



THE
**CEYLON GOVERNMENT
 GAZETTE**

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PART II.—LEGAL.

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

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COLOMBO :

A. C. RICHARDS, ACTING GOVERNMENT PRINTER, CEYLON.

DRAFT ORDINANCE.

Z 113/29

MINUTE.

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

An Ordinance to amend the Registration of Documents Ordinance, No. 23 of 1927.

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 Registration of Documents Amendment Ordinance, 19

Insertion of new section 43A in the principal Ordinance.

2 The following section is hereby inserted in the principal Ordinance immediately after section 43 thereof :—

Destruction of priority notices, &c., after expiry of registration.

43A The document required to be retained by the registrar when a priority notice, seizure priority notice, caveat, or *lis pendens* is registered may, unless its preservation is ordered by any court, be destroyed by him at any time after the expiry of two years from the termination of the period during which the registration is in force.

Amendment of Part I of the First Schedule to the principal Ordinance.

3 Part I of the First Schedule to the principal Ordinance is hereby amended as follows :—

(1) by the insertion of the following item between items 6 and 7 thereof :—

Rs. c.

“ 6A Cancellation of registration of a priority notice, seizure priority notice, *lis pendens* or caveat, for each Land Registry in which the cancellation is registered, a fee of . . . 0 50”

(2) by the insertion of the words “ requiring registration ” immediately after the words “ bill of sale ” in the “ N.B.” to item 8 thereof.

Amendment of Part III of the First Schedule to the principal Ordinance.

4 Part III of the First Schedule to the principal Ordinance is hereby amended as follows :—

(1) by the substitution of the words “ of deeds, instruments or documents, or the attested or certified copies thereof transmitted or delivered under Chapter II ” for the word “ attested ” in the first line of item 1 (a) thereof ;

(2) by the substitution of the word “ or ” for the word “ of ” in the first line of item 3 (a) thereof ;

(3) by the numbering of the paragraph in item 3 thereof, beginning with the words “ For supplying an endorsement ”, as item 4 thereof.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, November 30, 1929.

B. H. BOURDILLON,
Colonial Secretary.

Objects and Reasons.

THE object of this Bill is to amend the Registration of Documents Ordinance, No. 23 of 1927, in certain respects.

2. Clause 2. The efficacy of a registration under the principal Ordinance of a priority notice, a seizure priority notice, a caveat or a *lis pendens* is of limited duration, but nevertheless the documents deposited with a registrar in connection with their registration have at present to be preserved even after they have become valueless. As these documents uselessly encumber the record rooms in registries and increase the congestion there, this amendment authorizes their destruction subject to conditions which will guarantee their existence while there is still a probability of their being required.

3. The remainder of the Bill amends the First Schedule to the principal Ordinance, by the imposition of fees for the registration of certain documents not at present covered by the Schedule, and by the correction of an error and an omission.

4. Clause 3 (1) provides for a distinct registration fee of 50 cents in respect of the cancellation of a priority notice, seizure priority notice, *lis pendens* or caveat. The present fee of Rs. 12.50, recoverable under the general item 8 of Part I of the First Schedule, is considered to be too high.

5. Clause 3 (2) restores the fee of Rs. 12.50 for the registration of a bill of sale that does not require registration, which was recoverable under item 4 of Schedule III of the Land Registration Ordinance, 1891.

6. Clause 4 (1) imposes the same fee for the inspection of attested and certified copies of duplicates as for an inspection of the duplicates themselves, as there is no difference in the legal value of duplicates and copies of them that are attested and certified.

7. Clause 4 (2) corrects an obvious misprint, and clause 4 (3) is concerned with suitably marking the last paragraph in Part III of the Schedule.

Attorney-General's Chambers,
Colombo, October 26, 1929.

E. ST. J. JACKSON,
Attorney-General.

NOTIFICATION OF CRIMINAL SESSION.

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 Western Circuit will be holden at the Court-house at Hulftsdorp, on Friday, January 10, 1930, at 11 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.

Fiscal's Office,
Colombo, December 10, 1929.

N. WICKRAMASINGHE,
for Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Negombo.

No. 165. In the matter of the insolvency of Insolvency. Emmanuel Stephen de Croos of Negombo.

NOTICE is hereby given that the sitting of this court in the above matter, for the purpose of declaring a dividend of the insolvent's estate among such creditors as have proved their claims, has been adjourned to January 8, 1930, at 10 A.M.

By order of court, C. EMMANUEL,
Negombo, December 4, 1929. Secretary.

In the District Court of Negombo.

No. 199. In the matter of the insolvency of Winapurage Insolvency. Henry Fernando of Dalupotha in Negombo.

NOTICE is hereby given that the second sitting of this court in the above matter has been adjourned to January 7, 1930.

By order of court, C. EMMANUEL,
Negombo, November 29, 1929. Secretary.

In the District Court of Kalutara.

No. 234. In the matter of the insolvency of Yoosufu Lebbe Marikar Mohamadu Haniffa Marikar 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 11, 1930, to consider grant of certificate of conformity.

By order of court, A. W. LUDEKENS,
Kalutara, December 10, 1929. Secretary.

In the District Court of Kalutara.

No. 253. In the matter of the insolvency of Meera Lebbe Marikar Abdul Rahiman Marikar of Alutgama.

WHEREAS Meera Lebbe Marikar Abdul Rahiman Marikar has filed a declaration of insolvency, and a petition for the sequestration of the said estate has been filed by Seabdul Cader Marikar Mohamado Sally of Alutgama, under the Ordinance No. 7 of 1853: Notice

is hereby given that the said court has adjudged the said Meera Lebbe Marikar Abdul Rahiman Marikar insolvent accordingly; and that two public sittings of the court, to wit, on January 17, 1930, and on February 14, 1930, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, A. W. LUDEKENS,
Kalutara, December 6, 1929. Secretary.

In the District Court of Kandy.

No. 1,771. In the matter of the insolvency of Ana Ismail Lebbe of Hapugastalawa in Nawalapitiya.

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 31, 1930, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, GERALD E. DE ALWIS,
Kandy, December 7, 1929. Secretary.

In the District Court of Kandy.

No. 1,792. In the matter of the insolvency of Weligamage William Alexander de Silva of 1001, Katukele in Kandy.

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 31, 1930, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, GERALD E. DE ALWIS,
Kandy, December 7, 1929. Secretary.

In the District Court of Kandy.

No. 1,854. In the matter of the insolvency of Walter Reginald Wilmot Peries of 10, Katukele, Kandy.

WHEREAS Walter Reginald Wilmot Peries of 10, Katukele, Kandy, has filed a declaration of insolvency, and a petition for the sequestration of his estate has also

been filed by Samuel Henricus of Ampitiya, Kandy, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Walter Reginald Wilmot Peries insolvent accordingly; and that two public sittings of the court, to wit, on January 17, 1930, and on February 14, 1930, 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, GERALD E. DE ALWIS,
Kandy, December 10, 1929. Secretary.

In the District Court of Galle.

No. 616. In the matter of the insolvency of Punchi Hewagei Dionysius Silva of Kataluwa.

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 6, 1930, for the filing of balance sheet.

By order of court, C. W. GOONEWARDENE,
Secretary.

In the District Court of Avissawella.

No. 4. In the matter of the insolvency of Alfred Zephyrineus Francis of Ruanwella.

WHEREAS Alfred Zephyrineus Francis of Ruanwella has filed a declaration of insolvency, and a petition for the sequestration of the estate of Alfred Zephyrineus Francis of Ruanwella has been filed under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Alfred Zephyrineus Francis of Ruanwella insolvent accordingly; and that two public sittings of the court, to wit, on January 29, 1930, and on February 26, 1930, 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, H. J. CHANDRAWARNAM,
Avissawella, December 10, 1929. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

S. K. R. S. L. Periyanyagam Pillai of Sea street,
Colombo Plaintiff.

No. 33,476. Vs.

L. J. O. Wijesekera of Slave Island, Colombo, and
another Defendants.

NOTICE is hereby given that on Saturday, January 18, 1930, at 11 A.M., will be sold by public auction at the premises the right, title, and interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 2,082-50, with interest on Rs. 2,000

at 9 per cent. per annum from July 2, 1929, till date of decree, July 17, 1929, 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 ground called and known as Eisleben, situated at Staples street in Slave Island, Colombo, within the Municipality and District of Colombo, Western Province, and bearing assessment No. 3, Staples street; and bounded on the east by Braybrook Stores, on the west by Staples street, on the north by premises No. 1, Staples street, and on the south by No. 1, Braybrook place; containing in extent $\frac{1}{2}$ acre more or less.

Fiscal's Office, N. WICKRAMASINGHE,
Colombo, December 11, 1929. Deputy Fiscal.

In the District Court of Colombo.

(1) John Emmanuel Perera Rupasinghe of Pahalayagoda in the Meda pattu of Siyane korale and others Plaintiffs.

No. 15 956.

(3) Suraweera Aratchige Don Peeris, (4) ditto Don William of Pahalayagoda, (5) ditto Daso Hamy of Belummahara in the Meda pattu aforesaid, (7) Jayasekera Mudalige James Henry of Pasyala, Veyangoda, (8) ditto Don Appu of Medamulla in Dasia pattu of Alutkuru korale, (9) ditto Dona Bempanona in Kirimetiyana East in Otara palata of Pitigal korale south, Chilaw District Defendants.

(1) Jayasinghe Aratchige Podinona, (2) Suraweera Aratchige Alice Nona of Pahalayagoda Added Defendants.

(1) Brandiwattage Carohamy, (2) Suraweera Aratchige Don William, (3) ditto Punchi Nona, (4) ditto Jane Nona, (6) Suraweera Aratchige Don Seebal, all of Pahalayagoda aforesaid Substituted Defendants in place of 2nd defendant, deceased.

NOTICE is hereby given that on Thursday, January 30, 1930, will be sold by public auction at the respective premises the following property for the recovery of the sum of Rs. 986.59, to wit, Rs. 299.14 from the 3rd defendant, Rs. 208.27 from the 4th defendant, who is also the 2nd substituted defendant in place of the 2nd defendant deceased, Rs. 36.41 from the 5th defendant, Rs. 36.41 from the 7th defendant, Rs. 36.41 from the 8th defendant, Rs. 36.41 from the 9th defendant, Rs. 35.90 from 1st added defendant, Rs. 35.90 from 2nd added defendant, Rs. 149.57 from the 1st substituted defendant, Rs. 37.39 from 3rd substituted defendant, Rs. 37.39 from 4th substituted defendant, Rs. 37.39 from 6th substituted defendant, being *pro rata* costs, viz. —

At 10 A.M.

The right, title, and interest of the 3rd defendant in and to the following property, to wit: —

1. The lot marked B in plan No. 828 dated June 23, 1927, made by H. D. David of the land called Medawalihalakumbura, situated at Kosinna in the Meda pattu of Siyane korale in the District of Colombo, Western Province; the said lot B being bounded on the north by Bogahalanda of S. Don Bastian, east by lot C and Welikumburaowita of D. J. Jayasinha, on the south by Welikumbura of R. David Perera, and on the west by lot A; and containing in extent 2 roods and 8.31 perches.

At 10.30 A.M.

The right, title, and interest of the 4th defendant in and to the following property, to wit: —

2. The lot marked G in the said plan of the land called Medawalihalakumbura, situated at Kosinna aforesaid; which said lot G is bounded on the north by Diyaporagahakumbura of S. William and others; east by lot H, south by lots M and N, west by lot F; containing in extent 1 rood and 10.46 perches.

At 11 A.M.

The right, title, and interest of the 5th defendant in and to the following property, to wit: —

3. The lot marked D in the said plan of the land called Medawalihalakumbura, situated at Kosinna aforesaid; which said lot D being bounded on the north by Bogahalanda of S. Don Bastian, east by lot E, south by lots P and O, west by lot C; containing in extent 32.34 perches.

At 11.30 A.M.

The right, title, and interest of the 7th defendant in and to the following property, to wit: —

4. The lot marked F in the said plan of the land called Medawalihalakumbura, situated at Kosinna aforesaid; which said lot F is bounded on the north by Diyaporagahakumbura of S. William and others, east by lot G, south by lots N and O, west by lot E; containing in extent about 32.34 perches.

At 12 noon.

The right, title, and interest of the 8th defendant in and to the following property, to wit: —

5. The lot marked F in the said plan of the land called Medawalihalakumbura, situated at Kosinna aforesaid; the said lot being bounded on the north by Diyaporagahakumbura of S. William and others, east by lot G, south by lots N and O, west by lot E; containing in extent about 32.34 perches.

At 1 P.M.

6. The lot marked M in the said plan of the land called Medawalihalakumbura, situated at Kosinna aforesaid; the said lot being bounded on the north by lot G, east by lot L, south by Nugagahakumburaowita of R. A. Loran Perera, west by lot N; containing in extent 4.77 perches.

At 1.30 P.M.

The right, title, and interest of the 9th defendant in and to the following property, to wit: —

7. The lot marked F in the said plan of the land called Medawalihalakumbura, situated at Kosinna aforesaid; the said lot being bounded on the north by Diyaporagahakumbura of S. William and others, east by lot G, south by lots N and O, west by lot E; containing in extent about 32.34 perches.

At 2 P.M.

8. The lot marked M in the said plan of the land called Medawalihalakumbura, situated at Kosinna aforesaid; the said lot being bounded on the north by lot G, east by lot L, south by Nugagahakumburaowita of R. A. Loran Perera, west by lot N; containing in extent 4.77 perches.

At 2.30 P.M.

The right, title, and interest of the 1st and 2nd added defendants in and to the following property, to wit: —

9. The lot marked E in the said plan of the land called Medawalihalakumbura, situated at Kosinna aforesaid; the said lot being bounded on the north by Bogahalanda of S. Don Bastian, east by lot F, south by lots O and P, west by lot D; containing in extent 17.52 perches.

At 3 P.M.

The right, title, and interest of the 1st, 2nd, 3rd, 4th, and 6th substituted defendants in place of the 2nd defendant, deceased, to wit: —

10. The lots marked H and I in the said plan of the land called Medawalihalakumbura, situated at Kosinna aforesaid; when said lots are together bounded on the north by Millagahawatta of the heirs of R. Pedrick Perera, on the east by lot I, Millagahawatta of the heirs of R. Pedrick Perera and Medawalapillewa of R. A. Loran, on the south by lots J, K, and L, and on the west by lot G; containing in extent together 2 roods and 8.31 perches.

Fiscal's Office,
Colombo, December 11, 1929.

N. WICKRAMASINGHE,
Deputy Fiscal.

In the District Court of Colombo.
Brown & Co., Ltd., of the Fort, Colombo. . . Plaintiffs.
No. 28,345. Vs.

D. Muni Varniel de Silva, carrying on business under the name, style, and firm of The University Stores, at 27, Norris road, Pettah, Colombo. . . Defendant.

NOTICE is hereby given that on Tuesday, January 28, 1930, at 10 A.M., will be sold by public auction at 27, now 187, Norris road, Pettah, Colombo, the following movable property for the recovery of the sum of Rs. 4,971.41, with interest thereon at 9 per cent. per annum from June 11, 1928, till date of decree, October 10, 1928, and thereafter on the aggregate amount of the decree at the rate of 9 per cent. per annum till payment in full, and costs of suit, viz. :—

In No. 1 Almirah.

21 tins metal polish.
7 bottles polish
20 tins French chalk
2 carbide tanks
8 motor car lamps
6 motor car small lamps
7 jacks
5 pumps

In No. 2 Almirah.

12 tins cotter pins
12 tins spring washers
20 packets fuse
12 sets large and small ball raisers
3 pumps
1 lot pieces pump connections

In No. 3 Almirah.

6 boxes engine valves
6 horn buttons
20 sets roller raisers
12 tins enamel

In No. 4 Almirah.

10 tins neverleak
48 tins goodyear patch
20 tins French chalk
12 tins enamel
18 tins enamel, small

In No. 5 Almirah.

35 tins wonder mist polish

In No. 6 Almirah.

60 electric bulbs
12 electric blocks
1 lot assorted gaskets
30 iron pliers
20 spanners
5 boxes spanners

In No. 7 Almirah.

20 tins enamel
24 tins French chalk

In No. 1 Show Case.

2 magnetos
2 motor car horns
1 carbide tank
1 spot light
3 radiator cups
10 cups grease

In No. 2 Show Case.

3 tail lamps
43 grease cups
3 cups radiator
5 switches
3 cycle glasses
2 carbide tanks

In No. 1 Stand Show Case.

12 grease cups
8 tins French chalk
2 carbide tanks
3 motor car lamps
12 iron pliers
3 jacks
2 cycle glasses
3 carbide lamps
18 tins vaseline
50 tins metal paste
12 metal polish tins

In No. 2 Stand Show Case.

6 motor car horns
6 pieces side lamps
4 jacks
20 tins vaseline
5 grease cups

In Iron Stand.

8 tins French chalk
10 tins metal polish
8 tins goodyear paste
8 tins emery powder
3 bottles shellac

Things lying outside.

12 loose rolls brake lining
40 tins valve grinding compound
50 packets bolts and nuts
300 Ford valves
115 files
15 packets emery paper
52 enamel tins
3 motor car washers
1 radiator
4 shells
3 common wood racks with various pieces of motor car accessories
4 teakwood counters
2 show cases
7 large and small glass almirahs
1 iron stand

2 high show cases
2 teakwood tables
1 nadun table
1 jak armchair
2 teakwood chairs

1 nadun armchair
1 nadun teapoy
1 jak table
1 iron safe
1 tin box

Fiscal's Office, N. WICKRAMASINGHE,
Colombo, December 11, 1929. Deputy Fiscal.

In the District Court of Colombo.

M. R. A. R. P. L. Kathiresan Chettiar of Sea street, Colombo. . . Plaintiff.

No. 34,009. Vs.

(1) Dayaram Awatrai, and (2) Kundamal Awatrai, both of Victoria arcade, Fort, Colombo, carrying on business in partnership under the name, style, and firm of Dayaram Bros., and (3) R. Dayaram of Victoria arcade, Fort, Colombo. . . Defendants.

NOTICE is hereby given that on Wednesday, January 22, 1930, at 4 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. 2,340, with interest thereon at 9 per cent. per annum from August 10, 1929, till payment in full, and costs, viz. :—

All that divided portion of land marked A in plan hereinafter referred to with the buildings standing thereon formerly bearing assessment No. 1, Ward Nos. 676/679 presently Nos. 6, 8, 10, 12 (garden) 12 (1-5) and 12 (6-12), situated at Lily street, Union place, Slave Island, within the Municipal limits and District of Colombo, Western Province; bounded on the north by the properties of Sitti Ayisha and Sitti Rahamany and others, on the east by a road called Lily street, on the south by the other part of the same land marked letter B in the plan, and on the west by lot No. 17 now the property of Saibo Sultan; containing in extent 1 rood and 28 $\frac{43}{100}$ perches according to plan thereof dated October 29, 1898, made by F. Bartholomew, Surveyor. Registered in A 174/128.

Fiscal's Office, N. WICKRAMASINGHE,
Colombo, December 11, 1929. Deputy Fiscal.

In the District Court of Colombo.

S. P. S. Sockalingam Chetty of Sea street, Colombo. . . Plaintiff.

No. 34,501. Vs.

(1) D. P. S. Jayasuriya, Notary Public of Nagoda,
(2) H. D. L. Senanayake of Weligampitiya, Kandana. . . Defendants.

NOTICE is hereby given that on Friday, January 31, 1930, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,535, together with further interest on Rs. 1,500 at the rate of 18 per cent. per annum from September 10, 1929, till date of decree, October 11, 1929, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit, less Rs. 500, viz. :—

At 1 P.M.

1. All that land called Bogahawatta *alias* Gladyston situated at Batagama *alias* Kandana in the Ragam pattu of Alutkuru korale in the District of Colombo, Western Province; bounded on the north by the limits of the lands of Randeni Arachige Helenahamy and others, east by the limits of the fields of Pivadass and

Thomas Appu, south by the limits of the lands of Mrs. Samaranayaka and Agustinu Appu, west by the limits of the lands of Don Manuel Appahamy and others; containing in extent about 4 acres more or less, together with the buildings, trees, and plantations thereon, and excluding therefrom the portion reserved for the railway and public road.

At 1.30 P.M.

2. All that land called Kosgahawatta with everything thereon, situated at Kandana aforesaid; bounded on the north by the land of Martinus Perera Amaratunga, east by road leading to and from Negombo, south by the land of the heirs of Peiris Perera, west by the limit of the land of Peduru Appu; containing in extent about 1 acre more or less.

At 2 P.M.

3. The land called Talgahawatta and Kahatagahawatta, situated at Kandana aforesaid; bounded on the north by the limit of the land of Paulu Perera, east by land of Jasentu Perera, south by land of Jacolis Appu, west by the road leading to and from Negombo; containing in extent about 1 acre, together with the trees, plantations, and buildings thereon.

Fiscal's Office, N. WICKRAMASINGHE,
Colombo, December 11, 1929. Deputy Fiscal.

In the District Court of Colombo

Ahamed Valley Noor Mohamed and 3 others, carrying on business as Valley Noor Mohamed & Co. at Pettah Plaintiffs.

No. 34,576. Vs.

M. K. Suppiah of 6, Malay street, Slave Island Defendant.

NOTICE is hereby given that on Friday, January 17, 1930, at 3 P.M., will be sold by public auction at 6, Malay street, Slave Island, the following movable property for the recovery of the sum of Rs. 416.47, with interest on Rs. 400 at the rate of 9 per cent. per annum from September 16, 1929, till date of decree (October 15, 1929), and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit, less Rs. 125 :—

3 large teakwood glass almirahs.
1 teakwood writing table.
1 jak counter.
1 wall clock

Fiscal's Office, N. WICKRAMASINGHE,
Colombo, December 11, 1929. Deputy Fiscal.

In the Court of Requests of Colombo.

J. E. A. Abeyssekera of Wasala Walawwa, Demata goda, Colombo Plaintiff

No. 52,756. Vs.

Robert P. Weerasinghe, Proctor, S. C., of 62, Belmont street, Colombo Defendant.

NOTICE is hereby given that on Monday, January 20, 1930, at 2.30 P.M., 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. 300 and a further sum of Rs. 25.25 being the taxed costs, viz. :—

An undivided $\frac{1}{4}$ part of all those contiguous allotments of land called Puwakgahaowita, situated at Petiyagoda in the Adikari pattu of Siyane korale in the District of

Colombo, Western Province; bounded on the north by the road to Kelaniya, on the east by the property of D. S. Jayatilleke, on the south by the dewata road, and on the west by the property of A. F. Casie Chetty; containing in extent about $1\frac{1}{2}$ acres, together with the buildings standing thereon.

Fiscal's Office, N. WICKRAMASINGHE,
Colombo, December 11, 1929. Deputy Fiscal.

In the Court of Requests of Colombo.

S. K. R. S. Periyanyagam Pule of Sea street, Colombo Plaintiff.

No. 55,778. Vs.

O. B. Wijesekera, carrying on business under the name, style, and firm of Wijesekera & Co., at 20, Baillie street, Fort, Colombo Defendant.

NOTICE is hereby given that on Saturday, January 18, 1930, at 10 A.M., 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. 300, with interest thereon at 9 per cent. per annum from September 16, 1929, till October 30, 1929, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and Rs. 25.25 being costs and Rs. 11.50 being prospective costs, viz. :—

All that house and ground called and known as Eisleben, situated at Staples street in Slave Island in Colombo within the Municipality and District of Colombo, Western Province, and bearing assessment No. 3, Staples street; and bounded on the east by premises called Braybrook Stores, on the west by Staples street, on the north by premises No. 1, Staples street, and on the south by No. 1, Braybrook street; containing in extent $\frac{1}{2}$ an acre more or less.

Fiscal's Office, N. WICKRAMASINGHE,
Colombo, December 11, 1929. Deputy Fiscal.

In the Court of Requests of Gampaha.

Dassanayakage Don John Dassanayake of Udugampola Plaintiff.

No. 1,216. Vs.

Hettipathirennhelage Sedris Appuhamy of Udugampola Defendant.

NOTICE is hereby given that on Saturday, January 11, 1930, 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. :—

An undivided 27/40 share of the land called and known as Meegahawatta, situated at Udugampola in Dasiya pattu of Alutkuru korale in the District of Negombo, Western Province; and bounded on the north by the wela (field), east and south by lands belonging to H. D. C. Gunawardane, Fiscal's Officer, and others, and on the west by the land belonging to H. D. Sarnelis Gunawardane and others; containing in extent about 3 acres.

Amount to be levied Rs. 182.07, with interest on Rs. 100 at 16 per cent. per annum from June 7, 1929, till August 21, 1929, and thereafter on the aggregate amount with legal interest till payment

Deputy Fiscal's Office, M. EDIRIWIWA,
Negombo, December 10, 1929. Deputy Fiscal.

In the District Court of Kalutara.

J. A. W. Kannangara of Kalutara Plaintiff.

No. 13,339. Vs.

(1) Don Bastian of Helamba, (2) Petikiri Korallage Don William Appuhamy, (3) ditto Josy Nona, (5) ditto Carlina Nona, all of Helamba .. Defendants.

NOTICE is hereby given that on Wednesday, January 22, 1930, commencing at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 456.04, viz. :—

1. Lot No. 2 of the land called Kamburawalage-watta alias Ambagahawatta allotted to 3rd and 5th defendants appearing in plan No. 5,571 dated October 13, 1928, made by H. O. Scharenguivel, Licensed Surveyor, situated at Lulbadduwa in Walallawiti pattu of Pasdun korale west in the District of Kalutara; and bounded on the north by lot No. 1, east by lot No. 4, south by lots Nos. 3 and 4, and west by Nedunkandeliyaddaowita; and containing in extent 39½ perches.

2. Lot No. 3 of the same land allotted to 2nd defendant, situated at the same village; and bounded on the north by lot No. 2, east, south, and west by lot No. 4; and containing in extent 19½ perches.

3. Lot No. 4 of the same land allotted to 1st defendant, situated at the same village; and bounded on the north-east by Kirimetiyaudumulla, Delgasgodaowita, Delgasgodaowitamowela, south by Ambagastuduweowita and Medagoipolakumburuyaya, and west by Batauduwa and lots Nos. 1, 2, and 3, and north by lots Nos. 2 and 3; and containing in extent 5 acres 1 rood and 16½ perches.

- Deputy Fiscal's Office, H. SAMERESINGHA,
Kalutara, December 10, 1929. Deputy Fiscal.

In the District Court of Colombo.

C. A. Hutson & Co., Ltd., Colombo..... Plaintiffs.

No. 30,519. Vs.

W. G. Silva, Kalamulla, Kalutara..... Defendant.

NOTICE is hereby given that on Tuesday, January 21, 1930, at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 459.70, with interest at 9 per cent. per annum from November 2, 1928, till September 6, 1929, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit Rs. 263.90, viz. :—

An undivided ½ share of the land called Thadigoda-kurunduwatta, situated at Nagoda in the District of Kalutara; and bounded on the north by land claimed by Welun Aratchie, east by land claimed by Carolis Soysa and others, south by high road leading to Agalawatta, and on the west by another portion of this land belonging to Jacoris Mendis; and containing in extent about 12 acres 3 roods and 6 perches.

Deputy Fiscal's Office, H. SAMERESINGHA,
Kalutara, December 10, 1929. Deputy Fiscal.

Central Police.

In the District Court of Colombo.

H. J. H. & Co., Fort, Colombo Plaintiffs.

No. 31,376. Vs.

Kirimadina Aratchige Charles, carrying on business at Kotiyagala, Bogawantalawa, under the name, style, and firm of Charles & Co., Bogawantalawa Defendant.

NOTICE is hereby given that on Monday, January 6, 1930, commencing at 12 noon, will be sold by public auction at the defendant's shop at Bogawantalawa the following property for the recovery of the sum of Rs. 796.13, with interest on Rs. 742.31 at 12 per cent. per annum from October 19, 1928, to August 19, 1929, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and costs of action and poundage, viz. :—

- | | |
|---------------------------------------|---|
| (1) 3 cases beer and 60 bottles beer | (43) 1½ dozen Sportsman cigarettes tins |
| (2) cases brandy | (44) 1½ dozen Seal Cut cigarettes tins |
| (3) 3 cases Coates gin | (45) 2 dozens white plates |
| (4) 12 Vinodilusto | (46) 3 tea pots |
| (5) 10 bottles old Tawny port | (47) 2 coffee pots |
| (6) 6 bottles Burgundy | (48) 1 big hanging lamp |
| (7) 5 bottles Mensenila sherry | (49) 2 table lamps |
| (8) 4 bottles dry sack | (50) 1 writing table |
| (9) 2 bottles orange bitter | (51) 3 writing tables |
| (10) 4 bottles angus pura | (52) 1 round table |
| (11) 3 bottles Mariani wine | (53) 2 revolving chairs |
| (12) 3 bottles Vibrona wine | (54) 12 arm chairs |
| (13) 2 bottles rum | (55) 5 glass almirahs |
| (14) 2 bottles Slough gin | (56) 1 sideboard |
| (15) 5 bottles ginger wine | (57) 2 show cases |
| (16) 4 bottles Muscatal wine | (58) 2 almirahs |
| (17) 1 bottle rum | (59) 12 brass trays |
| (18) 1 bottle Slough gin | (60) 8 picture frames |
| (19) 43 bottles spirits of wine | (61) 1 hand drawn picture frame |
| (20) 22 bottles syrup | (62) 1 large show case |
| (21) 2 bottles cow ghee | (63) 4 small show cases |
| (22) 2 bottles honey | (64) 1 show case |
| (23) 8 bottles Stephens ink | (65) 1 bottle rack |
| (24) 1 rattan book stand | (66) 22 salmon tins |
| (25) 1 school scale | (67) 22 sardine tins |
| (26) 1 small scale | (68) 6 tins sausages |
| (27) 1 stopper | (69) 6 tins herrings |
| (28) 3 big jars beer | (70) 5 tins beef sausages |
| (29) 1 bag sugar | (71) 3 tins hops |
| (30) 12 bags flour | (72) 2 sweaters |
| (31) 1 tin cow ghee | (73) 12 napkins |
| (32) 1 big petrol lamp | (74) 4 old plates, china |
| (33) 1 petrol lamp (2 sides) | (75) 1 show case |
| (34) 1 petrol table lamp | (76) 10 framed pictures |
| (35) 2 sets dinner service | (77) 1 large box (4 apartments) |
| (36) 64 records | (78) 1 mirror |
| (37) 1 gramophone | (79) 1 oblong table |
| (38) 1 clock | (80) 2 tables |
| (39) 4 dozens syphons with water | (81) 2 lanterns |
| (40) 2 dozens G. F. cigarettes tins | (82) 3 chairs |
| (41) 2 dozens N. C. cigarettes tins | (83) 1 jakwood table |
| (42) 1 dozen (Craven) cigarettes tins | (84) 6 dozens chimneys |
| | (85) 2½ dozens chimneys |
| | (86) 6 frying pans |
| | (87) 3 small frying pans |
| | (88) 1 enamel slop pail |
| | (89) 5 kitchen trays |
| | (90) 1 milk carrier |
| | (91) |

- | | |
|---------------------------------|--|
| (92) 2 cheese covers | (110) 1 wooden egg rack |
| (93) 4 fruit stands | (111) 1 mat toast rack |
| (94) 1 soup toureen with ladle. | (112) 1 petrol lamp (Titus) |
| (95) 6 soup boats | (113) 1 show case (round) |
| (96) 2 tea pots | (114) 1 chamber pot |
| (97) 5 water caraffes | (115) 1 wooden commode |
| (98) 1 large moon | (116) 1 deck chair |
| (99) 1 decanter | (117) 3 screens |
| (100) 1 old stove | (118) 1 canvas chair |
| (101) 1 old slop pail | (119) 1 hip bath |
| (102) 4 chimneys | (120) 1 china stand |
| (103) 4 meat covers | (121) 1 telescopic bed table |
| (104) 3 self-weighing scales | (122) 1 jakwood almirah |
| (105) 3 cut glass fruit dishes | (123) 1 show case (revolving) |
| (106) 3 scrubbing brushes | (124) 1 shelf |
| (107) 4 banister brushes. | (125) 1 jakwood wardrobe |
| (108) 4 whitewashing brushes | (126) 16 brass trays |
| (109) 2 rattan flower stands | (127) 1 cash box |
| | (128) 1 glass show case with stuffed birds |

Fiscal's Office, Kandy, December 10, 1929. **A. RANESINGHE,** Additional Deputy Fiscal.

Southern Province.

In the District Court of Galle.

In the matter of the estate of **Walimuni A. S. Mendis Abeysekara, Ouseer Mahandiram, deceased.**

No. 6,123T.

Paranavidanelage of **Hikkaduwa** **Administratrix.**

NOTICE is hereby given that on **Thursday, January 9, 1930, at 2 o'clock in the afternoon** will be sold by public auction at the premises the right, title, and interest of the said estate in the following property, viz. —

The 13 cubits tiled and plastered house standing on the land called **Palliya-addarawatta**, in extent about 3 acres, situate at **Wewala** in **Hikkaduwa** in the **Wellaboda pattu of Galle**; bounded on the north by **Godellewatta**, east by **Tembiligahawatta**, south by water-course, west by **Gorakagahawatta**.

Writ amount **Rs. 153.26** and poundage being amount due to Crown.

Fiscal's Office, Galle, December 9, 1929. **E. F. EDRISINGHE,** Deputy Fiscal.

In the District Court of Galle.

A. P. Jayawardena of Galle Plaintiff.

No. 26,712.

Vs.

L. L. Allis de Silva of Hikkaduwa Defendant.

NOTICE is hereby given that on **Friday, January 10, 1930, at 2 o'clock in the afternoon** will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. —

All that undivided $\frac{4}{54} + \frac{1}{225} + \frac{1}{12} + \frac{7}{360} + \frac{1}{36}$ of the soil and soil share trees, together with undivided $\frac{1}{4} + \frac{1}{4}$ of the planter's share of the 2nd plantation, made

by **T. H. Juwanis alias Juwan**, an undivided $\frac{1}{2} + \frac{1}{2}$ of the planter's share of the 3rd and 4th plantations made by **T. H. Endris**, and the planter's $\frac{1}{2}$ share of the 4th plantation made by the defendant on the southern side and the entirety of the 13 cubits tiled house built by the defendant on the land called **Kalawitigodawatta**, in extent about $3\frac{1}{2}$ acres, situate at **Hikkaduwa** in the **Wellaboda pattu of Galle**; and bounded on the north and west by **wela**, east by **Kahatagahawatta**, south by **Upasakagewatta**.

Writ amount **Rs. 681.**

Fiscal's Office, Galle, December 9, 1929. **E. F. EDRISINGHE,** Deputy Fiscal.

In the District Court of Matara.

V. E. P. R. P. K. Chetty of Matara Plaintiff.

No. 4,222.

Vs.

(1) **James Jinadasa** and (2) **G. H. Deonis Silva**, both of **Kottegoda** Defendants.

NOTICE is hereby given that on **Tuesday, January 7, 1930, commencing at 3 o'clock in the afternoon**, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of a sum of **Rs. 69.45**, with legal interest on **Rs. 584.05** from **November 30, 1928**, till payment in full —

1. An undivided $\frac{1}{2}$ share of the soil and of the paraweni fruit trees, and the undivided planter's $\frac{1}{4}$ share of all the plantations of the eastern portion of **Mahamagewatta alias Ambagahawatta-atmaga**, and the buildings standing thereon, situated at **Kottegoda** in the **Wellaboda pattu of the Matara District, Southern Province**; and bounded on the north by **wela**, east by **Petigewatta alias Atmaga of Soundahennedigewatta**, south by high road, and west by boutique of **Dammullewatta-atmaga**; and containing in extent 3 roods.

2. An undivided $\frac{1}{2}$ share of **Palliyegurumulaña**, situated at **Kottegoda aforesaid**; and bounded on the north by **Kalapu-ela**, east by **Wadugemulaña**, south by **Pettigewatta-atmaga**, **Ambagahawatta-atmaga**, and high road, and on the west by **Kalapu-ela** and **Bokkuwa**; and containing in extent about 1 pela of paddy.

Deputy Fiscal's Office, Matara, December 9, 1929. **E. T. GOONEWARDENE,** Deputy Fiscal.

In the District Court of Matara.

V. E. P. R. Periya Karuppan Chetty of Matara Plaintiff.

No. 5,195.

Vs.

(1) **N. D. O. Ekanaika** of **Kadeweediya** in **Matara**,
(2) **R. V. Tilakaratne** of ditto Defendants.

NOTICE is hereby given that on **Monday, January 6, 1930, commencing at 3 o'clock in the afternoon**, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of a sum of **Rs. 875.81**, with legal interest on **Rs. 788.64** from **November 11, 1929**, till payment in full —

All that undivided $\frac{1}{4}$ share of the soil and fruit trees, and of all the buildings standing thereon, of the land called **Bogahawatta**, situated at **Kadeweediya**, within

the Urban District Council limits of Matara, Matara District, Southern Province; and bounded on the north by garden where Babappu resided, east by Alutwalawwa, south by high road, and west by Olokkupara; and containing in extent 1 acre and registered in A 106/149.

E. T. GOONEWARDENE,
Deputy Fiscal's Office,
Matara, December 9, 1929. Deputy Fiscal.

In the Additional Court of Requests of Matara.

Weeraratne Matara Mahavidane Patabendige
Singhoappu of Weligama Plaintiff.

No. 15,680. Vs.

John Wilfred Samaraweera of Weligama.... Defendant.

NOTICE is hereby given that on Saturday, January 18, 1930, 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 for the recovery of a sum of Rs. 182.40, viz. :—

All that divided, and separated lot 2 of the land called Kahatagahawatta *alias* Babelnegewatta, situated at Weligama in the Weligam korale of Matara District, Southern Province; and bounded on the north by Kurunduwatta and lot No. 1 of the same land, east by lot No. 1 of the same land, Bakmeegahakumbura and road, south by lot No. 3 of the same land, and on the west by Deniyewatta and Kurunduwatta; and containing in extent 20 acres.

Deputy Fiscal's Office, E. T. GOONEWARDENE,
Matara, December 7, 1929. Deputy Fiscal.

In the Additional Court of Requests of Matara.

Mandy Koresh Arumugam Nadar of Pamburana Plaintiff.

No. 16,050. Vs.

Jayawera Muhandirange Jeeris Wilmot of Pamburana Defendant.

NOTICE is hereby given that on Saturday, January 18, 1930, at 10 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of a sum of Rs. 149.25, together with legal interest on Rs. 128 from July 23, 1929, till payment in full, viz. :—

1. All that land called Pokunabadawattawaniswaduralapadinchiwahitiyahatarenpangukebella *alias* Pelawatta, situated at Pamburana in the Four Gravets of Matara District, Southern Province; and bounded on the north by fence of portion of this land where Tino resides, east by minor road, south by Gasindurage-gederawatta, and on the west by portion of Pokunabadawatta; containing in extent 2 roods and 4 perches.

2. All that land called Pokunabadawatta, situated at Pamburana aforesaid; and bounded on the north by high road, east by lane, south by Gasindurage-gederawatta, and on the west by Radagepittaniya; and containing in extent 2 acres.

Deputy Fiscal's Office, E. T. GOONEWARDENE,
Matara, December 7, 1929. Deputy Fiscal.

29/12/29 In the District Court of Tangalla.

Polwatte Gallege Peter Gunawardene of Ambalan-tota Plaintiff.

No. 2,685. Vs.

Walter Edward Lucas of Nugegoda, administrator of the estate of the deceased A. E. Lucas... Defendant.

NOTICE is hereby given that on Tuesday, January 7, 1930, at 2 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. :—

All the soil and (exclusive of the planter's undivided $\frac{1}{2}$ share of the 3rd plantation standing on the said soil raised by the aforesaid plaintiff) all the remaining plantations standing thereon of the land called Loren-sillappuwatta, containing in extent 4 acres. 1 rood and 25 perches, situate at Walawa in Magam pattu of Hambantota District in the Southern Province; and bounded on the north by the Crown land called Kudabalana, on the east by the Crown land called Kudabalana and land described in T. P. No. 135,327, on the south by land described in T. P. No. 135,328; and on the west by Walawe-ganga.

Writ amount Rs. 2,251.85, together with further legal interest on Rs. 1,890 from September 25, 1929, till payment in full, and poundage.

W. A. DE SILVA,
Additional Deputy Fiscal.

Deputy Fiscal's Office,
Hambantota, December 6, 1929.

Northern Province.

In the District Court of Jaffna.

(1) Poothathamby Sinnathamby of Sarasalai, (2) Poothathamby Simndurai of Neervely North, now of Ipoh in F.M.S. by his attorney the 1st plaintiff Plaintiff.

No. 24,936. Vs.

Kandiah Sankarappillai of ditto, personally and as representative of the estate of his late wife, Sethuppillai of ditto Defendant.

NOTICE is hereby given that on Wednesday, January 8 1930, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following decreed property for the recovery of Rs. 899.50, with interest on Rs. 600 at 10 per cent. per annum from June 6, 1929, till payment in full, and costs Rs. 134.87, poundage, and charges, viz. :—

A divided 35 $\frac{1}{2}$ lachams p.c. being $\frac{1}{2}$ share on the west out of 70 $\frac{1}{2}$ lachams p.c. of a piece of land situated at Sarasala in Madduvil, Chavakachchery parish, Thanmaradchy, division of the Jaffna District, Northern Province, called Mullikkaduvayal, containing or reputed to contain in extent 11 acres 2 roods and

36 perches; the said 35½ lachams p.e. is bounded or reputed to be bounded on the east by the property of Somas-kandakkurukkal Kopalaratna Aiyar and shareholders, on the north by property of Punniar Sankary and others, on the west by property of Sethupillai, wife of Hayathamby, Sinnappillai, wife of Namasivayam, and Thiyagarajar Thirunavattarasu, and on the south by property of Thiyagarajar Thirunavattarasu.

S. TURAIYAPPAH,
for Fiscal.

Fiscal's Office,
Jaffna, December 9, 1929.

North-Western Province.

In the District Court of Negombo.

S. T. K. N. S. R. M. Ramasamy Chetty of
Negombo Plaintiff.

No. 3,563. Vs.

(1) Mahamalage Francis Salis Perera of Madampe,
(2) Peter Wickramanayaka of Galmuruwa,
presently of Kurunegala Defendants.

NOTICE is hereby given that on Friday, January 3, 1930, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

Kosgahamulawatta of about 1 acre in extent, situate at Tuntota in Yagampattu korale of Katugampola hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by barb wire fence of the garden of Jeewathamby, east by Tuntota-oya, south by barb wire fence of the garden of Mr. Jayawardana, west by Gansabhawa road; with the plantations and everything standing thereon, one desiccating mill (includes 1 engine, 4 desiccators, and 3 cutters, and other appliances).

Amount to be levied Rs. 5,623.33, with interest on Rs. 5,000 at the rate of 18 per cent. per annum from August 19, 1929, till September 23, 1929, and thereafter at 9 per cent. per annum till payment in full.

A. BASNAYAKE,
for Fiscal.

Fiscal's Office,
Kurunegala, December 10, 1929.

In the District Court of Kurunegala.

Lianora Wijesekera of Dambokka in Tiragandahe
korale Plaintiff.

No. 13,075. Vs.

Philip Andres Charles Ekneligoda, Gravets
Mudaliyar, Kacheheri, Kurunegala Defendant.

NOTICE is hereby given that on Saturday, February 1, 1930, at 1 o'clock in the afternoon, will be sold by

public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

All that land bearing assessment No. 110, of 5 acres in extent, with the buildings standing thereon, situate at Puttalam road, Kurunegala town of Tiragandahe korale in Weudawilli hatpattu in the District of Kurunegala in the North-Western Province; and bounded on the north and west by Rampane estate of Mr. E. B. Daniels, east by the land bearing assessment No. 111 belonging to Mr. B. Eriyawa and Mrs. Ekneligoda Kumarihamy (both of Kurunegala), and on the south by Kahatagahamulawatta belonging to Mrs. Ekneligoda Kumarihamy of Kurunegala.

Amount to be levied Rs. 2,139.50, with interest at the rate of 9 per cent. per annum on Rs. 2,673.60 from May 18, 1928, till payment in full, and poundage.

A. BASNAYAKE,
for Fiscal.

Fiscal's Office,
Kurunegala, December 10, 1929.

In the District Court of Colombo.

P. L. S. P. S. Caruppen Chetty of Sea street,
Colombo Plaintiff.

No. 35,174. Vs.

M. Thiyagarajah of Havelock road, Havelock Town,
Colombo Defendant.

NOTICE is hereby given that on Saturday, January 11, 1930, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

All those several allotments of land and premises now forming one property called Wassaulla estate, situate in the village Wassaulla Kebelewa Dikhara and Ginimandawala in Katugampola korale of Katugampola hatpattu in the District of Kurunegala, North-Western Province, containing in extent 237 acres and 11 perches, which said lands and premises are described in plan dated April 26 to May 8, 1915, made by John A. Gunasekera, Licensed Surveyor; and bounded on the north by Crown land, estate of Mr. O. M. Perera, and village limit between Ginimandawala and Digalla, on the east by the garden of Kebelwa Juwanis, garden of Appuhami of Ginimandawala, field of Mudiyanse Aracci, chena of Punchirala Officer, and pilawa of Kiri Banda, on the south by garden and chena of Punchirala and others, chena of Kiri Bandapitiya of Dikhara Appuhamy, chena of Appuhami of Dikhara of Charlis Perera, chena of Appuhami of Dikhara, and garden of Wassaulla Appuhami, and on the west by the garden of Dingiri Menika, garden of Bensal Appu, property of Hendrick Vidane, garden of Hitihami and others, garden of Bandappu and others, and garden of Mudaliyar Wijesekera; and containing in extent 236 acres and 8 perches. Prior registration, Kurunegala, C 383/223.

Amount to be levied Rs. 5,000, with legal interest thereon from October 24, 1929, till payment in full, and costs of suit and poundage.

A. BASNAYAKE,
for Fiscal.

Fiscal's Office,
Kurunegala, December 4, 1929.

In the District Court of Colombo.

Hutson & Co., Ltd., Colombo..... Plaintiffs.

No. 34,174.

Vs.

David Perera Ranasinghe of Tittawella Defendant.

NOTICE is hereby given that on Saturday, January 25, 1930, 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.:—

1. All that land called Bogahamulawatta *alias* Dangahamulawatta and bare ground adjoining thereto to the south of about 7 kurunies kurakkan sowing or 5 acres 2 roods and 27 perches in extent thereto adjoining Meegahamulawatta of about 5 seers kurakkan sowing or 1 acre 4 perches in extent, situate at Aulegama in Dewamedhi Medagandahe korale of Dewamedhi hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by Puttalam road, east by Bayamedahena *alias* garden of Korala, south by land of Menikrala and others, west by gala, fence of land of Kirietana, field and fences garden of Sirimalie.

2. All that field called Amunugamakumbura of 1 amunam paddy sowing or 2 acres 1 rood and 33 perches in extent and thereto adjoining Undiyaralagewatta of 3 seers kurakkan sowing or 1 acre 1 rood and 1 perch in extent, situate at Badabedda in the aforesaid korale; and bounded on the north by mee tree and liminary dam of the field of Pinhamy and Punchirala, east by kon tree on the chena of Punchihamy and others, south by flowing water-course, west by liminary dam of the field of Appuhamy.

3. All that land called Siyambalagahamulapolwatta of about 3 seers kurakkan sowing or 1 acre 10 perches in extent, situate at Bayawa in the aforesaid korale; and bounded on the north by fence separating field of Kirihamy, east by belt of jungle separating the land of Hetuhami, south by limit of chena of Kirihamy, west by fence separating Paluwatta of Tikiria Naide.

4. An undivided $\frac{3}{4}$ shares of Dandugahamulahena, now garden, of about 10 kurunies kurakkan sowing or 15 acres and 16 perches in extent, situate at Bayawa aforesaid; and bounded on the north by village limit of Bamunagedera, east by chena of Appuhamy Vedarala, south by Kadurugahamulahena of Hahumpuraya, west by water mark of tank (Wewediyagilma) and limit of the chena of Ukkurala.

5. All that land called Meegahamulawatta of about 6 seers of kurakkan sowing in extent, situate at Pubbowa in aforesaid korale; and bounded on the north and east by garden of Segappa Chetty and field fence, south by fence of the garden of Kapuruhamy Vedarala, deceased, west by fence of garden of Kusalhamy Arachchila.

Registered reference D 76/211, 287/256 and 257; 276/212; 281/258.

The above properties are under seizure under Court of Requests, Colombo, writ No. 55,148.

Amount to be levied Rs. 1,308.72, with interest thereon at 9 per cent. per annum from August 23, 1929, till payment in full, and costs of suit.

A. BASNAYAKE,
for Fiscal.

Fiscal's Office,
Kurunegala, Decemner 10, 1929.

In the District Court of Chilaw.

Navenna Soma Ravenna Manasana Ena Suppiah
Pulle Negombo Plaintiff.

No. 8,769.

Vs.

(1) Miliukulasuriya Weerasinha Emmanuel Cyril
Fernando and two others of Chilaw..... Defendants.

NOTICE is hereby given that on Thursday, January 30, 1930, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following mortgaged property for the recovery of Rs. 13,580; with interest on Rs. 12,000 at 18 per cent. per annum from January 29, 1929, up to February 26, 1929, and further interest on the aggregate sum at the rate of 9 per cent. per annum from February 26, 1929, till payment in full, and poundage:—

1. The allotment of land with the tiled house and outhouses standing thereon called Weeduwalavukani, situate at Bridge street in Chilaw town in Anavilundau pattu of Pitigal korale north in the District of Chilaw, North-Western Province; and bounded on the north by Bridge street, east by land of Thomas Fernando and others, south by a lane, and west by land of Roman Catholic Church; containing in extent 22.31 perches and described as lot "A" in plan No. 1,121 dated November 27, 1926, made by A. M. Perera, Licensed Surveyor.

2. The divided allotment of land marked lot D in final partition plan No. 2,098 dated December 13, 1917, made by Mr. J. A. C. Corea, Licensed Surveyor, together with the tiled boutiques marked Nos. 1, 2, and 3, and other boutiques standing thereon called Halbokkegala, situate at Bazaar street in the town of Chilaw aforesaid; and bounded on the north by Bazaar street, east by the boutiques bearing No. 4, lots E and H in the said plan, south by the land of Marikida Fernando, and west by the land of Christina Fernando and others; containing in extent 1 rood and 2 $\frac{5}{32}$ perches.

3. The divided allotment of land marked lot T in the said plan No. 2,098 with the buildings standing thereon called Halbokkegala, situate at Bazaar street in the town of Chilaw aforesaid; and bounded on the north by lot K in the said plan, east by the Anglican cemetery and land of the Urban District Council, south by the land of Marikida Fernando, and west by land marked lot I in the said plan; containing in extent 10 $\frac{25}{32}$ perches, excluding the portion acquired by the Urban District Council on the southern side for a road.

4. The tiled buildings situate on the lots D, H, I, and J, with lot thereto bearing assessment Nos. 1/1 to 14/14 out of the land called Halbokkegala described in plan No. 2,098 aforesaid; the same being bounded on the north by the remaining portion of lots D, H, I, and J, east by the remaining portion of lot J, south by the remaining portions of lots D, H, I, and J, and west by the remaining portion of lot D; containing in extent 15 perches, subject to a lease for the unexpired period of 5 years in favour of Sina Pina Allapitchia Ravuthar and brothers, provided, however, that the yearly rental payable on the said premises shall be payable hereafter to the defendants.

5. An undivided $\frac{1}{3}$ share of the allotment of land called Kadeidama, situate at 2nd Cross street in the town of Chilaw aforesaid; and bounded on the north by land of Ana Maria Fernando and others, east by the 2nd Cross street, south by a lane and west by the land of Anthony Francis Fernando; containing in extent about 10 perches, with the cadjan thatched boutiques standing thereon bearing assessment No. 12/537.

6. An undivided $\frac{1}{2}$ share of the western side from and out of the land called Uppugathakara situate at Bridge street in the town of Chilaw aforesaid, and bounded on the north by the land of Roman Catholic Convent, east by the land of T. M. Noordeen, south by Bridge street, and west by land of E. B. Pinto and others; containing in extent 1 acre and 2 roods, with the boutique standing thereon bearing assessment No. 34/614.

7. An undivided $\frac{1}{2}$ of three boutiques and premises bearing assessment No. 1/526 called Kadewatta, situate at Bazaar street aforesaid; and bounded on the north by land of Marikida Fernando and Ana Fernando, east by Second Cross street, south by Bazaar street, and west by boutique of Ambrose Pinto, Notary Public; containing in extent about 15 perches.

Deputy Fiscal's Office,
Chilaw, December 10, 1929.

F. G. DALPETHADO,
Deputy Fiscal.

In the District Court of Chilaw. 28/12/29

Kulatilaka Arthanayaka Mudalige Punchappuhamy
Ranasinghe, Vidane Arachchi, Yogyiana . . . Plaintiff.

No. 8,813. Vs.

Abeyewikreme Sinhabahumudiyanselage James
Singho Appuhamy of Haldanduwana . . . Defendant.

NOTICE is hereby given that on Tuesday, February 4, 1930, 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 for the recovery of Rs. 634.98, with interest on Rs. 450 at 15 per cent per annum from February 21, 1929, to June 17, 1929, and thereafter legal interest till payment, and poundage, viz. :—

The divided portion of the land called Ketekēlegahawatta with the buildings and plantations standing thereon, situate at Haldanduwana on Otara palata of Pitigal korale south in the District of Chilaw, North-Western Province; and bounded on the north by Gausabhawa road, east by portion of this land belonging to N. Ago Sinno Appuhamy and others, and the land belonging to the heirs of J. E. Peries Sinno Appuhamy Vedarala, south by the lands belonging to Marsalinu Karunaratne and others, and west by portion of this land belonging to Appuhamy Vedarala and Marthelis Appuhamy; containing in extent about 3 acres and 2 roods.

Deputy Fiscal's Office,
Chilaw, December 10, 1929.

F. G. DALPETHADO,
Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Avissawella.

(1) Chena Ana Chellappa Chetty, (2) Pana Lana Somasundaram Chetty, both of Pana Lana Mena Pitchappa Chetty & Co., by their attorney (3) K. M. Gurusamy Chetty of Yatiyantota . . . Plaintiffs.

No. 694. Vs.

Abeysinghe Aratchige Peduru Perera of Pamankada estate at Gonagala . . . Defendant.

NOTICE is hereby given that on Saturday, January 4, 1930, at 2 o'clock in the afternoon, will be sold by

public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 2,280, with interest thereon at the rate of 9 per cent. per annum from February 27, 1929, till payment in full, and costs taxed at Rs. 94.20 + 51.40 mortgaged by bond No. 16,987 dated June 1, 1928, and attested by D. J. Perera, Notary Public :—

1. All that land called Pamankadawatta, situate at Gonagala in Dehigampal korale of Kegalla District, Province of Sabaragamuwa; and bounded on the north and west by Maha-oya, east by tea estate and road leading to Komariya estate, and south by Alutgayamukalana; and containing in extent 8 acres and 2 roods, and the rubber plantations, coconut plantations, and the building standings thereon.

At 3.30 P.M.

2. The divided portion of the land called Imbulahahenyaya, situate at Wahakula in Dehigampal korale aforesaid; and bounded on the north and east by Mahalla rubber estate, south by Pelainiwetiya between the remaining $\frac{1}{9}$ share belonging to Salonchihamy and others, and west by Welyayadola belonging to Ranatunga Appuhamy and others; and containing in extent about $13\frac{1}{2}$ lahas of paddy sowing.

Valuation Rs. 6,075.

CHARLES DE SILVA,
Additional Deputy Fiscal.

Fiscal's Office,
Avissawella, December 10, 1929.

In the District Court of Colombo 28/12/29

Messrs. Brown & Company Limited, Colombo . . . Plaintiffs.

No. 30,000. Vs.

U. A. J. Jayawardena of Korokgastenna estate,
Lellopitiya, Ratnapura . . . Defendant.

NOTICE is hereby given that on Thursday, January 16, 1930, 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 for the recovery of the sum of Rs. 1,949.35, with interest thereon at 9 per cent. per annum from September 14, 1928, till February 15, 1929; and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs and poundage :—

1. The whole of the estate called Gorokgastenna estate, situate at Bopetta in the Uda pattu of Nawadun korale in the Ratnapura District of the Province of Sabaragamuwa; and bounded on the north by the boundary of Bopetta estate, Murutankande Aramba and Denawak-ganga, east by Maussagalahena Aramba belonging to Kirianchiya and others, Medawatta belonging to Kirianchiya, Batekandehenyaya belonging to Kirianchiya and others, Ellapallehena belonging to U. A. Thepanis Appuhamy, Mirishena belonging to Unguhenaya and others, Galgodehena of Appunaide and others, south by Kammlawatta of Tikirinaide and

others, and Lellopitiya Koralegama *alias* boundary of Beyannagama, and west by Mukalanatura, Bopetta Rubber, estate, and Indikadeagala; containing in extent 59 acres 1 rood and 3 perches. Registered No. B 169/150.

2. The allotment of land called Goroggahatennehena in Bopetta aforesaid; bounded on the north by Dikhena, east by Mirishena, south by Godatipolahena, and west by Dikhena; containing in extent 15 amunams of paddy. Registered No. B 169/135.

3. The allotment of land called Kitulgulanehena, Pulingewattehena, and Kebilitigodawatta Udahahena, situate at Lellopitiya in the Uda pattu of Nawadun korale; and bounded on the north by Mahadola and Gamagewatta, east by Heen-ela and Mukalana, south by Kebilitigodawattepahalakella, and on the west by wella and Duraingepanguwa; containing in extent 5 amunams of paddy. Registered B 169/136.

4. The allotment of land called (1) Pinsetuwagewatta and (2) Bambaraweldeniye-godahena in Lellopitiya aforesaid; and bounded on the north by deniya and Watta of Thepanis Appuhamy, east by wella, south by Kebilitigodawatta, and on the west by Sopinualayewatta; containing in extent (1) 6 seers kurakkan and (2) 30 seers kurakkan. Registered B 169/137.

5. The allotment of land called Gamagewatta in Lellopitiya aforesaid; and bounded on the north by Berandudola, east by wella, south by Bambaraweldeniya, and west by Denawak-ganga; containing in extent 9 acres 3 roods 30 perches. Registered B 169/138.

6. The allotment of land called Angurupanguwa, situate at Denawaka Patakada in the Uda pattu of Nawadun korale; and bounded on the north and east by Hewapanguwa, south by Galenda and Dotalugaha, and on the west by Medolgaha-ela and Deiyannegama; and containing in extent 6 amunams of paddy sowing. Registered No. B 169/139.

7. The allotment of land called Angurupanguwa in Singappulikanda Sannasgama in the Uda pattu of Nawadun korale; bounded on the north by Deiyannegama, east by Madolgaha, south by Batalagala and Dolatugala, and on the west by Lunuketiye-ela; containing in extent 20 amunams of paddy. Registered No. B 169/140.

8. The allotment of land called Hewapanguwa in Dippitigala in the Uda pattu of Nawadun korale in the Ratnapura District of the Province of Sabaragamuwa; and bounded on the north by high road, east by Deiyannegama *alias* Vitharanapanguwa and Palugampola, south by Mahagalenda, and west by Ganegodapanguwa and Gamaetigehena; containing in extent 150 amunams of paddy. Registered B 169/141.

9. The allotment of land called Godatippolehenyaya *alias* Neketkiyangepanguwa in Bopetta aforesaid; and bounded on the north by Batadeniya-ela, east by Batadendiyehena belonging to Mr. Callendar and Gorokgastenne estate belonging to the vendees, south by village boundary of Lellopitiya *alias* pattu boundary, and on the west by Mahaowita and Gansabhawa road; containing in extent 37 acres 3 roods and 15 perches. Registered No. B 144/143.

R. E. D. ABEYRATNA,
Additional Deputy Fiscal.

Fiscal's Office,
Ratnapura, December 9, 1929.

27/12/29 In the District Court of Kegalla.

T. S. Sultan Marikkar of Dippitiya . . . Plaintiff and Judgment Creditor.

No. 8,509.

Vs.

Dharmaratana Unnanse or Dodantale . . . Defendant and Judgment Debtor.

NOTICE is hereby given that on January 11, 1930, at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant and judgment-debtor in the following property, viz. :—

Sale on January 11, 1930, at 4 P.M.

An undivided $\frac{1}{3}$ share of all those allotments of lands called Pansalewatta, Uyanwatta, Galkumbureassedduma, Goda-assedduma, and Wateassedduma of about 7 amunams of paddy sowing in extent, situated at Dodantale in Godapotha pattu of Galboda korale in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the north and south by the tea estate, east by the ditch and the bank, and on the west by the ditch.

For the recovery of the sum of Rs. 50.30 and poundage.

S. DE SILVA,
Additional Deputy Fiscal.

Deputy Fiscal's Office,
Kegalla, December 9, 1929.

29/12/29 In the District Court of Kegalla.

Mrs. Sarah A. Dickinson of Hoylake in County Cheshire, England . . . Plaintiff.

No. 8,925.

Vs.

W. O. Herat of Kegalla . . . Defendant.

NOTICE is hereby given that on January 15, 1930, at 4 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. :—

Sale on January 15, 1930, at 4 P.M.

An undivided $\frac{1}{3}$ share purchased from Mr. A. F. Herat of the land called Welibodawatta *alias* Walawwewatta, with the buildings and plantations standing thereon, situated at Golahela in Mawata pattu of Paranakuru korale in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the east by the property of Balaharuwe Korala, on the south by a field and the property of Paulu Perera S-marasingha Mudaliyar, west by the road leading to Hettimulla and the field Pahaladepela, and on the north by the bank of Werekekumbura and Dawatekumbura; containing in extent 27 acres and 20 perches.

For the recovery of the sum of Rs. 2,848.20, with legal interest on Rs. 2,801.50 at 9 per cent. per annum from January 15, 1929, till payment in full.

S. DE SILVA,
Additional Deputy Fiscal.

Deputy Fiscal's Office,
Kegalla, December 9, 1929.

LIST OF JURORS AND ASSESSORS.

SOUTHERN PROVINCE.—Matara District.

SUPPLEMENTARY list of persons in the Matara District, Southern Province, qualified to serve as Jurors and Assessors, under the provisions of "The Criminal Procedure Code, 1898," as amended by Ordinance, No. 1 of 1910," for the year July 1, 1929, to June 30, 1930.

N.B.—The Jurors numbered in a separate series on the left of that indicating Ordinary Jurors are qualified to serve as Special Jurors.

[The mark (*) prefixed to a name denotes that it is a new name added.]

ENGLISH-SPEAKING JURORS.

- | | |
|--|--|
| <p>10*De Silva, P. W. Thomas, head teacher, Mirissa Government School, Mirissa</p> <p>72..25*Dias, E. C., secretary, Urban District Council, Matara</p> <p>..48*Fernando, L. B. M., irrigation sub-inspector, Matara</p> | <p>73..53*Jayawardene, C. D., planter, Uruwatike, Denepitiya</p> <p>56*Mendis, W. W. J., assistant inspector of schools, Matara</p> <p>58*Selvadurai, K. S., teacher, Matara</p> |
|--|--|

Deputy Fiscal's Office,
Matara, December 9, 1929.

E. T. GOONEWARDENE,
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi. 26/12/29

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of James Edward Seneviratne, late of Mataramana, Minuwangoda, deceased.
No. 4,742.

Louisa Agnes Seneviratne of Mataramana, Minuwangoda Petitioner.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on October 17, 1929, in the presence of Messrs. Samarasinghe & de Silva, Proctors, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated October 1, 1929, and (2) of the attesting witnesses also dated October 1, 1929, having been read:

It is ordered that the last will of James Edward Seneviratne, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executrix named in the said will, and that she is entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before December 19, 1929, show sufficient cause to the satisfaction of this court to the contrary.

October 17, 1929. O. L. DE KRETSEK,
District Judge.

In the District Court of Colombo.

Order Nisi. 24/12/29

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late H. Juan Silva of Mutwal, deceased.
No. 4,790.

Heetaka Susana Silva of Mutwal in Colombo Petitioner.

And

(1) Heetaka Hendrick Silva, (2) ditto Eugene Silva, both of Mutwal, Colombo Respondents.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on November

8, 1929, in the presence of Mr. Ernest A. de Silva, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 24, 1929, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as daughter 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 interested shall, on or before December 19, 1929, show sufficient cause to the satisfaction of this court to the contrary.

November 8, 1929. O. L. DE KRETSEK,
District Judge.

In the District Court of Colombo.

Order Nisi. 24/12/29

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Kasipillai Veerakutty, late of the General Hospital, Colombo, deceased.
No. 4,805.

Sellamma of Colombo, deceased Petitioner.

And

Letchimipillai of Division No. 8, Trinco- malee Respondent.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on November 18, 1929, in the presence of Messrs. Wilson & Kadirgamar, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 14, 1929, 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 December 19, 1929, show sufficient cause to the satisfaction of this court to the contrary.

November 19, 1929. O. L. DE KRETSEK,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Kaluge Pesona alias Ense Fernando of Sinharamulla in Kelaniya in the Adicare pattu of Seyane korale, deceased. No. 4,806.

Kaluge Romel Hamy of Sinharamulla aforesaid Petitioner.

- (1) Hewage Marthelis Fernando, (2) ditto Jinasena Fernando, (3) ditto Madasa Fernando, all of Wedamulla in the Adicari pattu of Siyane korale, (4) Kaluge Mendis Hamy of Sinharamulla aforesaid, (5) Kaluge Babynona of Wedamulla aforesaid, (6) Kaluge Nonno of Wedamulla aforesaid, (7) Kaluge Rosaline, (8) Kaluge Ensinona, (9) Kaluge Alicenona, and (10) Kaluge Seedin, all of Sinharamulla aforesaid Respondents.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on November 19, 1929, in the presence of Mr. Charles Dias, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated November 12, 1929, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as daughter of the above-named deceased, to have letters of administration to her estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before December 19, 1929, show sufficient cause to the satisfaction of this court to the contrary.

November 19, 1929. O. L. DE KRETSEK, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Matarage Don Charles of Gahanuwela in the Mera pattu of Hewagam korale, deceased. No. 4,807.

Matarage Agiris Singho of Gahanuwela aforesaid Petitioner.

And

- (1) Matarage Sany Hamy, (2) Matarage Jane Nona, wife of (3) Kuruppage Don Charles, all of Gahanuwela aforesaid Respondents.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on November 19, 1929, in the presence of Mr. G. E. Weerackody, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 13, 1929, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before December 19, 1929, show sufficient cause to the satisfaction of this court to the contrary.

November 19, 1929. O. L. DE KRETSEK, District Judge.

In the District Court of Colombo.

Order Nisi.

No. 4,810. In the Matter of the Intestate Estate of Kaluwadewage Saree Fernando of Peliyagodawatta, deceased.

Ranapuradewage Themis Fernando of Peliyagoda-watta Petitioner.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on November 21, 1929, in the presence of Mr. P. D. S. Jayasekera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 19, 1929, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son of the above-named deceased, to have letters of administration to his estate issued to him, unless any person or persons interested shall, on or before December 19, 1929, show sufficient cause to the satisfaction of this court to the contrary.

November 21, 1929. O. L. DE KRETSEK, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of the late Weeratunga Achige Edwin de Costa of Kalubowila, deceased. No. 4,811.

Kuruppage Don Andris of Kirillapone Petitioner.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on November 21, 1929, in the presence of Mr. Upali Amaraasinghe, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated November 5, 1929, (2) of the attesting notary dated November 18, 1929, having been read:

It is ordered that the last will of Weeratunga Achige Edwin de Costa, deceased, of which the original has been produced and it 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 December 19, 1929, show sufficient cause to the satisfaction of this court to the contrary.

November 21, 1929. O. L. DE KRETSEK, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Weerahennedige Heni Peter Fernando of Uyana in Moratuwa, deceased. No. 4,814.

Gonlamalamege Victoria Aponso of Uyana Petitioner.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on November 27, 1929, in the presence of Mr. E. L. W. Aponso, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated November 13, 1929, and (2) of the attesting Notary and witnesses also dated November 13, 1929, having been read:

It is ordered that the last will of Weerahunedige Henry Peter Fernando, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the petitioner is the executrix named in the said will, and that she is entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before December 19, 1929, show sufficient cause to the satisfaction of this court to the contrary.

O. L. DE KRETZER, District Judge. November 27, 1929.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Mathumagala Kankanamalage Melis No. 4,818. Alwis Jayasinghe Appuhamy, late Police Vidane of Kelaniya in the Adikari pattu of Siyane korale, deceased.

Meegodage Ransalina Perera Hamine of Kelaniya aforesaid Petitioner.

And

- (1) Lily Alwis Jayasinghe; (2) Madeline Matilda Alwis Jayasinghe; (3) Alfred Alwis Jayasinghe; (4) Justin Wilfred Alwis Jayasinghe; (5) Clarice Milicent Alwis Jayasinghe; (6) Raja Tillekeratne; (7) Liyanage Edwin Tillekeratne all of Kelaniya Respondents.

THIS matter coming on for disposal before O. L. de Kretzer, Esq., District Judge of Colombo, on November 26, 1929, in the presence of Mr. D. F. J. Perera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 23, 1929, 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 respondents above named or any other person or persons interested shall, on or before December 19, 1929, show sufficient cause to the satisfaction of this court to the contrary.

O. L. DE KRETZER, District Judge. November 28, 1929.

In the District Court of Colombo.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Henarathmohottige Bempi Perera of Yatihena in Adikari pattu of Siyane korale, deceased.

Henarathmohottige Noris Perera of Yatihena aforesaid Petitioner.

And

- (1) Ellagodage Martha Hanny; (2) Henarathmohottige Lucia Perera; (3) Henarathmohottige Peter Perera Respondents.

THIS matter coming on for disposal before O. L. de Kretzer, Esq., District Judge of Colombo, on November 28, 1929, in the presence of Mr. U. L. Perera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 15, 1929, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above-named or any other

person or persons interested shall, on or before December 19, 1929, show sufficient cause to the satisfaction of this court to the contrary.

O. L. DE KRETZER, District Judge. November 28, 1929.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Bethmage Don Lewis No. 4,822. Wijewardene, Vidane Arachchi of Mabe peruwa, deceased.

Don Charles Wijewardene of Mampe, presently of Kandy Petitioner.

And

- (1) Don Arnold Wijewardene of Mampe in Kesbawa; (2) Dona Lily Wijewardene, wife of U. Perera of Kandy; (3) Don Edwin Wijewardene of Mampe in Kesbawa; (4) Don Themiyadasa Abeyasinghe; (5) Dona Beatrice Balawathie Abeyasinghe; (6) Don Yasasiri Abeyasinghe, all of Karahenpitiya in the District of Colombo Respondents.

THIS matter coming on for disposal before O. L. de Kretzer, Esq., District Judge of Colombo, on November 19, 1929, in the presence of Mr. S. Ratnaswamy, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 28, 1929, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before December 19, 1929, show sufficient cause to the satisfaction of this court to the contrary.

O. L. DE KRETZER, District Judge. November 29, 1929.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament and Codicil of Alice Sophia Davidson, late of 414, Great Western road, Aberdeen, Scotland, Spinster, deceased.

THIS matter coming on for disposal before O. L. de Kretzer, Esq., District Judge of Colombo, on December 4, 1929, in the presence of Messrs. Angus & Creasy, Proctors, on the part of the petitioner, Mr. Leslie George Byatt of Colombo; and the affidavit of the said petitioner dated November 27, 1929, exemplification of probate of the will and codicil of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated November 8, 1929, having been read: It is ordered that the will of the said deceased dated June 4, 1921, and a codicil thereto dated March 8, 1923, of which an exemplification of probate has been produced and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the said petitioner is the attorney of the sole executrix named in the said will and that he is entitled to have letters of administration with a copy of the said will and codicil annexed issued to him accordingly, unless any person or persons interested shall, on or before December 19, 1929, show sufficient cause to the satisfaction of this court to the contrary.

O. L. DE KRETZER, District Judge. December 4, 1929.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of William Hustler Beaumont of The Rowl, Levisham, Pickering in the County of York, Gentleman, deceased.
No. 4,835.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on December 4, 1929, in the presence of Mr. Cecil Herbert Spence Blatch of Colombo, Proctor, on the part of the petitioner, Mr. Oscar Percy Mount of Colombo; and the affidavit of the said petitioner dated November 27, 1929, exemplification of probate of the will of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated November 12, 1929, having been read, it is ordered that the will of the said deceased dated November 12, 1911, of which an exemplification of probate has been produced, and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the said petitioner is the attorney of the executors named in the said will, and that he is entitled to have letters of administration, with a copy of the said will annexed, issued to him accordingly, unless any person or persons interested shall, on or before December 19, 1929, show sufficient cause to the satisfaction of this court to the contrary.

December 4, 1929.

O. L. DE KRETSEK,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Sanderson Mellor of 17, Pembridge Gardens, Bayswater, Middlesex, England, Surgeon, deceased.
No. 4,836.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on December 4, 1929, in the presence of Mr. Cecil Herbert Spence Blatch of Colombo, Proctor, on the part of the petitioner, Mr. Oscar Percy Mount of Colombo; and the affidavit of the said petitioner dated November 29, 1929, a certified copy of probate, a certified copy of the will of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated November 26, 1929, having been read: It is ordered that the will of the said deceased dated September 23, 1924, of which a certified copy has been produced and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the said petitioner is the attorney of the executors named in the said will, and that he is entitled to have letters of administration, with a copy of the said will annexed, issued to him accordingly, unless any person or persons interested shall, on or before December 19, 1929, show sufficient cause to the satisfaction of this court to the contrary.

December 4, 1929.

O. L. DE KRETSEK,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of John Alfred Morris of The Royal Hotel, Southport, Lancashire, and of Cross Lane Oil Works and the Claradon Road Works, both in the City of Salford, deceased.
No. 4,837.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge of Colombo, on December

4, 1929, in the presence of Mr. Cecil Herbert Spence Blatch of Colombo, Proctor, on the part of the petitioner, Mr. Oscar Percy Mount of Colombo; and the affidavit of the said petitioner dated November 29, 1929, a duplicate probate of the will of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated November 15, 1929, having been read: It is ordered that the will of the said deceased dated January 25, 1928, of which a duplicate probate has been produced and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the said petitioner is the attorney of the sole executor named in the said will, and that he is entitled to have letters of administration, with a copy of the said will annexed, issued to him accordingly, unless any person or persons interested shall, on or before December 19, 1929, show sufficient cause to the satisfaction of this court to the contrary.

December 4 1929.

O. L. DE KRETSEK,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Don Anna Seneviratne Goonetilleke, Registrar, deceased, of Paiyagala.
No. 2,234.

Don Waiman Seneviratne Goonetilleke of Diyalagoda Petitioner.

(1) Dona Esana Elizabeth de Silva, (2) Don Peter Seneviratne Goonetilleke both of Diyalagoda, (3) Diddy Seneviratne Goonetilleke and husband, (4) Don David Seneviratne, both of 14, Dean place, Colpetty, (5) Dona Eugene Clara Seneviratne Goonetilleke of Diyalagoda, (6) Cecilia Seneviratne Goonetilleke of Diyalagoda (the 6th respondent by her guardian *ad litem* the 1st respondent) Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on October 4, 1929, in the presence of Mr. P. F. A. Goonetilleke, Proctor, on the part of the petitioner, Don Waiman Seneviratne Goonetilleke of Diyalagoda; and the affidavit of the said petitioner dated August 6, 1929, having been read over: It is ordered that the petitioner be and he is hereby declared entitled to have letters of administration issued, to him, as son to his estate, unless the respondents or any other person or persons interested shall, on or before November 15, 1929, show sufficient cause to the satisfaction of the court to the contrary.

It is further declared that the said 1st respondent be and she is hereby appointed guardian *ad litem* over the 6th respondent for all the purposes of this action, unless the respondents or any other person or persons interested shall, on or before November 15, 1929, show sufficient cause to the satisfaction of the court to the contrary.

October 4, 1929.

N. M. BHARUCHA,
District Judge.

Date for showing cause of the above is extended to December 20, 1929.

November 15, 1929.

N. M. BHARUCHA,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Sekka Marikar Pariariar Asia Umma
No. 2,256. Natchia, deceased, of Deenagoda.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on October 25, 1929, in the presence of Mr. H. O. W. Obeyesekere, Proctor, on the part of the petitioner, (Ahmadu Lebbe Marikar Abdul Rahiman Marikar of Deenagoda; and the affidavit of the said petitioner dated October 24, 1929, having been read: It is ordered that the said petitioner be and he is hereby declared entitled, as husband, to have letters of administration to her estate issued to him, unless the respondent, Mohomadu Ismail Mestriyar Mohomadu Hussein, or any other person or persons interested shall, on or before November 29, 1929, show sufficient cause to the satisfaction of this court to the contrary.

October 25, 1929. N. M. BHARUCHA,
District Judge.

Extended and re-issued returnable on January 24, 1930.

N. M. BHARUCHA,
District Judge.

In the District Court of Nuwara Eliya.

Testamentary In the Matter of the Intestate Estate
Jurisdiction. of Wathupetiyegedera Tennakoon
No. 217. Mudiyanseelage Puchi Menika
Oomaela in Yatipalatakoru, Badulla
District, Province of Ceylon, deceased.

Wathupetiyegedera Wannipathirnenela Appu-
hamy, also of Oomaela aforesaid Petitioner.

And

(1) Wathupetiyegedera Muthu Menika, (2) ditto Ram Menika, (3) ditto Ukku Banda, (4) ditto Sudu Banda, (5) ditto Punchirala, and (6) ditto Tikii Banda, (the 3rd, 4th, 5th, and 6th respondents being minors, by their guardian *ad litem* the above-named 2nd respondent) Respondents.

THIS action coming on for final disposal before C. F. Ingledow, Esq., District Judge of Nuwara Eliya, on November 14, 1929, in the presence of Mr. Victor Tambinayagam, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 14, 1929, having been read:

It is ordered that the petitioner, as husband of the deceased above named; be and he is hereby declared entitled to have letters of administration to the estate of the said deceased issued to him accordingly, unless the respondents above named, or any other person or persons interested shall, on or before December 20, 1929, show cause to the satisfaction of this court to the contrary.

And it is further ordered that the 2nd respondent be and she is appointed guardian *ad litem* over the 3rd, 4th, 5th, and 6th respondents minors, for the purpose of this testamentary action, unless the respondents above named or any other person or persons interested shall, on or before December 20, 1929, show sufficient cause to the satisfaction of this court to the contrary.

C. F. INGLEDOW,
Nuwara Eliya, December 3, 1929. District Judge.

In the District Court of Galle.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and
Jurisdiction. Testament of Tuivalage Endoris de
No. 6,964. Silva, deceased, of Aluthwala in
Wellaboda pattu.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on October 31, 1929, in the presence of Messrs. D. & P. Arasriya, on the part of the petitioner, Nanyakkaramassan Karijjawattege Premawathie Noga of Aluthwala and the affidavit of the said petitioner dated October, 1929, and that the attesting witnesses of the last will dated October 30, 1929, having been read:

It is ordered that the will of Tuivalage Endoris Silva of Aluthwala, deceased, dated September 6, 1929, and now deposited in this court, be and the same is hereby declared proved, unless the respondents, viz., Rev. Vilegoda Dhammananda Terunhanse of Sugatha Bimbarama Buddhist Temple at Poramba, (2) Tuivalage Sinnoppu of Poramba in Ambalangoda, shall, on or before January 16, 1930, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the executor named in the said will, and that she is entitled to have probate of the same issued to her accordingly, unless the said respondents shall, on or before January 16, 1930, show sufficient cause to the satisfaction of this court to the contrary.

October 31, 1929. T. W. ROBERTS,
District Judge.

In the District Court of Matara.

Testamentary In the Matter of the Intestate Estate of
No. 3,536. deceased, Madivilage Siyadorishamy,
late of Batuwita.

Karaputugala Gammacharige, Balamy of Batu-
wita Petitioner.

Vs.

(1) Madivilage Tinnorishamy, (2) ditto Pinona, (3) ditto Rosahamy, (4) ditto Nadalinahamy, (5) ditto Sobinahamy, (6) ditto Leelawati, (7) ditto Pannawati, (8) ditto Arnolishamy, all of Batuwita Respondents.

THIS matter coming on for disposal before M. Prasad, Esq., District Judge of Matara, on August 1, 1929, and in the presence of Mr. G. E. Dantanarayana, Proctor, on the part of the petitioner above named; and the petition and the affidavit of the said petitioner dated July 31, 1929, having been read:

It is ordered that the said petitioner, Karaputugala Gammacharige Balamy, be and she is hereby declared entitled, as widow of the said deceased, to have letters of administration of the estate issued to her, unless any person or persons interested shall, on or before October 25, 1929, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 8th respondent, Madivilage Arnolishamy, be and he is hereby appointed guardian *ad litem* over 1st to 7th minor respondents above named, unless sufficient cause be shown to the contrary on October 25, 1929.

It is also ordered that the said minor respondents be produced before this court on or before October 25, 1929.

October 2, 1929. M. PRASAD, District Judge.

Order Nisi extended to January 8, 1930.

October 25, 1929. M. PRASAD, District Judge.

In the District Court of Matara.

Testamentary In the Matter of the Intestate Estate of No. 3,540. the deceased Hewa Kankanamgey Don Nicholas Appuhamy, late of Batuwita.

Hewa Kankanamgey Jimmie of Batuwita... Petitioner.

Vs.

- (1) Wakista Aratchigeey Siciliyana of Batuwita, (2) Hewa Kankanamgey Siciliyana of Uda Aparekka, wife of (3) Bedde Kankanamgey Andris of ditto, (4) Hewa Kankanamgey Darlis, (5) ditto Deris, both of Batuwita... Respondents.

THIS matter coming on for disposal before M. Prasad, Esq., District Judge of Matara, on August 16, 1929, in the presence of Mr. C. E. Dantanarayana, Proctor, on the part of the petitioner above named; and the petition and the affidavit of the said petitioner dated August 14, 1929, having been read:

It is ordered that the petitioner, Hewa Kankanamgey Jimmie of Batuwita, be and he is 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 other person or persons interested shall, on or before October 25, 1929, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that Wakista Aratchige Siciliyana the 1st respondent, be and she is hereby appointed guardian ad litem over the 4th and 5th minor respondents, unless sufficient cause be shown to the satisfaction of this court to the contrary on October 25, 1929.

It is also ordered that the said 4th and 5th respondents be produced before this court on October 25, 1929.

August 9, 1929. M. PRASAD, District Judge.

Order Nisi extended to January 8, 1930.

October 25, 1929. M. PRASAD, District Judge.

In the District Court of Tangalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the deceased Jayawarna Patabendige No. 1,078. Silinduramy, late of Mamadala.

Jayasekara Waga-a-hehige Appusimmo of Mamadala... Petitioner.

Vs.

- (1) Juwanahenedige Bebinona (minor), (2) Mahamadakalapuwege Sadirisappu, Police Officer, both of Mamadala... Respondents.

THIS matter coming on for disposal before H. D. Ratnatunga, Esq., District Judge of Tangalla, on July

11, 1929, in the presence of Mr. D. P. Atapattu, on the part of the petitioner above named; and the affidavit of the above-named petitioner dated July 2, 1929, having been read:

It is ordered that the 2nd respondent above named be appointed guardian ad litem over the minor, the 1st respondent, unless any person or persons interested shall, on or before August 15, 1929, show sufficient cause to the contrary.

It is further ordered that the petitioner be and he is hereby entitled to have letters of administration of the estate issued to him as son, unless any person or persons interested shall, on or before August 15, 1929, show sufficient cause to the contrary.

H. D. RATNATUNGA, Acting District Judge.

Extended to November 14, 1929.

October 24, 1929. J. N. ARUMUGAM, District Judge.

Extended to December 16, 1929.

November 14, 1929. J. N. ARUMUGAM, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of the late Ar. Ar. Sm. No. 5,408. Somasundaram Chetty of Devakottai, deceased.

- (1) Harold Douglas Thornton and (2) Maurice John Harding, both of Colombo, assignees of Ar. Ar. Sm. Firm and Attorneys of F. H. Wilson, the Official Assignee of Madras... Petitioners.

Bastian Emmanuel of Jaffna town, presently of Kurunegala... Respondent.

THIS matter of the petition of the above-named petitioners, praying that the last will and testament of the above-named deceased dated October 2, 1922, executed at Madras and duly registered before the Sub-Registrar of Assurance in Madras, and October 23, 1922, executed at Devakottai in Ramnad District and registered in the Office of the Sub-Registrar of Assurances in the said place, for which exemplification of the probate granted in the High Court of Madras has already been obtained and filed of record, be declared, proved and that letters of administration with copies of wills annexed be granted to the above-named petitioners in respect of the estate of the above-named deceased Ar. Ar. Sm. Somasundaram Chetty, coming on for disposal before J. C. W. Rock, Esq., District Judge, Jaffna, on December 5, 1929, in the presence of Mr. K. Somasundaram, Proctor, on the part of the petitioners; and the affidavits filed of record in that behalf having been read:

It is ordered that the said last wills and testaments be and the same is hereby declared proved, and that letters of administration with copies of will annexed be granted to the above-named petitioners, unless the above-named respondent or any others shall, on or before December 19, 1929, show sufficient cause to the satisfaction of this court to the contrary.

December 6, 1929. J. C. W. Rock, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late Kaitampillai Rajappu of No. 7,263. Periavilan, deceased.

Kaitampillai Rajappu Soosai pillai of Periavilan Petitioner.

Vs.

- (1) Rajappu Saverimuttu of Kiang, Federal Malay States; (2) Rajappu Asenratnam Samarakone of Public Works Department, Colombo; (3) Rajappu Elizabeth of Periavilan; (4) Rajappu Gnanappu of Periavilan; (5) Mariaipillai, widow of K. Rajappu of Periavilan Respondents.

THIS matter coming on for disposal before J. C. W. Rock, Esq., District Judge, Jaffna, on September 9, 1929, in the presence of Mr. S. Hayatambi, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner having been read:

It is ordered that the above-named 5th respondent be appointed guardian ad litem over the minors, the 3rd and 4th respondents, for the purpose of representing them in this case, and that the petitioner be declared entitled to administer the said estate, as the son of the deceased and heir, and that the letters of administration be issued to him accordingly, unless the respondents shall appear before this court on October 29, 1929, and show sufficient cause to the satisfaction of this court to the contrary.

September 21, 1929. J. C. W. Rock, District Judge.

Order Nisi extended for December 17, 1929.

October 29, 1929. J. C. W. Rock, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late No. 7,278. Veluppillai Muttu of Alvay South, deceased.

Sinnappillai, widow of Veluppillai Muttu of Alvay South Petitioner.

Vs.

- (1) Muttu Arumugam; (2) Thangammah, daughter of Muttu; (3) Muttu Kanakasabai, and (4) Veluppillai Vallipuram, all of Alvay South; 1st, 2nd, and 3rd respondents are minors by their guardian ad litem the 4th respondent Respondents.

THIS matter coming on for disposal before J. C. W. Rock, Esq., District Judge, Jaffna, on September 18,

1929, in the presence of Mr. K. V. Rasiah, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 18, 1929, having been read: It is ordered that the above-named 4th respondent be appointed guardian ad litem over the minors, the 1st, 2nd, and 3rd respondents, and that the petitioner be declared entitled to have letters of administration to the estate of the said intestate, as his lawful widow, unless the respondents or any other person or persons interested shall appear before this court on or before November 14, 1929, and state objection or show cause to the satisfaction of this court to the contrary.

September 26, 1929. J. C. W. Rock, District Judge.

Time extended to December 17, 1929.

J. C. W. Rock, District Judge.

In the District Court of Mannar.

Order Nisi.

Testamentary In the Matter of the Estate of Mariam-Jurisdiction. veevee, wife of Sellathurai, late of No. 429. Tharakundu, deceased.

J. V. Aiyampillai, Secretary, District Court, Mannar Petitioner.

Vs.

- (1) Kappudayar Sellathurai; (2) Apithaumma, wife of Mappillaitamb; (3) Emmisalma, daughter of Neinamohamados; (4) Aysaumma, daughter of Sellathurai; (5) Seinampu, daughter of Sellathurai; (6) Sellathurai Noorumohamado; (7) Matharumma, widow of Mohamadu Kappudayar, all of Tharakundu Respondents.

THIS matter of the petition of J. V. Aiyampillai, praying for letters of administration to the estate of the above-named deceased, Mariamveevee, wife of Sellathurai, coming on for disposal before C. E. Arndt, Esq., District Judge, on November 25, 1929, in the presence of Mr. S. Mudlr. Anantham, Proctor, on the part of the petitioner, and the affidavit of the petitioner dated November 25, 1929, having been read: It is declared that the petitioner, as the Secretary, District Court, Mannar, is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before December 17, 1929, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the 7th respondent be appointed guardian ad litem of the 3rd, 4th, 5th, and 6th respondents for the purpose of representing them in these proceedings, unless the respondents above named shall on or before the said date show sufficient cause to the satisfaction of this court to the contrary.

November 25, 1929.

CARL E. ARNDT, District Judge.

P 12 In the District Court of Puttalam.

Order Nisi.

Testamentary In the Matter of the Last Will and
Jurisdiction: Testament of Mohamado Ali Marakar
No. 652. Mohamado Casim Marakar, late of
Puttalam, deceased, testator.

Between

Mohamado Casim Marakar Mohamado Neina
Marakar of Puttalam Petitioner.

And

(1) Mohamado Ali Marakar, (2) Thamby Neina
Marakar, (3) Nagudo Neina Marakar, (4) Umumu
Johara Beebee, (5) Hadjera Emma, all minors
of Puttalam, appearing by their guardian *ad
litem* Mohamado Thamby Marakar Omergatha
Marakar of Puttalam, (6) Neina Mohamado
Natchia of Puttalam, widow of Mohamado Ali
Marakar Mohamado Casim Marakar, deceased,
above named, (7) Umumu Saleha Umma of Put-
talam, wife of the said Mohamado Thamby
Marakar Omergatha Marakar Respondents.

THIS matter coming on for disposal before M. A.
Arulanandan, Esq., District Judge of Puttalam, on
November 26, 1929, in the presence of Mr. Wilfred
A. Muttukumar, Proctor, on the part of the petitioner
above named; and the affidavit of the said petitioner
dated November 5, 1929, and his petition dated
November 25, 1929, and the affidavit dated September
10, 1929, of the attesting witnesses to the last will of
the deceased above named, having been duly read:

It is ordered that Mohamado Thamby Marakar
Omergatha Marakar above named be and he is hereby
appointed guardian *ad litem* over the 1st, 2nd, 3rd, 4th,
and 5th respondents above named, who are minors, for
all the purposes of these proceedings, and that a certi-
ficate be issued to him accordingly; and that the last
will and testament of the testator above named dated
June 25, 1928, be and the same is hereby declared
proved, and that probate thereof be issued to the
petitioner, as executor accordingly with a copy of the
will annexed, unless the respondents above named or
any other person or persons interested shall, on or
before December 18, 1929, show sufficient cause to the
satisfaction of this court to the contrary.

November 26, 1929.

C. SENARATNE,
Additional District Judge.

In the District Court of Puttalam:

Order Nisi.

40 P 107 Testamentary In the Matter of the Intestate Estate
Jurisdiction: of Pitche Muttu Marakar Sego Mohie-
No. 653. deen, late of Musalputty, deceased.

Pitche Muttu Marakar Sego Abdul Cader *alias*
Muttu Marakar of Musalputty in the Puttalam
District Petitioner.

And

(1) Mohamado Abdubacker Natchia, widow of Pitche
Muttu Marakar, (2) Mohideen Meera Natchia, wife
of Abdul Ophoor of Tely in the Puttalam
District, (3) Pitche Muttu Marakar Sego Neina,
a minor, aged about 8 years, (4) Pitche Muttu
Marakar Abdul Hameedo Marakar, a minor, aged
about 1½ years, both of Musalputty, appearing
by their guardian *ad litem* Sego Neina Mohamado
Ibrahim of Palliwasalturai in the aforesaid
pattu Respondents.

THIS matter coming on for disposal before C. Sena-
ratne, Esq., Additional District Judge of Puttalam,
on December 5, 1929, in the presence of Mr. Wilfred A.
Muttukumar, Proctor, on the part of the petitioner
above named; and the affidavit of the petitioner dated
December 3, 1929, and petition dated December 5, 1929,
having been duly read:

It is ordered that Sego Neina Mohamado Ibrahim
above named be and he is hereby appointed guardian
ad litem of the 3rd and 4th minor respondents above
named, for all the purposes of these proceedings, and
that the petitioner above named be and he is hereby
appointed, as brother of the deceased above named,
administrator of the estate of the said deceased, and
that letters of administration be issued to him accord-
ingly, unless the respondents above named or any other
person or persons interested in the said estate shall,
on or before December 18, 1929, show sufficient cause
to the satisfaction of this court to the contrary.

December 5, 1929.

C. SENARATNE,
Additional District Judge.

PASSED ORDINANCE.

J 288/26

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

No. 27 of 1929.

An Ordinance to provide for the Registration of Muslim
Marriages and Divorces contracted and effected
in the Island.

H. J. STANLEY.

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

PART I.

Preliminary.

1 (1) This Ordinance may be cited as the Muslim Marriage
and Divorce Registration Ordinance, 1929, and shall apply
only to subjects of His Majesty professing the Muslim faith.

Short title,
application, and
commencement

(2) This Ordinance shall come into operation on such date not being less than three months after the passing thereof as the Governor with the advice of the Executive Council shall by proclamation appoint :

Provided that—

- (a) Licences may be issued to officiating priests and appointments of Kathis and members of the Board of Kathis may be made before the commencement of this Ordinance ;
- (b) Regulations may be made by the Governor in Executive Council temporarily postponing or modifying the operation of any provision of this Ordinance where in the opinion of the Governor in Executive Council, to give effect to such provision would cause undue difficulty or inconvenience.

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

“Provincial Registrar” means the Provincial Registrar of any province or the Assistant Provincial Registrar of any district within the meaning of the Marriage Registration Ordinance, 1907.

No. 19 of 1907,
II. 776.

“Officiating priest” means any Muslim licensed by the Provincial Registrar to register marriages and divorces under this Ordinance.

“Kathi” means any male Muslim appointed by the Governor in accordance with the provisions of this Ordinance.

3 (1) The Provincial Registrar may issue a licence to be an officiating priest in the form prescribed in the First Schedule to any Muslim applying for the same, who, in his opinion, is a fit and proper person to register marriages and divorces under this Ordinance, and may by order revoke and recall any such licence at his discretion. Officiating
priests.
First Schedule.

(2) Such licence shall state that the person named therein is licensed to register marriages and divorces for any particular area to be specified therein.

(3) The prescribed fee for any such licence shall be paid in stamps, which shall be supplied by the applicant and shall be duly cancelled by the Provincial Registrar. A list of such licences shall be made and preserved in the office of the Provincial Registrar, and shall from time to time be published in the Gazette.

(4) No officiating priest shall register any marriage or divorce contracted or effected under this Ordinance outside the limits of the area specified in the licence issued to him :

Provided, however, that it shall be lawful for the Registrar-General in his discretion, in respect of any particular marriage, on special application made for that purpose by the bridegroom and the wali of the bride and on payment of the prescribed fee, to authorize by letter an officiating priest licensed for one area to register the marriage in another area.

4 (1) The Governor may appoint any male Muslim of good character and position and of suitable attainments to be a Kathi. The letter of appointment shall be in such form as the Governor may specify and shall be signed by the Colonial Secretary or an Assistant Colonial Secretary. It shall state that the person named therein is appointed to be a Kathi for any particular area to be specified therein. Kathis.

(2) Every appointment of a Kathi shall be notified in the Gazette. The Governor may at any time at his pleasure by notification in the Gazette cancel such appointment.

(3) In the event of a Kathi temporarily leaving the district for which he is appointed, the Governor may appoint a suitable person to act for him.

Board of Kathis.

5 (1) The Governor may appoint a board consisting of not less than three and not more than five male Muslims resident in the Island who are of good character and position and of suitable attainments (hereinafter called the Board of Kathis) to hear appeals from Kathis.

(2) All such appointments shall be by letters of appointment in such form as the Governor may specify and shall be signed by the Colonial Secretary or an Assistant Colonial Secretary.

(3) The appointment of the members of the Board of Kathis shall be notified in the Gazette. The Governor may at any time at his pleasure, by notification in the Gazette, cancel any such appointment and appoint some other suitable person to fill the place of the person whose appointment is so cancelled.

(4) In the event of a member of the Board of Kathis dying or resigning or leaving the Island or becoming incapable or refusing to perform his duties, the Governor may appoint a suitable person to fill his place.

PART II.

*Marriages.***Persons liable to register marriage.**

6 (1) In the case of every marriage contracted between Muslims after the commencement of this Ordinance, it shall be the duty of the bridegroom and the wali of the bride (except where the Kathi has expressly authorized the marriage under section 21 (2)) and the officiating priest who attends the marriage ceremonies at the request of the contracting parties and the priest conducting the marriage ceremonies and the two witnesses to the marriage, immediately upon the performance of such ceremonies, to register such marriage at the wedding meeting held according to custom.

(2) Every person liable under this Ordinance to register a marriage who omits to register such marriage shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one hundred rupees, and on a second or subsequent conviction to a fine not exceeding one hundred rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

Declarations and form of registration.

7 (1) Before the registration of the marriage, the bridegroom and the wali of the bride (except where the Kathi has expressly authorized the marriage under section 21 (2)) shall sign before the officiating priest declarations in the form prescribed in the First Schedule.

First Schedule.

(2) Every registration shall be made in duplicate, that is to say, in a marriage register book, which the officiating priest is hereby required to keep for that purpose and which shall be furnished to him by the Provincial Registrar, and also in a certificate attached to the marriage register book. All the entries in the marriage register book and in the certificate shall be in the English or in the Tamil language. The prescribed fee for the certificate shall be paid in stamps, which shall be supplied by the bridegroom and shall be duly cancelled by the officiating priest as required by law.

First Schedule.

(3) The marriage register book and the certificate shall be in the form prescribed in the First Schedule.

Entries of marriage to be signed and attested.

8 (1) The entries relating to such marriage in both the certificate and the marriage register book shall be signed by the officiating priest and by the priest conducting the marriage ceremonies and also by the bridegroom, and by the wali of the bride except where the Kathi has expressly authorized such marriage under section 21 (2), and shall be attested by two witnesses present at the marriage. Where a person required to sign is not able to sign, he shall affix his mark.

(2) Every registration of a marriage shall be made and numbered consecutively from the beginning to the end of the book, and the number of the certificate shall correspond with that of the marriage register book.

9 The officiating priest registering the marriage shall forthwith detach the certificate from the marriage register book and send it together with the declarations under section 7 (1), within seven days from the date of the registration, to the Provincial Registrar having jurisdiction over the area for which he has been licensed, to be filed of record in his office :

Certificate and declarations to be forwarded to Registrar.

Provided, however, that where the marriage is registered by an officiating priest authorized under the proviso to section 3 (4), the officiating priest shall in addition send certified copies of the said certificate, declarations, and of the letter authorizing the registration of the marriage by the said officiating priest to the Provincial Registrar having jurisdiction over the area in which the marriage is registered, to be filed of record in his office.

10 Every officiating priest who shall wilfully register any marriage contracted outside the limits of the area for which he is licensed save and except under a letter of authority issued under the proviso to section 3 (4), or who shall register any marriage at which he shall not have been present, or who shall wilfully neglect to keep a marriage register book as required by section 7, or who shall wilfully omit to have the declarations signed as provided by section 7 (1), or to register in the marriage register book in the manner provided by sections 7 and 8 any marriage which by this Ordinance he shall be bound to register, or who shall fail without lawful excuse to send the declarations or the certificate duly stamped to the Provincial Registrar as required by section 9, or who shall wilfully contravene any rule made under this Ordinance, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred rupees.

Penalties.

11 Every person required thereto by section 8 who refuses or neglects to sign in the register book or the certificate, and every person liable thereto under section 7 who refuses or neglects to provide the necessary stamp for the certificate, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty rupees.

Penalty for refusing to sign register or not providing necessary stamps.

12 Every person who wilfully or to his knowledge makes a false statement in the declaration signed by him under section 7 (1) shall be guilty of an offence, and shall be liable on conviction to a fine not exceeding one hundred rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

Penalty for making false statement in declaration.

13 Where a marriage contracted after the commencement of this Ordinance has not been registered or has been erroneously registered, it shall be lawful for either of the parties to the marriage, or, in the case of his or her death, for the issue or other lawful representative of any such party, to apply to the Provincial Registrar to have such marriage registered or correctly registered, as the case may be, and such Provincial Registrar shall cause the officiating or other priest before whom the marriage was contracted and such other persons as to him shall appear expedient to be noticed to show cause why such application should not be granted. If no sufficient cause be shown to the contrary and the Provincial Registrar shall be satisfied, after hearing such evidence as may be adduced, that such marriage has been proved or erroneously registered, he shall by order cause the marriage to be registered or correctly registered, as the case may be.

Power to supply omissions or correct errors in registration.

PART III.

Divorces.

14 (1) When a husband desires, after the commencement of this Ordinance, to divorce his wife, the procedure laid down in the rules in the Second Schedule shall be adopted, and if a permit to effect and register the divorce is issued to him by the Kathi, he shall register the divorce before an officiating priest within fourteen days after the issue of such permit, unless it has been revoked in the meantime.

Divorce by husband.

Second Schedule.

(2) The Governor in Executive Council may by regulation published in the Gazette alter, amend, vary or add to the rules in the Second Schedule.

Divorce by
wife.
Third Schedule.

15 (1) When a wife desires, after the commencement of this Ordinance, to effect a Fasah divorce from her husband, the procedure laid down in the rules in the Third Schedule shall be adopted, and if a permit stating that the divorce has been allowed and may be registered is issued to her by the Kathi, she shall register the divorce before an officiating priest within fourteen days after the issue of such permit.

(2) The Governor in Executive Council may by regulation published in the Gazette alter, amend, vary or add to the rules in Part I of the Third Schedule.

Right of
appeal.

16 Any husband or wife aggrieved by the order or decree of a Kathi under the rules in Part I of the Third Schedule shall have a right of appeal to the Board of Kathis, and any husband or wife aggrieved by the decision of the Board of Kathis on any such appeal shall, subject to leave being granted, have a right of appeal to the Supreme Court against such decision, in accordance with the rules in Part II of the said Schedule, and the provisions of those rules shall apply accordingly when any such right is exercised.

Application
for inquiry in
certain cases.

17 (1) Whenever it is made to appear to the Provincial Registrar, on the application of a wife or husband, that a fair and impartial inquiry in any divorce proceedings taken by a wife under this Ordinance cannot be had before a Kathi, whether proceedings have already been instituted before such Kathi or not, it shall be lawful for the Provincial Registrar to order that such inquiry should be held or transferred before another Kathi who may be specially appointed for that purpose by order of the Governor to be published in the Gazette.

(2) No such order shall be made until the applicant has deposited the prescribed fees for payment of the travelling and other expenses of such specially appointed Kathi.

Rules of
procedure on
appeals.

18 It shall be lawful for the Judges of the Supreme Court or any three of them, of whom the Chief Justice shall be one, from time to time to make, subject to the approval of the Governor in Executive Council, such general rules as to them shall seem meet for regulating the mode of applying for leave to appeal and of prosecuting appeals from decisions and orders of the Board of Kathis and for regulating any matters relating to the costs of such applications for leave to appeal and of appeals.

Registration of
divorces, and
correction of
registers.
First Schedule.

19 It shall be the duty of the officiating priest to register in the form prescribed in the First Schedule any divorce authorized by a permit issued by a Kathi under this Ordinance, on production of the permit by the person to whom it was issued within fourteen days after the issue thereof, and the provisions of sections 7 (2) and (3), 8 (2), 9, 10, 11, and 13 shall apply *mutatis mutandis* to every such registration, and the entries in the divorce register book and the certificate shall be signed by the person to whom the permit was issued and the officiating priest, and shall be attested by two witnesses, and the officiating priest shall forward the permit to the Provincial Registrar together with the certificate, to be filed of record in his office.

Penalty for
omission to
register divorce.

20 Every person who omits to register any such permit issued to him or her within fourteen days after the issue thereof, unless the permit has been revoked in the meantime, or who acts otherwise than in accordance with the procedure laid down in this Ordinance, and any Muslim priest, who aids or abets him or her in such omission, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one hundred rupees, and on a second or subsequent conviction to a fine not exceeding one hundred rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

PART IV.

Supplementary.

21 (1) A Kathi shall in addition have power to inquire into and adjudicate upon and to make order allowing or disallowing—

Further powers
of Kathi.

- (a) Claims by a wife for the payment of mahr where the sum in dispute does not exceed one thousand rupees ;
- (b) Claims for maintenance by a wife or a legitimate child who has been deserted by her husband or its father, and for a monthly allowance not exceeding one hundred rupees in respect of the maintenance of a wife, or a monthly allowance not exceeding fifty rupees for the maintenance of each child ;
- (c) Claims for maintenance by a divorced wife until the registration of the divorce or during her period of iddat, or, if such woman is pregnant at the time of the divorce, till she gives birth to the child, and in the latter case claims for her lying-in expenses ;
- (d) An action for restitution of conjugal rights by a husband or wife ;
- (e) An action for a declaration by a woman that she is or is not married to a certain man ; and
- (f) An action for a declaration by a man that he is or is not married to a certain woman.

(2) A Kathi may also inquire into and deal with any application by or on behalf of a woman or girl made against a wali who unreasonably withholds his consent to the marriage of such woman or girl and if necessary authorize such marriage against the express wishes of the wali.

(3) All such inquiries shall be held as nearly as possible *mutatis mutandis* in accordance with the rules in the Third Schedule, and an aggrieved husband or wife shall have the same right of appeal to the Board of Kathis and the Supreme Court as in Fasah proceedings, and this Ordinance and the rules in the said Schedule and any amendments thereof shall apply to such appeals.

Third Schedule.

(4) Any sum so claimed and allowed by the Kathi, or on appeal, by the Board of Kathis, or, in the case of a further appeal, by the Supreme Court, may be recovered as though it were a fine imposed under this Ordinance on application made to the Police Magistrate having jurisdiction where the person liable to pay such sum may for the time being be resident. Every such application shall be made by the Kathi and shall be supported by a certificate under his hand stating the amount of the sum due, the name of the person liable to pay such sum, and the name or names of the person or persons entitled thereto.

Such sum shall be recovered as a fine notwithstanding that it may exceed the amount of a fine which a Police Magistrate may in his ordinary jurisdiction impose, and when recovered shall be remitted to the Kathi for payment in due course to the person or persons or to the wife or child thereto entitled as the case may be.

Provided that, if any person against whom an order for maintenance is made under this section neglects to comply with the order, the Magistrate may for every breach of the order issue a warrant directing the amount due to be levied in the manner provided by law for levying fines imposed by Police Magistrates, and may sentence such person, in respect of the whole or any part of any monthly allowance remaining unpaid by such person after the execution of the warrant, to imprisonment of either description for any term not exceeding one month.

(5) All moneys recovered by the Kathi for payment to a woman or child shall be paid forthwith to the woman or child, as the case may be, or, if the child is under the age of fourteen years, to the person legally entitled to the custody of the child

on behalf of such child, and every payment so made by the Kathi shall be supported by a receipt signed by such woman, child, or person legally entitled in a book to be kept for that purpose by the Kathi.

(6) Any Kathi recovering any sum of money for payment to a woman or child, who fails without reasonable cause forthwith to pay such sum to the person entitled thereto, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

(7) All moneys recovered under sub-section (4) and not paid by the Kathi to the persons entitled thereto on the ground that there is no claimant or that the claimant cannot be found shall be paid at the end of a period of one month after such moneys have been in the hands of the Kathi to the Provincial Registrar, and shall be disposed of in the prescribed manner.

Rules.

22 (1) The Governor in Executive Council may make rules regulating—

- (a) The procedure to be observed in cases before Kathis;
- (b) The processes to be issued by them and the mode of enforcing the same;
- (c) The form and method of appeals to the Board of Kathis and all matters incidental or appertaining to the hearing of such appeals and the recording of the verdict or decision of the Board;
- (d) The summoning, challenging, and empanelling of Muslim assessors, and matters respecting them;
- (e) The manner in which and the conditions subject to which processes may be served by the Fiscal, or otherwise;
- (f) The stamp fees to be levied in respect of cases instituted before the Kathi, processes issued by the Kathi, and appeals heard by the Board of Kathis, and applications for leave to appeal and appeals made to the Supreme Court and, in general, all fees required by this Ordinance to be prescribed whether payable in stamps or not;
- (g) The stamp fees to be paid on certificates of marriage or divorce and on declarations under section 7 (1);
- (h) The inspection from time to time by the Provincial Registrar of the registers and books kept by officiating priests, and Kathis, and the inquiry by the Provincial Registrar into complaints against Kathis and officiating priests;
- (i) The books, registers, certificates, permits, forms, and indexes to be kept, issued, or used by Provincial Registrars, Kathis, and officiating priests;
- (j) The fees, allowances, or emoluments to be paid as the travelling and other expenses of a special Kathi;
- (k) The manner in which accumulated moneys paid by Kathis to the Provincial Registrar under section 21 (7) shall be disposed of;
- (l) The conditions relating to the prepayment of mahr and deposit of money for maintenance of a child to be born, subject to which a Muslim not domiciled in Ceylon may be allowed to marry in Ceylon;
- (m) All other matters which may or are to be prescribed or which may appear to be necessary or expedient for the purpose of carrying out the provisions of this Ordinance.

(2) Such rules shall be published in the English and Tamil languages in the Gazette.

23 (1) When any Fasah divorce has already been effected by a woman before a Muslim priest prior to April 1, 1925, or when any woman so divorced has re-married, such woman, or if the woman is dead, any child born to her subsequent to the date of, and during the continuance of, the re-marriage, may apply for the registration of such divorce or re-marriage to the Kathi of the area in which such woman or child is resident.

(2) The Kathi shall proceed to inquire into any such application made to him, and the procedure laid down in the rules in the Third Schedule shall be followed as nearly as possible.

(3) An aggrieved husband or wife shall have the same right of appeal as in the case of an order made in a Fasah case, and this Ordinance and the rules in the Third Schedule and any amendments thereof shall apply to such appeals.

(4) When any such application is allowed by the Kathi, or on appeal, by the Board of Kathis, or in the case of a further appeal, by the Supreme Court, the Kathi shall issue to the applicant a permit authorizing the registration of the divorce or of the re-marriage within fourteen days after the issue of such permit, and upon production of this permit, within the fourteen days, it shall be the duty of the officiating priest to register the divorce or marriage in a separate register to be kept for that purpose and to file the permit.

(5) Every divorce and re-marriage duly registered under this section shall be deemed to be valid and to have been duly effected and contracted as and from the original date of such divorce or re-marriage, and all children born subsequent to the date of the re-marriage during such re-marriage shall be deemed to be legitimate children of such re-marriage.

24 Every officiating priest and every Kathi shall keep in the Tamil or English language and in the prescribed form a current index of the contents of every book and register kept by him, and every entry in such index shall be made as far as it is practicable immediately after he shall have made an entry in the book or register.

25 Every officiating priest and every Kathi shall at the expiration of every month personally appear before the Provincial Registrar and deposit copies verified on oath in the prescribed form of all entries made by him in his books or registers or in the indexes thereto.

26 The Provincial Registrar shall cause such copies to be bound together, with translations in English if they are in the Tamil language, in a general register, of which a general index shall be kept.

27 The general register and general index, and the books, registers, and indexes of officiating priests and Kathis shall be open to inspection at all reasonable hours upon the payment of the prescribed fee by any person applying to inspect the same; and the Provincial Registrar or Kathi or officiating priest shall upon payment of the prescribed fee furnish to any person requiring the same a copy of any entry certified under his signature and seal of office.

28 Every book or register of an officiating priest or Kathi, and any general register, and every copy of any entry in any such book or register, certified under the hand and seal of an officiating priest or Kathi, or Provincial Registrar, to be a true copy or extract, shall be *prima facie* evidence in all courts in the Colony of the dates and facts contained or set out in such book or register, general register, copy, or extract.

29 (1) A certified copy of the entry in the register of marriages or in the register of divorces shall, with respect to any marriage or divorce registered under this Ordinance, or with respect to any marriage registered under the Mohammedan Marriage Registration Ordinance, 1886, be accepted and received in all courts as the best evidence of such marriage or divorce, as the case may be.

(2) Provided, however, that nothing contained in this Ordinance shall be construed to render valid or invalid merely by reason of registration or non-registration any Muslim marriage or divorce which will otherwise be invalid or valid according to the Muslim law in force in Ceylon.

Procedure for validation of past divorces and re-marriages.

Third Schedule.

Indexes of books and registers.

Officiating priest and Kathi to deposit copies of entries and indexes.

Copies to be bound in general register.

Registers and indexes to be open to inspection.

Registers and copies to be evidence.

Registration of marriage or divorce to be best evidence.

No. 8 of 1886, I. 44, 919.

Forms.
First Schedule.

30 (1) The forms contained in the First Schedule shall be used with such variations as may be necessary for any particular case.

(2) The Governor in Executive Council may from time to time by rules add to, alter, vary or amend any of the said forms and may prescribe new or additional forms to be used for the purposes of this Ordinance.

Custody of registers, books, and indexes.

31 (1) Every officiating priest and every Kathi shall keep all registers, books, and indexes until they shall have been filled up and shall then forward them for record to the Provincial Registrar.

(2) In the event of an officiating priest or Kathi leaving the area for which he is licensed or appointed, or ceasing to hold his licence or appointment, or being dismissed by the Governor, or resigning, or in the event of his licence or appointment being revoked or cancelled, he shall forthwith deliver his books, registers, indexes, and seal of office to the Provincial Registrar; and if he fails to do so, or if he dies, the Provincial Registrar shall take possession of them.

(3) Any person who refuses or omits to deliver any book, register, index, or seal of office to the Provincial Registrar as required by this section, and any person who is found without lawful excuse in possession of any book, register, index, or seal of office which has not been delivered to the Provincial Registrar or taken possession of by him as required by this section, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred rupees.

Penalty for destruction of registers, &c.

32 Any person who wilfully destroys or injures or causes to be destroyed or injured any register book or certificate, or any part thereof, or any permit of divorce or re-marriage or any authenticated extract therefrom, or wilfully or falsely makes or counterfeits any part of such register book, certificate, permit of divorce or re-marriage, or wilfully inserts any false entry in any such register book or certificate, permit of divorce or re-marriage, or authenticated extract therefrom; and any person not being an officiating priest or a Kathi, who registers or professes to register any marriage or divorce under this Ordinance or issues a permit authorizing divorce under this Ordinance shall be guilty of an offence, and shall be liable on conviction to imprisonment of either description for a term not exceeding seven years.

Kathi to be public servant. No. 2 of 1883, IV. 21.

33 Every Kathi shall be deemed to be a public servant within the meaning of the Ceylon Penal Code, and all proceedings before a Kathi or Board of Kathis under the provisions of this Ordinance shall be deemed to be judicial proceedings within the meaning of Chapter XI of the Ceylon Penal Code.

Registers, &c., to be supplied free to Kathi.

34 All register books with the certificates attached thereto and all other books required to be kept by officiating priests and Kathis shall be furnished by the Provincial Registrar on the application of the officiating priest or Kathi free of charge.

Appeal from order of Provincial Registrar.

35 Every order made by the Provincial Registrar refusing or revoking or recalling a licence under section 3 and every order made by the Provincial Registrar under sections 13 or 19 shall be subject to appeal to the Governor in Executive Council, and every such appeal shall be preferred within fourteen days after the order appealed from shall have been notified to the party or parties concerned.

Unauthorized keeping of marriage or divorce registers.

36 (1) No person other than an officiating priest or Kathi shall keep any book or register being or purporting to be a register of Muslim marriages or divorces or proceedings relating to divorces effected by him or by any other person, or shall issue to any person any document being or purporting to be a permit of divorce or re-marriage.

(2) Any person offending against the provisions of this section shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding one hundred rupees, and for a second or subsequent offence to a fine not exceeding one hundred rupees or to rigorous imprisonment for a period not exceeding six months or to both such fine and imprisonment.

37 (1) It shall be the duty of the Provincial Registrar to inspect from time to time the books and registers required to be kept under this Ordinance by the officiating priests and Kathis, and to hear complaints made against them.

Inspection of registers, &c.

(2) Should any irregularity be detected on such inspection, the Provincial Registrar may either order the institution of criminal proceedings or revoke the licence of the officiating priest or report the matter through the Registrar-General to the Governor for the dismissal of the Kathi.

38 Nothing in this Ordinance shall be construed to prohibit the receipt by the officiating priest of any gratuity if such gratuity is voluntarily made.

Voluntary gratuity to officiating priest.

39 (1) Whenever there shall be a special necessity for the licensing of an officiating priest otherwise than under section 3, it shall be lawful for the Provincial Registrar, on special application made for the purpose and on payment of the prescribed fee, to issue a licence to be a special officiating priest in the prescribed form to any Muslim who in his opinion is a fit and proper person to register marriages and divorces under this Ordinance, but such licence shall be limited to the necessity mentioned aforesaid and may be revoked and recalled by the Provincial Registrar at his discretion.

Special officiating priests.

(2) Such licence shall specify the conditions and restrictions under which it is to be used and may be issued for the whole Island or for any particular area thereof specified in the licence.

(3) The prescribed fee for any such licence shall be paid in stamps, which shall be supplied by the applicant and shall be duly cancelled by the Provincial Registrar. A list of such licences shall be made and preserved in the office of the Provincial Registrar and shall from time to time be published in the Gazette.

(4) No officiating priest licensed as aforesaid shall register any marriage or divorce contracted or effected under this Ordinance in breach of the restrictions or conditions contained in the licence issued to him.

(5) The term "officiating priest" in this Ordinance shall include any person so licensed by the Provincial Registrar.

40 (1) Whenever there shall be a special necessity for the appointment of a Kathi otherwise than under section 4, it shall be lawful for the Governor to appoint any male Muslim of good character and position and of suitable attainments to be a special Kathi. The letter of appointment shall be in such form as the Governor may specify and shall contain the conditions and restrictions subject to which the Kathi shall function and shall be signed by the Colonial Secretary or an Assistant Colonial Secretary.

Special Kathis.

(2) Every appointment of a Kathi as aforesaid may be for the whole Island or for a portion thereof and shall be notified in the Gazette. The Governor may at any time at his pleasure by notification in the Gazette cancel such appointment.

(3) The term "Kathi" in this Ordinance shall include any person so appointed by the Governor.

41 Any person who fails to comply with or acts in contravention of any of the provisions of this Ordinance, or of any rules made thereunder, shall be guilty of an offence, and shall, unless some other penalty is provided by this Ordinance, be liable on conviction to a fine not exceeding one hundred rupees.

General penalty.

Kathis and members of Board of Kathis to execute security bonds.

42 Every Kathi appointed either under sections 4, 17 or 40, and every member of the Board of Kathis appointed under section 5, shall enter into, before the Provincial Registrar in the case of a Kathi, and before the Registrar-General in the case of a member of the Board of Kathis, a bond to His Majesty, His Heirs and Successors, in the sum of one thousand rupees, conditioned for the due and faithful discharge of his duties, which amount shall be secured to His Majesty, His Heirs and Successors, either by the hypothecation of immovable property or by deposit of movable property, or by the guarantee of two or more sufficient sureties in that behalf to the satisfaction of such Provincial Registrar or Registrar-General. Such bond shall be filed in the office of the Provincial Registrar or of the Registrar-General, as the case may be.

Relationship rendering carnal knowledge incestuous.

43 (1) Any person who carnally knows, or attempts to have carnal knowledge of, a woman or girl who is to his knowledge—

- (a) His daughter or other lineal descendant ; or
- (b) His mother or other lineal ascendant ; or
- (c) His sister by the full or the half blood ; or
- (d) The daughter of his brother or sister by the full or the half blood, or a descendant from either of them ; or
- (e) The sister by the full or the half blood of his mother, father, or other lineal ascendant ; or
- (f) His wife's mother or grandmother ; or
- (g) The daughter or granddaughter of his wife by another father ; or
- (h) His son's, grandson's, father's, or grandfather's wife or widow or divorced wife—

shall be guilty of an offence, and shall on conviction be liable to imprisonment of either description for any period not exceeding one year.

For the purpose of this sub-section it is immaterial that the carnal knowledge was had, or that the attempt was made, with the consent of the woman or girl.

(2) Any woman or girl of or above the age of twelve years who permits any man to have carnal knowledge of her knowing him to be—

- (a) Her son or other lineal descendant ; or
- (b) Her father or other lineal ascendant ; or
- (c) Her brother by the full or the half blood ; or
- (d) The son of her brother or sister by the full or the half blood, or a descendant from either of them ; or
- (e) The brother by the full or the half blood of her father, mother, or other lineal ascendant ; or
- (f) Her husband's father or grandfather ; or
- (g) The son or grandson of her husband by another mother ; or
- (h) Her daughter's, granddaughter's, mother's, or grandmother's husband, or widower, or divorced husband—

shall be guilty of an offence, and shall on conviction be liable to imprisonment of either description for any period not exceeding one year.

It is a defence to a charge of the offence defined in this sub-section that the woman or girl was at the time of the offence acting under the coercion of the person having carnal knowledge of her.

(3) Nothing in this section contained shall be construed to make valid a marriage which would otherwise be invalid according to the Muslim law in force in Ceylon.

44 The Governor in Executive Council may give directions, in any particular case or generally, in respect of any matter necessary for the administration of this Ordinance which is not specially provided for therein, and such directions on being published in the Gazette shall be as legal, valid, and effectual as if they were herein enacted.

Directions for matters not provided for.

45 If any difficulty arises in first giving effect to the provisions of this Ordinance, the Governor in Executive Council as occasion may require may by order do anything which appears to him necessary for the purpose of removing the difficulty, and any such order on being published in the Gazette shall be as legal, valid, and effectual as if it were herein enacted.

Power of Governor in Executive Council to make orders to meet difficulties arising.

46 All orders made by the Governor in Executive Council under section 45, and all rules and regulations made under this Ordinance, except general rules made under section 18, shall be laid, as soon as conveniently may be, on the table of the Legislative Council at two successive meetings of the Council, and shall be brought before the Council at the next subsequent meeting held thereafter by a motion that the said orders, rules, or regulations shall not be disapproved, and if upon the introduction of any such motion, or upon any adjournment thereof, the said orders, rules, or regulations are disapproved by the Council, such orders, rules, or regulations shall be deemed to be rescinded as from the date of such disapproval, but without prejudice to anything already done thereunder; and such orders, rules, or regulations, if not so disapproved, shall continue to be of full force and effect. Every such disapproval shall be published in the Gazette.

Orders, rules, and regulations to be laid before Legislative Council.

47 Nothing contained in this Ordinance shall be construed so as to prevent a husband or wife from bringing an action in a civil court against a third party for damages incurred by him or her in respect of any injury to his or her matrimonial rights.

Saving.

48 The following Ordinances are hereby repealed to the extent shown against them:—

Repeals.

| Ordinance. | Extent. | |
|---|--|----------------------------|
| Mahomedan Code of 1806 .. | Second title—from section 64 to section 102 (first paragraph) inclusive. | I. 34 |
| Mohammedan Marriage Registration Ordinance, 1886 .. | The whole. | No. 8 of 1886, I. 44, 919. |

Provided that the repeal of sections 64 to 102 (first paragraph) inclusive of the Mahomedan Code of 1806, which is effected by this section, shall not affect the Muslim law of marriage and divorce, and the rights of Muslims thereunder.

FIRST SCHEDULE. (ss. 3, 7, 19, 30)

Muslim Marriage and Divorce Registration Ordinance, 1929.

Form of Licence. (s. 3 (1))

I, _____, Provincial Registrar for the _____ Province (or District, as the case may be) do hereby license _____, of _____, to register marriages and divorces under the Muslim Marriage and Divorce Registration Ordinance, 1929, for the following area:—

[First
Schedule—
contd.]

Muslim Marriage and Divorce Registration Ordinance, 1929.

Form of declaration by bridegroom under section 7 (1).

I, _____, do hereby give notice that a marriage is about to be solemnized at _____ between me and _____, and I further hereby solemnly declare that to the best of my knowledge and belief the several particulars stated hereinunder are true and correct and that there is no impediment of kindred or alliance or other lawful hindrance to the said marriage.

Bridegroom's name in full : _____.

Bridegroom's residence : _____.

Name of bridegroom's guardian (if any) : _____.

Bride's name in full : _____.

Bride's residence : _____.

*Bride's wali : _____.

Whether bridegroom previously married or not, and if so to whom : _____.

Whether previous wife or wives divorced or dead : _____.

If divorced, date and number of divorce registration : _____.

Signature of Bridegroom.

* This may be omitted where the Kathi has expressly authorized the marriage under section 21 (2) of the Ordinance.

Muslim Marriage and Divorce Registration Ordinance, 1929.

Form of declaration by wali of bride under section 7 (1).

I, _____, do hereby give notice that a marriage is about to be solemnized between _____ and _____, whose wali I am for the purposes of this marriage, and I further hereby solemnly declare that to the best of my knowledge and belief the several particulars stated hereinunder are true and correct and that there is no impediment of kindred or alliance or other lawful hindrance to the said marriage.

Bridegroom's name in full : _____.

Bridegroom's residence : _____.

Name of bridegroom's guardian (if any) : _____.

Bride's name in full : _____.

Bride's residence : _____.

Whether bride is spinster or not : _____.

Whether bride was previously married or not, and if so to whom : _____.

Whether bride's previous husband is dead or divorced : _____.

If divorced, date and number of divorce registration : _____.

Signature of the Wali.

[First
Schedule—
contd.]*Muslim Marriage and Divorce Registration Ordinance, 1929.*

(s. 7 (3))

Form of Marriage Register Book and Certificate.

| Marriage Register Book. | | Certificate of Marriage. | |
|---|---|---|---|
| No. — | Marriage registered by _____ Officiating Priest. | No. — | Marriage registered by _____ Officiating Priest. |
| Facts to be registered. | English. | English. | Tamil. |
| Bridegroom's name in full | .. | Bridegroom's name in full | .. |
| Bridegroom's residence | .. | Bridegroom's residence | .. |
| Name of bridegroom's guardian (if any) | .. | Name of bridegroom's guardian (if any) | .. |
| Nature of guardianship | .. | Nature of guardianship | .. |
| Bride's name in full | .. | Bride's name in full | .. |
| Bride's residence | .. | Bride's residence | .. |
| Whether spinster or not | .. | Whether spinster or not | .. |
| If divorced, evidence of divorce | .. | If divorced, evidence of divorce | .. |
| Name of bride's guardian | .. | Name of bride's guardian | .. |
| Nature of guardianship | .. | Nature of guardianship | .. |
| Name of witness | .. | Name of witness | .. |
| Do. | .. | Do. | .. |
| Place of marriage | .. | Place of marriage | .. |
| Name of priest conducting marriage ceremony | .. | Name of priest conducting marriage ceremony | .. |
| Amount of mahr | .. | Amount of mahr | .. |
| Whether paid or not | .. | Whether paid or not | .. |
| Date and hour of marriage | .. | Date and hour of marriage | .. |
| Date of registration | .. | Date of registration | .. |
| Signature of bridegroom | .. | Signature of bridegroom | .. |
| Do. bride's wali* | .. | Do. bride's wali* | .. |
| Do. witness | .. | Do. witness | .. |
| Do. do. | .. | Do. do. | .. |
| Do. officiating priest | .. | Do. officiating priest | .. |
| Do. priest conducting marriage ceremony | .. | Do. priest conducting marriage ceremony | .. |
| Seal of officiating priest | .. | Seal of officiating priest | .. |

* This may be omitted where the Kathi has expressly authorized the marriage under section 21 (2) of the Ordinance.

* This may be omitted where the Kathi has expressly authorized the marriage under section 21 (2) of the Ordinance.

[First Schedule—
contd.]

Muslim Marriage and Divorce Registration Ordinance, 1929.

(s. 19)

Form of Divorce Register Book and Certificate.

Divorce Register Book.

Certificate of Divorce.

No. _____, Divorce registered by _____, Officiating Priest.

| Facts to be registered. | | English. | Tamil. |
|--|----|----------|--------|
| Husband's name in full | .. | .. | .. |
| Husband's residence | .. | .. | .. |
| Wife's name in full | .. | .. | .. |
| Wife's residence | .. | .. | .. |
| Place of divorce | .. | .. | .. |
| Name of witness to divorce | .. | .. | .. |
| Do. | .. | .. | .. |
| Nature of divorce (Talak Kholo' or Fasah) | .. | .. | .. |
| Number and date of permit of Kathi authorizing divorce | .. | .. | .. |
| Name of Kathi | .. | .. | .. |
| Date and hour of divorce | .. | .. | .. |
| Date of registration | .. | .. | .. |
| Signature of husband (if present) | .. | .. | .. |
| Signature of wife (if present) | .. | .. | .. |
| Do. witness | .. | .. | .. |
| Do. witness | .. | .. | .. |
| Do. officiating priest | .. | .. | .. |
| Seal of officiating priest | .. | .. | .. |

Facts to be registered.

English.

Tamil.

English.

Tamil.

Husband's name in full

Husband's residence

Wife's name in full

Wife's residence

Place of divorce

Name of witness to divorce

Do.

Nature of divorce (Talak Kholo' or Fasah)

Number and date of permit of Kathi authorizing divorce

Name of Kathi

Date and hour of divorce

Date of registration

Signature of husband (if present)

Signature of wife (if present)

Do. witness

Do. witness

Do. officiating priest

Seal of officiating priest

No. _____

Divorce registered by _____

Officiating Priest.

English.

Tamil.

English.

Tamil.

Facts to be registered.

English.

Tamil.

English.

Tamil.

Husband's name in full

Husband's residence

Wife's name in full

Wife's residence

Place of divorce

Name of witness to divorce

Do.

Nature of divorce (Talak Kholo' or Fasah)

Number and date of permit of Kathi authorizing divorce

Name of Kathi

Date and hour of divorce

Date of registration

Signature of husband (if present)

Signature of wife (if present)

Do. witness

Do. witness

Do. officiating priest

Seal of officiating priest

SECOND SCHEDULE.

[s. 14]

Rules to be adopted in the Case of a Divorce by Husband.

1. The husband shall give notice of his intention to divorce by applying to the Kathi of the area in which he is resident or to the Special Kathi appointed under section 40, and the Kathi shall immediately register such application in a book to be kept by him for the purpose in the prescribed form, and shall cause a notice thereof to be served upon the wife.

2. The Kathi shall inquire into the dispute between the husband and the wife, and shall endeavour with the help of the near relatives of both parties by all lawful means to reconcile the parties and to prevent, abate, or remove the real cause of trouble between them.

3. If a reconciliation cannot be effected, the husband shall at the end of thirty days from the date of registration of the first notice by the Kathi, give a second notice to the Kathi, and the Kathi shall register such second notice in the same manner as the first notice, and shall again endeavour to reconcile the parties.

4. Should the husband still persist in his intention to divorce his wife, he shall at the end of two weeks from the date of registration of the second notice by the Kathi give a third or final notice to the Kathi. The Kathi shall thereupon register such notice in the same manner as the two previous notices, and issue to the husband a permit in the prescribed form to effect the divorce and to register it.

5. Should the husband be reconciled with his wife before the registration of such divorce, it shall be lawful for him to return the permit to the Kathi and get a revocation of the permit to divorce from the Kathi. The permit revoked as aforesaid shall be filed by the Kathi and an entry made in the prescribed book.

THIRD SCHEDULE.

[ss. 15, 21 (3),
23 (2) (3)]

Rules to be adopted in the Case of a Fasah Divorce by Wife.

PART I.

1. The wife shall, subject however to section 17, make the application for divorce to the Kathi of the area in which she is resident or to the Special Kathi appointed under section 40.

2. Upon receiving such application, the Kathi shall immediately cause a notice thereof to be served upon the husband and fix a date for the hearing of the application :

Provided that if it is made to appear to the Kathi by sworn statement that the husband is not in the Island and that in the circumstances of the case it is not possible to serve the notice on the husband, the Kathi may order the notice to be served on the husband's nearest relative or, if no relative is known to be in the Island, may dispense with the notice.

3. If on the date appointed for the hearing of the application the husband does not appear, the service of the notice shall, unless the Kathi shall have dispensed with the notice under the preceding rule, be proved by sworn statement.

4. The Kathi shall then proceed to empanel three Muslim assessors (hereinafter referred to as "the Muslim assessors") for the purpose of assisting him in the hearing of the application :

Provided however that—

(a) Where the Kathi is appointed under section 40 ; or

(b) In areas where owing to the sparseness of the Muslim population or for any other reason the Governor has by notification in the Gazette declared that applications for divorce can be heard without the assistance of Muslim assessors ;

it shall not be necessary for the Kathi to empanel Muslim assessors.

5. In an area brought under the operation of the Village Communities Ordinance, No. 9 of 1924, the Muslim assessors shall be persons professing the Muslim faith who are resident in that area and who possess the qualifications required under that Ordinance to be members of a Village Committee. A list of the names of such persons shall be sent from time to time by the Assistant Government Agent within whose district such area is situated to the Kathi to be filed of record by him.

6. In an area not brought under the operation of the Village Communities Ordinance, No. 9 of 1924, the Muslim assessors shall be persons professing the Muslim faith who are resident in that area and whose names appear in the list of Tamil-speaking jurors for that area. A list of the names of such persons shall be sent from time to time by the Fiscal having jurisdiction over that area to the Kathi to be filed of record by him.

[Third
Schedule—
contd.]

7. It shall be the duty of the Kathi and of the Muslim assessors, if any, before hearing the application to endeavour by all lawful means to bring the parties to an amicable settlement and to abate, prevent, or remove with their consent the real cause of trouble between them. But if the parties will not agree to such settlement, the Kathi and the Muslim assessors shall then proceed to hear evidence and to determine the application.

8. The Kathi shall record in the book to be kept by him for the purpose the sworn statements of the wife and of at least two of her witnesses and the sworn statements of the husband (if he is present) and of his witnesses.

When the Kathi and the Muslim assessors have examined all the witnesses, the Kathi may make such order or decree as may by Muslim law be lawful.

9. The Muslim assessors shall first express their opinion on the points arising for their adjudication, and the Kathi shall thereupon express his. In the event of any difference of opinion between the Kathi and the Muslim assessors or any of them, or in the event of a refusal by two or more of the Muslim assessors to express their opinion, the opinion of the Kathi shall prevail and shall be taken as the decision in the case; but in every such event a record shall be made of such difference of opinion or refusal.

10. The Kathi shall immediately after making the order or decree register such order or decree, and the register shall be signed by the Kathi and the Muslim assessors, by the wife who obtains the order or decree, and by the husband, if he is present, and by all the witnesses whose evidence was taken by the Kathi.

11. After any such decision, the Kathi shall furnish to the wife and the husband a certified copy each of the whole proceedings upon payment of the prescribed fees.

PART II.

12. If the husband or the wife is aggrieved by any such order or decree, he or she may within one month of the date of such order or decree appeal therefrom to the Board of Kathis, who shall have power to hear such appeal either in public or with closed doors, taking further evidence, if necessary, and to make such order as the Board shall think fit.

13. (1) If the husband or wife is aggrieved by the decision of the Board of Kathis, he or she may within one month of the communication of such decision apply by petition to the Supreme Court for leave to appeal, and the applicant shall give the opposite party notice of the intended application. It shall be lawful for the Supreme Court to grant leave to appeal and, if such leave is given, to hear the appeal upon such conditions as the Supreme Court may fix as to the payment of all costs that may become payable to the respondent in the event of the appellant not obtaining an order granting him leave to appeal or in the event of the appellant not succeeding in his appeal.

(2) Upon any such appeal it shall be lawful for the Supreme Court to order a new trial or that further evidence be taken or to affirm or to alter or amend or modify or reverse the decision of the Kathi or of the Board of Kathis.

14. (1) Any husband or wife preferring an appeal under either of the last two preceding rules shall give notice of such appeal to the Kathi, and it shall be the duty of the Kathi to carry into effect the orders of the Board of Kathis, if there is any appeal, or the orders of the Supreme Court, if there has been a further appeal to the Supreme Court.

(2) After the appealable time has elapsed, if there has been no appeal from the order of a Kathi allowing a divorce, or if there has been an appeal to the Board of Kathis, after the Board of Kathis has allowed a divorce, or in case of a further appeal to the Supreme Court, if the order of the Supreme Court allows such a divorce, it shall be the duty of the Kathi to issue to the wife seeking a divorce a permit under his hand stating that such divorce has been allowed and that it may be registered.

Passed in Council the Fourteenth day of November, One thousand Nine hundred and Twenty-nine.

C. C. WOOLLEY,
Clerk to the Council.

Assented to by His Excellency the Governor the Twelfth day of December, One thousand Nine hundred and Twenty nine.

C. C. WOOLLEY,
Clerk to the Council.