



# Ceylon Government Gazette

Published by Authority.

No. 7,217 — FRIDAY, OCTOBER 14, 1921.

## Part II.—Legal.

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

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### DRAFT ORDINANCES.

#### MINUTE.

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

**An Ordinance to provide for the Appointment of a Public Trustee, and to amend the Law relating to the Administration of Trusts.**

**W**HEREAS it is expedient to constitute the office of Public Trustee, and to make provision for the powers and duties to be exercised and performed by him, and to amend the law relating to the administration of trusts: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Preamble.

#### *Preliminary.*

1 This Ordinance may be cited as "The Public Trustee Ordinance, No. of 1921," and shall come into force on such day as the Governor may, by Proclamation in the "Government Gazette," appoint.

Short title and commencement.

2 In this Ordinance, unless the context otherwise requires—

Definitions.

The expression "letters of administration" means letters of administration of the estate and effects of a deceased person, whether general or with a will annexed, or limited either in time or otherwise.

The expression "trust" includes an executorship or administratorship; and the expression "trustee" shall be construed accordingly; and the expression "trust property" shall include all property in the possession or under the control wholly or partly of the public trustee by virtue of any trust.

The expression "private trustee" means a trustee other than the Public Trustee.

The expression "expenses" includes costs and charges.

The expression "prescribed" means prescribed by rules under this Ordinance.

Other expressions have the same meaning as in "The Trusts Ordinance, No. 9 of 1917."

*Appointment of Public Trustee and Deputies.*

Appointment of  
Public Trustee.

3 It shall be lawful for the Governor to appoint an officer to be called the Public Trustee.

Public Trustee  
to be a  
corporation.

4 The Public Trustee shall be a corporation sole under that name, with perpetual succession and an official seal, and may sue and be sued under the above name like any other corporation sole.

Appointment  
and powers of  
Deputy Public  
Trustee.

5 The Governor may appoint a deputy or deputies to assist the Public Trustee; and any deputy so appointed shall, subject to the general or specific orders of the Public Trustee, be competent to discharge any of the duties and exercise any of the powers of the Public Trustee, and, when discharging such duties or exercising such powers, shall have the same privileges and be subject to the same liabilities as the Public Trustee.

*Powers, Duties, Liabilities, and Immunities of Public Trustee.*

General powers  
and duties of  
Public Trustee.

6 (1) The Public Trustee shall, subject to the provisions of this Ordinance and rules made thereunder, be capable of being appointed and of acting under that name—

- (a) As an ordinary trustee;
- (b) As collector of estates under an order to collect;
- (c) As a custodian trustee.

(2) The Public Trustee may, subject to the provisions of this Ordinance, in the case of estates not exceeding one thousand five hundred rupees in value—

- (a) Grant a certificate to collect such estate; or
- (b) If no such certificate is granted, himself administer such estate without obtaining letters of administration.

(3) Save as hereinafter expressly provided, the Public Trustee shall have the same powers, duties, and liabilities, and be entitled to the same rights and privileges, and be subject to the same control and orders of the court as any other trustee acting in the same capacity.

Appeal to the  
court.

7 A person aggrieved by any act or omission or decision of the Public Trustee in relation to any trust may apply to the court, and the court may make such order in the matter as the court thinks just.

Liability of  
public revenue  
for acts of  
Public Trustee.

8 The public revenue of the Colony shall be liable to make good all sums required to discharge any liability which the Public Trustee, if he were a private trustee, would be personally liable to discharge, except where the liability is one to which neither the Public Trustee nor any of his officers has in any way contributed, and which neither he nor any of his officers could by the exercise of reasonable diligence have averted, and in that case the Public Trustee shall not, nor shall the public revenue of the Colony, be subject to any liability.

Notice of action  
against Public  
Trustee.

9 (1) If any suit be brought by a creditor against the Public Trustee, such creditor shall be liable to pay the costs of the suit, unless he proves that not less than one month previous to the institution of the suit he had applied in writing to the Public Trustee stating the amount and other particulars of his claim, and had given such evidence in support thereof as, in the circumstances of the case, the Public Trustee was reasonably entitled to require and had required.

(2) If any such suit is decreed in favour of the creditor, he shall, nevertheless, unless he is a secured creditor or otherwise entitled to preference, be only entitled to payment out of the assets of the deceased equally and rateably with the other creditors.

(3) Nothing in section 461 of "The Civil Procedure Code, 1889," shall apply to any suit against the Public Trustee in which no relief is claimed against him personally.

Public Trustee  
may decline  
any trust, but  
not on ground  
of small value.

10 Subject to the provisions of this Ordinance, the Public Trustee may decline, either absolutely or except on the prescribed conditions, to accept any trust, but he shall not decline to accept any trust on the ground only of the small value of the trust property.

- 11** The Public Trustee shall not accept any trust which involves the management or carrying on of any business, except in the cases in which he may be authorized to do so by rules made under this Ordinance, or for the purpose of winding up an estate, nor any trust under a deed of arrangement for the benefit of creditors, nor the administration of any estate known or believed by him to be insolvent, nor any trust exclusively for religious or charitable purposes.
- 12** The Public Trustee shall, except where he is appointed a custodian trustee, always be sole trustee, and it shall not be lawful to appoint the Public Trustee to be trustee along with any other person.
- 13** If any minor or lunatic is entitled to any gift, legacy, or share of the assets of a deceased person, it shall be lawful for the Public Trustee to retain the same in his hands as trustee for such minor or lunatic pending the order of court, or until claimed by a duly appointed trustee.
- 14** (1) If any minor or lunatic is entitled to any gift, legacy, or share of the assets of a deceased person, it shall be lawful for the person by whom such gift is made, or for the executor or administrator by whom such legacy or share is payable or transferable, or for any trustee of such gift, legacy, or share, to transfer the same by an instrument in writing to the Public Trustee, if he consents thereto.
- (2) If any minor or lunatic is entitled to any money which is in court, the court may, if it thinks fit, order, with the consent of the Public Trustee, that such money shall be transferred to the Public Trustee.
- 15** When any money of any minor or lunatic is in the hands of the Public Trustee, in the absence of any order of court, the Public Trustee may from time to time pay such sum of money to such person as he thinks fit, to be applied by such person for the maintenance, education, and advancement of such minor or lunatic, or may himself so apply such sum.
- 16** The entry of the Public Trustee by that name in the books of a company shall not constitute notice of a trust, and a company shall not be entitled to object to enter the name of the Public Trustee on its books by reason only that the Public Trustee is a corporation, and, in dealings with property, the fact that the person or one of the persons dealt with is the Public Trustee, shall not of itself constitute notice of a trust.
- 17** (1) Whenever the Public Trustee applies for letters of administration in accordance with the provisions of this Ordinance, it shall be sufficient if the petition required to be presented for the grant of such letters states—
- The time and place of the death of the deceased to the best of the knowledge and belief of the petitioner ;
  - The names and addresses of the surviving next of kin of the deceased if known ;
  - The particulars and value of the assets likely to come into the hands of the petitioner ;
  - Particulars of the liabilities of the estate if known.
- (2) Save as provided in this section, the Public Trustee shall not be required to file accounts or inventories of the assets of the deceased before any court.
- 18** Notwithstanding anything in "The Civil Procedure Code, 1889," contained, the Public Trustee shall not be called upon to take any oath as an executor or administrator.
- 19** (1) Where any bond or security would be required from a private person upon the grant to him of administration, or upon his appointment to act in any capacity, the Public Trustee, if administration is granted to him, or if he is appointed to act in such capacity as aforesaid, shall not be required to give such bond or security, but shall be subject to the same liabilities and duties as if he had given such bond or security.
- (2) Notwithstanding anything in section 23 of "The Estate Duty Ordinance, No. 8 of 1919," contained, it shall be lawful for the District Court to grant probate or letters of administration to the Public Trustee without the payment of the amount of assessed estate duty having been made or secured

Not to accept certain trusts.

Public Trustee to be sole trustee.

Public Trustee to retain share of minor, &c.

Executor or administrator may pay to official trustee, legacy, share, &c., of minor or lunatic.

Maintenance of minors and lunatics.

Entry of Public Trustee in books of a company.

Public Trustee's petition for grant of letters of administration.

Public Trustee not to take oath as executor or administrator.

Public Trustee need not give bond or security nor pay assessed estate duty in advance.

as therein provided, but nothing herein contained shall exempt the Public Trustee from eventually paying such estate duty as is required under the provisions of the said Ordinance.

Prescribed person may act for Public Trustee, except as to acts which can be done only by an advocate or proctor.

20 On behalf of the Public Trustee, such person as may be prescribed may take any oath, make any declaration, verify any account, give personal attendance at any court or place, and do any act or thing whatsoever which the Public Trustee is required or authorized to take, make, verify, give, or do: Provided that nothing in this Ordinance or in any rule made under this Ordinance shall confer upon any person not otherwise entitled thereto any right to appear, or act, or be heard in or before any court or tribunal, on behalf or instead of the Public Trustee, or to do any act whatsoever on behalf or on the instructions of the Public Trustee, which could otherwise be lawfully done only by an advocate or a proctor.

Advisory Board.

21 It shall be competent to the Governor to establish an Advisory Board to advise the Public Trustee on matters referred to it by the Public Trustee.

Private advisory trustee.

22 It shall be competent to the Public Trustee to appoint a person interested in the trust, whether nominated in the instrument creating the trust or not, to advise him on any matter referred to such person by the Public Trustee in respect of the trust.

Power to examine on oath.

23 The Public Trustee may, whenever he desires, for the purposes of this Ordinance, to satisfy himself regarding any question of fact, examine upon oath, which he is hereby authorized to administer, any person who is willing to be so examined by him regarding such question.

*The Public Trustee as Ordinary Trustee.*

Appointment of Public Trustee to be trustee.

24 (1) The Public Trustee may by that name, or any other sufficient description, be appointed to be trustee of any will or settlement or other instrument creating a trust or to perform any trust or duty belonging to a class which he is authorized by the rules made under this Ordinance to accept, and may be so appointed whether the will or settlement or instrument creating the trust or duty was made or came into operation before or after the passing of this Ordinance, and either as an original or as a new trustee, in the same cases, and in the same manner, and by the same persons or court, as if he were a private trustee, with this modification, that, though the trustees originally appointed were two or more, the Public Trustee may be appointed sole trustee.

Retirement of original trustees.

(2) Where the Public Trustee has been appointed a trustee of any trust, all existing trustees under the trust shall upon such appointment cease to be trustees.

Public Trustee not to be new trustee where settlement forbids.

(3) The Public Trustee shall not be so appointed as a new trustee where the will, settlement, or other instrument creating the trust or duty contains a direction to the contrary, unless the court otherwise order.

Notice of proposed appointment of Public Trustee.

(4) Notice of any proposed appointment of the Public Trustee as a new trustee shall, where practicable, be given in the prescribed manner to all persons beneficially interested or to any existing trustee who are resident in Ceylon, and whose addresses are known to the persons proposing to make the appointment, or, if such beneficiaries are infants, to their guardians; and if any person to whom such notice has been given within twenty-one days from the receipt of the notice applies to the court, the court may, if, having regard to the interests of all the beneficiaries, it considers it expedient to do so, make an order prohibiting the appointment being made, provided that a failure to give any such notice shall not invalidate any appointment made under this section.

(5) Where, by the terms of an instrument of trust or a will, the consent of any person is requisite to the appointment of a trustee, and such person refuses to consent to the appointment of the Public Trustee to such office, or where the person whose consent is so requisite is a minor, idiot, or lunatic, or a person of unsound mind, or is absent from the Island, or is under any other disability, then such appointment of the Public Trustee may be made without such consent, if the court so orders and directs.

*The Public Trustee as Executor or Administrator.*

25 (1) The court may grant probate or letters of administration of any will or estate to the Public Trustee by that name, and for that purpose the court shall consider the Public Trustee as in law entitled equally with any other person or class of persons to obtain the grant of letters of administration, save that the consent or citation of the Public Trustee shall not be required for the grant of letters of administration to any other person, and that, as between the Public Trustee and the widower, widow, or next of kin of the deceased, the widower, widow, or next of kin shall be preferred, unless for good cause shown to the contrary.

Power as to granting probate.

(2) Any executor who has obtained probate, or any administrator who has obtained letters of administration, notwithstanding he has acted in the administration of the deceased's estate, and notwithstanding the existence of any other executor or administrator, may apply to the court for an order transferring such estate to the Public Trustee for administration. Upon the making of any such order, the estate of the deceased left unadministered and all rights and obligations in respect thereof shall, without other assurances in the law, become and be conveyed, assigned, and transferred to the Public Trustee as executor or administrator, as the case may be, so that the same shall thereupon become and be legally and effectually vested in him, and, subject to the provisions of this Ordinance, the Public Trustee shall have all the powers of such executor or executors, administrator or administrators, and such executor or executors, administrator or administrators, shall not be in any way liable in respect of any act or default in reference to such estate subsequent to the date of such order other than the act or default of himself or themselves, or of persons other than himself or themselves for whose conduct he or they is or are in law responsible.

Transfer of administration to Public Trustee by executor or administrator.

26 The heirs of an intestate, the gross capital value of whose estate does not exceed ten thousand rupees, may apply to the Public Trustee to administer the estate, and where any such application is made, and it appears to the Public Trustee that the persons beneficially entitled are persons of small means, the Public Trustee shall apply for letters of administration to the estate and administer the same, unless he sees good reason for refusing to do so.

Administration of estates under ten thousand rupees by Public Trustee on the application of heirs.

27 Where an application for probate or letters of administration has been made to a court by a person other than an executor named in the will, and most of the persons interested in the estate as beneficiaries under the will, or heirs make it appear either at the time of making the application or subsequently to the court that the estate can be more economically or satisfactorily administered by the Public Trustee, it shall be competent to the court to appoint the Public Trustee if he consents to administer the estate.

Application by beneficiaries or heirs that Public Trustee be appointed.

28 Whenever any person has died leaving an estate within the Island, the court, on being satisfied that danger is to be apprehended of misappropriation, deterioration, or waste of such estate unless letters of administration of the estate of such person are granted, may, upon the application of the Public Trustee or of any person interested in such estate or in the due administration thereof, make an order, upon such terms as to indemnifying the Public Trustee against costs and other expenses as the court thinks fit, directing the Public Trustee to apply for letters of administration of the estate of such person.

Power of court to direct Public Trustee to apply for administration.

29 (1) Whenever any person has died leaving an estate within the Island, and the court is satisfied that there is no person immediately available who is legally entitled to the succession to such estate, or that danger is to be apprehended of misappropriation, deterioration, or waste of such estate, before it can be determined who may be legally entitled to the succession thereto, or whether the Public Trustee is entitled to letters of administration of the estate of such deceased person, the court may, upon the application of the Public Trustee or of any person interested in such estate, or in the

Power to direct Public Trustee to collect and hold assets until right of succession is determined.

due administration thereof, forthwith direct the Public Trustee to collect and take possession of such estate, and to hold, deposit, realize, sell, or invest the same according to the directions of the court; and in default of any such directions, according to the provisions of this Ordinance so far as the same are applicable to such estate.

(2) Any order of the court made under the provisions of this section shall entitle the Public Trustee—

- (a) To maintain any suit or proceeding for the recovery of such estate or any part thereof; and
- (b) If he thinks fit, to apply for letters of administration of the estate of such deceased person; and
- (c) To retain out of the estate any fees chargeable under rules made under this Ordinance, and to reimburse himself for all payments made by him in respect of such estate which a private administrator might lawfully have made.

Grant or probate or letters to person appearing in the course of proceedings taken by Public Trustee under sections 28 and 29.

30 If in the course of proceedings under the provisions of sections 28 and 29 any person appears and establishes his claim to probate of a will, or to a grant of letters of administration as next of kin of the deceased, and gives such security as may be required by him by law, the court shall grant probate of the will or letters of administration accordingly, and shall award to the Public Trustee the costs of any proceedings taken by him under this section to be paid out of the estate as part of the testamentary or intestate expenses thereof. But if no person appears and establishes his claim to probate of a will, or to a grant of letters of administration as next of kin of the deceased within such period as to the court seems reasonable, or if any person who has established his claim to a grant of letters of administration as next of kin of the deceased fails to give such security as may be required by him by law, the court may grant letters of administration to the Public Trustee.

Recall of Public Trustee's administration, and grant of probate, &c., to executor or next of kin.

31 If an executor or next of kin of the deceased who has not been personally served with a citation, or who has not had notice thereof in time to appear pursuant thereto, establishes to the satisfaction of the court a claim to probate of a will or to letters of administration in preference to the Public Trustee, any letters of administration granted in accordance with the provisions of this Ordinance to the Public Trustee may be revoked, and probate or letters of administration may be granted to such executor or next of kin as the case may be:

Provided that no letters of administration granted to the Public Trustee shall be revoked for the cause aforesaid without his consent, unless the application for that purpose is made within twelve months after the grant to the Public Trustee, and the court is satisfied that there has been no unreasonable delay in making the application, or in transmitting the authority under which the application is made.

Cost of obtaining administration, &c., may on revocation be ordered to be paid to Public Trustee out of assets.

32 If any letters of administration granted to the Public Trustee in accordance with the provisions of this Ordinance are revoked, the court may order the costs of obtaining such letters of administration, and the whole or any part of any fees which would otherwise have been payable under this Ordinance, together with the costs of the Public Trustee in any proceedings taken to obtain such revocation, to be paid to or retained by the Public Trustee out of the estate:

Provided that nothing in this section shall affect the provisions of clause (c) of sub-section (2) of section 29.

After revocation letters granted to Public Trustee to be deemed as to him to have been voidable only.

33 If any letters of administration granted to the Public Trustee in accordance with the provisions of this Ordinance are revoked, the same shall, so far as regards the Public Trustee and all persons acting under his authority in pursuance thereof, be deemed to have been only voidable, except as to any act done by such Public Trustee or other person as aforesaid, after notice of a will or of any other fact which would render such letters void:

Provided that no notice of a will or of any other fact which would render any such letters void shall affect the Public Trustee or any person acting under his authority in pursuance of such letters, unless, within the period of one month from

the time of giving such notice, proceedings are commenced to prove the will, or to cause the letters to be revoked, and such proceedings are prosecuted without unreasonable delay.

34 If any letters of administration granted to the Public Trustee in accordance with the provisions of this Ordinance are revoked upon the grant of probate of a will, or upon the grant of letters of administration with a copy of the will annexed, all payments made or acts done by or under the authority of the Public Trustee in pursuance of such letters of administration prior to the revocation, which would have been valid under any letters of administration lawfully granted to him with a copy of such will annexed, shall be deemed valid notwithstanding such revocation.

Payments made  
by Public  
Trustee prior  
to revocation.

*The Public Trustee as Collector under an Order to Collect.*

35 (1) Whenever it is made to appear to the court that there is reasonable ground to suppose that any person has died intestate leaving property in the Island, the court may order and empower the Public Trustee to collect the estate of such person.

Administration  
of estate of  
person believed  
to be dead.

(2) Every such order shall be valid until revoked, and shall empower the Public Trustee to—

- (a) Collect, manage, and administer the movable property of such supposed deceased person ;
- (b) Enter upon and receive the rents and profits and otherwise manage the immovable property ; and
- (c) Pay and discharge the debts and liabilities of such person ;

in like manner as if he were certainly dead, and the Public Trustee had obtained letters of administration to his estate.

(3) The Public Trustee shall not proceed to any distribution of the assets without an order of the court specially authorizing him to make such distribution.

(4) Within fourteen days after any order to collect has been granted, the Public Trustee shall, unless the court otherwise orders, cause notice of the fact that such order has been granted to be published twice in some newspaper published in the town or place where such person resided, or if there is no such newspaper, then twice in some daily newspaper published in the Island.

*The Public Trustee as Custodian Trustee.*

36 (1) Subject to rules under this Ordinance, the Public Trustee may, if he consents to act as such, and whether or not the number of trustees has been reduced below the original number, be appointed to be custodian trustee of any trust—

Custodian  
trustee.

- (a) By order of the court made on the application of any person on whose application the court may order the appointment of a new trustee ; or
- (b) By the testator, settlor, or other creator of any trust ; or
- (c) By the person having power to appoint new trustees.

(2) Where the Public Trustee is appointed to be custodian trustee of any trust—

- (a) The trust property shall be transferred to the custodian trustee as if he were sole trustee, and for that purpose vesting orders may, where necessary, be made under "The Trusts Ordinance, No. 9 of 1917" ;
- (b) The management of the trust property and the exercise of any power or discretion exercisable by the trustees under the trust shall remain vested in the trustees other than the custodian trustee (which trustees are hereinafter referred to as the managing trustees) ;
- (c) As between the custodian trustee and the managing trustees, and subject and without prejudice to the rights of any other persons, the custodian trustee shall have the custody of all securities and documents of title relating to the trust property, but the managing trustees shall have free access thereto and be entitled to take copies thereof or extracts therefrom ;

- (d) The custodian trustee shall concur in and perform all acts necessary to enable the managing trustees to exercise their powers of management or any other power or discretion vested in them (including the power to pay money or securities into court), unless the matter in which he is requested to concur is a breach of trust, or involves a personal liability upon him in respect of calls or otherwise, but, unless he so concurs, the custodian trustee shall not be liable for any act or default on the part of the managing trustees or any of them ;
- (e) All sums payable to or out of the income or capital of the trust property shall be paid to or by the custodian trustee : Provided that the custodian trustee may allow the dividends and other income derived from the trust property to be paid to the managing trustees or to such person as they may direct, or into such bank to the credit of such person as they may direct, and in such case shall be exonerated from seeing to the application thereof, and shall not be answerable for any loss or misapplication thereof ;
- (f) The power of appointing new trustees, when exercisable by the trustees, shall be exercisable by the managing trustees alone, but the custodian trustee shall have the same power of applying to the court for the appointment of a new trustee as any other trustee ;
- (g) In determining the number of trustees for the purposes of "The Trusts Ordinance, No. 9 of 1917," the custodian trustee shall not be reckoned as a trustee ;
- (h) The custodian trustee, if he acts in good faith, shall not be liable for accepting as correct and acting upon the faith of any written statement by the managing trustees as to any birth, death, marriage, or other matter of pedigree or relationship, or other matter of fact, upon which the title to the trust property or any part thereof may depend, nor for acting upon any legal advice obtained by the managing trustees independently of the custodian trustee ;
- (i) The court may, on the application of either the custodian trustee, or any of the managing trustees, or of any beneficiary, and on proof to their satisfaction that it is the general wish of the beneficiaries, or that on other grounds it is expedient, to terminate the custodian trusteeship, make an order for that purpose, and the court may thereupon make such vesting orders and give such directions as under the circumstances may seem to the court to be necessary or expedient.

(3) The provisions of this section shall apply in like manner as to the Public Trustee, to any banking or insurance company or other body corporate entitled by rules made under this Ordinance to act as custodian trustee, with power for such company or body corporate to charge and retain or pay out of the trust property fees not exceeding the fees chargeable by the Public Trustee as custodian trustee.

*Certificate by Public Trustee to collect small Estates.*

Public Trustee  
may grant  
certificate to  
collect assets.

37 Whenever any person has died leaving an estate within the Island, and the Public Trustee is satisfied that such estate did not at the date of death exceed one thousand five hundred rupees in value, he may, after the lapse of two months from the death, if he thinks fit, or before the lapse of the said two months, if he is requested so to do by writing under the hand of the executor or the widow or other person entitled to administer the estate of the deceased, grant to any person, claiming otherwise than as a creditor to be interested in such estate, or in the due administration thereof, a certificate under his hand entitling the claimant to receive the assets therein mentioned : Provided that no certificate shall be granted under this section where probate of the deceased's will or letters of administration of his estate has or have been granted.

Procedure  
before granting  
certificate, and  
powers of holder  
of certificate.

38 (1) The Public Trustee may, before granting a certificate under section 37, call upon the person to whom he proposes to grant the certificate to give security for the due administration of the estate.



(2) The holder of such a certificate shall have the same powers and duties and be subject to the same liabilities as he would have had or been subject to if letters of administration had been granted to him:

Provided that nothing in this section shall be deemed to require any person holding such certificate to file accounts or inventories of the assets of the deceased before any court.

39 The Public Trustee may revoke a certificate granted under the provisions of section 37 on any of the following grounds, namely:

Revocation of certificate.

- (a) That the certificate was obtained by fraud or misrepresentation made to him;
- (b) That the certificate was obtained by means of an untrue allegation of a fact essential in law to justify the grant though such allegation was made in ignorance or inadvertently.

40 (1) When a certificate is revoked in accordance with the provisions of section 39, the holder thereof shall, on the requisition of the Public Trustee, deliver it up to such Public Trustee, but shall not be entitled to the refund of any fee paid thereon.

Surrender of revoked certificate.

(2) If such person wilfully and without reasonable cause omits to deliver up the certificate, he shall be guilty of a summary offence and be punishable with imprisonment of either description for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

*Administration by Public Trustee of small Estates without Letters of Administration.*

41 If, in cases falling within section 37, no person obtains within four months of the death of the deceased a certificate from the Public Trustee under the same section, or probate of a will or letters of administration of the estate of the deceased, the Public Trustee may administer the estate without letters of administration in the same manner as if such letters had been granted to him.

Administration by Public Trustee of small estate without letters.

42 Where the Public Trustee undertakes to administer the estate of a deceased person without letters of administration being granted to him or without an order of court, he shall forthwith inform the court that he is doing so, and notify the fact in the "Government Gazette." A register of all such estates administered by the Public Trustee shall be kept in the court.

Public Trustee to notify to court.

*Distribution of Assets of Estates.*

43 (1) When the Public Trustee has given the prescribed notice for creditors and others to send in to him their claims against the estate of the deceased, he shall, at the expiration of the time therein named for sending in claims, be at liberty to distribute the assets or any part thereof in discharge of such lawful claims as he has notice of.

Distribution of assets.

(2) He shall not be liable for the assets so distributed to any person of whose claim he had no notice at the time of such distribution.

(3) No notice of any claim which has been sent in and has been rejected or disallowed in part by the Public Trustee shall affect him unless proceedings to enforce such claim are commenced within three months after notice of the rejection or disallowance of such claim has been given in the prescribed manner, and unless such proceedings are prosecuted without unreasonable delay.

(4) Nothing in this section shall prejudice the right of any creditor or other claimant to follow the assets or any part thereof in the hands of the persons who may have received the same respectively.

(5) In computing the period of limitation for any suit, appeal, or application under the provisions of any law for the time being in force, the period between the date of submission of the claim of a creditor to the Public Trustee and the date of the final decision of the Public Trustee on such claim shall be excluded.

Paying over to Treasurer, of accumulations in the hands of Public Trustee.

44 When any moneys payable to a beneficiary under a trust have been in the hands of the Public Trustee for a period of twelve years or upwards in consequence of the Public Trustee having been unable to trace the person entitled to receive the same, such moneys shall be paid over to the Colonial Treasurer by the Public Trustee to be carried to the account of the public revenue :

Provided that no such moneys shall be so paid over if any action or proceeding is pending in respect thereof in any court.

Mode of proceeding by claimant to recover money so paid over.

45 (1) If any claim is made to any moneys so paid over, and such claim is established to the satisfaction of the Governor in Executive Council, the Governor in Executive Council shall order the payment to the claimant of the amount in respect of which the claim is established.

(2) If such claim is not established to the satisfaction of the Governor in Executive Council, the claimant may, without prejudice to his right to take any other proceedings for the recovery of such moneys, apply by petition to the court, and, after taking such evidence as it thinks fit, such court shall make such order on the petition in regard to the payment of such moneys as it thinks fit.

(3) The court may further direct by whom all or any part of the costs of such proceedings shall be paid.

*Fees chargeable by Public Trustee.*

Fees and expenses to be charged by Public Trustee.

46 (1) There shall be charged in respect of the duties of the Public Trustee such fees, whether by way of percentage or otherwise, as the Governor in Executive Council may prescribe.

(2) The fees under this section may be at different rates for different properties or classes of properties or for different duties, and shall, so far as may be, be arranged so as to produce an amount sufficient to discharge the salaries and all other expenses incidental to the working of this Ordinance (including such sum as the Governor may determine to be required to insure the public revenue against loss under this Ordinance).

(3) The incidence of the fees and expenses under this section as between capital and income shall be determined by the Public Trustee.

(4) Any expenses which might be retained or paid out of the trust fund, if the Public Trustee were a private trustee, shall be so retained or paid, and any fees leviable under this Ordinance shall be retained or paid in like manner as and in addition to such expenses.

Disposal of fees.

47 The Public Trustee shall transfer and pay to the Colonial Treasurer in such manner and at such times as the Governor may prescribe all fees received by him under this Ordinance, and the same shall be carried to the credit of the Government of Ceylon.

*Audit.*

Audit of Public Trustee's account.

48 (1) The accounts of the Public Trustee shall be audited at least once annually, and at any time if the Governor so direct, by the prescribed person and in the prescribed manner.

(2) The auditor shall examine such accounts, and shall forward to the Colonial Secretary a statement thereof in the prescribed form, together with a report thereon and a certificate signed by him, showing—

- (a) Whether the accounts contain a full and true account of everything which ought to be contained therein ; and
- (b) Whether the books, which by any rules made under this Ordinance are directed to be kept by the Public Trustee, have been duly and regularly kept ; and
- (c) Whether the trust funds and securities have been duly kept and invested and deposited in the manner prescribed by this Ordinance or any rules made thereunder ;

or (as the case may be) that such accounts are deficient, or that the Public Trustee has failed to comply with this Ordinance or the rules made thereunder, in such respects as may be specified in such certificate.

49 (1) Every auditor shall have the powers of a civil court under "The Civil Procedure Code, 1889"—

Auditor's power to summon witnesses and call for documents.

- (a) To summon any person whose presence he may think necessary to attend him from time to time; and
- (b) To examine any person on oath to be by him administered; and
- (c) To issue a commission for the examination on interrogatories or otherwise of any person; and
- (d) To summon any person to produce any document or thing, the production of which appears to be necessary for the purposes of such audit or examination.

(2) Any person who, when summoned, refuses, or without reasonable cause neglects, to attend or to produce any document or thing, or attends and refuses to be sworn or to be examined, shall be deemed to have committed an offence within the meaning of section 191 of the Ceylon Penal Code.

50 The costs of and incidental to every such audit and examination shall be determined in accordance with rules made by the Governor, and shall be defrayed in the prescribed manner.

Cost of audit, &c., how paid.

51 Every beneficiary under a trust which is being administered by the Public Trustee, and every person interested in the administration of any estate which is in the charge of the Public Trustee, shall, subject to such conditions and restrictions as may be prescribed, be entitled, at all reasonable times, to inspect the accounts of such trust, and the report and certificate of the auditor, and, on payment of the prescribed fee, to be furnished with copies thereof or extracts therefrom, and nothing in "The Trusts Ordinance, No. 9 of 1917," shall affect the provisions of this section.

Right of person interested, to inspection and copies of accounts.

#### *Penalty for False Statements.*

52 (1) Whoever, during any examination authorized by this Ordinance, makes upon oath a statement which is false, and which he either knows or believes to be false or does not believe to be true, shall be deemed to have intentionally given false evidence in a stage of a judicial proceeding.

False evidence.

(2) If the rules require a declaration to be made for any purpose, a person who makes such declaration, knowing the same to be untrue in any particular, shall be guilty of the offence of giving false evidence.

#### *Rules.*

53 (1) The Governor in Executive Council shall make rules for carrying into effect the objects of this Ordinance, and in particular for all or any of the following purposes (that is to say):

Rules.

- (a) Establishing the office of Public Trustee and prescribing the trusts or duties he is authorized to accept or undertake, and the security, if any, to be given by the Public Trustee, his Deputies, and his officers;
- (b) The transfer to and from the Public Trustee of any property;
- (c) The accounts to be kept and an audit thereof;
- (d) The establishment and regulation of any branch office;
- (e) Excluding any trusts from the operation of this Ordinance or any part thereof;
- (f) The classes of corporate bodies entitled to act as custodian trustees;
- (g) The form and manner in which notices under this Ordinance shall be given;
- (h) The investment of trust funds;
- (i) Enabling the Public Trustee to take the opinion of the court on any question arising in the course of any administration without judicial proceedings, and otherwise making the procedure in such cases simple and inexpensive.

(2) Every rule under this Ordinance shall be laid as soon as conveniently may be before the Legislative Council, and may at any time within forty days of their being so laid before the Council, or at any of the three meetings of the Council succeeding such date, by resolution of the Council, be disallowed, amended, or otherwise dealt with as may be directed by the said resolution, but without prejudice to anything that may have been done thereunder.

By His Excellency's command,

Colonial Secretary's Office,  
Colombo, October 1, 1921.

GRAEME THOMSON,  
Colonial Secretary.

*Statement of Objects and Reasons.*

IN preparing the draft of this Bill the model of the Public Trustee Act, 1906, has been followed, but in view of local conditions certain provisions of the Bill have been adapted from the Official Trustees Act, 1913, and the Administrator-General's Act, 1913, of the Indian Legislature, as well as the Public Trustee Act, 1913, of New South Wales.

2. The proposal to appoint a Public Trustee is brought forward as the result of strong representations as to the pressing need for such an official. There is reason to believe that many trust estates have been dissipated through lack of business capacity or worse on the part of private trustees, and that an opportunity should be given to persons creating trusts to appoint as trustee, an officer who will have behind him the security of the public revenue (section 8).

3. As the office of Public Trustee is being created principally in the interests of settlers and testators, it is but fair that the charge of carrying out the duties of that officer should be borne by those who will benefit primarily. With this object provision is made in section 46 for the payment of fees by way of percentage or otherwise as may be prescribed by rules. These fees are to be on such a scale as will produce an amount sufficient to discharge the salaries and other incidental expenses of working the Ordinance, but even then, in view of the greater economy of centralizing the administration of numerous trusts, it is more than probable that estates will benefit as regards expense as well as regards increased security.

4. Generally it may be said that the Bill proposes the appointment of a Public Trustee, who under section 6 will be empowered to act—

- (a) As an ordinary trustee, which includes an executor or administrator;
- (b) By order of the court as collector of estates; and
- (c) As a custodian trustee.

5. The Public Trustee will not be compellable to act, but it is specifically provided that he is not to refuse to accept a trust on the ground merely of the small value of the trust property (section 10). Certain trusts he is not to undertake, such as trust involving the carrying on of a business except where he is authorized by rules, or under a deed of arrangement for the benefit of creditors, or involving the administration of an insolvent estate, or for religious or charitable purposes (section 11). There is a further important limitation on his activity, and that is that, except where he is a custodian trustee, he can only be appointed a sole trustee. This limitation is in accordance with the Indian law on the subject, and is thought to be advisable, for it renders the work of the Public Trustee simpler, a matter of the first importance when establishing a new office.

6. Provision is also made for the appointment of Deputy Public Trustees (section 5), of advisory trustees (section 22), and of an Advisory Board (section 21).

7. Section 24 of the Bill deals with the appointment of the Public Trustee as an ordinary trustee. He may be appointed either as an original or a new trustee; with this important new departure, that even though originally there were two or more trustees, the Public Trustee may be appointed to act alone. If, however, there is in the instrument creating

the trust a direction that the Public Trustee is not to act, effect is to be given to it, unless the court otherwise directs. Provision is also given in section 24 for due notice of an application to appoint the Public Trustee as a new trustee, being given.

8. Section 25 of the Bill provides for the appointment of the Public Trustee as an executor or administrator, and introduces new and most important alterations in the existing law.

9. The court is authorized, in cases of administration, to consider the Public Trustee as in law entitled equally with any other person or class of persons to obtain the grant of letters of administration, except that as between the Public Trustee and the widower, widow, or next of kin of the deceased, the latter are to be preferred, unless for good cause shown to the contrary.

10. Even where an executor has obtained probate, he may apply to the court for an order to transfer the estate to the Public Trustee, and the latter is then to have all the powers, rights, and duties of the executor. The provisions of sections 26 to 29 of the Bill also contain important provisions dealing with the administration of small estates, and the protection of estates against misappropriation, &c., while sections 31 to 34 deal with the revocation of grants made to the Public Trustee in favour of persons having prior claims, but due protection is given to the Public Trustee in respect of all action rightly undertaken by him.

11. Section 35 of the Bill introduces a provision from the New South Wales Legislation, which allows the Public Trustee to collect the estate of a deceased person without the former having to take out letters of administration.

12. Section 36 of the Bill allows of the Public Trustee being appointed as a custodian trustee. In this capacity he does not take an active part in the administration of the estate, but merely has the property transferred to him. This procedure ensures the security of the property, but gives a testator, if he so desires, the power to entrust the management of his affairs to persons in whose ability he has confidence.

13. Sections 37 to 42 of the Bill also introduce provisions as regards the collection and administration of small estates, but it is thought unnecessary to refer to these in detail.

14. Section 43 of the Bill deals with the distribution by the Public Trustee of the assets of estates, and sections 44 and 45 with the payment into public revenue of moneys which have been twelve years in the hands of the Public Trustee, and of the conditions under which it may be recovered by those claiming to be entitled.

15. The audit of the Public Trustee's accounts are dealt with in sections 48 to 51 of the Bill.

Colombo, March 10, 1921.

H. C. GOLLAN,  
Attorney-General.

### MINUTE.

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

**An Ordinance to provide for the Enforcement in the Colony of Judgments obtained in the Superior Courts of the United Kingdom and of other parts of His Majesty's Dominions.**

**WHEREAS** it is expedient to provide for the enforcement in the Colony of judgments of the superior courts of the United Kingdom and to obtain thereby reciprocal advantages in the United Kingdom :

Preamble.

And whereas it is also expedient to make provision for similar advantages being granted to, and obtained in, other portions of His Majesty's dominions :

Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

1 This Ordinance may be cited as "The Reciprocal Enforcement of Judgment Ordinance, No. of 1921."

Short title.

## Definitions.

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

The expression "superior court in the United Kingdom" means the High Court in England or Ireland and the Court of Session in Scotland ;

The expression "judgment" means any judgment, decree, or order given or made by a court in any civil proceedings, whether before or after the passing of this Ordinance, whereby any sum of money is made payable, and includes an award in proceedings on an arbitration if the award has, in pursuance of the law in force in the place where it was made, become enforceable in the same manner as a judgment given by a court in that place ;

The expression "original court" in relation to any judgment means the court by which the judgment was given ;

The expression "registering court" in relation to any judgment means the District Court of Colombo ;

The expression "judgment-creditor" means the person by whom the judgment was obtained, and includes the legal representatives, successors, and assigns of that person ;

The expression "judgment-debtor" means the person against whom the judgment was given, and includes any person against whom the judgment is enforceable in the place where it was made.

(2) Subject to rules of court, any of the powers conferred by this Ordinance on the registering court may be exercised by a Judge of the court.

Enforcement  
in the Colony  
of judgments  
obtained in  
superior courts  
in the United  
Kingdom.

3 (1) Where a judgment has been obtained in a superior court in the United Kingdom, the judgment-creditor may apply to the registering court at any time within twelve months after the date of the judgment, or such longer period as may be allowed by the court, to have the judgment registered in the court, and on any such application the court may, if in all the circumstances of the case they think it is just and convenient that the judgment should be enforced in the Colony, and, subject to the provisions of this section, order the judgment to be registered accordingly.

(2) No judgment shall be ordered to be registered under this section if—

- (a) The original court acted without jurisdiction ; or
- (b) The judgment-debtor, being a person who was neither carrying on business nor ordinarily resident within the jurisdiction of the original court, did not voluntarily appear or otherwise submit or agree to submit to the jurisdiction of that court ; or
- (c) The judgment-debtor, being the defendant in the proceedings, was not duly served with the process of the original court and did not appear, notwithstanding that he was ordinarily resident or was carrying on business within the jurisdiction of that court or agreed to submit to the jurisdiction of that court ; or
- (d) The judgment was obtained by fraud ; or
- (e) The judgment-debtor satisfies the registering court either that an appeal is pending, or that he is entitled and intends to appeal against the judgment ; or
- (f) The judgment was in respect of a cause of action which for reasons of public policy or for some other similar reason could not have been entertained by the registering court.

(3) Where a judgment is registered under this section—

- (a) The judgment shall, as from the date of registration, be of the same force and effect, and proceedings may be taken thereon, as if it had been a judgment originally obtained or entered up on the date of registration in the registering court ;
- (b) The registering court shall have the same control and jurisdiction over the judgment as it has over similar judgments given by itself, but in so far only as relates to execution under this section ;

- (c) The reasonable costs of and incidental to the registration of the judgment (including the costs of obtaining a certified copy thereof from the original court and of the application for registration) shall be recoverable in like manner as if they were sums payable under the judgment ;
- (d) The same stamp duties shall be payable in respect of proceedings under this Ordinance as would have been payable if the judgment had been an original judgment of the registering court.
- (4) Rules of court shall provide—
- (a) For service on the judgment-debtor of notice of the registration of a judgment under this section ; and
- (b) For enabling the registering court on an application by the judgment-debtor to set aside the registration of a judgment under this section on such terms as the court thinks fit ; and
- (c) For suspending the execution of a judgment registered under this section until the expiration of the period during which the judgment-debtor may apply to have the registration set aside.
- (5) In any action brought in any court in the Colony on any judgment which might be ordered to be registered under this section, the plaintiff shall not be entitled to recover any costs of the action, unless an application to register the judgment under this section has previously been refused, or unless the court otherwise orders.

4 Where a judgment has been obtained in any District Court or in the Supreme Court of the Colony against any person, the court shall, on an application made by the judgment-creditor and on proof that the judgment-debtor is resident in the United Kingdom, issue to the judgment-creditor a certified copy of the judgment.

Issue of certificates of judgments obtained in the Colony.

5 Rules of court may be made in the manner provided by section 53 of "The Courts Ordinance, 1889," for the purposes of this Ordinance, and also for the purpose of regulating the practice and procedure (including evidence), in respect of proceedings of any kind under this Ordinance.

Rules of court.

6 (1) Where the Governor in Executive Council is satisfied that reciprocal provisions have been made by the Legislature of any part of His Majesty's dominions outside the United Kingdom for the enforcement within that part of His dominions of judgments obtained in any District Court or in the Supreme Court of the Colony, the Governor in Executive Council may, by Proclamation in the "Government Gazette," declare that this Ordinance shall extend to judgments obtained in a superior court in that part of his dominions in like manner as it extends to judgments obtained in a superior court in the United Kingdom, and on any such Proclamation being made this Ordinance shall extend accordingly.

Extent of Ordinance.

(2) For the purposes of this section the expression "part of His Majesty's dominions outside the United Kingdom" shall be deemed to include any territory which is under His Majesty's protection, or in respect of which a mandate is being exercised by the Government of any part of His Majesty's dominions.

By His Excellency's command,

Colonial Secretary's Office,  
Colombo, October 4, 1921.

GRAEME THOMSON,  
Colonial Secretary.

*Statement of Objects and Reasons.*

THE general rule is that a foreign judgment, *i.e.*, a judgment obtained in a court not having jurisdiction in Ceylon, cannot be enforced locally as such, but an action must be brought in a local court, and a judgment of such court obtained before it can be enforced.

2. In the United Kingdom, so long back as 1868, a statute (The Judgments Extension Act, 1868) was passed to allow of a judgment obtained in any part of the United Kingdom being registered in any other part, and thereupon becoming enforceable in the place of registration as if it had been recovered there.

3. By sections 9 to 14 of the Administration of Justice Act, 1920, there is provision for arrangements being made between the United Kingdom and any other part of His Majesty's dominions as to the reciprocal enforcement of judgments obtained in their respective superior courts; and by section 3 of the Bill power is given to a judgment-creditor who has obtained judgment in a superior court in the United Kingdom, to apply to the District Court of Colombo to have such judgment registered. Registration can only be effected on complying with the requirements of section 3 (2) of the Bill; but once registration has been effected, the foreign judgment may be enforced in the manner laid down in section 3 (3).

4. There are also provisions in the Bill for the issue of certificates of judgments obtained in the superior courts of the Colony with a view to assisting the reciprocal enforcement of such judgments in the United Kingdom (section 4); and power is given to the Judges of the Supreme Court to make rules for the carrying out of the provisions of the Bill.

5. In express terms the Bill only applies to the reciprocal enforcement of judgments obtained in the United Kingdom and Ceylon, respectively, but by section 6 of the Bill power is given to extend the provisions of the Bill to other parts of His Majesty's dominions on a basis of reciprocity.

Attorney-General's Chambers,  
Colombo, September 13, 1921.

H. C. GOLLAN,  
Attorney-General.

## PASSED ORDINANCES.

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

No. 35 of 1921.

**An Ordinance for making provision for the Contingent Services for the Financial Year October, 1921, to September, 1922.**

W: H. MANNING.

Preamble.

WHEREAS the contingent expenditure required for the service of the Government of this Island for the financial year October, 1921, to September, 1922, and not otherwise provided for, has been estimated at the sum of Seventy-six million Four hundred and Eighty-eight thousand Five hundred and Twenty-three rupees: It is enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

1 A sum not exceeding Seventy-six million Four hundred and Eighty-eight thousand Five hundred and Twenty-three rupees shall be and the same is hereby charged upon the revenue and other funds of this Island for the Contingent Services for the financial year October, 1921, to September, 1922, and the said expenditure shall be in conformity with the Heads of Expenditure specified in the schedule hereunto annexed.

2 And whereas by the 31st section of the Ordinance No. 31 of the year 1884, entitled "An Ordinance to amend Ordinance No. 10 of 1861, entitled 'An Ordinance to consolidate and amend the Laws relating to Public Thoroughfares in this Colony,'" it is enacted that it shall be lawful for the Governor

Rs. 76,488,523  
to be charged  
upon the  
revenue of this  
Island for the  
Contingent  
Services for the  
financial year  
October, 1921, to  
September, 1922.

Amount of  
labour to be  
supplied under  
the Ordinance  
No. 31 of 1884.



to propose the estimates prepared in pursuance thereof, or such of them as to him may appear expedient, in the Ordinance for making provision for the contingent expenditure of the Colony for the ensuing year, to be dealt with in like manner as any other estimate to be so proposed: And it is thereby also provided that the amount of labour to be supplied under the provisions of the said Ordinance No. 31 of 1884, for the performance of any work or works for which an estimate or estimates may have been so proposed by the Governor, and approved of by the Legislative Council, shall be distinctly stated in the Ordinance enacted for the same, and that the same shall not exceed two-thirds of the whole amount of labour due from the district or districts within which it may be required to be performed: It is enacted that the amount of labour to be supplied under the provisions of the said Ordinance shall be in conformity with the estimates detailed under Head No. 40, "Public Works Annually Recurrent."

3 The Treasurer of the said Island shall issue and pay the said several sums to such persons, for the purposes hereinbefore mentioned, upon such days and in such proportions as the Governor for the time being, by any warrant or order in writing to be signed by him, shall from time to time order and direct; and the payments so to be made shall be charged upon and payable out of the revenues and other funds of the said Island.

Treasurer to pay the above at such times as the Governor by warrant shall order.

4 The said Treasurer shall in his accounts from time to time be allowed credit for any sum or sums of money paid by him in pursuance of such warrant or order in writing as aforesaid; and the receipt or receipts of the respective persons to whom the same shall be so paid shall be a full and valid discharge to the said Treasurer in passing his said accounts for any such sum or sums as shall be herein mentioned; and he shall and may receive credit for the same accordingly.

And to receive credit to his accounts for the payments made in pursuance hereof.

SCHEDULE		Rs.
1.	His Excellency the Governor	202,647
2.	Civil Service .. .. .	1,578,438
3.	Clerical Service .. .. .	2,052,995
4.	Secretariat .. .. .	49,662
4A.	Secretariat: Printing Branch .. .. .	513,334
5.	Controller of Revenue .. .. .	7,451
6.	Treasury .. .. .	66,677
6A.	Loan Board .. .. .	3,030
6B.	Stamp Office .. .. .	2,726
7.	Audit Office .. .. .	90,258
8.	Provincial Administration .. .. .	1,072,983
8A.	Local Government Board .. .. .	17,500
9.	Land Settlement Department .. .. .	125,796
10.	Survey Department .. .. .	2,508,768
11.	Government Stores .. .. .	214,916
12.	Immigration and Quarantine .. .. .	188,508
13.	Customs Department .. .. .	357,635
14.	Excise Department .. .. .	393,395
15.	Post Office and Telegraphs .. .. .	3,164,622
16.	Forest Department .. .. .	649,647
17.	Colombo Port Commission .. .. .	2,392,865
18.	Ports other than Colombo .. .. .	52,774
19.	Legal Departments .. .. .	922,800
20.	Police .. .. .	2,156,753
21.	Prisons .. .. .	921,737
22.	Medical Department .. .. .	5,711,175
22A.	Medical College .. .. .	58,847
22B.	Institute of Medical Research .. .. .	38,887
23.	Education .. .. .	4,018,020
23A.	University College .. .. .	197,500
24.	Department of Agriculture .. .. .	560,963
24A.	Department of Food Production .. .. .	—
25.	Colombo Museum .. .. .	36,812
25A.	Fisheries .. .. .	99,554
26.	Archæological Department .. .. .	92,122
27.	Veterinary Department .. .. .	117,592
28.	Government Analyst .. .. .	39,223
29.	Mineral Survey .. .. .	39,066
30.	Inspector of Mines .. .. .	19,159
31.	Inspector of Factories .. .. .	7,675
32.	Registrar of Patents .. .. .	5,547
33.	Ecclesiastical .. .. .	1,610
34.	Railway Department .. .. .	12,385,533

	Rs.
35. Railway Extraordinary Works ..	543,351
36. Irrigation Department ..	586,104
37. Irrigation Annually Recurrent ..	283,800
38. Irrigation Extraordinary ...	475,695
39. Public Works Department ..	1,045,139
40. Public Works Annually Recurrent ..	5,066,500
41. Public Works Extraordinary ..	1,558,577
42. Military Expenditure ..	1,905,279
43. Public Debt ..	7,876,506
44. Pensions ..	1,915,500
45. Exchange ..	18,600
46. Miscellaneous Services ..	12,626,270

Total..Rs. 76,488,523

Passed in Council the Twenty-second day of September,  
One thousand Nine hundred and Twenty-one.

M. A. YOUNG,  
Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-  
eighth day of September, One thousand Nine hundred and  
Twenty-one.

GRAEME THOMSON,  
Colonial Secretary.

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

No. 36 of 1921.

An Ordinance further to amend "The Courts  
Ordinance, 1889."

W. H. MANNING.

Preamble.

**W**HEREAS it is expedient further to amend "The  
Courts Ordinance, 1889": Be it therefore enacted  
by the Governor of Ceylon, by and with the advice and  
consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Courts (Amend-  
ment) Ordinance, No. 36 of 1921."

Amendment of  
section 8 of the  
principal  
Ordinance.

2 Section 8 of the principal Ordinance is hereby amended  
in the following respects:

- (a) By striking out the word "four" in line 3 and inserting  
in lieu thereof the word "five"; and
- (b) By striking out the word "three" wherever the same  
occurs and inserting in lieu thereof the word "four."

Amendment of  
section 28 of  
the principal  
Ordinance.

3 Section 28 of the principal Ordinance shall be amended  
in the following respects:

- (a) By the addition of the following words immediately  
before the proviso thereto:

"For the Eastern Circuit, twice at least at Batticaloa  
and such other place or places in such circuit as the  
Governor, after previous consultation with the Judges,  
shall appoint, such sessions commencing at Batticaloa  
in the month of February and the month of July in  
every year."

- (b) By the addition of the following proviso at the end  
thereof:

"Provided further that in the event of it proving im-  
practicable or inconvenient for any Judge, by reason  
of pressure of circuit or other work elsewhere, to arrive  
at any circuit town in time to commence any sessions  
on the date appointed, such Judge may, on giving  
such public or other notice as he may deem necessary  
for the purpose of informing all persons concerned,  
postpone such sessions until such other date (not more  
than one week later than the date appointed) as he  
may deem convenient.

4 Section 54A of the principal Ordinance as the same is contained in section 13 of Ordinance No. 24 of 1901 is hereby repealed, and there shall be inserted in lieu thereof the following section :

Insertion of new section 54A in principal Ordinance.

54A. It shall be lawful for the Chief Justice to make order in writing in respect of any case brought before the Supreme Court by way of appeal, review, or revision that it shall be heard by and before all the five Judges of such Court and the decision of such Judges when unanimous, or of the majority of them in case of any difference of opinion, shall in all cases be deemed and taken to be the judgment of the Supreme Court.

Chief Justice may order appeal to be heard by five Judges.

Passed in Council the Sixth day of October, One thousand Nine hundred and Twenty-one.

M. A. YOUNG,  
Clerk to the Council.

Assented to by His Excellency the Governor the Eighth day of October, One thousand Nine hundred and Twenty-one.

GRAEME THOMSON,  
Colonial Secretary.

## NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,993. In the matter of the insolvency of Nathaniel Chellan Robert, carrying on business as Robert & Co., Colombo.

NOTICE is hereby given that on the application of one of the creditors of the above-named insolvent, the matter of the allowance of the certificate of conformity to him has been fixed for rehearing on October 25, 1921, at a special sitting to be held for the purpose, commencing at 11 o'clock of the forenoon.

By order, P. DE KRETZER,  
Secretary.

October 10, 1921.

In the District Court of Colombo.

No. 3,054. In the matter of the insolvency of David Julian Perera Balasooriya of Layard's Broadway, Colombo, insolvent.

WHEREAS the above-named D. J. P. Balasooriya has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by Bertram Pieris, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said D. J. P. Balasooriya insolvent accordingly, and that two public sittings of the court, to wit, on October 11, 1921, and on October 25, 1921, 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. E. PERERA,  
Secretary.

Colombo, October 8, 1921.

In the District Court of Colombo.

No. 3,055. In the matter of the insolvency of Andrew George Vansanden of Rajagiriya, Colombo, insolvent.

WHEREAS the above-named A. G. Vansanden has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by A. A. Raymond, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. G. Vansanden insolvent accordingly, and that two public sittings of the court, to wit, on October 11, 1921, and on October 25, 1921, 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. E. PERERA,  
Secretary.

Colombo, October 8, 1921.

In the District Court of Colombo.

No. 3,056. In the matter of the insolvency of Kavannah Muna Ana Ahamado Jalaladeen of No. 55, Sea street, Colombo, insolvent.

WHEREAS the above-named K. M. A. Ahamado has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by E. K. Somasundaram, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said K. M. A. Ahamado insolvent accordingly, and that two public sittings of the court, to wit, on October 11, 1921, and on October 25, 1921, 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. E. PERERA,  
Secretary.

Colombo, October 8, 1921.

In the District Court of Colombo.

No. 3,057. In the matter of the insolvency of John Denzil Lorage of Udahanpella in the Gangaboda pattu of Siyane korale, insolvent.

WHEREAS the above-named J. D. Lorage has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by A. M. M. Sheriff, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said J. D. Lorage insolvent accordingly, and that two public sittings of the court, to wit, on October 11, 1921, and on October 25, 1921, 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. E. PERERA,  
Secretary.

Colombo, October 8, 1921.

## In the District Court of Colombo.

No. 3,058. In the matter of the insolvency of A. M. Ghouse, Wellawatta, Colombo, insolvent.

WHEREAS the above-named A. M. Ghouse has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by S. L. M. H. M. Saeed, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. M. Ghouse insolvent accordingly, and that two public sittings of the court, to wit, on October 11, 1921, and on October 25, 1921, 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. E. PERERA,  
Colombo, October 8, 1921. Secretary.

## In the District Court of Colombo.

No. 3,061. In the matter of the insolvency of O. L. M. Sheriff of 2nd Division, Maradana, in Colombo, insolvent.

WHEREAS the above-named O. L. M. Sheriff has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by M. I. N. A. Caffoor, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said O. L. M. Sheriff insolvent accordingly, and that two public sittings of the court, to wit, on November 1, 1921, and on November 15, 1921, 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. E. PERERA,  
Colombo, October 8, 1921. Secretary

## In the District Court of Colombo.

No. 3,065. In the matter of the insolvency of Ernest A. E. de Silva of Rockmore, Gregory's road, in Colombo, insolvent.

WHEREAS the above-named E. A. E. de Silva has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by C. B. Fernando, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said E. A. E. de Silva insolvent accordingly, and that two public sittings of the court, to wit, on November 1, 1921, and on November 15, 1921, 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. E. PERERA,  
Colombo, October 8, 1921. Secretary.

## In the District Court of Kandy.

No. 1,644. In the matter of the insolvency of Manandias Liyanage Melius Dias of Victoria Drive, Kandy.

NOTICE is hereby given that the certificate meeting in the above case has been adjourned for November 4, 1921, and that the said date has also been fixed for proof of claims by creditors and for the appointment of an assignee.

By order of court, P. MORTIMER,  
Kandy, October 12, 1921. Secretary.

## In the District Court of Kandy.

No. 1,650. In the matter of the insolvency of Seyanna Muna Mohammad Abdul Cader and Seyanna Muna Mohammad Assenally, who traded in Matale under the firm and style of Seyanna Muna Mohammad Abdul Cader and Brother.

WHEREAS the above-named S. M. M. Abdul Cader and S. M. M. Assenally has filed a declaration of insolvency, and a petition for the sequestration as insolvent of his own estate, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on November 18, 1921, and January 13, 1922, will take place for the 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, P. MORTIMER,  
Kandy, October 4, 1921. Secretary.

## In the District Court of Galle.

No. 479. In the matter of the insolvency of P. S. Mohamed of Kumbalwella, Galle.

WHEREAS P. S. Mohamed of Kumbalwella, Galle, has filed a declaration of insolvency, and a petition for the sequestration of his estate, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said P. S. Mohamed insolvent accordingly, and that two public sittings of the court, to wit, on November 7, 1921, and on December 5, 1921, 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, RICHARD L. PERERA,  
Galle, October 10, 1921. Secretary.

## In the District Court of Chilaw.

No. 23. In the matter of the insolvency of Miyanna Muna Mohideen Abdul Cader or Madampe.

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 November 23, 1921, to consider setting aside certain sales.

By order of court, W. A. T. GUNAWARDANE,  
Chilaw, October 10, 1921. Secretary.

## In the District Court of Kegalla.

No. 47. In the matter of the insolvency of Yusubu Lebbe Mohammado Ibrahim of Delgoda, Hingula.

WHEREAS Yusubu Lebbe Mohammado Ibrahim of Delgoda, Hingula, has filed declaration of insolvency and a petition for the sequestration of his estate, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Yusubu Lebbe Mohammado Ibrahim insolvent accordingly, and that two public sittings of the court, to wit, on November 3 and December 1, 1921, 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, K. RATNASINGHAM,  
Kegalla, October 7, 1921. Secretary.

## NOTICES OF FISCALS' SALES.

## Western Province.

In the District Court of Colombo.

The Municipal Council of Colombo ..... Plaintiff.

No. 521 of 1920. Vs.

(1) Mohamado Sultan Abdul Sheriff of Dematagoda, Colombo, (2) Wawanna Muna Muttu Mohamado of ditto, (3) Nawana Nana Seeni Mohamado Sultan of Bambalapitiya, (4) Muna Cheanna Seeni Subehia Mohamado of No. 5, Symond's road, Colombo, (5) Samsu Lebbe Subehia Umma, wife of Mohamado Sultan Abdul Sheriff, the 1st defendant, of Dematagoda, Colombo, and (6) Samsee Lebbe Suleia Umma of Dematagoda ..... Defendants.

NOTICE is hereby given that on Tuesday, November 8, 1921, at 10.30 in the forenoon, will be sold by public auction at the premises the following mortgaged property declared bound and executable under the decree entered in the above action for the recovery of the sum of Rs. 1,932.24, with interest thereon at the rate of 9 per cent. per annum from April 27, 1920, till payment in full, and costs, and poundage, viz. :—

All that garden called Madangahawatta, with the buildings standing thereon, formerly bearing assessment No. 11 and now No. 14, situated at Mosque lane, Colpetty, within the Municipality and District of Colombo, Western Province; and bounded on the north by a small road, on the east by the other part of this land belonging to Srema Natchia, on the south by a small road, on the west by the other part of this land belonging to Patumma Natchia; containing in extent 11 58/100 perches, more or less, held and possessed by the said 5th and 6th defendants under a certificate issued from the District Court of Colombo in case No. 18,125 dated April 27, 1905, registered A72/230 in the Colombo District Land Registry Office, together with all the buildings standing thereon or to be erected thereon, and all appurtenances belonging thereto or used or enjoyed therewith.

Fiscal's Office,  
Colombo, October 12, 1921.W. DE LIVERA,  
Deputy Fiscal, W. P.

In the District Court of Colombo.

P. S. M. K. T. Catherasena Chetty of Sea street,  
Colombo ..... Plaintiff.

No. 535 of 1920. Vs.

C. W. Louis Perera of the Fort, Colombo ..... Defendant.

NOTICE is hereby given that on Friday, November 4, 1921, at 4 P.M., will be sold by public auction at No. 2, Kanatta road, the following movable property of the defendant for the recovery of the balance sum of Rs. 1,574, with interest at 9 per cent. per annum from February 27, 1921, till payment in full, and costs, viz. :—

Two chiffoniers fixed with mirrors, 1 large dining table, 1 small dining table, 16 armchairs, 1 sideboard, 1 cellerette, 4 whatnots, 22 pictures, 2 Chinese screens, 10 rattan chairs, 7 rattan chairs, 1 whatnot fixed with mirror, 1 Bombay carved conversation chair, 3 cushioned Bombay armchairs, 1 Bombay conversation chair, 1 piano, 1 piano stool, 1 carved teapoy, 1 cushioned settee, 2 wall mirrors, 4 large porcelain flower pots, 6 ebony chairs, 2 lounges, 1

rocking chair, 1 small writing table, 1 cushioned bench with high back, 3 teapoys, 2 teapoys, 2 carpets, 1 ebony stand, 6 rattan mats, 1 clock, 5 wall plates, 2 easy chairs, 6 pairs antlers, 2 tables with drawers, 4 plank low chairs, 2 toy elephant heads, 1 teapoy with marble top, 1 wash-hand stand, 2 brass flower pots, 2 cushioned rattan chairs, 1 foreign wood low chair.

Fiscal's Office,  
Colombo, October 10, 1921.W. DE LIVERA,  
Deputy Fiscal, W. P.

In the District Court of Colombo.

Arthur & Company (Export), Limited, of 78, Queen  
street, Glasgow, Scotland ..... Plaintiffs.

No. 1,801 of 1920. Vs.

Mrs. Caroline Fernando of Villa de Loris, Turret road, Colpetty, Colombo, in her personal capacity and as executrix of the last will and testament of N. S. Fernando, deceased ..... Defendant.

NOTICE is hereby given that on Tuesday, November 8, 1921, at 3.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in her personal capacity and as executrix of the last will and testament of N. S. Fernando, deceased, in the following property for the recovery of the sum of Rs. 4,196.69, with further interest at 7 per cent. per annum on the sum of Rs. 3,805.17 from September 1, 1920, to date of decree (January 20, 1921), and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit, viz. :—

All that land situated at Maradana or Horton place in Ward No. 9, bearing assessment No. 13, now called and known as Trevene; and bounded on the east by Heywood Bungalow, the property of R. Meaden, on the south by the property of Mudaliyar David Peiris, on the west by the property of Sir P. Arunachalam, and on the north by Horton place; and containing in extent 1 acre 2 roods and 10 perches, and registered A 53/307.

Fiscal's Office,  
Colombo, October 10, 1921.W. DE LIVERA,  
Deputy Fiscal, W. P.

In the District Court of Colombo.

Mary Elizabeth Milsom of Worsley, England ..... Plaintiff.

No. 2,091 of 1920. Vs.

Mohideen Hadjiar Mohamed Gheyas alias Mohamed Gheyas Mohideen and also known as M. G. Mohideen of Havelock town, Colombo ..... Defendant.

NOTICE is hereby given that on Monday, November 7, 1921, at 3.30 in the afternoon, will be sold by public auction at the premises the following mortgaged property declared specially bound and executable under the decree entered in the above case for the recovery of the sum of Rs. 9,138.60, with interest on Rs. 7,000 at the rate of 10 per cent. per annum from October 1, 1920, to date of decree absolute, August 1, 1921, and thereafter on the aggregate amount at the rate of 9 per cent. per annum till payment in full, and costs and poundage, viz. :—

All that and those the house and premises bearing assessment No. 11, Prince street, in the Pettah, within the Municipality of Colombo, Western Province; bounded on

the north by house bearing assessment No. 18, on the south by Prince street, on the east by house bearing assessment No. 12, and on the west by house bearing assessment No. 10; containing in extent 4 62/100 square perches, according to the plan dated August 9, 1905, made by V. A. van Cuylenberg, Licensed Surveyor, together with all the estate, right, title, interest, and claim and demand whatsoever of the defendant in, to, upon, or out of the said premises.

Fiscal's Office, W. DE LIVERA,  
Colombo, October 12, 1921. Deputy Fiscal, W. P.

In the District Court of Colombo.

M. A. L. M. Sinna Caruppen Chetty of Sea street,  
Colombo ..... Plaintiff.

No. 52,597. Vs.

(1) Jane Elizabeth Perera and (2) Lokuheerlaluge Bastian Perera, both of Cotta road, Colombo. Defendants.

NOTICE is hereby given that on Friday, November 4, 1921, at 5 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 1,538 dated June 19, 1916, and decreed to be sold by the decree entered in the above case for the recovery of the sum of Rs. 20,355.25, with interest on Rs. 20,000 at 13 1/2 per cent. per annum from March 14, 1919, to April 5, 1919, and thereafter further interest on the aggregate amount at 9 per cent. per annum till payment in full, and costs, less Rs. 13,000, viz:—

All that allotment of land, with the buildings standing thereon bearing assessment No. 7, and called and known as Lanka Villa, situated at Welikada, within the Municipality and District of Colombo, Western Province; bounded on the north by the road to Cotta, on the east by private property, and on the south and west by land said to belong to the Crown; containing in extent 1 acre 1 rood and 9 perches, and all the right, title, interest, and claim whatsoever of the defendants in, to, upon, or out of the said premises mortgaged by the defendants.

Fiscal's Office, W. DE LIVERA,  
Colombo, October 10, 1921. Deputy Fiscal, W. P.

In the District Court of Colombo.

Charlotte Silva Karunaratna, wife of (2) Kapugamage George William Silva of Colpetty ..... Plaintiff.

No. 53,746. Vs.

(1) Noor Aisie, widow of the late Chappan Ahamath, (2) Mohamed Chappan Amath, both of Slave Island, Colombo ..... Defendants.

NOTICE is hereby given that on Thursday, November 10, 1921, will be sold by public auction at the respective premises the following property declared bound and executable and decreed to be sold by the decree entered in the above action for the recovery of the sum of Rs. 5,912.50, with further interest on Rs. 5,000 at 18 per cent. per annum from August 6, 1919, to October 25, 1920, and further interest on the aggregate amount of this decree at 9 per cent. per annum from October 26, 1920, till payment in full, and less Rs. 2,500 paid by the defendants.

At 2 P.M.

The two contiguous allotments of land, with the buildings thereon bearing assessment Nos. 27<sup>1</sup>, 27<sup>2</sup>, 27<sup>3</sup>, 81<sup>1</sup>, 81<sup>2</sup>, and 81<sup>3</sup>, situated along Church street in Slave Island, within the Municipality and District of Colombo, Western Province; and bounded on the north by premises and bearing assessment No. 28 of Sergeant Amaat, east and south by Church street, and west by premises bearing assessment No. 80 of

Manampulle; containing in extent 9 41/100 perches as per plan No. 680 dated April 21, 1918, made by James W. Amarasekara, Licensed Surveyor.

At 2.30 P.M.

(2) An allotment of land, with the buildings thereon bearing formerly assessment No. 75 now No. 77, situated along Church street, Slave Island, aforesaid; bounded on the north by the property of Don James Ruban Jayatunga, now bearing assessment No. 1, east by the property of Miskin, now bearing assessment No. 78, south by Church street, and west by the property of Mehideen Bawa, bearing assessment No. 76; containing in extent 4 15/100 perches according to the plan No. 684 dated April 29, 1918, made by the said James W. Amarasekara, together with all the buildings, trees, and plantations thereon, and all easements, rights, and appurtenances thereto belonging.

Fiscal's Office, W. DE LIVERA,  
Colombo, October 12, 1921. Deputy Fiscal, W. P.

In the District Court of Colombo.

S. M. R. M. Balakrishna Ravuther of Sea street,  
Colombo ..... Plaintiff.

No. 53,840. Vs.

Don James Porey of 33, Armour street, Colombo. Defendant.

NOTICE is hereby given that on Saturday, November 5, 1921, at 12 noon, will be sold by public auction at this office the following movable property mortgaged and decreed to be sold by the decree entered in the above action for the recovery of the sum of Rs. 1,415.70, with interest on Rs. 1,300 at the rate of 18 per cent. per annum from September 11, 1919, to October 15, 1919, and thereafter further interest on the aggregate amount at 9 per cent. per annum till payment in full, and costs, viz:—

Two bangles set with stones and pearls, 2 plain bangles, 1 plain bangle, 1 hairpin set with pearls, 1 plain hairpin, 1 necklace set with red stones and pearls, 1 necklace set with green and red stones, 6 buttons set with red stones, 3 rings set with brilliants and red stones, 2 rings set with red stones, 2 earrings set with pearls, 2 earrings (karabu) set with pearls, 2 earrings set with pearls, 2 coral earrings (karabu), 1 gold flower for the hair (konde), 1 brooch set with pearl and red stones, 2 earrings, 1 brooch set with a pearl, 1 plain brooch, 1 gold necklace, 1 gold watch and chain, 1 shop ring.

Fiscal's Office, W. DE LIVERA,  
Colombo, October 11, 1921. Deputy Fiscal, W. P.

In the District Court of Negombo.

M. V. N. Vengadasalam Chetty, by his attorney M. V. N. Sarawana Pulle of Negombo ..... Plaintiff.

No. 14,677. Vs.

(1) Amarasinghege Juan Fonseka of Welihena, (2) Maria Fernando Gabriel Pulle of Welihena, legal representative of the intestate estate of her late husband, Saviel Rodrigo Jacob Pulle, deceased... Defendants.

NOTICE is hereby given that on November 5, 1921, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property ordered to be sold by the decree entered in the above case as primary mortgage, viz:—

1. The several contiguous portions of land, viz., 1/4 share of the land called Dawatagahawatta in extent about 1 acre and 3 roods, 1/4 share of the land called Dawatagahawatta in extent about 3 roods, the portion in extent about

1 rood and 7 perches of the high and low land called Dawata-gahawatta in extent about 1 acre and 3 roods, now forming one land, situate at Welihena in Dunagaha pattu of Alutkuru korale; and bounded on the north by lands of A. Elaris Fonseka, A. Juan Fonseka, L. Mathes Fonseka, and G. Gabriel Peries, east by land of W. Christina Fernando, south by land of Juan Fonseka, A. Joakino Fonseka, and Migel Fonseka and wife and K. Jokino Silva, and on the west by land of Nicholas Pulle; containing in extent about 2 acres, and the buildings standing thereon.

2. An undivided  $\frac{2}{3}$  share of an undivided  $\frac{1}{3}$  share of the land called Kongahawatta, situate at Welihena aforesaid; and bounded on the north by the land called Pothuagare of Saviel Fernando, Ando Pulle, Police Headman, east by land of Saviel Rodrigo Jacob Pulle and others, south by fence separating the land which belonged to Peduru Fernando Annavi, and now belonging to Domingo Fernando Saviel Pulle, and on the west by land formerly of Anthony Fonseka through Pasqual Perera and now belonging to Rosa Maria Fonseka; containing in extent about 4 acres, and the buildings standing thereon.

Amount to be levied Rs. 1,275, with interest on Rs. 750 at 21 per cent. per annum from January 6, 1921, to February 22, 1921, and thereafter at 9 per cent. per annum on the aggregate amount till payment.

Deputy Fiscal's Office, Negombo, October 11, 1921. FRED. G. HEPPONSTALL, Deputy Fiscal.

In the District Court of Colombo.

M. V. Sanmugam Chetty of Sea street, Colombo.. Plaintiff.  
No. 1,156/1921. Vs.

(1) T. L. Ramanujam, (2) S. L. Peiris, (3) M. F. Peiris, all carrying on business in partnership at Neboda under the name, style, and firm of Ramanujam Peiris and Company..... Defendants.

NOTICE is hereby given that on Tuesday, November 8, 1921, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 1,428, with legal interest thereon from May 3, 1921, till payment in full, and costs, viz. :-

The land and the rubber plantation and other plantations standing thereon of Badahelayawatta, situate at Pelanda in Pasdun korale; and bounded on the north by ela and deniya, east by the field belonging to natives, south by Kebellagahaowita, and west by Pelan-ganga; and containing in extent about 18 acres.

The land and the rubber plantation and other plantations standing thereon of Paranawatta, situated at ditto; and bounded on the north by Pitamaruwekumbura, east by Gulanekumbura, south by Kurundugahaowita, and west by Sapugahaowita; and containing in extent about 13 acres.

Deputy Fiscal's Office, Kalutara, October 11, 1921. H. SAMERESINGHA, Deputy Fiscal.

In the District Court of Colombo.

K. Ganapathy Pillai of Dam street, Colombo..... Plaintiff.  
No. 52,330. Vs.

Rupaninga Simon Fernando of Pothupitiya in Waskadu-bude in the District of Kalutara ..... Defendant.

(1) Susavookevage Cecilia Fernando, (2) R. Girigoris Fernando, both of Pothupitiya in Kalutara District ..... Substituted Defendants.

NOTICE is hereby given that on Saturday, November 5, 1921, commencing at 11 o'clock in the forenoon, will be sold by public auction at this office the following property (mortgaged by the defendant with plaintiff and declared bound and executable for the decree entered in the said case) for the recovery of Rs. 2,256.25, with interest on Rs. 1,000 at 30 per cent. per annum from February 10, 1919, to August 22, 1919, and thereafter further interest on the aggregate amount at 9 per cent. per annum till payment in full, and costs Rs. 406.52 $\frac{1}{2}$ , viz. :-

1. The right, title, and interest of the defendant in and to the mortgaged bond No. 18,376 dated November 25,

1910, attested by D. B. K. Goonatilleke, Notary Public, in favour of Rupaninga Simon Fernando for the sum of Rs. 620.

2. The right, title, and interest of the defendant in and to the mortgaged bond No. 11,083 dated October 15, 1912, attested by C.P. Samarasekera, Notary Public, in favour of Rupaninga Simon Fernando for the sum of Rs. 500.

3. The right, title, and interest of the defendant in and to the mortgaged bond No. 9,193 dated February 9, 1911, attested by C. P. Samarasekera, Notary Public, in favour of Rupaninga Simon Fernando for the sum of Rs. 200.

4. The right, title, and interest of the defendant in and to the mortgaged bond No. 12,482 dated January 25, 1914, attested by C. P. Samarasekera, Notary Public, for the sum of Rs. 350.

Deputy Fiscal's Office, Kalutara, October-11, 1921.

H. SAMERESINGHA, Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Muna Pana Vana Ena Muttu Palaniatta Chetty of Kandy ..... Plaintiff.  
No. 28,573. Vs.

M. B. Ratwatte of Wattegama in Lower Dumbura ..... Defendant.

NOTICE is hereby given that on Monday, November 7, 1921, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 2,489.98, with interest on Rs. 2,307.50 at 9 per cent. per annum from February 26, 1921, till payment in full, and poundage, viz. :-

All that property called and known as Galkande estate, together with the Walawwa and other buildings thereon, situate at Walala in Udagampaha korale of Lower Dumbura in the District of Kandy of the Central Province; and bounded on the east by Medawatta, Bangalawakumbura, Balapitiyana, Kiribaiyagewatta, Angewatta and Angekumbura, Berakarayawatta, Kirimetigodawatta, and Tennekongederawatta, on the south by Rathangewatta, Bokotahena claimed by Punchi Banda, Koskabaletenne claimed by Mr. M. B. Ratwatte and others, Ukkurala's land, Kiri Banda's garden, PUNCHIRALA's chena, Wattegederawatta claimed by Ukku Menika, and land said to belong to Kuda Banda, Police Constable, and Kalu Banda, on the west by a paddy field, Mr. M. B. Ratwatte's paddy field, Ranhamy's field, and the paddy field belonging to Mr. M. B. Ratwatte, and on the north by a paddy field belonging to villagers, the land belonging to Gorakgahakumbura Ranhamy and others, a paddy field belonging to villagers, Haliawatta, PUNCHI APPU's land, and Kovilangewatta; containing in extent 46 acres 2 roods and 20 perches according to the plan of survey made by Mr. Geo. E. de La Motte in the month of January, 1920.

Fiscal's Office, Kandy, October 11, 1921.

A. RANESINGHE, Deputy Fiscal.

In the District Court of Kandy.

Mohammado Lebbe Abdul Hameed of Trincomalee street in Kandy ..... Plaintiff.  
No. 28,629. Vs.

Liyanage Enso Hamine of Hindagala in Kandukara pahala korale of Udapalata, administratrix of the estate of Hettiaratchige Don Keernelis Appuhamy of Hindagala, deceased..... Defendant.

NOTICE is hereby given that on Monday, November 14, 1921, commencing at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property mortgaged with the plaintiff by bond No. 1,873 dated July 12, 1917, and attested by F. L. Goonawardene of Kandy, Notary Public, and decreed to be sold under the decree entered in the above case for the recovery of the sum of Rs. 4,104.90 $\frac{1}{2}$ , with interest at the rate of 9 per centum per



annum on Rs. 2,343·55 from January 28, 1921, and legal interest on Rs. 1,589·13 from December 6, 1920, till payment, and poundage, viz. :—

(1) All that northern 1½ amunams or of about 3 amunams paddy sowing in extent out of all that land called Kuda-oyahena of 3 amunams paddy sowing in extent in the whole, situate at Hindagala in Kandukara pahala korale of Udapalata in the District of Kandy of the Central Province; which said northern 1½ amunams paddy sowing in extent is bounded on the east by the limit of Dodangollawatta, on the south by the limit of the remaining portion of this land, on the west by the high road, and on the north by the limit of Bandarabinnu; together with the buildings and plantations standing thereon.

(2) All that land called Ambagahamulahena of 12 lahas paddy sowing in extent, situate at Hindagala aforesaid; and bounded on the east by the high road, on the south by the Mala-ela by which water flows, on the west by Illakanuwa and by the path, and on the north by the arecanut fence which were planted to identify the boundary between Heneya's land and this land; together with all the houses and plantations standing thereon.

Fiscal's Office,  
Kandy, October 11, 1921.

A. RANESINGHE,  
Deputy Fiscal.

In the District Court of Kandy.

Mohamadu Tambi Lebbe's son Zainudeen of No. 16, Katugastota road, in Kandy ..... Plaintiff.  
No. 28,632. Vs.

(1) Liyanage Enso Hamine of Hindagala in Kandukara pahala korale of Udapalata, administratrix of the estate of Hettiaratchige Don Keernelis Appuhamy of Hindagala, deceased, (2) Hettiaratchige Don Theodoris Appuhamy of Hindagala ..... Defendants.

NOTICE is hereby given that on Tuesday, November 15, 1921, commencing at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property mortgaged with the plaintiff by bond No. 8,410 dated December 3, 1915, and attested by Mr. J. W. Illangantillake of Kandy, Notary Public, and decreed to be sold under the decree entered in the above case for the recovery of the sum of Rs. 1,979·37½, with interest on Rs. 1,800 at 9 per cent. per annum from December 7, 1920, till payment in full, and poundage, viz. :—

(1) All that field called Midumwaleaswedduma of 12 lahas paddy sowing extent or 2 roods and 10 perches in extent as per figure of survey made by S. W. Spencer, Surveyor, on September 10, 1890, situated at Hindagala in Kandukara pahala korale of Udapalata, in the District of Kandy of the Central Province; and bounded on the east and south by the fence of Kumburegederawatta, on the west by the liminary dam, and on the north by the canal.

(2) All that field called Muruteliyekumbura of 3 pelas paddy sowing extent, situate at Payingama in Kandukara pahala korale of Udapalata aforesaid; and bounded on the east by the canal, on the south by the limit of Godamunekumbura, on the west by Mahaweli-ganga, and on the north by the bank of Palleaswedduma.

Fiscal's Office,  
Kandy, October 11, 1921.

A. RANESINGHE,  
Deputy Fiscal.

In the District Court of Kandy.

Everard Fraser Home of Morankanda estate, Galagedera ..... Plaintiff.  
No. 28,705. Vs.

Packeer Meedin Rahamath Umma, the widow of the late Adjuru Miskin of Lily Valley estate, Galagedera, and presently of Katugastota ..... Defendant.

NOTICE is hereby given that on Friday, November 4, 1921, at 12 noon, 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 balance sum of Rs. 764·08, with legal interest on Rs. 6,102

at 9 per cent. per annum from February 2, 1921, till payment in full, and poundage, viz. :—

All the right, title, and interest of the defendant in an undivided one-eighth part or share of and in all that land called Bogahapitiyewatta, situate at Lady Blake's Drive, within the town, Municipality, and District of Kandy, in the Central Province; and bounded on the east by lands belonging to Nanduwa and Hapumalie, on the south by the old Gansabhawa road and the land belonging to Amarasinghe, on the west by the Halloluwa road and Nanduwa's land, and on the north by Mahaweli-ganga; containing in extent by survey 3 acres 1 rood and 20 perches, as described in the diagram of map annexed to the title deeds of the said premises.

Fiscal's Office,  
Kandy, October 11, 1921.

A. RANESINGHE,  
Deputy Fiscal.

In the District Court of Kandy.

P. R. M. Velaiden Chetty of Kandy ..... Plaintiff.  
No. 28,762. Vs.

M. B. Ratwatte of Walala in Lower Dumbura ..... Defendant.

NOTICE is hereby given that on Monday, November 7, 1921, at 12 noon, 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. 620, with interest thereon at 9 per cent. per annum from February 2, 1921, till payment in full, and costs Rs. 96·20, together making the sum of Rs. 716·20, and poundage, viz. :—

All that property called and known as Galkande estate, together with the Walawwa and the other buildings thereon, situated at Walala in the Udagampaha korale of Lower Dumbura, in the District of Kandy of the Central Province; and bounded on the east by Medawatta, Bangalawekumbura, Balapitiyana, Kiribaiyagewatta, Angewatta and Angekumbura, Berakarayawatta, Kirimetigodawatta, and Tennekongederawatta, on the south by Rathangewatta, Bokotahena claimed by Punchi Banda, Koskabaletenne claimed by Mr. M. B. Ratwatte and others, Ukkurala's land, Kiri Banda's garden, Punchirala's chena, Wattergederawatta claimed by Ukku Menika, and land said to belong to Kuda Banda, Police Constable, and Kalu Banda, on the west by a paddy field, Mr. M. B. Ratwatte's paddy field, Ranhamy's field, and the paddy field belonging to Mr. M. B. Ratwatte, and on the north by a paddy field belonging to villagers, the land belonging to Gorakgahakumbura Ranghamy and others, a paddy field belonging to villagers, Haliawatta, Punchi Appu's land, and Kovilangewatta; containing in extent 46 acres 2 roods and 20 perches, according to the plan of survey made by Mr. Geo. E. de La Motte in the month of January, 1920.

Fiscal's Office,  
Kandy, October 11, 1921.

A. RANESINGHE,  
Deputy Fiscal.

Southern Province.

In the Additional Court of Requests of Matara.

Kodippilige Kottanhami of Udupillegoda ..... Plaintiff.  
No. 11,529. Vs.

Don Lewis Wickramatunga Seneviratne, Registrar of Marriages, Deiyandara ..... Defendant.

NOTICE is hereby given that on Tuesday, November 8, 1921, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following mortgaged property, viz. :—

An undivided ½ share of all the fruit trees and of soil of Wickremearatchigederawatta and the 13 cubit tiled house standing thereon, situated at Kongala; and bounded on the north by Balagewatta and Kehelkoratuwa, east by Aratchiappulawatta, south by Mahagewatta and Baduwatta, west by Baduwatta and Paranagederawatta; in extent 6 acres. Valuation, Rs. 1,500.

Writ amount Rs. 189·38, with legal interest on Rs. 164·93 from March 21, 1921, till payment in full.

Deputy Fiscal's Office,  
Matara, October 6, 1921.

E. T. GOONEWARDENE,  
Deputy Fiscal.



**Northern Province.**

In the District Court of Jaffna.

V. V. R. M. Raman Chetty of India by his attorney  
K. M. Annamalai Chetty of Kandy ..... Plaintiff.

No. 28,774. Vs.

(1) Veyanna Muttiah of Kandy, (2) Veyanna Ponniah's wife, S.amma of Ammankovilady in Jaffna, administratrix of the estate of Veyanna Ponniah of Jaffna, deceased ..... Defendants.

NOTICE is hereby given that on Saturday, November 5, 1921, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the late Ponniah in the following property for the recovery of Rs. 1,025·08, with interest on Rs. 975·20 at 9 per cent. per annum from September 24, 1921, poundage, and charges, viz. :—

A piece of land situated at Anaikkodai in Manipay Parish, Valigamam West division of the Jaffna District, Northern Province, called Mutalyavayal, containing or reputed to contain in extent 16½ lachams paddy culture; bounded or reputed to be bounded on the east by the property of Sinnappillai Mailvaganam and shareholders, north by the property of Ramanatar Ponnuswamy and others, west by the property of Manuvelpillai Vaitilingam and shareholders, and south by the property of Tillaiyampalam.

Fiscal's Office,  
Jaffna, October 10, 1921.

A. VISVANADHAN,  
Deputy Fiscal.

**North-Western Province.**

In the District Court of Kurunegala.

Suna Pana Kana Nana Natchiappa Chetty of Kurunegala ..... Plaintiff.

Mandate of Sequestration  
No. 8,479. Vs.

Ahmad Mammad Sathakku of Kurunegala.... Defendant.

WITH reference to the notification in the Gazette No. 7,214 of September 30, 1921, notice is hereby given that the sale of the movable property seized under the above mandate of sequestration will be sold on Saturday, October 22, 1921, commencing at 10 A.M., and not on October 15, 1921.

Fiscal's Office,  
Kurunegala, October 10, 1921.

S. D. SAMARASINHA,  
for Fiscal.

In the District Court of Negombo.

S. T. K. N. S. R. M. Ramanaden Chetty, by his attorney  
S. T. K. N. S. R. M. Suppiah Pulle of Negombo.. Plaintiff.

No. 14,711. Vs.

(1) P. C. de Silva, (2) C. J. R. de Silva, (3) E. A. E. de Silva, all of Rockmore, Gregory's road, Colombo ..... Defendants.

NOTICE is hereby given that on Saturday, November 5, 1921, at 1 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, viz. :—

An undivided 7/8 share of Paragahakotuwpillewa and Paragahakotuwekumbura, situate at Kandy road in Kurunegala town; and both bounded on the north by Kandy road, east by the remaining portion of the same land belonging to Mr. J. C. de Silva, on the south by the ditch of the market green, and on the west by Crown jungle, now green, with the plantations and buildings standing thereon; containing in extent 1 rood 33 68/100 perches.

The amount to be levied Rs. 6,791·32, with interest on Rs. 6,500 at the rate of 15 per cent. per annum from February 14, 1921, till April 14, 1921, and thereafter at 9 per cent. per annum on the aggregate amount till payment in full.

The above property is under seizure under writs Nos 695/1921, 286/1921, 297/1921, 724/1921, 721/1921, 309/1921, 332/1921, 296/1921, 341/1921, 2,423/1921, 682/1921, 732/1921, 731/1921, 2,062/1921, 601/1921, 751/1921, 669/1921, 672/1921, 701/1921, 668/1921, 883/1921, 884/1921, 815/1921, 2,062/1921, 885/1921, 2,681/1921, 740/1921, and 297/1921, all in D. C., Colombo, and 78,674 in C. R., Colombo.

Fiscal's Office,  
Kurunegala, October 7, 1921.

S. D. SAMARASINHA,  
Deputy Fiscal.

In the District Court of Colombo.

M. Philip Perera Appuhamy of Mahara, Dalupitiya. Plaintiff.

No. 1,547. Vs.

Don Martelis Perera Ratnayeka, Police Headman of Horagolla ..... Defendant.

NOTICE is hereby given that on Friday, November 11, 1921, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

(1) The land called Divulgahawatta, with the buildings standing thereon, situate at Horagolla in Yatakalan pattu of Pitigal korale south, in the District of Chilaw; and bounded on the north and east by lands belonging to Elaris Rodrigo, south by land of the heirs of Migel Fernando, and west by high road; containing in extent 3 roods.

(2) The portion of land called Mahawatta, situate at Horagolla aforesaid; and bounded on the north by land of K. D. Simon Appuhamy, east by land of James Perera, south by land belonging to Stanislaus Jayamanna, west by land of Estegu Appuhamy; containing in extent about 2 roods.

(3) The field called Bogahakumbura, situate at Horagolla aforesaid; and bounded on the north by field of Joseph Ratnayeka and others, east by field belonging to Hendrick Ratnayeka and others, south by field belonging to Isan Appuhamy, and west by land of Migel Perera; containing in extent about 5 parras of paddy sowing soil.

Amount to be levied Rs. 1,411·97, with further interest on Rs. 650 at cents ten per pound per month from August 3, 1920, till February 21, 1921, and on Rs. 400 at 9 per cent. per annum from July 17, 1918, till payment in full, and poundage. Valuation Rs. 1,550.

Deputy Fiscal's Office,  
Chilaw, October 10, 1921.

CHARLES DE SILVA,  
Deputy Fiscal.

In the Court of Requests of Chilaw.

A. Andris de Silva of Colombo ..... Plaintiff.

No. 63,213. Vs.

D. H. Lewis of Negombo, administrator of the intestate of John de Uralis of Colombo ..... Defendant.

NOTICE is hereby given that on Thursday, November 10, 1921, at 1.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

All that portion marked lot D of the land called Galwewawatta *alias* Galwewa-agara, situate at Kachchakaduwa and Karukuwatawana in Yagam pattu of Pitigal korale north, in the District of Chilaw; which said lot D is bounded on the north by Crown jungle, east by lot C, south by right of way and land claimed by M<sup>r</sup>. Jacob de Mel, and west by lot E; and containing in extent 3 acres and 36·37 perches.

Amount to be levied Rs. 194·25, with legal interest thereon from June 19, 1918, till payment in full, and poundage.

Deputy Fiscal's Office,  
Chilaw, October 10, 1921.

CHARLES DE SILVA,  
Deputy Fiscal.

**Province of Sabaragamuwa.**

In the District Court of Ratnapura.

H. Mary Caroline Catherine Soysa of Sandagiri in Moratuwa, administratrix of the estate of the deceased W. H. Soysa ..... Plaintiff.

No. 3,300. Vs.

Charles Fredrick Dharmaratne, Proctor, Ratnapura ..... Defendant.

NOTICE is hereby given that on November 8, 1921, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property specially mortgaged and decreed to be sold by the decree entered in the above case for the recovery of the sum of Rs. 7,365, with interest on Rs. 5,000 at 12 per cent. per annum from July 25, 1919, till October 7, 1919, and thereafter at 9 per cent. per annum on the whole amount of decree till payment, and poundage.

1. An allotment of land 32 yards in length, commencing from the house that was occupied by Owitigamage Dona Bastiana Hamine in the direction of the junction called Debichiyekade up to the tamarind tree and 30 yards in breadth in a straight line from the tamarind tree up to the strip of land belonging to Ellawala Ratemahatmaya (which is situated in the side of the Cross road which commences from the junction called Debichiya boutique), being the lower portion of the allotment of land as described in title plan No. 55,027; bounded on the north-east and south-east by roads, on the south-west by land described in plan No. 55,025 and land said to belong to the Crown, and on the west by land said to belong to the Crown; in extent 1 rood and 4 perches, situate at Ratnapura.

2. An undivided  $\frac{1}{2}$  share of the upper portion of 1 pela in paddy sowing extent from Tambewatta Dawatagaha to Gange Nawagaha, out of Waduwatta, of 3 pelas in paddy sowing extent; bounded on the north by Tambiyawatta, east by Appunaidegewatta, south by Kalu-ganga, west by Hunuwalakadeagala; situate at ditto.

3. An undivided  $\frac{1}{2}$  share of the land called Godakumbura; bounded on the north by Walapeliya, east by Ratambalagahaliyadda, south by Bogahaliyadda, west by Acharigeliyadda; in extent 1 pela of paddy, situate at ditto.

Fiscal's Office, R. E. D. ABEYRATNE, Deputy Fiscal. Ratnapura, October 11, 1921.

In the District Court of Negombo

(1) Kawanna Suna Pana Suna Kathiresan Chetty, (2) Kawanna Suna Pana Suna Suppramanian Chetty, by their attorney P. Vellasamy Pillai of Negombo. Plaintiffs.

No. 15,022. Vs.

(1) J. D. Lorage of Thorala and (2) F. Gomez of Negombo ..... Defendants.

NOTICE is hereby given that on November 19, 1921, 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, viz. :-

An undivided  $\frac{1}{2}$  share of an undivided 100 acres out of of an allotment of land called Kosgahakande Gallelagama, situated in the village Kosgahakanda in Atulugam korale in the Three Korales, in the District of Kegalla in the Province of Sabaragamuwa; and bounded on the north by Morellenayagama and dola, on the east by Illeguhlena, on the south and south-east by Ettamaladenia-ela and Halgaha-ela, and on the west and south-west by Keeragala and Panwila; containing in extent 164 acres 1 rood and 32 perches.

To levy Rs. 3,547.50, with interest on Rs. 2,500 at the rate of 18 per cent. per annum from August 9, 1921, till September 2, 1921, and on Rs. 500 at the rate of 18 per cent. per annum from August 18, 1921, till September 2, 1921, and thereafter at 9 per cent. per annum.

Deputy Fiscal's Office, R. G. WIJEPUNSA, Deputy Fiscal. Kegalla, October 11, 1921.

**NOTICES IN TESTAMENTARY ACTIONS.**

In the District Court of Colombo.

Order Nisi.

In the Matter of the Intestate Estate of the late Wickrama Carlo Aratchige Grace Fernando of Muhandiram's lane, San Sebastian, Colombo, deceased.

Pattiyage Ernest Marshal of San Sebastian, Colombo ..... Petitioner.

And

(1) Wickrama Carlo Aratchige Richard Fernando, (2) Wickrama Carlo Aratchige James Fernando, (3) Wickrama Carlo Aratchige Mortimer Fernando, all of Muhandiram's lane, San Sebastian, Colombo. .... Respondents.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on September 23, 1921, in the presence of Mr. O. A. Jayasekere, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 21, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as widow 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 October 20, 1921, show sufficient cause to the satisfaction of this court to the contrary.

ALLAN BEVEN, Acting District Judge. September 23, 1921.

In the District Court of Colombo.

Order Nisi.

In the Matter of the Intestate Estate of the late Elizabeth de Saipath Wickramasinghe Hamine of Sinharamulla in the Adikari pattu of Siyane korale, deceased.

Simeon de Saipath Wickramasinghe Appuhamy of Sinharamulla in the Adikari pattu of Siyane korale ..... Petitioner.

And

(1) Victor de Saipath Wickramasinghe, (2) Norbert de Saipath Wickramasinghe, both of Sinharamulla in the Adikari pattu of Siyane korale ..... Respondents.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on September 23, 1921, in the presence of Messrs. Pereira & Dias, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 16, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as uncle 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 October 20, 1921, show sufficient cause to the satisfaction of this court to the contrary.

ALLAN BEVEN, Acting District Judge. September 23, 1921.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of James Vandort Ebert of Bambalapitiya, Colombo, deceased. No. 571.

(1) Mary Alice Ebert, and (2) Alice Grace Ebert, both of Bambalapitiya, Colombo..... Petitioners.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on September 27, 1921, in the presence of Messrs. de Vos & Gratiaen, Proctors, on the part of the petitioners above named; and the affidavits (1) of the 1st petitioner above named dated September 12, 1921, and (2) of the attesting notary dated September 19, 1921, having been read :

It is ordered that the last will of the late James Vandort Ebert, 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 petitioners are the executrixes named in the said will, and that they are entitled to have probate thereof issued to them accordingly, unless any person or persons interested shall, on or before October 27, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 27, 1921. ALLAN BEVEN, Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Dame Mary Elizabeth Pilkington of Swinthaite Hall in the County of York, and of Belle Vue, Southport, in the County of Lancaster, England, deceased. No. 575.

THIS matter coming on for disposal before Allan Beven, Esq., Additional District Judge of Colombo, on October 6, 1921, in the presence of Messrs. Julius & Creasy, Proctors, on the part of the petitioner Mr. William Coombe of Colombo; and the affidavit of the said petitioner dated September 29, 1921, exemplification of probate of the will of the above-named deceased, power of attorney in favour of the petitioner and Supreme Court's order dated September 22, 1921, and schedule of property in duplicate having been read : It is ordered that the will of the said deceased dated September 17, 1920, of which an exemplification of probate has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said petitioner is the attorney of the executors named in the said will, and that he is entitled to have letters of administration, with copy of the said will annexed, issued to him accordingly, unless any person or persons interested shall, on or before October 27, 1921, show sufficient cause to the satisfaction of this court to the contrary.

October 6, 1921. ALLAN BEVEN, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Leonard Gresham Barber of No. 577. 34, De Freville Avenue, Chesterton, Cambridge, England, deceased.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on October 6, 1921, in the presence of Mr. Oscar Percy Mount of Colombo, Proctor, on the part of the petitioner Mr. Ernest Reed Williams of Colombo; and the affidavit of the said petitioner dated October 1, 1921, probate of the will of the above-named deceased, power of attorney in favour of the petitioner and Supreme Court's order dated September 26, 1921, and schedule of property in duplicate having been read : It is ordered that the will of the said deceased dated April 15, 1914, of which probate has been produced and is now

deposited in this court, be and the same is hereby declared proved; and it is further declared that the said petitioner is the attorney of the executor named in the said will, and that he is entitled to have letters of administration, with copy of the said will annexed, issued to him accordingly, unless any person or persons interested shall, on or before October 27, 1921, show sufficient cause to the satisfaction of this court to the contrary.

October 6, 1921. ALLAN BEVEN, Acting District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Cyril Albert Cramer, deceased. No. 1,947.

THIS matter coming on for disposal before W. T. Stace, Esq., District Judge of Negombo, on October 4, 1921, in the presence of Mr. S. C. Sansoni, Proctor, on the part of the petitioner John Anthony Tissera of Negombo; and the affidavit of the said petitioner dated July 21, 1921, having been read :

It is ordered that the petitioner be and he is hereby declared entitled, as the uncle of the said deceased, to administer the estate of the deceased above named, and that letters of administration do issue to him accordingly, unless the respondents—(1) Louis Donald Cramer, (2) Roy Earl Cramer, (3) Phyllis Dagmar Mabel Cramers, minors, by their guardian *ad litem*, (4) Mary Beling of Homstead of Colpetty, Colombo—or any other person or persons interested shall, on or before October 19, 1921, show sufficient cause to the satisfaction of this court to the contrary.

October 4, 1921. W. T. STACE, District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Ponweera Aratchige Don Anthony Appuhamy of Ekela, deceased. No. 1,955.

THIS matter coming on for disposal before W. T. Stace, Esq., District Judge of Negombo, on October 6, 1921, in the presence of Messrs. de Silva & Edirisinghe, Proctors, on the part of the petitioner, Daluwatte Appuhamillage Dona Appuhamy of Ekela; and the affidavit of the said petitioner dated August 18, 1921, having been read :

It is ordered that the petitioner be and she is hereby declared entitled, as the widow of the said deceased, to administer the estate of the deceased above named, and that letters of administration do issue to her accordingly, unless the respondents—(1) Ponweera Aratchige Francis Caldera, a minor, by his guardian *ad litem*, (2) Nettisinghe Appuhamillage Simon Perera of Ekela—or any other person or persons interested shall, on or before October 18, 1921, show sufficient cause to the satisfaction of this court to the contrary.

October 6, 1921. W. T. STACE, District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Welicumburadewage Silinda alias Welicumburadewage Silinda, deceased of Neligama. No. 1,965.

THIS matter coming on for disposal before W. T. Stace, Esq., District Judge of Negombo, on September 20, 1921, in the presence of Messrs. Amarasinghe & Ramesinghe, Proctors, on the part of the petitioner Welicumburadewage alias Welicumburadewage Podinona of Nittambuwa; and the affidavit of the said petitioner dated August 29, 1921, having been read : It is ordered that the petitioner be and she is hereby declared entitled, as a daughter

of the deceased above named, to administer the estate of the said deceased, and that letters of administration do issue to her accordingly, unless the respondent, Nelundenidewage Sarlina of Nittambuwa, or any person or persons interested shall, on or before October 19, 1921, show sufficient cause to the satisfaction of this court to the contrary.

W. T. STACE,  
District Judge.

September 20, 1921.

In the District Court of Kalutara.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Don Marthinies Alexander Goonawardane, deceased, of Paiyagala, Kalutara totamune.  
No. 1,390.

THIS matter coming on for final disposal before W. H. B. Carbery, Esq., District Judge, Kalutara, on July 27, 1921, in the presence of Mr. D. E. de Almeida, Proctor, on the part of the petitioner Veliveriyamahavidanelage Elizabeth Perera of Paiyagala; and the affidavit of the said petitioner dated July 12, 1921, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of above-named deceased, to have letters of administration to his estate issued to her, unless the respondents—(1) Rev. Father Don Albert Goonawardane of Gampola, (2) Dona Margida Corthona Goonawardane, (3) Dona Victoria Goonawardane and her husband (4) Pesteruweliyanarallage Joseph Cooray, (5) Dona Marthina Goonawardane and her husband (6) Kurukulasuriyapatabendige Robert de Silva, all of Paiyagala—or any other person or persons interested shall, on or before October 21, 1921, show sufficient cause to the satisfaction of this court to the contrary.

ARTHUR DE ABREW,  
Acting District Judge.

July 27, 1921.

In the District Court of Kalutara.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Don Carolis Samarasinghe, deceased. of  
No. 1,391/T. Diyapathugama.

THIS matter coming on for disposal before W. H. B. Carbery, Esq., District Judge of Kalutara, on July 28, 1921, in the presence of Messrs. Weerasooriya & Soomathapillai, Proctors, on the part of the petitioner Meegodakankanagey Dona Josi Nona Wijeratna of Diapathugama; and the affidavit of the said petitioner dated October 8, 1920, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents—(1) Dona Aggilin Samarasinghe and her husband (2) Don Andrew Samarasekera, (3) Don Martin Samarasinghe, (4) Don Abraham Samarasinghe, (5) Dona Maglin Samarasinghe, all of Diapathugama in Pasduñ korale—or any other person or persons interested shall, on or before October 19, 1921, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 3rd respondent be and he is hereby appointed guardian *ad litem* over the 4th and 5th respondents (minors) for purpose of this action, unless any person or persons interested shall, on or before October 19, 1921, show sufficient cause to the satisfaction of this court to the contrary.

W. H. B. CARBERY,  
District Judge.

July 28, 1921.

In the District Court of Kalutara.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Maggona Gurunnanselage Andris Perera,  
No. 1,392. deceased, of Maggona.

THIS matter coming on for disposal before W. H. B. Carbery, Esq., District Judge of Kalutara, on July 29, 1921,

in the presence of Mr. D. E. de Almeida, Proctor, on the part of the petitioner Maggona Gurunnanselage Manimeel Perera of Maggona; and the affidavit of the said petitioner and of the attesting witnesses dated July 11 and 8, 1921, respectively, having been read:

It is ordered that the will of Maggona Gurunnanselage Andris Perera of Maggona, deceased, dated June 7, 1920, and now deposited in this court, be and the same is hereby declared proved, unless the respondent, Koruwakankanage Dona Angelina Hamine, or any other person or persons interested shall, on or before September 16, 1921, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Maggona Gurunnanselage Manimeel Perera of Maggona 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 said respondent or any other person or persons interested shall, on or before September 16, 1921, show sufficient cause to the satisfaction of this court to the contrary.

July 29, 1921.

W. H. B. CARBERY,  
District Judge.

The date for showing cause against this *Order Nisi* is extended to October 21, 1921.

W. H. B. CARBERY,  
District Judge.

In the District Court of Kalutara.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Arumadura Dili Nona, deceased, of Kuda  
No. 1,398. Waskaduwa.

THIS matter coming on for disposal before W. H. B. Carbery, Esq., District Judge of Kalutara, on September 12, 1921, in the presence of Mr. C. E. Hepponstall, Proctor, on the part of the petitioner Agampodi Maisa Nona of Kuda Waskaduwa; and the affidavit of the said petitioner dated September 10, 1921, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as mother of the above-named deceased, to have letters of administration to her estate issued to her, unless any person or persons interested shall, on or before October 24, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 12, 1921.

W. H. B. CARBERY,  
District Judge.

In the District Court of Kalutara.

*Order Nisi declaring Will proved, &c.*

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Mohamado Cassim Marikar Senath  
No. 1,400. Umma, deceased, of Maradana.

THIS matter coming on for disposal before W. H. B. Carbery, Esq., District Judge of Kalutara, on September 20, 1921, in the presence of Messrs. Wijeyeratne & Martin, Proctors, on the part of the petitioner Mohamado Cassim Marikar Mohamado Saridien Marikar of Maradana; and the affidavit of the said petitioner dated September 16, 1921, having been read: It is ordered that the petitioner be and he is hereby declared entitled, as brother of the above-named deceased, to have letters of administration to the estate of the said deceased issued to him, unless the respondent, S. M. Sheik Abdu Sami Alim Sahibo of Maligahena, Beruwala, or any other person or persons interested shall, on or before October 24, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 20, 1921.

W. H. B. CARBERY,  
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Lloyd Oswald Pereira of Kotagaha estate, deceased. No. 3,802.

Percival Harold Pereira of Colombo ..... Petitioner.

THIS matter coming on for disposal before Walter Sandford de Saram, Esq., Acting District Judge of Kandy, on August 19, 1921, in the presence of Messrs. R. W. Jonklaas & Co., on the part of the petitioner Percival Harold Pereira of Colombo; and the affidavit of the said petitioner dated August 12, 1921, and his petition having been read:

It is ordered that the will of the deceased above named and now deposited in this court be and the same is hereby declared proved, unless any person or persons interested shall, on or before September 22, 1921, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Percival Harold Pereira is one of the executors named in the said will, and that he is entitled to have probate of the same issued to him accordingly, with copy of the will annexed, unless any person or persons interested shall, on or before September 22, 1921, show sufficient cause to the satisfaction of this court to the contrary.

August 19, 1921. — W. S. DE SARAM, Acting District Judge.

The date of showing cause of this Order Nisi is extended and re-issued returnable on October 17, 1921.

W. S. DE SARAM, Acting District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Siyambalagaspiyiye Mudianselegedera Mudiase of Hingulwela, in Galasiya pattu, Harispattu, deceased. No. 3,810.

THIS matter coming on for disposal before Walter Sandford de Saram, Esq., Acting District Judge, Kandy, on September 20, 1921, in the presence of Messrs. Jonklaas & Wambeek, Proctors, on the part of the petitioner Siyambalagaspiyiye Mudianselegedera Pinchi Banda of Hingulwela; and the affidavit of the said petitioner dated September 17, 1921, and his petition having been read: It is ordered that the said petitioner, as the eldest son of the deceased, be and he is hereby declared entitled to have letters of administration to the deceased's estate issued to him, unless the respondents—(1) Siyambalagaspiyiye Mudianselegedera Dingiri Banda, (2) Siyambalagaspiyiye Mudianselegedera Ukku Menika—or any other person or persons interested shall, on or before October 20, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 20, 1921. W. S. DE SARAM, Acting District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Loku Banda Mahagedera of Mahatenne Walauwa, deceased. No. 3,812.

THIS matter coming on for disposal before Walter Sandford de Saram, Esq., Acting District Judge of Kandy, on September 30, 1921, in the presence of Messrs. Saravanamuttu & Sivacoondy, on the part of the petitioner Matilda Adelaide Mahagedera of Halloluwa road, Kandy; and the affidavit of the said petitioner dated September 23, 1921, and her petition having been read:

It is ordered that the will of the above-named deceased dated May 14, 1921, and now deposited in this court be and the same is hereby declared proved, unless any person

or persons interested shall, on or before October 27, 1921, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner, Matilda Adelaide Mahagedera, is the executrix named in the said will, and that she is entitled to have probate of the same issued to her accordingly, unless any person or persons interested shall, on or before October 27, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 30, 1921. W. S. DE SARAM, Acting District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Nabaduwe Vithanage Martha Hamy of Kaluwella, Galle, deceased. No. 5,429.

Hewawasan Gurultuduwege Robert de Silva of Kaluwella, Galle ..... Petitioner.

And

(1) Edmund Walter de Silva, (2) Maria Magdalena de Silva, appearing by their guardian ad litem (3) Nabaduwe Vithanage Mathew, all of Kaluwella, Galle ..... Respondents.

THIS matter coming on for disposal before T. B. Russell, Esq., District Judge, on September 16, 1921, in the presence of Mr. G. J. Abeyesundere, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 16, 1921, having been read: It is ordered that the said petitioner, as husband of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondents above named shall, on or before October 20, 1921, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 3rd respondent be appointed guardian ad litem over the 1st and 2nd minor respondents shall, on or before October 20, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 16, 1921. T. B. RUSSELL, District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Kendapola Patiranaage Carolis Wickremasena, deceased, of Hithetiya. No. 2,764.

THIS matter coming on for disposal before C. W. Bickmore, Esq., District Judge of Matara, on September 13, 1921, in the presence of Messrs. Keuneman, Proctors, on the part of the petitioner Bilinduhamy Jayawardane of Hithetiya; and the affidavit of the said petitioner dated September 13, 1921, having been read: It is ordered that the said petitioner, as widow of the said deceased above named, is entitled to have letters of administration issued to her accordingly, unless the respondents—(1) Kendapola Patiranaage Piyatissa Wickremasena, (2) ditto Sumanawatie Wickremasena, (3) ditto Piyawatie Wickremasena, (4) Don Joseph de Lanarolle, all of Hithetiya—shall, on or before October 26, 1921, show sufficient cause to the contrary.

It is further ordered that the 4th respondent, Don Joseph de Lanarolle, be appointed guardian ad litem over the minors 1st to 3rd respondents, unless the said respondents shall, on or before October 26, 1921, show sufficient cause to the contrary.

September 13, 1921. C. W. BICKMORE, District Judge.



In the District Court of Matara.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the late Jurisdiction. Ekanayaka Aratchige Appu, deceased, No. 2,765. late of Keknadura.

THIS matter coming on for disposal before C. W. Bickmore, Esq., District Judge, on September 26, 1921, in the presence of Mr. R. B. Gooneratne, Proctor, on the part of the petitioner Ekanayaka Aratchige Don Davith of Keknadura; and the affidavit of the said petitioner dated September 22, 1921, having been read: It is ordered that the said petitioner, as son of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondents—(1) Ekanayaka Aratchige Hinnihamy of Keknadura, (2) Bogahapitiyagamage Samalihamy of Baberenda, (3) Bogahapitiyagamage Don Cornelis of ditto—shall, on or before November 1, 1921, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 3rd respondent Bogahapitiyagamage Don Cornelis be appointed guardian ad litem over the minor the 2nd respondent Bogahapitiyagamage Samalihamy, unless the said respondents shall, on or before November 1, 1921, show sufficient cause to the satisfaction of this court to the contrary.

C. W. BICKMORE, District Judge.

September 21, 1921.

In the District Court of Tangalla.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Mohamed Lebbe Marikkar Ismala Marikkar, deceased, of Hambantota. No. 780.

THIS matter coming on for disposal before A. H. Egan, Esq., District Judge, Tangalla, on September 21, 1921, in the presence of Mohamed Lebbe Marikkar Ismala Marikkar, the petitioner; and the affidavit of the said petitioner dated September 15, 1921, having been read:

It is ordered that letters of administration to the estate of the late Mohamed Lebbe Marikkar Ismala Marikkar, deceased, be granted to the petitioner aforesaid, unless the respondents—(1) Abubakker Johara Umma, (2) Ismala Marikkar—or any person or persons interested shall, on or before October 17, 1921, show sufficient cause to the satisfaction of this court to the contrary.

A. H. EGAN, District Judge.

September 21, 1921.

In the District Court of Tangalla.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Hewa Edirappulige Nando and his wife Punchibaba, deceased, of Dammulla. No. 782.

THIS matter coming on for disposal before A. H. Egan, Esq., District Judge of Tangalla, on September 21, 1921, in the presence of Walawe Gamage Rodde, the petitioner; and the affidavit of the said petitioner dated September 16, 1921, having been read:

It is ordered that letters of administration to the estate of the late Hewa Edirappulige Nando and his wife Punchibaba, deceased, be granted to the petitioner aforesaid, unless the respondents—(1) Hewa Edirappulige Elia, (2) ditto Mendia, (3) ditto Adaya, (4) ditto Janisa (minor), all of Dammulla—or any person or persons interested shall, on or before October 17, 1921, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 1st respondent be and is hereby appointed guardian ad litem over the minor, the 4th respondent, for the purpose of this case, unless the respondents or any person or persons interested shall, on or before October 17, 1921, show sufficient cause to the satisfaction of this court to the contrary.

A. H. EGAN, District Judge.

September 21, 1921.

In the District Court of Tangalla.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Wikramage Don Andiris, deceased, of Labuhengoda. No. 781.

THIS matter coming on for disposal before H. Egan, Esq., District Judge, Tangalla, on September 21, 1921, in the presence of the petitioner; and the affidavit of the petitioner dated September 15, 1921, having been read:

It is ordered that letters of administration to the estate of the late Wikramage Don Andiris, deceased, be granted to the petitioner aforesaid, unless the respondents—(1) Kodetuwakku Kankanange Adarahamy, (2) Wikramage Don Cornelis, (3) ditto Giraetara, (4) ditto Adiris, (5) ditto Sadiris, (6) ditto Balahamy, (7) Wikrama Widanagamage Sadiris—or any person or persons interested shall, on or before October 17, 1921, show sufficient cause to the satisfaction of this court to the contrary.

A. H. EGAN, District Judge.

September 21, 1921.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Elizabeth Muttammah, wife of Velichore No. 252/4,536. Peduruppillai of Viddattativu, deceased.

(1) Veluppillai Mariampillai and wife (2) Madelena Ponnar of Karaiyoor ..... Petitioners.

Vs.

(1) Gabriel of Karaiyoor, Jaffna, (2) Rebecca Sornammah, daughter of Velichore Peduruppillai of ditto, (3) Velichore Peduruppillai of Viddattativu; the 2nd respondent is a minor by her guardian ad litem. the 1st respondent ..... Respondents.

THIS matter of the petition of Veluppillai Mariampillai and wife Madelena Ponnar, praying for letters of administration to the estate of the above-named deceased Elizabeth Muttammah, wife of Velichore Peduruppillai, coming on for disposal before R. H. Whitehorn, Esq., District Judge, on July 6, 1921, in the presence of Mr. C. L. Selvaratnam, Proctor, on the part of the petitioner; and the affidavit of the petitioners dated January 5, 1921, having been read: It is declared that the petitioners are the next of kin of the said intestate, and are entitled to have letters of administration to the estate of the said intestate issued to them, unless the respondents or any other person shall, on or before August 31, 1921, show sufficient cause to the satisfaction of this court to the contrary.

R. H. WHITEHORN, District Judge.

July 6, 1921.

Time to show cause extended to October 20, 1921.

J. H. VANNIASINKAM, District Judge.

September 29, 1921.

In the District Court of Jaffna.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late Vinasitamby Tamotharampillai No. 4,589. of Karambagam, deceased.

Manikkar Veluppillai of Karambagam ..... Petitioner

Vs.

(1) Manikkar Ponnai of ditto, (2) Manikkar Thambiahampillai of ditto, (3) Tambiah Manikkar of Mirusuvil (minor), (4) Pooranam, widow of Manikkar Tambiah of ditto, (5) Murugesar Varitamby of Usan. Respondents.

THIS matter of the petition of the above-named petitioner, praying that the above-named 4th respondent be

appointed guardian *ad litem* over the minor 3rd respondent and that letters of administration be granted to the petitioner to the estate of the above-named deceased, coming on for disposal before William Wadsworth, Esq., District Judge, Jaffna, on September 7, 1921, in the presence of Mr. C. B. Tambiah, Proctor, for petitioner; and the affidavit of the petitioner dated August 25, 1921, having been read.

It is ordered that the above-named 4th respondent be appointed as such guardian *ad litem*, and that letters of administration to the estate of the above-named deceased be granted to the petitioner, unless the above-named respondents shall, on or before October 6, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 21, 1921. — W. WADSWORTH,  
District Judge.

Extended till October 18, 1921.

October 6, 1921. J. H. VANNIASINKAM,  
Acting District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Kanagamuttu, daughter of Tambippillai  
No. 4,555. of Nunavil, deceased.

Kathirgamar Sanmugam of Nunavil.....Petitioner.

Vs.

- (1) Kathirgamar Pootatamby, Medical Officer, Borella Hospital, Colombo, (2) Ledchumipillai, widow of Sithamparappillai of Nunavil, (3) Veluppillai Kumaraswamy of ditto, (4) Veluppillai Kandiah, Selangore Secretariat, Kuala Lumpur, Federated Malay States, appearing by his attorney Veluppillai Kumaraswamy, the 3rd respondent, (4) Kanagasabai Visuvalingam, Audit Office, Kuala Lumpur, Federated Malay States, (6) Rasapoopathy, daughter of Ramanathar Kandiah, appearing by her guardian *ad litem* the 7th respondent, (7) Karthigesu Kanagasabai of Chavakachcheri, (8) Muttupillai, widow of Sebapathy Vanitamby of Chavakachcheri North, (9) Varitamby Chelliah of ditto, (10) Varitamby Chapapathy of ditto. Respondents.

THIS matter of the petition of Kathirgamar Sanmugam of Nunavil, the above-named petitioner, praying for letters of administration to the estate of the above-named deceased Kanagamuttu, daughter of Tambippillai of Nunavil, coming on for disposal before J. Homer Vanniasinkam, Esq., District Judge, on October 4, 1921, in the presence of Mr. V. Canagaratnam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated August 2, 1921, having been read: It is declared that the petitioner is the uncle 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 October 20, 1921, show sufficient cause to the satisfaction of this court to the contrary.

October 7, 1921. J. H. VANNIASINKAM,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Murugesapillai Kumaravelupillai of Van-  
No. 4,611. narponnai East, deceased.

Murugesapillai Kathiravelupillai of Vannarponnai  
East ..... Petitioner.

Vs.

Saravanamuttu Ambalavanar of Vaddukkoddi  
East ..... Respondent.

THIS matter of the petition of the above-named petitioner, praying for letters of administration to the estate of the

above-named deceased, coming on for disposal before William Wadsworth, Esq., District Judge, on September 20, 1921, in the presence of Mr. S. Kandayya, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 19, 1921, having been read: It is declared that the petitioner is the sole heir of the deceased, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before October 20, 1921, show sufficient cause to the satisfaction of this court to the contrary.

October 6, 1921.

J. H. VANNIASINKAM,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Kathirgamar Thambippillai of Nunavil  
No. 4,563. deceased.

Kathirgamar Sanmugam of Nunavil.....Petitioner.

Vs.

- (1) Kathirgamar Pootatamby, Medical Officer, Borella Hospital, Colombo, (2) Ledchumipillai, widow of Sithamparappillai of Nunavil, (3) Veluppillai Kumaraswamy of ditto, (4) Veluppillai Kandiah, Selangore Secretariat, Kuala Lumpur, Federated Malay States, appearing by his attorney Veluppillai Kumaraswamy the 3rd respondent, (5) Kanagasabai Visuvalingam, Audit Office, Kuala Lumpur, Federated Malay States, (6) Rasapoopathy, daughter of Ramanathar Kandiah, a minor appearing by her guardian *ad litem* the 7th respondent, (7) Karthigesu Kanagasabai of Chavakachcheri ..... Respondents.

THIS matter of the petition of Kathirgamar Sanmugam of Nunavil, the above-named petitioner, praying for letters of administration to the estate of the above-named deceased Kathirgamar Thambippillai of Nunavil, coming on for disposal before J. Homer Vanniasinkam, Esq., District Judge, on October 4, 1921, in the presence of Mr. V. Canagaratnam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated August 2, 1921, 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 October 20, 1921, show sufficient cause to the satisfaction of this court to the contrary.

October 7, 1921.

J. H. VANNIASINKAM,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. late Nagamma, wife of Kanapathiar  
No. 4,612. Thamothersampillai of Manippay  
deceased.

Kanapathiar Thamothersampillai of Manippay.....Petitioner.

Vs.

- (1) Thamothersampillai Thuraiappa, (2) Thamothersampillai Ramalingam, (3) Sinnatamby Nagalingam, and wife (4) Muttama, (5) Rasamma, daughter of Thamothersampillai, and (6) Thamothersampillai Thurai-swamy, all of Manippay ..... Respondents.

THIS matter of the petition of the above-named petitioner, praying that the above-named 2nd respondent be appointed guardian *ad litem* over the minors 5th and 6th respondents, and that letters of administration to the estate of the above-named deceased be issued to the petitioner, coming on for disposal before W. Wadsworth, Esq., District Judge, on September 21, 1921, in the presence of Mr. E. Murugesampillai, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 19, 1921, having been read: It is ordered that the above-named 2nd respondent be appointed guardian *ad litem* over the said

minors, the 5th and 6th respondents, for the purpose of representing them in this case, and that the petitioner be declared entitled to have letters of administration to the estate of the said intestate issued to him as her lawful husband, unless the respondents or any other person shall, on or before October 18, 1921, and state objection or show cause to the contrary.

J. H. VANNIASINKAM,  
District Judge.

September 29, 1921.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Mappanar Kanagasabai of Nallore, No. 4,614. deceased.

Sabapathy Somasundram of New Chetty street in Colombo ..... Petitioner.

Vs.

- (1) Dr. V. Sivapragasam and (2) wife Thaiyalnayaki; (3) Pimthavathy, daughter of Canagasabai; (4) Canagasabai Sivasubramaniam; (5) Manikkam, widow of Mappanar Sabapathy, all of Nallore in Jaffna ..... Respondents.

THIS matter of the petition of the above-named petitioner, praying that the above-named 5th respondent be appointed guardian *ad litem* over the minors 3rd and 4th respondents, and also praying for letters of administration to the estate of the deceased intestate be granted him, coming on for disposal before W. Wadsworth, Esq., District Judge, on September 21, 1921, in the presence of Mr. K. Somasundram, Proctor, for petitioner; and an affidavit of the petitioner dated September 7, 1921, having been read:

It is ordered that the above-named 5th respondent be appointed guardian *ad litem* over the minors 3rd and 4th respondents, and the petitioner be declared entitled to have letters of administration to the estate of the deceased intestate, unless the respondents above named appear before this court on October 20, 1921, and show sufficient cause to the satisfaction of this court to the contrary

J. H. VANNIASINKAM,  
District Judge.

October 6, 1921.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Paruppillai, wife of Suppiramaniam No. 4,615. Sinnappu of Allarai in Kachchai, deceased.

Suppiramaniam Sinnappu of Kachchai ..... Petitioner.

- (1) Kathirgamar Supper and wife (2) Ponnachchey of Allarai in Kachchai ..... Respondents.

THIS matter of the petition of Chuppiramaniam Chinnappu of Kachchai, praying for letters of administration to the estate of the above-named deceased Paruppillai, wife of Suppiramaniam Sinnappu, coming on for disposal before William Wadsworth, Esq., District Judge, on September 22, 1921, in the presence of Mr. C. R. Tambiah, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 12, 1921, having been read: It is declared that the petitioner is the widower 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 October 18, 1921, show sufficient cause to the satisfaction of this court to the contrary.

J. H. VANNIASINKAM,  
Acting District Judge.

October 7, 1921.

In the District Court of Jaffna

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Thiruppathi, wife of Ramalingam of No. 4,617. Urumpiray, deceased.

- (1) Kanapathippillai Kanagasabai and his wife (2) Sinnatankam of Urumpiray ..... Petitioners.

Vs.

Muthalitamby Ramalingam of Urumpiray.. Respondent.

THIS matter of the petition of the above-named petitioners, praying for letters of administration to the estate of the above-named deceased Thiruppathi, wife of Ramalingam, coming on for disposal before J. H. Vanniasinkam, Esq., District Judge, on September 29, 1921, in the presence of Messrs. Casippillai & Cathiravelu, Proctors, on the part of the petitioner; and the affidavit of the 1st petitioner dated September 21, 1921, having been read: It is declared that the 2nd petitioner, as the only heir of the said intestate, and the 1st petitioner, as the husband of the 2nd petitioner, are entitled to have letters of administration to the estate of the said intestate issued to them, unless the respondent or any other person shall, on or before October 25, 1921, show sufficient cause to the satisfaction of this court to the contrary.

J. H. VANNIASINKAM,  
District Judge.

October 3, 1921.

In the District Court of Jaffna

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Ramu Arumugam of Manthuvil, No. 4,619. deceased.

Class I.

Manikkam, widow of Arumugam of Manthuvil. Petitioner.

Vs.

- (1) Rasamma, daughter of Arumugam of ditto, (2) Arumugam Sivaguru of ditto (minors), (3) Kanthar Kartigesu of Kodigamam ..... Respondents.

THIS matter of the petition of the above-named petitioner, praying that the above-named 3rd respondent be appointed guardian *ad litem* over the minors 1st and 2nd respondents, and that letters of administration to the estate of the above-named deceased be issued to the petitioner, coming on for disposal before W. Wadsworth, Esq., District Judge, on September 29, 1921, in the presence of Mr. V. Canagaratnam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 15, 1921, having been read: It is ordered that the above-named 3rd respondent be appointed guardian *ad litem* over the minors 1st and 2nd respondents for the purpose of representing them in this case, and that letters of administration to the estate of the above-named deceased be issued to the petitioner, as his lawful widow, unless the above-named respondents or any other person shall, on or before October 27, 1921, state objections or show sufficient cause to the contrary.

J. H. VANNIASINKAM,  
District Judge.

October 3, 1921.

In the District Court of Jaffna

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Remanathar Arumugam of Colombogam, No. 4,630. deceased.

Kamadchiammal, widow of Ramanathar Arumugam of Nallore ..... Petitioner.

Vs.

- (1) Ramanathar Sabapathy of Colombogam, (2) Ramanathar Ponnampalam of ditto, presently of Federated Malay States, (3) Thiyaga Ponnaiar and wife, (4) Puvamsupari of Colombogam, and (5) Sivakamippillai, widow of Ramanathar of ditto ..... Respondents.

THIS matter of the petition of Kamadchiammal, widow of Ramanathar Arumugam of Colombogam, praying for



letters of administration to the estate of the above-named deceased Ramanathar Arumugam of Colombogam, coming on for disposal before J. Homer Vanniasinkam, Esq., District Judge, on October 6, 1921, in the presence of Mr. K. Soma-sundram, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 19, 1921, having been read: It is declared that the petitioner is the widow of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondents or any other person shall, on or before October 25, 1921, show sufficient cause to the satisfaction of this court to the contrary.

October 11, 1921.

J. H. VANNIASINKAM,  
District Judge.

In the District Court of Puttalam.

Testamentary In the Matter of the Estate of Magudo  
Jurisdiction. Naina Marakar Abubakker Natchia, late  
No. 496. of Pallivasalthurai, in the Puttalam  
District.

Segolado Marakar Abubakker Marakar of Pallivasalthurai  
aforesaid. . . . . Petitioner.

And

(1) Sego Mohiedden Marakar Muttu Ahamado Natchia,  
(2) Sego Abdul Cader Naina Mohamado Lebbe Mara-  
kar, proposed guardian *ad litem* of the minor Abu-  
bakker Marakar Sego Abdul Cader Marakar, aged  
about 7 years, all of Pallivasalthurai afore-  
said. . . . . Respondents.

THIS matter coming on for disposal before C. E. Arndt,  
Esq., Additional District Judge of Puttalam, on August 12,  
1921, in the presence of Mr. Wilfred A. Muttukumaru,  
Proctor, on the part of the petitioner above named; and  
the affidavit of the petitioner dated July 21, 1921, and  
petition dated August 4, 1921, having been duly read:

It is ordered that Sego Abdul Cader Naina Mohamado  
Lebbe Marakar, the 2nd respondent above named, be and  
he is hereby appointed guardian *ad litem* of the minor  
Abubakker Marakar Sego Abdul Cader above named, and  
that the petitioner above named be and he is hereby  
appointed administrator of the estate of Magudo Naina  
Marakar Abubakker Natchia, deceased, above named, and  
that letters of administration be issued to him accordingly,  
unless the respondents above named or any other person  
or persons interested shall, on or before August 26, 1921,  
show sufficient cause to the satisfaction of this court to the  
contrary.

August 12, 1921.

CARL E. ARNDT,  
Additional District Judge.

Time for showing cause against this *Order Nisi* is extended  
to October 21, 1921.

V. SARAVANAMUTTU,  
Secretary.

In the District Court of Anuradhapura.

Testamentary. In the Matter of the Intestate Estate of  
No. 286. Hilka Claudine Dodanwela of Polon-  
naruwa.

In the matter of an application under  
Chapter XXXVIII. of the Civil  
Procedure Code.

Punchi Banda Dodanwela of Polonnaruwa in Taman-  
kaduwa District . . . . . Petitioner.

Vs.

(1) Elsa Gabrielle Dodanwela, minor, of the age of  
11 years; (2) Osmund Shelly Dodanwela, minor, of the  
age of 7 years; (3) Herbert Marmion Dodanwela,  
minor, of the age of 5 years; (4) Waldo Dodanwela,  
minor, of the age of 3 years; (5) Bianca Dodanwela,  
minor, of the age of 6 months; all of Polonnaruwa, by  
their guardian *ad litem* (6) A. G. Jayawardene of  
Marawila in Chilaw District . . . . . Respondents.

THIS action coming on for disposal before S. H. Wadia,  
sq., District Judge of Anuradhapura, on October 11, 1921,

in the presence of Mr. P. B. Bulankulame on the part of  
the petitioner; and the affidavit of the said petitioner  
dated October 6, 1921, having been read:

It is ordered that the petitioner, as widower, be and he  
is hereby declared entitled to letters of administration, unless  
the respondents or any other person or persons interested  
in the said estate show sufficient cause to the contrary, on  
or before November 15, 1921.

October 11, 1921.

S. H. WADIA,  
District Judge.

In the District Court of Badulla.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Kapallewelagedera Yapa Mudiyansele  
No. B 618. Kiriwante Kankanama, late of Kande-  
gedera in Soranatotapalata, deceased.

Between.

Kapallewelagedera Dissanayake Mudiyansele Hudu  
Menika of Kandedgedera in Soranatotapalata. . . . . Petitioner.

And

(1) Kapallewela Yapa Mudiyansele Hudu Banda,  
Gamarala of Kandedgedera, (2) ditto Kiri Banda, (3)  
ditto Tissahamy, (4) ditto Punchi Banda, (3) ditto  
Loku Menika, all of Kapallewelagedera in Kande-  
gedera; the 2nd, 3rd, 4th, and 5th, minors, by their  
guardian *ad litem* the 1st respondent . . . . . Respondents.

THIS matter coming on for final disposal before Reginald  
Gibson Saunders, Esq., District Judge of Badulla, on  
September 28, 1921, in the presence of Mr. F. Taldena,  
Proctor, on the part of the petitioner, and her petition dated  
September 28, 1921, having been read: It is ordered (1)  
that the petitioner, as widow of the deceased, be and she is  
hereby declared entitled to have letters of administration  
to the estate of the deceased issued to her; (2) that the 1st  
respondent be and he is hereby appointed guardian *ad litem*  
over the 2nd, 3rd, 4th, and 5th, minor respondents, unless  
any person or persons interested shall, on or before  
November 2, 1921, show sufficient cause to the satisfaction  
of this court to the contrary.

September 28, 1921.

R. G. SAUNDERS,  
District Judge.

In the District Court of Kegalla.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Wickrampedige Sendia of Dimbul-  
No. 750. gamuwa, deceased.

Sinhalapedige *alias* Nlandaripedige Pini of Dimbul-  
gamuwa . . . . . Petitioner.

Vs.

(1) Kiriduraya of Dimbulgamuwa, (2) Ukku Amma of  
Diyagama, (3) Sarana of ditto, (4) Lysa of ditto, (5)  
Sedara of ditto, (6) Elias of ditto, (7) Rankira of ditto,  
(8) Kiriukku of ditto . . . . . Respondents.

THIS matter coming on for disposal before V. P.  
Redlich, Esq., District Judge of Kegalla, on July 15, 1921,  
in the presence of Messrs. Van Langenberg & Swan,  
Proctors, on the part of the petitioner; and his affidavit  
and petition dated July 11 and 13, 1921, respectively,  
praying for letters of administration to the estate of the  
deceased, and for appointment of the 1st respondent as  
guardian *ad litem* over the minor respondents, having been  
read: It is ordered and declared that the petitioner, as the  
widow of the deceased, is entitled to letters of administration  
to the said estate, and that such letters will be issued to her  
accordingly, and the 1st respondent being the uncle of the  
minor respondents is a fit and proper person to be appointed  
guardian *ad litem* over the minor respondents, and that such  
appointment will be made unless the respondents or any  
person or persons interested shall, on or before October 25,  
1921, show sufficient cause to the satisfaction of the court  
to the contrary.

July 15, 1921.

V. P. REDLICH,  
District Judge.

In the District Court of Kegalla.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Bawa Lebbe Vedarala Wappu Marikar of Karawdeniya, deceased.

No. 755. Ismail Lebbe Habibu Lebbe of Karawdeniya... Petitioner.

Vs.

(1) Seka Marikar Saliha Umma, (2) Wappu Marikar Abdul Caffoor, (3) ditto Cadija Umma, all of Karawdeniya, (4) Ahamado Jalal Hadjar Vedarala Abdul Wadood, (5) ditto Abdul Rahoof, (6) ditto Balkees Umma; the 4th, 5th, and 6th respondents being minors by their guardian *ad litem* (7) Miskin Lebbe Abusa Umma, all of Kannaltota ..... Respondents.

. THIS matter coming on for disposal before V. P. Redlich, Esq., District Judge, Kegalla, on August 12, 1921, in the presence of Mr. A. A. Wickramasinghe, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner dated July 28 and August 12, 1921, respectively, praying for probate; and the affidavit dated July 28, 1921, of the witnesses to the last will, viz., Naina Lebbe Muhandiram, Mohamedo Saleem Madigey Aratchie of Ampe and Saibo Dorai Mohamedo Hassan Maulavi of Colombo having been read:

It is ordered that the last will No. 8,567 dated June 30, 1921, of Bawa Lebbe Vedarala Wappu Marikar of Karawdeniya, deceased, of which the original has now been

produced and deposited in court, be and the same is hereby declared proved, and it is further declared that the petitioner is the executor named in the last will, and that he is entitled to have probate issued to him, and that such probate will be issued to him accordingly, and the 7th respondent is a fit and proper person to be appointed guardian *ad litem* over the 4th, 5th, and 6th respondents, and that such appointment will be made unless the respondents or any person or persons interested shall, on or before September 15, 1921, show sufficient cause to the satisfaction of the court to the contrary.

August 12, 1921.

ELIAN ONDAATJE,  
District Judge.

Time for showing cause against the *Order Nisi* is extended to October 6, 1921.

September 15, 1921.

V. P. REDLICH,  
District Judge.

Time for showing cause against this *Order Nisi* is extended to October 20, 1921.

October 6, 1921.

V. P. REDLICH,  
District Judge.