



THE
CEYLON GOVERNMENT
GAZETTE

No. 8,027 - FRIDAY, JANUARY 12, 1934.

Published by Authority.

PART II.—LEGAL.

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

	PAGE		PAGE
Passed Ordinances	10	Supreme Court Notices	—
Draft Ordinances	11	District and Minor Courts Notices	25
List of Jurors and Assessors	—	Notices in Insolvency Cases	25
List of Notaries	—	Notices of Fiscals' Sales	26
Notifications of Criminal Sessions of the Supreme Court	—	Notices in Testamentary Actions	28
		Council of Legal Education Notices	—

PRINTED AT THE CEYLON GOVERNMENT PRESS, COLOMBO.

9—J. N. 34397-603 (12/33)

DRAFT ORDINANCE.

MINUTE.

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

An Ordinance to amend the Muslim Marriage and Divorce Registration Ordinance, 1929.

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

1 This Ordinance may be cited as the Muslim Marriage and Divorce Registration (Amendment) Ordinance, No. of 1934.

Short title.

2 Section one of the Muslim Marriage and Divorce Registration Ordinance, 1929, (hereinafter referred to as "the principal Ordinance") is hereby amended—

Amendment of section 1 of Ordinance No. 27 of 1929.

- (1) by the insertion of the words and figures "No. 27 of" between the word "Ordinance" and the figures "1929" in the second line of sub-section (1) thereof;
- (2) by the substitution of the words "as the Governor shall appoint by proclamation in the Gazette" for the words "not being less than three months after the passing thereof as the Governor with the advice of the Executive Council shall by proclamation appoint" in the second, third and fourth lines of sub-section (2) thereof;
- (3) by the deletion of the letter and parentheses "(a)" in paragraph (a) of the proviso to sub-section (2) thereof; and,
- (4) by the repeal of paragraph (b) of the proviso to sub-section (2) thereof.

3 Section two of the principal Ordinance is hereby repealed and the following section is substituted therefor:—

Repeal of section 2 of the principal Ordinance and substitution of new section therefor.

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

Interpretation.

- "Executive Committee" means the Executive Committee for Labour, Industry and Commerce;
- "Fasah divorce" means a divorce of spouses subject to Muslim law effected in accordance with the procedure prescribed in the Third Schedule in a case where proceedings originate in an application made by a wife without the consent of her husband for divorce on the ground of ill-treatment or on account of an act or omission on his part amounting to a "fault" under the Muslim law;
- "Kathi" means a Kathi appointed by the Governor under section 4;
- "officiating priest" means any Muslim licensed by the Provincial Registrar under section 3 to register marriages and divorces under this Ordinance;
- "order" means an order made under this Ordinance by a Kathi or by the Board of Kathis;
- "Provincial Registrar" means, subject to the provisions of sub-section (2), the person officiating or appointed in any province as the Provincial Registrar of Marriages of that province for the purposes of "The Marriage Registration Ordinance, 1907";
- "Registrar-General" means the person appointed to be or to act as Registrar-General of Marriages in this Island under section 4 of "The Marriage Registration Ordinance, 1907" and includes an Assistant Registrar-General;
- "regulation" means a regulation made under section 22.

(2) Where, for the purposes of "The Marriage Registration Ordinance, 1907", any person is appointed to be or is entitled to function as an Assistant Provincial Registrar of Marriages in any district of this Island, any reference in this Ordinance to a Provincial Registrar in respect of any act, duty or power required to be done, performed or exercised by him in any such district, shall be construed as a reference to the Assistant Provincial Registrar of Marriages of that district appointed or entitled to function as such under the provisions of "The Marriage Registration Ordinance, 1907."

Insertion of
new section 2A.

4 The following section is inserted between sections two and three of the principal Ordinance and shall have effect as section 2A :—

Powers of
Registrar-
General.

“ 2A The Registrar-General shall, subject to the directions of the Executive Committee, have the general control and superintendence of the registration of marriages and divorces under this Ordinance.”

Amendment of
section 3 of the
principal
Ordinance.

5 Section three of the principal Ordinance is hereby amended—

- (1) by the substitution of the word “cancel” for the word “revoke” in the fifth line of sub-section (1) thereof ;
- (2) by the insertion of the words “shall be in original and counterfoil and” between the word “licence” and the word “shall” in the first line of sub-section (2) thereof ;
- (3) by the insertion of the words “affixed to the counterfoil and” between the word “be” at the end of the second line and the word “duly” in the third line of sub-section (3) thereof ;
- (4) by the deletion of the words “under this Ordinance” in the second line of sub-section (4) thereof ; and,
- (5) by the addition of the two following sub-sections immediately after sub-section (4) thereof :—

“ (5) Every officiating priest to whom a licence has been issued by the Provincial Registrar under sub-section (1) shall reside within the particular area specified in that licence as the area for which he is licensed to register marriages and divorces.

(6) In a case where an officiating priest is temporarily absent from the area for which he is licensed to register marriages and divorces or is temporarily incapacitated from the performance of his duties under this Ordinance by reason of illness or other sufficient cause, it shall be competent for the Provincial Registrar to issue a licence to a person duly qualified under sub-section (1) to act for such officiating priest for a specified period.

Every licence issued under this sub-section shall be free from stamp duty and shall be valid only for the period specified therein.”

Amendment of
section 4 of the
principal
Ordinance.

6 Section four of the principal Ordinance is hereby amended—

- (1) by the deletion of the words “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” in the third, fourth and fifth lines of sub-section (1) thereof ;
- (2) by the substitution of the words “The letter of appointment” for the word “It” in the fifth line of sub-section (1) thereof ;
- (3) by the addition of the words “and the period for which the appointment is made” immediately after the word “therein” at the end of sub-section (1) thereof ;
- (4) by the insertion of the following sub-section immediately after sub-section (2) thereof :—

“ (3) Every Kathi shall reside within the particular area specified in his letter of appointment.” ;

- (5) by the substitution of the figure “4” for the figure “3” within the brackets at the commencement of sub-section (3) thereof, by the substitution of the word “area” for the word “district” at the end of the first line of that sub-section, and by the insertion of the words “or in the event of a Kathi being temporarily incapacitated from the performance of his duties under this Ordinance by reason of illness or other sufficient cause,” between the word “appointed,” and the words “the Governor” in the second line of that sub-section.

Amendment of
section 5 of the
principal
Ordinance.

7 Section five of the principal Ordinance is hereby amended—

- (1) by the deletion of the words “not less than three and not more than” in the second line of sub-section (1) thereof ;

- (2) by the substitution of the following sub-section for sub-section (2) thereof :—

“(2) Three members of the Board of Kathis shall form a quorum of that Board. No appeal shall be heard by the Board of Kathis unless a quorum is present. The decision of a majority of the members of the Board of Kathis who are present at the hearing of an appeal shall for all purposes be deemed to be the decision of the Board.”

- 8 Section six of the principal Ordinance is hereby amended—

Amendment of section 6 of the principal Ordinance.

- (1) by the insertion of the words “ or to cause such marriage to be registered ” between the word “ marriage ” and the word “ at ” in the ninth line of sub-section (1) thereof ;
- (2) by the substitution of the words “ upon whom a duty is imposed by ” for the words “ liable under ” in the first line of sub-section (2) thereof, by the insertion of the words “ or to cause a marriage to be registered ” between the word “ marriage ” where it occurs for the first time in the second line of that sub-section and the word “ who ” in the same line of that sub-section, and by the insertion of the words “ or to cause such marriage to be registered ” between the word “ marriage ” where it occurs for the second time in the second line of sub-section (2) and the word “ shall ” in the same line of that sub-section.

- 9 Section seven of the principal Ordinance is hereby amended—

Amendment of section 7 of the principal Ordinance.

- (1) by the substitution of the words “ consent of such wali has been dispensed with ” for the words “ Kathi has expressly authorized the marriage ” within the parentheses in the second and third lines of sub-section (1) thereof and by the addition of the words “ It shall be the duty of the officiating priest to require the bridegroom and the wali, if any, to sign such declarations.” at the end of that sub-section ;
- (2) by the substitution of the following sub-section for sub-section (2) thereof :—
- “(2) The officiating priest shall then enter in duplicate in the English or Tamil language a statement of the particulars of the marriage in a marriage register which he is hereby required to keep for that purpose in the form prescribed in the First Schedule.” ;
- (3) by the substitution of the following sub-section for sub-section (3) thereof :—
- “(3) The prescribed fee shall be paid in stamps which shall be supplied by the bridegroom. Such stamps shall be affixed to the duplicate of the marriage register and shall be duly cancelled by the officiating priest according to law.”.

- 10 Section eight of the principal Ordinance is hereby amended—

Amendment of section 8 of the principal Ordinance.

- (1) (a) by the substitution of the words “ The marriage register ” for the words “ The entries relating to such register in both the certificate and the marriage register book ” in the first and second lines of sub-section (1) thereof ;
- (b) by the insertion of the word “ the ” between the word “ by ” at the end of the sixth line and the word “ two ” in the seventh line of that sub-section ;
- (c) by the deletion of the words “ Where a person required to sign is not able to sign, he shall affix his mark.” in the seventh and eighth lines of that sub-section ;
- (2) by the substitution of the words “ marriage register.” for the word “ book,” in the third line of sub-section (2) thereof and by the deletion of the words “ and the number of the certificate shall correspond with that of the marriage register book.” in the third and fourth lines of that sub-section.
- (3) by the insertion of the following sub-section immediately after sub-section (2) thereof :—

“(3) In a case where the officiating priest also conducts the marriage ceremonies it shall not be necessary for such officiating priest to sign the marriage register in more than one place.”

- Amendment of section 9 of the principal Ordinance. **11** Section nine of the principal Ordinance is hereby amended—
- (1) by the substitution of the word "duplicate" for the word "certificate" in the second line thereof;
 - (2) by the deletion of the word "book" in the third line thereof;
 - (3) by substituting the words "on or before the fifth day of the month following that in which the marriage was registered," for the words "within seven days from the date of the registration," in the fourth line thereof;
 - (4) by the substitution of the words "statement of the particulars entered in the marriage register, of the" for the words "said certificate," in the fourth line of the proviso thereof;
 - (5) by the addition of the word "Provincial" immediately before the word "Registrar" in the marginal note thereof;
 - (6) by the deletion of the words "to be filed of record in his office" in the sixth line thereof and in the seventh and eighth lines of the proviso thereof;
 - (7) by re-numbering the section as section 9 (1) and by adding the following as sub-section (2) thereof:—

" (2) All duplicates sent to the Provincial Registrar in accordance with the provisions of sub-section (1) shall be forwarded by him to the Registrar-General who shall cause such duplicates to be filed and preserved in his office."
- Amendment of section 10 of the principal Ordinance. **12** Section ten of the principal Ordinance is hereby amended—
- (1) by the substitution of the words "to carry out any duty imposed upon him by sections 7, 8 or 9," for the words "to keep a marriage register book as required by section 7," in the sixth and seventh lines thereof;
 - (2) by the deletion of the word "book" in the ninth line thereof; and,
 - (3) by the substitution of the words "to comply with the provisions of" for the words "to send the declarations or the certificate duly stamped to the Provincial Registrar as required by" in the twelfth and thirteenth lines thereof.
- Amendment of section 11 of the principal Ordinance. **13** Section eleven of the principal Ordinance is hereby amended—
- (1) by the substitution of the words "without good cause refuses or wilfully neglects to sign the marriage register," for the words "refuses or neglects to sign in the register book or the certificate," in the first and second lines thereof; and,
 - (2) by the substitution of the words "section 7 (3) who refuses or neglects to supply the stamp necessary for payment of the prescribed fee," for the words "section 7 who refuses or neglects to provide the necessary stamp for the certificate," in the third and fourth lines thereof.
- Amendment of section 13 of the principal Ordinance. **14** Section thirteen of the principal Ordinance is hereby amended—
- (1) by the insertion of the words "of the province in which such marriage was contracted" between the word "Registrar" and the words "to have such marriage" in the sixth line thereof; and,
 - (2) by the substitution of the words "and that it has not been registered or has been" for the word "or" in the fourteenth line thereof.
- Repeal of section 14 (2). **15** Sub-section (2) of section fourteen of the principal Ordinance is hereby repealed.
- Amendment of section 15 of the principal Ordinance. **16** Section fifteen of the principal Ordinance is hereby amended—
- (1) by the substitution of the words "Fasah divorce" for the words "Divorce by wife," in the marginal note thereof; and,
 - (2) by the repeal of sub-section (2) thereof.
- Amendment of section 16 of the principal Ordinance. **17** Section sixteen of the principal Ordinance is hereby amended—
- (1) by the deletion of the words "or decree" at the end of the first line thereof; and,
 - (2) by the substitution of the word "order" for the word "decision" in the fourth and seventh lines thereof.

18 Section eighteen of the principal Ordinance is hereby amended by the deletion of the words "in Executive Council" in the fourth line thereof.

Amendment of section 18 of the principal Ordinance.

19 Section nineteen of the principal Ordinance is hereby amended—

Amendment of section 19 of the principal Ordinance.

- (1) by the substitution of the words "in respect of which a permit has been" for the words "authorized by permit" in the third line thereof;
- (2) by the deletion of the word "book" in the eighth line thereof;
- (3) by the substitution of the word "duplicate" for the word "certificate" in the eighth and twelfth lines thereof;
- (4) by the deletion of the words "and correction of registers" from the marginal note thereof; and,
- (5) by the addition of the following words at the end thereof:—

"Provided that in effecting a Fasah divorce the prescribed fee mentioned in section 7 (3) shall not be levied."

20 Section twenty of the principal Ordinance is hereby amended by the substitution of the words—

Amendment of section 20 of the principal Ordinance.

"Every person who omits to register a divorce which has been authorized by a permit issued under this Ordinance within a period of fourteen days reckoned from the date of issue of that permit, and every Muslim who aids or abets another Muslim to obtain or effect a divorce otherwise than in accordance with the provisions of this Ordinance,"

for the words—

"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,"

in the first six lines of that section.

21 Section twenty-one of the principal Ordinance is hereby amended—

Amendment of section 21 of the principal Ordinance.

- (1) by the deletion of the words "and to make order allowing or disallowing" in the second and third lines of sub-section (1) thereof;
- (2) by the deletion of the words "by a wife" in the first line of paragraph (a) of sub-section (1) thereof;
- (3) by the substitution of the following paragraph for paragraph (b) of sub-section (1) thereof:—

"(b) Claims for maintenance by or on behalf of a wife or a child (whether legitimate or illegitimate) where such claim does not exceed one hundred rupees a month in respect of the wife or fifty rupees a month in respect of a child;"

- (4) by the insertion of the words "the registration of" between the word "of" at the end of the third line of paragraph (c) of sub-section (1) thereof and the word "the" at the commencement of the fourth line of that paragraph of that sub-section and by the substitution of the word "last-mentioned" for the word "latter" in the fifth line of that paragraph of that sub-section;
- (5) by the repeal of paragraphs (d), (e) and (f) of sub-section (1) thereof;
- (6) by the insertion of the following immediately after paragraph (c) of sub-section (1) thereof:—

"(d) Claims for the increase or reduction of the amount of any maintenance ordered under this section:

Provided that no variation or alteration of any maintenance ordered under this section shall be made except upon good and sufficient cause shown to the Kathi and after notice to all the parties concerned: Provided further that the amount of any order of maintenance made under this section shall not in any case exceed the amount of the maximum claim permitted by this section."

- (7) by the substitution of the word "complaint" for the word "application" in the first line, and by the deletion of the words "or girl" in the second and fourth lines of sub-section (2) thereof;

- (8) by the addition of the following words at the end of sub-section (2) thereof :—

“ Provided that where a woman has no wali, the Kathi may, after such inquiry as he may consider necessary, authorize the registration of her marriage and dispense with the necessity for the consent of a wali.”;

- (9) by the substitution of the words “ any party aggrieved by an order made by a Kathi under this section ” for the words “ an aggrieved husband or wife ” in the third line of sub-section (3) thereof ;

- (10) by the deletion of the words “ or persons or to the wife or child ” in the fifth line and the words “ as the case may be ” in the sixth line of the second paragraph of sub-section (4) thereof ;

- (11) by the repeal of sub-section (5) thereof and the substitution therefor of the following sub-section :—

“ (5) A record shall forthwith be made by the Kathi in the prescribed book of any money received by him or remitted to him for payment under sub-section (4) and such money shall forthwith be paid by him to the person entitled thereto : provided that in a case where the person entitled to any money is a child under fourteen years of age, such payment may be made by the Kathi in his discretion to the person who from time to time has the custody of that child ; and provided further that a record of every payment made shall forthwith be entered by the Kathi in the prescribed book and shall be supported by a receipt in the prescribed form signed by the payee.”;

- (12) by the deletion of the words “ recovering any sum of money for payment to a woman or child,” in the first and second lines and of the words “ such sum ” in the third line of sub-section (6) thereof, and by the insertion of the words “ any sum of money received by him or remitted to him for payment under sub-section (4),” between the word “ thereto ” and the word “ shall ” in the third line of that sub-section ;

- (13) by the substitution of the words “ received by a Kathi or remitted to him for payment under sub-section (4) ” for the words “ recovered under sub-section (4) ” in the first line of sub-section (7) thereof.

Amendment of section 22 of the principal Ordinance.

22 Section twenty-two of the principal Ordinance is hereby amended—

- (1) by the substitution of the words “ The Executive Committee may make regulations for or in respect of all or any of the following matters :” for the words “ The Governor in Executive Council may make rules regulating—” in the first and second lines of sub-section (1) thereof ;

- (2) by the addition of the following words at the end of paragraph (a) of sub-section (1) thereof :

“ in regard to matters for which no provision is made in this Ordinance ;” ;

- (3) by the substitution of the word “ Kathis ” for the word “ them ” in the first line of paragraph (b) of sub-section (1) thereof ;

- (4) by the substitution of the words “ or other emoluments payable to Kathis ;” for the words “ or emoluments to be paid as the travelling and other expenses of a special Kathi ;” in the first and second lines of paragraph (j) of sub-section (1) thereof ;

- (5) by the substitution of the word “ Regulations.” for the word “ Rules ” in the marginal note thereof ;

- (6) by the substitution of the following for sub-section (2) thereof :—

“ (2) Every regulation made by the Executive Committee under this section shall be published in the Gazette in the English and Tamil languages. A regulation shall not come into operation unless it has been approved by the State Council and ratified by the Governor nor until notification of such approval and ratification has been published in the Gazette.”;

- (7) by the addition of the following sub-section immediately after sub-section (2) thereof :—

“ (3) Any form in the First Schedule and any rule in the Second or Third Schedule may be rescinded, amended, varied or modified, and any Schedule may be added to, by regulation made under this section.”.

- 23 Section twenty-three of the principal Ordinance is hereby amended—
- Amendment of section 23 of the principal Ordinance.
- (1) by the substitution of the words “ of such ” for the words “ to her subsequent to the date of, and during the continuance of, the ” in the fourth and fifth lines of sub-section (1) thereof ;
 - (2) by the substitution of the words “ Any party aggrieved by an order made by a Kathi at any inquiry held under sub-section (2) ” for the words “ An aggrieved husband or wife ” in the first line of sub-section (3) thereof ;
 - (3) by the substitution of the words “ file the permit and to register the divorce or marriage in separate registers to be kept for that purpose in the prescribed form and the provisions of sections 9 and 19 shall apply accordingly, *mutatis mutandis*.” for the words “ register the divorce or marriage in a separate register to be kept for that purpose and to file the permit ” in the eighth and ninth lines of sub-section (4) thereof ; and,
 - (4) by the substitution of the word “ of ” for the words “ subsequent to the date of the re-marriage during ” in the fourth and fifth lines of sub-section (5) thereof.
- 24 Section twenty-four of the principal Ordinance is hereby amended by the insertion of the words “ except where otherwise prescribed,” between the word “ him ” and the word “ and ” in the fourth line of that section.
- Amendment of section 24 of the principal Ordinance.
- 25 Section twenty-five of the principal Ordinance is hereby amended by the substitution of the words “ forward to ” for the words “ personally appear before ” in the second line thereof, by the deletion of the words “ and deposit ” in the third line thereof, and by the addition of the words “ unless otherwise prescribed ” immediately after the word “ thereto ” at the end of that section.
- Amendment of section 25 of the principal Ordinance.
- 26 Section twenty-six of the principal Ordinance is hereby amended by the insertion of the words “ of such documents as may be prescribed,” between the words “ Tamil language ” and the words “ in a general register,” in the third line of that section.
- Amendment of section 26 of the principal Ordinance.
- 27 Section twenty-seven of the principal Ordinance is hereby amended—
- Amendment of section 27 of the principal Ordinance.
- (1) by the insertion of the words “ Registrar-General or the ” between the word “ the ” and the words “ Provincial Registrar ” in the fifth line thereof ; and,
 - (2) by the deletion of the words “ and seal of office ” at the end thereof.
- 28 Section twenty-eight of the principal Ordinance is hereby amended—
- Amendment of section 28 of the principal Ordinance.
- (1) by the insertion of the words “ and every extract therefrom,” between the word “ register,” and the word “ certified ”, and by the deletion of the words “ and seal ” in the third line thereof ; and,
 - (2) by the insertion of the words “ or the Registrar-General,” between the words “ Provincial Registrar,” and the word “ to ” in the fourth line thereof.
- 29 Section twenty-nine of the principal Ordinance is hereby amended—
- Amendment of section 29 of the principal Ordinance.
- (1) by the substitution of the words “ kept under this Ordinance or heretofore kept ” for the words “ shall, with respect to any marriage or divorce registered under this Ordinance, or with respect to any marriage registered ” in the second, third and fourth lines of sub-section (1) thereof ;
 - (2) by the insertion of the word “ shall ” between the figures “ 1886 ” and the words “ be accepted ” in the fifth line of sub-section (1) thereof ; and,
 - (3) by the addition of the following sub-section immediately after sub-section (2) thereof :—
 - “ (3) Where a duplicate entry made by an officiating priest is lost, the Registrar-General may cause the missing document to be replaced by a copy of the original entry certified by the officiating priest, if available, and countersigned by the Provincial Registrar ; and a copy so certified shall be deemed to be the duplicate entry.”

Repeal of section 30 (2) of the principal Ordinance.

30 Sub-section (2) of section thirty of the principal Ordinance is hereby repealed.

Amendment of section 31 of the principal Ordinance.

31 Section thirty-one of the principal Ordinance is hereby amended as follows :—

(1) In sub-section (2) thereof—

- (a) by the deletion of the words " or being dismissed by the Governor," in the third and fourth lines thereof ;
- (b) by the insertion of the words " or in the event of his death, his legal representative," between the word " he " and the word " shall " in the fifth line thereof ;
- (c) by the insertion of the word " and " between the word " registers " and the word " indexes " in the sixth line thereof ;
- (d) by the deletion of the words " and seal of office " in the sixth line thereof ; and,
- (e) by the substitution of the words " on failure of such delivery " for the words " if he fails to do so, or if he dies," in the seventh line thereof.

(2) In sub-section (3)—

- (a) by the insertion of the word " or " between the word " register " and the word " index " in the second and fourth lines thereof ; and,
- (b) by the deletion of the words " or seal of office " where those words occur in the second, fourth, and fifth lines thereof.

Repeal of section 32 of the principal Ordinance and substitution of new section therefor.

32 The following section shall be substituted for section thirty-two of the principal Ordinance :—

" 32 Every person who—

- (a) wilfully destroys or injures or causes to be destroyed or injured any register, book, permit or other document kept or issued under this Ordinance, or,
- (b) falsely makes, fabricates or counterfeits in whole or in part, any such register, book, permit or document or any document purporting to be a certified copy of any such register, book, permit or document, or part thereof or extract therefrom, or,
- (c) wilfully inserts any false entry in any such register, book, permit or document,

shall be guilty of an offence, and shall be liable on conviction to imprisonment of either description for a term not exceeding seven years."

Amendment of marginal note of section 34 of the principal Ordinance.

33 The marginal note of section thirty-four of the principal Ordinance is hereby amended by the deletion of the words " to Kathi " at the end thereof.

Amendment of section 35 of the principal Ordinance.

34 Section thirty-five of the principal Ordinance is hereby amended—

- (1) by the substitution of the word " cancelling " for the word " revoking " in the second line thereof ;
- (2) by the substitution of the word " section " for the word " sections " in the third line thereof ; and,
- (3) by the substitution of the word and figures " section 17 " for the figures " 19 " in the fourth line thereof.

Amendment of section 36 of the principal Ordinance.

35. Section thirty-six of the principal Ordinance is hereby amended—

- (1) by the substitution of the words " person under the provisions of this Ordinance." for the words " person, or shall issue to any person any document being or purporting to be a permit of divorce or re-marriage." in the fourth, fifth and sixth lines of sub-section (1) thereof ;
- (2) by the insertion of the following sub-section as sub-section (2) immediately after sub-section (1) thereof :—

" (2) No officiating priest or Kathi shall permit any other person to take possession or to have the custody of any register, book, or other document required to be kept by such priest or Kathi under this Ordinance, except in such cases or on such occasions as may be prescribed or on the orders of a competent court." ;

- (3) by the re-numbering of sub-section (2) thereof as sub-section (3).

36 The following section shall be inserted immediately after section thirty-six of the principal Ordinance and shall have effect as section 36A :—

“ 36A Any person not being an officiating priest who registers or professes to register under this Ordinance any marriage or divorce or who, not being a Kathi, issues or professes to issue any permit under this Ordinance shall be guilty of an offence and shall on conviction be liable to imprisonment of either description for a term not exceeding seven years.”

Addition of a new section 36A.

Penalty for unauthorized registration of marriage, divorce, &c.

37 Section thirty-seven of the principal Ordinance is hereby amended—

(1) by the insertion of the words “ or cause to be inspected ” between the word “ inspect ” and the word “ from ” in the second line of sub-section (1) thereof ; and,

(2) by the repeal of sub-section (2) thereof.

Amendment of section 37 of the principal Ordinance.

38 Section thirty-nine of the principal Ordinance is hereby amended by the substitution of the words “ Registrar-General ” for the words “ Provincial Registrar ” wherever the latter words are used throughout that section.

Amendment of section 39 of the principal Ordinance.

39 Section forty of the principal Ordinance is hereby amended by the deletion of the words “ and shall be signed by the Colonial Secretary or an Assistant Colonial Secretary ” in the eighth and ninth lines of sub-section (1) thereof.

Amendment of section 40 of the principal Ordinance.

40 The following section shall be inserted immediately after section forty and shall have effect as section 40A :

Addition of new section 40A.

“ 40A Any reference to a Provincial Registrar in this Ordinance or in any regulation made thereunder shall, for the purposes of the application of the Ordinance or of any such regulation to a special officiating priest licensed under section 39 or to a special Kathi appointed under section 40, be read and construed as though the words “ Registrar-General ” were substituted for the words “ Provincial Registrar ” in the context in which such reference is made.”

Registrar-General substituted for Provincial Registrar on application of Ordinance to special officiating priests or Kathis.

41 Section forty-one of the principal Ordinance is hereby amended by the substitution of the word “ regulations ” for the word “ rules ” in the third line thereof.

Amendment of section 41 of the principal Ordinance.

42 Section forty-two of the principal Ordinance is hereby amended by the insertion of the words “ appointed under section 4 or section 17,” between the word “ Kathi ” and the word “ and ” in the fourth line thereof, and by the insertion of the words “ or of a special Kathi appointed under section 40,” between the word “ Kathis ” and the words “ a bond ” in the fifth line thereof.

Amendment of section 42 of the principal Ordinance.

43 Section forty-three of the principal Ordinance is hereby amended—

Amendment of section 43 of the principal Ordinance.

(1) by the addition of the word “ or ” immediately after the word “ wife ” at the end of paragraph (h) of sub-section (1) thereof ;

(2) by the addition of the following paragraph immediately after paragraph (h) of sub-section (1) thereof :—

“ (i) His wife’s sister during his wife’s life-time—” ;

(3) by the substitution of the word “ woman ” for the expression “ woman or girl ” wherever that expression is used in that section.

44 The following section shall be substituted for section forty-four of the principal Ordinance :—

Insertion of new section 44.

“ 44 Any clerical error which may from time to time be discovered in any register kept for the purposes of this Ordinance shall be reported to the Registrar-General who shall, after such inquiry as he may consider necessary, cause such amendment or correction to be made in the register as to him shall seem fit.”

Correction of clerical errors in registers.

45 The following section shall be substituted for section forty-five of the principal Ordinance :—

New section 45.

“ 45 The time for the prescription or limitation of a suit or action for the whole or part of a woman’s mahr shall not begin to run until after the dissolution of the marriage by death or divorce, and such suit or action shall be maintainable if commenced within such time as any action shall be maintainable by the Ordinance No. 22 of 1871, or by any future Ordinance regulating the prescription of actions, for the recovery of money paid or expended by a plaintiff on account of a defendant, or for money received by a defendant for the use of a plaintiff.”

Prescription of action for mahr.

- New section 46. **46** The following section shall be substituted for section forty-six of the principal Ordinance :—
- Oaths.
Powers of
Kathis.
- “ 46 (1) Every Kathi shall, upon appointment, take an oath in the prescribed form before he assumes office for the purposes of this Ordinance.
- (2) Every Muslim Assessor who is empanelled for the purposes of this Ordinance shall take an oath in the prescribed form before he functions as an Assessor.
- (3) Every Kathi is hereby empowered to administer oaths to witnesses or to Muslim Assessors for the purpose of taking any proceedings or of holding any inquiry under this Ordinance or of performing any duty imposed upon him by this Ordinance.”
- New First Schedule. **47** The First Schedule of the principal Ordinance is hereby repealed and Schedule I in this Ordinance is substituted therefor.
- New Second Schedule. **48** The Second Schedule of the principal Ordinance is hereby repealed and Schedule II of this Ordinance is substituted therefor.
- Amendment of Third Schedule of the principal Ordinance. **49** The Third Schedule of the principal Ordinance is hereby amended—
- (1) by the substitution of the word “ order ” for the word “ decision ” in the seventh line of Rule 9 thereof ;
 - (2) by the substitution of the word “ order ” for the words “ order or decree ” wherever the latter words are collectively used in Rule 10 thereof ;
 - (3) by the substitution of the word “ order ” for the word “ decision ” in the first line of Rule 11 thereof ;
 - (4) by the deletion of the words “ or decree ” in the second and third lines, and by the substitution of the words “ thirty days ” for the words “ one month ” in the second line of Rule 12 thereof ;
 - (5) by the substitution of the word “ order ” for the word “ decision ” in the first, third and fourteenth lines of Rule 13 thereof ; and,
 - (6) by the substitution of the word “ order ” for the word “ orders ” in the fourth and fifth lines of Rule 14 thereof.
- Re-printing of principal Ordinance. **50** The principal Ordinance may be reprinted from time to time by order of the Governor, together with all amendments, additions, or modifications made therein or thereto by this Ordinance or which may hereafter be made therein or thereto by any other written law ; and a copy of that Ordinance so reprinted shall be deemed for all purposes to be a correct copy of that Ordinance as so amended, added to or modified, at the date of such reprinting, provided that it purports to have been printed by the Government Printer by order of the Governor.

SCHEDULE I.

(Section 47.)

FIRST SCHEDULE.

(Sections 3, 7, 19 and 30.)

FORM No. I.

(Section 3.)

Licence of officiating priest to register marriages and divorces.

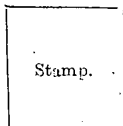
Counterfoil. No. ——. * Original. No. ——.

I, the undersigned —, * I, the undersigned —, Provincial Registrar/Assistant Provincial Registrar for the Province/District, do hereby license — of — to register marriages and divorces under the Muslim Marriage and Divorce Registration Ordinance, No. 27 of 1929, for the following area :—

I, the undersigned —, * Provincial Registrar/Assistant Provincial Registrar for the Province/District, do hereby license — of — to register marriages and divorces under the Muslim Marriage and Divorce Registration Ordinance, No. 27 of 1929, for the following area :—

(Sgd.) —, Provincial Registrar,
Assistant Provincial Registrar.

Date : —.



(Sgd.) —, Provincial Registrar,
Assistant Provincial Registrar.

Date : —.

FORM No. II.

(Section 7 (1).)

The Muslim Marriage and Divorce Registration
Ordinance, No. 27 of 1929.*Form of declaration by bridegroom under section 7 (I).*

I, the undersigned _____, do hereby give notice that a marriage is about to be/has been solemnized between me and _____, and I further hereby solemnly declare that to the best of my knowledge and belief the several particulars entered below are true and correct and that there is no lawful hindrance to the said marriage :

1. Bridegroom's name in full : _____.
2. Bridegroom's residence : _____.
3. Name of bridegroom's guardian (if any) : _____.
4. Bride's name in full : _____.
5. Bride's residence : _____.
- *6. Name of bride's Wali : _____.
7. Whether bridegroom was previously married or not, and, if so, to whom : _____.
8. Whether previous wife or wives divorced or dead : _____.
9. If divorced, date and number of divorce registration and name, area and district of the officiating priest : _____.

(Sgd.) _____,
Signature of bridegroom.

Signed before me, this _____ day of _____, 19____.

(Sgd.) _____,
Officiating Priest licensed for the _____
area of the _____ District.

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

FORM No. III.

(Section 7 (1).)

The Muslim Marriage and Divorce Registration
Ordinance, No. 27 of 1929.*Form of declaration by Wali of bride under section 7 (I).*

I, the undersigned _____, do hereby give notice that a marriage is about to be/has been solemnized between _____ and _____ whose Wali I am for the purposes of such marriage, and I further hereby solemnly declare that to the best of my knowledge and belief the several particulars entered below are true and correct and that there is no lawful hindrance to the said marriage :

1. Bridegroom's name in full : _____.
2. Bridegroom's residence : _____.
3. Name of Bridegroom's guardian (if any) : _____.
4. Bride's name in full : _____.
5. Bride's residence : _____.
6. Whether the bride was previously married or not : _____.
7. If previously married, to whom : _____.
8. Whether bride's previous husband is dead or divorced : _____.
9. If divorced, date and number of divorce registration and name, area and district of the officiating priest : _____.

(Sgd.) _____,
Signature of Wali.

Residence of Wali : _____.

Signed before me, this _____ day of _____ 19____.

(Sgd.) _____,
Officiating Priest licensed for the _____
area of the _____ District.

FORM No. IV.
(Section 7 (2).) No. _____

CEYLON. The Muslim Marriage and Divorce Registration Ordinance, No. 27 of 1929.
Muslim Marriage Register.

District : _____
Officiating Priest's area : _____
Name of Officiating Priest registering the marriage : _____

1. Name in full	Bride-groom	Bride
2. Whether previously married or divorced		
3. If divorced, evidence of divorce, if any		
4. Residence		
5. Name of father or other guardian		
6. Nature of guardianship		

- 7. Amount of Mahr and whether paid or not : _____
- *8. Amount of Stridanum : _____
- *9. Amount of Kaikuli : _____
- 10. Place of marriage : _____
- 11. Date and hour of marriage : _____
- 12. Date of registration : _____
- 13. Name and residence of first witness : _____
- 14. Name and residence of second witness : _____
- 15. Name of priest conducting marriage ceremony : _____
- 16. Signature of—
(1) Bridegroom : _____
(2) Bride's Wali : _____
(3) First witness : _____
(4) Second witness : _____
(5) Priest conducting marriage ceremony : _____
(6) Officiating priest : _____

Stamp.

* It is optional and not obligatory to enter details of items 8 and 9.
† Signature of the bride's Wali may be omitted when the Kathi has expressly authorized the marriage under Section 21 (2).

FORM No. IV.
(Section 7 (2).) No. _____

CEYLON. The Muslim Marriage and Divorce Registration Ordinance, No. 27 of 1929.
Muslim Marriage Register.

District : _____
Officiating Priest's area : _____
Name of Officiating Priest registering the marriage : _____

1. Name in full	Bride-groom	Bride
2. Whether previously married or divorced		
3. If divorced, evidence of divorce, if any		
4. Residence		
5. Name of father or other guardian		
6. Nature of guardianship		

- 7. Amount of Mahr and whether paid or not : _____
- *8. Amount of Stridanum : _____
- *9. Amount of Kaikuli : _____
- 10. Place of marriage : _____
- 11. Date and hour of marriage : _____
- 12. Date of registration : _____
- 13. Name and residence of first witness : _____
- 14. Name and residence of second witness : _____
- 15. Name of priest conducting marriage ceremony : _____
- 16. Signature of—
(1) Bridegroom : _____
(2) Bride's Wali : _____
(3) First witness : _____
(4) Second witness : _____
(5) Priest conducting marriage ceremony : _____
(6) Officiating priest : _____

Stamp.

* It is optional and not obligatory to enter details of items 8 and 9.
† Signature of the bride's Wali may be omitted when the Kathi has expressly authorized the marriage under Section 21 (2).

FORM No. V.
(Section 19.)

No. —.

CEYLON.

The Muslim Marriage and Divorce Registration
Ordinance, No. 27 of 1929.

Muslim Divorce Register.

- District : _____
 Officiating priest's area : _____
 Name of Officiating priest registering the divorce : _____
1. Husband's name in full : _____
 2. Husband's residence at time of divorce : _____
 3. Wife's name in full : _____
 4. Wife's residence at time of divorce : _____
 5. Name, area and district of officiating priest who registered the marriage : _____
 6. No. and date of the entry of marriage : _____
 7. Place of divorce : _____
 8. Nature of divorce (Talak or Fasah) : _____
 9. Name, area and district of Kathi authorizing the divorce : _____
 10. If Fasah divorce, whether granted by Kathi or on order of the Board of Kathis or of the Supreme Court : _____
 11. No. and date of Kathi's permit of divorce : _____
 12. Date and hour of divorce : _____
 13. Date of registration of divorce : _____
 14. Name and residence of first witness to divorce : _____
 15. Name and residence of second witness to divorce : _____
 16. Signature of—
 (1) Husband (if present) : _____
 (2) Wife (if present) : _____
 (3) First witness : _____
 (4) Second witness : _____
 (5) Officiating priest registering the divorce : _____

FORM No. V.
(Section 19.)

No. —.

CEYLON.

The Muslim Marriage and Divorce Registration
Ordinance, No. 27 of 1929.

Muslim Divorce Register.

- District : _____
 Officiating priest's area : _____
 Name of Officiating priest registering the divorce : _____
1. Husband's name in full : _____
 2. Husband's residence at time of divorce : _____
 3. Wife's name in full : _____
 4. Wife's residence at time of divorce : _____
 5. Name, area and district of officiating priest who registered the marriage : _____
 6. No. and date of the entry of marriage : _____
 7. Place of divorce : _____
 8. Nature of divorce (Talak or Fasah) : _____
 9. Name, area and district of Kathi authorizing the divorce : _____
 10. If Fasah divorce, whether granted by Kathi or on order of the Board of Kathis or of the Supreme Court : _____
 11. No. and date of Kathi's permit of divorce : _____
 12. Date and hour of divorce : _____
 13. Date of registration of divorce : _____
 14. Name and residence of first witness to divorce : _____
 15. Name and residence of second witness to divorce : _____
 16. Signature of—
 (1) Husband (if present) : _____
 (2) Wife (if present) : _____
 (3) First witness : _____
 (4) Second witness : _____
 (5) Officiating priest registering the divorce : _____

Stamp.

SCHEDULE II.

(Section 48.)

"SECOND SCHEDULE.

(Section 14.)

Rules to be adopted in the case of a divorce by a husband.

In these rules, the words "the Kathi" mean the Kathi licensed to register divorces in the area in which the husband who seeks to effect a divorce under this Ordinance resides, or a special Kathi appointed under section 40, as the case may be.

1. The husband shall pronounce the first Talak in the presence of the Kathi and two witnesses, and the Kathi shall forthwith record such pronouncement in the prescribed book, and shall cause notice thereof to be served upon the wife, if she is not present.

2. If the Kathi is satisfied by affidavit or sworn testimony that the wife is not in the Island and that in the circumstances of the case it is not possible to serve such notice upon her, he may order the notice to be served on the wife's nearest relative, or, if no relative is known to be in the Island, he may dispense with the necessity for serving such notice on the wife.

3. If the presence of the wife cannot be secured or if a reconciliation cannot be effected, the husband shall, on the expiry of a period of thirty days reckoned from the date on which the first Talak was pronounced, similarly pronounce the second Talak before the Kathi who shall, in like manner, forthwith record such second pronouncement, give notice thereof to the wife if she is not present, and endeavour once again to effect a reconciliation between the parties.

The provisions of Rule 2 shall apply equally in the case of any notice given or issued under this rule.

4. If the husband still persists in his intention to divorce his wife, he shall, on the expiry of a further period of thirty days reckoned from the date on which the second Talak was pronounced, similarly pronounce the third and final Talak before the Kathi who shall forthwith record such final pronouncement in the prescribed book and issue to the husband a permit in the prescribed form authorizing him to register the divorce."

Objects and Reasons.

1. The Muslim Marriage and Divorce Registration Ordinance was passed by the Legislative Council on November 14, 1929 and received the assent of His Excellency the Governor on December 12, 1929.

2. In June, 1930, a Committee was appointed by Government to report on the steps which should be taken in order to ensure the effective working of the Ordinance and it was decided to withhold the proclamation of the Ordinance until the report of that Committee was received. The Committee reported that the Ordinance was defective in several particulars and expressed the opinion that it should be amended before it was brought into operation.

3. The object of this Bill is to give effect to the recommendations of the Committee and to amend the Ordinance so as to remove those defects to which the Committee has drawn attention. The opportunity has also been taken to adapt the administrative procedure of the Ordinance to the new constitution and to authorize the Executive Committee for Labour, Industry and Commerce to make such regulations as may be necessary for the purposes of the Ordinance. (Clause 22.)

4. Clause 1 effects formal amendments and repeals section 1 (2) (b) as there would now appear to be no necessity for power temporarily to postpone or modify any of the provisions of the Ordinance.

5. Clause 3 introduces an entirely new interpretation section. The definition of "Fasah divorce" is new and is inserted on the recommendation of the Committee and in accordance with their views regarding the implications of the term.

6. Clauses 5, 6 and 7 introduce necessary amendments in the administrative machinery of the Ordinance relating to the appointment, licensing and duties of officiating priests, Kathis and the Board of Kathis.

7. Clauses 8 to 14 give effect to the decisions of the Committee on points of procedure relating to the registration of Muslim marriages. The words "marriage register" have been substituted for "marriage register book" wherever the latter expression is used in Part II of the Ordinance. Clause 9 amends section 7 (2) so as to make it clear that the exception within parentheses applies to a case where the consent of the *Wali* has been dispensed with under section 21 (2). The clause also substitutes two new sub-sections for sub-sections (2) and (3) of section 7.

8. Clauses 15 to 20 give effect to the recommendations of the Committee on matters of procedure and penalties relating to Muslim divorcees under the Ordinance. Sections 14 (2) and 15 (2) have been repealed and now appear more appropriately as sub-section (3) of section 22.

9. Clause 21 amends section 21 of the Ordinance in numerous particulars. The words "and to make order allowing or disallowing" in lines 2 and 3 of sub-section (1) have been deleted as it was thought that they may be construed as an unnecessary restriction on the scope of the order made by a Kathi upon adjudication in any claim, cause or matter under this section. The Committee has suggested that a Kathi should be empowered to hold an inquiry in *Habeas Corpus* applications referred to him for that purpose by the Supreme Court. Steps have been taken to give effect to this recommendation by an appropriate amendment of section 49 of the Courts Ordinance, 1889, as it was considered that the procedure in the Courts Ordinance should not be amended by implication by the addition of an empowering clause in this Bill.

10. Clause 22 casts upon the Executive Committee the duty of making regulations under the Ordinance. No regulation will come into operation until it has been approved by the State Council and ratified by the Governor. Provision has been inserted that every regulation shall be published in both English and Tamil in the Government Gazette.

11. Clauses 23 to 36 amend the Ordinance on various minor matters of incidental procedure and administration in accordance with the recommendations of the Committee, Clause 36A is new and introduces a necessary penalty section. Clause 40 introduces provision for the proper supervision and control of special officiating priests and special Kathis by the Registrar-General instead of by the Provincial Registrars.

12. On the recommendation of the Committee, a new paragraph (i) has been added to section 43 making it incest for a person to have carnal knowledge of his wife's sister during his wife's lifetime. Sections 44 and 45 have been repealed as the provisions of the Ordinance have now received the close and careful attention of a Committee appointed specially for the purpose of advising on the amendments which should be introduced in order to ensure the effective operation of the Ordinance. A new section 45 has been substituted for section 45 of the Ordinance and gives effect to the recommendation of the Committee that section 19 of the Mohammedan Marriage Registration Ordinance, 1886, should be reproduced.

13. The First and Second Schedules of the Ordinance have been repealed and entirely new Schedules are substituted therefor in the Bill. The form of the Marriage Register (Form IV in Schedule I) was carefully examined by the Committee who by a majority vote decided that the form should provide for the insertion of particulars relating to Stridanum and Kaikuli and that it should be made optional and not obligatory to furnish such particulars.

14. As the effect of this Bill is to amend the principal Ordinance in no less than 150 particulars, it has been considered advisable to insert provision to the effect that copies of the Ordinance may be reprinted incorporating such of the amendments introduced in this Bill as may subsequently become law.

PERI SUNDARAM,

Minister for Labour, Industry and Commerce.

Colombo, December 14, 1933.

DISTRICT AND MINOR COURTS NOTICE.

Destruction of Valueless Records.

NOTICE is hereby given that the valueless records of the District Court of Colombo for the years 1917 to 1919, 1920, and 1921 to 1922 (Records Nos. 49,001 of November 5, 1917, to No. 54,544 of December 23, 1919; No. 1 of January 12, 1920, to No. 2,899 of December 23, 1920; No. 1 of January 10, 1921, to No. 7,361 of December 23, 1922) will be destroyed in terms of Ordinance No. 12 of 1894, at the expiration of three months from January 1, 1934.

Any person interested in any such record or records may personally, by proctor, or by duly authenticated petition, claim, upon good cause shown, that such record or records may not be destroyed.

District Court,
Colombo, January 3, 1934.

G. C. THAMBYAH,
District Judge.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 4,718. In the matter of the insolvency of Ernest Correa of 315, Rajagiriya.

WHEREAS the above-named Ernest Correa has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by K. William Perera of Kelaniya, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Ernest Correa insolvent accordingly; and that two public sittings of the court, to wit, on January 30, 1934, and on February 13, 1934, 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.

January 4, 1934.

By order of court, S. W. DE SILVA,
for Secretary.

In the District Court of Galle.

No. 693. In the matter of the insolvency of Abdul Cader Abdul Hamid of Fort, Galle.

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 30, 1934, for assignee's report.

By order of court, L. B. CASPERSZ,
December 22, 1933. Secretary.

title, interest, and claim whatsoever of the said defendant in, to, upon, or out of the said several premises mortgaged by the defendant upon bond No. 661 dated December 22, 1925, and attested by V. D. Vos of Kandy, Notary Public.

Fiscal's Office,
Kandy, January 6, 1934.

A. RANESINGHE,
Deputy Fiscal.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Welatantrige Charles Boteju Appuhamy of Buller's road, Colombo Plaintiff.

No. 49,115. Vs.

(1) Wannige Carlina Fonseka of Nugegoda, (2) F. W. de Vos, Colombo Defendants.

NOTICE is hereby given that on Monday, February 5, 1934, at 3 P.M., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 72 dated June 28, 1924, attested by N. H. Sitarasinghe, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated 4/8th September, 1933, for the recovery of the sum of Rs. 500, with interest on Rs. 250 at 9 per cent. per annum from June 8, 1932, till October 21, 1932, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full and costs of suit, viz. :-

All that divided portion marked lot A in plan No. 2,621 dated January 26, 1932, made by Jas. Rodrigo, Licensed Surveyor, and everything standing thereon out of the land called Pelengahawatta, situated at Nugegoda in the Pallo pattu of Salpiti korale in the District of Colombo, Western Province; and bounded on the north by the other part of the same land, on the east by lot B allotted jointly to 1st and 2nd substituted defendants in case No. 12,897, on the south by a portion of the same land, and on the west by the properties of Bastian Almeida and H. L. de Mel; containing in extent 29 44/100 perches.

Prior Registration M 169/18.

Fiscal's Office, R. B. RATNAIKE,
Colombo, January 10, 1934. Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Suna Pana Rawanna Mana Meyna Meyappa Chettiyar of 20B, Brownrigg street, Kandy Plaintiff.

No. 43,563. Vs.

Pana Kandasamy, son of Palani, Head Cangany of Kandy District, Urawella Defendant.

NOTICE is hereby given that on Monday, February 5, 1934, at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant for the recovery of the sum of Rs. 5,935.58, with legal interest thereon from July 13, 1933, till payment in full and costs of suit and poundage, in the following property, viz. :-

(1) All that allotment of land called Metihakkehena, situated at Puliadde in Gandahaya korale of Pata Hewaheta in the District of Kandy, Central Province; and bounded on the north by Malakandura and land described in plan No. 98,346, east by Horagollekandura, south-east and south by land described in plan No. 99,530, and south-west by land described in plan No. 76,124, and west by Metihakkekandura; containing in extent 5 acres 1 rood and 35 perches in the whole.

(2) All that allotment of land called Metihakkekawatta, situated at Uduwela village in Gandahaya korale aforesaid; and bounded on the north by land claimed by Alagedara Maruwetchi Aracci, north-east by land described in plan No. 92,989, east by Metihakkekandura, south and west by land said to belong to Crown; containing in extent 4 acres 3 roods and 16 perches in the whole; which said two allotments of land adjoin each other and form one property called and known as Metiaccia estate and from their situation as respects each other can be included in one survey; registered in G 131/282 and all the right,

Southern Province.

In the District Court of Galle.

(3) Wadutantiri Nona, appearing by her next friend (4) ditto Charles de Silva, both of Balapitiya, substituted in place of 1st plaintiff. Plaintiffs.
No. 14,384.

(25) Muniwara Teppirige Ede Nona of Galmangoda, substituted in place of 6th defendant Defendant.

NOTICE is hereby given that on Friday, February 9, 1934, at 2.30 in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said 3rd and 4th plaintiffs, in the following property, viz. :-

All that the soil and trees and all the buildings standing thereon of the defined lot marked letter F of the land called Koujousonwatta, situated at Galmangoda, Welitara, in Bentota-Walallawiti korale of the Galle District, Southern Province; and bounded on the north by Mawatabodawatta, east by the High road, south by lot E of the same land, and west by Mahawatta; and containing in extent 21 17/72 perches.

Writ amount Rs. 80 and Rs. 23.12 for costs.

Fiscal's Office,
Galle, January 9, 1934.

J. R. WEERASEKERA,
Deputy Fiscal.

In the District Court of Galle.

Esu Hadjiar Mohamed Mohideen of Talapitiya in Galle Plaintiff.

No. 31,690. Vs.

Uswatte Liyanage William de Silva of Galupiadda, Galle, presently of Puerto De La Luz, Grand Canaria, Laspalmas Defendant.

NOTICE is hereby given that on Saturday, February 3, 1934, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises in the following mortgage property, viz. :-

1. All the soil and tress of the subdivided $\frac{2}{3}$ portion of the land called Uswatta alias Lewgewatta, situated at Galupiadda, within the Four Gravets of Galle, within the jurisdiction of this court; and which said $\frac{2}{3}$ portion being bounded on the north by a portion of the said land belonging to Uswatte Liyanage James Appu and others, east by Kolonwatta alias Kalasigewatta belonging to Anthonige Carolis and others, south by Paduwtotawatta alias Aratchigewatta belonging to Charles Ranasinghe and others, west by the defined $\frac{1}{4}$ portion of the said land belonging to Kovis Appu and others; containing in extent about 43 fathoms all round or about quarter of an acre, and registered in A 181/67 in the office of the Registrar of Lands, Galle.

2. All the soil and trees together with everything else thereon of the land called the defined $\frac{1}{4}$ portion of the land called Uswatta alias Lewgewatta, situated at Galupiadda aforesaid; and bounded on the north by a portion of the same land and Tuppahachchigewatta, east by the defined $\frac{1}{4}$ share of the same land, south by Padautotawatta, and west by Seyyan Selena Lebbeta-aithi Idam Kebelle; containing in extent 3 roods and 16 perches, and registered in A 167/294 in the said office.

3. An allotment of land called Pettigala-addarawatta in Kovilawatta, within the Municipal limits of Galle, Galle District aforesaid; and bounded on the north by Kerawakmullawatta claimed by W. H. William Silva and M. A. M. Siyadoris, and Ela-addara claimed by M. A. M. Siyadoris, east by T. P. 360,956, south by Pettigalawatta-ela, and west by reservation along the road; containing in extent 31.16 perches, and registered in A 167/295 in the said office.

4. All the fruit trees and soil together with all the buildings standing thereon of the defined and separated lot No. 2 of Jayasundera Mudiyansegawatta bearing Municipal assessment No. 31, situated at Ettiligoda, within the Four Gravets of Galle District, Southern Province; and bounded on the north by portion of this land and lot 1A, east by portion of this land, south by high road, and west by lot No. 1 and another portion of this land; containing in extent 31 perches, and registered in A 184/17 in the said office.

5. All the soil and trees of the allotment of land comprising of the three contiguous lots called and known as Pelawatta Eriya Eliyagahawatta and Attikagahawatta forming one property and bearing Municipal assessment No. 598 and 599, together with all the buildings bearing Municipal assessment No. 599 and everything else in or within the said land but exclusive of the portion thereof acquired for the Railway road, situated at Galupiadde, within the Municipal limits and Four Gravets of Galle aforesaid; and bounded on the north by Meegahawatta, east by Seeratharigowatta and Padawtotawatta, south by Kerawakbolkewatta, and west by the high road, Meegahawatta alias Attikagahawatta, and Talagahawatta; and containing in extent 1 acre and 1 rood, and registered in A 186/125 in the said office.

Rs. 6,810.41, with interest thereon at the rate of 9 per cent. per annum from June 26, 1933, till payment in full, and costs of suit.

Fiscal's Office, J. R. WEERASEKERA,
Galle, January 8, 1934. Deputy Fiscal.

In the District Court of Galle.

S. S. L. Letchumanan Chettiar, presently in India. Plaintiff.

No. 29,154. Vs.

A. N. Abdul Latiff of Wiraketiya Defendant.

NOTICE is hereby given that on Saturday, February 3, 1934, 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 Rs. 1,105, with legal interest from November 11, 1930, and cost of suit Rs. 73.92, less Rs. 994.73 and poundage, viz. :—

At Yaggasmulla.

(1) Undivided 2/9th part of Yakasmulla, situated at Yaggasmulla in West Giruwa pattu of the Hambantota District, Southern Province; and bounded on the north by Gururalagegoda, east by Ambekumbura, south by Marakalagoda, and west by Irikondehena; containing in extent 12 amunams of paddy sowing. Value Rs. 1,280.

A. L. M. NOOR MOHAMED,
Deputy Fiscal's Office, Additional Deputy Fiscal.
Tangalla, January 6, 1934.

Northern Province.

In the Court of Requests of Kayts.

Sinnathamby Sanmugam of Karaitivu West Plaintiff.

Thambiah Kanapathipillai of Karaitivu
West Substituted Plaintiff.

No. 106. Vs.

(1) Velauther Thambimuttu, (2) Thambimuttu Velupillai, (3) Theivanai, daughter of Thambimuttu; all of ditto; the 2nd and 3rd are minors by their guardian *ad litem* the 1st defendant Defendants.

NOTICE is hereby given that, on Saturday, February 3, 1934, at 10 o'clock in the forenoon, will be sold by public auction at the spots the right, title, and interest of the said late Ponnachy in the following property for the recovery of Rs. 290.73, with further interest on Rs. 240 at the rate of 12 per cent. per annum from February 13, 1933, poundage and charges, viz. :—

1. An undivided 10½ lachams p. c. of a piece of land situated at Thankodai in Karaitivu West, Karaitivu parish, Islands division of the Jaffna District, Northern Province, called Pathavayal, containing in extent 12 lachams p. c.; and bounded on the east by Velupillai, north Velupillai Thillainather, west by the property belonging to Pillaiyar Temple and of Eladchumi, widow of Visuvar, and south by Sinnacuddy, wife of Ampalavanar.

2. A piece of land situated at ditto called Ellaikadi, containing in extent 3½ lachams varagu culture, with palmyras, coconut trees, and other cultivated plantations and houses; and bounded on the east by Nallapillai, wife of Perampalam, north by Parupathi, wife of Subramaniam, west by Sethupillai, widow of Kanapathipillai, and south by lane.

The lands are said to be under mortgage.

Fiscal's Office, S. TURAIYAPPAN,
Jaffna, January 9, 1934. Deputy Fiscal.

In the District Court of Jaffna.

The Jaffna Commercial Corporation, Ltd., Jaffna. Plaintiffs.
No. 27,123. Vs.

(1) Muhamed Neina Marakayar Meera Meydeen,
(2) Meera Meydeen Segu Sultan Abdul Cader, (3)
Meera Mohideen Sahiel Hameed, and (4) Meera
Meydeen Muhamed Meera Sahiel, all of Vannar-
ponnai, now of Kodigamam Defendants.

NOTICE is hereby given that on Wednesday, February 7, 1934, from 10 o'clock in the forenoon, will be sold by public auction at the spots the right, title, and interest of the said 3rd defendant in the following properties for the recovery of the sum of Rs. 700.50, with interest thereon at 9 per cent. per annum from November 27, 1930, until payment in full and costs of suit being reserved, viz. :—

(1) The land called Vilaththyadykkarampai, situated at Vavuniya in Kilakkumoolai South division in Vavuniya South, Mullaitivu District, Northern Province, in extent about ½ acre; and bounded on the east by property of P. R. Mappanapillai, north by Crown land by the side of the minor road, south by property of M. Muhammathu Meera Saihu, and west by Crown land by the side of Bazaar street. Of this an exact half share by right of possession on the northern side with two godowns (straw) standing thereon, together with half share in the well.

(2) All that land including cultivated and spontaneous plantations standing thereon called Soosappillayakulaththadikkany, situated at Vavuniya as aforesaid, in extent about ½ acre; and bounded on the north by minor road, east by property of K. Vyramuttu, south by property of S. Kidnapillai and others, and west by property of V. Sinnappu.

A. CELESTIN NALLIAH,
Fiscal's Office, Additional Deputy Fiscal.
Mullaitivu, January 8, 1934.

Eastern Province.

In the District Court of Trincomalee.

Somasunderam Thirunavucarasu of Division No. 2,
Trincomalee Plaintiff.

No. 1,705. Vs.

Seenimuhamatu Jainudeen of Periakinia, executor of
the last will and testament of Sinnatamby Mutalip
Hadjiar of Periakinia Defendant.

NOTICE is hereby given that on Saturday, February 3, 1934, commencing at 10 o'clock in the forenoon, will be sold by public auction at the spot the following property mortgaged with the plaintiff for the recovery of Rs. 598.16, and interest on Rs. 400 at 15 per cent. from December 6, 1932, till January 12, 1933, and thereafter at 9 per cent. per annum on the aggregate till payment in full, costs of suit being reserved, Fiscal's fees and charges, and poundage, viz. :—

An undivided just ½ share in a piece of land called Vari-vedduvankadu being lot 4096/94845, situate at Tamblegam in Tamblegam pattu, Trincomalee District, Eastern Province; boundaries of the whole land are on the north by lot Nos. 94858, 94857, and 94856 referred to in P. P. 4,097, east by Crown land, south by lot Nos. 94848, 94847, and 94846 mentioned in P. P. 4,096, and on the west by lot No. 47 mentioned in P. P. 4,155; extent within these boundaries is 10 acres and 26 perches.

V. A. JOSEPH-CHELVARETNAM,
Deputy Fiscal's Office, for Deputy Fiscal.
Trincomalee, January 6, 1934.

North-Western Province.

In the District Court of Chilaw.

M. S. M. Sellappa Chettiar of Madampe Plaintiff.
No. 9,760. Vs.

Warnakulasooriya Joakino Fernando of Pothuwata-
wana Defendant.

NOTICE is hereby given that on Saturday, February 10, 1934, 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. 799.10, with interest on Rs. 500 at 18 per

cent. per annum from March 1, 1932, till April 29, 1932, and thereafter at 9 per cent. per annum till payment in full and poundage, viz. :—

1. An undivided $\frac{1}{4}$ share of the land called Ambagahawatta, situate at Pothuwatawana in Yagampattu korale of Katugampola hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by land of Andiris Perera Rupasinghe Appuhamy, east and south by enderu fence of the land of Mr. Corea, Proctor, west by Compass road; containing in extent about 12 acres. With the plantations and buildings standing thereon. Registered No. C 476/238.

2. An undivided $\frac{1}{4}$ share of the land called Ambagahayaya, situate at Pothuwatawana aforesaid; and bounded on the north by a portion of this land belonging to Jagariyas Perera, east by land of Mr. C. E. Corea, Proctor, south by land belonging to the heirs of Migel Gamarala, west by Compass road; containing in extent 3 acres and 2 roods. With the plantations and buildings standing thereon. Registered No. C 451/7.

Subject to mortgage bond No. 6,644 dated September 2, 1927, attested by M. D. A. S. Gunasekara, Notary Public, for Rs. 1,250 in favour of the plaintiff.

Fiscal's Office,
Kurunegala, January 3, 1934.

A. BASNAYAKE,
Deputy Fiscal.

Province of Sabaragamuwa.

In the Court of Requests of Kegalla.

Idampitiya Yapa Mudiyansele Dingirimahatmaya
Kumarihamy of Hingula Plaintiff.
No. 4,019. Vs.

Elapata Jayatilaka Gunaratna Tennakoon Mudiyanse
Ralahamillage Tikiribanda of Kotabogoda.. Defendant.

NOTICE is hereby given that on February 7, 1934, commencing from the 1st land 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 without prejudice to the interest of Amitodana Elapata and Gunaratna Elapata of Kadigomuwa, minors, in the following property, viz. :—

1. Walawwewatta of 6 pelas of paddy sowing in extent, situated at Kotabogoda in Meda pattu of Galboda korale in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the north by Gansabhawa road, east by wela, south by Ginihapuwewatteweta, and west by wewa; together with half share of the house standing thereon.

2. Pahala-amuna of 5 pelas of paddy sowing in extent, situated at the aforesaid village; and bounded on the north by wela, east by Thalagahagodawatta, south by Henayagewatta, and west by ditch.

To levy Rs. 203.89, with legal interest on Rs. 197.64 from December 11, 1929, till payment in full, Fiscal's charges, and poundage.

Deputy Fiscal's Office,
Kegalla, January 9, 1934.

J. A. F. SIRIWARDENE,
Additional Deputy Fiscal.

In the District Court of Colombo.

Haji Abdul Karim Haji Valimohamed, (2) Abdul Gani Dada, (3) Abdulla Dada, (4) Habib Karim, (5) Omer Osman, (6) Ajamkhan Ahamedkhan, (7) Ebrahim Haji Noormohamed, all carrying on business under the name, style, and firm H. A. K. Haji Valimohamed & Co. of Sea street in Colombo Plaintiffs.
No. 35,451. Vs.

A. Abdul Gaffoor of Bulatkohupitiya Defendant.

NOTICE is hereby given that on February 3, 1934, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, viz. :—

1. An undivided $\frac{1}{4}$ share of the land called Pellikadahena, now garden of about 2 amunams of paddy sowing, in extent situated at Urumeewala in Uduwa palata, Lower Bulathgama in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the east by Galperiya, south by the stone fence on the land belonging to Wijjapediya, west by the limit of Puranekumbura, and on the north by ela.

2. An undivided $\frac{1}{4}$ share of all those contiguous lands called Kehelhena, Humbahapitahena, Ratmalgollehena, Deniyagawahena, and Kiriwanehena of about 3 amunams

and 1 pela of paddy sowing in extent, situated at Urumeewala aforesaid; and bounded on the east by Hurigahamulawatta, south by Dodangasteunewatta and Mala-ela, west by rubber estate, and on the north by Ranhotipedigehenc Mala-ela.

3. All that land called Deniyamulawatta *alias* Riti, gastenneewatta of about 5 lahas of paddy sowing in extent, situated at Urumeewala aforesaid; and bounded on the north by Mala-ela, east by the bank of the garden belonging to Balaya, south by the ditch, and on the west by the stone and the ditch.

4. An undivided $\frac{1}{4}$ share of all those contiguous lands called Kehelhena, Tennekosgahamulahena, Degalassenhena, Hurigahamulawatta, Imbulamulawatta, Kelagahamulawatta, Malwadugederawatta, and Hithgahamulahena of about 7 amunams of paddy sowing in extent, situated at Urumeewala aforesaid; and bounded on the north by the limit of Paluwatta and the ditch of Upasakawatta, east by Galenda, south by Kahaheneima and Mala-ela, and on the west by Yaddehihenemaha-agala, Unapandura, and the rock.

For the recovery of the sum of Rs. 1,667.82, together with interest thereon at the rate of 9 per centum per annum from November 15, 1929, till payment in full and costs of suit.

Deputy Fiscal's Office,
Kegalla, January 9, 1934.

J. A. F. SIRIWARDENE,
Additional Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Yapa Mudiyansele Kiribanda of Maradana in Colombo, deceased.
No. 6,925

Ganwarige Roslyn Nona Perera of Kotahena, Colombo Petitioner.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on May 11, 1933, in the presence of Mr. C. Krishnapillai, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 1, 1933, 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 any person or persons interested shall, on or before February 1, 1934, show sufficient cause to the satisfaction of the court to the contrary.

May 11, 1933.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Anna Katherine Grero of Nedimala in the Pallekatana of Salpiti korale, deceased.
No. 6,631.

Condagamage Donald Philip Mathew Grero of Church View, Dehiwala Petitioner.

(1) Palliyaguruge Edward James Stephen de Silva, (2) Palliyaguruge Louisa Cornelia de Silva, both of Katunayake, (3) Palliyaguruge Mary Matilda de Silva, (4) Vitharenege Lillian Muriel Rodrigo, wife of (5) Vernon H. Wijeyaratne, (6) Vitharanage Florence Violet Rodrigo, (7) Vitharenege Walter Rodrigo, all of Villa Toieste, Elie lane, Mutwal Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on November 18, 1933, in the presence of Mr. T. H. Gooneratne, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 17, 1933, having been read :

It is ordered that the petitioner be and he is hereby declared entitled, as husband of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before January 18, 1934, show sufficient cause to the satisfaction of the court to the contrary.

November 18, 1933.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Eric Nelson Thiedeman of Colombo,
No. 6,638. deceased.

Ethel Margerat Thiedeman *nee* Mack of Quarry road,
Dehiwala Petitioner.

And

(1) Mary Thiedeman, (2) Leticia Victor Thiedeman,
(3) Florence Loretta Thiedeman, (4) Ruth Lucy
Elizabeth Georges, (5) Oswald Georges,
all of Quarry road, Dehiwala, and (6) Charles
Annesly Allenson Thiedeman of High street, Wella-
watta Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on November 24, 1933, in the presence of Mr. D. E. Wanigesooria, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 23, 1933, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before January 18, 1934, show sufficient cause to the satisfaction of the court to the contrary.

November 24, 1933.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Nazarene Morais of Veerapandianpatnam
No. 6,641. Tiruchendure Taluq, Tinnevely District,
South India, deceased.

Joseph Rodrigo of No. 19, Market street,
Colombo Petitioner.

And

(1) Manuel Ammal Rodrigo, (2) Pushpammal Morais,
wife of Peter Peeris, (3) Mary Morais, (4) Mathuram
Morais, (5) Tiburtius Morais, (6) Rosammal Morais,
(7) Stephen Morais; the 3rd, 4th, 5th, 6th, and 7th
respondents are minors appearing by their guardian
ad litem the 1st respondent above named, all of Veera-
pandianpatnam aforesaid Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on November 27, 1933, in the presence of Mr. G. R. Motha, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 16, 1933, and the order of the Supreme Court dated November 6, 1933, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as attorney of the widow of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before January 18, 1934, show sufficient cause to the satisfaction of the court to the contrary.

November 27, 1933.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Philip Eustace Rienzie Vander Straaten,
No. 6,642. late of Colombo, deceased.

Enid Margret Ailean Van der Straaten of Marcella,
Vanderwert place, Dehiwala Petitioner.

(1) Eleanor Ethel Toussaint, wife of (2) B. D. N. Toussaint, both of Manning Town, (3) Fedrick Edward Richard Van der Straaten of Meerlyabedde Group, Koslande, (4) Kathleen Esme Phyllis Toussaint, wife of (5) F. F. N. Toussaint, both of Manning Town, (6) Percival Douglas Ian Van der Straaten, (7) Herbert Vivian Van der Straaten, and (8) Leslie Marcus Noel Van der Straaten, all of Marcella, Vanderwert place, Dehiwala Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on November 27, 1933, in the presence of Messrs. Pierisz Anthonisz & Galhena, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 29, 1933, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as sister of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before January 18, 1934, show sufficient cause to the satisfaction of the court to the contrary.

November 27, 1933.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Annie Christina Sealy, late of
No. 6,656. Slievemore, Greystones, in the County of
Wicklow, formerly of 6, Wilton place,
Dublin, spinster, deceased.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 12, 1933, in the presence of Mr. Frederick Claude Rowan of Colombo, Proctor, on the part of the petitioner, Mr. Oscar Percy Mount of Colombo; and the affidavit of the said petitioner dated December 4, 1933, a certified copy 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 23, 1933, having been read: It is ordered that the will of the said deceased dated September 19, 1922, 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 January 18, 1934, show sufficient cause to the satisfaction of this court to the contrary.

December 12, 1933.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Vytilingam Thamotherampillai of Bam-
No. 6,668. balapitiya in Colombo, deceased.

Kandiah Surendranath of 23, 14th lane, Bambala-
pitiya, in Colombo Petitioner.

And

(1) Sivagamipillai Thamotherampillai of 23, 14th lane,
Bambalapitiya, (2) Kamalawathi, (3) Puspa Kanthi,
(4) Sorna Kanthi, and (5) Balendra, all of 23, 14th
lane, Bambalapitiya; the 2nd, 3rd, 4th, and 5th
respondents minors by their guardian *ad litem* the
1st respondent Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 19, 1933, 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 11, 1933, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as brother-in-law 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 February 1, 1934, show sufficient cause to the satisfaction of the court to the contrary.

December 19, 1933.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Mortlock Mackenzie Barton,
No. 6,686 late of Northcroft, Oakhill avenue,
N.T. Pinner, Middlesex, England, formerly of
9, Edensor road, Meads, Eastbourne,
Sussex, England, Cable Operator
(retired), deceased.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on January 9, 1934, in the presence of James Frederick van Langenberg, Proctor, on the part of the petitioner, Stanley Frederick de Saram of Colombo; and (1) the affidavit of the said petitioner dated December 19, 1933, (2) the power of attorney dated August 10 and 15, 1933, and (3) the order of the Supreme Court dated December 18, 1933, having

been read: It is ordered that the will of the said Mortlock Mackenzie Barton, deceased, dated August 1, 1923, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Stanley Frederick de Saram is the attorney in Ceylon of the two proving executors named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 25, 1934, show sufficient cause to the satisfaction of this court to the contrary.

January 9, 1934.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament
Jurisdiction. of Thanippuli Aratchige Don Luwis
No. 6,675. Gooneratne Jayatileka of Kanampella,
deceased.

Jayawardena Welathantrige Hemalatha Boteju
Hamine of Kanampella Petitioner.

And

(1) Premawathi Wijesundera *nee* Gunaratne Jayatileka of Kosgama, (2) Somawathie Gunaratne Jayatileka, wife of (3) Kahanawita Gamatirallage Dharmawardena, both of Kempitikanda estate, Rambukkana, (4) Somawathie Gunaratne Jayatileka, (5) Wimalasiri Gunawathie Gunaratne Jayatileka, wife of (6) Don Sethan Kumarapeli, both of Pethangoda, (7) Jayasiri Kalyanawathie Gunaratne Jayatileka, (8) Chandarawathie Gunaratne Jayatileka, (9) Hemasiri Leelarama Gunaratne Jayatileka, minor, appearing by his guardian *ad litem* the 11th respondent, (10) Piyawathie Gunaratne Jayatileka, minor, appearing by her guardian *ad litem* (11) Don Amis Gunaratne Jayatileka, all of Kanampella. Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 20, 1933, in the presence of Mr. L. V. B. de Jacolyn, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated December 19, 1933, and (2) of the attesting witnesses dated July 28, 1933, having been read:

It is ordered that the last will of Thanippuli Aratchige Don Lewis Gunaratne Jayatileka, 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 last will and that she is entitled to have probate thereof issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before January 18, 1934, show sufficient cause to the satisfaction of this court to the contrary.

December 20, 1933.

G. C. THAMBYAH,
District Judge.

In the District Court of Avissawella.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament
Jurisdiction. of the late Biyanwila Kankanamalage Peiris Singho of Kanampella,
No. 213. deceased.

Between

Biyanwila Kankanamalage William Singho of Kanampella Petitioner.

And

(1) Biyanwila Kankanamalage John Singho, (2) Biyanwila Kankanamalage Piyadasa, both of Kanampella Respondents.

THIS matter coming on for disposal before M. Chinnaiyah, Esq., District Judge of Avissawella, on December 18, 1933, in the presence of Messrs. De Silva & De Silva, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 13, 1933, having been read:

It is ordered that the will of the deceased dated November 29, 1933, and now deposited in this court, be and the same is hereby declared proved, unless the respondents above named or any other person or persons interested shall, on or before January 18, 1934, show sufficient cause to the satisfaction of this court to the contrary.

And it is further ordered that the said Biyanwila Kankanamalage William Singho of Kanampella is the executor named in the said will and that he is entitled to have probate of the same issued to him accordingly, unless the respondents or any other person or persons interested shall, on or before the said date, show sufficient cause to the satisfaction of this court to the contrary.

December 18, 1933.

M. CHINNAIYAH,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Jalathpedige Bajuwa of Assennawatta,
No. 2,901. deceased.

Jalathpedige Piorisa, Vel-Vidane of Assennawatta Petitioner.

(1) Anuradhapedige Subadu, (2) Jalathpedige Suwarisa, (3) ditto Amarisa, (4) ditto Piorisa, (5) ditto Ranchi, (6) ditto Sele, (7) ditto Santiya, (8) ditto Pema, all of Assennawatta, ditto Karunawathie, minor, of Assennawatta Respondents.

THIS matter coming on for disposal before L. H. de Alwis, Esq., District Judge of Negombo, on October 23, 1933, in the presence of Mr. P. Nadarajah, Proctor, on the part of the petitioner; and the petition and affidavit of the above-named petitioner dated September 27, 1933, and September 20, 1933, respectively, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as a son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before November 24, 1933, show sufficient cause to the contrary to the satisfaction of the court.

It is further ordered that the 1st respondent above named be and he is hereby appointed guardian *ad litem* over the 9th respondent who is a minor for the purpose of this case, unless the respondents above named or any other person or persons interested shall, on or before November 24, 1933, show sufficient cause to the contrary to the satisfaction of this court.

It is also ordered that the 1st respondent above named do produce the minor respondent before this court at 10 A.M. on November 24, 1933.

October 23, 1933.

D. H. BALFOUR,
District Judge.

Time extended to December 18, 1933.

November 24, 1933.

D. H. BALFOUR,
District Judge.

Time extended to January 16, 1934.

December 18, 1933.

D. H. BALFOUR,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Dionysius de Silva Abeyawickera
No. 2,559. Wijenayaka, deceased, of Colombo.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on November 24, 1933, in the presence of Mr. A. D. de Fonseka, Proctor, on the part of the petitioner, Arthur de Silva Abeyawickera Wijenayaka of Kalutara North; and the affidavit of the said petitioner dated July 24, 1933, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as the eldest brother, to have letters of administration to his estate issued to him, unless the respondents—(1) Engaltina Fonseka *nee* Wijenayaka of 19, Mount Mary road, Colombo, (2) Cornelis de Silva Abeyawickera Wijenayaka of Thimbrigasaya in Colombo, (3) Martin de Silva Abeyawickera Wijenayaka, (4) Cecily Mendis *nee* Wijenayaka of Koduwamulla, Moratuwa, (5) Isabella Fonseka *nee* Wijenayaka of 19, Mount Mary road, Colombo, (6) Francis de Silva Abeyawickera Wijenayaka of 19, Mount Mary road, Colombo, (7) Barnes de Silva Abeyawickera Wijenayaka of Kalutara North by himself and as guardian *ad litem* over 8th, 9th, and 10th respondents, (8) Titus Perera Gunaratna, (9) Winifred Perera Gunaratna, and (10) Evelyn Perera Gunaratna, all of Kalutara North; 8th to 10th minors by guardian

the 7th respondent—or any person or persons interested shall, on or before January 19, 1934, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 7th respondent be and he is hereby appointed guardian *ad litem* over the 8th to 10th minors, respondents, for the purposes of this action, unless the respondents, or any other person or persons interested shall, on or before January 19, 1934, show sufficient cause to the satisfaction of this court to the contrary.

November 24, 1933.

N. M. BHARUCHA,
District Judge.

In the District Court of Kalutara.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the late Don
Jurisdiction. Jronis Pullaperuma, deceased, of Galtude
No. 2,561. in Raigam korale.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on November 23, 1933, in the presence of Mr. H. D. Perera, Proctor, on the part of the petitioner, Kalutantrige Simona Peiris Hamine of Galtude; and the affidavit of the said petitioner dated August 30, 1933, having been read: It is ordered that the will of Don Jronis Pullaperuma, deceased, dated September 10, 1930, be and the same is hereby declared proved, unless any person or persons interested shall, on or before January 18, 1934, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Kalutantrige Simona Peiris Hamine is the devisee named in the said will and that she is entitled to have probate of the same issued to her accordingly, unless any person or persons interested shall, on or before January 18, 1934, show sufficient cause to the satisfaction of this court to the contrary.

November 23, 1933.

N. M. BHARUCHA,
District Judge.

In the District Court of Nuwara Eliya.

Order declaring Will proved.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Wickramasinghe Mudiyansele
No. 272. Mudalihamy Veda Mahatmaya of Kala-
pitiya, deceased.

Wickramasinghe Mudiyansele Kiri Banda Wickrama-
singhe of Kalapitiya Petitioner.

And

(1) Jayasundera Mudiyansele Nikku Menika,
(2) Wickramasinghe Mudiyansele Ram Menika,
(3) Wickramasinghe Mudiyansele Heena Menika,
(4) Wickramasinghe Mudiyansele Piyasiri all of
Kalapitiya, Kotmale Respondents.

THIS matter coming on for disposal before R. Aluwihare, Esq., District Judge of Nuwara Eliya, on December 13, 1933, in the presence of Mr. V. Ponnusamy, Proctor, on the part of the petitioner above named; and the affidavit dated September 26, 1933, of the said petitioner and (2) affidavit of the attesting notary dated December 3, 1933, respectively, having been read:

It is ordered that the last will of Wickramasinghe Mudiyansele Mudalihamy Veda Mahatmaya, 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, as executor named in the said will of the above-named deceased, has established his right thereto and it is ordered that probate be issued to the said petitioner accordingly.

December 13, 1933.

R. ALUWIHARE,
District Judge.

In the District Court of Nuwara Eliya.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Y. Seyad Ibrahim of Alanghudi in
No. 273. South India, deceased.

Mohamed Sheriff of Nuwara Eliya Petitioner.

And

(1) Ameer Beebee and husband (2) Seyad Ibrahim, and
(3) Shahul Hammed, all of Puddukottah, South
India; the 3rd respondent above named, minor, by
his guardian *ad litem* the 2nd respondent. . . . Respondents.

THIS action coming on for disposal before R. Aluwihare, Esq., District Judge of Nuwara Eliya, on December 20, 1933, in the presence of Mr. V. Ponnusamy, Proctor, on

the part of the petitioner above named; and the affidavit dated December 19, 1933, of the said petitioner and Supreme Court's order dated December 11, 1933, respectively, having been read:

It is ordered that the 2nd respondent be and he is hereby appointed guardian *ad litem* over the 3rd respondent above named for the purpose of this case, unless the respondents above named or any person or persons interested shall, on or before January 19, 1934, show sufficient cause to the satisfaction of this court to the contrary.

It is also ordered that the petitioner above named be and he is hereby declared entitled, as son of the above-named deceased, to administer the said estate and that letters of administration to the said estate do issue to him accordingly, unless the respondents above named or any person or persons interested shall, on or before January 19, 1934, show sufficient cause to the satisfaction of this court to the contrary.

December 20, 1933.

R. ALUWIHARE,
District Judge.

In the District Court of Galle.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of John Andris de Alwis Gunatilleka
No. 7,527. of Aturuwella in Induruwa, deceased.

Nicholas de Alwis Gunatilleka of Warahena Walawwa,
Bentota Petitioner.

Vs.

Any person or persons concerned Respondents.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on August 17, 1933, in the presence of Mr. W. A. C. Sirisena, Proctor, on the part of the aforesaid petitioner; and the affidavit of the said petitioner dated August 17, 1933, and the affidavit of the attesting witnesses and rotary to the last will dated August 15, 1933, having been read: It is ordered that the will of John Andris de Alwis Gunatilleka, deceased, dated May 1, 1932, and now deposited in this court, be and the same is hereby declared proved, unless any person or persons concerned shall, on or before October 19, 1933, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered and decreed that the said petitioner is the executor named in the said will and that he is entitled to have probate of the same issued to him accordingly, unless any person or persons concerned shall, on or before October 19, 1933, show sufficient cause to the satisfaction of this court to the contrary.

August 17, 1933.

T. W. ROBERTS,
District Judge.

Date for showing cause is extended to November 23, 1933.

T. W. ROBERTS,
District Judge.

Date for showing cause is extended to January 18, 1934.

T. W. ROBERTS,
District Judge.

In the District Court of Galle.

Testamentary In the Matter of the Intestate Estate of
Case Hikkaduwe Liyana Jasilyn de Silva of
No. 7,543. Patuwatta, Dodanduwa, in Wellaboda
pattu of Galle District, deceased.

Ginige Girigoris de Silva of Patabendimulla in Ambalangoda Petitioner.

Vs.

(1) Ginige Gunasela Dharmawansa de Silva, (2) ditto Mahindapala de Silva, both of Patabendimulla in Ambalangoda, (3) Ginige Panis de Silva of Patabendimulla guardian *ad litem*. . . . Respondents.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on November 7, 1933, in the presence of Messrs. G. T. & W. de Silva, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner having been read:

It is ordered that 3rd respondent be appointed guardian *ad litem* over the minors 1st and 2nd respondents, unless the respondents above named shall, on or before January 16, 1934, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered and decreed that the said petitioner, as husband of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondents shall, on or before January 16, 1934, show sufficient cause to the contrary.

November 7, 1933.

T. W. ROBERTS,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Arunasalam Eliatamby of Manippay, No. 8,417. late of Muskeliya, deceased.

Eliatamby Navarasa of Manippay, presently of Kawatta Petitioner.

Vs.

(1) Eliatamby Mutturasa of Muskeliya, (2) Eliatamby Anandarasa of Kandy, (3) Eliatamby Sundararasa of Manippay, (4) Sanmugam Arunasalam of Manippay Respondents.

THIS matter of the petition of the petitioner, praying that letters of administration be granted to him, as one of the heirs, coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on December 5, 1933, in the presence of Mr. E. Murugesampillai, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner having been read:

It is ordered that letters of administration be granted to the petitioner, as one of the heirs of the above-named deceased, unless the above-named respondents shall appear before this court on January 24, 1934, and state objection to the contrary.

December 12, 1933.

C. COOMARASWAMY,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Sivakolunthu, wife of Sinnathamby No. 8,121. Arianayagam of Urumpiray, deceased.

Sinnathamby Arianayagam of Urumpiray... Petitioner.

(1) Achchikkuddy, widow of Vallipuram of Urumpiray, (2) Vallipuram Chellathurai, Guard, F. M. S. Railways, Ipoh, presently of Urumpiray, (3) Sinnathamby Mailvaganam and wife (4) Ponnammah of Slave Island, Colombo..... Respondents.

THIS matter of the petition of Sinnathamby Arianayagam of Urumpiray, praying for letters of administration to the estate of the above-named deceased, Sivakolunthu of Urumpiray, coming on for disposal before D. H. Balfour, Esq., District Judge, on June 26, 1932, in the presence of Mr. C. A. Niles, Proctor; on the part of the petitioner; and the affidavit of the petitioner dated May 26, 1932, having been read: It is declared that the petitioner is the husband of the deceased of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before July 27, 1932, show sufficient cause to the satisfaction of this court to the contrary.

June 28, 1932.

D. H. BALFOUR,
District Judge.

Extended to January 12, 1934.

In the District Court of Jaffna.

25

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Thammis Venugopal of Alaveddy, No. 8,379. deceased.

Chellachchy, widow of Thammis Venugopal of Alaveddy Petitioner.

(1) Saraswathy, daughter of Venugopal, by her guardian *ad litem* (2) Chinnappu Vaiteilingam of Alaveddy Respondents.

THIS matter coming on for disposal before Simon Rodrigo, Esq., Additional District Judge, Jaffna, on September 6, 1933, in the presence of Mr. T. Arumai-nayagam, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner having been read:

It is ordered that letters of administration to the estate of the deceased above named be granted to the petitioner, as the widow of the deceased above named, unless the respondents shall, on or before September 29, 1933, show sufficient cause to the satisfaction of this court to the contrary.

September 15, 1933.

D. H. BALFOUR,
District Judge.

Extended to January 18, 1934.

In the District Court of Ratnapura.

30

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Karavita Vidanelage Punchi Appuhamy, No. 1,007. deceased, of Hatarabage.

THIS action coming on for disposal before N. E. Ernst, Esq., District Judge of Ratnapura, on December 13, 1933, in the presence of Mr. H. R. Peiris, Proctor, on the part of the petitioner, Paluwatte Vidanelage Punchi Menike of Hatarabage; and the affidavit of the said petitioner dated December 1, 1933, having been read: It is ordered that the 7th respondent, Paluwatte Vidanelage Punchi Mahatmaya, be appointed guardian *ad litem* over the minor respondents—(1) Karavita Vidanelage Hami, (2) ditto Huratalhamy, (3) ditto Ausadahamy, (4) ditto Senehamy, (5) ditto Piyasena, (6) ditto Rammalhamy, all of Hatarabage—unless the said respondents or any other person or persons interested shall, on or before January 30, 1934, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner above named is the widow of the deceased above named and that she is entitled to have letters of administration to the estate of the said deceased issued to her accordingly, unless the afore-mentioned respondents or any other person or persons interested shall, on or before January 30, 1934, show sufficient cause to the satisfaction of this court to the contrary.

December 13, 1933.

N. E. ERNST,
District Judge.