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PART II.—LEGAL.

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

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COLOMBO :

H. ROSS COTTLE, GOVERNMENT PRINTER, CEYLON.

DRAFT ORDINANCE.

W 372/26

MINUTE.

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

An Ordinance further to amend the Road Ordinance, 1861.

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

- | | |
|--|--|
| Short title. | 1 This Ordinance may be cited as the Road Ordinance, No. of 1926. |
| Definitions of "canal" and "river." | 2 There shall be inserted at the end of the definition of "canal" and at the end of the definition of "river" in section 4 of the principal Ordinance the words "and all lands reserved for their protection or benefit." |
| Definition of "committee." | 3 The following definition shall be inserted in section 4 of the principal Ordinance immediately before the definition of the term "thoroughfare":
"Committee" shall mean, as respects principal thoroughfares, the Provincial Committee, and, as respects other thoroughfares, the District Committee. |
| Village Committees to have powers of Provincial Committees as regards "roads." | 4 The following section shall be inserted between section 4 A and section 5 of the principal Ordinance, viz.:
4 B. The inhabitants of any chief headman's division or of any subdivision deemed to be or otherwise brought within the operation of the Village Communities Ordinance, No. 9 of 1924, may, with regard to immovable property comprised in the term "road" as defined in this Ordinance and vested in such inhabitants under the said Village Communities Ordinance, exercise all or any of the powers conferred by section 9 of this Ordinance on the Provincial Committee or the Chairman thereof. |
| Power to let resthouses. | 5 The following shall be added at the end of section 19 of the principal Ordinance, viz.:
Provided always that a Provincial Committee may, with the approval of the Governor in Executive Council, let any resthouse in their charge and the premises belonging thereto on lease to any person who will undertake to provide therein such accommodation, refreshment, and service for the use of the public as may be specified in the lease, and may, with such approval as aforesaid, make rules which shall be binding on all persons using or occupying any resthouse so let on lease or any of the premises belonging thereto. Any rent reserved by a lease of a resthouse shall be paid to the Chairman of the Committee and shall be available for the upkeep of all or any resthouses and premises belonging thereto in the province. This proviso shall operate so as to validate and shall apply to any lease of a resthouse made by a Provincial Committee before the commencement of this Ordinance. |
| Insertion of new section in principal Ordinance. | 6 The following section shall be inserted immediately after section 22 of the principal Ordinance, viz.: |
| Power for Provincial Committees to delegate powers to District Committees. | 22 A A Provincial Committee may, if it thinks fit, from time to time delegate to a District Committee all or any of the powers of the Provincial Committee with respect to any principal thoroughfare or resthouse in the district of the District Committee, either generally or as respects any particular matter. |

7 The following shall be substituted for section 66 of the principal Ordinance, viz.:

66 The direction and control of any work directed by the Governor and the Legislative Council to be undertaken under this Ordinance upon any principal thoroughfare shall be vested in the Director of Public Works for the time being, or such other officer as the Governor may direct, and the execution of such work left to him.

8 The following two sections shall be inserted immediately after section 86 of the principal Ordinance, viz.:

86 A (1) No person shall erect or commence to erect any new building of which any part shall be within the prescribed distance from the centre of a road used or intended to be used for vehicular traffic.

(2) For the purposes of this section each of the following operations, namely—

- (a) The re-erection, wholly or partially, of any building of which an outer wall is pulled down or otherwise destroyed to or within ten feet of the surface of the ground adjoining the lowest storey of the building, and of any frame building so far pulled down or otherwise destroyed as to leave only the framework of the lowest storey;
- (b) The making of any addition to an existing building by raising any part of the roof, by altering a wall or making any projection from the building, but so far as regards the addition only; and
- (c) The roofing or covering over of an open space between walls or buildings;

shall be deemed to be the erection of a new building.

(3) The prescribed distance shall be twenty-five feet: Provided that the Governor in Executive Council may from time to time by notification in the Gazette prescribe, as respects any road or part of a road, any other distance not exceeding sixty-six feet.

(4) A committee may, if they think fit, from time to time cause the prescribed distance from the centre of any road to be surveyed and marked by permanent marks, and may maintain such marks.

(5) Any committee who have reason to suspect that an offence has been committed against the provisions of this section may cause such survey to be made as may be necessary to determine whether an offence has been committed.

(6) If any person contravenes or abets the contravention of the provisions of this section, he shall be guilty of an offence, and shall be liable on conviction by a Police Magistrate to a fine not exceeding one hundred rupees, and, if any building in respect of which the offence was committed is not removed within one month from the date of the conviction, the committee may cause the building to be removed and may recover the expenses of such removal from any person convicted, and such expenses shall be a charge on the whole land on or on any part of which the building was erected.

(7) A committee may, on giving at least one day's notice to the occupier, enter, by themselves, their agents, or servants, on any private land for the purpose of doing anything which the committee are by this section authorized to do or to cause to be done.

(8) Nothing in this section shall affect the right of any committee to define a building line under any other power, or the rights and obligations of any person with reference to any building line so defined.

86 B Every member of a committee and every servant or agent of a committee shall, while performing any duty or exercising any power imposed or conferred on the committee by this Ordinance, be deemed to be a public servant discharging his public functions within the meaning of the Ceylon Penal Code.

Management of works on principal thoroughfares to be vested in the Director of Public Works.

Insertion of new sections in principal Ordinance. Restriction on building within 25 feet from centre of roads.

Members of committee to be public servants.

Amendment of section 90A of the principal Ordinance.

Insertion of new section in principal Ordinance.

Causing injury to road by weeding, &c.

9 Section 90 A of the principal Ordinance is hereby amended by the insertion therein of the figures and word " 84 or " after the word " section " in line 5 thereof.

10 The following section shall be inserted between section 91 and section 92 of the principal Ordinance, viz.:

91 A (1) A committee may from time to time make, and when made amend or revoke, orders prohibiting weeding, removal of soil, and any other operation on land adjoining a thoroughfare where, in the opinion of the committee, such order is necessary to protect the thoroughfare from risk of subsidence or other injury.

(2) Every such order shall specify the distance from the centre of the thoroughfare within which the prohibition is to take effect.

(3) Every such order and every amendment thereof shall be served on the occupier (if any) or his agent, and a copy thereof shall be kept posted in a conspicuous position at each end of the section of the thoroughfare to which the order relates.

(4) The Governor in Executive Council may at any time, on the application of any person aggrieved by any such order or any amendment thereof, revoke or amend the order in such manner as he may deem just. Provided that such application shall be made within four weeks of the date of service on him of the order or amendment.

(5) If there shall be any contravention of any such order, the occupier of the land shall on summary conviction be liable to a fine not exceeding one hundred rupees.

Repeals.

11 Sections 17, 67, and 68 of the principal Ordinance are hereby repealed.

E. B. ALEXANDER,
Acting Colonial Secretary.

Colonial Secretary's Office,
Colombo, December 22, 1926.

Statement of Objects and Reasons.

Section 2 of this Ordinance extends the definition of " canal " and " river " in section 4 of the Road Ordinance, 1861, so as to include " all land reserved for their protection or benefit."

2. Section 4 of this Ordinance gives Village Committees or the inhabitants of a subdivision powers similar to those possessed by Provincial Road Committees under section 9 of Ordinance No. 10 of 1861, to apply for an order stopping up, diverting, or turning a road or canal.

3. Section 5 of this Ordinance confers power on a Provincial Committee to let a resthouse on lease to any person who will undertake to provide therein suitable accommodation, refreshment, and service for the use of the public.

4. As to section 6, where a principal road or resthouse lies at the far end of a Province, it is often very much easier for the District Road Committee in whose district it lies, to exercise general or special supervision in any matter relating to that road or resthouse, than for the Provincial Road Committee to deal with the matter. In such cases the Provincial Road Committee, if it possessed the power of delegating its authority to the District Road Committee, would frequently do so for the sake of efficiency and convenience. Section 6 will give this power of delegation to the Provincial Road Committee.

5. Section 7 of this Ordinance effects a technical amendment rendered necessary by the abolition of the poll tax.

6. Section 8 of this Ordinance prohibits the erection of a new building or the re-erection of an existing building within the prescribed distance from the centre of the road. The " prescribed distance " will be 25 feet; but the Governor in Executive Council may, as respects any particular

road, increase the prescribed distance up to 66 feet. This power is required so as to enable blind corners to be dealt with. The object of the section is to prevent building close to the edge of the road. Such building enormously increases the cost of road-widening operations. It also increases the risks to pedestrians and adds to the amount of road dust gaining entrance to the houses.

7. As to section 9 of this Ordinance, section 90 A of the principal Ordinance permits a Provincial Engineer to exercise, as respects proposed thoroughfares, the powers vested in Provincial or District Committees by sections 88 and 90 (relating to obstructions and encroachments), but does not confer on the Provincial Engineer the necessary ancillary power (in section 84) of requiring the claimant to produce the documents on which the claim is founded. Section 9 of this Ordinance remedies this defect.

8. Section 10 of this Ordinance gives power for the Provincial or District Road Committee to make orders prohibiting weeding, removal of soil, and any other operation on land adjoining a road where, in the opinion of the committee, such order is necessary to protect the road from risk of subsidence or other injury. Experience shows that weeding or removal of soil on slopes at the side of the road tends in course of time to cause subsidence of the road.

9. Section 11 repeals certain sections which by reason of the abolition of the poll tax have become obsolete.

Attorney-General's Chambers,
Colombo, October 6, 1926.

L. H. ELPHINSTONE,
Attorney-General.

(Continued on page 15.)

DISTRICT AND MINOR COURTS NOTICE.

In the District Court of Colombo.

No. 688 In the Matter of the Last Will and Testament of Charles Lambert Ferdinands, deceased.

To Vivian Van Geysel, Daisy Van Geysel, Lucy Ferdinands (*nec* Ebert), William Ferdinands, Cyril Edward Ferdinands, ~~Estak Ferdinands~~, Arthur Ferdinands, Mabel Watson (*nec* Ferdinands), the daughter of James Bernard Ferdinands) and/or her husband and children.

TAKE notice that the District Court of Colombo will, on March 31, 1927, decide the respective questions as to who are the residuary legatees under the

above will, and as to when the $\frac{1}{3}$ share of the rents and profits of Villa St. Leonards ceased to be paid to one of the legatees under the above will, as between the respective parties upon the petitions dated September 30, 1924, October 13, 1924, and September, 1925. You will be heard thereupon should you appear; if not the matter will be heard and decided in your absence.

By order of court, P. DE KRETZER,
Secretary.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 3,534. In the matter of the insolvency of John Lennox Clarke of Union place, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 25, 1927, for proof of claim of Messrs. Cargills, Ltd.

By order of court, P. DE KRETZER,
Colombo, December 21, 1926. Secretary.

In the District Court of Colombo.

No. 3,666. In the matter of the insolvency of Ahamed Ally Abdul Hussain of 4th Cross street, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 1, 1927, for the grant of a certificate of conformity to the above-named insolvent.

By order of court, P. DE KRETZER,
Colombo, December 22, 1926. Secretary.

In the District Court of Colombo.

No. 3,587. In the matter of the insolvency of (1) U. P. Ahamado Saibo and (2) U. P. Mohideen, both of 34, Bridge street, Slave Island, carrying on business under the name, style, and firm or vilasum of U. P. Ahamado Saibo & Bros.

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 March 8, 1927, for the grant of a certificate of conformity to the above-named insolvent.

By order of court, P. DE KRETZER,
Colombo, December 22, 1926. Secretary.

In the District Court of Colombo.

No. 3,667. In the matter of the insolvency of Abraham Peris of 87A, Pansala road, Kotahena, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 8, 1927, for the grant of a certificate of conformity to the above-named insolvent.

By order of court, P. DE KRETZER,
Colombo, December 23, 1926. Secretary.

In the District Court of Colombo.

No. 3,668. In the matter of the insolvency of Pakianathan Samuel Rajahmoney of 8, Carmel road, Colpetty, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 1, 1927, for the grant of a certificate of conformity to the above-named insolvent.

By order of court, P. DE KRETZER,
Colombo, December 22, 1926. Secretary.

In the District Court of Colombo.

No. 3,679. In the matter of the insolvency of K. J. de Silva and M. W. R. de Silva of Wellawatta, Colombo, both carrying on business in partnership under the names, styles, and firms of "The Ceylon Omnibus Co." and K. J. de Silva & Co., insolvents.

WHEREAS Kirikankanage John de Silva and Manikku Wadumestri Ranadeva de Silva have filed a declaration of insolvency, and a petition for the sequestration of their estate has been filed by Peter Dedrick de Silva of Kosgoda in the Galle District, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Kirikankanage John de Silva and Manikku Wadumestri Ranadeva de Silva insolvents accordingly; and that two public sittings of the court, to wit, on February 8, 1927, and on February 22, 1927, will take place for the said insolvents to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, A. E. PERERA,
for Secretary.

In the District Court of Colombo.

No. 3,684. In the matter of the insolvency of Shoona Bawa Saibo of 16, Dam street, Colombo.

WHEREAS the above-named Shoona Bawa Saibo has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by K. L. Mohamed Ibrahim of 24, Dam street, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Shoona Bawa Saibo insolvent accordingly; and that two public sittings of the court, to wit, on February 8, 1927, and on February 22, 1927, 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, P. DE KRETZER,
Colombo, December 20, 1926. Secretary.

In the District Court of Colombo.

No. 3,685. In the matter of the insolvency of Lazarus Rasquinho of Kotahena, Colombo.

WHEREAS the above-named Lazarus Rasquinho has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by D. B. Jayaweera of Kotahena, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Lazarus Rasquinho insolvent accordingly; and that two public sittings of the court, to wit, on February 8, 1927, and on February 22, 1927, 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, P. DE KRETZER,
Colombo, December 20, 1926. Secretary.

In the District Court of Colombo.

No. 3,686. In the matter of the insolvency of A. R. Jamaldeen of 45A, Hulftsdorp, Colombo.

WHEREAS the above-named A. R. Jamaldeen has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by A. L. M. Abdul Hameed of 59, Ferry street, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. R. Jamaldeen insolvent accordingly; and that two public sittings of the court, to wit, on February 8, 1927, and on February 22, 1927, 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, P. DE KRETZER,
Colombo, December 21, 1926. Secretary.

In the District Court of Colombo.

No. 3,687. In the matter of the insolvency of Haji Sheik Abdul Cader Mohamed Sultan of 10, Abamad lane, Slave Island, Colombo.

WHEREAS the above-named Haji Sheik Abdul Cader Mohamed Sultan has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Wappu Marikar Mohamed Salih of 2, Maligakande, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Haji Sheik Abdul Cader Mohamed Sultan insolvent accordingly; and that two public sittings of the court, to wit, on February 8, 1927, and on February 22, 1927, 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, P. DE KRETZER,
Colombo, December 21, 1926. Secretary.

In the District Court of Negombo.

No. 181/I. In the matter of the insolvency of Samarappulige Harmanis Fernando of Tammita.

NOTICE is hereby given that the certificate meeting in the above matter has been adjourned to February 21, 1927.

By order of court, F. J. BELING,
Negombo, December 22, 1926. Secretary.

In the District Court of Kalutara.

No. 195. In the matter of the insolvency of C. L. M. Calidu of Atulugama.

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 January 28, 1927, for the examination of the insolvent.

By order of court, R. MALALGODA,
December 22, 1926. Secretary.

In the District Court of Kalutara.

No. 201. In the matter of the insolvency of Assana Marikar Abdul Wadood of Mahagoda in Beruwala.

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 February 2, 1927, for proof of claims.

By order of court, R. MALALGODA,
December 22, 1926. Secretary.

In the District Court of Kalutara.

No. 208. In the matter of the insolvency of Richard de Silva of Kalutara.

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 February 2, 1927, for appointment of an assignee.

By order of court, R. MALALGODA,
December 22, 1926. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Testamentary In the Matter of the Estate of the late
No. 1,761. Clarence Leslie Fernando of 45, 2nd
Maligakanda in Colombo.

NOTICE is hereby given that on Thursday February 3, 1927, at 3 P.M., will be sold by public auction at the premises the following property belonging to the estate of the deceased Clarence Leslie Fernando, for the recovery of the sum of Rs. 163.40, with interest at 4 per cent. per annum from April 12, 1924, to the date of payment, being estate duty together with a penalty of Rs. 5.--

An undivided $\frac{1}{2}$ share of premises Nos. 1,411/21A and 1,412/21A, now Nos. 62 and 64, situated at Maligakanda road in 2nd Division, Maradana, within the Municipality and District of Colombo; bounded on the north by Maligakanda road, on the east by property now bearing assessment No. 66 belonging to Mr. Wright, south by Maligakanda road, and on the west by properties bearing assessment Nos. 58 and 60; containing in extent about 3 roods more or less.

The above-mentioned property will be sold subject to the life interest of Mrs. J. C. Fernando.

Fiscal's Office,
Colombo, January 5, 1927.

R. O. DE SARAM,
Deputy Fiscal.

In the District Court of Colombo.

Pana Sayna Sayna Moona Kana Theena Kadiresan
Chetty of 139, Sea street, Colombo.....Plaintiff.
No. 9,926. Vs.

Alfred Vincent Michael Pereira of 85, 2nd Division, Maradana, Colombo.....Defendant.

NOTICE is hereby given that on Friday, February 4, 1927, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 336 dated January 19, 1918, and attested by C. Perumal Pillai of Colombo, Notary Public, and decreed to be sold by the decree entered in the above action for the recovery of the sum of Rs. 445.60, being costs, viz.:—

At 3 P.M.

(1) All that portion of the field or owita land marked lot 1 in plan thereof hereinafter referred to now bearing assessment No. 47, situated at Temple lane in Ketawalamulla, within the Municipality of Colombo, Western Province; bounded on the north by a passage 3 feet wide, on the east by lot 12, the property of Naina Marikar Maimu Natchia, on the south by the property formerly of Seebey, now belonging to the estate of the late Mr. U. D. S. Gunasekera, and on the west by lot 9, originally allotted to Asia Umma, now of Naina Marikar Mohideen Bawa; containing in extent 11 and 51/100 square perches according to the figure of survey thereof dated October 6, 1885, made by Charles Schwallie, Surveyor.

At 3.30 P.M.

(2) All that portion of the field or owita land marked lot 2 in plan thereof hereinafter referred to, now bearing assessment No. 47D, situated at Temple lane in Ketawalamulla, within the Municipality of Colombo, Western Province; bounded on the north by a passage 2 feet wide, on the east by lot 3, the property formerly of Packeer Tamby Naina Marikar, now of Mr. A. V. M. Pereira, on the south by the property formerly of Seebey, now belonging to the estate of the late Mr. U. D. S. Gunasekera, and on the west by lot 1, the property formerly of Naina Marikar Mohideen Bawa, now of Mr. A. V. M. Pereira; containing in extent 11 and 51/100 square perches according to the figure of survey thereof dated October 6, 1884, and made by Charles Schwallie, Surveyor. Prior registration A 117/153 and A 70/272.

Fiscal's Office,
Colombo, January 5, 1927.

R. O. DE SARAM,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Muna Vena Muna Visva Nathan Chetty of 376,
Trincomalee street in Kandy Plaintiff.

No. 83,901. Vs.

Punchi Banda Amunugama Basnayake Nilame of
Yatiwawala Defendant.

NOTICE is hereby given that on Tuesday, February 1927, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 529.75, with interest on Rs. 400 at the rate of 9 per cent. per annum from April 23, 1926, till payment in full, and poundage, viz.:—

An allotment of land called Ettamuragodawatta of 15 acres in extent, situated at Yatiwawala in Kulugammanasiya pattu of Harispattu in the District of Kandy, Central Province; and bounded on the east by Ratmalekumbura, on the south by Inigalakumbura, on the west by ditch, and on the north by Dodangaha-peleykumbura.

A. RANESINGHE,
Fiscal's Office, Additional Deputy Fiscal.
Kandy, December 20, 1926.

North-Western Province.

In the District Court of Kurunegala.

Horombapedi Durayalage Horatala of Naram-
mala Plaintiff.

No. 10,773. Vs.

(1) Setunga Mudiyansele Punchi Banda, Registrar, and (2) Paliawadana Aratchige Dona Selestina Perera, both of Narammala in Dambadeni Udukaha korale north Defendants.

NOTICE is hereby given that on Saturday, February 5, 1927, commencing at 1 o'clock in the afternoon, will be sold by public auction at the premises the right,

title, and interest of the said defendants in the following property, viz.:—

1. An undivided $\frac{3}{8}$ shares of Galwangiyehena, now garden of about 4 seers of kurakkan sowing in extent, situate at Ginigatpitiya in Dambadeni Udukaha korale north of Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the east by Gansabhawa road, south by Gansabhawa road and the garden of Punchi Banda Arachchila and others, west by the road leading to Madampe; north by the garden of Punchi Banda; Arachchi, and others.

2. Galagawakumbura of about 6 lahās of paddy sowing in extent, situate at the aforesaid village; and bounded on the east by the limitary ridge of Puranekumbura, south by the field of Lasaru, west by galkanda, north by the field of Omaru Lebbe and others.

3. The field called Purana of about 2 pelās of paddy sowing in extent, situate at the aforesaid village; and bounded on the east by Telatiyawelagawakumbura, south by Millagahakumbura, west by the field of Lasaru and others, and north by Meegahakumbura.

4. Siyambalagahamulawatta of about 4 seers of kurakkan sowing in extent, situate at the aforesaid village; and bounded on the east by the garden of Rannahmi and others, south by Mala-ela, west by land of Punchi Banda, Registrar, and others, and north by field.

5. The remaining extent of 2 acres 3 roods and 38 perches, excluding the share sold from and out of Gewalannakotuwewatta and chena of about 1 pela of kurakkan sowing in extent, situate at Narammala in the aforesaid korale; which said remaining extent of 2 acres 3 roods and 38 perches is bounded on the east by the road leading to Madampe, south by Iswetiye-watta, north by Kumburukotuwewatta and Ihalawatta, west by Iswetiye-watta, with the buildings, plantations, standing thereon.

Amount to be levied Rs. 989.75, with legal interest on Rs. 865 from May 19, 1925, till payment in full, and poundage.

S. D. SAMARASINHE,
Fiscal's Office, Deputy Fiscal.
Kurunegala, December 21, 1926.

Province of Uva.

In the District Court of Badulla.

S. R. M. M. A. Ramen Chettiyar of Bandara-
wela Plaintiff.

No. 4,313. Vs.

P. R. Daniel Silva of Ettampitiya Defendant.

NOTICE is hereby given that on Friday, January 28, 1927, at 2 o'clock in the afternoon, will be sold by public auction at the Badulla Motor and Iron Works the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,100, with further interest on Rs. 1,000 at 24 per cent. per annum from September 10, 1926, till October 13, 1926, and thereafter with legal interest on the aggregate till payment in full, and costs. viz.:—

Overland motor lorry No. U 682.

H. C. WIJESINHE,
Fiscal's Office, Additional Deputy Fiscal.
Badulla, December 21, 1926.

I, ROBERT NEIMANN THAINE, Fiscal for the Western Province, do hereby appoint Mr. A. J. Senanayake to be Marshal for the Udugaha and Meda pattus of Hewagam korale in the District of Colombo, under the provisions of "The Fiscals' Ordinance, 1867," and authorize him to perform the duties and exercise the authority of Marshal during

the public holidays (December 24, 1926, to January 3, 1927), for which this shall be his warrant.

R. N. THAINE,
Fiscal.

Fiscal's Office,
Colombo, December 21, 1926.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi. 28/10/26

Testamentary In the Matter of the Intestate Estate Jurisdiction. of Dalugama Acharige Don Nicholas No. 3,110. of Dalugama in the Adicari pattu of Siyane korale, deceased.

Kolamuna Acharige Don Simon Hamy of Dalugama aforesaid.....Petitioner.

And

(1) Dalugama Acharige Aslin Nona, (2) ditto Pura Chandra, (3) ditto Seelawathie, appearing by their guardian *ad litem*, (4) Panadure Acharige Dona Maria Nona of Kalubowila.....Respondents.

THIS matter coming on for disposal before A. L. J. Croos-Dabrera, Esq., District Judge of Colombo, on November 18, 1926, in the presence of Mr. Vincent Fernando, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated August 5, 1926, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as nephew of the deceased above named, 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 January 13, 1927, show sufficient cause to the satisfaction of this court to the contrary.

A. L. J. CROOS-DABRERA,
November 18, 1926. District Judge.

In the District Court of Colombo.

Order Nisi. 26/10/26

Testamentary In the Matter of the Intestate Estate Jurisdiction. of Kaluhath Nandoris de Abrew of No. 3,133. Mattakkuliya, deceased.

Sophia de Abrew Rajapakse Hamine of Viustwyke road, Mattakkuliya in Colombo.....Petitioner.

And

(1) Helena Agnes Abrew of Mattakkuliya and her husband, (2) Wijewarnakula Aron Thabrew of Matara Respondents.

THIS matter coming on for disposal before A. L. J. Croos-Dabrera, Esq., District Judge of Colombo, on December 8, 1926, in the presence of Mr. F. B. Ekanayaka, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 6, 1926, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before January 20, 1927, show sufficient cause to the satisfaction of this court to the contrary.

A. L. J. CROOS-DABRERA,
December 8, 1926. District Judge.

In the District Court of Colombo. 33/10/26

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament or Trust Disposition and Settlement of Ina (Georgina) Swan, No. 3,137. sometime of Clifton, Willow Grange, Natal, and late of Chellwood, Monifieth, in the County of Forfar, Scotland, deceased.

THIS matter coming on for disposal before A. L. J. Croos-Dabrera, Esq., District Judge of Colombo, on December 14, 1926, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Norman Stewart of Attampettia, Bandarawela; and (1) the affidavit of the said petitioner dated December 10, 1926, (2) the power of attorney dated August 5 and 15, 1926, and (3) the order of the Supreme Court dated November 26, 1926, having been read: It is ordered that the will of the said Ina (Georgina) Swan, deceased, dated March 6, 1926, a certified copy of which under the Seal of the Books of the Lords of Council and Session at Edinburgh has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Norman Stewart is the attorney in Ceylon of the executors named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 13, 1927, show sufficient cause to the satisfaction of this court to the contrary.

A. L. J. CROOS-DABRERA,
December 14, 1926. District Judge.

In the District Court of Colombo. 28/10/26

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of William Harold Goulstone of Colombo in the Island of Ceylon, broker, deceased.

THIS matter coming on for disposal before A. L. J. Croos-Dabrera, Esq., District Judge of Colombo, on December 14, 1926, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Harold Gordon Donald of Colombo; and (1) the affidavit of the said petitioner dated November 23, 1926, (2) the affidavit of the attesting witnesses of the will dated October 14, 1926, and (3) deed of renunciation dated August 18, 1926, having been read: It is ordered that the will of the said William Harold Goulstone, deceased, dated June 3, 1924, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Harold Gordon Donald is the proving 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 January 13, 1927, show sufficient cause to the satisfaction of this court to the contrary.

A. L. J. CROOS-DABRERA,
December 14, 1926. District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Fanny Matilda Christie, No. 3,139. wife of Harry Bathurst Christie of 2, Royal Parade, Cheltenham, in the County of Gloucester, England, deceased.

THIS matter coming on for disposal before A. L. J. Croos-Dabrera, Esq., District Judge of Colombo, on December 14, 1926, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Morton Ledger Hopkins of Colombo; and (1) the affidavit of the said petitioner dated December 1, 1926, (2) the power of attorney dated October 4, 1926, and (3) the order of the Supreme Court dated November 26, 1926, having been read: It is ordered that the will of the said Fanny Matilda Christie, deceased, dated October 16, 1922, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Morton Ledger Hopkins is the attorney in Ceylon of the proving executor named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 13, 1927, show sufficient cause to the satisfaction of this court to the contrary.

A. L. J. CROOS-DABRERA,
December 14, 1926. District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament (with two Codicils) of No. 3,140. Isabella Morrison Baker of 37, Brooke street, Holborn in the County of Middlesex, England, spinster, deceased.

THIS matter coming on for disposal before A. L. J. Croos-Dabrera, Esq., District Judge of Colombo, on December 14, 1926, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Hugh Nathaniel Collyer of Colombo; and (1) the affidavit of the said petitioner dated December 2, 1926, (2) the power of attorney dated August 31, 1926, and (3) the order of the Supreme Court dated November 26, 1926, having been read: It is ordered that the will of the said Isabella Morrison Baker, deceased, dated December 24, 1920, and two codicils thereto dated respectively July 29, 1925, and March 12, 1926, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Hugh Nathaniel Collyer is the attorney in Ceylon of the executors named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 13, 1927, show sufficient cause to the satisfaction of this court to the contrary.

A. L. J. CROOS-DABRERA,
December 14, 1926. District Judge.

31/10/26 In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of John Conrad Bedford No. 3,141. Ingleby of 82, Delph Lane, Leeds, in the County of York, England, deceased.

THIS matter coming on for disposal before A. L. J. Croos-Dabrera, Esq., District Judge of Colombo, on December 14, 1926, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Robert Forbes of Colombo; and (1) the affidavit of the said petitioner dated December 1, 1926, (2) the power of attorney dated September 17, 1926, and (3) the order of the Supreme Court dated November 26, 1926, having been read: It is ordered that the will of the said John Conrad Bedford Ingleby, deceased, dated June 2, 1921, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Robert Forbes is the attorney in Ceylon of the executors named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 13, 1927, show sufficient cause to the satisfaction of this court to the contrary.

A. L. J. CROOS-DABRERA,
December 14, 1926. District Judge.

31/10/26 In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament or Trust Disposition and Settlement of John Mitchell of No. 3,142. Hawkhill House, Milltimber by Aberdeen in Scotland, deceased.

THIS matter coming on for disposal before A. L. J. Croos-Dabrera, Esq., District Judge of Colombo, on December 14, 1926, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner John Allan Tarbat of Colombo; and (1) the affidavit of the said petitioner dated December 1, 1926, (2) the power of attorney dated September 14 and 16, 1926, and (3) the order of the Supreme Court dated November 12, 1926, having been read: It is ordered that the will of the said John Mitchell, deceased, dated October 5, 1925, a certified copy of which under the Seal of the Commissary Court of Aberdeenshire has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that said John Allan Tarbat is the attorney in Ceylon of the executors named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 13, 1927, show sufficient cause to the satisfaction of this court to the contrary.

A. L. J. CROOS-DABRERA,
December 14, 1926. District Judge.

31/10/26 In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament or Trust Disposition and Settlement of Margaret Fraser of No. 3,145. Merlewood, Gorebridge, Midlothian, Scotland, spinster, deceased.

THIS matter coming on for disposal before A. L. J. Croos-Dabrera, Esq., District Judge of Colombo, on

December 14, 1926, in the presence of Mr. P. S. Martensz, Proctor, on the part of the petitioner Stanley Frederick de Saram of Colombo; and (1) the affidavit of the said petitioner dated December 1, 1926, (2) the power of attorney dated October 15, 1926, and (3) the order of the Supreme Court dated November 26, 1926, having been read: It is ordered that the will of the said Margaret Fraser, deceased, dated May 18, 1922, a certified copy of which under the Seal of the Books of the Lords of Council and Session at Edinburgh has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Stanley Frederick de Saram is the attorney in Ceylon of the executrix named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 13, 1927, show sufficient cause to the satisfaction of this court to the contrary.

A. L. J. CROOS-DABRERA,
District Judge.
December 14, 1926.

In the District Court of Colombo. 24/200

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Anna Dorothea Jebb, No. 3,143. formerly of 1, St. Johns Villas, Palmerston road, Buckhurst Hill in the County of Essex, England, but late of "Mansfield," Woodberry Hill, Loughton in the said County, spinster, deceased.

THIS matter coming on for disposal before A. L. J. Croos-Dabrera, Esq., District Judge of Colombo, on December 14, 1926, in the presence of Mr. P. S. Martensz, Proctor, on the part of the petitioner, Stanley Frederick de Saram of Colombo; and (1) the affidavit of the said petitioner dated December 1, 1926, (2) the power of attorney dated October 15, 1926, and (3) the order of the Supreme Court dated November 26, 1926, having been read: It is ordered that the will of the said Anna Dorothea Jebb, deceased, dated July 21, 1910, an exemplification of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Stanley Frederick de Saram is the attorney in Ceylon of the executrix named in the said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 13, 1927, show sufficient cause to the satisfaction of this court to the contrary.

A. L. J. CROOS-DABRERA,
District Judge.
December 14, 1926.

In the District Court of Colombo. 32/200

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of James Hetley Betts, No. 3,144. late of 2, Camden House Chambers, Sheffield Terrace, Kensington, in the County of Middlesex, England, deceased.

THIS matter coming on for disposal before A. L. J. Croos-Dabrera, Esq., District Judge of Colombo, on December 14, 1926, in the presence of Mr. P. S. Martensz, Proctor, on the part of the petitioner

Stanley Frederick de Saram of Colombo; and (1) the affidavit of the said petitioner dated December 1, 1926, (2) the power of attorney dated September 8, 1926, and (3) the order of the Supreme Court dated November 12, 1926, having been read: It is ordered that the will of the said James Hetley Betts, deceased, dated December 12, 1925, an exemplification of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this Court, be and the same is hereby declared proved; and it is further declared that the said Stanley Frederick de Saram is the attorney in Ceylon of the executors named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 13, 1927, show sufficient cause to the satisfaction of this court to the contrary.

A. L. J. CROOS-DABRERA,
District Judge.
December 14, 1926.

In the District Court of Colombo. 27/2

Order Nisi.

Testamentary In the Matter of the Intestate Estate Jurisdiction. and Effects of Lily Annaretnam No. 3,152. Mather of Horton place in Colombo, deceased.

William Alagaratnam Mather of Horton place in Colombo.....Petitioner.

And

(1) Gladys Alagumany, (2) William Alagaratnam, (3) Revd. James Sayundranayagam Mather all of Horton place in Colombo.....Respondents.

THIS matter coming on for disposal before A. L. J. Croos-Dabrera, Esq., District Judge of Colombo, on December 16, 1926, in the presence of Mr. F. Rustomjee, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 15, 1926, 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 January 13, 1927, show sufficient cause to the satisfaction of this court to the contrary.

A. L. J. CROOS-DABRERA,
District Judge.
December 16, 1926.

In the District Court of Colombo. 27/

Order Nisi.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Caroline Harriette No. 3,160. Bowman, late of Kandy in the Island of Ceylon, deceased.

Edward Deslandes Bowman of Baddegama.....Petitioner.

THIS matter coming on for disposal before A. L. J. Croos-Dabrera, Esq., District Judge of Colombo, on December 20, 1926, in the presence of Messrs. de Vos & Gratiaen, Proctors, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated December 8, 1926, and (2) of the attesting Notary dated December 17, 1926, having been read:

It is ordered that the last will of Caroline Harriette Bowman, 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 January 27, 1927, show sufficient cause to the satisfaction of this court to the contrary.

A. L. J. CROOS-DABRERA,
December 20, 1926. District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament, with a Codicil, of William Hamilton Charsley, late of St. Leonard's Church Square, St. Kilda, in the State of Victoria, Commonwealth of Australia, deceased.

THIS matter coming on for disposal before A. L. J. Croos-Dabrera, Esq., District Judge of Colombo, on December 21, 1926, in the presence of Mr. Percival Stephen Martensz, Proctor, on the part of the petitioner, Stanley Frederick de Saram of Colombo; and (1) the affidavit of the said petitioner dated December 17, 1926, (2) the power of attorney dated November 19, 1926, and (3) the order of the Supreme Court dated December 16, 1926, having been read: It is ordered that the will of the said William Hamilton Charsley, deceased, dated December 20, 1922, with a codicil thereto dated April 21, 1926, exemplification of probate of which under the Seal of the Supreme Court of Victoria, Commonwealth of Australia, has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Stanley Frederick de Saram is the attorney of the executrix named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 13, 1927, show sufficient cause to the satisfaction of this court to the contrary.

A. L. J. CROOS-DABRERA,
December 21, 1926. District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the General Disposition and Settlement or Last Will and Jurisdiction. Testament and Testament of Edward Heron Maxwell, also known as Edward Maxwell Blair, of Teviot Bank, Hawick in Scotland, deceased.

THIS matter coming on for disposal before A. L. J. Croos-Dabrera, Esq., District Judge of Colombo, on December 18, 1926, in the presence of Percival Stephen Martensz, Proctor, on the part of the petitioner, Stanley Frederick de Saram of Colombo; and (1) the affidavit of the said petitioner dated December 9, 1926, (2) the power of attorney dated October 11 and 14, 1926, and (3) the order of the Supreme Court dated December 3, 1926, having been read: It is ordered that the will of the said Edward Heron Maxwell or Edward Heron Maxwell Blair, deceased, dated September 4, 1890, a copy of which and a copy of the testament-testamentar umquhile confirming the appointment of the executors named in the said will, both certified under the seal of office of the Sheriffdom of Roxburgh in Scotland have been produced and are

now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Stanley Frederick de Saram is the attorney in Ceylon of the executors named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 20, 1927, show sufficient cause to the satisfaction of this court to the contrary.

A. L. J. CROOS-DABRERA,
December 13, 1926. District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate Jurisdiction. of the late Lintotage Elaris Fernando No. 2,469. of Katana, deceased.

THIS matter coming on for disposal before G. Furse Roberts, Esq., District Judge of Negombo, on December 13, 1926, in the presence of Mr. P. D. F. de Croos, Proctor, on the part of the petitioner, Aníarosige Mary Fernando of Katana; and the affidavit of the said petitioner dated December 7, 1926, having been read:

It is ordered that the 4th respondent be appointed guardian *ad litem* over the minors, 1st, 2nd, and 3rd respondents, and that the 8th respondent be appointed guardian *ad litem* over the minors, 5th, 6th, and 7th respondents, for the purpose of this testamentary action, unless sufficient cause be shown to the satisfaction of this court to the contrary on or before the date mentioned herein below.

It is further ordered that the said petitioner be and she is hereby declared entitled, as the widow of the said deceased, to administer the estate of the deceased above named, and that letters of administration do issue to her accordingly, unless the respondents—(1) Joseph Rochus Mark Fernando, (2) Andrew Francis Fernando, (3) Mary Josephine Theresa Fernando, all of Katana, (4) Joseph N. Dharmaratna of Maggona, (5) Mathies Fernando, (6) Simon Alfred Fernando, (7) Johana Winifred Elsie Fernando, and (8) Lintotage Pelis Fernando, all of Katana—or any other person or persons interested shall, on or before January 18, 1927, show sufficient cause to the satisfaction of this court to the contrary.

And it is further ordered that the 4th and 8th respondents do produce the said minors before this court on January 18, 1927, at 9.30 A.M., in connection with this case.

G. FURSE ROBERTS,
December 14, 1926. District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Kaluvithanage Jane Nona No. 1,948. Hamene, deceased, of Welkandala.

(1) Nahalla Withanage Garlis Singho, (2) ditto Piyasena, (3) ditto Abeyesena, (4) ditto Amarasena, (5) ditto Karokamy, (6) ditto Kamalawathie, all of Welkandala, minors, by their guardian *ad litem* James Desin Vandebona..... Respondents.

THIS matter coming on for disposal before M. Prasad, Esq., District Judge of Kalutara, on October 29, 1926, in the presence of Mr. D. C. Paranagama, Proctor, on the part of the petitioner,

Nahalla Vithanage Elisa Nona of Welkandala, and the affidavit of the said petitioner dated October 29, 1926, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled, as the eldest daughter of the above-named deceased, to have letters of administration to her estate be issued to her, unless the respondents or any other person or persons interested shall, on or before December 21, 1926, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that James Desin Vandebona be and he is hereby declared entitled to be appointed guardian *ad litem* over the the 1st to 6th respondents, minors, for all the purposes of this action, unless the said respondents or any other person shall, on or before December 21, 1926, show sufficient cause to the satisfaction of this court to the contrary.

December 6, 1926.

M. PRASAD,
District Judge.

The time for showing cause has been extended till January 25, 1927.

M. PRASAD,
District Judge.

In the District Court of Kandy. 26/10/26

Testamentary In the Matter of the Estate of the late Jurisdiction. Hewavitarana Aratchige Luvis No. 4,441. Hewavitarana, deceased, of Lochanagar estate, Matale.

THIS matter coming on for disposal before Vincent Michael Fernando, Esq., District Judge, Kandy, on December 2, 1926, in the presence of Messrs. Wijayatilake & Wijayatilake, Proctors, on the part of the petitioner, Vellappu Arachchige Babenamy of Kongahamula, and the affidavit of the said petitioner dated October 22, 1926, and his petition having been read:

It is ordered that the petitioner, as the father-in-law of the deceased above named, be and he is hereby declared entitled to have letters of administration to the estate of the deceased above named be issued to him accordingly, unless the respondents—(1) Hewavitarana Arachchige Hemawathie Hewavitarana, (2) ditto Sunirmala Hewavitarana, (3) ditto Mahindadasa Hewavitarana, (4) ditto Thomas Hewavitarana; the 1st, 2nd, and 3rd respondents by their guardian *ad litem* the 4th respondent—shall, on or before January 17, 1927, show sufficient cause to the satisfaction of this court to the contrary.

December 2, 1926.

V. M. FERNANDO,
District Judge.

In the District Court of Kandy. 26/10/26

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Ethel Marguerite Morse, deceased No. 4,452. late of Hunasgiriya, Wattedgama.

THIS matter coming on for disposal before Vincent Michael Fernando, Esq., District Judge, Kandy, on December 7, 1926, in the presence of Messrs. Leisching & Lee, Proctors, Kandy, on the part of the

petitioner, Gerald Frank Morse of Hunasgiriya, Wattedgama; and the affidavit of the said petitioner dated December 5, 1926, and his petition and the order of the Supreme Court dated November 29, 1926, having been read:

It is ordered that the petitioner above named, as the husband of the deceased, be and he is hereby declared entitled to have letters of administration to the estate of the deceased above named be issued to him accordingly, unless any person or persons interested shall, on or before January 13, 1927, show sufficient cause to the satisfaction of this court to the contrary.

December 7, 1926.

V. M. FERNANDO,
District Judge.

In the District Court of Matara. 42/10/26

Order Nisi.

Testamentary In the Matter of the Estate of the late Case No. 3,258. Don Johannes Samaraweera Waidya-Estate No. 11,793. tilleka, Veda Muhandiram of Kotuwegoda, Matara, deceased.

Marshal Samaraweera Waidiyatilleka of Kotuwegoda.....Petitioner.

Against

(1) Piyankara Mestrige Karonchihamy of Kotuwegoda; (2) Pelis Samaraweera Waidiyatilleka of Kotuwegoda, (3) George William Thennakon, (4) Bennet Thennakon (minors), (5) Thennakonge George de Silva, all of Kotuwegoda..... Respondents.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Matara, on September 9, 1926, in the presence of Mr. H. C. Wijesinha, Proctor, on the part of the petitioner above named; and the petition and the affidavit of the said petitioner dated August 24, 1926, having been read:

It is ordered that the petitioner, Marshal Samaraweera Waidiyatilleka, be and he is hereby declared entitled, as son of the said deceased, to administer the said estate, and that letters of administration do issue to him accordingly, unless the respondents above named or any person or persons interested shall, on or before September 27, 1926, show sufficient cause to the satisfaction of this court to the contrary.

It is also ordered that the 5th respondent, Thennakonge George de Silva, be and he is hereby appointed guardian *ad litem* over the 3rd and 4th minor respondents above named, unless sufficient cause be shown to the contrary on September 27, 1926.

It is further ordered that the said 3rd and 4th minor respondents be produced before this court on September 27, 1926.

September 9, 1926.

W. SANSONI,
District Judge.

Order Nisi to be published now for January 17, 1927.

J. R. WALTERS,
District Judge.

In the District Court of Matara.

Testamentary In the Matter of the Estate of the late
No. 3,272. Karunachcharige Asiriya of Bengamuwa, deceased.

(1) Ihalancharige Dingiya, (2) Ihalanakatige Suwarisa Petitioners.

Vs.

(1) Pattiyawala Uthrapatige Kattu, (2) Karunachcharige Keransi, (3) ditto Sewanchi, all of Bengamuwa Respondents.

THIS matter coming on for disposal before J. R. Walters, Esq., District Judge of Matara, on November 3, 1926, in the presence of Messrs. Abeyagunawardana & Weerasekara, Proctors, on the part of the petitioners above named; and the petition and the affidavit of the said petitioners dated September 30, 1926, having been read:

It is ordered that the petitioners, Ihalanakatige Dingiya and Ihalanakatige Suwarisa, be and they are hereby declared entitled to administer the estate of the said deceased, and that letters of administration do issue to them accordingly, unless the respondents above named or any person or persons interested shall, on or before January 11, 1927, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WALTERS,
November 3, 1926. District Judge.

In the District Court of Matara.

Testamentary In the Matter of the Estate of the late
Case No. 3,274. Liyanagamage Dona Gimarahamy, deceased, of Wehella.

Atukorala Aratchige Don Hendrick Appuhamy of Wehella Petitioner.

(1) Jayasekera Vitanage Dona Ciciliana, (2) ditto Bastian, (3) Atukorala Aratchige Edwin, (4) Nakulugamuwe Gamage Don Andris of Wehella Respondents.

THIS matter coming on for disposal before J. R. Walters, Esq., District Judge of Matara, on November 5, 1926, in the presence of Messrs. Abeyagunawardana & Weerasekera, Proctors, on the part of the petitioner; and the petition and the affidavit of the said petitioner dated November 5, 1926, having been read:

It is ordered that the petitioner, Atukorala Aratchige Don Hendrick, be and he is hereby declared entitled, as husband of the said deceased, to administer the estate, and that letters of administration do issue to him accordingly, unless the respondents or any person or persons interested shall, on or before January 12, 1927, show sufficient cause to the satisfaction of this court to the contrary.

It is also ordered that the 4th respondent, Nakulugamuwe Gamage Don Andris, be and he is hereby appointed guardian *ad litem* over the 1st to 3rd minor respondents, unless sufficient cause be shown to the contrary on January 12, 1927.

It is also ordered that the said 1st to 3rd minor respondents be produced before this court on January 12, 1927.

J. R. WALTERS,
November 5, 1926. District Judge.

In the District Court of Matara.

Testamentary In the Matter of the Estate of the late
No. 3,275. Hendrick Palihakkara Appuhamy of Pategama, deceased.

Ratnayaka Aratchige Dona Gimara of Pategama Petitioner.

Vs.

(1) Sirisena Mendias Palihakkara of Palapathe, (2) Don Daniel Palihakkara of G. P. O., Colombo, (3) Don Nicolas Palihakkara, (4) Don Richel Palihakkara, (5) Dona Gimara Palihakkara, (6) Dona Cornelia Palihakkara and husband, (7) M. D. C. Abewadana, both of Wehella, (8) Wimalawathy Wellappuly, (9) Ariyadasa Wellappuly, both of Narandeniya Respondents.

THIS matter coming on for disposal before J. R. Walters, Esq., District Judge of Matara, on November 5, 1926, in the presence of Messrs. Abeyagunawardana & Weerasekara, Proctors, on the part of the petitioner above named; and the petition and the affidavit of the said petitioner dated August 6, 1926, having been read:

It is ordered that the petitioner, Ratnayaka Aratchige Gimarahamy, be and she is hereby declared entitled, as wife of the said deceased, to administer the said estate, and the letters of administration do issue to her accordingly, unless the respondents above named or any person or persons interested shall, on or before January 13, 1927, show sufficient cause to the satisfaction of this court to the contrary.

It is also ordered that the 1st respondent, Sirisena Mendias Palihakkara, be and he is hereby appointed guardian *ad litem* over the 3rd, 4th, 5th, 8th, and 9th minor respondents, unless sufficient cause be shown to the contrary on January 13, 1927.

It is also ordered that the said 3rd, 4th, 5th, 8th, and 9th minor respondents be produced before this court on January 13, 1927.

J. R. WALTERS,
November 5, 1926. District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate
Jurisdiction of Ranhotipedige Mohotha of
No. 1,209. Kendawa, deceased.

Ranhotipedige Rankira of Kendawa Petitioner.

Vs.

(1) Ranhotipedige Sirimala, Vidane Duraya, (2) ditto Jothiya, (3) ditto Kirisomidu, all of Kendawa, (4) ditto Babee of Diyanwela Respondents.

THIS matter coming on for disposal before V. Coomaraswamy, Esq., District Judge of Kegalla, on December 8, 1926, in the presence of Mr. D. S. Crispéyn, Proctor, for petitioner; and his affidavit and petition dated November 29 and December 8, 1926, respectively, praying for letters of administration of the said estate having been read: It is ordered and declared that the petitioner, as one of the heirs of the deceased, is entitled to letters of administration of the said estate, and that such letters will be issued to him accordingly, unless the respondents or any person or persons interested shall, on or before January 26, 1927, show sufficient cause to the satisfaction of this court to the contrary.

V. COOMARASWAMY,
December 8, 1926. District Judge.

DRAFT ORDINANCE.*(Continued from page 5.)***MINUTE.**

C F 36/1926

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

**An Ordinance to amend the Rubber Restriction Ordinance,
No. 24 of 1922.**

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

1 This Ordinance may be cited as the Rubber Restriction Ordinance, No. of 1927.

Short title.

2 (1) In sub-section (2) of section 5 of the principal Ordinance, the word " eight " shall be substituted for the word " seven."

Amendment of section 5 of the principal Ordinance.

(2) The following shall be added at the end of paragraph (b) of sub-section (3) of section 5 of the principal Ordinance, viz. :

Provided that the Controller, if a member of the Board, shall not take any part in the hearing or decision of any appeal to the Board.

3 (1) In sub-section (2) of section 14 of the principal Ordinance, the words and figures " export duties on rubber of Re. 1.50 per 100 lb. and Rs. 2.50 per 100 lb." shall be substituted for the words " export duty on rubber."

Amendment of section 14 and schedule of the principal Ordinance.

(2) In paragraph 1 of the schedule to the principal Ordinance, the words and figure " per lb. 4 " shall be substituted for the words and figures " per lb. 2½."

(3) The following shall be added at the end of paragraph 1 of the schedule to the principal Ordinance, viz. :

Provided that a duty of 2½ cents per lb. only shall be leviable on rubber held by shippers otherwise than in their capacity as owners of estates or estate agents as at the 21st day of July, 1926, and paid for on or before that date.

(4) In Example (a) in paragraph 2 of the schedule to the principal Ordinance, the words and figure " the duty of 4 cents per pound " shall be substituted for the words and figures " the duty of 2½ cents per pound."

4 Section 19 of the principal Ordinance shall be amended by the addition thereto of the following sub-sections, the first part thereof being numbered accordingly :

Amendment of section 19 of the principal Ordinance.

(2) Provided that a licence to export rubber granted in respect of any certificate of production issued on or after 1st of February, 1927, for an estate exceeding ten acres shall be issued, and shall be effective only during the rubber restriction quarter in which the certificate was issued and the next following rubber restriction quarter.

(3) For the purpose of sub-section (2) of this section certificates of production issued under section 12 shall be deemed to have been issued in the same rubber restriction quarter as was the certificate for which they were substituted.

(4) In this section " rubber restriction quarter " means a period of three months ending on the 30th April, 31st July, 31st October, or 31st January.

Rules to be
laid before
Legislative
Council.

5 The following new section shall be added after section 28 of the principal Ordinance, viz. :

29 All rules made by the Governor in Executive Council under section 20 or section 28 shall, as soon as conveniently may be, be laid before the Legislative Council, and may, at any of the next following three meetings, be rescinded by resolution of the Legislative Council, but without prejudice to anything already done thereunder, and if not so rescinded shall be deemed to be valid.

By His Excellency's command,
Colonial Secretary's Office, E. B. ALEXANDER,
Colombo, January 6, 1927. Acting Colonial Secretary.

Statement of Objects and Reasons.

SECTION 2 (1) of this Ordinance increases the number of members of the Rubber Restriction Board from seven to eight in consequence of the recommendation contained in paragraph XII. of the report of the Select Committee on Rubber Restriction (Sessional Paper XIV.—1925). These members are in addition to the President and Vice-President.

2. Section 2 (2) gives effect to the recommendation contained in paragraph XII. of the report of the Select Committee that the Controller shall not take part in the hearing or decision of any appeal to the Board.

3. Section 3 will enable the additional export duty on rubber of Re. 1.50 per 100 lb. imposed by the resolution of Legislative Council of July 21, 1926, to be assessed by the Rubber Controller. At present the Rubber Controller can only assess the original duty of Rs. 2.50 per 100 lb., the new duty being assessed by the Customs authorities. It is obviously more convenient for all parties that the whole duty should be assessed by the Rubber Controller and certified by him on the export licence.

4. Section 4 provides for the limitation of export rights attached to certificates of production issued for estates of 10 acres and over. The accumulation of unused certificates of production in the hands of producers has become a serious menace to the successful working of the Restriction Scheme. This accumulation at present represents about 15,000 tons of rubber. The result is that a reduction to, say, 60 per cent. in the exportable allowance would become to a large extent ineffective, since estates could use their old certificates to export up to their full capacity, and the object of the Restriction Scheme would be defeated. It is, therefore, proposed that the export rights attached to certificates of production issued on or after February 1, 1927, for estates exceeding 10 acres shall be valid only for the rubber restriction quarter in which they were issued and the next following rubber restriction quarter. The rubber restriction quarters end on April 30, July 31, October 31, and January 31. For example, the export rights attached to certificates issued in February, March, or April will all expire on July 31. Certificates issued before February, 1927, will not be affected.

5. Section 5 gives effect to paragraph X. of the report by requiring all rules made under the Rubber Restriction Ordinance to be laid on the table of the Legislative Council.

Attorney-General's Chambers, L. H. ELPHINSTONE,
Colombo, December 6, 1926. Attorney-General.