



THE
**CEYLON GOVERNMENT
 GAZETTE**

No. 8,028 – FRIDAY, JANUARY 19, 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	—	Supreme Court Notices	—
Draft Ordinances	34	District and Minor Courts Notices	48
List of Jurors and Assessors	—	Notices in Insolvency Cases	49
List of Notaries	—	Notices of Fiscals' Sales	49
Notifications of Criminal Sessions of the Supreme Court	—	Notices in Testamentary Actions	52
		Council of Legal Education Notices	—

PRINTED AT THE CEYLON GOVERNMENT PRESS, COLOMBO.

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:—

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

Amendment of section 1 of Ordinance No. 27 of 1929. **2** Section one of the Muslim Marriage and Divorce Registration Ordinance, 1929, (hereinafter referred to as "the principal Ordinance") is hereby amended—

- (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.

Repeal of section 2 of the principal Ordinance and substitution of new section therefor. Interpretation. **3** Section two of the principal Ordinance is hereby repealed and the following section is substituted therefor:—

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

- "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."

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

Insertion of
new section 2A.

“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.”

Powers of
Registrar-
General.

5 Section three of the principal Ordinance is hereby amended—

Amendment of
section 3 of the
principal
Ordinance.

- (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.”

6 Section four of the principal Ordinance is hereby amended—

Amendment of
section 4 of the
principal
Ordinance.

- (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.

7 Section five of the principal Ordinance is hereby amended—

Amendment of
section 5 of the
principal
Ordinance.

- (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.”

Amendment of section 6 of the principal Ordinance.

8 Section six of the principal Ordinance is hereby amended—

- (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.

Amendment of section 7 of the principal Ordinance.

9 Section seven of the principal Ordinance is hereby amended—

- (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.”.

Amendment of section 8 of the principal Ordinance.

10 Section eight of the principal Ordinance is hereby amended—

- (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.”

- 11** Section nine of the principal Ordinance is hereby amended—
- Amendment of section 9 of the principal Ordinance.
- (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."
- 12** Section ten of the principal Ordinance is hereby amended—
- Amendment of section 10 of the principal Ordinance.
- (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.
- 13** Section eleven of the principal Ordinance is hereby amended—
- Amendment of section 11 of the principal Ordinance.
- (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.
- 14** Section thirteen of the principal Ordinance is hereby amended—
- Amendment of section 13 of the principal Ordinance.
- (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.
- 15** Sub-section (2) of section fourteen of the principal Ordinance is hereby repealed.
- Repeal of section 14 (2).
- 16** Section fifteen of the principal Ordinance is hereby amended—
- Amendment of section 15 of the principal Ordinance.
- (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.
- 17** Section sixteen of the principal Ordinance is hereby amended—
- Amendment of section 16 of the principal Ordinance.
- (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.

Amendment of section 18 of the principal Ordinance.

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 19 of the principal Ordinance.

19 Section nineteen of the principal Ordinance is hereby amended—

- (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."

Amendment of section 20 of the principal Ordinance.

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

"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.

Amendment of section 21 of the principal Ordinance.

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

- (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.

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

Amendment of section 22 of the principal Ordinance.

- (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.” .

- Amendment of section 23 of the principal Ordinance. 23 Section twenty-three of the principal Ordinance is hereby amended—
- (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.
- Amendment of section 24 of the principal Ordinance. 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 25 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 26 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 27 of the principal Ordinance. 27 Section twenty-seven of the principal Ordinance is hereby amended—
- (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.
- Amendment of section 28 of the principal Ordinance. 28 Section twenty-eight of the principal Ordinance is hereby amended—
- (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.
- Amendment of section 29 of the principal Ordinance. 29 Section twenty-nine of the principal Ordinance is hereby amended—
- (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."

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

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

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

Amendment of section 31 of the principal Ordinance.

(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.

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

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

“ 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.”

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 marginal note of section 34 of the principal Ordinance.

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

Amendment of section 35 of the principal Ordinance.

- (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.

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

Amendment of section 36 of the principal Ordinance.

- (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).

- Addition of a new section 36A.** **36** The following section shall be inserted immediately after section thirty-six of the principal Ordinance and shall have effect as section 36A :—
- Penalty for unauthorized registration of marriage, divorce, &c.** “ 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.”
- Amendment of section 37 of the principal Ordinance.** **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 39 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 40 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.
- Addition of new section 40A.** **40** The following section shall be inserted immediately after section forty and shall have effect as section 40A :
- Registrar-General substituted for Provincial Registrar on application of Ordinance to special officiating priests or Kathis.** “ 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.”
- Amendment of section 41 of the principal Ordinance.** **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 42 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 43 of the principal Ordinance.** **43** Section forty-three of the principal Ordinance is hereby amended—
- (1) by the addition of the word “ or ” immediately after the word “ wife ” at the end of paragraph (b) of sub-section (1) thereof ;
 - (2) by the addition of the following paragraph immediately after paragraph (b) 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.
- Insertion of new section 44.** **44** The following section shall be substituted for section forty-four of the principal Ordinance :—
- Correction of clerical errors in registers.** “ 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.”
- New section 45.** **45** The following section shall be substituted for section forty-five of the principal Ordinance :—
- Prescription of action for mahr.** “ 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.”

46 The following section shall be substituted for section forty-six of the principal Ordinance :—

“ 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.”

47 The First Schedule of the principal Ordinance is hereby repealed and Schedule I in this Ordinance is substituted therefor.

48 The Second Schedule of the principal Ordinance is hereby repealed and Schedule II of this Ordinance is substituted therefor.

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.

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.

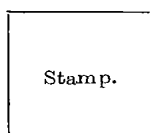
(Section 3.)

Licence of officiating priest to register marriages and divorces.

Counterfoil.	No. ———.	Original.	No. ———.
I, the undersigned ———, 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 : ———.

New section 46.

Oaths.
Powers of
Kathis.

New First
Schedule.

New Second
Schedule.

Amendment of
Third Schedule
of the principal
Ordinance.

Re-printing of
principal
Ordinance.

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 (1).*

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 (1).*

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).)

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 : _____

	Bride-groom	Bride
1. Name in full
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 Stridannum
*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

* 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).)

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 : _____

	Bride-groom	Bride
1. Name in full
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 Stridannum
*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

* 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).

Stamp.

FORM No. V.
(Section 19.)

No. _____

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

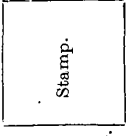
- District : _____
- Officiating priest's area : _____
- Name of Officiating priest registering the divorce : _____
- 1. Husband's name in full : _____
- 2. Husband's residence at time of divorce : _____
- 3. Wife's name in full : _____
- 4. Wife's residence at time of divorce : _____
- 5. Name, area 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 : _____



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 divorces 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 NOTICES.

The Village Communities Ordinance, No. 9 of 1924.

IT is hereby notified in terms of section 98 of the Village Communities Ordinance, No. 9 of 1924, that from and after the date hereof, the Village Council Bungalow at Tirappane, which has been duly set apart for the purpose, will be the court-house of the Village Tribunal of Kaddukulam pattu west in the Trincomalee District of the Eastern Province, whenever the said Village Tribunal sits at Tirappane in pursuance of directions in that behalf given under section 45 of the Ordinance.

M. K. T. SANDYS,
The Kachecheri, Assistant Government Agent.
Trincomalee, January 19, 1934.

The Village Communities Ordinance, No. 9 of 1924.

IT is hereby notified in terms of section 98 of the Village Communities Ordinance, No. 9 of 1924, that the Village Tribunal of Hambantota subdivision has, with the approval of the Assistant Government Agent, Hambantota District, Southern Province, set apart the under-mentioned building as the court-house of the Village Tribunal of Hambantota subdivision in the Chief Headman's division of Magam pattu of the Hambantota District, Southern Province.

F. LEACH,
The Kachecheri, Assistant Government Agent.
Hambantota, January 9, 1934.

Description of Building.

The building known as Customs House in the Sanitary Board town of Hambantota of the Magam pattu of the Hambantota District, Southern Province.

NOTICES OF INSOLVENCY.

In the District Court of Kandy.

No. 1,705. In the matter of the insolvency of Lionel Hugh Ferdinands of Matale.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 2, 1934, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, GERALD E. DE ALWIS,
January 10, 1934. Secretary.

In the District Court of Kandy.

No. 1,962. In the matter of the insolvency of Gustinnawaduge Daniel Silva of Deltota, in Lower Hewahetta.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 9, 1934, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, GERALD E. DE ALWIS,
January 10, 1934. Secretary.

In the District Court of Kandy.

No. 2,037. In the matter of the insolvency of Dehigahakotywegedera Sawanna Aboosali of Madawela.

WHEREAS Dehigahakotywegedera Sawanna Aboosali of Madawela has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Hapugastenne Muhandiramalagedera Mohamed Lebbe's son Muhamad Ismail Lebbe of Gunnepana, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Dehigahakotywegedera Sawanna Aboosali of Madawela insolvent accordingly; and that two public sittings of the court, to wit, on February 9, 1934, and on March 9, 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.

By order of court, GERALD E. DE ALWIS,
December 22, 1933. Secretary.

In the District Court of Kandy.

No. 2,038. In the matter of Leule Heenagamagedera Simon of Leula, Halloluwa road, Kandy, an insolvent.

WHEREAS Leule Heenagamagedera Simon of Leula, Halloluwa road, Kandy, has filed a declaration of insolvency and a petition for the sequestration as insolvent of his own estate, under the Ordinance No. 7 of 1853, and it appears that he has been in actual custody within the walls of a prison for debt for more than 21 days: Notice is hereby given, that the said court has adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on February 16, and March 16, 1934, will take place for the insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of Court, GERALD E. DE ALWIS,
January 10, 1934. Secretary.

In the District Court of Galle.

No. 687. In the matter of the insolvency of Kalupahanage Balahamy Fernando of Sri Chandrawasa, Ambalangoda, carrying on business under the name and style of T. O. Fernando of Ambalangoda.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 12, 1934, for the filing of balance sheet.

By order of court, L. B. CASPERSZ,
January 13, 1934. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Jaffna.

The Jaffna Commercial Corporation, Ltd., Jaffna. Plaintiff.
No. 26,581. Vs.

Ramanathan Vamathevan of Jaffna, presently of Jathavana estate, Veyangoda Defendant.

NOTICE is hereby given that on Friday, February 16, 1934, at 3 p.m., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,032.99, with interest on Rs. 1,000 at 13 per cent. per annum from July 1, 1930, until payment in full and costs, viz. :—

All that premises called Sukhastan, situated at Ward place in Cinnamon Gardens, within the Municipality and District of Colombo, Western Province; bounded on the north by road known as Ward place, the defined portion marked A belonging to Mr. P. Ramanathan and the portion marked B bearing assessment No. 56 belonging to Madam Rukmini, on the east by portion marked A belonging to Hon. Mr. P. Ramanathan, and Rosenberg House bearing assessment No. 55 belonging to W. Muttusamy, on the south by the other parts of this land marked C and D belonging to Messrs. C. Sri Canta and C. Nawasivayam, and on the west by premises bearing assessment No. 58 known as Thyaga Nivasa, in extent 1 acre 3 roods and 34 $\frac{25}{100}$ perches.

Fiscal's Office, C. J. S. PRITCHETT,
Colombo, January 16, 1934. Deputy Fiscal.

In the District Court of Colombo.

U. Don Paulis Appuhamy Plaintiff.
D. C. Ranasinghe Defendant.

Don Carolis Ranasinghe Wijegoonawardene Appuhamy of Kohilawatta (executor of the last will and testament of Don Yohanis Ranasinghe Wijegoonawardene Appuhamy, deceased) of Kohilawatta Petitioner.

No. 43,173. Vs.

(2) D. Charles Peiris of Colombo, and another . . Respondents.

NOTICE is hereby given that on Monday, February 12, 1934, at 3 p.m., will be sold by public auction at the premises the right, title, and interest of the said petitioner in the following property for the recovery of the sum of Rs. 616.35 being costs, viz. :—

The land called Heenbolagahawatta *alias* Kurunduwatta *alias* Siyambalagahawatta, situated at Kudabuthgomuwa in Ambatalenpahala of Alutkuru korale south in the District of Colombo, Western Province; bounded on the north by the garden of K. David Perera formerly of K. Philippu Perera, on the east by a small road, on the south by the garden of H. Don Carolis formerly of Hettiaratchige people, and on the west by Gorakagahakanatta formerly belonging to William Dias and by the applied ground of James Perera; containing in extent 4 acres 1 rood and 60/100 perches.

Fiscal's Office, C. J. S. PRITCHETT,
Colombo, January 16, 1934. Deputy Fiscal.

In the District Court of Colombo.

Edward Herbert Perera of Padukka, administrator of the estate of Dr. E. H. Perera, deceased Plaintiff.

No. 51,173. Vs.

Gallage Don Darlis of Udahamulla in the Palle pattu of Salpiti korale Defendant.

NOTICE is hereby given that on Thursday, February 15, 1934, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 27,166 dated April 27, 1930, attested by T. D. S. A. Dissanayake, 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 November 10, 1933, for the recovery of the sum of Rs. 2,645.83, with further interest on Rs. 2,000 at 12½ per cent. per annum from November 27, 1932, up to the date of the said decree March 27, 1933, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit, viz. :—

1. At 2 p.m.—An undivided 4/10 part or share together with the tiled house constructed by the defendant thereon from and out of the southern half part of the land called

Nagahawatta bearing No. 1, and of the trees and plantations thereon, situated at Udahamulla in the Palle pattu of Salpiti korale in the District of Colombo, Western Province; which said southern half part is bounded on the north by the other half part of this land, east by Honadiyakumbura, south by Wijayaramawatta, and on the west by the road leading to Wijayarama Viharaya; containing in extent about 200 coconut plants plantable extent.

2. At 2.30 p.m.—An undivided $\frac{1}{2}$ part or share of Bandarawilakumbura, situated at Nawinna in the Palle pattu of Salpiti korale aforesaid; bounded on the north by a part of this field belonging to Liyanchihamy, east by Depawella and a portion of this field, south and west by a portion of this field and owita; containing about 2 pelas and 5 lahas of paddy sowing extent.

3. At 3 p.m.—An undivided $\frac{7}{140}$ part or share of the half part of Nagahawatta and of everything belonging thereto, situated at Udahamulla aforesaid, which said half part of Nagahawatta is bounded on the north by Delgahawatta belonging to J. D. Brumphy Singho, east by Kottanuwelkumbura, south by the remaining portion of this garden, and on the west by dewata road; containing in extent 200 coconut plants plantable extent, and all the right, title, and interest and claim whatsoever of the defendant in, to, upon, or out of the said premises.

Prior Registration M 280/10 and 11 and 285/105.

Fiscal's Office,
Colombo, January 16, 1934.

C. J. S. PRITCHETT,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

(1) Suleima Lebbe Abdul Gaffoor, (2) Suleima Lebbe Abdul Jabbar, both of Colombo street, Kandy . . . Plaintiffs.
No. 43,642. Vs.

(1) Ahamado Lebbe's daughter, Abusa Umma, (2) Ahamado Lebbe's daughter, Asia Natchiya, both of Trincomalee street, Kandy, presently of Wata-puluwa in Kandy . . . Defendants.

NOTICE is hereby given that on Monday, February 12, 1934, at 2 p.m., will be sold by public auction at the premises the right, title, and interest of the said defendants for the recovery of the sum of Rs. 2,553 and costs Rs. 115.72, together amounting to Rs. 2,668.72, with legal interest thereon from May 3, 1933, till payment in full and poundage, in the following property, viz. :—

Undivided forty-three sixtieth parts or shares of and in all that allotment of land, together with the houses thereon bearing former assessment Nos. 14 and 15, presently Nos. 16 and 17, situate at Trincomalee street *alias* Katugastota road, Kandy; within the town and Municipality and District of Kandy, Central Province; containing in extent 100 feet in length and 44 feet in breadth; and bounded on the east by Government land *alias* the limit of the land now belonging to Segu Meedin, south by the land and house of Meera Lebbe Marikar's wife, Sellakandu *alias* now the house and premises bearing assessment No. 15 belonging to Warusa Umma, west by Sinnatamby Vidane's field *alias* now Katugastota road, and north by the limit of Dikkuru Lebbe Suleima Lebbe's garden *alias* now house and premises No. 18 now belonging to Mohideen Meera Saibo, together with a like share of everything standing thereon, and all the right, title, interest, and claim whatsoever of the said defendants in, to, upon, or out of the said several premises mortgaged by the defendants upon bond No. 2,680 dated December 19, 1930, and attested by Mr. S. A. Wijetilleke, Notary Public.

Fiscal's Office,
Kandy, January 13, 1934.

A. RANESINGHE,
Deputy Fiscal.

In the District Court of Kandy.

Peer Mohamado's son, Mohamado Ibrahim of Teldeniya Plaintiff.
No. 43,774. Vs.

Selambaram Kangany's son, Ponnasamy of Pinnaketiawatta in Teldeniya Defendant.

NOTICE is hereby given that on Saturday, February 17, 1934, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendant for the recovery of the sum of Rs. 1,629.95 plus costs Rs. 116.83 together making the sum of Rs. 1,746.78, with further interest on Rs. 1,500 at 15 per cent. per annum from May 25, 1933, till date hereof and thereafter at 9 per

cent. per annum on the aggregate amount from this date till payment in full and poundage, in the following property, viz. :—

The contiguous allotment of land described as lot 3 in the plan dated November 21, 1922, made by C. D. Jayasinghe, Surveyor, situate at Teldeniya in Pallispattu korale west of the Pata Dumbara in the District of Kandy, Central Province, or a portion of the land called Pinnaketiya, situate at Teldeniya aforesaid; and bounded on the north by lot 2 in the said plan allotted to Nalliah, east by the land said to belong to Bambaragala Vihare, south by Warakatohena, and west by stones being the land within the said boundaries; containing in extent 7 acres, together with the buildings, plantations, and everything standing thereon and registered in E 217/71, and all the right, 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. 11,156 dated July 27, 1927, and attested by R. A. F. Jayasinghe, Notary Public.

Fiscal's Office,
Kandy, January 12, 1934.

A. RANESINGHE,
Deputy Fiscal.

Southern Province.

In the District Court of Matara.

Wijesekera Don Deonis Abeygunawardana Appuhamy and another Plaintiffs.

No. 6,257. Vs.

(1) Sunnadeniyege Dineshamy and (2) Ihalagamage Ovishamy, both of Pathegama Defendants.

NOTICE is hereby given that on Saturday, February 17, 1934, commencing at 2.30 in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of a sum of Rs. 1,432.61, viz. :—

1. All that undivided $\frac{5}{48}$ parts or shares of the soil and fruit trees and the fruit trees of the 2nd, 3rd, and 4th plantations, and the entirety of the nine cubits tiled house standing thereon, of the land called Mohottigewatta, situated at Pathegama in the Wellaboda pattu of the District of Matara, Southern Province; and bounded on the north by Bogahacoratuwa and Ihala Mohottigewatta, east by Tara-periyegewatta *alias* Geemadugepala, south by Talagahawattedeniya, Talagahawatta, and Ihala Talagahawatta, and on the west by Kanattegehena *alias* Ihala Talagahawatta or Godakoratuwa and Bogahakoratuwa; and containing in extent 1 acre 2 roods and 23.5 perches.

2. All that and those the undivided $\frac{5}{48}$ share of the soil and fruit trees, exclusive of the planter's half share of the fruit trees of the 2nd and 3rd plantations, of the undivided portion called Ihala Mohottigewatta and the undivided $\frac{5}{48}$ share of the soil and fruit trees of the undivided portion called Lokuralagewatta of the contiguous lands called Mohottigewatta, Ihalamohottigewatta, and Lokuralagewatta, situated at Pathegama aforesaid; and bounded on the north by Kandegodawatta, Paluwatta, and Megalahona, east by Geemadugepala and Katuwandeniyegekoratuwa, south by Talagahawatta and deniya, and on the west by Ihalatalagahawatta, Katuwandeniyegepala, and Pathegamagewatta; and containing in extent 10 acres.

3. All that and those the undivided $\frac{5}{48}$ share of the soil and fruit trees, exclusive of the planter's half share of the fruit trees of the 2nd and 3rd plantations, of the undivided portion called Geemadugepalawatta; the undivided $\frac{3}{48}$ share of the soil and fruit trees, exclusive of the planter's half share of the fruit trees of the 2nd and 3rd plantations, of the undivided portion called Soldadugepala, and the undivided $\frac{3}{48}$ share of the paraveni soil and fruit trees of the undivided portion called Bogahawatta, of the contiguous lands called Geemadugepalawatta, Soldadugepala, and Bogahawatta, situated at Pathegama aforesaid; and bounded on the north by two Katuwandeniyege lands, east by Julgeihena, south by Hettia-hichigewatta and Ihalawewa, and on the west by Mohottigewatta; and containing in extent about 15 acres.

4. All that and those the undivided $\frac{5}{48}$ share of the soil and fruit trees, exclusive of the planter's half share of the 2nd and 3rd plantations, of the undivided portion called Gulugahawatta, the undivided $\frac{5}{48}$ share of the paraveni soil and fruit trees of the undivided portion called Julgehena, and the undivided $\frac{5}{48}$ share of the fruit trees of the first plantation and of the paraveni soil and fruit trees of the two undivided portions called Katuwandeniyege-lokuralagewatta and Katuwandeniyege-mahawatta, of the contiguous lands called Gulugahawatta, Julgeihena, Katuwandeniyege-lokuralagewatta and Katuwandeniyege-mahawatta, situated at Pathegama aforesaid; and bounded on

the north by Upasaka Appupadinchiwatta and Gabirunnahogewatta, east by Lombagewatta, south by Munasingewatta and Janepadinchiwatta, and on the west by Soldadugewatta, Hettiachchigewatta, and Bogahawatta; and containing in extent about 12 acres.

5. All that undivided 5/48 share of the soil and fruit trees, exclusive of the planter's half share of the fruit trees of the 2nd and 3rd plantations, of the land called Thalagahawatta, situated at Pathagama aforesaid; and bounded on the north by Thalatalagahawatta, east by deniya, south by Attalawatta, and on the west by Kanattegehena; and containing in extent about 5 acres.

Deputy Fiscal's Office, E. T. GOONEWARDENE, Matara, January 12, 1934. Deputy Fiscal.

In the District Court of Matara.

(1) Hemawathi Perumal Wijeyawimala Siriwardene and husband (2) E. S. Theroiwewatta, both of Kahawatta Plaintiffs. No. 7,500. Vs. P. 16 29.

(1) Kamburugamuwe Acharige Suwarishamy of Peekwella, Matara, (2) Salwatura Achewerane of Galwadugoda in Galle Defendants.

NOTICE is hereby given that on Saturday, February 17, 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 defendants in the following mortgaged property for the recovery of a sum of Rs. 564.60, with legal interest thereon from September 5, 1933, less Rs. 200, viz. :-

An undivided 1/2 share of the soil and fruit trees and plantations of the portion of land called Galpalakumbura, bearing assessment No. 617, and situated at Meddewatta, within the Urban District Council area and the Four Gravets of Matara, Matara District, Southern Province; and which said portion is bounded on the north by river, east and south by road, and west by portion of Galpalakumbura wherein R. A. Andirishamy resided; and containing in extent about 3 roods.

Deputy Fiscal's Office, E. T. GOONEWARDENE, Matara, January 13, 1934. Deputy Fiscal.

In the District Court of Matara.

Palawinnege Don Simon Mutucumarane of Dikwella Plaintiff. No. 8,120. Vs.

(1) Dona Francina Wanigasekera Hamine and husband (2) Don Samiel Abeygunawardene, Vidane Arachchi, both of Nakulugamuwa Defendants.

NOTICE is hereby given that on Saturday, February 24, 1934, commencing at 3 in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following mortgaged property for the recovery of sum of Rs. 2,124, with legal interest thereon from October 11, 1933, till payment in full and costs of suit :-

1. All that the soil and trees of the land called Pallegewatta, situated at Urugamuwa in the Wellaboda pattu of the Matara District, Southern Province; and bounded on the north by Okewelagei Siyambalagahawatta, east by Pelainiweta, south-east by Weralagewatta, south by Weralagewatta and Crown land, and on the west by Crown land; and containing in extent 1 acre 3 roods and 6 perches.

2. All that the soil and trees, save the planter's share of the second and third plantations, of the land called Geegana Arachchigewatta alias Walmagewatta, situated at Urugamuwa aforesaid; and bounded on the north by Thalawatta, east by Ambaruppawewatta alias Ikkawewatta, south by Ambaruppawatta, and on the west by Udagamadiewwatta; and containing in extent about an acre.

3. An undivided 1/7 share of the soil and paraveni trees, together with planter's half share of the plantation made by Don Mathes Wanigasekera Appuhamy, of the land called Galabodawatta, situated at Urugamuwa aforesaid; and bounded on the north by Radampolagamage Gedarawatta and Pahatawatta, east by Pinwatta, south by Mahagamage Gedarawatta, and on the west by Leanagekoskoratuwa alias Kotawilawatta; and containing in extent about 8 acres.

4. All that the citronella and other plantations of 2 acres and 37 1/15 perches extent of the land called Julgahahena alias watta comprising Dangahahena, Kankaniare Mahahenyaya, and Mahahena alias Damaniyagahahena, situated at Urugamuwa aforesaid; and bounded on the north by Mahagalahena and Horigalahenyaya, east by Meemadeniyeaddarahena alias Kajjugahahena, Godellehena, and

Liyanagewatta, south by Thalawatta, Giramkewatta Julhena, Kongaha-areniya, and Kongaha-ara, and on the west by Kongahadeniya Mahahena, footpath, Angurumalahena, and Mahagahahena; and containing in extent 36 acres 2 roods and 38 perches.

5. An undivided 1/2 share of the field called Dorakumbura situated at Urugamuwa aforesaid; and bounded on the north by Kosgahakumbura, east by Mederiyakanatta, south by Pahatawatta-ela, and on the west by Lianachchigewatta; and containing in extent 1 amuna of paddy-sowing.

Deputy Fiscal's Office, E. T. GOONEWARDENE, Matara, January 12, 1934. Deputy Fiscal.

In the District Court of Tangalla.

P. D. S. Kularatne of Colombo Plaintiff. No. 2,225. Vs.

Appuhenmedige Dona Katirina Abeygunawardena of Elpitiya Defendant.

NOTICE is hereby given that on Saturday, February 10, 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. 4,189.45, and poundage, viz. :-

At Elpitiya.—All that lot B of the land called Moragaha made and Pamanwela, situated at Elpitiya in West Giruwa pattu of the Hambantota District; and bounded on the north by lot "A", on the east by road and lots D and J, on the south by lot J, and on the west by lots C and H; containing in extent 15 acres 1 rood and 27 240/720 perches.

Valuation Rs. 5,000.

Deputy Fiscal's Office, P. A. S. GUNASEKERA, Tangalla, January 10, 1934. Additional Deputy Fiscal.

Eastern Province.

In the District Court of Batticaloa.

In the matter of the estate of the late Meeralevvepody Vanniah Muhamadu Meerasaibolevvepody Marakayar of Sainthamaruthu, deceased. No. 23,273.

NOTICE is hereby given that on Saturday, February 10, 1934, commencing at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said heirs of the deceased in the following property for the recovery of the sum of Rs. 208.45, with interest on Rs. 189.50 at 4 per cent. per annum from August 5, 1933, and penalty Rs. 10 due by M. M. Casim of Sainthamaruthu; Rs. 97.90 with interest on Rs. 89 at 4 per cent. per annum from August 5, 1933, due by M. Y. P. M. Kathisaamma of Sainthamaruthu; Rs. 112.75 with interest on Rs. 102.50 at 4 per cent. per annum from August 5, 1933, due by M. M. M. Meeralevve; and Rs. 112.75, with interest on Rs. 102.50 at 4 per cent. per annum from August 5, 1933, due by M. M. M. Y. Isatheen of Sainthamaruthu, viz. :-

(1) The right, title, and interest of Muhamadu Meerasaibolevvepody Marakar Muhamadu Kasim in an undivided 1/2 share of a garden presently called Kalveeduvalavu formed of Veppadivalavu and two other gardens, situated at Sainthamaruthu, Batticaloa District, Eastern Province; and bounded on the north by road, south by garden belonging to M. U. Kathisaamma and others, east by the dowry garden of M. Ismalevve, and west by road; in extent north to south 19 fathoms and east to west 31 fathoms, together with house and other buildings, well, coconut trees, and other plantations.

(2) The right, title, and interest of Muhamadu Yoosoflevvaipody Marakar Kathisaamma of Sainthamaruthu in a garden called Kalveeduvalavu, situated at Sainthamaruthu in the aforesaid place; and bounded on the north by Veeduvalavu belonging to M. V. Abdul Hameed and others, south by lane, east by garden belonging to P. H. Ahamadulevvepody, west by garden of M. Athambawa; in extent north to south 16 1/2 fathoms and east to west 15 fathoms, together with the house and plantations standing thereon.

(3) The right, title, and interest of Muhamadu Meerasaibolevvepody Marakar Muhamadu Meeralevve and Muhamadu Meerasaibolevvepody Marakar Yoosof Isatheen, both of Sainthamaruthu in their respective half shares in a portion of land on the west of land called

Periyakodanpattu in Karavaguvattai in the aforesaid place; and bounded on the north by the boundary of Kulivayal, south by the boundary of Chirukodanpattu and Senkalodai Ellavisam, east by Kovil Elavisam and Vaikal, west by Aar; in extent 30 acres; of this an undivided $\frac{1}{2}$ share out of an undivided 15 acres with inlets, outlets, and all rights.

K. S. CHANDRASEGARAMPILLAI,
for Fiscal.

Fiscal's Office,
Batticaloa, January 13, 1934.

North-Western Province.

In the District Court of Kurunegala.

W. S. J. Fernando of Maholawa Plaintiff.
No. 12,909. Vs.

Tudor Jayatileka of Pannala in Katugampola korale Defendant.

NOTICE is hereby given that on Monday, February 12, 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 at the risk of the original purchaser for the recovery of the sum of Rs. 693.50, less Rs. 131, Rs. 162.50, Rs. 75.70, Rs. 59.05, Rs. 43.11, and Rs. 25.66 recovered, viz. :-

An undivided $\frac{1}{2}$ share of all that allotment of land called Debaraliyaddawatta and Debaraliyaddakumbura, in extent of about 160 acres and 19 berrahs of paddy sowing extent (exclusive of 5 berrahs of paddy sowing), situate at Pannala in Medapattu korale of Katugampola hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by Benowatta, land of Euseris Perera, field Ettadombagare burial ground land of Deonis and others, east by korale Maim Paar, Haddawakamukalana, south by Debaraliyaddawatta of S. D. E. Perera, Mahaniyara in the field of Pieris Appu and others, land of Rasamarihamy and John Singho and others, west by land of the heirs of Kiri Banda, land of John Singho and others, Keenagaspitiyewatta of Burtin Nona and Punchi Singho, wire fence of burial ground, and Pannalawatta; together with the buildings, plantations thereon. Registered under C 466/148 folio.

Fiscal's Office,
Kurunegala, January 12, 1934.

A. BASNAYAKE,
Deputy Fiscal.

In the District Court of Colombo.

Cargills, Limited, of Colombo Plaintiffs.
No. 31,308. Vs.

K. Don Edward of Talahena in the District of Negombo Defendant.

NOTICE is hereby given that on Wednesday, February 14, 1934, at 9 A.M., will be sold by public auction the right, title, and interest of the defendant in the following property, viz. :-

The land called Galkuliya estate now known as Nakele, situate at Galkuliya village in Raja Kumarawanni pattu in Puttalam pattu, Puttalam District, North-Western Province, in extent 23 acres and 8 perches; is bounded on the north by Crown jungle, east by land of Mudaliami Aratchi and others, south by Pansalwatta, and west by Crown land.

Amount of writ Rs. 234.14, with interest at 12 per cent. from November 1, 1928, till February 17, 1932, and thereafter at 9 per cent. on the aggregate till payment in full, poundage, and costs.

Deputy Fiscal's Office,
Puttalam, January 11, 1934.

K. ALVAPPILLAI,
Deputy Fiscal.

I, Cyril Leonard Wickremesinghe, Fiscal for the North-Central Province, do hereby appoint Mr. Richard de Silva, to act as Marshal for the division of Tamankaduwa from January 10 to 31, 1934, under the provisions of the Fiscal's Ordinance, 1867, and authorize him to perform the duties and exercise the authority of Marshal for which this shall be his warrant.

January 11, 1934.

C. L. WICKREMESINGHE,
Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Karunaratne Mohandiramage Solomon No. 6,564. Victor Fernando of Colombo, deceased.

Phoebe Dulcie Fernando of Mattakuliya in Colombo Petitioner.

And

(1) Karunaratne Mohandiramage Cecil Fernando, (2) Karunaratne Mohandiramage Emil Fernando, (3) Karunaratne Mohandiramage Basil Fernando, minors, appearing by their guardian *ad litem* (4) Arthur Ernest Perera, all of Mattakuliya in Colombo Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on September 15, 1933, in the presence of Mr. E. L. Gomes, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 14, 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 25, 1934, show sufficient cause to the satisfaction of the court to the contrary.

G. C. THAMBYAH,
District Judge.

September 15, 1933.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Lionel Stanley Perera of Udahamulla, No. 6,651. deceased.

Arthur Ernest Perera of Kotte Petitioner.

And

(1) Letitia Adeline Perera, wife of (2) Wewage Norbert Dep, both of Galkuliya, (3) Nora Hilda Perera, (4) Nellie Theresa Perera, (5) Grace Evelyn Perera, all of Kotte, (6) Myrtle Octavia Bakmiwewa of "May Fair," Elibank road, Colombo, (7) Laura Bakmiwewa of "May Fair," Elibank road, Colombo Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 6, 1933, in the presence of Mr. J. A. Wijeyekoon, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 27, 1933, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as brother 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 25, 1934, show sufficient cause to the satisfaction of the court to the contrary.

G. C. THAMBYAH,
District Judge.

December 6, 1933.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Coomaraswamy Srikantha No. 6,655. of Rosmead place in Colombo, deceased.

(1) N. Ratnasabapathy of Kynsey road, and (2) Ponnambalam of Rosmead place, both in Colombo Petitioners.

And

(1) S. Sri Nivasa, (2) Visalakshi, wife of (3) R. Nagesan, (4) Annapurani, wife of (5) R. Sivagurunathan, all of Rosmead place in Colombo Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 11, 1933, in the presence of Mr. S. Somasundaram, Proctor, on the part of the petitioners above named; and the affidavits (1) of the said petitioners dated November 22, 1933, and (2) of one of the attesting witnesses dated December 8, 1933, having been read:

It is ordered that the last will of Coomaraswamy Srikanta, 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 petitioners are the surviving executors named in the said will and that they are entitled to have probate thereof issued to them accordingly. Unless the respondents above named or any other person or persons interested shall, on or before January 25, 1934, show sufficient cause to the satisfaction of this court to the contrary.

December 11, 1933.

G. C. THAMBYAH,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Watutantrige Cornelis Peiris, deceased, No. 2,558. of Walana, Pandure.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on August 18, 1933, in the presence of Mr. W. L. Tilakaram, Proctor, on the part of the petitioner, Condagamage Samawathie Fernando of Walana; and the affidavit of the said petitioner dated August 15, 1933, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled, as widow, to have letters of administration to his estate issued to her, unless the respondents, Watutantrige Amita Peiris of Walana, minor, and Condagamage Methias Fernando of Watarappola in Mt. Lavinia, or any other person or persons interested shall, on or before October 5, 1933, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said second respondent be and he is hereby appointed guardian *ad litem* over the said 1st minor respondent for all purposes of this action, unless the respondents or any other person or persons interested shall, on or before October 5, 1933, show sufficient cause to the satisfaction of this court to the contrary.

N. M. BHARUCHA,
District Judge.

August 18, 1933.

The time for showing cause against this *Order Nisi* is extended up to January 25, 1934.

November 30, 1933.

N. M. BHARUCHA,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Sriwardana Kankanage Lewishamy, No. 2,564. deceased, Batagoda.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on October 12, 1933, in the presence of Mr. B. K. Goonetilleke, Proctor, on the part of the petitioner, Puppahige Yasohamy of Batagoda; and the affidavit of the said petitioner dated August 15, 1933, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled, as widow, to have letters of administration to his estate issued to her, unless the respondent, Dankoluwage Haro Singho of Batagoda or any person or persons interested shall, on or before January 26, 1934, show sufficient cause to the satisfaction of this court to the contrary.

N. M. BHARUCHA,
District Judge.

October 12, 1933

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Kotikambegedere Ukku, deceased, No. 5,203. Yatihelagala.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on November 13, 1933, in the presence of Messrs. De Silva & Karunaratne, Proctors, on the part of the petitioner, Hithgodapitiya Setuwa also of Yatihelagala; and the affidavit of the said petitioner dated October 13, 1933, having been read:

It is ordered that the petitioner, as the son-in-law of the deceased, be and he is hereby declared entitled to have letters of administration to the estate of the deceased issued to him accordingly, unless the respondents—(1) Kotikambe Ihalegedere Punchi, (2) Kotikambe Ihalegedere Welliya, (3) Kotikambe Ihalegedere Carlina, and

(4) Galpelledere Tikira of Yatihelagala, the 1st to 3rd respondents by their guardian *ad litem* the 4th respondent—shall, on or before December 18, 1933, show sufficient cause to the satisfaction of this court to the contrary.

November 13, 1933.

R. F. DIAS,
District Judge.

Date for showing cause is extended for January 22, 1934.

December 18, 1933.

R. F. DIAS,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Nape Wijesuriya Mudiyansele Wijesuriya Heen Menike, deceased, No. 5,204.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on December 4, 1933, in presence of Mr. P. B. Panabokke, Proctor, on the part of the petitioner, Kasturi Aratchige Punchi Banda of Attabage; and the affidavit of the said petitioner dated October 19, 1933, having been read:

It is ordered that the petitioner, as the husband of the deceased, be and he is hereby declared entitled to have letters of administration to the estate of the deceased—above-named issued to him accordingly, unless the respondents—(1) Kasturi Aratchige Leelawati Podimenike, (2) Punchirale Korle of Attabage, the 1st respondent by his guardian *ad litem* the 2nd respondent—shall, on or before January 8, 1934, show sufficient cause to the satisfaction of this court to the contrary.

December 4, 1933.

R. F. DIAS,
District Judge.

The date for showing cause is extended to February 8, 1934.

R. F. DIAS,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Kiripitige Amaris Alwis Rowel, deceased, No. 5,209. of Pelketiya in Dolosbage.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on November 10, 1933, in the presence of Mr. V. M. Guruswamy, Proctor, on the part of the petitioner, Bentarage Maria Fernando of Sinhapiya, Gampola; and the affidavit of the said petitioner dated November 10, 1933, and her petition having been read:

It is ordered that the petitioner, as the widow of the deceased, be and she is hereby declared entitled to have letters of administration to the estate of the deceased above named issued to her accordingly, unless the respondents—(1) Rammandagedera Kiri Bindu, (2) Leisa Rowel, (3) Elisa Rowel, (4) Podisingho Rowel, (5) Aruma Rowel, (6) Dona Madalina Rowel, all of Pelketiya—shall, on or before December 14, 1933, show sufficient cause to the satisfaction to this court to the contrary.

November 10, 1933.

R. F. DIAS,
District Judge.

The date for showing cause is extended to January 22, 1934.

December 14, 1933.

R. F. DIAS,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Kamatchy Ammal, deceased, of Lalgudi, Taluk, Trichinopoly District, South India. No. 5,212.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on December 18, 1933, in the presence of Messrs. Liesching & Lee, Proctors, on the part of the petitioner, Ana Pona Shina Thana Ponnambalam Pillai; and the affidavit of the said petitioner dated November 16, 1933, and his petition and the order of the Supreme Court dated November 9, 1933, having been read:

It is ordered that the petitioner as a close relative of the deceased in Ceylon, be and the same is hereby declared entitled to have letters of administration to the estate of

the deceased above named issued to him accordingly, unless the respondents—(1) Sellammal, (2) Ananda Ammal, both of Erin estate, Galaha, and (3) Mawanna Thona Weerappa Pillai of No. 90, Sea street, Colombo, the 1st and 2nd by their guardian *ad litem* the 3rd respondent shall, on or before January 29, 1934, show sufficient cause to the satisfaction of this court to the contrary.

December 18, 1933.

R. F. DIAS,
District Judge.

In the District Court of Nuwara Eliya holden at Hatton.
Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Jayasundara Mudiyansele Heen Mudi-
No. 180. yanse of Tispone, deceased, of Sangili-
palama in Kotmale district, Tispone
korale.

THIS matter coming on for disposal before R. Aluvihare, Esq., District Judge of Nuwara Eliya holden at Hatton, on November 28, 1933, in the presence of Mr. Anthony J. M. de Silva, Proctor, on the part of the petitioner; and the affidavit of Jayasundara Mudiyansele Banda dated June 30, 1933, having been read:

It is ordered that the petitioner be and he is hereby declared entitled to have letters of administration to the estate of the above-named deceased issued to him, unless the respondents—(1) Nawaratna Mudiyansele Dingiri Menika, (2) Jayasundara Mudiyansele Kiri Banda, (3) Jayasundara Mudiyansele Appuhamy, (4) Jayasundara Mudiyansele Ukku Banda, and (5) Jayasundara Mudiyansele Kalu Banda—shall, on or before January 9, 1933, show sufficient cause to the satisfaction of this court to the contrary.

November 28, 1933.

R. ALUVIHARE,
District Judge.

The date for showing cause is extended to January 23, 1934.

January 9, 1934.

R. ALUVIHARE,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
No. 7,521. late Arnolis de Silva Jayawickrama of
Beranagoda in Yakkalamulla, deceased.
Arnolia Suriya Aratchi of Beranagoda in Yakkala-
mulla Petitioner.

Vs.

(1) Wersiana Jayawickrama of Yatalamatta, (2) Somadara de Silva Jayawickrama, c/o The Vidane Aratchy of Beraleliya in Weligama, (3) Misilin Ellen Jayawickrama, (4) Persiana Ellen Jayawickrama, both of Beranagoda, (5) Robert de Silva Jayawickrama of Kottawa Respondents.

THIS matter coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on June 26, 1933, in the presence of Mr. F. A. de S. Wijeratna, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated June 20, 1933, having been read:

It is ordered that the above-named 5th respondent be appointed guardian *ad litem* over the said 3rd and 4th respondents, unless the said respondents shall, on or before August 22, 1933, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner, as widow of the deceased above named, is entitled to letters of administration issued to her accordingly, unless the respondents above named shall, on or before August 22, 1933, show sufficient cause to the satisfaction of this court to the contrary.

June 26, 1933.

T. W. ROBERTS,
District Judge.

The date for showing cause is extended to November 10, 1933.

T. W. ROBERTS,
District Judge.

The date for showing cause is extended to December 5, 1933.

T. W. ROBERTS,
District Judge.

The date for showing cause is extended to January 26, 1934.

A. D. JAYASUNDERA,
Acting District Judge.

In the District Court of Galle.

No. 7,533. In the Matter of the Intestate Estate of
Miss Weerasekera Hamine, deceased, of
Vilegoda in Ambalangoda.

Peduru Hewa Charlotte de Silva of Vilegoda in
Ambalangoda Petitioner.

Vs.

(1) Peduru Hewa Antonis de Silva, (2) Peduru Hewa Subasena, (3) Peduru Hewa Jayasena, all of Vilegoda in Ambalangoda Respondents.

THIS action coming on for disposal before T. W. Roberts, Esq., District Judge of Galle, on September 1, 1933, in the presence of Mr. Sam E. Wijesuriya, Proctor, on the part of the aforesaid petitioner; and the affidavit of the said petitioner dated August 30, 1933, having been read:

It is ordered that the said 1st respondent be appointed guardian *ad litem* over 2nd and 3rd minor respondents, unless the aforesaid respondents shall, on or before October 30, 1933, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered and declared that the said petitioner, as the eldest child of the deceased above mentioned, is entitled to have letters of administratrix issued to her accordingly, unless the respondents above named shall, on or before October 30, 1933, show sufficient cause to the satisfaction of this court to the contrary.

September 1, 1933. T. W. ROBERTS,
District Judge.

Extended by order of court until December 4, 1933.

October 30, 1933.

T. W. ROBERTS,
District Judge.

Extended by order of court until January 22, 1934.

December 4, 1933.

A. D. JAYASUNDERA,
Acting District Judge.

In the District Court of Matara.

No. 3,813. In the Matter of the Intestate Estate of
Malawara-aratchige Don Abraham Vel-
Vidane, late of Meepawita.

Don Charlis Malawara Aratchi of Meepawita . . . Petitioner.

Vs.

(1) Don Cornelis Malawara-aratchi Appuhamy of Koramburuwana, (2) Rev. Pannaransi of Dodampahala temple, (3) Don Andreas Malawara-aratchi of Meepawita, (4) Malawara-aratchige Dingihamy of Denagama Respondents.

THIS action coming on for disposal before C. J. S. Pritchett, Esq., District Judge of Matara, on September 14, 1933, in the presence of Mr. A. E. Buultjens, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated August 16, 1933, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled as brother of the said deceased, to administer the said estate and that letters of administration do issue to him accordingly, unless the respondents above named or any persons interested shall, on or before November 13, 1933, show sufficient cause to the satisfaction of the court to the contrary.

September 14, 1933. C. J. S. PRITCHETT,
District Judge.

The above *Order Nisi* is extended for February 15, 1934.

G. P. KEUNEMAN,
District Judge.

In the District Court of Tangalla.

D. C. In the Matter of the Intestate Estate of
Testamentary Don Gimara Atapattu Hamine, late of
Case Nakulugamuwa, deceased.
No. 1,192.

Don William Wickremeratne of Nakulugamuwa. Petitioner,
Vs.

(1) Don James Wickremeratne of Nakulugamuwa, (2) Don Hendrick Wickremeratne of Nakulugamuwa, (3) Dona Milina Wickremeratne of Nakulugamuwa, wife of (4) Don Charles Dharmadasa Wijesinghe, both of Getamanna, (5) Don Andrayas Wickremeratne of Nakulugamuwa, (6) Don Samuel Wickremeratne of Nakulugamuwa, (7) Don Emaliya Wickremeratne of Nakulugamuwa Respondents.

THIS matter coming on for final disposal before L. G. Poulier, Esq., District Judge of Tangalla, on August 8, 1933,

in the presence of Mr. H. D. Ratnatunga, on the part of the petitioner above named; and the affidavit of the above-named petitioner dated July 3, 1933, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son of the deceased, to have probate of the said estate issued to him, unless any person or persons interested shall, on or before October 19, 1933, show sufficient cause to the contrary.

August 8, 1933.

This *Order Nisi* is extended for November 23, 1933.

October 19, 1933.

This *Order Nisi* is extended for December 20, 1933.

November 23, 1933.

This *Order Nisi* is extended for January 25, 1934.

December 20, 1933.

W. HOLMES,
District Judge.

W. HOLMES,
District Judge.

W. HOLMES,
District Judge.

W. HOLMES,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late Sinniah Nadarajah of Colombugam,
No. 8,451. deceased.

Sanmugam Appakkuddy Vettivelu of Colomba-
gam Petitioner.

Vs.

(1) Nadarajah Sivapakkiam, (2) Nadarajah Kumara-
swamy, (3) Nadarajah Jeayretnam, and (4) Nadarajah
Annalakshmi, widow of the late Sinniah Nadarajah,
all of Colombugam Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on December 1, 1933, in the presence of Mr. Sanmugam Appakkuddy Nalliah, Proctor, for petitioner; and the affidavit of the petitioner dated November 12, 1933, having been read:

It is ordered that the petitioner be declared entitled to take out letters of administration to the estate of the above-named deceased, as his brother-in-law, and that such letters be issued to him, unless the respondents above named or any others shall, on or before January 26, 1933, show sufficient cause to the satisfaction of this court to the contrary.

December 15, 1933.

C. COOMARASWAMY,
District Judge.

In the District Court of Puttalam.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late Ana Rawanna Mana Moona Subra-
No. 699. maniam Chettiar of Kalal in Ramnad
District, South India, and of Puttalam,
deceased.

Pana Lana Soona Pana Navenna Natchiappa Chettiar
of Puttalam Petitioner.

And

Meenatchi Achchy of Kalal in Ramnad District in
South India, widow of the deceased above
named Respondent.

THIS matter coming on for disposal before A. R. HALLOCK,
Esq., Additional District Judge of Puttalam, on September
28, 1933; and the affidavit of the petitioner above named
dated September 12, 1933, and petition dated September
28, 1933, having been duly read:

It is ordered that the petitioner above named, be and
he is hereby appointed administrator of the estate of the
deceased above named, and that letters of administration
be issued to him accordingly, unless the respondent above
named or any other person or persons interested shall,
on or before October 25, 1933, show sufficient cause to the
satisfaction of this court to the contrary.

September 28, 1933.

A. R. HALLOCK,
Additional District Judge.

Time extended to November 29, 1933.

October 25, 1933.

Time extended to January 22, 1934.

November 29, 1933.