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Part II.—Legal.

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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.

WHEREAS 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.

Not to accept certain trusts.

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.

Public Trustee to be sole trustee.

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.

Public Trustee to retain share of minor, &c.

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.

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

(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.

Maintenance of minors and lunatics.

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.

Entry of Public Trustee in books of a company.

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—

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

- (a) The time and place of the death of the deceased to the best of the knowledge and belief of the petitioner ;
- (b) The names and addresses of the surviving next of kin of the deceased if known ;
- (c) The particulars and value of the assets likely to come into the hands of the petitioner ;
- (d) 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.

Public Trustee not to take oath as 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.

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

(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

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 settlors 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.

MINUTE.

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

An Ordinance relating to Contracts for Hire and Service.

Preamble.

WHEREAS it is expedient to repeal certain provisions of Ordinance No. 11 of 1865 and of Ordinance No. 13 of 1889, which render servants, labourers, journeymen, artificers, employees, and employers liable to criminal proceedings in respect of failure to carry out the terms of contract for hire and service:

And whereas it is also expedient to make provision against the issue and use of documents, commonly known as *tundus*, in respect of such labourers as aforesaid:

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 Labour Ordinance, No. of 1921."

Repeal of section 24 of Ordinance No. 13 of 1889 and insertion of new section in its place.

2 Section 24 of Ordinance No. 13 of 1889 shall be repealed, and the following section shall be inserted in its place:

Duty of employer to issue and forward discharge ticket, and penalty for default.

24. (1) Whenever any labourer quits the service of any employer, having given the notice or warning required by law, it shall be the duty of the employer to prepare a discharge ticket as nearly as material in the form III. in schedule C. If the labourer entered the service of the employer on a discharge ticket, the employer shall file such discharge ticket in his office, and shall prepare a new discharge ticket.

(2) Where the labourer quits the service of his employer in order to take service with some other employer in Ceylon, the former employer shall forthwith forward the discharge ticket to the new employer. But in no case shall the discharge ticket be given to the labourer.

(3) Where a labourer has given the notice or warning required by law, but has not, at the time when he quits the service of his employer, secured any other employment, it shall be the duty of the employer to give him a memorandum in the form IV. in schedule C stating that the labourer has duly given notice, and that a formal discharge ticket will be issued to any new employer on application. Upon such application being made, it shall be the duty of the employer to forward to the new employer within five days of the date of application a discharge ticket.

(4) Any employer who fails to prepare or to forward a discharge ticket, or to give to any labourer a memorandum in any case where he is required by this section to do so, shall be guilty of an offence, and shall be liable on conviction thereof to a fine which may extend to one hundred rupees, and a further fine not exceeding five rupees for every day during which such default shall continue.

3 For forms II., III., IV., V., VI., VII., and VIII. in schedule C of Ordinance No. 13 of 1889 there shall be substituted the following forms respectively:—

Substitution of new forms for forms II., III., IV., V., VI., VII., and VIII. in schedule C of principal Ordinance,

Form II.

(Section 22.)

Register of Labourers.

Number : —.
 Name : —.
 Approximate age : —.
 Sex : —.
 Race and caste : —.
 Village : —.
 Taluk : —.
 District : —.
 Father's name : —.
 Mother's name : —.
 Height, viz., tall, short, or medium : —.
 Colour, viz., dark, light, or medium : —.
 Distinguishing marks (if any) : —.
 General appearance : —.
 Kangani's name : —.
 Date of engagement : —.
 Estate where last employed : —.
 Whether employed permanently, or on contract work, or on both : —.
 Number of Ragama certificate (if any) : —.

Form III.

(Section 24.)

Discharge Ticket.

In pursuance of section 24 of Ordinance No. 13 of 1889, this is to certify that the labourer whose name and description are appended has been duly discharged from my service.

(1) This labourer—

- (a) Was one of the coolies on my original register.*
 (b) Came to me with a certificate from the Cooly Depot.*
 (c) Came to me on discharge ticket from — Estate in the — District.*
 (d) Came to me on notice from — Estate in the — District.*
 (e) Came to me with a certificate from the Police Magistrate at —.*

(2) The reason for his discharge is —.

* Strike out the lines which do not apply.

Description of Labourer.

Number on Estate Registrar : —.
 Name : —.
 Approximate age : —.
 Sex : —.
 Race and caste : —.
 Village : —.
 Taluk : —.
 District : —.
 Father's name : —.
 Mother's name : —.
 Name of kangani : —.
 Height, viz., tall, short, or medium : —.
 Colour, viz., dark, light, or medium : —.
 Distinguishing marks (if any) : —.
 General appearance : —.
 Date of engagement : —.
 Estate where last employed : —.
 Whether employed permanently, or on contract work, or both : —.
 Number of Ragama certificate (if any) : —.

Superintendent._____
Estate, — District.

Date : —, 19—.

Form IV.

(Section 24 (3).)

Memorandum with regard to Labourer leaving on Notice.

— Estate, — District.

Memorandum that the labourer whose name and description are appended hereto left this estate on the — day of —, 19—, and that a formal Discharge Ticket will be issued to his employer on application.

Date: —, 19—.

(Signed) —,
Superintendent.*Name and Description of Labourer.*

Name: —.

Father's name: —.

Sex: —.

General appearance: —.

Note.—In the case of a gang of labourers leaving on notice add the following particulars:—

Name of kangani of gang: —.

Form V.

(Section 25.)

No. of Certificate: —.

Ragama Certificate.

I hereby certify that the labourer whose name and description are appended was despatched from the Depôt at Ragama to — Estate on the — day of —, 19—.

Name and Description of Labourer.

Number on Estate Register: —.

Name: —.

Approximate age: —.

Sex: —.

Race and caste: —.

Village: —.

Taluk: —.

District: —.

Father's name: —.

Mother's name: —.

Name of kangani: —.

Height, viz., tall, short or medium: —.

Colour, viz., dark, light or medium: —.

Distinguishing marks (if any): —.

General appearance: —.

Date of engagement: —.

Estate where last employed: —.

Whether employed permanently, or on contract work, or both: —.

Number of Ragama certificate (if any): —.

(Signed) —,
Superintendent.

Date: —, 19—.

Form VI.

(Section 26.)

Certificate of Police Magistrate.

Police Court of —.

I hereby certify, in terms of section 26 of Ordinance No. 13 of 1889, that I am satisfied that the labourer, whose name and description are appended, has not been employed on any estate in Ceylon during the thirty-six months immediately preceding the date of this certificate (or has left — estate on reasonable grounds).

Number on Estate Register: —.

Name of labourer: —.

Approximate age: —.

Sex: —.

Race and caste: —.

Village: —.

Taluk: —.

District: —.

Father's name: —.

Mother's name: —.

Name of kangani: —.

Height, viz., tall, short, or medium: —.

Colour, viz., dark, light, or medium: —.
 Distinguishing marks (if any): —.
 General appearance: —.
 Date of engagement: —.
 Estate where last employed: —.
 Whether employed permanently, or on contract work, or both: —.
 Number of Kagama certificate (if any): —.

(Signed) —,
 Police Magistrate.

Date: —, 19—.

Form VII.

(Section 25 (4).)

No. of Certificate: —.

I hereby certify that the labourer whose name and description are appended was despatched from the Depôt at — to — Estate on the — day of —, 19—.

Name and Description of Labourer.

Number on Estate Register: —.
 Name: —.
 Approximate age: —.
 Sex: —.
 Race and caste: —.
 Village: —.
 Taluk: —.
 District: —.
 Father's name: —.
 Mother's name: —.
 Name of kangani: —.
 Height, viz., tall, short, or medium: —.
 Colour, viz., dark, light, or medium: —.
 Distinguishing marks (if any): —.
 General appearance: —.
 Date of engagement: —.
 Estate where last employed: —.
 Whether employed permanently, or on contract work, or both: —.
 Number of certificate (if any): —.

(Signed) —,
 Superintendent.

Date: —, 19—.

Form VIII.

(Section 25 (4).)

Ceylon Government Railway.	
Date: —	Cooly Railway Permit. Talaimannar Pier.
	No: —

4 (1) Any person who after the commencement of this Ordinance—

- (a) Issues or causes or permits to be issued a *tundu*; or
- (b) Accepts or agrees to accept any *tundu* or any obligation arising thereunder or intended to be imposed thereby; or
- (c) Gives or enters into any undertaking, express or implied, with regard to any *tundu*;

to or in respect of any labourers as defined in section 3 of Ordinance No. 13 of 1889, shall be guilty of an offence, and shall be liable on conviction thereof to a fine not exceeding twenty thousand rupees, or to imprisonment of either description for any period not exceeding two years, or to both.

(2) For the purposes of this section the expression "*tundu*" means the document commonly called a *tundu*, and in use, at the time of the commencement of this Ordinance, under the provisions of Ordinance No. 13 of 1889; it also includes any document, whatever its form may be, whereby the objects attained by a *tundu* at the time of the commencement of this Ordinance are sought to be attained after such commencement.

Penalties for
 issuing, &c.,
tundus.

Repeals.

5 Sections 11, 12, 14, 21, 23, and 24 of Ordinance No. 11 of 1865 and section 4 A of Ordinance No. 13 of 1889 are hereby repealed.

By His Excellency's command,
Colonial Secretary's Office, GRAEME THOMSON,
Colombo, October 17, 1921. Colonial Secretary.

Statement of Objects and Reasons.

UNDER Ordinance No. 11 of 1865 and Ordinance No. 13 of 1889 provision is made for criminal proceedings being taken against employers and employed in respect of certain breaches of contracts of hire and service. It is thought that a penal sanction should no longer be attached to such breaches, but that aggrieved parties should be left to their ordinary civil remedies. This Bill in section 5 makes the necessary provision for changing the law in this respect.

The attention of Government has been called to the evils which arise from the issue of the *tundu* when labourers desire to leave the service of one employer and seek that of another. Experience has shown that the *tundu* can be used for the purpose of levying something very like blackmail, and also of hampering the liberty of movement of the labourer. The majority of those who are engaged in the handling of employed labour are strongly opposed to the continuance of the *tundu* system; and the Government of India has recently expressed the view that it would be well if it were stopped. In order to attain this object, it is necessary that any attempts at evasion should be severely penalized, and that reason will account for the severity of the penalty proposed to be imposed by section 4 of the Bill.

Attorney-General's Chambers,
Colombo, October 18, 1921.

H. C. GOLLAN,
Attorney-General.

PASSED ORDINANCE.

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

No. 37 of 1921.

An Ordinance to make provision for the Establishment and Organization of a Department of Agriculture.

W. H. MANNING.

Preamble.

WHEREAS it is expedient to make provision for the establishment of a Department of Agriculture, and for the constitution of a Board of Agriculture to be advisory to the said Department: 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 Department of Agriculture Ordinance, No. 37 of 1921."

Interpretation.

2 In this Ordinance, unless the context otherwise requires—
"Director" means the Director of Agriculture;
"Board" means the Board of Agriculture;
"Department" means the Department of Agriculture;
"Agriculture" includes horticulture.

Department of Agriculture.

3 There shall be a Government Department to be styled the Department of Agriculture, with a Director and such other officers as may be duly appointed by Government at such salaries as the Governor, with the consent of the Legislative Council, may from time to time direct.

4 (1) There shall be established a Board to be styled the Board of Agriculture composed of the Governor, the Colonial Secretary, the Controller of Revenue, the Government Agents of the Western, Southern, Central, North-Western, and Northern Provinces, the Director of Irrigation, the Director, two Unofficial Members of the Legislative Council nominated by the Governor, and not more than seventy other persons to be appointed by the Governor for a term not exceeding three years, either on the nomination of such bodies as the Governor may recognize to be representative of the agricultural industries of the Colony, or on the recommendation of the Director.

Board of
Agriculture.

(2) The Governor shall be the President of the Board, and the Colonial Secretary shall be the Vice-President.

(3) Twenty members shall form a quorum.

(4) The President may appoint a secretary and such other officers to the Board as may be necessary.

(5) Any member may resign his seat on the Board by letter addressed to the Director, and the President shall have power from time to time to fill vacancies arising from the death or absence of any member of the Board or from any other cause.

5 (1) The Board shall not be an administrative or executive body, but shall be advisory to the Government and to the Department of Agriculture.

Functions of
Board.

(2) It shall be the duty of the Board to advise on all matters and questions in connection with the agricultural industries of the Colony, which may be referred to it by the Governor or Director, and further, it shall be competent for the Board to make recommendations to the Governor or Director in connection with such questions without previous reference.

6 (1) There shall be three standing committees of the Board, namely :

Committees of
Board.

- (a) The Executive Committee ;
- (b) The Estate Products Committee ; and
- (c) The Food Products Committee ;

but nothing in this sub-section shall prevent the Board appointing such other committees and co-opting such additional members to its committees as it shall consider necessary.

(2) The members of each of such committees shall be appointed at a general meeting of the Board : Provided that any such committee may co-opt additional members thereof, and that such additional members may, at the discretion of such committee, be either members or non-members of the Board.

(3) The constitution, powers, and duties of such committees shall be defined by the Board from time to time as occasion may arise.

7 The Board may from time to time make such rules as may be deemed necessary for the carrying out of the duties of the Board, and in particular the Board may—

Business of
Board.

- (a) Prescribe the times and places the Board and the several committees shall meet, and the mode in which such meetings shall be summoned ;
- (b) Lay down rules to ensure regular attendance at meetings of members and for the procedure to be adopted at meetings.

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 Seventeenth day of October, One thousand Nine hundred and Twenty-one.

GRAEME THOMSON,
Colonial Secretary.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,909. In the matter of the insolvency of Hamid Abdul Carim Sumps of No. 52, Union place, Slave Island, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on November 8, 1921, for declaring a dividend.

By order of court, P. DE KRETZER,
Colombo, October 13, 1921. Secretary.

In the District Court of Colombo.

No. 3,000. In the matter of the insolvency of Mohamed Oosman Shaik Abdulla of No. 24, Driberg's lane, Maradana, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on November 15, 1921, for the grant of a certificate of conformity to the insolvent.

By order of court P. DE KRETZER,
Colombo, October 13, 1921. Secretary.

In the District Court of Colombo.

No. 3,018. In the matter of the insolvency of Sinniah Aiyasamy of No. 129, Grandpass, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on November 22, 1921, for the grant of a certificate of conformity to the insolvent.

By order of court, P. DE KRETZER,
Colombo, October 13, 1921. Secretary.

In the District Court of Kandy.

No. 1,632. In the matter of the insolvency of Cumbalatare Aratchige Cornelis Pothuwila Veda Appuhamy of Dodanwela in Kandy.

NOTICE is hereby given that the meeting to consider the granting of a certificate of conformity to the above-named insolvent has been postponed for November 18, 1921.

By order of court, A. W. WIJESINHA,
Kandy, October 14, 1921. for Secretary.

In the District Court of Kandy.

No. 1,634. In the matter of the insolvency of Wilfred Abeyaratne Ratwatte of Nagolle in Matale.

NOTICE is hereby given that the meeting to consider the granting of a certificate of conformity to the above-named insolvent has been adjourned for November 25, 1921.

By order of court, P. MORTIMER,
Kandy, October 18, 1921. Secretary.

In the District Court of Kandy.

No. 1,651. In the matter of the insolvency of Manandes Mudalige Charles Dias of Kandy.

WHEREAS Manandes Mudalige Charles Dias 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 25, 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 12, 1921. Secretary.

In the District Court of Kandy.

No. 1,652. In the matter of Richard Lucas of No. 133 B, Peradeniya road, Kandy.

WHEREAS the above-named Richard Lucas has filed a declaration of insolvency, and a petition for the sequestration as insolvent of his estate, under the Ordinance No. 7 of 1853, has been filed by Mahawelage Paul Bastian, a petitioning creditor: 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 December 2, 1921, and January 20, 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 13, 1921. Secretary.

In the District Court of Matara.

No. 17. In the matter of the insolvency of Sinna Lebbe Marikkar Mohammodu Ali of Kandenidiya in Matara.

WHEREAS T. S. M. Ibrahim of Weligama has filed petition and affidavit for the adjudication of Sinna Lebbe Marikkar Mohammodu Ali as an insolvent and for the sequestration of his property: Notice is hereby given that the said court has adjudged the said Sinna Lebbe Marikkar Mohammodu Ali insolvent accordingly, and that two sittings of the court, to wit, November 21 and December 8, 1921, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of Ordinance No. 7 of 1853, 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, E. C. DIAS,
Matara, October 13, 1921. Secretary.

In the District Court of Matara.

No. 18. In the matter of the insolvency of Madihe Aratchige Abraham Gunawardana of Weligama.

WHEREAS the above-named Madihe Aratchige Abraham Gunawardana has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Lokubadu Jayasuriya Patabendige Singho Appu of Mirissa, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Madihe Aratchige Abraham Gunawardana insolvent accordingly, and that two public sittings of the court, to wit, on November 21, 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, E. C. DIAS,
October 18, 1921. Secretary.

In the District Court of Tangalla.

No. 3. In the matter of the insolvency of Abdul Rahim Cassim of Hambantota.

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 16, 1921, for the grant of the certificate of conformity to the said insolvent, instead of October 24, 1921.

By order of court, P. E. KALUPAHANE,
October 13, 1921. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

S. H. M. M. A. Annamalay Chetty of Sea street,
Colombo..... Plaintiff.

No. 357 of 1921. Vs.

(1) R. L. de F. Pieris of Turret road, Colombo, (2) John Wilson, and (3) S. J. C. Kadirgammar, both of Dam street, Colombo, executors of the last will of the late R. S. Pieris, deceased, (4) Lambert L. Pieris of Colpetty Defendants.

NOTICE is hereby given that on Tuesday, November 15, 1921, at 10 A.M., will be sold by public auction at No. 130, Colpetty, Colombo, the following movable property of the 4th defendant for the recovery of the sum of Rs. 5,097.50, with interest thereon at 9 per cent. per annum from February 10, 1921, till payment in full, and costs, viz. :—

Eight rattan chairs, 2 rattan settees, 2 satinwood lounges, 2 satinwood armchairs, 1 settee, 2 Bombay wood carved chairs, 1 Bombay wood cushioned couch, 5 Bombay wood chairs, 2 Bombay wood armchairs, 2 carved settees, 1 cushioned conversation chair, 8 picture frames, 2 teapoys, 4 ebony settees, 1 carved settee, 1 hat stand, 1 piano, 1 ebony armchair, 1 glass almirah, 1 dining table, 5 chairs, 3 whatnots, 1 whatnot fixed with mirror, 1 motor car bearing No. C 3636.

Fiscal's Office,
Colombo, October 18, 1921.W. DE LIVERA,
Deputy Fiscal, W. P.

In the District Court of Colombo.

M. A. N. Annamalay Chetty of Sea street,
Colombo..... Plaintiff.

No. 1057 of 1921. Vs.

D. E. M. Mahipala and another, both of Messrs. Darley, Bulter & Co., Fort, Colombo Defendants.

NOTICE is hereby given that on Tuesday, November 15, 1921, will be sold by public auction at the respective premises the right, title, and interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 654.50, with interest thereon at 9 per cent. per annum from April 26, 1921, till payment in full, and costs of suit, viz. :—

At 2 P.M.

1. Three undivided fifth (3/5) parts or shares from and out of all that allotment of land called Alubogahawatta and of the trees and plantations standing thereon, situated at Depanama in the Palle pattu of Salpiti korale, in the District of Colombo, Western Province; and bounded on the north by land claimed by Jayawardana Mudaliyar, on the east by the garden of P. Sadilishamy and the garden of Bastian Appu (more correctly Gorakagahawatta), on the south by the high land, and on the west by the land of W. Karonchi Appu and G. Siman Appu and land reserved for the railway and land claimed by Morawakage Arnolis Perera and others; containing in extent (exclusive of the railway reserve) 4 acres and 37 perches.

At 2.30 P.M.

2. Three undivided fifth (3/5) parts or shares from and out of all that land called Gorakagahawattakanatta and of the trees and plantations standing thereon, situated at Depanama aforesaid; and bounded on the north by the field of Tamby Mudaliyar, on the east by the land of Gamage Juanis and Amarasinghage Cornelis Appu, on the south by the road from Colombo to Mattegoda, and on the west by the garden of Morawakage Karonchi Appu and others, now Alubogahawatta; containing in extent (exclusive of the railway reserve) 4 acres 1 rood and 14 perches, excluding therefrom a portion in extent 2 acres towards the east belonging to the temple.

Fiscal's Office,
Colombo, October 17, 1921.W. DE LIVERA,
Deputy Fiscal, W. P.

In the District Court of Colombo.

Totawatte Don Manuelge Gabriel Silva of 2nd Division,
Maradana Plaintiff.

Opanayaka Nonno Hamy of 2nd Division, Maradana Substituted Plaintiff.

No. 33,382. Vs.

A. L. Peduru Perera Appuhamy of Bataliya in Veyangoda Defendant.

NOTICE is hereby given that on the under-mentioned dates will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 989.86, with interest on Rs. 494.93 at 18 per cent. per annum from October 23, 1911, till December 8, 1911, and thereafter interest on Rs. 989.86 at 9 per cent. per annum till payment in full, and costs, viz. :—

On Thursday, November 17, 1921, at 2 P.M.

(1) The land called Kandanaheha, situated at Hedidenikanda in Siyane korale in Udugaha pattu, in the District of Colombo, Western Province; bounded on the north by land belonging to the Crown, east by the land belonging to Ahamadu Lebbe, south by the land belonging to Brumpy, and west by Badahelagekumbura; containing in extent about 2 acres.

On the same day at 2.30 P.M.

(2) The land called Hingurudeniawatta, situated at Hedidenikanda in Siyane korale in Udugaha pattu, in the District of Colombo; bounded on the north by land belonging to the church, east by Hingurudeniakumbura, south and west by the land belonging to Stephen Perera; containing in extent about 3 acres.

On Friday, November 18, 1921, at 10 A.M.

(3) The field called Gorakagahakumbura, situated at Batuliya in the Yatigaha pattu of Hapitigam korale; and bounded on the north by water-course, on the east by the land belonging to Appusingho, south by water-course, and on the west by land belonging to James Perera; containing in extent 7 pelas of paddy sowing in extent.

Fiscal's Office,
Colombo, October 17, 1921.W. DE LIVERA,
Deputy Fiscal, W. P.

In the Court of Requests of Colombo.

Dr. H. J. Hazari of Hulftsdorp street, Colombo .. Plaintiff.

No. 78,214. Vs.

(1) Ahamed Lebbe Safoor Umma, widow of Abdul Careem and another, both of Forbes road, Colombo Defendants.

NOTICE is hereby given that on Monday, November 14, 1921, will be sold by public auction at the respective premises the right, title, and interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 25.85, together with legal interest thereon from February 8, 1921, till payment in full, and costs of suit taxed at Rs. 13.95, viz. :—

At 2.30 P.M.

1. All that portion of land with the buildings thereon marked lot C (being a portion of the allotment of land bearing assessment No. 31), situated at Darley road, Maradana, within the Municipality of Colombo and in the District of Colombo, Western Province; bounded on the north by lot marked B owned by A. L. Safoor Umma, on the east by the property of Omer Lebbe Marikar bearing assessment No. 30, on the south by a passage 9½ links wide, and on the west by the passage marked D common to all the lots marked A, B, C; containing in extent 14 7/100 square perches.

At 3 P.M.

2. All that portion of land marked lot D (being a portion of the allotment of land bearing assessment No. 31), situated at Darley road aforesaid; bounded on the north by the property of Mr. Wijekoon bearing assessment No. 26, on the south by the passage of half link wide, on the east by lot marked B and C, and on the west by lot marked A; containing in extent 4 60/100 square perches.

Fiscal's Office,
Colombo, October 17, 1921.

W. DE LIVERA,
Deputy Fiscal, W. P.

In the Court of Requests of Colombo.

41/ Sawanna Muna Katchi Mohideen of No. 51, Colpetty,
Colombo Plaintiff.
No. 78,440. Vs.

(1) C. Gordon Grairo of 71, Bambalapitiya, (2)
J. P. Ranasingha of Bambalapitiya, (3) J. Kodagoda
of No. 257, Galle road, Dehiwala Defendants.

NOTICE is hereby given that on Thursday, November 10, 1921, at 10 A.M., will be sold by public auction at the premises the right, title, and interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 150, with legal interest thereon from February 21, 1921, till payment in full, and costs of suit Rs. 31.85 plus Rs. 22.20, viz. :—

All that one-seventh part or share of the land called Siyambalagahawatta, situated at Wellawatta in the District of Colombo, Western Province; and bounded on the north by a portion of this land belonging to Fonseka, on the east by high road, on the south by Kongahawatta, and on the west by a portion of this land belonging to the church; containing in extent 1½ acres.

Fiscal's Office,
Colombo, October 17, 1921.

W. DE LIVERA,
Deputy Fiscal, W. P.

In the District Court of Negombo.

51/ Muna Vina Nawanna Vengadasalam Chetty of
Negombo Plaintiff.
No. 14,051. Vs.

(1) Manuel Periswaduge Andrew Peries of Tudella,
(2) Mihidukulasuriya Andradige Manuel Fernando of
4th division, Bolawalana Defendants.

NOTICE is hereby given that on November 12, 1921, commencing at 10 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 1st defendant in the following property, viz. :—

(1) The two contiguous portions of lands called Dawata-gahawatta, situate at Tudella in Ragam pattu; and bounded on the north by land of Don Paulu Perera Ranasingha Muppurala and others, east by high road leading to Negombo, south by land of W. Martelis Perera and others, and west by land of M. Joseph Peries and others; containing in extent about 1 acre, with building standing thereon.

(2) The residing land belonging to the said defendant, situate at Tudella aforesaid; and bounded on the north by land of J. Maria Perera and others, east by a portion of this land of M. Andrew Perera, south by a portion of the land of M. Pemiano Perera, and west by land of K. Pedro Perera Gurunanse; containing in extent about 30 perches, with buildings standing thereon.

(3) The residing land belonging to the said defendant, situate at Tudella aforesaid; and bounded on the north by Walawwewatta belonging to M. Juan Peries, east by land of Don Paulu Perera Ranasinha and others, south by land of J. Porliano Perera, and west by land of M. Juan Peries; containing in extent 1½ acre; with the buildings standing thereon.

Amount to be levied Rs. 1,299.12, with interest on Rs. 1,000 at 18 per cent. per annum from January 7, 1920, till February 23, 1920, and thereafter at 9 per cent. per annum till payment, and poundage.

Deputy Fiscal's Office,
Negombo, October 18, 1921.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

In the District Court of Negombo.

85/4- Sawanna Thana Lana Muttiah by his attorney Muna
Arumugam Palle of Negombo Plaintiff.

No. 14,638.

Vs.

Walter Benjamine Rajapaksa of Demanhandiya..Defendant.

NOTICE is hereby given that on November 14, 1921, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

(1) All that allotment of land called Millagahawatta, situate at Dagonna in Dunagaha pattu of Alutkuru korale; and bounded on the north by the road and the land of the heirs of W. Poloris Appu and others, east by the land of Police Headman, south by the land of W. Juan, ex Police Headman, and the land of Lewis Appu, and west by land of Hardalage Pablis Appu; containing in extent about 18 acres 2 roods and 25 perches.

(2) The land called Delgahawatta alias Sekkuwatta and the buildings standing thereon, situate at Demanhandiya, in Dunagaha pattu; and bounded on the north, east, and west by land and field belonging to the estate of the late Charles de Zoysa Gunatilaka Rajapaksa, and on the south by high road leading from Negombo to Giriulla; containing in extent about 7 acres.

Amount to be levied Rs. 1,059.45, with interest on Rs. 520 at 30 per cent. per annum and on Rs. 310 at 18 per cent. per annum from December 10, 1920, to August 16, 1921, and thereafter at 9 per cent. per annum till payment, and poundage.

Deputy Fiscal's Office,
Negombo, October 18, 1921.

FRED. G. HEPPONSTALL,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Mulla Fakurudeen Mulla Miajee, presently of Nawala-
pitiya Plaintiff.

No. 28,867.

Vs.

Abdul Rahiman's son Ana Mohamado Ali Saibo of Am-
pitiya in Kandy Defendant.

NOTICE is hereby given that on Saturday, November 19, 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. 45 dated July 21, 1920, and attested by Coomarasamy 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. 1,503, with interest at 9 per cent. per annum from April 2., 1921, until payment in full, and poundage due on the same, viz. :—

(1) All that land called Hunukotuwettennewatta of 5 lahas paddy sowing extent, situate at Ampitiya in Gandahaye korale of Lower Hewaheta, in the District of Kandy, of the Central Province; and bounded on the east by the high road, on the south by garden of Lokunayakegedera-siyatu, on the west by Heeriya of Mr. Soysa's land, and on the north by garden of Ulpathekumbura Menikralle; with everything thereon.

(2) An undivided 1/15 part or share out of all that land called Hunukotuwatenna of 2 pelas and 5 lahas paddy sowing extent, situate at Ampitiya aforesaid; and bounded on the east by Marthelis Singho's garden, on the south by Mr. Soysa's garden, on the west by Girigoris Perera and others' gardens, and on the north by high road; together with the tiled house and everything thereon.

Fiscal's Office,
Kandy, October 18, 1921.

A. RANESINGHE,
Deputy Fiscal.

In the District Court of Kandy.

R. Subhai Motibhai of Sea street in Colombo Plaintiff.

No. 51,198. Vs.

(1) Adjuru Drawawsee Majeed Miskin *alias* Drawawsee Miskin Abdul Majeed, and (2) Adjuru Drawawsee Beder Miskin *alias* Drawawsee Miskin Abdul Hamid, both of Kandy 1st and 2nd defendants.

NOTICE is hereby given that on Saturday, November 12, 1921, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said 1st and 2nd defendants in the following property for the recovery of the sum of Rs. 9,470, with interest on Rs. 7,500 at 24 per cent, per annum from September 12, 1918, to December 17, 1918, and thereafter further interest on the aggregate amount at 9 per cent, per annum till payment in full, and costs, and poundage, less a sum of Rs. 2,845·20, viz. :—

All that property called and known as Ambatalawa estate, situate at Kehelgamuwa in the Ambagamuwa korale of Uda Bulatgama, in the District of Kandy, of the Central Province; and bounded on the east by the land said to belong to the Crown, by land belonging to Agiris, by a foot-path intersected by the Dethaine-ela, by Ratu Appu's land, by Punchirala's land, and by Ambatalawa-ella, on the south by the paddy field belonging to Kuda Appu, by the Dethaine-ela, and by the land that formerly belonged to Kuda Appu and now belongs to Alice Hamy, on the west by Crown forest and by Crown land said to be leased to natives, and on the north by the rock known as Kobbegala, by the property belonging to Kehelwarawegedera Setuhamy, by Welikadahena, by the old footpath leading to Adam's Peak, and by Selohamy's land; containing in extent 80 acres 2 roods and 20 perches according to Mr. R. C. S. de La Pole's plan of survey dated April 23, 1914.

Fiscal's Office,
Kandy, October 18, 1921.

A. RANESINGHE,
Deputy Fiscal.

In the District and Request Courts of Nuwara Eliya.

Nagathar Canaganayagam, Shroff, National Bank,
Nuwara Eliya Plaintiff.

Nos. 551, 6,920, and 6,922. Vs.

(1) P. Kana Abdul Razek Saibo, (2) Asana Umma, (3) P. K. Abdul Razek Saibo, and (4) M. R. M. Mudalihamy, all of Uda Hewaheta Defendants.

NOTICE is hereby given that on Saturday, November 19, 1921, at 8 o'clock in the forenoon, will be sold by public auction at the Gansabhawa, Padiyapelella, the right, title, and interest of the said defendants in the following property, viz. :—

1. All that eastern just $\frac{1}{2}$ part of the land within the boundaries herein defined, together with the entire boutique building adjoining the boutique of Kapukotuwegedera Punchirale and let out to Appu, late Vidane, on terms paying ground rent, which said land being a just one-half part, containing 2 seers of kurakkan grain sowing extent from and out of the land called Maligatennewatta of 4 seers of kurakkan sowing in entire extent; is bounded on the east by the portion belonging to Koralegedera Seerala, south by Mahagala (rock), west by the portion of Koralegedera Punchirale and by ela (water-course), and north by high road; situated on the upper side of the high road adjoining thereto, at Padiyapelella in the Pallegampaha korale of Uda Hewaheta, in the District of Nuwara Eliya.

2. An allotment of land called and known as Welihena-patana, containing in extent 2 roods and 7 perches, situated at Gannewa korale of Uda Hewaheta aforesaid; and bounded on the east by the limit of the Crown land, south by the reservation along the road, west by the limit of Crown land, and north by Gansabhawa road.

3. All that portion of land below the high road, containing in extent about 1 seer of kurakkan sowing, situated at Maligatenna in Padiyapelella aforesaid; and bounded on the east by high land, on the south by stone fence of Ranmenika's garden, on the west by Belihul-oya, and on the north by stone fence.

4. All that divided $\frac{2}{3}$ part or shares, containing in length 53 yards, in breadth 25 yards, out of $1\frac{1}{2}$ kurakkan sowing towards the east from the land belonging to Otennegedera

Ukkurala and from the stone fence of the western wall of the house belonging to Bawa, in and out of the eastern $\frac{1}{2}$ part or shares of the land called and known as Banaggalagederawatta, containing 2 seers of kurakkan sowing in the whole, situated at Wetakepotha in Pallegampaha korale of Uda Hewaheta; and bounded on the east by the live fence of this land to separate the remaining portion, south by road and the house belonging to Mudalisegu, on the west by agala, and on the north by stone fence.

5. An undivided $\frac{1}{2}$ part or share out of the field called and known as Medawalapatankumbura, containing in its entirety 3 pelas of paddy sowing, situated at Medawela in Wellagiriya aforesaid; and bounded on the east by field belonging to Otennegedera Dingirala, on the south by stone fence, on the west by oya and road, and on the north by kandura.

6. An undivided $\frac{1}{2}$ part or share out of the lower $\frac{1}{2}$ part out of the land called and known as Bomaluwewatta, containing in its entirety 5 lahas of kurakkan sowing, situated at Wellagiriya aforesaid; and bounded on the east by stone fence, on the south by stone fence, on the west by the limit of the portion given to Tikirimenika, and on the north by stone fence.

To levy a sum of Rs. 2,266·52, interest, poundage, and expenses.

Deputy Fiscal's Office,
Nuwara Eliya, October 13, 1921.

E. T. DYSON,
Deputy Fiscal.

In the District Court of Nuwara Eliya.

H. H. Bartholomeusz of Colombo Plaintiff.

No. 555. Vs.

Francis L. N. D'Espagnac of Mahawewa, Hal-granoya Defendant.

NOTICE is hereby given that on Saturday, December 3, 1921, at 2 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. :—

All that estate called Mahawewa belonging to the defendant, situated at Kumbalgamuwa, Oya palata, Walapane, containing in extent about 75 acres 3 roods and 5 perches; bounded on north by Crown patana, Narangaskandurahena, Narangaskandurakumbura, Miriyagollahena, Miriyagollawatta, and Miriyagollekumbura, on the east by Miriyagolle-aswedduwa and Crown forest, on the west by Crown patana, and on the south by Muhalkellewatta.

To levy a sum of Rs. 13,679·45, interest, poundage, and expenses.

Deputy Fiscal's Office,
Nuwara Eliya, October 18, 1921.

E. T. DYSON,
Deputy Fiscal.

In the District Court of Colombo.

B. R. P. Samarasinghe of Wellawatta, Colombo . . . Plaintiff.

No. 1,628/20. Vs.

D. C. Jayawardene of Hakgala Valley, Nuwara Eliya Defendant.

NOTICE is hereby given that on Saturday, November 12, 1921, at 2 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. :—

All that land known as Jayawardene's land bearing lot No. D 719 in T. P. 50,177, with the buildings standing thereon, situated in Hakgala in Nuwara Eliya; bounded on the north by Sita-ela, on the east by Gorondiellapatana, Crown, on the south by the reservation of Nuwara Eliya-Badulla road, on the west by Sita Eliyamukalana, Crown; containing in extent 10 acres 2 roods and 26 perches.

To levy a sum of Rs. 724·51, interest, poundage, and expenses.

Deputy Fiscal's Office,
Nuwara Eliya, October 12, 1921.

E. T. DYSON,
Deputy Fiscal.

In the Additional Court of Requests of Kandy.

M. S. Dawood, Proprietor of the Motor Cycle Works,
Kandy Plaintiff.
No. 577. Vs.

I. L. S. Seyado Ibrahim Saibo of Matale Defendant.

NOTICE is hereby given that on November 14, 1921, commencing at 12 noon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following movable property lying in the defendant's garage bearing Nos. 171 and 172, situate at Trincomalee street, Matale, viz. :—

One Ford bus bearing No. C 1410.

Amount of writ Rs. 289, with interest on Rs. 262.75 at 9 per cent. per annum from December 20, 1920, till payment in full.

Deputy Fiscal's Office,
Matale, October 18, 1921.

R. S. V. FOULIER,
Deputy Fiscal.

In the District Court of Kandy.

(1) Ponniah Peries, (2) Stanislaus Costa, personally and as executors of the estate of Joseph Costa, both of Trincomalee street, Matale Plaintiffs.
No. 28,200. Vs.

(1) Anna Margaret Van Starrex, (2) Archenholz Marcelinus Van Starrex, both of Matale Defendants.

NOTICE is hereby given that on November 21, 1921, commencing at 12 noon, will be sold by public auction at the spot the right, title, and interest of the said defendants in the following property, viz. :—

An undivided $\frac{3}{4}$ parts or shares of and in all that estate called and known as Crystal Hill, comprising the following allotments of land, which adjoin each other and now form one property, and which from their situation as respects each other can be included in one survey, to wit. :—

(1) An allotment of land situate in the village Owala in Pallesiya pattu in the District of Matale East, Central Province; bounded on the north-west and west by land reserved for public purposes and on all the other sides by land claimed by natives; containing in extent 15 acres 1 rood and 22 perches.

(2) The chena land called Yamanegodatennedimiyankosgahamulahena of about 1 pela of kurakkan sowing extent, situated at Hunuketie-ela in Owala aforesaid; bounded on the east by the limit of the village Kaikawala, on the south by the boundary of Kalu Menika's chena, on the west by the boundary of Palinguwe coffee estate, and on the north by the attikka tree standing on the boundary of Welmuladeniya's chena; and also the chenas following, to wit, the chena called Kudadambagahamulahena of 5 lahas of kurakkan sowing extent, the chena called Dematagahamulahena of 5 lahas kurakkan sowing extent, the chena called Ettinniwetichigawahena of about 1 pela kurakkan sowing extent, the chena called Damana-godatennedanapalayagehena of about 5 lahas of kurakkan sowing extent, the chena called Kotika-ambagawahena of about 1 pela of kurakkan sowing extent, the chena called Mahamilalagawahena of about 1 pela of kurakkan sowing in extent, all which said six several lands are situate, at Hunuketie-ela in Owala aforesaid, and are bounded or abutted as follows, to wit, on the east by the limit of the village Bogambra, on the south by a dry ditch on the boundary of the chena land called Weniwel-gollehena, on the west by the rukattana tree on the boundary of Dilundurula's chena, by a stone fence, and the boundary of Palinguwe coffee estate, and on the north by hulangette tree and an ant-hill on the boundary of Kalu Menika's chena.

(3) The chena called Tenneyhena of about 2 pelas in kurakkan sowing extent, situate at Hunuketie-ela in Owala aforesaid; and bounded on the east by the stone on the boundary of Kapoohena, on the south by the coffee estate of Gerard Muhandiram, on the west by the coffee estate of Gerard Muhandiram and by the high road to Rattota, and on the north by the ditch of Gurunehes garden and the high road to Rattota.

(4) The garden called Meegastennegedara of about 5 seers kurakkan sowing in extent, Siyambalaketuwa of

about 12 seers kurakkan sowing extent, and Wattembdunne of about 10 seers of kurakkan sowing in extent, all situate at Hunuketie-ela in Owala aforesaid; and bounded on the east by the boundary ditch of Hamy Aratchila's chena, on the south by the stone fence of the chenas of Gerard Wijekoon Muhandiram, on the west by the stone fence of the chena Mukalanehena belonging to Hamy Aratchila, and on the north by the boundary jak fence of Hamy Aratchila's chena.

(5) The chena called Galpotttehena of about 20 seers of kurakkan sowing in extent, situate at Owala aforesaid; and bounded on the east by the limit of the coffee estate belonging to Gerard Wijekoon Muhandiram, on the south by Moragahamulalpota, on the west by the remains of the fence of Bogahamulahena, and on the north by the stones and ant-hill on the boundary of Meegastenne Ukkurula's hena.

(6) The garden called Meegastennewatta of about 8 seers kurakkan sowing in extent, situate at Owala aforesaid; and bounded on the east by the remains of the fence of Bamberigahayaya, on the south by the Moragahamulalpota, on the west by the limit of Siyambalaketuwa, and on the north by the boundary ditch of Kukuleketuwa.

(7) The garden called Pallewatta of about 4 lahas in kurakkan sowing extent, and the chena Kapukotuwa adjoining thereto of about 2 lahas kurakkan sowing extent, situate at Hunuketie-ela in Owala aforesaid; and bounded on the east by the remains of the boundary of the chena called Arambagahamula, on the south by the limit of Kadumberiyagahakotuwahena, on the west by Kanadetti of the boundary of Pitiyehena, and on the north by the limit of the coffee estate of Gerard Wijekoon Muhandiram.

(8) The chena called Damanagodayayekapoohena of about 3 lahas kurakkan sowing extent, situate at Kunuketie-ela in Owala aforesaid; and bounded on the east by the limit of the village Bogambra, on the south by attikka tree or the limit of the Weregama Aratchila's chena, on the west by the limit of the coffee estate of Gerard Wijekoon Muhandiram, and on the north by the boundary of the portion of the said chena Kapoohena belonging to Muhandiram.

(9) The chena called Damanagodatema of about 6 lahas kurakkan sowing in extent, situate at Owala aforesaid; and bounded on the east by the limit of the village, on the south by the remains of the fence of Kodikaraya's chena, on the west by the limit of Palinguwe coffee estate, and on the north by demata tree standing on the limit of Dimiyankosgahamulahena.

(10) The chena called Damanagodatennedematagahamulahena of about 2 pelas of kurakkan sowing extent, situate at Hunuketie-ela in Owala aforesaid; and bounded on the east by the rukattana tree of Kotikamulahena, on the south by Mahamilalagaha standing on the limit of Palinguwe coffee estate, on the west by the boundary, and on the north by the dry ditch of the chena called Makulamulahena.

(11) The garden called Owisiyekosgahamulawatta of about 3 lahas kurakkan sowing extent, and the chena Galpotttehena of about 2 lahas kurakkan sowing extent, situate at Meegastenna in the Pallesiya pattu of Matale aforesaid; and bounded on the east by the stone fence of Talembuwagawahena and boundary stone of Kukuleketuwehena, on the south by a dry ditch, on the west by a ditch which carries water to Meegastenna, and on the north by the limit of Palinguwe coffee estate.

(12) An allotment of land called Crystal estate, situate in the village Owala aforesaid; bounded on the north by lands described in plans Nos. 50,625 and 89,277, on the east by land claimed by Appuhamy Aratchila, on the south by land said to belong to the Crown and by land claimed by the proprietor of Crystal estate, and on the west by land claimed by Hamy Aratchi and Korala, by a road, by land described in plan No. 50,625; containing in extent 18 acres and 30 perches.

(13) An allotment of land called Crystal estate, situate in the village Owala aforesaid; bounded on the north by lands claimed by Katta Pillai and Appurala Aratchi, on the east by lands claimed by Appurala and Appuhamy Aratchi, on the south by land described in plan No. 89,278, on the west by land described in plan No. 50,625, and on the north-west by a road; containing in extent 12 acres 1 rood and 18 perches.

(14) An allotment of land called Bambaragahahena, situated in the village Weragama in the Pallesiya pattu of Matale aforesaid; bounded on the north by land described in plan No. 89,278, on the east by land claimed by same Aratchi, and on the south and west by Bambaragashena; containing in extent 7 acres 3 roods and 7 perches.

(15) All that land called Bambaragahayayemoragahamulahena of 5 lahas kurakkan sowing extent.

(16) All that land called Lahamudunchena of 5 lahas in kurakkan sowing extent.

(17) All that land called Kukulukotuwehena of 5 lahas kurakkan sowing in extent.

(18) All that land called Maha-alanaigahamulahena of 5 lahas kurakkan sowing in extent.

(19) All that land called Dematagahamulahena of 10 seers kurakkan sowing extent, all adjoining each other; and bounded on the east by the limit of the village Bogambra, on the west and north by the Crystal Hill estate, and on the south by chena belonging to Mudiyanseledara Ukku Banda; all situate at Owala aforesaid.

(20) All that land called Attambamullahena of 10 seers kurakkan sowing extent.

(21) All that land called Delgahamulahena of 10 seers kurakkan sowing in extent, both adjoining each other; and bounded on the east by Mudiyanseledarakeeralishena and the Crystal Hill estate, on the west by Kahandewalawwe Banda's and Hamy Aratchi's chena, on the south by Ukku Banda's chena, and on the north by Mudiyanseleda Keerale's garden; situate at Owala aforesaid.

(22) All that land called Bambaragahayayearamagahamulahena of about 2 lahas in kurakkan sowing extent or 1 acre in extent, situate at Owala aforesaid; and bounded on the east by Dematagahamulahena belonging to Hamy Aratchi, on the north by Crystal Hill estate, on the south by village hena, and on the west by Mudiyanseledara Keerala's chena, adjoining the land sold by Hamy Aratchi to Archibald Glen Kidston Borron.

(23) An allotment of land called Lindapitiyeekele or Goradiyehenamukalana, situated in the village Kaikawala in the Pallesiya pattu of Matale aforesaid; bounded on the north by lands claimed by G. Gamarala and G. Ukkurula, on the east by lands claimed by K. Pusumba Hamy and Ukkurula, Baronchy, K. Kirala, A. Appurula, and W. Appuhamy, on the south by lands claimed by W. Appuhamy, B. Kirala, Ranhamy, and W. Appurula, and on the west by Crystal Hill or Wallengolla estate and land described in plan No. 99,906; containing in extent 29 acres 3 roods and 30 perches.

(24) All those 3 contiguous allotments of lands called Pitiyagewatta, Kadumberiyagahakotuwa, and Makulamulahena; bounded on the east by the endaru fence of Palinguwe Copiwatta and Crystal estate, on the south by the joint boundary fence of Warakapitiye Mudiyanseledara Hamy Aratchigewatta and the boundary of the coffee garden belonging to Mudiyanseledara Keerala, on the west by the boundary of Gannilehena, and on the north by the boundary of Gannilehena and the boundary of the garden belonging to Muthuwa; containing in extent about 9 lahas of kurakkan sowing extent, situate at Owala aforesaid.

(25) An allotment of land called Kadumberiyagahakotuwa, situate at Hunuketie-ela in Owala aforesaid; and bounded on the east by the limit of Crystal Hill estate, on the south by the limit of Kadumberiyagahakotuwa, on the west by the limit of the chena called Pattiyagahena belonging to Hamy Aratchy, and on the north by the limit of the chena of Karuppa; containing in extent 2 acres and 2 roods.

(26) All that land called Aliyapanikiyagekumburapillewa, situate at Kaikawala in the Pallesiya pattu of Matale aforesaid; bounded on the east and south by the fence of the garden of Samuel Appuhamy, on the west by the high road, and on the north by the fence of the garden of Abaran Appuhamy; containing in extent 1 rood and 39 perches.

(27) All that land called Pallewatta, situate at Hunuketie-ela in Owala aforesaid; and bounded on the east by an ella and by Crystal Hill estate, on the south by the fence of Crystal Hill estate, on the west by the fence of the garden of Karpen, and on the north by the limit of the garden Pallewatta belonging to Kiri Banda and others; containing in extent 2 roods and 18 square perches.

(28) All that chena land called Eramudugahamadahena, situate at Kaikawala aforesaid; and bounded on the east by the limit of the chena of Appuhamy, Korale Aratchi, and by the limit of the chena of Gunamalrala Vidane, on the west by the Crystal Hill estate, on the south by the limit of the chena land of Gunamalrala Vidane, and on the north by the limit of the chena of Moragahamula; containing in extent 5 acres and 2 roods.

(29) All that garden called Pallewatta; bounded on the east by a stream (ela), on the south by a portion of land which originally formed a part of the land cultivated by Muthu Kangany, now the property of Mr. Borron, on the west by a milla tree which forms the boundary mark of Bogahamulahena, and on the north by Mudiyanseledara Kirale's garden fence; containing in extent about 3 seers of kurakkan sowing extent, situate at Owala aforesaid.

(30) All that allotment of land called Kandepihillegorakagahamulahena alias watta of the extent of about 1 thimba or 4 lahas kurakkan sowing; bounded on the east by the limit of the land belonging to Meyna Kader, on the south by the Dematagahamulahenakade and Etambamulahena and hill and road, on the west by Mukalan road, and on the north by the fence of Makulamulahena; situate in the village Owala aforesaid.

(31) All that allotment of land called Doradeniyahena; bounded on the north by the boundary of Crystal Hill estate and a road, on the east by Bogahapitiyegedara Kiriya's chena, Mala-ela, and the hal tree, on the south by Udagedara Ukkurula's chena and milla tree and gedumba tree, on the west by Udagedara Ukkurula's chena and a rock situate at Koswana in the Udasiya pattu of Matale aforesaid; containing in extent 5 acres and 8 perches, mortgaged with the plaintiffs by bond No. 362 dated May 15, 1912, and attested by Mr. Beven of Kandy, Notary Public.

Amount of writ Rs. 8,560.21, with interest on Rs. 8,343.26 at the rate of 9 per cent. per annum from December 10, 1920, till payment in full.

Deputy Fiscal's Office,
Matale, October 18, 1921.

R. S. V. POULIER,
Deputy Fiscal.

Southern Province.

In the Additional Court of Requests of Matara
K. L. Don Suwaris Appuhami of Uduwa..... Plaintiff.
No. 11,314. Vs.

Don Johanes Abeywardene Gunasekera of Kamburugamuwa..... Defendant.
Don Arnolis Weeraratne of Kotawila... Defaulting purchaser.
Ruwanpatiranage Don Davith Appu of Kotawila and another..... Sureties.

NOTICE is hereby given that on Saturday, November 12, 1921, at 9 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defaulting purchaser and sureties in the following property for the recovery of a sum of Rs. 168.

Property belonging to Purchaser.

(1) Undivided $\frac{1}{2}$ part of the fruit trees and soil (except the planter's share) of the land called Punchiduwa, situated at Kamburugamuwa; and bounded on the north, south, east, and west by Ginigaswila; containing in extent about 1 acre. Valuation Rs. 250.

Property belonging to the First Surety: Ruwanpatiranage Don Davith Appu of Kotawila.

(2) The entire soil and fruit trees of the land called Lenduwagedarawatta and all the buildings standing thereon, situated at Kotawila; and bounded on the north by Aliyamaladeniya, east by Mahawalauwewatta, south by Agentawatta, and west by Wewagodawatta; containing in extent about 2 acres. Valuation Rs. 1,000.

(3) The undivided $\frac{1}{2}$ part of the soil and fruit trees of the land called Mahawatta, situated at Kamburugamuwa; and bounded on the north by Siriwardenelebima, east by Kurunduwatta, south by Ketakalaganawatta, and west by Kahatagahawatta; and containing in extent about 6 acres. Valuation Rs. 800.

Deputy Fiscal's Office,
Matara, October 17, 1921.

E. T. GOONEWARDENE,
Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

Sena Navenna Manikkampillai of Vannarponnai . . Plaintiff.

No. 14,189. Vs.

S. NATIRESU of Jaffna Town Defendant.

NOTICE is hereby given that on Friday, November 11, 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 property for the recovery of Rs. 1,958.57, with interest on Rs. 1,948.50 at the rate of 18 per cent. per annum from October 19, 1919, until payment in full, and poundage and charges, viz. :—

A piece of land situated at Iranaimadu in Parntan parish, Karachchi division of the Jaffna District, Northern Province called Iranaimadukkadu, containing or reputed to contain in extent 50 acres; bounded or reputed to be bounded on the east by the property of Karalapillai Mudaliyar, north by the property of S. Kandiah and others, west by the property of Kandiah Ponnampalam and others, and south by the property of Ponnampalam Karalapillai and others.

Fiscal's Office,
Jaffna, October 17, 1921.A. VISVANADHAN,
Deputy Fiscal.

Eastern Province.

In the District Court of Batticaloa.

Moona Kavana Paikere Mohaideen of Division No. 4,
Kattankudy Plaintiff.

No. 4,817. Vs.

Mohamadulevvai Hadjar Pattumuttumma, widow of the late Meeana Kaana Mohamadu Mustaphalevvai Marakayar of Kattankudy, administratrix of the estate of the late M. K. M. Mustaphalevvai Marakayar, under D. C. Testamentary No. 1,052 Defendant.

NOTICE is hereby given that on Tuesday, November 15, 1921, at 9 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 property for the recovery of the sum of Rs. 1149.51, with interest thereon at 9 per cent. per annum from September 9, 1920, till payment in full, and costs Rs. 114.25, viz. :—

An undivided $\frac{1}{2}$ share of a garden called Veeduvalavu, situated at Kattankudy, Division No. 5, in Manmunai pattu, in the District of Batticaloa, Eastern Province; and bounded on the north by the dowry garden of Silakaalappillai, south by the garden of Abduragumancando and another, east by the garden of Karuthulevvaipody and another, and west by minor road; containing in extent from north to south 14 fathoms and from east to west 20 $\frac{1}{2}$ fathoms, with brick house and other produce. Valued Rs. 1,000.

Fiscal's Office,
Batticaloa, October 18, 1921.C. ARASARATNAM,
Deputy Fiscal.

In the District Court of Batticaloa.

A. L. A. M. Arumugam Chetty of Puliantivu . . . Plaintiff.

No. 4,828. Vs.

Mohamadulevve Hadjar Pattumuttumma, administratrix of the estate of the late Meeana Kaana Mohamadu Mustaphalevve Marakayar of Kattankudy, Division No. 5 Defendant.

NOTICE is hereby given that on Saturday, November 12, 1921, commencing at 9 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 property for the recovery of the sum of Rs. 3,379.35, with interest thereon at 9 per cent. per annum from March 10, 1920, till payment in full, and stamp costs Rs. 48.

The paddy lands called Paddaniyanveli and Meetuveli forming into one, and situated at Kadduvelivattai in the village of Palamunai in Akkarai pattu, in the District of

Batticaloa, Eastern Province; and bounded on the north by Pattaniyanveli belonging to Salapillai Meerasaibo and others, south by Vaical and the land called Olegipodyveli belonging to A. M. V. V. Uthumalevvai, east by the land called Ollegipody's Rottuveli and the boundary limit of the land called Poopalapillai Vettukaddupoomie, and west by the southern share of Odaiveli; containing in extent 9 acres, with all its inlets, outlets, and all other rights. Valued Rs. 1,800.

(2) The paddy land called Pattaniyanveli Palayamuthaddu, situated at Kadduvelivattai in the village of Palamunai in Akkarai pattu, in the District of Batticaloa, Eastern Province; and bounded on the north by the boundary limit of Meenachiyadiveli, south and east by the lands of Pattaniyanveli and Medduveli, and west by stream; containing in extent of 2 $\frac{1}{2}$ avanams sowing extent, out of this an undivided just $\frac{1}{2}$ share, with all its rights. Valued Rs. 500.

Fiscal's Office,
Batticaloa, October 18, 1921.C. ARASARATNAM,
Deputy Fiscal.

In the District Court of Batticaloa.

A. L. A. M. Arumugam Chetty of Puliantivu . . . Plaintiff.

No. 4,828. Vs.

Mohamadulevve Hadjar Pattumuttumma, administratrix of the estate of the late Meeana Kaana Mohamadu Mustaphalevve Marakayar of Kattankudy, Division No. 5 Defendant.

NOTICE is hereby given that on Tuesday, November 15, 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 property for the recovery of the sum of Rs. 3,379.35, with interest thereon at 9 per cent. per annum from March 10, 1920, till payment, and stamp costs Rs. 48, viz. :—

The garden called Rottuvalavu, situated at Kattankudy in Manmunai pattu, in the District of Batticaloa, Eastern Province; and bounded on the north by the garden of Avocassim, south by the garden belonging to Aliar and Ismalevvai, east by the garden of Avakker and others, and west by the compound of Periapalli, at present by road; containing in extent from north to south 16 $\frac{1}{2}$ fathoms and from east to west 19 fathoms, with house, well, and coconut produce. Valued Rs. 2,500.

Fiscal's Office,
Batticaloa, October 18, 1921.C. ARASARATNAM,
Deputy Fiscal.

North-Western Province.

In the District Court of Colombo.

V. P. L. S. Annamalay Chetty of Sea street,
Colombo Plaintiff.

No. 695/1921. Vs.

(1) P. C. de Silva, and (2) J. R. de Silva, both of Cinnamon Gardens, Colombo Defendants.

NOTICE is hereby given that on Friday, November 18, 1921, commencing 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. :—

(1) The premises bearing assessment No. 1 of 1 acre and 3 roods in extent, situate at Wattima lane in Kurunegala town; and bounded on the north by ela, on the east by rock and the land of Mr. F. R. Senanayake, on the south by land belonging to Mr. F. R. Senanayake, and on the west by Wattima lane.

(2) An undivided $\frac{7}{8}$ share of Paragahakotwepillewa and Paragahakotwekumbura, 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 the Crown jungle, now green; with the plantations and buildings standing thereon, containing in extent 1 rood 33 68/100 perches.

On Saturday, November 19, 1921, at 1 P.M., at the premises.

(3) An undivided $\frac{1}{2}$ share of Ehatugahamulahena of 1 rood and 2 perches, an undivided $\frac{1}{2}$ share of Ehatuwelehena of 1 laha kurakkan sowing in extent, an undivided $\frac{1}{2}$ share of Galagawahena of about 10 seers kurakkan sowing, an undivided $\frac{1}{2}$ share of Kalagahamulahena of about 10 seers kurakkan sowing in extent, and Ehatuwelahena of about 1 laha kurakkan sowing in extent, lying contiguously and now called Kapugahamulawatta; and all bounded on the north by live fence of the garden of Punchappuhamy, presently to Appuhami, on the east by live fence of the garden of Appuhami, Karnis Appu, and others, presently to Egneshamy, on the south by Madampe road, and on the west by wire fence of the garden of Philip Silva, and presently to Paiappu and others; with the plantations and buildings standing thereon, situate at Udubaddawa in Katugampola korale. On Monday, November 21, 1921, at 1 P.M., at the premises.

(4) The land called Helambagahamulahena of 2 seers kurakkan sowing in extent, situate at Wariyapola in Dewameddi korale; and bounded on the north by land of Ukmaltana, on the east by Galbemma, on the south by chena of Mudalihamy Arachchi, and on the west by road.

On Tuesday, November 22, 1921, at 1 P.M., at the premises.

(5) An undivided $\frac{1}{2}$ share of Karuwelagahamulahena of about 15 lahas kurakkan sowing in extent, situate at Ambanpola in Ganthie korale; and bounded on the east by road leading to Anuradhapura, on the south by Pahalawewediagilma and the jungle, on the west by road leading to Nikaweratiyawa, and on the north by the fence of the school garden.

On Wednesday, November 23, 1921, commencing at 1 P.M., at the premises.

(6) The field called Otukumbura of about 5 lahas or 5 pelas paddy sowing in extent, situate at Kirimetiyyawa in Dewameddiukaha korale; and bounded on the north and east by field of Kirimenika and others, on the south by Dalupotabemma, and west by Godakele (jungle).

(7) Hitinawatta of 1 acre 1 rood and 10 perches in extent, situate at Kirimetiyyawa aforesaid; and bounded on the north by anthill, on the east by fence of Ambagahamulawatta, on the south by fence of the garden of Banda Vidane, and on the west by anthill.

(8) Bulatkotuwekumbura of 1 acre and 15.728 perches in extent, situate at Kiralabokke in the aforesaid korale; and bounded on the north by field of Ranhamy Arachchila, on the east, south, and west by jungle.

(9) Kosgahakumburaliyadde of 1 rood and 6.094 perches in extent, situate at Kiralabokke aforesaid; on the east by garden, on the south by Negombo road, on the west by elu, and on the north by field of Karalinahamy.

(10) Meegahamulahena *alias* Kanameegahamulahena of 5 acres 3 roods and 5 perches in extent, situate at Manahettiya aforesaid; and bounded on the north by Kongahamulahena of Sima Naide, on the east by land of Mrs. J. P. de Silva, on the south by Pitakotuwehena of Manelhamy and on the west by Bulugahamulahena of Kapuruhamy and Kongahamulahena of Ukkumenika.

On Thursday, November 24, 1921, at 1 P.M., at the premises.

(11) An undivided $\frac{1}{2}$ share of the land in which the bakery stands, with the brick kiln, and the cadjan house standing thereon, of about 1 seer kurakkan sowing in extent, situate at Moonemalagama in Pahawisideke korale; and bounded on the east by endura fence and the boutique of Abdul Cader, on the south by endura fence or jungle, on the west by fence or gampara, and on the north by gampara.

The above properties are under seizure under writs Nos. 732/1921, 286/1921, 297/1921, 309/1921, 682/1921, 286/1921, 731/1921, 2,861/1921, 2,062/1921, 815/1921, 341/1921, 601/1921, 2,423/1921, 751/1921, 669/1921, 672/1921, 701/1921, 740/1921, 668/1921, 883/1921, 884/1921, 724/1921, 296/1921, 14,711/1921, 2,681/1921, all in D. C., Colombo, and 78,674, C. R., Colombo.

Amount to levied Rs. 25,000, together with interest thereon at the rate of 15 per cent. per annum from March 10, 1921, till April 4, 1921, and thereafter at the rate of 9 per cent. per annum on the aggregate amount till payment in full, and costs of suit.

Fiscal's Office, S. D. SAMARASINHA,
Kurunegala, October 17, 1921. Deputy Fiscal.

In the District Court of Kurunegala.

Nena Meera Saibo of Elabodagama.....Plaintiff.

No. 8,461. Vs.

Sena Muna Muna Mohammado Abdul Rahaman of Elabodagama in Katugampola Medapattu korale west.....Defendant.

NOTICE is hereby given that on Saturday, November 12, 1921, commencing at 1 o'clock in the afternoon, will be sold by public auction at the Fiscal's Office, Kurunegala, the right, title, and interest of the said defendant in the following property, viz. :—

(1) The right, title, and interest of the defendant in and to the unexpired term of the indenture of lease No. 2,567 dated September 18, 1919, and attested by J. F. Wijeyaratna, Notary Public, of Pannala, of the land called Lindapitiyewatta, situate at Elabodagama.

(2) The right, title, and interest of the defendant in and to the unexpired term of the indenture of lease No. 2,991 dated January 3, 1920, and attested by J. F. Wijeyaratna, Notary Public, of Pannala, of the land called Kohombagahamulawatta, situate at Dalupatmulla.

(3) The right, title, and interest of the defendant in and to the unexpired term of the indenture of lease No. 16,599 dated August 14, 1920, and attested by A. P. Goonatilake, Notary Public, of the land called Medawatta, situate at Dalupatmulla.

(4) The right, title, and interest of the defendant in and to the unexpired term of the indenture of lease No. 2,969 dated December 8, 1919, and attested by J. F. Wijeyaratna, Notary Public, of Pannala, of the land called Hurigahawatta, situate at Elabodagama.

(5) The right, title, and interest of the defendant in and to the unexpired term of the indenture of lease No. 1,011 dated September 28, 1918, and attested by J. F. Wijeyaratna, Notary Public, of Pannala, of the land called Kahatagahamulawatta and Kohombagahamulawatta, situate Dalupatmulla.

(6) The right, title, and interest of the defendant in and to the unexpired term of the indenture of lease No. 3,198 dated February 9, 1920, and attested by J. F. Wijeyaratna, Notary Public, of Pannala, of the land called Hik-gahamulawatta, situate at Elabodagama.

(7) The right, title, and interest of the defendant in and to the unexpired term of the indenture of lease No. 1,012 dated September 28, 1918, and attested by J. F. Wijeyaratna, Notary Public, of Pannala, of the lands called Kohombagahamulawatta, Millagahamulawatta, and Kahatagahamulawatta, situate at Dalupatmulla.

Amount to be levied Rs. 814.95, and further interest on Rs. 600 at 2 $\frac{1}{2}$ per cent. per mensem from May 19, 1921, to June 13, 1921, and on the aggregate amount at 9 per cent. till payment in full, and poundage.

Fiscal's Office, S. D. SAMARASINHA,
Kurunegala, October 12, 1921. Deputy Fiscal.

In the District Court of Chilaw.

K. P. A. Annamale Chetty of Madampe Plaintiff.

K. P. A. Ramasamy Chetty of Madampe Substituted Plaintiff.

No. 5,801. Vs.

Jayasuriya Kuranage Madalena Perera of Madampe and others Defendants.

NOTICE is hereby given that on Thursday, November 17, 1921, at 12.30 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. :—

(1) The field called Medapitakotuwa, situate at Egodagama in Madampe in Yagam pattu of Pitigal korale north, in the District of Chilaw; and bounded on the north by field belonging to Simon Rendarala, east by garden of Joso Vidanarala, south by field belonging to Migel Peris, and west by field belonging to Abraham Perera Abeyaratne, Mudaliyar; containing in extent 5 parras of paddy sowing soil.

(2) An undivided $\frac{1}{4}$ share of the field called Puranakumbura, situate at Egodagama aforesaid; and bounded on the north by field of Rúpasinghe, east by field of Anthony Gamarala and others, south by field of J. K. Juse Perera, Peace Officer, and west by field of Rupasinghe, Mudalali; containing in extent 6 parrabs of paddy sowing soil.

(3) An undivided $\frac{1}{60}$ share of Nugagahakumbura, situate at Egodagama aforesaid; and bounded on the north by field of Rupasinghe, east by road, south by field called Salangirimulla belonging to Abeyeratne Mudaliyar, and west by field of Cornelis Wijesinghe Jayawardene and others; containing in extent 60 parrabs of paddy sowing soil.

(4) An undivided $\frac{1}{4}$ share of the garden called Para-ahabodawatta (exclusive of 20 coconut trees without soil from an undivided portion in extent $1\frac{1}{2}$ seers of kurakkan sowing soil towards the southern boundary), situate at Irattakulama in Yagam pattu aforesaid; and bounded on the

north by garden of Pclis Annavirala, east by garden of Mathappu and others, south by gardens of Migel Appu and others, and west by high road; containing in extent 1 bushel of kurakkan sowing soil.

(5) The western portion of Timbirigahawathuyaya, with the buildings standing thereon, situate at Egodagama aforesaid; and bounded on the north by gardens of Bastian Fernando and Daniel Fernando, east by a well and garden of Migel Appu and others, south by gardens of Gabriel Annavirala and Franciscu Muppurala, and west by high road; containing in extent 2 acres and 11 perches.

Amount to be levied Rs. 3,487.82, with interest on Rs. 2,400 at $13\frac{1}{2}$ per cent. per annum from July 11, 1917, to February 12, 1918, and thereafter at the legal rate till payment in full, and poundage.

Deputy Fiscal's Office,
Chilaw, October 17, 1921.

CHARLES DE SILVA,
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Edward Don Carolis, late of The Nook, Ventnor, deceased.
No. 559.
Class IV.

Charles Don Carolis of Bambalapitiya in Colombo. Petitioner.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on September 22, 1921, in the presence of Mr. Danton P. Ratnaike, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated September 20, 1921, (2) of the attesting witnesses dated May 8, 1921, and (3) power of attorney dated May 11, 1921, having been read:

It is ordered that the last will of the late Edward Don Carolis, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the attorney of the executrix named in the said will, and that he is entitled to have letters of administration (with the will annexed) to his estate issued to him, unless any person or persons interested shall, on or before October 27, 1921, show sufficient cause to the satisfaction to this court to the contrary.

September 22, 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 Casie Lebbe Marikar Abdul Hameed of No. 117, New Moor street, in Colombo, deceased.
No. 569.

Yehiya Mohamed Umma of No. 117, New Moor street, Colombo Petitioner.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on September 30, 1921, in the presence of Mr. N. M. Zaheed, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated September 22, 1921, and (2) of the attesting notary dated September 30, 1921, having been read:

It is ordered that the last will of the late Casie Lebbe Marikar Abdul Hameed, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executrix named in the said will, and that she is entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before October 27, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 30, 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 Hettimulle Acharige Dona Mary Nona, late of Moratuwa in Moratuwa, deceased.
No. 572.

Ingirige Acharige Don Arnolis Hamy of Moratumulla in Moratuwa aforesaid Petitioner.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on October 3, 1921, in the presence of Mr. J. G. Fernando, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated September 28, 1921, and (2) of the attesting witnesses dated August 8, 1921, having been read:

It is ordered that the last will of the late Hettimulle Acharige Dona Mary Nona, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executor named in the said will, and that he is entitled to have probate thereof issued to him accordingly, unless 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 3, 1921.

ALLAN BEVEN,
Acting District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Dandeni Aratchige Don Aron Perera Appuhamy of Princes gate, Colombo, deceased.
No. 574.

Letitia Dissanayake of Princes gate, Colombo Petitioner.

And

Kathiriaratchige Dona Carolina Hamy of Princes gate, Colombo Respondent.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on October 6, 1921, in the presence of Mr. C. T. Kandaiya, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 28, 1921, 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 respondent above named or any other person or persons interested shall, on or before November 3, 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 Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Justin James Marcel, formerly of Ravenscroft, Hook Heath, Woking, in the County of Surrey, but late of Knowl Rise, Round Hill, Woking aforesaid, deceased. No. 576.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Colombo, on October 6, 1921, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner Justin Henry Marcel of Choisy estate, Pundaluoya; and (1) the affidavit of the said petitioner dated September 24, 1921, (2) the power of attorney dated April 18, 1921, and (3) the order of the Supreme Court dated September 8, 1921, having been read: It is ordered that the will of the said Justin James Marcel, deceased, dated April 16, 1917, an exemplification of which under the seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Justin Henry Marcel is the attorney in Ceylon of the sole executrix named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly unless any person or persons interested shall, on or before 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 Intestate Estate of Chimantal Dayabhai Shah, late of 113, Bangsial street, in Colombo, deceased. No. 578.

Cawasjee Jamedjee Rustomjee of Bambalepitiya in Colombo..... Petitioner.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on October 10, 1921, in the presence of Mr. D. S. Wijeyesinghe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 28, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as attorney of the widow of the above-named deceased, to have letters of administration to his estate issued to him, unless any person or persons interested shall, on or before November 3, 1921, show sufficient cause to the satisfaction of this court to the contrary.

October 10, 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 Rayigama Vidanelage Dona Johana Hamine of Baseline road, Borella, in Colombo, deceased. No. 582.

Hataragamuwelalalage Romanis Pieris of Demata-goda in Colombo..... Petitioner.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on October 13, 1921, in the presence of Mr. D. L. P. Wellivita, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated October 13, 1921, and (2) of the attesting witnesses dated October 10, 1921, having been read:

It is ordered that the last will of the late Rayigama Vidanelage Dona Johana Hamine, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executor named in the said will, and that he is entitled to have probate thereof issued to him accordingly, unless 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 13, 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 Alfred Woolley, late of the City of Ripon, in the County of York, England, deceased. No. 584.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Colombo, on October 13, 1921, in the presence of Messrs. Julius & Creasy, Proctors, on the part of the petitioner Mr. Edward Albert Bartlett of Colombo; and the affidavit of the said petitioner dated October 7, 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 27, 1921, and schedule of property in duplicate having been read: It is ordered that the will of the said deceased dated May 31, 1921, 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 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 November 3, 1921, show sufficient cause to the satisfaction of this court to the contrary.

October 13, 1921.

ALLAN BEVEN,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament and Codicil of Archibald John Bean Unwin of Erceldoune, Gilbert Road, Swanage, Dorset, England, deceased. No. 585.

THIS matter coming on for disposal before Allan Beven, Esq., District Judge of Colombo, on October 13, 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 4, 1921, certified copy of probate, certified copy of the will and codicil 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 August 18, 1917, and a codicil thereto dated October 16, 1920, of which certified copies of probate has been produced and is now deposited in this court, be and the same are 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 copies of the said will and codicil annexed, issued to him accordingly, unless any person or persons interested shall, on or before November 3, 1921, show sufficient cause to the satisfaction of this court to the contrary.

October 13, 1921.

ALLAN BEVEN,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate and Effects of Lathpandurage Joronis Perera of Nedimale, Dehiwala, deceased. No. 7,123.

Nicholas Perera of Nedimale, Dehiwala Petitioner
And

- (1) Thomas Perera of the Railway Stores, Maradana,
- (2) Obath Perera, wife of (3) Jayasinghage Don Paulis, both of Mawiththara, Kesbawa, (4) Martin Perera of Nedimale, (5) Lily Beatrice Perera, wife of (6) J. H. W. Smyth, both of Mutwal, Colombo Respondents.

THIS matter coming on for disposal before Allan Beven, Esq., Acting District Judge of Colombo, on October 14, 1921, in the presence of Mr. B. S. Wickremeratne, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 13, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son of the above-named deceased, to

have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before November 17, 1921, show sufficient cause to the satisfaction of this court to the contrary.

October 14, 1921.

ALLAN BEVEN,
Acting District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Randeni Arachchige Dona Juliana Hamy
No. 1,941. of Katana, deceased.

THIS matter coming on for disposal before W. T. Stace, Esq., District Judge of Negombo, on August 23, 1921, in the presence of Messrs. De Silva & Edirisinghe, Proctors, on the part of the petitioner Amarasinghe Arachchige Don Saviel Saparamadu of Katana; and the affidavit of the said petitioner dated June 23, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the husband of the deceased above named, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents—(1) Amarasinghe Arachchige Dona Victoria Saparamadu, (2) ditto Eusebias Saparamadu, (3) ditto Pabilis Saparamadu, (4) ditto Aloysius Saparamadu, (5) ditto Justin Saparamadu, minors, by their guardian *ad litem*, the 6th respondent, Amarasinghe Arachchige Don Isak Saparamadu of Katana—or any other person or persons interested shall, on or before September 15, 1921, show sufficient cause to the satisfaction of this court to the contrary.

August 23, 1921.

W. T. STACE,
District Judge.

The date for showing cause extended to October 25, 1921.

October 6, 1921.

W. T. STACE,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late Warnakulasuriya Mary Margaret
No. 1,945. Fernando of 3rd Division, Thammita,
Negombo, deceased.

THIS matter coming on for disposal before W. T. Stace, Esq., District Judge of Negombo, on September 29, 1921, in the presence of Mr. F. W. Gooneratne, Proctor, on the part of the petitioner Jasentulianege Elaris Fernando of 2nd Division, Thammita, Negombo; and the affidavit of the said petitioner dated July 14, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the lawful husband 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 respondent Warnakulasuriya Francis Alfred Fernando of Angampitiya in Chilaw District, or any other person or persons interested shall, on or before November 4, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 29, 1921.

W. T. STACE,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Yapahettipathirenehelage Pabilis Singho
No. 1,958. of Godigomuwa, in the District of
Negombo, deceased.

THIS matter coming on for disposal before W. T. Stace, Esq., District Judge of Negombo, on September 6, 1921, in the presence of Messrs. De Silva & Edirisinghe, Proctors, on the part of the petitioner Yapahettipathirenehelage Herath Singho of Godigomuwa; and the affidavit of the said petitioner dated August 24, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the brother of the deceased above named, to administer the estate of the said deceased, and

that letters of administration do issue to him accordingly, unless the respondent (1) Sudasin Senanayake Dingiri Menika of Godigomuwa, or any other person or persons interested shall, on or before September 27, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 6, 1921.

W. T. STACE,
District Judge.

The date for showing cause extended to October 24, 1921.

October 6, 1921.

W. T. STACE,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. No. 1,396.

THIS matter coming on for disposal before W. H. B. Carbery, Esq., District Judge of Kalutara, on August 23, 1921, in the presence of Mr. E. M. Dharmaratne, Proctor, on the part of the petitioner Simnasamy Achchi Muttu of Palatota; and the affidavit of the said petitioner dated August 23, 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 his estate issued to her, unless the respondents—(1) Arunasalam Namasewayan Kamalammal, (2) Arunasalam Namasewayan Selo Rajah, (3) Arunasalam Namasewayan Rajasingham, (4) Arunasalam Namasewayan Arunasalam, all of Palatota, minors, by their guardian *ad litem* (5) A. C. Kanagasamy, or any other person or persons interested shall, on or before September 30, 1921, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 5th respondent be and he is hereby appointed guardian *ad litem* over the 1st to 4th respondents, minors, for all the purposes of the action, unless any person or persons interested shall, on or before September 30, 1921, show sufficient cause to the satisfaction of this court to the contrary.

August 23, 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 declaring Will proved.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Ahammadu Lebbe Ismail Marikkar,
No. 1,399. deceased, of Alutgama.

THIS matter coming on for disposal before W. H. B. Carbery, Esq., District Judge of Kalutara, on September 16, 1921, in the presence of Mr. A. D. de Fonseka, Proctor, on the part of the petitioner I. L. M. Ahammadu Kasim of Alutgama; and the affidavit of the said petitioner dated September 14, 1921, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as eldest son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents—(1) I. L. Sabia Umma Natchia, (2) I. L. M. Pakeer, (3) I. L. M. Asena, 2nd and 3rd, minors, by their guardian *ad litem* (4) M. U. L. Sulema Lebbe, all of Alutgama—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; it is further decreed that the said 4th respondent be and he is hereby appointed guardian *ad litem* over the 2nd and 3rd respondents, minors, for all the purposes of this action, 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 16, 1921.

W. H. B. CARBERY,
District Judge.

In the District Court of Kalutara.

Order Nisi declaring Will proved, &c.

In the Matter of the Estate of the late
Jurisdiction. Warnadeepthiya Kurukulasuriya Pattini-
No. 1,402/T. hennedige Peter Rodrigo, deceased, of
Pattiya South, Panadure.

THIS matter coming on for disposal before W. H. B. Carbery, Esq., District Judge of Kalutara, on October 5, 1921, in the presence of Messrs. Wijeyeratne & Martin, Proctors, on the part of the petitioner Bodiabaduge Louisa Perera Gunaratne of Pattiya South, Panadure; and the affidavit of the said petitioner dated September 6, 1921, and of the attesting witness dated August 9, 1921, having been read: It is ordered that the will of Warnadeepthiya Kurukulasuriya Pattinihennedige Peter Rodrigo dated September 13, 1919, 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 31, 1921, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Bodiabaduge Louisa Perera Gunaratne of Pattiya South 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 31, 1921, show sufficient cause to the satisfaction of this court to the contrary.

October 5, 1921.

W. H. B. CARBERY,
District Judge.

In the District Court of Kandy.

Order Nisi.

In the Matter of the Estate of the late
Jurisdiction. Uduman Pulla's son Sulaiman, deceased,
No. 3470. of Peradeniya road, Kandy.

THIS matter coming on for disposal before Walter Sandford de Saram, Esq., Acting District Judge of Kandy, on September 8, 1921, in the presence of Mr. A. M. Vanderstraeten, Proctor, on the part of the petitioner Vana Ena Vana Vyrawan Chetty of Trincomalee street, Kandy; and the affidavit of the said petitioner dated May 10, 1921, and his petition having been read, and on the application of the said Mr. A. M. Vanderstraeten, Proctor, for petitioner:

It is ordered that Mr. Peter Mortimer, Secretary of the District Court of Kandy, be and he is hereby declared entitled to have letters of administration to the estate of the deceased issued to him, unless the respondents—(1) Kuppa Tamby's daughter Sayedu Pathumma, (2) Mohamadu Ibrahim, (3) Balkis Umma, (4) Mohamadu Ismail, (5) Mohamadu Abdul Cader, (6) Mohamadu Sarif, (7) Zanul Abdin, (8) Setu Marulya, (9) Mohamadu Sultan, and (10) Kuna Shena Mohidin Pitche, the 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, and 9th respondents by their guardian *ad litem* the 10th respondent—or any person or persons interested shall, on or before October 13, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 8, 1921.

W. S. DE SARAM,
Acting District Judge.

Time for showing cause extended to October 24, 1921.

October 13, 1921.

W. S. DE SARAM,
Acting District Judge.

In the District Court of Kandy.

Order Nisi.

In the Matter of the Estate of the late Katu-
Jurisdiction. kittilegedere Kira, deceased, of Kitulgolle.
No. 3,811.

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. Godamunne & Munasinha, Proctors, on the part of the petitioner Katukitulegedere Bodia of Kitulgolle; and the affidavit of the said petitioner dated August 26, 1921, and his petition having been read: It is ordered that the said

petitioner, a son of the deceased above named, be and he is hereby declared entitled to have letters of administration of the estate of the deceased issued to him, unless the respondents—(1) Katukitulegedere Menika, (2) Katukitulegedere Setuwa, (3) Katukitulegedere Naida, all of Kitulgolle—shall, on or before October 24, 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 Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Patuwatavitanage Mathes Hamy, de-
No. 5,407. ceased, of Modara Patuwata.

THIS matter coming on for disposal before T. R. Russell, Esq., District Judge, Galle, on August 22, 1921, in the presence of Mr. W. E. Weerasooriya, Proctor, on the part of the petitioner Gallege Anohami of Modara Patuwata; and the affidavit of the said petitioner dated August 22, 1921, having been read:

It is ordered that the said petitioner, as widow of the deceased above named, is entitled to have letters of administration issued to her accordingly, unless the respondents, viz., Pediris Patuwata Vitana of Modara Patuwata, (2) Patuwata Vitana Lansenona and husband (3) Hikkaduwe Liyanage Simon de Silva, both of Hikkaduwa, shall, on or before September 22, 1921, show sufficient cause to the satisfaction of this court to the contrary.

August 22, 1921.

T. B. RUSSELL,
District Judge.

Extended to October 27, 1921.

September 22, 1921.

T. B. RUSSELL,
District Judge.

In the District Court of Galle.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of late Kovi
Jurisdiction. godage Nonno Hami, deceased, of W
No. 5,423. watta, Galle.

THIS matter coming on for disposal before T. B. Russell, Esq., District Judge, Galle, on September 12, 1921, in the presence of Mr. Wm. de Silva, on the part of the petitioner Irving Abeywardana Goonasekara of Weliwatta, Galle; and the affidavit of the said petitioner dated September 2, 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, viz., (1) Cathirina Abeywardana Goonasekara of Weliwatta, Galle, (2) Francina Vinny Abeywardana Goonasekara, (3) Don Carolis Vela Tantri, both of Bentota, (4) Vinni Maria Abeywardana Goonasekara, wife of (5) Edmund Wilmot Ekanayaka, Police Office, Colombo, shall, on or before October 13, 1921, show sufficient cause to the satisfaction of this court to the contrary.

September 12, 1921.

T. B. RUSSELL,
District Judge.

Time for showing cause against this *Order Nisi* is extended to October 27, 1921.

October 13, 1921.

T. B. RUSSELL,
District Judge.

In the District Court of Tangalla.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Edirachcharige Dingibaba, deceased, of
No. 784. Sitanamaluwa.

THIS matter coming on for disposal before A. H. Egan, Esq., District Judge of Tangalla, on September 27, 1921.

in the presence of the petitioner; and the affidavit of the said petitioner dated September 24, 1921, having been read:

It is ordered that letters of administration to the estate of Edirachchige Dingibaba, deceased, be granted to the petitioner aforesaid, unless the respondents—(1) Sitarachcharige Duisababa, (2) Edirachcharige Hinnibaba, (3) Erabaddegoda Nekatige Gangoris, (4) Edirachcharige Podiya, (5) Emanis Viddiyaratna, (6) Edirachcharige Karlina, (7) Wadasinha Liyanaratna Ganitige Interis Viddiyaratna of Galagama—and 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 27, 1921. A. H. EGAN, District Judge.

In the District Court of Jaffna. Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Nakammah, wife of Veeravagu Vythialingam of Vannarponnai west, deceased. No. 4,604.

Veeravago Chelliah of Vannarponnai east Petitioner. Vs.

(1) Gaviri Ammah, daughter of Veeravago Vythialingam, by her guardian *ad litem* (2) Nannittamby Ponniah, both of Vannarponnai Respondents.

THIS matter of the petition of Veeravago Chelliah of Vannarponnai east, praying for letters of administration to the estate of the above-named deceased Nakammah, wife of Veeravago Vythialingam, coming on for disposal before William Wadsworth, Esq., District Judge, on September 16, 1921, in the presence of Mr. S. Kandayya, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated August 31, 1921, having been read: It is declared that the petitioner be and he is hereby declared entitled, as brother-in-law of the said deceased, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, 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 14, 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. Kartigesu Kandiah of Urumpiray, No. 4,616. deceased. Class I.

Sinnamma, widow of Kartigesu Kandiah of Urumpiray Petitioner. Vs.

(1) Murugesur Ponniah of Vannarponnai East, (2) Kandiah Poorananandum of Urumpiray, (3) Kandiah Srikandan of ditto, (4) Kandiah Kamalarasan of ditto Respondents.

THIS matter of the petition of the above-named petitioner, praying that the above-named 1st respondent be appointed guardian *ad litem* over the minors 2nd, 3rd, and 4th 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 22, 1921, in the presence of Messrs. V. S. Ponnambalam & W. Selvadurai, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated September 20, 1920, having been read: It is ordered that the above-named 1st respondent be appointed guardian *ad litem* over the minors 2nd, 3rd, and 4th 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 25, 1921, state objections or show sufficient cause to the satisfaction of this court to the contrary.

October 4, 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. Thirupathy, wife of Muthalitamby No. 4,620. Ramalingam of Urumpiray, deceased.

Muthalitamby Ramalingam of Urumpiray Petitioner. Vs.

(1) Kanapathiar Kanagasabai and (2) Sinnatan-gam of Urumpiray Respondents.

THIS matter of the petition of Muthalitamby Ramalingam of Urumpiray, praying for letters of administration to the estate of the above-named deceased Thirupathy, wife of Muthalitamby Ramalingam, coming on for disposal before W. Wadsworth, Esq., District Judge, on September 23, 1921, in the presence of Mr. S. V. Chinniah, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 22, 1921, having been read: It is declared that the petitioner is the husband 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 25, 1921, show sufficient cause to the satisfaction of this court to the contrary.

October 5, 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. Rajahsundram Coomarasamy of Chulipuram, No. 4,624. deceased.

Rajahsundram Candiah of Chulipuram Petitioner. Vs.

Ramalingam Rajahsundram of Chulipuram Respondent.

THIS matter of the petition of Rajahsundram Candiah of Chulipuram, praying for letters of administration to the estate of the above-named deceased Rajahsundram Coomarasamy, coming on for disposal before J. Homer Vanniasinkam, Esq., District Judge, on October 3, 1921, in the presence of Mr. A. Mudaliar Velupilly, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October 3, 1921, having been read: It is declared that the petitioner is the sole heir of the said intestate, 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 27, 1921, show sufficient cause to the satisfaction of the court to the contrary.

October 8, 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. Nagamuttu, wife of Kathirkamar Kathiravelu No. 4,629. of Moolai, deceased.

Kathiravelu Kanthiah Achary of Moolai Petitioner.

(1) Kathirkamar Kathiravelu and (2) Kathiravelu Chelliah, both of Moolai Respondents.

THIS matter of the petition of Kathiravelu Kanthiah Achary of Moolai, praying for letters of administration to the estate of the above-named deceased Nagamuttu, wife of Kathirkamar Kathiravelu of Moolai, coming on for disposal before J. Homer Vanniasinkam, Esq., Acting District Judge, on October 4, 1921, in the presence of Mr. M. Vythialingam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 28, 1921, having been read: It is declared that the petitioner is one of the sons and heirs of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before October 27, 1921, show sufficient cause to the satisfaction of this court to the contrary.

October 11, 1921. J. H. VANNIASINKAM, Acting District Judge.

In the District Court of Mullaittivu.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of the late Kanapati Pillai Thampiah
No. 165. *alias* Sangarappillai of Maruthodai,
deceased.

Kasy Iyer Sayampoe Iyer of Omanthai Petitioner.

Vs.

(1) Thillainasagam, widow of Kanapati Pillai Thampiah
alias Sangarappillai of Thunnalai North, (2) Thanga-
muttu, daughter of Nagappar of Marathodai, (3)
Sangarappillai Kanapati Pillai of ditto..... Respondents.

THIS matter of the petition of Kasy Iyer Sayampoe Iyer
of Omanthai, coming on for disposal before J. R. Walters,
Esq., District Judge, on October 7, 1921, in the presence of
Mr. V. T. Swaminather, Proctor, on the part of the petitioner;
and the affidavits (1) of the petitioner dated September 30,
1921, and (2) of the Notary and two of the attesting witnesses
dated August 25, 1921, having been read:

It is ordered that the 2nd respondent be appointed
guardian *ad litem* over the minor 3rd respondent for the
purpose of representing him in this action and that the
last will of the late Kanapatipillai Thampiah *alias* Sangarap-
pillai of Maruthodai, deceased, of which the original has
been produced and now deposited in this court, be and the
same is hereby declared proved; and it is further declared
that the petitioner is the executor named in the said will, and
that he is entitled to have probate thereof issued to him
accordingly, unless the respondents or any other person
interested shall, on or before October 28, 1921, show sufficient
cause to the satisfaction of this court to the contrary.

J. R. WALTERS,
District Judge.

October 7, 1921.

In the District Court of Batticaloa.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Kithiramapody Muttayapody of Talen-
No. 49. kudah, deceased.

B. Emmanuel, Secretary of the District Court of
Batticaloa Petitioner.

Vs.

(1) Muttayapody Valliammai, (2) Muttayapody Kanni-
pillai, and husband (3) Kathiramalai Pillayan, (4)
Muttayapody Pattanachy, and husband (5) Ariya-
pody Chinnatamby, all of Talenkudah..... Respondents.

THIS matter coming on for disposal before S. F. Nagapper,
Esq., District Judge of Batticaloa, on September 3, 1921,
in the presence of Mr. E. T. Kadiramer, Proctor, on the
part of the petitioner; and the affidavit and petition of
the petitioner dated August 12 and September 3, 1921,
respectively, having been read:

It is ordered that the petitioner as Secretary of this court,
be and he is hereby declared entitled, to have letters of
administration to the intestate estate of the deceased, and
that letters do issue to him accordingly, unless the respond-
ents or any other person or persons interested shall, on or
before October 13, 1921, show sufficient cause to the satis-
faction of the court to the contrary.

SAM F. NAGAPPER,
Batticaloa, September 3, 1921. District Judge.

The above *Order Nisi* is extended to November 1, 1921.

October 13, 1921.

N. E. ERNST,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late Jothiratne Hetti Achchi Mudienselage
No. 1,388. Puchi Rale of Nankadawara, deceased.

Weerakkodimudelige Sophihami of Nankadawara. Petitioner

And

1) Jothiratne Hetti Achchi Mudienselage Mutu Menika
and her husband, (2) Pathiraja Mudienselage Kiri
Bandappu Hamy, both of Padiwala, (3) Jothiratna
Hetti Achchi Mudienselage Menik Hamy of Nankada-
wara, (4) ditto Puchi Hamy, (5) ditto Ukku Banda,
(6) ditto Ranmenika, (7) ditto Podimenika, (8) ditto
Baba; the 3rd, 4th, 5th, 6th, and 7th respondents
are minors appearing by their guardian *ad litem* the
8th respondent Respondents.

THIS matter coming on for disposal before C. Coomara-
swamy, Esq., District Judge of Chilaw, on September 26,
1921, in the presence of Messrs. Cooke & Pandittesekere,
Proctors, on the part of the petitioner above named; the
petition and affidavit of the said petitioner having been
read: It is ordered that the 2nd respondent be and he is
hereby appointed guardian *ad litem* of the 3rd, 4th, 5th, 6th,
7th and 8th named minor respondents, for the purposes
of this action and the petitioner be and she is hereby
declared entitled, as widow of the said deceased, Jothiratne
Hetti Achchi Mudienselage Puchirala, for letters of ad-
ministration of his estate issued to her accordingly, unless
the respondents above named or any person or persons
interested shall, on or before October 24, 1921, show suffi-
cient cause to the satisfaction of this court to the contrary.

C. COOMARASWAMY,
September 2, 1921. District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. Pedru Fernando Manuel Pulle of Thu-
No. 1,389. henkatuwa, deceased.

Inasia Pieris Susey Pulle of Thalohenkatuwa ... Petitioner

And

(1) Manuel Fernando Saviel Pulle, (2) Manuel Fernando
Lasar Pulle, (3) Manuel Fernando Porlentana, (4)
Manuel Fernando Lucas Pulle, minors by their
guardian *ad litem* Peduru Pieris Susey Pulle of Hen-
mulle, in Negombo District..... Respondents.

THIS matter coming on for disposal before C. Coomara-
swamy, Esq., District Judge of Chilaw, on September 26,
1921, in the presence of Mr. E. C. S. Storer, Proctor, on the
part of the petitioner above named; and the affidavit of
the said petitioner dated September 24, 1921, having been
read: It is ordered that the petitioner be and she is hereby
declared entitled, as widow 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 respondents above named or any other person or persons
interested shall, on or before October 24, 1921, show suffi-
cient cause to the satisfaction of this court to the contrary.

C. COOMARASWAMY,
September 26, 1921. District Judge.

In the District Court of Badulla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Kirimetiya Rata Durayalage Ukku, late
No. B/643. of Jangulla, deceased,

Between

Rata Durayalage Binduwa of Kirimetiya Gedera,
Jangulla Petitioner.

And

(1) Kosgollagedera Dingiri of Galaudapanguwa, (2)
Megahagodagedera Puchi of Jangulla, (3) Rata
Durayalage Huduwa of Kirimetiya Gedera,
Jangulla Respondents.

THIS matter coming on for disposal before Reginald
Gibson Saunders, Esq., District Judge of Badulla, on

September 21, 1921, in the presence of Mr. A. P. Bartholomewsz, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 7, 1921, having been read:

It is ordered that the petitioner, as son of the deceased, be and he is hereby declared entitled to have letters of administration to the estate of the deceased issued to him, unless any person or persons interested shall, on or before October 26, 1921, show sufficient cause to the satisfaction of this court to the contrary.

R. G. SAUNDERS,
District Judge.

September 21, 1921.

In the District Court of Badulla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. George Hall of Passara, deceased.
No. B/646.

Between

Nancy Hall of Pelgahatenne in Passara — — — — Petitioner.

And

(1) Mary Hall, aged 15 years, (2) Alexander Hall, aged 12 years, (3) Harold Hall, aged 9 years, (4) Violet Hall, aged 5 years, minors, all of Pelgahatenne in Passara, by their guardian *ad litem* (5) Pehillewatta Kalunda of Galboka in Passara Respondents.

THIS matter coming on for disposal before Reginald Gibson Saunders, Esq., District Judge of Badulla, on October 12, 1921, in the presence of Mr. Malcolm Potger, Proctor, on the part of the petitioner; and the affidavit dated October 5, 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, and (2) that the 5th respondent be and he is hereby

appointed guardian *ad litem* over the 1st, 2nd, 3rd, and 4th minor respondents, unless any person or persons interested shall, on or before October 25, 1921, show sufficient cause to the satisfaction of this court to the contrary.

R. G. SAUNDERS,
District Judge.

October 12, 1921.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Karanapedige Siriya of Meneripitiya,
No. 759, deceased.

Karanapedige Kirihatana of Meneripitiya. Petitioner.
Vs.

Karanapedige Labuna of Meneripitiya in Three
Korales Respondent.

THIS matter coming on for disposal before V. P. Redlich, Esq., District Judge, Kegalla, on August 23, 1921, in the presence of Mr. G. C. H. Molligode, Proctor, on the part of the petitioner; and his affidavit and petition dated August 6 and 22, 1921, respectively, praying for letters of administration to the estate of the deceased having been read: It is ordered and decreed that the petitioner, as the brother of the deceased, is entitled to letters of administration to the estate of the deceased, and such letters will be issued to him accordingly, unless the respondents or any person or persons interested shall, on or before September 22, 1921, show sufficient cause to the satisfaction of the court to the contrary.

V. P. REDLICH,
District Judge.

August 23, 1921.

Time for showing cause against the *Order Nisi* is extended to October 27, 1921.

V. P. REDLICH,
District Judge.