



Ceylon Government Gazette

Published by Authority.

No. 7,345 — FRIDAY, AUGUST 17, 1923.

Part II.—Legal.

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DRAFT ORDINANCE.

MINUTE.

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

An Ordinance to consolidate and amend the Law relating to the Property of Married Women.

WHEREAS it is expedient to consolidate and amend the law relating to the property of married women: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Preamble;

1 This Ordinance may be cited as "The Married Women's Property Ordinance, No. of 1923," and shall come into operation on such date as the Governor shall, by Proclamation in the "Government Gazette," appoint.

Short title and commencement.

2 In this Ordinance, unless the context otherwise requires—

Definitions.

"Immovable property" includes land, incorporeal hereditaments and things attached to the earth or permanently fastened to anything which is attached to the earth, and any interest in land except that of a mortgagee;

"Movable property" means property of every description, except immovable property, and includes a thing in action;

"Contract" includes the acceptance of any trust or of the office of executrix or administratrix, and the provisions of this Ordinance as to liabilities of married women shall extend to all liabilities by reason of any breach of trust or devastavit committed by any married woman being a trustee or executrix or administratrix either before or after her marriage, and her husband shall not be subject to such liabilities, unless he has acted or intermeddled in the trust or administration:

On intermarriage of persons of different races, laws to which husband subject to prevail: Ordinance not otherwise to apply to Kandiyans, Muhammadans, or Tamils under the Tesawalamai.

3 (1) Whenever a woman marries, after the commencement of this Ordinance, a man of different race or nationality from her own, she shall, subject to the provisions of section 4 of "The Jaffna Matrimonial Rights and Inheritance Ordinance, 1911," and of "The Kandyan Marriages Ordinance, No. 23 of 1917," be taken to be of the same race or nationality as her husband for all the purposes of this Ordinance, so long as the marriage subsists and until she marries again.

(2) Save as aforesaid, this Ordinance shall not apply to Kandiyans, Muhammadans, or Tamils of the Northern Province who are or may become subject to the Tesawalamai.

(3) This Ordinance shall not, during the subsistence of such marriages, apply to women married in community of property prior to the twenty-ninth day of June, 1877.

Repeal of sections 5 to 19 and 22 and 23 of Ordinance No. 15 of 1876.

4 Sections 5 to 19 (both inclusive) and sections 22 and 23 of "The Matrimonial Rights and Inheritance Ordinance, 1876," are hereby repealed in so far as they relate to persons married on or after the twenty-ninth day of June, 1877.

Provided, however, that such repeal shall not affect any act done or right or status acquired while such sections were in force, or any right or liability of any husband or wife, married before the commencement of this Ordinance, to sue or be sued under the provisions of the said repealed sections, for or in respect of any debt, contract, wrong, or other matter or thing whatsoever, for or in respect of which any such right or liability shall have accrued to or against such husband or wife before the commencement of this Ordinance.

Married woman to be capable of holding property and of contracting as if unmarried.

5 (1) A married woman shall, in accordance with the provisions of this Ordinance, be capable of acquiring, holding, and disposing by will or otherwise of any movable or immovable property as her separate property, in the same manner as if she were a feme sole, without the intervention of any trustee.

(2) A married woman shall be capable of entering into, and rendering herself liable in respect of and to the extent of her separate property on, any contract, and of suing and being sued, either in contract or in tort, or otherwise, in all respects as if she were a feme sole, and her husband need not be joined with her as plaintiff or defendant, or be made a party to any action or other legal proceeding brought by or taken against her; and any damages or costs recovered by her in any such action or proceeding shall be her separate property; and any damages or costs recovered against her in any such action or proceeding shall be payable out of her separate property, and not otherwise.

(3) Every contract hereafter entered into by a married woman otherwise than as agent—

(a) Shall be deemed to be a contract entered into by her with respect to and to bind her separate property whether she is or is not in fact possessed of or entitled to any separate property at the time when she enters into such contract;

(b) Shall bind all separate property which she may at that time or thereafter be possessed of or entitled to; and

(c) Shall also be enforceable by process of law against all property which she may thereafter while discovert be possessed of or entitled to:

Provided that nothing contained in this sub-section shall render available to satisfy any liability or obligation arising out of such contract any separate property which at that time or thereafter she is restrained from anticipating.

(4) Every married woman carrying on a trade separately from her husband shall, in respect of her separate property, be subject to the insolvency laws in the same way as if she were a feme sole.

Will of married woman.

6. Any will made by a married woman during the subsistence of her marriage shall, whether she is or is not possessed of or entitled to any separate property at the time of making it, be construed, as regards the property contained therein, to speak and take effect as if it had been executed immediately before her death; provided, however, that there shall appear nothing in the will showing a contrary intention.

7 Every woman who marries after the commencement of this Ordinance shall be entitled to have and to hold as her separate property, and to dispose of in manner aforesaid, all movable and immovable property which shall belong to her at the time of marriage, or shall be acquired by or devolve upon her after marriage, including any wages, earnings, money, and property gained or acquired by her in any employment, trade, or occupation in which she is engaged, or which she carries on separately from her husband, or by the exercise of any literary, artistic, or scientific skill.

Property of a woman married after the Ordinance to be held by her as a *feme sole*.

8 Any money or other property of the wife lent or entrusted by her to her husband for the purpose of any trade or business carried on by him, or otherwise, shall be treated as assets of her husband's estate in case of his insolvency, under reservation of the wife's claim to a dividend as a creditor for the amount or value of such money or other property after, but not before, all claims of the other creditors of the husband for valuable consideration in money or money's worth have been satisfied.

Loans by wife to husband.

9 The execution of a general power by will by a married woman shall have the effect of making the property appointed liable for her debts and other liabilities in the same manner as her separate estate is made liable under this Ordinance.

Execution of general power.

10 Every woman married before the commencement of this Ordinance shall be entitled to have and to hold and to dispose of in manner aforesaid as her separate property all movable and immovable property, her title to which, whether vested or contingent, and whether in possession, reversion, or remainder, shall accrue after the commencement of this Ordinance, including any wages, earnings, money, and property so gained or acquired by her as aforesaid.

Property acquired after the Ordinance by a woman married before the Ordinance to be held by her as if unmarried.

11 (1) All sums secured in favour of a married woman by any mortgage deed executed before the commencement of this Ordinance, to which she is a party without her husband, shall be deemed, unless or until the contrary be shown, to be the separate property of such married woman, and any such mortgage deed shall be sufficient *prima facie* evidence that she is beneficially entitled thereto for her separate use, so as to authorize and empower her to receive or otherwise deal with the same, and to receive the interest and profits thereof, without the concurrence of her husband, and to indemnify any person liable to pay the sum secured by any such mortgage as aforesaid, in respect thereof.

Sums secured by mortgages executed before commencement of Ordinance in favour of married women.

(2) The provisions of this section shall apply to the right, title, and interest of any such married woman in respect of any sums secured by any such mortgage to which she is a party jointly with any person or persons other than her husband.

(3) If any investment in any such mortgage shall have been made by a married woman by means of moneys of her husband, without his consent, the court may, upon an application under section 23 of this Ordinance, order such investment and the interest thereon, or any part thereof, to be transferred and paid respectively to the husband.

12 All deposits in any post office or other savings bank, or in any other bank, all annuities granted by any person, and all sums forming part of the public stocks or funds, which at the commencement of this Ordinance are standing in the sole name of a married woman, and all shares, stock, debentures, debenture stock, or other interests of or in any corporation, company, or public body, municipal, commercial, or otherwise, or of or in any industrial, provident, friendly, benefit, building, or loan society, which at the commencement of this Ordinance are standing in her name, shall be deemed, unless and until the contrary be shown, to be the separate property of such married woman; and the fact that any such deposit, annuity, sum forming part of the public stocks or funds, share, stock, debenture, debenture stock, or other interest as aforesaid, is standing in the sole name of a married woman, shall be sufficient *prima facie* evidence that she is beneficially entitled thereto for her separate use, so as to authorize and empower her to receive or transfer the same, and to receive the dividends,

As to stock, &c., to which a married woman is entitled.

interest, and profits thereof, without the concurrence of her husband, and to indemnify the Postmaster-General, and all directors, managers, and trustees of every such bank, corporation, company, public body, or society as aforesaid, in respect thereof.

As to stock, &c., to be transferred, &c., to a married woman.

13 All sums forming part of the public stocks or funds, and all such deposits and annuities respectively as are mentioned in the last preceding section, and all shares, stock, debentures, debenture stock, and other interests of or in any such corporation, company, public body, or society as aforesaid, which after the commencement of this Ordinance shall be allotted to, or placed, registered, or transferred in or into, or made to stand in, the sole name of any married woman, shall be deemed, unless and until the contrary be shown, to be her separate property, in respect of which, so far as any liability may be incident thereto, her separate estate shall alone be liable, whether the same shall be so expressed in the document whereby her title to the same is created or certified, or in the books or register wherein her title is entered or recorded, or not :

Proviso.

Provided always that nothing in this Ordinance shall require or authorize any corporation or joint stock company to admit any married woman to be a holder of any shares or stock therein to which any liability may be incident, contrary to the provisions of any Act of the Imperial Parliament, Ordinance, charter, by-law, articles of association, or deed of settlement regulating such corporation or company.

Investments in joint names of married women and others.

14 All the provisions hereinbefore contained as to deposits in any post office or other savings bank, or in any other bank, annuities, sums forming part of the public stocks or funds, shares, stock, debentures, debenture stock, or other interests of or in any such corporation, company, public body, or society as aforesaid respectively, which at the commencement of this Ordinance shall be standing in the sole name of a married woman, or which, after that time, shall be allotted to, or placed, registered, or transferred to or into, or made to stand in, the sole name of a married woman, shall respectively extend and apply, so far as relates to the right, title, or interest of the married woman, to any of the particulars aforesaid which, at the commencement of this Ordinance, or at any time afterwards, shall be standing in, or shall be allotted to, placed, registered, or transferred to or into, or made to stand in, the name of any married woman jointly with any person or persons other than her husband.

As to stock, &c., standing in the joint names of a married woman and others.

15 It shall not be necessary for the husband of any married woman, in respect of her interest, to join in the transfer of any such annuity or deposit as aforesaid, or any sum forming part of the public stocks or funds, or any share, stock, debenture, debenture stock, or other benefit, right, claim, or other interest of or in any such corporation, company, public body, or society as aforesaid, which is now or shall at any time hereafter be standing in the sole name of any married woman, or in the joint names of such married woman and any other person or persons not being her husband.

Fraudulent investments with money of husband.

16 If any investment in any such deposit or annuity as aforesaid, or in any of the public stocks or funds, or in any share, stock, debenture, or debenture stock of any corporation, company, or public body, municipal, commercial, or otherwise, or in any share, debenture, benefit, right, or claim whatsoever in, to, or upon the funds of any industrial, provident, friendly, benefit, building, or loan society, shall have been made by a married woman by means of moneys of her husband, without his consent, the court may, upon an application under section 23 of this Ordinance, order such investment and the dividends thereof, or any part thereof, to be transferred and paid respectively to the husband ; and nothing in this Ordinance contained shall give validity as against creditors of the husband to any gift, by a husband to his wife, of any property, which, after such gift shall continue to be in the order and disposition or reputed ownership of the husband, or to any deposit or other investment of moneys of the husband made by or in the name of his wife in fraud of his creditors ; but any money so deposited or invested may be followed as if this Ordinance had not been passed.

17 (1) A married woman may by virtue of the power of making contracts hereinbefore contained effect a policy upon her own life or the life of her husband for her separate use; and the same and all benefit thereof shall enure accordingly.

Moneys payable under policy of assurance.

(2) A policy of assurance effected by any man on his own life, and expressed to be for the benefit of his wife, or of his children, or of his wife and children, or any of them, or by any woman on her own life, and expressed to be for the benefit of her husband, or of her children, or of her husband and children, or any of them, shall create a trust in favour of the objects therein named, and the moneys payable under any such policy shall not, so long as any object of the trust remains unperformed, form part of the estate of the insured, or be subject to his or her debts: Provided that if it shall be proved that the policy was effected and the premiums paid with intent to defraud the creditors of the insured, they shall be entitled to receive, out of the moneys payable under the policy, a sum equal to the premiums so paid.

Proviso.

Provided further that, notwithstanding anything herein contained, any money received under any such policy shall be subject to the payment of estate duties under "The Estate Duty Ordinance, No. 8 of 1919," upon the whole amount of such money where such policy is wholly kept up by the husband or wife, as the case may be, or upon a part of such amount in proportion to the amount of the premiums paid by him or her, where the policy is partially kept up by such husband or wife as aforesaid.

(3) The insured may by the policy, or by any memorandum under his or her hand, appoint a trustee or trustees of the moneys payable under the policy, and from time to time appoint a new trustee or new trustees thereof, and may make provision for the appointment of a new trustee or new trustees thereof, and for the investment of the moneys payable under any such policy.

(4) In default of any such appointment of a trustee, such policy, immediately on its being effected, shall vest in the insured and his or her executor or administrator, in trust for the purposes aforesaid.

(5) If, at the time of the death of the insured, or at any time afterwards, there shall be no trustee, or it shall be expedient to appoint a new trustee or new trustees, a trustee or trustees or a new trustee or new trustees may be appointed by any court having jurisdiction under the provisions of "The Trusts Ordinance, No. 9 of 1917," or any Ordinance amending and extending the same.

(6) The receipt of a trustee or trustees duly appointed, or, in default of any such appointment, or in default of notice to the insurance office, the receipt of the executor or administrator of the insured shall be a discharge to the office for the sum secured by the policy, or for the value thereof, in whole or in part.

18 (1) Every woman, whether married before or after this Ordinance, shall have in her own name against all persons whomsoever, including her husband, the same civil remedies, and also (subject, as regards her husband, to the proviso hereinafter contained) the same remedies and redress by way of criminal proceedings, for the protection and security of her own separate property, as if such property belonged to her as a feme sole, but, except as aforesaid, no husband or wife shall be entitled to sue the other for a tort.

Remedies of married woman for protection and security of separate property.

(2) In any indictment or other proceeding under this section it shall be sufficient to allege such property to be her property.

(3) In any proceeding under this section a husband or wife shall be competent and, except when he or she is the accused, compellable to give evidence against each other, any Ordinance or rule of law to the contrary notwithstanding.

(4) Provided always that no criminal proceedings shall be taken by any wife against her husband by virtue of this Ordinance while they are living together, as to or concerning any property claimed by her, nor while they are living apart, as to or concerning any act done by the husband while they

Proviso.

were living together, concerning property claimed by the wife, unless such property shall have been wrongfully taken by the husband when leaving or deserting, or about to leave or desert, his wife.

Wife's
ante-nuptial
debts and
liabilities.

19 A woman after her marriage shall continue to be liable in respect and to the extent of her separate property for all debts contracted, and all contracts entered into or wrongs committed by her before her marriage, including any sums for which she may be liable as a contributory, either before or after she has been placed on the list of contributories, under and by virtue of the Ordinances relating to joint stock companies; and she may be sued for any such debt and for any liability in damages or otherwise under any such contract, or in respect of any such wrong; and all sums recovered against her in respect thereof, or for any costs relating thereto, shall be payable out of her separate property; and, as between her and her husband, unless there be any contract between them to the contrary, her separate property shall be deemed to be primarily liable for all such debts, contracts, or wrongs, and for all damages or costs recovered in respect thereof: Provided always that nothing in this Ordinance shall operate to increase or diminish the liability of any woman married before the commencement of this Ordinance for any such debt, contract, or wrong as aforesaid, except as to any separate property to which she may become entitled by virtue of this Ordinance, and to which she would not have been entitled for her separate use under the sections hereby repealed or otherwise, if this Ordinance had not been passed.

Proviso.

Husband to be
liable for his
wife's debts or
liabilities
contracted
before marriage
to a certain
extent.

20 A husband shall be liable for the debts of his wife contracted, and for all contracts entered into and wrongs committed by her, before marriage, including any liabilities to which she may be so subject under the Ordinances relating to joint stock companies as aforesaid, to the extent of all property whatsoever belonging to his wife which he shall have acquired or become entitled to from or through his wife, after deducting therefrom any payments made by him, and any sums for which judgment may have been *bona fide* recovered against him in any proceeding at law, in respect of any such debts, contracts, or wrongs for or in respect of which his wife was liable before her marriage as aforesaid; but he shall not be liable for the same any further or otherwise; and any court in which a husband shall be sued for any such debt shall have power to ascertain or to direct any inquiry or proceedings which it may think proper for the purpose of ascertaining the nature, amount, or value of such property: Provided always that nothing in this Ordinance contained shall operate to increase or diminish the liability of any husband married before the commencement of this Ordinance for or in respect of any such debt or other liability of his wife as aforesaid.

Suits for
ante-nuptial
liabilities.

21 (1) A husband and wife may be jointly sued in respect of any such debt or other liability (whether by contract or for any wrong) contracted or incurred by the wife before marriage as aforesaid, if the plaintiff in the action shall seek to establish his claim, either wholly or in part, against both of them.

(2) If in any such action, or in any action brought in respect of any such debt or liability against the husband alone, it is not found that the husband is liable in respect of any property of the wife so acquired by him or to which he shall have become so entitled as aforesaid, he shall have judgment for his costs of defence, whatever may be the result of the action against the wife if jointly sued with him.

(3) In any such action against husband and wife jointly, if it appears that the husband is liable for the debt or damages recovered, or any part thereof, the judgment to the extent of the amount for which the husband is liable shall be a joint judgment against the husband personally and against the wife as to her separate property; and as to the residue, if any, of such debt and damages, the judgment shall be a separate judgment against the wife as to her separate property only.

22 (1) A wife doing any act with respect to any property of her husband, which, if done by the husband with respect to property of the wife, would make the husband liable to criminal proceedings by the wife under this Ordinance, shall in like manner be liable to criminal proceedings by her husband.

Act of wife liable to criminal proceedings.

(2) In any proceeding under this section, a husband and wife shall be competent, and, except when he or she is the accused, compellable, to give evidence against each other, any Ordinance or rule of law to the contrary notwithstanding.

23 (1) In any question between husband and wife as to the title or possession of property, either party, or any such bank, corporation, company, public body, or society, as aforesaid, in whose books any stocks, funds, or shares of either party may be standing, may apply by petition in a summary way as provided for in Chapter XXIV. of "The Civil Procedure Code, 1889," to the District Court of the district in which either party resides.

Questions between husband and wife as to property to be decided in a summary way.

(2) The District Judge may make such order, direct or make such inquiry, and award such costs as he shall think fit.

(3) The District Judge may, if either party so require, hear the application in his private room.

(4) Any order so made shall be subject to appeal to the Supreme Court, and for the purposes of such appeal shall be regarded as an interlocutory order of the District Court.

(5) Any such bank, corporation, company, public body, or society as aforesaid shall, in the matter of such application for the purposes of costs or otherwise, be treated as a stakeholder only.

(6) Every such petition shall bear a stamp of ten rupees and no more.

24 A married woman who is a trustee solely or jointly with any other person or persons of property subject to any trust, or who is an executrix or administratrix solely or jointly as aforesaid of the estate of any deceased person, may sue or be sued, and may, without her husband, dispose of or join in disposing of any movable or immovable property held by her as such trustee, executrix, or administratrix, as if she were a feme sole.

Married woman as trustee, executrix, or administratrix.

25 Nothing in this Ordinance contained shall interfere with or affect any settlement or agreement for a settlement made or to be made, whether before or after marriage, respecting the property of any married woman.

Saving of existing settlements, and the power to make future settlements.

26 When a married woman having sufficient separate property neglects or refuses to maintain her husband, who through illness or otherwise is unable to maintain himself, the Police Magistrate within whose jurisdiction such woman resides may, upon application of the husband, make and enforce such order against her for the maintenance of her husband out of such separate property as by the third section of "The Maintenance Ordinance, 1889," he may now make and enforce against a husband for the maintenance of his wife.

Married woman to be liable for the maintenance of her husband.

27 A married woman having separate property adequate for the purposes shall be subject to all such liability for the maintenance of her children as a widow is now by law subject to for the maintenance of her children. Provided that nothing in this Ordinance shall relieve her husband from any liability at present imposed upon him by law to maintain her children.

Wife with separate property liable for the maintenance of her children.

28 For the purposes of this Ordinance the executor or administrator of any married woman shall in respect of her separate estate have the same rights and liabilities and be subject to the same jurisdiction as she would be if she were living.

Liability of executor or administrator of married woman.

29 From and after the commencement of this Ordinance the *exceptio beneficij Senatus-Consulti Velleiani*, the *exceptio beneficij authenticæ si qua mulier*, and the sixth section of the Placaat or Edict of the Emperor Charles V. dated the Fourth day of October, 1540, relating to marriage settlements shall not apply or have any force whatsoever in the Colony.

S. C. *Velleianum* and *authenticæ si qua mulier* abrogated.

By His Excellency's command,
Colonial Secretary's Office, CECIL CLEMENTI,
Colombo, August 6, 1923. Colonial Secretary.

Statement of Objects and Reasons.

A Bill to consolidate and amend the law relating to the property of married women was prepared by a Committee consisting of the Government Agent, Western Province; Mr. Balasingham; Mr. van der Wall; Mr. Donald Obeyesekere; Dr. W. A. de Silva; Mr. Dornhorst, K.C.; Mr. E. R. Williams; and the Attorney-General, and was introduced into the Legislative Council in the session of 1921.

It was read a second time and referred to a Select Committee, which reported in favour of the Bill, subject to certain amendments; but this report was never formally presented, and all proceedings in connection with the Bill lapsed on the prorogation of the Council.

The present Bill, except in one respect, to which attention will later be drawn, is in the form settled and approved by the Select Committee of the Council above referred to, but before dealing in detail with the provisions of the Bill, it may be useful to deal first of all with the existing law on the subject.

In section 2 of Ordinance No. 15 of 1876 it is provided that where a woman marries a man of different race or nationality, she is to be taken to be of the same race or nationality as her husband so long as the marriage subsists or until she marries again; but otherwise that Ordinance is not to apply to Kandyans or Muhammadans or Tamils subject to the Tesawalamai.

The specific provisions dealing with the position of married women in relation to their property are contained in sections 5 to 33 of the Ordinance; and are based on the provisions of the Married Women's Property Act, 1870, of the Imperial Parliament.

But in 1882 there was passed in England the Married Women's Property Act, 1882, which made very great changes in the position of married women as regards their property, and the Committee are of opinion that the law of Ceylon on this subject should be closely assimilated to that of England; and in this Bill effect has been given to that opinion.

By section 3 (1) of the Bill, but subject to the provisions of section 4 of "The Jaffna Matrimonial Rights and Inheritance Ordinance, 1911," and of Ordinance No. 23 of 1917, the same limitations as are above referred to apply to Kandyans, Muhammadans, and Tamils subject to the Tesawalamai. In the original Bill, section 24 thereof provided for the introduction of the English law as to restraint upon anticipation by married women, and this provision was extended to women marrying Kandyans, Muhammadans, or Tamils subject to the Tesawalamai. But the Select Committee reported that the time was not ripe for this particular amendment of the law, and that *fidei commissa* were better suited to local conditions. In the present Bill the clause relating to restraint on anticipation has consequently been omitted.

The ruling principle of the Bill is contained in section 5—that a woman may acquire, hold, and dispose by will or otherwise of any property as if she were unmarried; and she may also enter into contracts, and sue and be sued in respect of contracts and wrongs as if she were unmarried. But her contracts are only to bind such part of her separate estate as she is not restrained from anticipating.

By section 6 of the Bill provision is made as to the effect of a will by a married woman; and by section 7 a woman married after the Bill becomes law is to have, hold, and dispose of all property belonging to her as her separate property. If she was married before the Bill becomes law, she is to have similar rights over property which she acquires after that date.

Other provisions to which short reference may be made are—

- (1) Section 8.—Postponement of loans made by a wife to a husband in case of the latter's insolvency;
- (2) Section 9.—Effect of execution of a general power by will;

- (3) Section 11.—This section was inserted at the instance of the Select Committee, which pointed out that much the most usual form of investment in Ceylon is the mortgage ; and that, if the desired protection was to be given to women married before the commencement of the Ordinance, mortgages must be specially dealt with ;
- (4) Section 12.—Provision that all deposits, annuities, and stocks standing in the sole name of a married woman are, until the contrary is shown, to be regarded as her separate property ;
- (5) Section 14.—Provision as to investments standing in names of a married woman and of others jointly ; and
- (6) Section 16.—Fraudulent investments by a wife with the money of her husband.

Section 17 of the Bill is a most important one. In the first place, a wife may effect a policy on her own life or on that of her husband for her separate use ; and in the next, provision is made for a man to insure his life for the benefit of his wife and children. In such case a trust is to be created in favour of the objects to be benefited, and moneys payable under the policy are not, so long as any object of the trust remains unperformed, to form part of the estate or be subject to the debts of the insured.

A question was raised in the course of the discussions of the Select Committee whether, if section 17 of the Bill was enacted without a reference to Ordinance No. 8 of 1919, it might not be argued that that section effected a repeal of section 8 (1) (f) of Ordinance No. 8 of 1919 so far as the particular class of policy referred to in section 17 of this Bill was concerned.

The majority of the Committee was of opinion that the liability to the payment of estate duty should be confined to the aggregate amount of the premiums paid by the deceased ; but in the proviso to section 17 (2) of the Bill the English rule is adopted and estate duty is charged upon the amount of the policy.

By section 18 a married woman, whether married before or after the Bill becomes law, is to have the same remedies, in respect of her property, as if she were unmarried ; but in the case of her husband, she cannot take criminal proceedings against him in respect of property, unless such property has been wrongfully taken by him when leaving or deserting the wife. Similarly, a wife is liable to criminal proceedings by a husband (section 22).

After her marriage a woman remains liable for ante-nuptial debts and liabilities to the extent of her separate property ; and her husband is also liable to the extent of any property acquired by him from or through his wife (sections 19, 20, and 21).

By section 23 a summary method of application to the District Court in cases of disputes as to property between husbands and wives is provided.

Attention also is called to section 26, which makes a married woman who has sufficient property liable to maintain her husband, and to section 27, which in certain cases makes her liable to maintain her children.

Attorney-General's Chambers,
Colombo, July 4, 1923.

H. C. GOLLAN,
Attorney-General.

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the Districts of Chilaw and Puttalam will be holden at the District Court-house at Chilaw, on Monday, September 10, 1923, at 10 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

Deputy Fiscal's Office,
Chilaw, August 13, 1923.

A. BASNAYAKE,
Deputy Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 3,071. In the matter of the insolvency of M. A. Wadood of 2nd Division, Maradana.

NOTICE is hereby given that the above-named insolvent has been granted a certificate of conformity as of the second class.

By order of court, P. DE KRETZER,
Colombo, August 10, 1923. Secretary.

In the District Court of Colombo.

No. 3,120. In the matter of the insolvency of Ranju Sastrapillai Kala Perumal of Wolfendahl street in Colombo.

NOTICE is hereby given that the above-named insolvent has been granted a certificate of conformity as of the second class.

By order of court, P. DE KRETZER,
Colombo, August 10, 1923. Secretary.

In the District Court of Colombo.

No. 3,204. In the matter of the insolvency of Don Lewis Philip Wellivita of Maligakanda in Colombo.

NOTICE is hereby given that the above-named insolvent has been granted a certificate of conformity as of the third class.

By order of court, P. DE KRETZER,
Colombo, August 10, 1923. Secretary.

In the District Court of Colombo.

No. 3,206. In the matter of the insolvency of Kavenna Hameed of Mutwal in Colombo.

NOTICE is hereby given that the above-named insolvent has been granted a certificate of conformity as of the third class.

By order of court, P. DE KRETZER,
Colombo, August 10, 1923. Secretary.

In the District Court of Kalutara.

No. 178. In the matter of the insolvency of Don Benedict Alexander Gunawardhana of Beruwala.

WHEREAS Don Benedict Alexander Gunawardhana of Beruwala has filed a declaration of insolvency, and a petition for the sequestration of the estate of Don Benedict Alexander Gunawardhana of Beruwala, (under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Don Benedict Alexander Gunawardhana of Beruwala insolvent accordingly; and that two public-sittings of the court, to wit, on August 31, 1923, and on September 28, 1923, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, R. MALALGODA,
Kalutara, August 11, 1923. Secretary.

In the District Court of Galle.

No. 507. In the matter of the insolvency of Mahadura Jayaneris de Silva Jayasekera of Dadalla.

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 September 3, 1923, for the final examination of the insolvent.

By order of court, RICHARD L. PERERA,
Galle, August 14, 1923. Secretary.

In the District Court of Ratnapura.

No. 51. In the matter of the insolvency of Paiyagalage Don Hendrick Karunaratna of Walana, Panadure.

NOTICE is hereby given that the above-named insolvent has been granted a certificate of conformity as of the third class.

By order of court, B. L. ABEYRATNA,
Ratnapura, August 7, 1923. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

M. R. A. R. P. L. Palaniappa Chetty of Spa street, Colombo..... Plaintiff.

No. 7,947. Vs.

(1) M. Pieris and (2) A. M. Pieris, wife and husband, of Ragama, presently of Grandpass, Colombo..... Defendants.

NOTICE is hereby given that on Monday, September 10, 1923, at 3 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendants in the

following property for the recovery of the sum of Rs. 589, together with interest on Rs. 500 at 18 per cent. per annum from March 8, 1923, till April 23, 1923, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit, viz. :—

All that house and premises bearing assessment No. 134A, being lot E, situated at Nagalagam street in Grandpass, within the Municipality and District of Colombo, Western Province; which said lot E is bounded on the north by lot D allotted to Monica Maria Pieris, east by a road, south and west by lot F allotted to Dona Louisa alias Louisa Abeysekara; containing in extent 1 20/100 perch.

Fiscal's Office,
Colombo, August 14, 1923.

W. D. BATTERSHILL,
Deputy Fiscal, W. P.

93.157

In the District Court of Colombo.

(1) Harry Creasy and (2) Sydney George Alexander Julius, both of Colombo Plaintiffs.
No. 8,283. Vs.

Walter Perera of Castle street, Borella, Colombo... Defendant.

NOTICE is hereby given that on Saturday, September 15, 1923, at 10 A.M., will be sold by public auction at the premises the following mortgaged property declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated July 20, 1923, for the recovery of the sum of Rs. 4,007.23, with interest on Rs. 4,000 at the rate of 8 per cent. per annum from April 1, 1923, till date of this decree (June 11, 1923), and thereafter further interest on the aggregate amount at the rate of 9 per cent. per annum till payment in full, and costs of suit, viz. :—

All that portion of Timbirigahawatta, together with the buildings now standing or hereinafter to be built thereon, at present bearing assessment No. 34, situated at Timbirigasyaya, in the Palle pattu of Salpiti korale, in the District of Colombo, Western Province; bounded on the north by Madangahawatta and Timbirigahawatta, on the east by the other portion of this garden belonging to Nahallage Don Johannes Appuhamy, on the south by the Government cinnamon garden, and on the west by Timbirigahawatta; containing in extent 1 acre 5 perches and 29/100 of a perch, held and possessed by the defendant, the said Walter Perera, under and by virtue of a deed No. 335 dated April 21, 1921, attested by Gregory Edward George Weerasinha of Colombo, Notary Public, and registered M 151/245 in the Colombo District Land Registry Office, together with all appurtenances whatsoever of the said property and premises belonging or in any wise appurtenant or held to belong or be appurtenant thereto or used or enjoyed therewith, and all the estate, right, title, interest, property, claim, and demand whatsoever of the defendant in, to, upon, or out of the said property and premises.

Fiscal's Office,
Colombo, August 15, 1923.

W. D. BATTERSHILL,
Deputy Fiscal, W. P.

In the District Court of Colombo.

Francis Monis Candappa of Shoemakers' lane, Colombo Plaintiff.
No. 53,276. Vs.

(1) Waragodage Agnes Weeraratna and her husband (2) Vincent Edmund Weeraratna, both of Wall's lane, Kotahena, Colombo..... Defendants.

NOTICE is hereby given that on Saturday, August 25, 1923, 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 for the recovery of the sum of Rs. 486.99, with legal interest thereon from June 24, 1920, till payment in full, and costs of suit, viz. :—

The premises bearing assessment No. 25, situated at Shoemakers' lane in Kotahena, Colombo; bounded on the north by the garden formerly of Punchi Naide, presently bearing assessment No. 24, belonging to Talayaratne, on the east by the garden formerly of Adrian Mestri, presently bearing assessment No. 15, Galpotta street, belonging to Wappu, on the south by the garden formerly of Sinna Amma, presently bearing assessment No. 26, belonging to Miskin, and on the west by Shoemakers' lane; containing in extent 8 95/100 perches.

Fiscal's Office,
Colombo, August 15, 1923.

W. D. BATTERSHILL,
Deputy Fiscal, W. P.

In the District Court of Colombo.

Neale and Wilkinson, Ltd., of 16, Comonile street, London Plaintiffs.
No. 3,597. Vs.

A. E. Holsinger, presently of "Irebu" Havelock Town, Colombo Defendant.

NOTICE is hereby given that on September 4, 1923, 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. :—

The land and buildings bearing assessment No. 2, situate at Kampu, Negombo; and bounded on the north by Mudaliyar's road, east by Cross road, south by the old resthouse, and west by the land of Mrs. Ernest and others; containing in extent 1/2 acre.

Amount to be levied Rs. 328.20, with interest on Rs. 278.09 at 7 per cent. per annum from December 11, 1921, till June 25, 1923, and thereafter at 9 per cent. per annum, less Rs. 20.

Deputy Fiscal's Office, FRED. G. HEPPONSTALL,
Negombo, August 14, 1923. Deputy Fiscal.

In the District Court of Negombo.

Thena Muna Rawanna Mana Vellayan Chetty of Negombo Plaintiff.
No. 15,581. Vs.

Edwin Charles de Silva Gunasekara of Ekala.. Defendant.

NOTICE is hereby given that on September 3, 1923, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property, ordered to be sold by the decree entered in the said case, viz. :—

(1) All that allotment of land called Ekala Ottay, situate at Ekala in Ragam pattu; bounded on the north, west and north by land said to belong to the Crown, north-west and south-east by Attanagalu-oya, south by Attanagalu-oya, land described in plan No. 116,196, by a road, and land claimed by W. Seenchihami, and west by land claimed by W. Seenchihami and D. J. Perera Appuhami, and others and land said to belong to the Crown; containing in extent 18 acres and 30 perches.

(2) All those several contiguous allotments of land forming one property called and known as Nebodagahakumbura alias Ratuweekumbura, situate at Megoda Bolana in Ragam pattu aforesaid; and bounded on the north by Attanagalu-oya, east by Inniyara, Maraduwakumbura, and by Attanagalu-oya, south by an ela and by Inniyara of the field belonging to Siyambalapitige Juse Appu and others, and west by the Inniyara of the field purchased by Manamalage Anolis Silva, Native Doctor, and by the Inniyara of Munamalgahakumbura; containing in extent about 20 parrahs paddy sowing soil.

Amount to be levied Rs. 10,240; with interest on Rs. 8,000 at 21 per cent. per annum from August 30, 1922, till May 15, 1923, and thereafter at 9 per cent. per annum, and poundage.

Deputy Fiscal's Office, FRED. G. HEPPONSTALL,
Negombo, August 14, 1923. Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Soona Pana Ravana Mana Soona Pana Lana Supramanian Chetty of Kandy Plaintiff.
No. 25,777. Vs.

(1) Packeer Meedin's daughter, Rahamath Umma, (2) Darwassie Miskin Abdul Hamid, and (3) Darwassie Miskin Abdul Majeed of Kandy Defendants.

NOTICE is hereby given that on Saturday, September 15, 1923, commencing at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said first defendant in the following property for the recovery of the sum of Rs. 1,255.79, with legal interest on Rs. 3,486.45 from October 4, 1917, till payment in full, and poundage, viz. :—

(1) All the right, title, interest, and claim whatsoever of the first defendant in and to an undivided 9/16 parts or shares of and in all that estate called and known as Lily Valley estate, situate at Galagedera in Hingulwala village, in the Galasiya pattu of Harispattu, in the District of Kandy, Central Province; and bounded on all the sides by land claimed by natives; containing in extent 69 acres 1 rood and 9 perches.

Fiscal's Office,
Kandy, August 14, 1923.

D. J. PERUSINGHE,
Deputy Fiscal.

Southern Province.

In the District Court of Galle.

(1) R. Nandoris de Silva and others of Randedombe Plaintiffs.
No. 18,153. Vs.

The Diviture Estate Company, their Agents: George Stuart & Co., Fort, Colombo Defendants.

NOTICE is hereby given that on Saturday, September 15, 1923, at 2 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said plaintiffs in the following property, viz. :—

The land called Kalugalwilakumbura, situate at Thanabaddegama in Gangabodapattu, Galle, containing in extent about 35 acres; and bounded on the north by Kalugala and Wagura, east by Kurunduwatta and Galwala, south by Millagahawala and Waturawilagewatta, west by Crown land.

Writ amount Rs. 252.02.

Fiscal's Office,
Galle, August 1, 1923.

J. A. LOURENSZ,
Deputy Fiscal.

In the District Court of Galle.

Pitiwala Jayanage Abeel Appu of Uduwaragoda Plaintiff.
No. 20,011. Vs.

(1) Wijemuni Baba de Soysa, wife of (2) Kaludewa Jayanhamy de Silva, both of Uduwaragoda Defendants.

NOTICE is hereby given that on Friday, September 14, 1923, at 12 noon, will be sold by public auction at the respective premises the following mortgaged property, to wit :—

(A) An undivided 1/27 share of the soil and everything appertaining thereto of the land called Meetiya-goda-kurunduwatta, situate at Meetiya-goda; and bounded on the north by the high road, east by Crown land, south by Crown land and canal belonging to D. D. D. S. Wijesekera and others, and on the west by land belonging to D. D. D. S. Wijesekera and others and land belonging to Malliyawadu Dines and others; in extent 10 acres 2 roods and 28 perches.

(B) An undivided 1/9 share of the soil and soil share trees and 23 cubits whitewashed tiled house standing on the land called Pokunabodauswatta *alias* Mudiyansegewatta; situate at Uduwaragoda; and bounded on the north by Iskakarawatta, east by Pokunawatta, south by Pinwatta, and west by high road; in extent about 3 acres.

(C) An undivided 5/64 share of the soil and all the fruit trees of Addaragewatta, situate at Uduwaragoda; and bounded on the north by Henadurayagewatta, east by Bogahawatta, south by Ehatugahawatta, and west by Hinganagewatta; in extent about 2 acres.

(D) Undivided 7/54 share of the soil and soil share trees and 2/9 shares of planter's share of 2nd and 3rd plantations, and 15 cubit whitewashed Calicut tiled house standing on Mudiyansegewatta, situate at Uduwaragoda; and bounded on the north by Ranguwagewatta, in which Digiri Pehetappu resided, east by Pelawatta, south by Diyawalewatta, and west by Uswatta; in extent about 2 acres.

(E) An undivided 1/16 share of the soil and soil share trees, and an undivided 1/8 share of planter's share of Kaludewa Juwanise's plantation of Dadogewatta, situate at Uduwaragoda; and bounded on the north by Weligodawatta, east by Pelaketiya, south by Dodangahawatta, and west by Badalgewatta; in extent about 3 roods. Writ amount Rs. 1,006.81 with legal interest on Rs. 859.61 from November 29, 1922.

Fiscal's Office,
Galle, August 13, 1923.

F. BARTLETT,
Fiscal.

In the District Court of Tangalla.

H. E. Carolis and E. G. A. Appusinna Plaintiffs.
No. 1,840. Vs.

(1) W. P. Podihami, wife of (2) S. Nikulashami. Defendants.

NOTICE is hereby given that on Saturday, September 8, 1923, at 10 A.M., will be sold by public auction at this office the right, title, and interest of the said defendants in the following mortgaged property for the recovery of

Rs. 960.71, with legal interest on Rs. 583 from August 4, 1922, till payment in full, poundage, and Fiscal's charges, viz. :—

At Medaketigoda.

1. An undivided 2/5 shares of the soil and plantations of the land called Andayanpalawatta and the 13 cubit tiled house thereon (exclusive of the planter's half share of the 2nd plantation); bounded on the north by N. P. Veda Andrishitiyawatta, east by Bangalawewatta, south by sea-shore, and on the west by land belonging to Juwanis Appu; containing in extent 1 acre 1 rood and 35 perches.

2. An undivided 2/3 share of the soil and plantations of the land called Bangalawewatta; bounded on the north by Kottegewatta, east by Garuhamigewatta, south by sea-shore, and west by Andayanwalawatta; containing in extent 4 kurunies of kurakkan sowing.

Deputy Fiscal's Office,
Tangalla, August 10, 1923.

J. E. SENANAYAKE,
Deputy Fiscal.

North-Western Province.

In the District Court of Kurunegala.

S. P. R. M. Ramanathan Chetty of Kurunegala Plaintiff.
No. 8,980. Vs.

Adikari Mudiyanse Lage Appuhami of Udawelawatta in Dambadeni Udukaha korale west Defendant.

NOTICE is hereby given that on Friday, September 21, 1923, commencing at 1 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, viz. :—

1. All that land called Mahawatta of about 3 acres and 2 roods in extent, situate at Udawelawatta in Dambadeni Udukaha korale west; and bounded on the north by allotments of lands bearing r19, r19, and r16, on the east by allotments of lands bearing r16, r19, and r16, on the south by allotments of lands bearing r16, r19, and on the west by allotments of lands bearing o16 and n16 appearing in deed No. 270,647; with everything standing thereon.

2. An undivided 1/2 share of Kanugalayapathakumbura of about 2 pels of paddy sowing in extent, situate at the aforesaid village; and bounded on the north by the land of Punchirala, on the east by the liminary ridge of the field of Punchirala, on the south by the chena of Kapuruhami and others, and on the west by the field of Punchirala and others; with everything standing thereon.

3. An undivided 1/2 share of Galagawahena and Bogahamulahena of about 4 acres 2 roods and 10 perches in extent appearing in deed No. 284,465, situate at the aforesaid village; and bounded on the north by the lands appearing in plan No. 275,983 and r16, on the east by the land appearing in plan No. 270,647 and B16, A16, and r10, on the south by land bearing 10, on the west by allotment of land bearing 10, in plan No. 235; with everything standing thereon.

4. An undivided 1/2 share of Elhenewatta of about 5 acres 2 roods and 8 perches in extent appearing in deed No. 284,464, situate at the aforesaid village; and bounded on the north and east by the land appearing in plan No. 271,278, on the south by lot 52 appearing in plan No. 550, and on the west by m 19 and 15 appearing in plan No. 235.

5. An undivided 1/2 share of Dawatagahamulawatta of about 3 acres in extent, situate at the aforesaid village; and bounded on the north by the land of Appuhami Arachchi, on the east by the garden of Ukku Banda and others, on the south by the land of Appuhami Arachchi and others, and on the west by wela; with everything standing thereon.

6. An undivided 1/2 share of Kallatigewatta *alias* Inna-watta of about 4 acres in extent, situate at the aforesaid village; and bounded on the north and south by the garden and field of Siyathuhami and Punchi Menika, on the east by the land of Ukku Banda, Tegissingho, and others, and on the west by the garden of Rañ Menika and others; with everything standing thereon.

Amount to be levied Rs. 1,265·62, with further interest on Rs. 1,250 at the rate of 30 per cent. per annum from May 23, 1922, till July 17, 1922, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit and poundage.

Fiscal's Office, Kurunegala, August 9, 1923. S. D. SAMARASINHA, Deputy Fiscal.

In the Court of Requests of Chilaw.
Vendakota Mudiyansele Hendrick Appuhamy of Mawila Plaintiff.
No. 20,721. Vs.

Hettiaratchige Don Hendrick Sinno Appuhamy of Mawila Defendant.

NOTICE is hereby given that on Saturday, September 22, 1923, at 8.30 in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 309·65, with interest on Rs. 250 at 18 per cent. per annum from September 3, 1922, up to October 25, 1922, and thereafter with legal interest of the aggregate sum till payment in full, and poundage:—

The life interest of the defendant in and to the land called Ambagahawatta, situate at Marwila in Meda palata of Pitigal korale south, in the District of Chilaw; and bounded on the north by Bakmigahakumbura belonging to Maria Peris, east by land belonging to Yahapathamy and others, south by land belonging to Maria Moraes and others, and west by Nebodagahakumbura belonging to the heirs of Dingirala; containing in extent about 5 acres, subject to lease.

Deputy Fiscal's Office, Chilaw, August 14, 1923. A. BASNAYAKE, Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Colombo.

R. M. M. R. Murugappa Chetty of Sea street, Colombo Plaintiff.
No. 3,565. Vs.

D. J. Dharma Rajah of Kiriella, Ratnapura .. Defendant.

NOTICE is hereby given that on Friday, September 7, 1923, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 2,545·55, with interest on Rs. 2,860 at 16 per cent. per annum from November 1, 1921, to March 29, 1922, and thereafter on the aggregate amount at legal rate till payment in full, and costs, viz.:—

1. An undivided $\frac{1}{2}$ share of the land called Kirillawalaha, situate in the village Karandana in the Meda pattu of Kuruwiti korale, in the District of Ratnapura, of the Province of Sabaragamuwa; bounded on the north by Godakele belonging to Angappuliradage Ukkubabahanaya and others, on the east, south, and west by Godakele belonging to Angappuliradage Ukkubabahanaya and others; containing in extent 4 acres and 7 perches.

An undivided $\frac{5}{27}$ shares of this land has been seized under D. C., Colombo, writs Nos. 5,789, 6,196, and 6,299.

Fiscal's Office, Ratnapura, August 9, 1923. R. E. D. ABEYRATNE, Deputy Fiscal.

In the District Court of Colombo.

M. P. S. T. Arunasalam Chetty of Sea street, Colombo Plaintiff.
No. 7,527. Vs.

M. T. Fernando of No. 32, Old Butchers' street, Colombo Defendant.

NOTICE is hereby given that on Friday, September 14, 1923, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 6,118·75, with legal interest thereon from January 29, 1923, till payment in full, and costs:—

1. An undivided $\frac{1}{2}$ part or share of all that allotment of land called Andiyakelle, now being a rubber estate, and of all the building thereon, situated at Talawitiya in the Uda pattu of Kuruwiti korale, in the District of Ratnapura, of the Province of Sabaragamuwa; and bounded on the north by a road, on the east by Andiyakellewatta, on the south by Imbulgahakumbura claimed by D. Dingirahamy, on the west by land described in plan No. 128,763, Galgodalandewatta claimed by Wellagoda Vidane and Galgodekumbura claimed by Aliyagoda korala; containing in extent 11 acres 3 roods and 16 perches, exclusive of the portion acquired by the Ceylon Government Railway.

Fiscal's Office, Ratnapura, August 15, 1923. R. E. D. ABEYRATNE, Deputy Fiscal.

In the District Court of Colombo.

Oona Ana Oona Kana Moona Ravenna Mana Letchi-manan Chetty of Sea street in Colombo Plaintiff.
No. 2,147 of 1921. Vs.

Owen Bernard Wijeyesekera of Eisleben, Staples street, Slave Island, Colombo Defendant.

NOTICE is hereby given that on September 15, 1923, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz.:—

All that and those the estate, plantations, and premises called and known as Gadadess, situated at Balatgomuwa in the Paranakuru korale in Four Korales, in the District of Kegalla, Province of Sabaragamuwa, of the Island of Ceylon, comprising the following allotment of land forming one property, to wit:—

(1) An allotment of land called Hunugalakanda; bounded on the north and west by grounds purchased by W. H. Kelaart, on the south by Allewainkenakele, on the east by Gadadessa-oya and ground purchased by A. and R. Crowe & Company; and

(2) An allotment of land bounded on the north-east by land described in plan No. 43,525; on the south by land claimed by natives, and on the west by land claimed by natives and Puwakgalla-oya or els of the said Gadadessa estate; comprising the 2 allotments of land containing in extent 510 acres 2 roods and 19 perches.

To levy Rs. 51,354·15, with further interest on Rs. 50,000 at 13 per cent. per annum from August 1, 1921, till February 7, 1922, and thereafter further interest on the aggregate amount at 9 per cent. per annum till payment in full, and costs.

Deputy Fiscal's Office, Kegalla, August 14, 1923. A. W. BAKMIWEWA, Deputy Fiscal.

I, WILLIAM LORING KINDERSLEY, Fiscal of the Central Province, do hereby appoint Mr. D. J. Marambe to be Additional Fiscal's Marshal for the division of Nuwara Eliya, with effect from August 4, 1923, under Ordinance No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Fiscal's Office, Kandy, Augst 13, 1923.

W. L. KINDERSLEY, Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate and Effects of Badde Hakuruge Baisa Veda of Eswatta in the Udugaha pattu of Hewagam korale, deceased.

Badde Hakuruge Sadiris Fernando of Eswatta, in the Udugaha pattu of Hewagam korale Petitioner.

And

(1) Marathota Hakuruge Sarlinchi, (2) Badde Hakuruge-Allis Fernando, both of Eswatta aforesaid . . Respondents.

THIS matter coming on for disposal before V. M. Fernando, Esq., Acting District Judge of Colombo, on July 12, 1923, in the presence of Mr. C. E. Jayanayake, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 11, 1923, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as nephew 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 August 23, 1923, show sufficient cause to the satisfaction of this court to the contrary.

V. M. FERNANDO,
District Judge.

July 12, 1923.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Gammedaliyanage Elizabeth Perera Hamini of Pamunugama in the Ragam pattu of Alutkuru korale, deceased.

Bastian Korallage Nicholas Rodrigo Karunaratne of Pamunugama Petitioner.

And

(1) Bastian Korallage Joseph Dominic Rodrigo Karunaratne, (2) Bastian Korallage Mary Agnes Rodrigo Karunaratne, (3) Gammedaliyanage Philip Perera Appuhamy, all of Pamunugama aforesaid . . Respondents.

THIS matter coming on for disposal before V. M. Fernando, Esq., Acting District Judge of Colombo, on July 20, 1923, in the presence of Mr. A. B. Tillekeratne, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 19, 1923, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as widower of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before August 30, 1923, show sufficient cause to the satisfaction of this court to the contrary.

V. M. FERNANDO,
District Judge.

July 20, 1923.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Chellamma of Manipay in Jaffna, and lately of New Chetty street in Colombo, wife of Sanmugam Swaminathan Appyah, also of Manipay, and presently of New Chetty street in Colombo, deceased.

Sanmugam Swaminathan Appyah of New Chetty street in Colombo Petitioner.

THIS matter coming on for disposal before V. M. Fernando, Esq., Acting District Judge of Colombo, on July 20, 1923, in the presence of Mr. C. A. S. Mather, Proctor, on the part of the petitioner above named; and the affidavits

(1) of the said petitioner dated July 6, 1923, and (2) of the attesting notary dated July 1, 1923, having been read:

It is ordered and decreed that the last will of Chellamma, 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 August 30, 1923, show sufficient cause to the satisfaction of this court to the contrary.

V. M. FERNANDO,
District Judge.

July 20, 1923.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Dehiwalage Anthony Abraham Perera of Pitipana, deceased.

THIS matter coming on for disposal before F. D. Peries, Esq., District Judge of Negombo, on July 24, 1923, in the presence of Mr. Martin de Silva, Proctor, on the part of the petitioner, Botalage Ana Maria Fernando of Pitipana; and the affidavit of the petitioner dated July 20, 1923, having been read:

It is ordered that the 9th respondent be appointed guardian *ad litem* over the 6th, 7th, and 8th respondents, who are minors, for the purpose of this testamentary action, unless sufficient cause be shown to the contrary.

It is further declared that the said petitioner be and she is hereby declared entitled, as the widow of the deceased, to administer the estate of the deceased above named, and that letters of administration do issue to her accordingly, unless the respondents—(1) Dehiwalage Dorthina Perera, and husband (2) Panambarage Romel Fernando, (3) Dehiwalage Aron Perera, (4) ditto Mariellina Perera, (5) ditto Apollonia Perera, (6) ditto Margaret Perera, (7) ditto Anthony Perera, (8) ditto Joseph Perera, (9) ditto Anthony Alvino Perera, all of Pitipana—or any other person or persons interested shall, on or before August 23, 1923, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 9th respondent do produce the said minors before this court on August 23, 1923, at 9.30 A.M., in connection with the above action.

F. D. PERIES,
District Judge.

July 24, 1923.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Jayanetti Koralalage Subalis Hamy, deceased, of Pannila.

Kandabadage Don Arlis Singho Appuhamy Petitioner.

And

(1) Kandabadage Don Peter Singho Appuhamy, (2) ditto Don Emis Singho Appuhamy, (3) ditto Dona Resalind Hamine, wife of (4) Jayasinghe Gurmanse-lage Punci Singho Appuhamy Respondents.

THIS matter coming on for disposal before W. H. B. Carbery, Esq., District Judge of Kalutara, on July 9, 1923, in the presence of Mr. N. B. de S. Wijesekera, Proctor, on the part of the petitioner Kandabadage Don Arlis Singho Appuhamy of Pannila; and the affidavit of the said petitioner dated July 6, 1923, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as the eldest son of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents or any other person or persons interested shall, on or before August 29, 1923, show sufficient cause to the satisfaction of this court to the contrary.

J. ALOYSIUS FERNANDO,
Acting District Judge.

July 9, 1923.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Ramanayake Mudianselagegedera Bisso No. 4,019. Menika, deceased, of Godawela.

THIS matter coming on for disposal before Paulus Edward Pieris, Doctor of Letters, District Judge, Kandy, on July 18, 1923, in the presence of Messrs. Jonklaas & Wambeek, Proctors, on the part of the petitioner, Talawatura Dunukkara Mudianselagegedera Punchi Mahatmaya; and the affidavit of the said petitioner dated July 18, 1923, and her petition having been read:

It is ordered that the said petitioner, Talawatura Dunukkara Mudianselagegedera Punchi Mahatmaya, as mother of the deceased, be and she is hereby declared entitled to have letters of administration issued to her accordingly, unless the respondent, Ramanayake Mudianselagegedera Punchi Menika, by her duly appointed guardian *ad litem* the 2nd respondent, Herat Mudianselagegedera Kuda Banda, shall, on or before August 23, 1923, show sufficient cause to the satisfaction of this court to the contrary.

July 18, 1923.

P. E. PIERIS,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Ahamado Lebbe's son, Meera Saibo, No. 4,020. deceased, of Kurugoda in Harispattu.

THIS matter coming on for disposal before Paulus Edward Pieris, Doctor of Letters, District Judge of Kandy, on July 19, 1923, in the presence of Mr. W. Beven, Proctor, on the part of the petitioner, Ahamado Lebbe's daughter, Pathumuthu, of Kurugoda; and the affidavit of the said petitioner dated July 19, 1923, and the petition having been read: It is ordered that the said Ahamado Lebbe's daughter, Pathumuthu, as sister of the deceased above named, be and she is hereby declared entitled to have letters of administration to the deceased's estate issued to her accordingly, unless any person or persons interested shall, on or before August 30, 1923, show sufficient cause to the satisfaction of this court to the contrary.

July 19, 1923.

P. E. PIERIS,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Meera Lebbe's son, Ahamado Lebbe, No. 4,021. deceased, of Kurugoda, Harispattu, Kandy District.

THIS matter coming on for disposal before Paulus Edward Pieris, Doctor of Letters, District Judge, Kandy, on July 19, 1923, in the presence of Mr. W. Beven, Proctor, on the part of the petitioner, Ahamado Lebbe's daughter, Pathumuthu, of Kurugoda; and the affidavit of the said petitioner dated July 19, 1923, and her petition having been read: It is ordered that the petitioner, Ahamado Lebbe's daughter, Pathumuthu, as the daughter of the deceased, be and she is hereby declared entitled to have letters of administration to the estate of the deceased issued to her accordingly, unless any person or persons interested shall, on or before August 23, 1923, show sufficient cause to the satisfaction of this court to the contrary.

July 19, 1923.

P. E. PIERIS,
District Judge.

In the District Court of Kandy.

Order Nisi, declaring Will proved.

Testamentary In the Matter of the Estate of the late Jurisdiction. Archibald Macdonald Carmichael of No. 4,028. Nordrach Mondip, England, deceased.

THIS action coming on for disposal before Paulus Edward Pieris, Doctor of Letters, District Judge of Kandy, on July 31, 1923, in the presence of Mr. Victor Denzil de Vos, Proctor, on the part of the petitioners, Nigel Inglesant Lee of Kandy and William Kevitt Smyth Hughes of Colombo;

and the affidavit of the said petitioners dated July 25 and 27, 1923, and their petition having been read:

It is ordered that the will of the said Archibald Macdonald Carmichael, deceased, dated September 10, 1915, and now deposited in this court, be and the same is hereby declared proved, unless any person or persons so interested shall, on or before September 3, 1923, show sufficient cause to the satisfaction of this court to the contrary.

It is declared that the said Nigel Inglesant Lee and William Kevitt Smyth Hughes are the executors named in the said will, and that they are entitled to have probate of the same issued to them accordingly, with a copy of the said will annexed, unless any person or persons interested shall, on or before September 3, 1923, show sufficient cause to the satisfaction of this court to the contrary.

Kandy, July 31, 1923.

P. E. PIERIS,
District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the late Jurisdiction. Joseph Edward Jansz, deceased No. 4,030. Peradeniya road, Kandy.

THIS matter coming on for disposal before Paulus Edward Pieris, Doctor of Letters, District Judge, Kandy, on August 2, 1923, in the presence of Messrs. Liesching & Lee, Proctors, on the part of the petitioners, Eleanor Constance Jansz and Ethel May Jansz, both of Kandy; and the affidavit of the said petitioners and of the notary (who attested the will) dated July 28, 1923, and July 30, 1923, respectively, and the petition of the petitioners having been read:

It is ordered that the will of the said Joseph Edward Jansz, deceased, dated January 10, 1914, and now deposited in this court, and the same is hereby declared proved, unless any person or persons interested shall, on or before September 6, 1923, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Eleanor Constance Jansz and Ethel May Jansz are the executrices named in the said will, and that they are entitled to have probate of the same issued to them accordingly, with a copy of the said will annexed, unless any person or persons interested shall, on or before September 6, 1923, show sufficient cause to the satisfaction of this court to the contrary.

August 2, 1923.

P. E. PIERIS,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Angulugaha Gamage Bastian de Silva No. 5,611. deceased, of Angulugaha.

THIS matter coming on for disposal before T. B. Russell, Esq., District Judge, on September 1, 1922, in the presence of Mr. R. A. H. de Vos, Proctor, on the part of the petitioner, Jagodage Hinnihamy of Angulugaha; and the affidavit of the said petitioner dated September 1, 1922, 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., (1) Angulugaha Gamage Johana, wife of (2) Kahanda Kanattage Peeris Appu, (3) Angulugaha Gamage Francis, (4) ditto Carlinahamy, (5) ditto Daniel, all of Angulugaha, shall, on or before October 5, 1922, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 6th respondent be appointed guardian *ad litem* over the 3rd, 4th, and 5th respondents unless the respondents above named shall, on or before October 5, 1922, show sufficient cause to the satisfaction of this court to the contrary.

September 1, 1922.

T. B. RUSSELL,
District Judge.

Date for showing cause extended to August 23, 1923.

A. P. BOONE,
District Judge.

In the District Court of Galle.

Order Absolute declaring Will proved, &c.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Caroline Margaret Abeyanayaka,
No. 5,758. deceased, of Akuratiya in Baddegama.

THIS matter coming on for disposal before A. P. Boone, Esq., District Judge, Galle, on June 21, 1923, in the presence of Mr. W. Richard de Silva, Proctor, on the part of the petitioner Stephen Richard Abeynayaka of Baddegama; and the affidavit of the said petitioner dated October 17, 1922, as well as the affidavit of the attesting witnesses to the last will dated June 21, 1923, having been read:

It is ordered that the will of Caroline Margaret Abeyanayaka Wijesekaramahine, late of Akuratiya, deceased, dated February 15, 1922, be and the same is hereby declared proved.

It is further ordered that the said petitioner is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly.

June 21, 1923.

A. P. BOONE,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Tenahandi Isabelhamy, deceased, of
No. 5,797. Randonbe.

THIS matter coming on for disposal before A. P. Boone, Esq., District Judge, Galle, on July 12, 1923, in the presence of Mr. W. Edward de Silva, Proctor, on the part of the petitioner, Hamuddara Dondias Silva of Randonbe; and the affidavit of the said petitioner dated July 4, 1923, having been read: It is ordered that the said petitioner, as an heir of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondents, viz., (1) Hamuddara Johanahamy, (2) ditto Johannis Silva, both of Randonbe, and Munasinghe Senesis Silva of Balapitiya, shall on or before August 23, 1923, show sufficient cause to the satisfaction of this court to the contrary. It is further ordered that the said 3rd respondent be appointed guardian *ad litem* over 1st and 2nd respondents, unless the said respondents shall, on or before August 23, 1923, show sufficient cause to the satisfaction of this court to the contrary.

July 12, 1923.

A. P. BOONE,
District Judge.

In the District Court of Tangalla.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Ranasin Aratchige Kiriappu, deceased,
No. 838. of Galahidiya.

THIS matter coming on for disposal before R. S. V. Poulter, Esq., District Judge of Tangalla, on May 18, 1923, in the presence of Mr. D. A. Jayawickrama, on the part of the petitioner, Abewikrema Liyana Achige alias Liyana Achige Babihamine; and the affidavit of the said petitioner dated April 28, 1923, having been read:

It is ordered that letters of administration to the estate of Ranasin Aratchige Kiriappu, deceased, be granted to the petitioner, Abewikrema Liyana Achige alias Liyana Achige Babihamine, unless the respondents—(1) Ranasin Aratchige Don Charlis, (2) ditto Edwin, (3) Abewikrema Liyana Aratchige Eliyashamy, all of Galahidiya—or any other person or persons interested shall, on or before June 18, 1923, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 3rd respondent be appointed guardian *ad litem* over the minors, the 1st and 2nd respondents, unless the said respondents or any other person or persons interested shall, on or before June 18, 1923, show sufficient cause to the satisfaction of this court to the contrary.

May 18, 1923.

R. S. V. POULIER,
District Judge.

This *Order Nisi* is extended till August 20, 1923.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate and Effects of
Jurisdiction. Sellamuttu, wife of Vallipuram Thurai-
No. 5,105. yappa, late of Kuala Lumpur, deceased.

Ramanathar Vallipuram of Urelu Petitioner.

Vs.

(1) Puvanespari, daughter of Thuraiyappa of Kuala Lumpur, and (2) Vallipuram Thuraiyappa of ditto; the 1st respondent is a minor, and appears by her guardian *ad litem* the 2nd respondent Respondents.

THIS matter of the petition of the above-named petitioner, praying for letters of administration to the estate of the above-named deceased, coming on for disposal before G. W. Woodhouse, Esq., District Judge, on June 14, 1923, in the presence of Messrs. Casippillai & Cathiravelu, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated April 16, 1923, having been read: It is declared that the petitioner is the father-in-law of the deceased and the paternal grandfather of the only heir of the deceased, and is entitled to have letters of administration to the estate of the deceased issued to him, unless the respondents or any other person shall, on or before August 23, 1923, show sufficient cause to the satisfaction of this court to the contrary.

June 22, 1923.

G. W. WOODHOUSE,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Nagamma, wife of Nagamuttu Selliah of
No. 5,194. Vaddukkodai West, deceased.

Valliyammaippillai, widow of Arumugam Sundaramanier of Vaddukkodai West Petitioner.

Vs.

Nagamuttu Selliah of ditto Respondent.

THIS matter of the petition of the above-named petitioner, praying for letters of administration to the estate of the above-named deceased, coming on for disposal before W. D. Niles, Esq., District Judge, on July 23, 1923, in the presence of Mr. P. Canpathipillai, Proctor, on the part of the petitioner and the affidavit of the petitioner dated July 19, 1923, having been read: It is declared that the petitioner is the mother and sole heir of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondent or any other person shall, on or before August 21, 1923, show sufficient cause to the satisfaction of this court to the contrary.

July 28, 1923.

W. D. NILES,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Arumugam Thamotherampillai of Vad-
No. 5,149. dukkodai West, deceased.

(1) Sithamparapillai Kanapathipillai and (2) Ponnammah of Vaddukkodai West Petitioners.

(1) Thamotherampillai Vetilingam of ditto (2) Velupillai Sellathurai and his wife (3) Ponnamma of ditto, (4) Nagammah daughter of Sellathurai, of ditto, (5) Sellathurai Nagalingam of ditto, (6) Ampalavanan Kanagasapathy of ditto, (7) Soundaranayagi daughter of Ampalavanan of ditto, (8) Vallinayagi daughter of Ampalavanan of ditto, (9) Arumugam Sundarampillai of ditto; the 1st, 4th, 5th, 6th, 7th, and 8th respondents are minors, appearing by their guardian *ad litem* the 9th respondent Respondents.

THIS matter of the petition of the above-named petitioners, praying for letters of administration to the estate of the above-named deceased, coming on for disposal before W. D. Niles, Esq., District Judge, on July 26, 1923, in the

presence of Mr. S. Nagalingam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated May 28, 1923, having been read: It is declared that the petitioners are creditors of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to them, unless the respondents or any other person shall, on or before August 23, 1923, show sufficient cause to the satisfaction of this court to the contrary.

August 1, 1923. G. W. WOODHOUSE,
District Judge.

In the District Court of Chilaw.

No. 1.519. In the Matter of the Intestate Estate of Rajapaksa Arachchige Andi Naide, late of Walapenna, deceased.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Chilaw on June 26, 1923, in the presence of Mr. M. L. Marasinghe, Proctor, on the part of the petitioner, Senanayake Arachchige Podi Nona; and the affidavit of the said petitioner dated June 15, 1923, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as the widow of the above-named deceased, to have letters of administration to his estate issued to her, and Rajapaksa Arachchige Haminahamy be and she is hereby appointed guardian *ad litem* over the minor respondents (1) Rajapaksa Arachchige Menis Singho, (2) ditto Jinasena, (3) ditto Jane Nona, and (4) ditto Dhanasena, unless the said respondents or any other person or persons interested shall, on or before August 9, 1923, show sufficient cause to the satisfaction of this court to the contrary.

N. M. BHARUCHA,
District Judge.

Date of showing cause has been extended to September 10, 1923.

N. M. BHARUCHA,
District Judge.

In the District Court of Badulla.

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Order Nisi.
Testamentary Jurisdiction. In the Matter of the Intestate Estate of Bandaranayake Herat Mudiyanalage Puchi Banda Katugaha of Katugaha in Malitta, Badulla, deceased.

Between

Puchi Banda Katugaha of Katugaha in Malitta, Badulla Petitioner.

And

(1) Dangamuwa Medduma Kumarihamy Katugaha, (2) Kuda Banda Katugaha, (3) Guneratne Banda Katugaha, (4) Budhadasa Banda Katugaha, (5) Seelawatie Menike Katugaha, all of Katugaha; the 4th and 5th, minors, by their guardian *ad litem* the 1st respondent Respondents.

THIS action coming on for final disposal before Leslie Donald Charleton Hughes, Esq., District Judge of Badulla, on August 3, 1923, in the presence of Mr. M. T. Jainu Deen, Proctor, on the part of the petitioner; and his affidavit and petition dated August 2, 1923, having been read: It is ordered (1) 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; (2) that the 1st respondent be and she is hereby appointed guardian *ad litem* over the 4th and 5th minor respondents for all the purposes of this action, unless any person or persons interested shall, on or before August 22, 1923, show sufficient cause to the satisfaction of this court to the contrary.

August 3, 1923. L. D. C. HUGHES,
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of No. 883. Ranasinaccillage Punchappu of Mirihagoda, deceased.

Ranasinaccillage Ran Menika of Mirihagoda Petitioner.

Vs.

(1) Ranasinaccillage Ran Menika of Mirihagoda, (2) Dingiri Banda of ditto, (3) Menikhamy of ditto, (4) Appuhamy of ditto, (5) Mudiyanse of ditto, (6) Kiribanda of ditto; the 4th, 5th, and 6th respondents being minors by their guardian *ad litem*, (7) Sabapathin Accillage Siyatu of Mirihagoda Respondents.

THIS matter coming on for disposal before W. J. L. Rogerson, Esq., District Judge, Kegalla, on May 30, 1923, in the presence of Mr. Aelian Ondaatje, Proctor, on the part of the petitioner; and his affidavit and petition dated May 25 and 30, 1923, respectively, praying for letters of administration of the said estate, and that such letters will be issued to her accordingly, and that the 7th respondent, being the father of the 4th, 5th, and 6th minor respondents, is a fit and proper person to be appointed their guardian *ad litem*, and that such appointment will be accordingly made, unless the respondent or any person or persons interested shall, on or before July 3, 1923, show sufficient cause to the satisfaction of the court to the contrary.

May 30, 1923. W. J. L. ROGERSON,
District Judge.

Date for showing cause against this Order Nisi is extended and re-issued returnable August 21, 1923.

July 31, 1923. D. H. BALFOUR,
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Gangoda Mudiyanalage Appuhamy of Gangoda, deceased.

Mudiyanalage Punchinilame of Gangoda Petitioner.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge, Kegalla, on July 18, 1923, in the presence of Mr. Abeyewickreme, Proctor, for petitioner; and his affidavit and petition dated July 10 and 16, 1923, respectively, praying for probate of the last will and testament No. 22,786 dated July 4, 1922, of the aforesaid deceased, and the affidavit of Kahagalle Korallage Punchinilame of Kahagalla, (2) Wisnuperuma Araccige Don William of Kegalla, and (3) D. G. Fernando, Notary Public, Kegalla, dated July 3 and 10, 1923, respectively (witnesses to the last will) having been read: It is ordered and declared that the said will of the deceased will be declared proved, and that the petitioner, as the sole legatee and executor named in the said will of the deceased aforesaid, will be declared entitled to probate, and that such probate will be issued to him accordingly, unless any person or persons interested shall, on or before August 22, 1923, show sufficient cause to the satisfaction of the court to the contrary.

July 18, 1923. D. H. BALFOUR,
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of No. 894. Alutgamarallage Punchi Banda Vidane of Kumbalgama, deceased.

Alutgamarallage Mudiyanse of Waduwardeniya Petitioner.

Vs.

(1) Alutgamarallage alias Waidiyaratna Herathmudiyanalage Loku Banda of Balaharuwa, (2) ditto Punchi Nilame of ditto, (3) Alutgamarallage Piyasena of Waduwardeniya Respondents.

THIS matter coming on for disposal before W. J. L. Rogerson, Esq., District Judge, Kegalla, on June 15, 1923, of the presence of Mr. R. V. Dedigama, Proctor, on the part

of the petitioner; and his affidavit and petition dated May 22, 1923, and June 14, 1923, respectively, praying for letters of administration of the said estate and the appointment of 2nd respondent as guardian *ad litem* over the 3rd respondent, having been read: It is ordered and declared that the petitioner, as the son of the deceased, is entitled to letters of administration of the said estate, and that such letters will be issued to him accordingly, and that the 2nd respondent, being the brother of the 3rd respondent, is a fit and proper person to be appointed guardian *ad litem* over the 3rd respondent, and that such appointment will be made accordingly, unless the respondents or any person or persons interested shall, on or before July 31, 1923, show sufficient cause to the satisfaction of this court to the contrary.

W. J. L. ROGERSON,
District Judge.

Order Nisi is extended to August 21, 1923.

D. H. BALFOUR,
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Atulugamarallage Serahamy of Neluwakkana, deceased.

Hapuwitā Lekamalage Dingiri Appuhamy Samarajeewa of Kehelwatta Petitioner.

Vs.

Atulugamarallage Charles Banda, (2) ditto Siriwardana, (3) ditto Dingiri Appuhamy, (4) ditto Ukku Banda, (5) ditto Ukku Menika, minors, by their guardian *ad litem*, (6) Atulugamarallage Appuhamy of Nangalla; (7) ditto Hamy Mahatmaya, (8) ditto Dingiri Banda, minors, by their guardian *ad litem* the 6th respondent Respondents.

THIS matter coming on for disposal before W. J. L. Rogerson, Esq., District Judge, Kegalla, on June 29, 1923, in the presence of Mr. R. L. Perera, Proctor, on the part of the petitioner; and his affidavit and petition dated June 11 and 21, 1923, respectively, praying for letters of administration of the said estate and the appointment of guardian *ad litem* over the minor respondents, having been read: It is ordered and declared that the petitioner, as the brother-in-law of the deceased, is entitled to letters of administration of the said estate, and that such letters will be issued to him accordingly, and that the 6th respondent, being the paternal uncle of the minor respondents, is a fit and proper person to be appointed their guardian *ad litem*, and that such appointment will be made accordingly, unless the respondents or any person or persons interested shall, on or before August 1, 1923, show sufficient cause to the satisfaction of the court to the contrary.

AELIAN ONDAATJE,
Acting District Judge.

June 29, 1923.

Order Nisi returnable date is extended for August 22, 1923.

August 1, 1923.

D. H. BALFOUR,
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Velaramale Cornelis Appuhamy of Yatanwela, deceased.

Weerasinghe Mudiyanse Punchedimaya of Yatanwela Petitioner.

(1) Vitaramale Gunaratna Sinisene, (2) ditto Pama-wathie, (3) ditto Somawathie, (4) ditto Charlet Gunatileke, (5) ditto Piyasekera, (6) Peter Singho, all of Yatanwela Respondents.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge, Kegalla, on July 18, 1923, in the presence of Mr. Wijeyaratna, Proctor, for petitioners; and his affidavit and petition dated July 16 and 17, 1923, respectively, praying for letters of administration of the said estate, and the appointment of guardian *ad litem* over the minor respondents, having been read: It is ordered and declared that the petitioner, as the widow of the deceased, is entitled to letters of administration of the said estate, and that such letters will be issued to her accordingly, and that the 6th respondent, being the step-father of the 1st to 6th respondents, is a fit and proper person to be appointed their guardian *ad litem*, and that such appointment will be made accordingly, unless the respondents or any person or persons interested shall, on or before August 23, 1923, show sufficient cause to the satisfaction of this court to the contrary.

July 18, 1923.

D. H. BALFOUR,
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Ranaweera Araccillage Kiri Banda of No. 908. Thambawita, deceased.

Ranaweera Aratchchillage Mudiyanse of Thambawita Petitioner.

And.

(1) Doratiyawerallage Punchedimaya of Thambawita, (2) Ranaweera Araccillage Punchedimaya, (3) ditto Dangrimenika, all of Thambawita; the 2nd and 3rd respondents being minors by their guardian *ad litem* their mother, the 1st respondent Respondents.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge, Kegalla, on July 18, 1923, in the presence of Mr. Abeyewickreme, Proctor, for petitioner; and his affidavit and petition dated July 9 and 17, 1923, respectively, praying for letters of administration of the said estate and the appointment of guardian *ad litem* over the minor respondents, having been read: It is ordered and declared that the petitioner, as the eldest son of the deceased, is entitled to letters of administration of the said estate, and that such letters will be issued to him accordingly, and that the first respondent, being the mother of the 2nd and 3rd minor respondents, is a fit and proper person to be appointed their guardian *ad litem*, and that such appointment will be made accordingly, unless the respondents or any person or persons interested shall, on or before August 23, 1923, show sufficient cause to the satisfaction of the court to the contrary.

July 18, 1923.

D. H. BALFOUR,
District Judge.