorney-General.

Members not to receive compensation for promotion or opposition of Bills, &c.

20. (1) No member shall accept or receive either directly or indirectly any fee, compensation, gift or reward for or in respect of the promotion of or opposition to any Bill, resolution, matter or thing submitted or intended to be submitted for the consideration of the Council.

(2) Any person acting in contravention of this section shall be liable to a penalty not exceeding five thousand rupees, and, in addition, to repay the amount of the value of the fee, compensation, gift, or reward accepted or received by him.

Recovery of penalties.

21. (1) The Attorney-General may sue for and recover in any civil court of competent jurisdiction any penalty incurred by any person under this Ordinance as though such penalty were a debt due to the Crown; and no person other than the Attorney-General shall sue for or recover any such penalty.

(2) Any such penalty shall, when recovered, be credited to the general revenue of Ceylon.

Miscellaneous.

22. Subject to the provisions of this Ordinance, a copy of the Journals of the Commons House of the Parliament of the United Kingdom of Great Britain and Northern Ireland printed or purporting to be printed by the order or by the printer of the Commons House aforesaid shall be received as *primâ facie* evidence without proof of its being such copy upon any inquiry touching the privileges, immunities and powers of the Council or of any member thereof.
23. Upon any inquiry touching the privileges, immunities and powers of the Council or of any member, any copy of the journals printed or purporting to be printed by the Government Printer shall be admitted as evidence of such journals in all courts and places without any proof being given that such copy was so printed.
24. Any person who shall print or cause to be printed a copy of any Ordinance now or hereafter in force, or a copy of any report, paper, minutes or votes and proceedings of the Council as purporting to have been printed by the Government Printer or by or under the authority of the Council or by the Speaker, and the same is not so printed, or shall tender in evidence any such copy as purporting to be so printed knowing that the same was not so printed, shall be guilty of an offence and shall be liable upon conviction to imprisonment of either description for a period not exceeding three years.
25. Any person, being a defendant in any civil or criminal proceedings instituted for or on account or in respect of the publication by such person or by his servant, by order or under the authority of the Council of any reports, papers, minutes, votes or proceedings, may, on giving to the plaintiff or prosecutor, as the case may be, twenty-four hours' written notice of his intention, bring before the court in which such civil or criminal proceedings are being held a certificate under the hand of the Speaker or of the Clerk stating that the reports, papers, minutes, votes or proceedings in respect whereof such civil or criminal proceedings have been instituted were published by such person or by his servant by order or under the authority of the Council together with an affidavit verifying such certificate, and such court shall thereupon immediately stay such civil or criminal proceedings and the same and every process issued therein shall be deemed to be finally determined.
26. In any civil or criminal proceedings instituted for publishing any extract from or abstract of any such report, paper, minutes, votes or proceedings as in the preceding section mentioned, if the court or jury, as the case may be, be satisfied that such extract or abstract was published *bona fide* and without malice, judgment or verdict, as the case may be, shall be entered for the defendant or accused.
27. The powers of the Speaker under this Ordinance shall be supplementary to his powers under the Order in Council and the Standing Orders.
28. Neither the Speaker nor any Officer of the Council shall be subject to the jurisdiction of any court in respect of the exercise of any power conferred on or vested in the Speaker or such officer by or under this Ordinance.
29. For the purposes of this Ordinance, the person who fills the office of the Speaker at the time of any dissolution of the Council shall be deemed to be the Speaker until a Speaker has been elected in accordance with the provisions of the Order in Council.
30. Notwithstanding anything in any other written law to the contrary, no process issued by any court of Ceylon in the exercise of its civil jurisdiction shall be served or executed within the Council Chamber or through the Speaker, the Clerk or an Officer of the Council.
31. All courts are hereby required to take judicial notice of the privileges and immunities of the Council and its members.
32. (1) In this Ordinance, unless the context otherwise requires—
- “Clerk” means the Clerk of the Council appointed under Article 27 of the Order in Council;
- “committee” means any executive, standing, select or other committee of the Council and includes the Board of Ministers; and in sections 5 to 11 and 16 means a committee duly authorised by an order of the Council as provided in section 4;

Commons Journals to be *primâ facie* evidence in inquiries touching privilege.

Journals printed by order of the Council to be admitted as evidence.

Penalty for printing false copy of Ordinance, journal, &c.

Protection of persons responsible for publications authorised by the Council.

Publication of proceedings without malice.

Powers of Speaker to be supplementary to his powers under Order in Council.

Courts not to exercise jurisdiction in respect of acts of Speaker and Officers of the Council.

Speaker to act notwithstanding dissolution of Council.

Civil process not to be served in Council Chamber.

Privileges to be judicially noticed.

Interpretation.

- “ Council ” means the State Council of Ceylon constituted under the Order in Council and includes a committee ;
- “ Council Chamber ” means the entire building containing the chamber in which the Council sits in session for the transaction of business, together with the offices of the Council and the galleries or places provided for the use or accommodation of strangers, members of the public and representatives of the press, and includes the land on which such building stands bounded on the north, west and south by a parapet wall and on the east by the Secretariat ;
- “ journals ” means the minutes of the Council or the official record of the votes or proceedings thereof ;
- “ member ” means a member of the Council, whether elected or nominated, and includes an Officer of State ;
- “ Officer of the Council ” means the Clerk of the Council or any other officer or person acting within the Council Chamber under the orders of the Speaker, and includes any Police Officer on duty within the Council Chamber ;
- “ Order in Council ” means the Ceylon (State Council) Order in Council, 1931, as amended by any other Order of His Majesty in Council ;
- “ Speaker ” means the Speaker of the Council and includes the Deputy Speaker, the Deputy Chairman of Committees or other member of the Council when such Deputy Speaker, Deputy Chairman or member is presiding at a meeting of the Council in accordance with the provisions of Article 30 (5) of the Order in Council ;
- “ Standing Orders ” means the Standing Orders of the Council made under the Order in Council and for the time being in force ;
- “ stranger ” means any person other than a member or an Officer of the Council.

(2) Any reference to a Board, Committee or person mentioned in the Order in Council by name, designation, or office, shall be construed as a reference to the Board or Committee which for the time being is entitled to function under that name under the Order in Council, or to the person for the time being holding that office or entitled to that designation under the Order in Council, as the case may be.

Saving of rights, powers and privileges of the Council.

33. Nothing in this Ordinance shall be deemed, directly or indirectly, by implication or otherwise, in any way to diminish the rights, privileges, or powers of the Council, whether such rights, privileges or powers are held by custom, statute, or otherwise ; and the omission to define by this Ordinance all privileges, immunities and powers which could have been so defined in the exercise of the powers conferred by Article 73 of the Order in Council shall not at any time for any purpose be construed in derogation of the right hereafter to define by Ordinance any such privilege, power or immunity which is not expressly mentioned in this Ordinance.

Passed in Council the Seventh day of June, One thousand Nine hundred and Thirty-nine.

E. W. KANNANGARA,
Clerk of the Council.

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

No. 28 of 1942.

L. D.—O 16/37

‘An Ordinance to amend the Ordinance intituled “ An Ordinance to declare and define certain powers, privileges and immunities of the State Council and of its members ; to secure freedom of speech in the State Council ; to regulate admittance to the State Council Chamber ; to give protection to persons employed in the publication of the reports and other papers of the State Council ; and for purposes incidental to or connected with the matters aforesaid. ”

[Assented to by His Majesty the King : See Proclamation dated July 14, 1942, published in Government Gazette No. 8,963 of July 17, 1942.]

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 State Council Powers and Privileges (Amendment) Ordinance, No. 28 of 1942.

2. In the event of the Bill intituled "An Ordinance to declare and define certain powers, privileges and immunities of the State Council and of its members; to secure freedom of speech in the State Council; to regulate admittance to the State Council Chamber; to give protection to persons employed in the publication of the reports and other papers of the State Council; and for purposes incidental to or connected with the matters aforesaid" taking effect as an Ordinance upon the signification of His Majesty's assent thereto by Proclamation published in the *Government Gazette*, that Ordinance shall, with effect from the date of the publication of such Proclamation, be amended as follows:—

Amendment of the State Council Powers and Privileges Bill in the event of that Bill becoming law.

- (1) by the repeal of section 4 and the substitution therefor of the following new section:—

4. The Council or any standing committee may, subject to the provisions of sections 9 and 31, order any person to attend before the Council or before such committee and to produce any paper, book, record or document in the possession or under the control of such person.

Power to order the attendance of witnesses.

The powers conferred by the preceding provisions of this section on a standing committee may be exercised by any other committee which is specially authorised by a resolution of the Council to exercise such powers in respect of any matter or question specified in the resolution.

- (2) In section 9—

- (a) by the substitution for the marginal note of that section of the following new marginal note:—

"Evidence before the Council or a committee.";

- (b) by the re-numbering of that section as section 9 (1);

- (c) by the addition to that section of the following new sub-section:—

"(2) Except with the consent of the Governor, no public officer shall—

- (a) produce before the Council or a committee any such paper, book, record or document, or

- (b) give before the Council or a committee evidence on any such matter,

as relates to or is connected with the exercise by the Governor or by any public officer of any power or authority conferred or delegated by or under the provisions of Article 86 of the Order in Council; nor shall secondary evidence be received by or produced before the Council or a committee of the contents of any such paper, book, record or document.

In this sub-section "secondary evidence" has the same meaning as in the Evidence Ordinance.";

Cap. 11.

- (3) by the repeal of section 29;
- (4) by the re-numbering of sections 30 and 31 as sections 29 and 30, respectively;
- (5) in re-numbered section 29, by the substitution, for the words "Council Chamber", of the words "Council Chamber while the Council is sitting,";
- (6) by the insertion, immediately after re-numbered section 30, of the following new section:—

31. Where at any time any question arises in the Council or in a committee in regard to—

- (a) the right or power of the Council or a committee to hear, admit or receive oral evidence; or

- (b) the right or power of the Council or a committee to peruse or examine any paper, book, record or document or to summon, direct or call upon any person to produce any paper, book, record or document or to lay such paper, book, record or document before the Council or committee; or

- (c) the right or privilege of any person (including a member of the Council or committee) to refuse to produce any paper, book, record or document or to lay any paper, book, record or document before the Council or committee,

Questions relating to evidence and production of documents before the Council or a committee to be determined in accordance with usage of Parliament.

that question shall, subject to the preceding provisions of this Ordinance, and except in so far as express provision is made in those provisions for the determination of that question, be determined in accordance with the usage and practice of the Commons House of Parliament of the United Kingdom of Great Britain and Northern Ireland.

and

(7) in section 32 (1), by the substitution for the definition of "committee" of the following :—

"committee" means any Executive, standing, select or other committee of the Council; and in sections 5 to 11 and section 16 means a standing committee or any other committee duly authorised by a resolution of the Council under section 4 ;

Passed in Council the Fourth day of June, One thousand Nine hundred and Forty-two.

D. C. R. GUNAWARDANA,
Clerk of the Council.

DRAFT ORDINANCES.

MINUTE.

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

L. D. O 42/41

Chapter 330.
(Volume VI.,
page 733).

An Ordinance to amend the Cattle Ordinance.

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 Cattle Amendment Ordinance, No. of 1942.

Replacement of section 2 of Chapter 330.

2. Section 2 of the Cattle Ordinance (hereinafter referred to as "the principal Ordinance"), is hereby repealed and the following new section is substituted therefor :—

Interpretation.

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

"branding district" means any area declared to be a branding district under section 5A ;

"cattle" means bulls, cows, bullocks, buffaloes, heifers, steers and calves ;

"Executive Committee" means the Executive Committee of Agriculture and Lands ;

"prescribed" means prescribed by regulation made under section 3.

Amendment of section 3 of the principal Ordinance.

3. Section 3 of the principal Ordinance is hereby amended by the substitution, for the word "Governor", of the words "Executive Committee".

Amendment of section 4 of the principal Ordinance.

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

(1) by the omission of paragraphs (x) and (xi) ;

(2) in paragraph (xii), by the substitution, for the word "fixing", of the words "the fixing, by the prescribed authority and in the prescribed manner, of";

(3) in paragraph (xiii), by the substitution, for the word "fixing", of the words "the fixing, by the prescribed authority and in the prescribed manner, of";

(4) in paragraph (xxvii), by the substitution, for the words "the issue of vouchers", of the words "the branding of cattle, the issue of vouchers";

(5) in paragraph (xxviii), by the substitution, for the word "Ordinance:", of the words "Ordinance; and";

(6) by the insertion, immediately after paragraph (xxviii), of the following new paragraph :—

"(xxix) for prescribing the area within which any regulation made under this Ordinance shall be in force:" ;

and

(7) in the proviso thereto, by the substitution, for the word "Governor", of the words "Executive Committee".

Replacement of section 5 of the principal Ordinance.

5. Section 5 of the principal Ordinance is hereby repealed and the following new section is substituted therefor :—

Approval and ratification of regulations.

5. No regulation made under section 3 shall have effect until it has been approved by the State Council and ratified by the Governor and notification of such approval and ratification is published in the *Gazette*. Every regulation shall upon notification of such approval and ratification be as valid and effectual as if it were herein enacted.

6. The following section is hereby inserted immediately after section 5 of the principal Ordinance and shall have effect as section 5A of that Ordinance :—

Insertion of new section 5A in the principal Ordinance.

5A. The Executive Committee may, from time to time by notification published in the *Gazette*, declare any area to be a branding district for the purpose of branding cattle and fix a communal brandmark for each such district.

Branding districts and communal brandmarks.

7. Section 6 of the principal Ordinance is hereby amended by the substitution, for the words " It shall be lawful for the Governor, from time to time by Proclamation to exclude ", of the words " The Executive Committee may, from time to time by notification published in the *Gazette*, exclude ".

Amendment of section 6 of the principal Ordinance.

8. Every regulation made by the Governor under section 3 of the principal Ordinance and in force at the date of the commencement of this Ordinance shall continue in force and shall be deemed for all purposes to be a regulation made by the Executive Committee in accordance with the provisions of sections 3 and 5 of the principal Ordinance as amended by this Ordinance.

Savings.

Objects and Reasons.

The Cattle Ordinance (Chapter 330) which was enacted in 1898, empowers the Governor to make regulations and to limit the area within which any such regulations shall be in force. The regulations, when made, have to be laid before the State Council and may be disapproved by a resolution of the Council (sections 3 and 5). That Ordinance also empowers the Governor to exclude any description of cattle from the operation of any regulation relating to the branding of cattle (section 6). As this procedure is not suitable under the present Constitution, it is proposed, by Clauses 3 and 5 of this Bill, to amend the Cattle Ordinance so as to enable regulations to be made by the Executive Committee of Agriculture and Lands, and by Clause 7 to vest in the Executive Committee the power now vested in the Governor by section 6. Any regulations made by the Executive Committee will not come into force until they are approved by the State Council and ratified by the Governor and notification of such approval and ratification is published in the *Gazette*.

2. Under paragraphs (xii) and (xiii) of section 4 of the principal Ordinance, the fixing of places at which, and the days on which, cattle are to be branded, has to be effected by regulations. It will be more convenient if these details are left to be determined by a person or authority to be prescribed in the regulations. It is also necessary to vest in the Executive Committee the power to prescribe the fees to be paid for the branding of cattle and the power to limit the area within which any regulations are to be in force. These amendments are set out in Clause 4.

3. Clause 6 will vest in the Executive Committee the power to declare from time to time by notification published in the *Gazette* any area to be a branding district and to fix a communal brandmark for each such district. Paragraphs (x) and (xi) of section 4 of the principal Ordinance, which require these matters to be prescribed by regulation, are being omitted.

D. S. SENANAYAKE,

Minister for Agriculture and Lands.

Colombo, July 13, 1942.

(Continued on page 515)

DISTRICT AND MINOR COURTS NOTICES.

L.D.—B 178/39

The Village Communities Ordinance.

THE Village Tribunal established in the Divisional Revenue Officer's Division of West Giruwa pattu having, with the approval of the Assistant Government Agent of the Hambantota District, set apart the building specified in the Schedule hereto as a court-house, it is hereby notified, under section 127 of the Village Communities Ordinance (Chapter 198), that the said building is the court-house at Walasmulla of the said Village Tribunal.

C. SITTAMPALAM,

Assistant Government Agent, Hambantota District

The Kachcheri,
Hambantota, July 8, 1942.

Schedule.

The building belonging to David de Silva Jayasuriya and standing on the land called Gallebendihena, situated in Walasmulla village in the Hambantota District of the Southern Province, referred to in Final Village Plan 163, and bounded on the—

north by Weerakotiya-Walasmulla road maintained by the Public Works Department, and east, south, and west by Galabendihena.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No 5,150. In the matter of the insolvency of D. A. B. Rajapakse of Kelaniya.

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 14, 1942, for the declaration of a dividend in the above case on the scheme of distribution submitted to court by the assignee, Mr. B. D. Amit.

July 13, 1942.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

Insolvency In the matter of the insolvency of Osmund Tanval Jurisdiction. Oliver Mottau of Wattala, in Ragam pattu of Alut-No. 5,631. kuru korale, in the District of Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held at a sitting of this court on August 21, 1942, to consider the grant of a certificate of conformity to the above-named insolvent.

July 15, 1942.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

Insolvency In the matter of the insolvency of Damodaran
Jurisdiction. Pounna of 11, 11th lane, Kotahena, Colombo,
No. 5,643. insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held at the sitting of this court on August 14, 1942, to consider the grant of a certificate of conformity to the above-named insolvent.

By order of court, C. EMMANUEL,
July 14, 1942. Secretary.

In the District Court of Colombo.

No. 5,648. In the matter of the insolvency of Gerald Pereira of Wellawatta.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the second sitting of this court on August 14, 1942, for the examination of the above-named insolvent.

By order of court, C. EMMANUEL,
July 13, 1942. Secretary.

In the District Court of Colombo.

No. 5,657. In the matter of the insolvency of A. R. Candappa of Waragoda, Kelaniya.

WHEREAS A. R. Candappa has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by M. R. S. Samanthan Chettyar of 255, Sea street, Colombo, under the Ordinance No. 7 of 1853. Notice is hereby given that the said court has adjudged the said A. R. Candappa insolvent accordingly, and that two public sittings of the court, to wit, on August 14, 1942, and on September 11, 1942, 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, C. EMMANUEL,
July 10, 1942. Secretary.

In the District Court of Kandy.

No. 1,105. In the matter of the insolvency of Don John de Silva of Galboda.

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 21, 1942, for the examination of the above-named insolvent.

By order of court, R. B. RATNAIKA,
July 10, 1942. Secretary.

In the District Court of Galle.

No. 724. In the matter of the insolvency of Wilmot Ferdinands Abeywickrama of Ahangama.

NOTICE is hereby given that the above-named insolvent has been awarded a certificate of the Third Class in the above case.

By order of court, M. N. PEERIS,
July 13, 1942. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Morenege Catherino Engaltana Fernando *nee* Salgado of Rawatawatta, in Moratuwa Plaintiff.
No. 9,867/M. Vs.

(1) Udriappuwaduge William Peter Fernando, (2) ditto Henry Charles Fernando, (3) ditto Samuel Peter Fernando and (4) ditto Solomon Joseph Fernando, all of Moratumulla, in Moratuwa Defendants.

NOTICE is hereby given that on Friday, August 7, 1942, at 3.30 P.M., will be sold by public auction at the premises the right, title, and interest of the said 1st defendant in the following property for the recovery of costs incurred Rs. 320.91 and prospective Rs. 109.32, viz.:

All that defined northern portion of the land called Wannakuwatta, together with the trees, buildings, and everything standing thereon, bearing assessment No. K/254, and situated at Moratumulla, within the Urban Council limits of Moratuwa in the Palle pattu of Salpiti korale in the District of Colombo, Western Province: bounded on the north by cart road, on the east by the portions belonging to Udriappuwaduge Daniel Fernando and others, on the south by the southern portion of this land, and on the west by cart road; containing in extent 1 rood and 35 9/10 perches according to plan No. 367 dated August 22, 1916, made by B. A. Fernando, Licensed Surveyor.

Fiscal's Office, M. SELVADURAI,
Colombo, July 14, 1942. Deputy Fiscal.

Southern Province.

In the District Court of Galle.

Andravas Patabendi Eudris de Vas of Patabendimulla, Ambalangoda, and another Plaintiffs-Creditor.
No. 27,922. Vs.

(1) Edward Wijesekera of Moratuwa and others Defendants
NOTICE is hereby given that on Monday, August 10, 1942, commencing at 2 o'clock in the afternoon, will be sold by public

auction at the premises the right, title, and interest, of the defendant-debtors mentioned below for the recovery of the amounts noted against them in the following property, viz. —

1. *Against the 12th to 15th, 29th, 32nd and 34th defendants—Amount due Rs. 185.52.*—The defined lot No. 3 of the land called the one-twelfth portion of Pitiyewatta *alias* Mahagederawatta together with all the plantations and buildings and everything else thereon (exclusive of the shares belonging to the 1st 2nd, 31st, 33rd, 36th to 40th defendants); and which said lot No. 3 is situated at Patabendimulla, in Ambalangoda, in Wellaboda pattu of Galle District, Southern Province, and bounded on the north by high road, east by lot No. 4 of the same land, south by Ambagahawatta, and west by Magiris Mahavidane Padinchiwatta *alias* Pitiyewatta *alias* Mahagederawatta; and containing in extent 20 1/3 perches as per plan No. 1,163A made by Mr. H. B. Gunawardene, Licensed Surveyor, filed in the above case.

2. *Against the 9th, 10th, 11th, and 25th defendants—Amount due Rs. 101.35.*—The defined lot No. 4 of the aforesaid land, together with all the plantations, buildings, and everything else thereon (exclusive of the shares belonging to the 26th defendant); and which said lot is bounded on the north by high road, east by lot No. 5 of the same land, south by Ambagahawatta, and west by lot No. 3 of the same land; and containing in extent 11 perches as per plan No. 1,163A aforesaid.

3. *Against the 17th defendant—Amount due Rs. 101.01 plus Rs. 13.80.*—The defined lot No. 5 of the aforesaid land, together with all the plantations, buildings, and everything else thereon (exclusive of the shares belonging to the 19th and 21st to 24th defendants); and which said lot is bounded on the north by high road, east by lot No. 6 of the same land, and Maradanewatta, south by Ambagahawatta, and west by lot No. 4 of the same land, and containing in extent 10 9/5 perches as per plan No. 1,163A aforesaid.

4. *Against the 3rd, 5th, 7th, and 8th defendants—Amount due Rs. 55.10 + Rs. 12.42.*—The defined lot No. 6 of the aforesaid land, together with all the plantations, and everything else thereon (exclusive of the shares belonging to the 6th defendant); and which said lot is bounded on the north by high road east by lot No. 7 of the same land, and Codellewatta *alias* Egodahawatta, south by Maradanewatta, and west by lot No. 5 of the same land; and containing in extent 5.98 perches as per plan No. 1,163A aforesaid.

Deputy Fiscal's Office,
Balapitiya, July 10, 1942.

SAM RANASOORIYA,
Additional Deputy Fiscal.

In the District Court of Tangalla.

(1) Leonard Merlyn Wickremasuriya of Wellawatta, and another Plaintiffs.
No. 4,584. Vs.

(1) Edirisuriya Arachchi Patabendige Yanlinhamy of Hatagala and (2) Laura Ediriweera Wijesuriya of Hatagala Defendants.

NOTICE is hereby given that on Wednesday, August 12, 1942, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 1st and 2nd defendants in the following property for the recovery of Rs. 31.50 and Rs. 180, viz.:

At Mahadeniya.

(1) Lot F 3 of the land called Walawe Irrigation lands *alias* Deniyakatuwa, situated at Mahadeniya in East Giruwa pattu of the Hambantota District, Southern Province; and bounded on the north by lot E of the same land, east by lot F4 of the same land, south by Medadeniye-wewa, Wekandiya and P. T. 190913, and west by lots F 2 and F 1 of the same land; containing in extent 13 acres 2 roods and 20 1/8 perches (for the recovery of Rs. 31.50 from the 1st defendant).

(2) Lot F 1 of the land called Walawe Irrigation lands *alias* Deniyakatuwa, situated at Mahadeniya aforesaid, and bounded on the north by lot E of the same land, east by lot F 3 of the same land, south by lot F 2 of the same land, and west by Kachchigalara, containing in extent 8 acres 2 roods and 20 1/8 perches (for the recovery of Rs. 180 from the 2nd defendant).

Deputy Fiscal's Office,
Tangalla, July 11, 1942.

V. ALIRAJAH,
Additional Deputy Fiscal.

Northern Province.

In the Court of Requests of Jaffna.

Murugar Kaspillai of Neervely, Jaffna Plaintiff.
No. 11,989/A. Vs.

(1) Kathresu Ampar and (2) wife Sethupillai of Neervely, Jaffna Defendants

NOTICE is hereby given that on Wednesday, August 12, 1942, at 11 o'clock in the forenoon, will be sold by public auction, at the premises the right, title, and interest of the said 2nd defendant, in the following property for the recovery of the sum of Rs. 235 with interest thereon at the rate of 9 per cent. per annum, from August 24, 1937, until payment in full and costs Rs. 28 and poundage and charges, viz.:

All that piece of land with its appurtenances situated at Neervely in Kopay parish, Valikamam East Division of the Jaffna District, Northern Province, called Kiluvampattai and Thavanthaollai, in extent 39 3/4 lachams varagu culture with houses, well and cultivated and spontaneous plantations; and bounded on the east by Suppar Kandiah and others, north by lane, west by lane and Kamapathy Sinnappodian and others, and south by lane and Pothar Sinnathanby and others.

Fiscal's Office,
Jaffna, July 14, 1942.

P. THAMBIAN,
for Fiscal.

In the District Court of Jaffna
Sivaguru Balasingam of Chavakachcheri Plaintiff.
No. 16,429. Vs.

Varithamby Vairamuttu of Chavakachcheri Defendant.
NOTICE is hereby given that on Friday, August 7, 1942, at 11 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. 1,039-50 with interest on Rs. 1,000 at the rate of 3 per cent. per annum from February 13, 1941, till payment in full and poundage and charges, viz. :—

All the ground, coconut and jak trees and other plantations, stone-built houses and well within the boundaries of the divided extent of 9 lachams varagu culture and 15 kules on the southern side of a piece of land situated at Chavakachcheri in Chavakachcheri parish, Thenmaradchy Division of the Jaffna District, Northern Province, called Kaddukkany, in extent 10 lachams varagu culture and 15 kulis; the said extent of 9 lachams varagu culture and 15 kules is bounded on the east by railway line, north by Varithamby Vairamuttu and sharholders, west by road, and south by Kanthar Vallipuram.

This land is said to be under mortgage.

Fiscal's Office,
Jaffna, July 13, 1942.

P. THAMBIAH,
for Fiscal.

NOTICES OF TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the late Mr. Margare
Jurisdiction. Georgiana Fonseka (widow of the late Ga
No. 9,857. Mudaliyar James Fonseka) of Greylands, Horton
place, in Colombo, deceased.

James Charles Stanislaus Fonseka of Greylands, Horton place,
Colombo Petitioner.

Vs.

(1) The Very Rev. Father Hector Mary Basil Fonseka, presently
the Parish Priest of St. Anne's, Kurunegala, (2) Joseph Carl
Leshe Fonseka of Wellawatta, Colombo Respondents.

THIS matter coming on for disposal before James Joseph, Esq.,
Additional District Judge, Colombo, on May 28, 1942, in the
presence of Mr. Martin Weeraratne, Proctor, on the part of the
petitioner; and the affidavits of the above-mentioned petitioner
dated May 28, 1942, and of the attesting notary dated May 28, 1942,
and of an attesting witness dated May 27, 1942, having been read :

It is ordered that the will of Mrs. Margaret Georgiana Fonseka,
deceased, dated September 6, 1941, and numbered 755, and
attested by Mr. Martin Weeraratne, Notary Public, of which the
original has been deposited in this court, be and the same is hereby
declared proved, unless the respondents or any other person or
persons interested shall, on or before July 23, 1942, show sufficient
cause to the satisfaction of this court to the contrary.

It is further ordered that the above-named petitioner is the
executor named in the said will and that he is entitled to have
probate of the same issued to him accordingly, unless the respondents
or any other person or persons interested shall, on or before July 23,
1942, show sufficient cause to the satisfaction of this court to the
contrary.

July 9, 1942.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Veluppillai Thiagarajah, deceased, of Fussel lane,
No. 10,043. Wellawatta, in Colombo.

Thiagarajah Ponnammah of Fussel lane, Wellawatta,
Colombo Petitioner.

(1) S. Rajeswari and (2) S. Puwaneswari, both of Fussel lane,
Wellawatta, Colombo (minors), appearing by their guardian
ad litem the 3rd respondent, (3) Rajaratnam Senathirajah
of Wellawatta in Colombo Respondents.

THIS matter coming on for disposal before James Joseph Esq.,
Additional District Judge, Colombo, on May 19, 1942, in the
presence of Mr. J. Thambiyah-Bartlett, Proctor, on the part of the
petitioner; and the affidavit of the above-mentioned petitioner
dated April 1, 1942, having been read :

It is ordered that the said Rajaratnam Senathirajah, the 3rd
respondent, be appointed guardian *ad litem* over the 1st and 2nd
minor respondents for all the purposes of this action, and that the
above-named petitioner be and she is hereby declared entitled, as
the widow of the above-named deceased, to have letters of admin-
istration to the above estate issued to her accordingly, unless the
respondents or any other person or persons interested shall, on or
before July 30, 1942, show sufficient cause to the satisfaction of
this court to the contrary.

June 25, 1942.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Seelawathe Rodrigo Wijeratne Siriwardene nee
No. 10,062. Dullewe, deceased, of Urupola.

Peter David Rodrigo Wijeratne Siriwardene of Kelaniya in the
Adikari pattu of Siyane korale Petitioner.

THIS matter coming on for disposal before James Joseph, Esq.,
Additional District Judge of Colombo, on June 13, 1942, in the

presence of Mr. D. E. Wanugesoorna, Proctor, on the part of the
petitioner; and the affidavit of the above-mentioned petitioner
dated June 12, 1942, having been read :

It is ordered that the above-named petitioner be and he is hereby
declared entitled, as the widower of the above-named deceased,
to have letters of administration to the above estate issued to him
accordingly, unless any person or persons interested shall, on or
before July 23, 1942, show sufficient cause to the satisfaction of
this court to the contrary.

June 25, 1942.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Henry
Jurisdiction Charles Earle Fonseka of Colombo, deceased.
No. 10,070.

Henry Noel Ernest Fonseka of Hanwella Petitioner.
And

(1) Dulcie Fonseka of Wellawatta, Colombo, (2) Emid Madawala
nee Fonseka of Kadugannawa Respondents.

THIS action coming on for disposal before James Joseph, Esq.,
Additional District Judge, Colombo, on June 19, 1942, in the
presence of Mr. J. P. Salgadoe, Proctor, on the part of the petitioner;
and the affidavit of the above-named petitioner dated June 18, 1942 :

It is ordered that the above-named petitioner be and he is hereby
declared entitled, as a brother of the above-named deceased, to
have letters of administration to the above estate issued to him
accordingly, unless the respondents or any other person or persons
interested shall, on or before July 23, 1942, show sufficient cause
to the satisfaction of this court to the contrary.

June 20, 1942.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo

Order Nisi.

Testamentary In the matter of the Intestate Estate of Mohamadali
Jurisdiction. Ismailjee of Cutch Bhuj, India, deceased.
No. 10,077.

THIS matter coming on for disposal before James Joseph, Esq.,
Additional District Judge of Colombo, on July 2, 1942, in the presence
of Julius & Creasy of Colombo, Proctors, on the part of the
petitioner, Tayabhai Gulamhusein of Colombo; and the affidavit
of the said petitioner dated June 29, 1942, certificate of death of
the above-named deceased, a certified copy of the power of attorney
in favour of the petitioner, and Supreme Court's order dated June
12, 1942, having been read : It is ordered and declared that the
said petitioner is one of the attorneys of Mussajee Mohmadalli,
Tayabali Mohmadalli, Esufalli Mohmadalli, and Sugarabai Mohmad-
alli, the lawful children of the said deceased, and that he is entitled
to have letters of administration to the intestate estate of the said
deceased issued to him accordingly, unless any person or persons
interested shall, on or before July 23, 1942, show sufficient cause
to the satisfaction of this court to the contrary.

July 3, 1942.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament of,
Jurisdiction. James Roydon Hughes, late of Beechurst, Maybury,
No. 10,083. Woking, in the County of Surrey, and of 5, Philpot
lane in the City of London, deceased.

And in the Matter of the British Courts Probates
(Re-sealing) Ordinance (Chapter 84).

NOTICE is hereby given that after the expiry of twenty-one
days from the date hereof, application will be made to the District
Court of Colombo under the British Courts Probates (Re-sealing)
Ordinance (Chapter 84) for the Sealing of an Exemplification of
Probate of the Last Will and Testament of James Roydon Hughes,
late of Beechurst, Maybury, Woking, in the County of Surrey, and of
5, Philpot lane in the City of London, deceased, granted by the
Principal Probate Registry of His Majesty's High Court of Justice
at Llandudno on August 6, 1941.

JULIUS & CREASY,
Proctors for Nathaniel Pearce,
Attorney for Cecil Hughes and
David Farquharson, the Executors
of the Last Will and Testament
of James Roydon Hughes, deceased.

Colombo, July 6, 1942.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Florence Mary Rose Morley of 75, Richmond Hill
Court, Richmond, in the County of Surrey,
No. 10,084. England, and care of the National Bank of
India, Limited, 26, Bishopsgate, in the City of
London, England, and formerly of 163, Ashley
Gardens, Westminster in the County of London,
England (wife of Canon Thomas Vevers
Morley) deceased.

THIS matter coming on for disposal before James Joseph, Esq.,
Additional District Judge of Colombo, on July 7, 1942, in the
presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the
petitioner, Matthew Richard Lothian Leishman of Colombo; and

(1) the affidavit of the said petitioner dated July 2, 1942, (2) the power of attorney dated January 6, 1942, and (3) the order of the Supreme Court dated June 24, 1942, having been read: It is ordered that the will of the said Florence Mary Rose Morley, deceased, dated August 17, 1937, a certified copy of which under the Seal of His Majesty's High Court of Justice in England 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 Matthew Richard Lothian Leishman is the attorney in Ceylon of the executor 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 30, 1942, show sufficient cause to the satisfaction of this court to the contrary.

July 8, 1942.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Nusserwanji Mancherji Merwanji Bhownagree
No. 10,089. (also known as Nusserwanji Mancherji Bhow-
nagree), late an Architect of Bombay, India,
Parsi Inhabitant, deceased.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on July 10, 1942, in the presence of Victor Gnanaratnam Cook, Proctor, on the part of the petitioner, Percival Stephen Martensz of Colombo; and (1) the affidavit of the said petitioner dated July 9, 1942, (2) the power of attorney dated May 21 and 23, 1942, and (3) the order of the Supreme Court dated July 1, 1942, having been read: It is ordered that the will of the said Nusserwanji Mancherji Merwanji Bhownagree (also known as Nusserwanji Mancherji Bhownagree), deceased, dated March 5, 1940, a certified copy of the relative probate and will under the Seal of the High Court of Judicature at Bombay, in India, 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 Percival Stephen Martensz is the attorney in Ceylon of the executrices 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 30, 1942, show sufficient cause to the satisfaction of this court to the contrary.

July 10, 1942.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Negombo.

Order Absolute in the First Instance declaring Will proved.

Testamentary In the Matter of the Joint Last Will and Testament
Jurisdiction. of Walmunideewage Simon Fernando of Mooka-
No. 3,178. langamuwa, deceased, and Nileththideewage Elo
Fernando of Mookalangamuwa.

Nileththideewage Elo Fernando of Mookalangamuwa . . . Petitioner.

THIS matter coming on for disposal before A. S. Vanigasoorier, Esq., District Judge of Negombo, on June 22, 1942, in the presence of Mr. D. C. E. V. Karunaratne, Proctor, on the part of the petitioner; and the petitioner's petition and affidavit dated May 21, 1942, and April 28, 1942, respectively, and the affidavit dated May 2, 1942, of the attesting notary and the attesting witnesses Sattamby Odinis Silva of Mookalangamuwa, having been read:

It is ordered that the above-named joint last will and testament No. 110 dated November 13, 1930, attested by Tirimanahettige Don David Waidiyasekera Seneviratne of Seeduwa, Notary Public, the original of which has now been deposited in this court be and the same is hereby declared proved.

It is further ordered that the petitioner be and she is hereby declared entitled, as executrix named in the said last will, to have probate to same issued to her.

June 22, 1942.

A. S. VANIGASOORIER,
District Judge.

In the District Court of Kalutara.

Order Nisi declaring Will proved, etc.

Testamentary In the Matter of the Estate of the late Weerakoon
Jurisdiction. Atehige Don Bempy Weerakoon Wickremasinghe
No. 3,044. Vidane Arachchi, deceased, of Dambara.

Weerakoon Aratchige Don Saran Weerakoon Wickremasinghe,
Registrar of Dambara Petitioner.

Vs.

(1) Malagalage Jane Nona Peiris, (2) ditto. Ema Nona Peiris,
(3) Hapuatchige Kusumawathie, (4) ditto Hammona, (5)
ditto William Singho, all of Ratnalagoda; the 3rd and 4th minors
by their guardian *ad litem* the 5th respondent Respondents.

THIS matter coming on for disposal before V. Joseph, Esq., District Judge, Kalutara, on July 2, 1942, in the presence of Mr. Herbert D. Perera, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated June 29, 1942, having been read:

It is ordered that the will of Weerakoonthige Don Bempy Weerakoon Wickremasinghe, deceased, dated May 10, 1936, and numbered 7668 be and the same is hereby declared proved, unless the respondents or any other person or persons interested in the estate shall, on or before August 6, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Hapuatchige William Singho, 5th respondent, be appointed guardian *ad litem* over the 3rd and 4th respondents and that the said Weerakoonthige Don Saran Weerakoon Wickremasinghe, petitioner, is the executor named in the said will and that he is entitled to have probate of the same issued to him accordingly, unless the respondents or others interested in the estate shall on or before August 6, 1942, show sufficient cause to the satisfaction of this court to the contrary.

July 2, 1942.

V. JOSEPH,
District Judge.

In the District Court of Galle.

Order Absolute Will proved.

Testamentary In the Matter of the Estate of the late Christopher
Jurisdiction. Lloyd Van Rooyen, deceased, of Galle.
No. 8,902

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge, Galle, on May 2, 1942, in the presence of Mr. F. W. E. de Vos, Proctor, on the part of the petitioner; and the affidavits of Katherine Enid Van Rooyen of Rosewood estate, Galle, dated November 28, 1941, having been read; and the affidavits of K. R. Alson de Silva, Notary Public of Galle, Emerson Dias and A. H. Jandiris de Silva of Galle and N. David Dias of Wataraka, dated April 23 and March 23, 1942, having been read:

It is ordered that the will of Christopher Lloyd Van Rooyen, deceased, dated November 30, 1926, and the codicil dated November 25, 1936, be and the same is hereby declared proved.

It is further declared that the said Katherine Enid Van Rooyen is the executrix named in the said will and that she is entitled to have probate of the same issued to her accordingly.

May 2, 1942.

M. A. SAMARAKOON,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Mudaliyar A. Wickramasekera, deceased, of
No. 8,006. Lelwala Walawwa, Wanduramba.

Jane Nelly Wickramasekera of Lelwala Walawwa, Wandu-
ramba Petitioner.

And

(1) Pemachandra Wickramasekera of Lelwala, (2) Kusuma-
wathie Wickramasekera, minor, by his guardian *ad litem*
the 1st respondent Respondents.

THIS action coming on for disposal before M. A. Samarakoon, Esq., District Judge of Galle, on June 16, 1942, in the presence of Messrs. Adhietty & Abeyesundere, Proctors, on the part of petitioner above named; and the affidavit of the said petitioner dated June 9, 1942, having been read:

It is ordered that the said 1st respondent be appointed guardian *ad litem* over the 2nd minor respondent, unless the said respondents or any person or persons interested shall, on or before July 31, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is entitled to have letters of administration issued to her accordingly, unless the respondents or any person or persons interested on or before July 31, 1942, show sufficient cause to the satisfaction of this court to the contrary.

June 16, 1942.

M. A. SAMARAKOON,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of Emanus de Silva
Jurisdiction. Wijayaratne, late of Dadalla, deceased.
No. 8,008.

Jocelin de Silva Wijayaratne of Dadalla Petitioner.

Vs.

(1) Rene Udula de Silva Wijayaratne, (2) Myrtle Padmini de
Silva Wijayaratne, (3) Sheila Beatrice de Silva Wijayaratne,
(4) Dulcie Hematha de Silva Wijayaratne, (5) Shrestha Douglas
Jayapala de Silva Wijayaratne, (6) Asoka Luxman Mutaseeva
de Silva Wijayaratne, (7) Nandadevi de Silva Wijayaratne,
(8) Carmen de Silva Wijayaratne, all of Dadalla, (9) Ruwanpura
Manuel de Silva of Randonbe, in Ambalangoda Respondents.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Galle, on June 19, 1942, in the presence of Mr. S. P. A. Gunewardene, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated June 17, 1942, and the petition thereof dated June 17, 1942, having been read:

It is ordered (a) that the 9th respondent be and he is hereby appointed guardian *ad litem* of the minors, the 1st to 8th respondents above named, to represent them for all 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 24, 1942, show sufficient cause to the satisfaction of this court to the contrary.

June 19, 1942.

S. RAJARATNAM,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Estate of late Don Davith Jurisdiction. Gunapala Jayasinghe Sriwardena of Deegala in No. 4,150. Maramba, deceased.

Dona Arnolia Amarasiri Jayasinghe Hamira of Deegala in Maramba Petitioner.

Vs.

(1) Piumawathie Gunapala Jayasinghe Sriwardena of Nagoda, Galle, (2) Sumana Gunapala Jayasinghe Sriwardena of Akmeemana, Galle, (3) Rasencina Gunapala Jayasinghe Sriwardena of Bopagoda, (4) Kachchana Gunapala Jayasinghe Sriwardena of Walgama, Matara, (5) Sumanawathie Gunapala Jayasinghe Sriwardena of Polwatta, (6) Sirisena Gunapala Jayasinghe Sriwardena of Walgama, Matara, (7) Upasena Gunapala Jayasinghe Sriwardena of Puwakboda-owita, (8) Piyadasa Gunapala Jayasinghe Sriwardena of Puwakbodaowita Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., District Judge of Matara, on June 3, 1942, in the presence of Mr. J. W. Wickremasinghe, Proctor, on the part of the petitioner above named; and the affidavit of the above-named petitioner dated June 1, 1942, having been read: It is ordered that the above-named petitioner be and she is hereby declared entitled, as the widow of the above-named deceased, to have letters of administration to the above-named estate issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before July 6, 1942, show sufficient cause to the satisfaction of this court to the contrary.

June 3, 1942.

V. E. RAJAKARIER,
District Judge.

The *Order Nisi* extended to August 17, 1942.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Ampalam Jurisdiction. Kanagar of Maviddapuram, deceased.

No. 1,141. Ampalam Arumugam of Maviddapuram Petitioner.

Vs.

(1) Snnatamby Selliah and wife (2) Annammah of Irappalai, (3) Kanapathippillai Velautham and wife (4) Thevanapillai of Manipay, (5) Sinnachy, widow of Ampalam Kanagar of Maviddapuram Respondents.

THIS matter of the petition of the petitioner above named praying for letters of administration to the estate of the above-named deceased coming on for disposal before C. Coomaraswamy, Esq., District Judge, on May 20, 1942, in the presence of Mr. S. Suppramaniam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated May 14, 1942, having been read: It is declared that the petitioner is the brother of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before July 1, 1942, show sufficient cause to the satisfaction of this court to the contrary.

June 23, 1942.

G. C. THAMBYAH,
District Judge.

The above *Order Nisi* is extended for July 29, 1942.

July 2, 1942.

G. C. THAMBYAH,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Thiruvaln- Jurisdiction. gam Rasingar of Myliddy South deceased.

No. 1,160. Thiruvalingam Kidnar of Myliddy South Petitioner.

Vs.

Ponnuppillai, widow of Thiruvalingam of Myliddy South Respondent.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge, Jaffna, on June 25, 1942, in the presence of

Mr. R. R. Nalliah, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated June 24, 1942, having been read:

It is further declared that the petitioner above named is entitled to have letters of administration to the estate of the said deceased issued to him accordingly, unless the above-named respondent or any person or persons interested shall, on or before July 29, 1942, show sufficient cause to the satisfaction of this court to the contrary.

June 25, 1942.

G. C. THAMBYAH,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Ambalavanar Manickarajah of Vannarponnai No. 1,154 T. East, deceased.

Ambalavanar Sunthararajah of Vannarponnai East, Jaffna Petitioner.

Vs.

(1) K. Selladurai and wife (2) Thayalmuthu, both of C. G. R., Ja-ela, (3) S. Ratnasingham and wife (4) Sivacolunthu, both of C. G. R., Panadure, (5) S. Sinnadurai of C. T. O., Colombo, and wife (6) Ponnammah of Pandarakulattady, Nallur, Jaffna, (7) Ambalavanar Mailvaganam of M. O. H.'s Office, Kegalla, (8) Parameswary, daughter of Ambalavanar (minor), (9) Meenadchy, widow of Ambalavanar, both of Vannarponnai East Respondents.

THIS matter of the petition of the above-named petitioner coming on for disposal before G. C. Thambyah, Esq., District Judge, Jaffna, on June 12, 1942, in the presence of Messrs. Aboubucker & Sultan, Proctors, on the part of the petitioner; and the petition and affidavit of the petitioner having been read:

It is ordered that the above-named 9th respondent be appointed guardian *ad litem* over the minor, 8th respondent, for the purpose of this testamentary proceedings and that letters of administration to the estate of the above-named deceased be issued to the above-named petitioner, as the brother of the said deceased, unless the respondents shall appear before this court on July 22, 1942, at 10 A.M. and show sufficient cause to the satisfaction of this court to the contrary.

June 12, 1942.

G. C. THAMBYAH,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects Jurisdiction. of Sithamparapillai Vaithilingam of Kopay, No. 1,159. deceased.

(1) Kanapathipillai Muthalithamby, and (2) wife Sellammah, both of Punnalaikadduvan Petitioners.

Vs.

(1) Sangarappillai Sandrasegarar, and (2) wife Ratnammal, (3) Sangarappillai Manickam, and (4) wife Nagammah, all of Kopay South Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge, Jaffna, on June 20, 1942, in the presence of Mr. N. Thambah, Proctor, on the part of the petitioners; and the affidavit of the petitioners dated June 20, 1942, having been read:

It is ordered that the 2nd named petitioner above named, as an heir of the deceased above named, be and she is hereby declared entitled to grant of letters of administration to the estate of the deceased above named, unless the respondents above named or any other person interested shall show sufficient cause to the contrary to the satisfaction of this court on or before July 24, 1942.

July 3, 1942.

G. C. THAMBYAH,
District Judge.

DRAFT ORDINANCES.

(Continued from page 511.)

MINUTE.

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

L. D.—O 53/38

An Ordinance to amend the Stamp Ordinance.

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 Stamp Amendment Ordinance, No. of 1942, and shall come into operation on such date as may be appointed by the Governor by Proclamation published in the *Gazette*.

Chapter 189.
(Volume IV.,
page 684).

Short title
and date of
operation.

Amendment
of section 7 of
Chapter 189.

2. Section 7 of the Stamp Ordinance (hereinafter referred to as "the principal Ordinance"), is hereby amended in sub-section (1) thereof, as follows:—

- (a) by the substitution, for the word "Whoever", of the words "Subject as hereinafter provided, whoever";
- (b) by the substitution, for the words "cannot be used again.", at the end of paragraph (b) of that sub-section, of the words "cannot be used again: "; and
- (c) by the addition, at the end of that sub-section, of the following:—

" Provided, however, that nothing hereinbefore contained shall be deemed to require any notary to cancel any adhesive stamp affixed to any deed or instrument executed or acknowledged before him."

Amendment of
section 8 of
the principal
Ordinance.

3. Section 8 of the principal Ordinance is hereby amended by the repeal of sub-sections (1) and (2) of that section.

Objects and Reasons.

In a Bill to amend the Notaries Ordinance (Chapter 91), which is being introduced by the Hon. the Minister for Labour, Industry and Commerce, provision is being made requiring that where adhesive stamps are used for the purposes of the payment of stamp duty due upon any deed or instrument executed or acknowledged before a notary the stamps should be cancelled by the person first executing or acknowledging the deed or instrument.

Sub-sections (1) and (2) of section 8 of the Stamp Ordinance (Chapter 189) provide that it shall be the duty of the notary to cancel adhesive stamps which are affixed to instruments attested by him.

The object of this Bill is to repeal those sub-sections so as to bring the provisions of the Stamp Ordinance in this behalf into conformity with the new provisions which are to be inserted in the Notaries Ordinance. This Bill also effects a consequential amendment in section 7 of the Stamp Ordinance.

Financial Secretary's Office,
Colombo, 15 July, 1942.

H. J. HUXHAM,
Financial Secretary.