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PART II.—LEGAL.

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

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B 1

PASSED ORDINANCES.

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

No. 23 of 1933.

An Ordinance to amend Ordinance No. 9 of 1872, entitled "An Ordinance to empower Commissioners, appointed by the Governor to inquire into any matter referred to them for inquiry, to hear evidence thereon."

F. G. TYRRELL.

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 Commissions of Inquiry Ordinance, No. 23 of 1933".

Insertion of new section 5 in Ordinance No. 9 of 1872.

2 At the end of Ordinance No. 9 of 1872, entitled "An Ordinance to empower Commissioners, appointed by the Governor to inquire into any matter referred to them for inquiry, to hear evidence thereon," the following new section 5 is added :—

Persons affected by inquiries may be represented by advocates or proctors.

5 Any person whose conduct is the subject of inquiry under this Ordinance, or who is in any way implicated or concerned in the matter under inquiry, shall be entitled to be represented by one or more advocates or proctors at the whole of the inquiry, and any other person who may consider it desirable that he should be so represented may, by leave of the Commissioners, be represented in the manner aforesaid.

Passed in Council the Thirty-first day of October, One thousand Nine hundred and Thirty-three.

E. W. KANNANGARA,
Clerk to the Council.

Assented to by His Excellency the Officer Administering the Government the Fourteenth day of November, One thousand Nine hundred and Thirty-three.

C. C. WOOLLEY,
Secretary to the Officer Administering
the Government.

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

No. 24 of 1933.

An Ordinance to amend the Prevention of Crimes Ordinance, No. 2 of 1926.

F. G. TYRRELL.

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 Prevention of Crimes Amendment Ordinance, No. 24 of 1933.

Amendment of section 18 of the principal Ordinance.

2 Section 18 of The Prevention of Crimes Ordinance, No. 2 of 1926, is amended as follows :—

(a) The section is renumbered as section 18 sub-section (1), by the insertion of the figure "(1)" at the beginning ;

(b) At the end of the said sub-section (1) the following is added :—

"And on such revocation the person whose licence is so revoked may, if at large, be arrested by any peace officer without a warrant and committed by any Police Magistrate to undergo the term of imprisonment or preventive detention to which he shall be liable under section 19 by reason of such revocation."

(c) After the said sub-section (1) the following new sub-section (2) is added :—

“(2) Whenever by virtue of sub-section (1) a Police Magistrate commits a person to undergo a term of imprisonment or preventive detention, such Police Magistrate shall forthwith report such committal to the Police Magistrate by whom such person was convicted of the offence under section 16 that led to the revocation of his licence.”

Passed in Council the Thirty-first day of October, One thousand Nine hundred and Thirty-three.

E. W. KANNANGARA,
Clerk to the Council.

Assented to by His Excellency the Officer Administering the Government the Fourteenth day of November, One thousand Nine hundred and Thirty-three.

C. C. WOOLLEY,
Secretary to the Officer Administering
the Government.

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

No. 31 of 1933.

AL 55/33

An Ordinance to amend the Land Settlement Ordinance, 1931.

F. G. TYRRELL.

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

1 This Ordinance may be cited as the Land Settlement Ordinance, No. 31 of 1933. Short title.

2 Section 11 of the Land Settlement Ordinance, 1931, is amended by the deletion of sub-section (1) (a) and the substitution of the following therefor :— Amendment of section 11 of the principal Ordinance.

“(a) The Deputy Chief Secretary or an officer selected from Class I of the Ceylon Civil Service ; and ”

Passed in Council the Fifteenth day of November, One thousand Nine hundred and Thirty-three.

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Officer Administering the Government the First day of December, One thousand Nine hundred and Thirty-three.

C. C. WOOLLEY,
Secretary to the Officer Administering
the Government.

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

No. 32 of 1933.

AL 73/32

An Ordinance to amend The Informers' Reward Ordinance, No. 1 of 1914.

F. G. TYRRELL.

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

1 This Ordinance may be cited as the Informers' Reward (Amendment) Ordinance, No. 32 of 1933. Short title.

Amendment of section 2A of the principal Ordinance.

2 Section 2A of the Informers' Reward Ordinance, No. 1 of 1914, is amended by the insertion of the words "or the Assistant Government Agent" between the word "Agent" and the word "shall" in line 3.

Passed in Council the Fifteenth day of November, One thousand Nine hundred and Thirty-three.

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Officer Administering the Government the First day of December, One thousand Nine hundred and Thirty-three.

C. C. WOOLLEY,
Secretary to the Officer Administering the Government.

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

No 33 of 1933.

B 506

An Ordinance to amend the Municipal Councils Ordinance, 1910.

F. G. TYRRELL.

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 Municipal Councils Amendment Ordinance, No. 33 of 1933.

Amendment of section 115 of the principal Ordinance.

2 Section 115 (1) of the Municipal Councils Ordinance, 1910, is amended by inserting the words "provided that all houses, buildings, lands or tenements which are situated within an area not benefited by the conservancy service provided by the Council shall be exempt from any portion of such rate or rates that is declared by a resolution of the Council to be levied for the purpose of providing such service;" between the word "rates" at the end of line 16 and the word "and" at the beginning of line 17.

Passed in Council the Fifteenth day of November, One thousand Nine hundred and Thirty-three.

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Officer Administering the Government the First day of December, One thousand Nine hundred and Thirty-three.

C. C. WOOLLEY,
Secretary to the Officer Administering the Government.

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to continue the temporary increase in the export duty on tea made by the Tea Cess (Temporary Increase) Ordinance, 1930.

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 Tea Cess (Temporary Increase Continuation) Ordinance, No. of 1933.

Section 3 of the Tea Cess (Temporary Increase) Ordinance 1930 to be in force until 31st December, 1934.

2 The provisions of section 3 of the Tea Cess (Temporary Increase) Ordinance 1930 shall continue in force until the 31st day of December 1934, and accordingly section 2 of the said Ordinance shall be construed as if the figure "1934" were substituted for the figure "1933" occurring therein.

Objects and Reasons.

In order to provide an annual income for The Tea Research Institute of Ceylon section 11 of the Tea Research Ordinance, 1925, authorised an addition of 10 cents per 100 lbs. to the export duty on tea. In 1930 it was found that the income from this cess and from the Institute's estate was insufficient, after meeting the loan charges on the loan of Rs. 1,000,000 from Government, to provide the necessary facilities for the conduct of the scientific investigations for which the Institute was founded. By the Tea Cess (Temporary Increase) Ordinance, 1930, the cess was accordingly increased, for a period of three years from 1st January 1931, to 14 cents per 100 lbs. of tea exported.

2. It was hoped at that time that at the expiration of this period of three years the income from the cess at the original rate of 10 cents per 100 lbs. and from the Institute's estate would suffice to cover the annually recurrent expenditure of the Institute, and that it would not be necessary to continue the enhanced cess of 14 cents per 100 lbs. beyond 31st December 1933. This expectation has unfortunately not been realised, owing to the fall in tea prices, which has affected the Institute's income from its estate, and owing to the introduction by international agreement of a measure of regulation and control of the export of tea under the Tea (Control of Export) Ordinance, No. 11 of 1933; the estimated loss of income arising from a 15 per cent. restriction under that Ordinance being Rs. 50,000.

3. The Board of the Tea Research Institute has therefore applied to the Minister and Executive Committee for Agriculture and Lands for the continuance of the cess at the existing rate of 14 cents per 100 lbs. and the Executive Committee has concurred in the maintenance of the cess at this rate for a further period of one year. This Bill seeks to give effect to the Executive Committee's decision.

General Treasury,
Colombo, December 4, 1933.

W. W. WOODS,
Financial Secretary.

MINUTE.

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

613/1 (S.B.)

An Ordinance to amend The Stamp Ordinance, 1909.

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

1 This Ordinance may be cited as The Stamp Amendment Ordinance, No. of 1933. Short title.

2 Chapter IX. of the Stamp Ordinance, 1909, (hereinafter referred to as "the principal Ordinance") is renumbered Chapter X. and sections 84, 85, 86, 87, 88, 89 and 90 thereof are renumbered 85, 86, 87, 88, 89, 90 and 91 respectively. Renumbering Chapter IX. and sections 84 to 90 of the principal Ordinance.

3 The following is inserted between Chapter VIII. and renumbered Chapter X. as new Chapter IX. :— Insertion of new Chapter IX. in the principal Ordinance.

CHAPTER IX.

Composition for certain Stamp Duties.

84 (1) Where any person issuing policies of insurance against accident shall in the opinion of the Commissioner of Stamps so carry on the business of such insurance as to render it impracticable or inexpedient to require that the duty specified in Part I. of Schedule B be charged and paid upon any of such policies, the Commissioner of Stamps may enter into an agreement with that person for the delivery to him of half-yearly accounts of all sums received in respect of premiums on the said last mentioned policies of insurance against accident.

(2) The agreement shall be in such form and shall contain such terms and conditions as the Commissioner of Stamps may think proper, and the person with whom the agreement is entered into shall observe the following rules besides :

- (a) Every account shall be made in such form and contain such particulars as the Commissioner of Stamps shall require, and shall be verified by affidavit.
- (b) Every account shall be a full and true account of all unstamped policies of insurance against accident issued during the half-year ending on the half-yearly day next proceeding the delivery thereof, and of all sums of money received for or in respect of such policies so issued during that half-year, and of all sums of money received and not already accounted for in respect of any other unstamped policies of insurance against accident issued at any time before the commencement of that half-year.
- (c) Accounts shall be delivered to the Commissioner of Stamps within twenty-one days after the first day of January and the first day of July.
- (d) The duty shall be paid upon the delivery of the account.

(3) After an agreement has been entered into between the Commissioner of Stamps and any person and during the period for which the agreement is in force, no policy of insurance against accident issued by that person and provided for in the agreement shall be chargeable with any duty, but in lieu of and by way of composition for that duty there shall be charged on the aggregate amount of all sums received in respect of premiums on such policies of insurance against accident a duty at the rate of five rupees per centum as a stamp duty.

(4) In the case of wilful neglect to deliver such an account as is hereby required or to pay the duty in conformity with this section, the person shall be further liable to pay as penalty a sum equal to ten rupees per centum upon the amount of duty payable, and a like penalty for every month after the first month during which the neglect continues.

(5) The duty and penalty required to be paid under this section may be recovered as if they were required to be paid under Chapter IV.

Objects and Reasons.

Every policy of insurance against accident has at present to be stamped separately under item 41 of Schedule B of the Stamp Ordinance, 1909. This method of recovering stamp duty is neither practicable nor expedient in certain methods of such insurance which it is undesirable to prevent. This amendment therefore provides a method for calculating and collecting stamp duty on half-yearly returns (to be supplied by the insurer) of policies issued during that period. The amendment is framed on the lines of the English Law in this matter.

The Treasury,
Colombo, November 23, 1933.

W. W. WOODS,
Financial Secretary.

MINUTE.

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

B 886

An Ordinance to amend the Gas Ordinance, 1869.

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 Gas (Amendment) Ordinance, No. of 1933.

Amendment of section 4A of the principal Ordinance.

2 Section 4A of the Gas Ordinance, 1869, is amended by the addition of the following new sub-section (3) at the end :—

“(3) Notwithstanding the failure to provide under the preceding sub-sections the requisite authorizations and declarations in respect of (a) the area under the Sanitary Board of Colombo District which was within the limits of the town of Dehiwala-Mount Lavinia and (b) the area now within the jurisdiction of the Urban District Council of Dehiwala-Mount Lavinia, all matters and things which such

Sanitary Board or such Urban District Council or the Chairman of such Board or Council or the Colombo Gas and Water Company Limited has heretofore done or omitted to do within such areas shall, to the extent to which such acts or omissions might have been previously authorized or declared under the said sub-sections, be deemed for all purposes and in all respects to have been lawfully done or omitted as the case may be.

Objects and Reasons.

Under the Gas Ordinance, 1869, it was possible to confer only on municipal towns the powers necessary for the supply of gas. The Gas Ordinance, No. 15 of 1926, made it possible by proclamation to extend such powers to areas outside municipal towns and to enable certain other local authorities also to enter into the contracts necessary for the supply of gas within their respective jurisdictions. In 1929 accordingly, the Urban District Council of Dehiwala-Mount Lavinia entered into a contract with the Colombo Gas and Water Company Limited in supposed pursuance of its powers under the Ordinance of 1926. It is now clear, however, that there is no legal authority for this contract and for everything done in consequence of it, because no proclamation has been published providing in the manner contemplated by the 1926 Ordinance the necessary authorizations and declarations in respect of the area within that Urban District Council's jurisdiction.

2. The purpose of this Bill is to validate all things done or omitted in supposed pursuance of such a proclamation, provided they would have been lawful if a proclamation had been published in time.

CHAS. BATUWANTUDAWA,
Minister for Local Administration.

Colombo, November 28, 1933.

MINUTE.

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

A 173/32

**An Ordinance to amend the Partition Ordinance,
No. 10 of 1863.**

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

- | | |
|---|--------------------------------|
| <p>1 This Ordinance may be cited as "The Partition Ordinance No. of 1934," and shall come into operation on a day to be fixed by the Governor by proclamation in the Government Gazette.</p> | <p>Short title.</p> |
| <p>2 Section 1 of the principal Ordinance is hereby amended by the deletion of the words "tutor, curator," and the substitution therefor of the words "curator, manager of the estate, executor, administrator".</p> | <p>Amendment of section 1.</p> |
| <p>3 Section 2 of the principal Ordinance is hereby amended by the deletion of the words "any court of competent jurisdiction" and substituting therefor the words "a court of competent jurisdiction within the local limits of which the land sought to be partitioned is situated in whole or in part"; and by the deletion of the words "co-owners and mortgagees" and the substituting therefor of the words "persons claiming to be owners, mortgagees, lessees, or to be entitled to any servitude, easement or any other interest".</p> | <p>Amendment of section 2.</p> |
| <p>4 Section 3 of the principal Ordinance is hereby amended by the addition of the following paragraphs at the end thereof :</p> | <p>Amendment of section 3.</p> |
| <p>"The court may before issuing summons issue a commission to a competent surveyor authorising him to enter upon and survey the land sought to be partitioned and to make a plan thereof. Upon such commission the surveyor shall proceed to the land after due notice as hereinafter provided and survey it and make his return to the court with the plan annexed, giving full particulars relating to the plantations, improvements and physical and other features together with the full names and residences of all persons who reside on the land or who notify any claims to the plantations or improvements on the land or who claim any portion thereof or interest in the same.</p> | <p>"Commission to survey.</p> |

- " Notice of survey.
- The surveyor shall twenty-one days before making the survey send by registered post or deliver by messenger a written notice to the parties to the action informing them of the date on which he proposes to survey and shall affix copies of such notice on some conspicuous portion or portions of the land. He shall also cause such notice to be published in the village or place where the land is situated by beat of tom-tom and in any other manner the court may direct in order to give the widest publicity thereto.
- " Proceedings on return.
- On such return being made as aforesaid the court shall issue summons on the parties originally made defendants as well as on the persons disclosed in the return who shall be added as defendants to the action.
- " Notice when no survey ordered.
- Where no order for a preliminary survey shall have been made the court shall take steps to cause notice to be given of the institution of the action by beat of tom-tom in the village or place where the land is situated and in such manner as it may direct.
- " Concise statements.
- In all cases it shall be sufficient if a concise statement of the plaint is annexed to the summons."
- Amendment of section 4.
- 5 Section 4 of the principal Ordinance is hereby amended by the addition of the following sentence to its last paragraph :
- " The court may also decree the partition or sale of only a portion of the property and direct that the remainder be either sold or partitioned or held in common." ;
- and the addition thereto of the following new paragraph :
- " Provided further that it shall be competent to the court to set aside a decree entered by it for a partition of the land and to direct a sale of the whole land or of a portion thereof in any case where it considers a partition to be impossible or inexpedient."
- Amendment of section 6.
- 6 Section 6 of the principal Ordinance is hereby amended by the addition of the following sentence to the end thereof :
- " It shall be lawful for the court to issue a writ to place the parties who have been allotted portions in severalty in possession of such portions, according to the rules of Civil Procedure in force at the time."
- Amendment of section 8.
- 7 Section 8 of the principal Ordinance is hereby amended by adding the words " either in one block or in lots." at the end of its first paragraph ; by deleting the words " or other charges or incumbrances " occurring in the third paragraph thereof ; by deleting the words " charge or incumbrance " occurring in its fourth paragraph ; and by the addition of the following further proviso at the end thereof :
- " Provided however it shall be competent to the court to issue a writ to place the purchaser at the sale in possession of the land or portion of land purchased by him, according to the rules of Civil Procedure in force at the time."
- Amendment of section 9.
- 8 Section 9 of the principal Ordinance is hereby amended by the addition of the following further proviso :
- " Provided further that any party who is allotted by such decree any share or interest to which he is not entitled shall be deemed to hold such share or interest or any portion in severalty allotted to him in lieu of such share or interest, in trust for the person rightly entitled thereto. But nothing herein contained shall affect the title of any *bona fide* purchaser for value from the party who has been allotted such share or interest as aforesaid."
- New section 10A.
- 9 The following new section shall be added after section 10 of the principal Ordinance and numbered 10A :
- " Costs.
- 10A In all actions, whether contested or not, the plaintiff will be entitled to the costs incurred by him in the preparation and service of concise statements of the plaint, and the plaintiff or any other party will be entitled to the costs incurred in summoning or noticing parties, preparing concise statements, and on account of fees paid to surveyors in surveying or partitioning the land. Such costs shall be borne *pro rata* by the parties to the action according to their respective shares or interests and shall be taxed as provided for in Schedule A appended hereto.
- In the event of a contest the court may allow costs to the successful party and such costs shall be taxed according to the scale provided in the said Schedule A, and the class of costs shall be determined according to the value of the share or interest in dispute."

10 Section 12 of the principal Ordinance is hereby amended by the interpolation of the word "whole" between the words "the" and "land" in the first paragraph thereof; by the deletion of the words "or sale" in the second line of the second paragraph thereof: and by the addition of the following at the end of the last paragraph thereof:

Amendment
of section 12.

"And in the event of a sale the right of a mortgagee of an undivided share or interest shall be limited to the share of the proceeds of sale to which his mortgagor or his successor in title will become entitled under the decree.

Provided further that where in a decree compensation has been ordered to be paid by a party such compensation shall be a first charge on the portion allotted to such person, and in the event of a sale, on the proportional share of such party in the proceeds of sale. The court may also order that *pro rata* costs payable by a party shall be a first charge on the share allotted to such party."

11 Section 17 of the principal Ordinance is hereby amended by the addition of the following sentence to the end thereof:

Amendment
of section 17.

"In like manner the sale (in execution) of a share or interest in execution of a decree of court shall be void and ineffectual to pass title to the purchaser. Provided however that the person whose interest has been alienated, hypothecated or sold in execution as aforesaid and who has been allotted such share or interest by the decree shall be deemed to be a trustee for and make good to the alienee, mortgagee or purchaser the share or interest so allotted to him to the extent of the interest alienated, hypothecated or sold without prejudice to the rights of any person who has *bona fide* acquired such share or interest so allotted. Provided further that the prohibition hereby created shall not apply to a devise or bequest made by a Last Will or Testament."

12 Section 19 of the principal Ordinance is hereby amended by the addition of the following sentence at the end thereof:

Amendment
of section 19.

"Provided however that defendants who have not appeared or have not participated in the trial or contest shall be entitled only to notice of such appeal, and no security need be deposited on their behalf as security for costs in appeal."

13 Section 6 of Ordinance No. 10 of 1897 is hereby repealed.

Repeal of
section 6 of
Ordinance 10
of 1897.

SCHEDULE A.

Rules regarding Costs in Partition Cases.

1. A proctor shall be entitled to charge:

	Rs.	c.
For preparing a commission to a surveyor or auctioneer	1	50
For filing same in court	1	0
For preparing concise statements—		
For first copy	1	0
For subsequent copy or translation .. .	0	10
(Charge for concise statements not to exceed ten rupees.)		
For each summons or notice to parties—		
First copy	1	0
Every other copy and translation .. .	0	10
(Charge for summonses or notices not to exceed ten rupees.)		

2. Fees and charges payable to proctors shall be as follows:

Where the share or interest in dispute—		
	does not exceed Rs. 300	.. 20 0
Exceeds Rs. 300 and does not exceed Rs. 1,000	..	40 0
" Rs. 1,000	Rs. 5,000	.. 50 0
" Rs. 5,000	Rs. 10,000	.. 75 0
" Rs. 10,000	Rs. 25,000	.. 100 0

3. Fees payable to advocates shall be as follows:

Retainers.

Where share or interest in dispute—		
	does not exceed Rs. 300	.. 10 50
Exceeds Rs. 300 and does not exceed Rs. 5,000	..	21 0
" Rs. 5,000	31 50

Brief Fees.

Where share or interest in dispute—		
	does not exceed Rs. 300	.. 10 50
Exceeds Rs. 300 and does not exceed Rs. 5,000	..	21 0
" Rs. 5,000	Rs. 10,000	.. 31 50
" Rs. 10,000	52 50

4. The fee for one junior advocate may be allowed in cases of over Rs. 5,000 in value, at half the senior's fees.

5. Where trial is postponed no further fee shall be chargeable on account of advocates except by special order of court fixing the amount.

6. Where the subject matter in dispute exceeds the amounts shown in this schedule and where a case is of a special nature involving unusual amount of work the court may allow by special order fees in excess of those appearing in this schedule, but in no case shall these special fees exceed double the ordinary fee.

7. Batta to witnesses may be paid according to the usual rates but in no case will a party be allowed batta for more than five witnesses.

8. Fees shall be paid to surveyors according to the following scale, subject to increase in special cases by order of court :

Surveying, making plan and return, including report :

Where land is not over 2 acres .. Rs. 25

Over 2 acres but not over 5 acres, an additional charge of Rs. 5 for every acre in excess of two.

Over 5 acres but not over 10, additional charge of Rs. 2.50 for each acre in excess of 5.

Over 10 acres an additional charge of Re. 1.25 for each acre in excess of 10.

Mileage at the rate of 35 cents per return mile.

For attending court to give evidence the ordinary rates for the court may be allowed.

9. The commission payable to an auctioneer by the purchaser at sales carried out by him shall be :

Where amount realized does not exceed Rs. 2,500 .. 3 per cent.

Exceeds Rs. 2,500 but .. ,, Rs. 5,000 an additional 2 per cent. on excess ;

Exceeds Rs. 5,000 but not Rs. 50,000 an additional 1 per cent. on excess ;

Exceeding this amount an additional $\frac{1}{2}$ per cent. on excess.

10. An auctioneer shall not be entitled to any other charge except the cost of advertising, the mode and cost of which should have had prior approval of court.

Statement of Object and Reasons.

In the year 1918 Sir Alexander Wood Renton C.J. observed that "the question of costs in partition proceedings deserves the serious and early attention of the legislature." In the same case Sir Thomas de Sampayo said : "In my opinion this matter of costs in partition cases is wholly discreditable to the administration of justice and I entirely associate myself with the observations of the Chief Justice as to the necessity of speedy legislation to remedy this intolerable evil."

All attempts to remedy this state of things have failed owing to the ambition of legislators to produce the perfect Ordinance. In the meantime the public continue to be scandalised by unconscionable bills of costs presented by unscrupulous proctors.

The amendments proposed in this Bill seek to bring about uniformity in all courts and to keep the size of bills of costs within reasonable limits.

Advantage has been taken of the opportunity for introducing some minor amendments which judges and practitioners alike have long felt the need for.

Colombo, November 30, 1933.

G. K. W. PERERA.

MINUTE.

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

AL 233/33

An Ordinance to amend the Tea (Control of Export) Ordinance, No. 11 of 1933.

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 Tea (Control of Export) Amendment Ordinance, No. of 1933.

2 Section three of the Tea (Control of Export) Ordinance, No. 11 of 1933, is hereby amended by the substitution of the words "may, after considering the recommendation of the Executive Committee, appoint" for the words "may appoint" in the first line thereof.

Amendment of
section 3 of
Ordinance
No. 11 of 1933.

Objects and Reasons.

The object of this Bill is to secure to the Executive Committee of Agriculture and Lands a statutory right to make recommendations to the Governor in regard to appointments in the department of the Tea Export Controller.

D. S. SENANAYAKE,
Minister for Agriculture and Lands.

Colombo, December 6, 1933.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 4,673. In the matter of the insolvency of V. M. O. Madar Mohideen of Baseline road, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 16, 1934, for the grant of a certificate of conformity to the insolvent.

By order of court, S. W. DE SILVA,
November 29, 1933. for Secretary.

In the District Court of Colombo.

No. 4,681. In the matter of the insolvency of Francis Xavier Silva of 24/177, Grandpass road, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 16, 1934, for the grant of a certificate of conformity to the insolvent.

By order of court, S. W. DE SILVA,
November 30, 1933. for Secretary.

In the District Court of Colombo.

No. 4,686. In the matter of the insolvency of W. D. Boteju of Alexandra place, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 23, 1934, for the grant of a certificate of conformity to the insolvent.

By order of court, S. W. DE SILVA,
November 29, 1933. for Secretary.

In the District Court of Colombo.

No. 4,713. In the matter of the insolvency of C. C. C. L. Perera of Koswatta in Talangama.

WHEREAS the above-named C. C. C. L. Perera has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by A. D. A. Perera of St. Lucia's street, Kotahena, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said C. C. C. L. Perera insolvent accordingly; and that two public sittings of the court, to wit, on December 19, 1933, and on January 16, 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, K. RATNASINGHAM,
November 30, 1933. Secretary.

In the District Court of Kandy.

No. 1,971. In the matter of the insolvency of Doresamy Dharmaraja and Thukuwawaduge James, trading in partnership under the name, style, and firm of James & Raja, Auto Suppliers at 47-49, Trincomalee street, Matale.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvents will take place at the sitting of this court on December 15, 1933, to consider the granting of a certificate of conformity to the above-named insolvents.

By order of court, T. J. M. FERNANDO,
November 29, 1933. Acting Secretary.

In the District Court of Kandy.

No. 1,978. In the matter of the insolvency of Lewle Henagamage Nanduwa of Levella in Halloluwa road in Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on December 15, 1933, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, T. J. M. FERNANDO,
November 18, 1933. Acting Secretary.

In the District Court of Kandy.

No. 2,019. In the matter of the insolvency of Awanna Neena Ana Ahamado Salih of Kadugannawa.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 12, 1934, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, T. J. M. FERNANDO,
November 29, 1933. Acting Secretary.

In the District Court of Nuwara Eliya.

No. 22. In the matter of the insolvency of A. M. Mohideen Pitchai of Niyangandora, Pundaluoya.

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 December 15, 1933, for the appointment of a fresh assignee.

By order of court, E. DE S. GUNAWARDENA,
December 1, 1933. Secretary.

In the District Court of Galle.

No. 679. In the matter of the insolvency of Abraham Perera Jayawardene of Galle.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on December 21, 1933, for assignee's report.

By order of court, P. E. S. DHARMASEKHARA,
December 2, 1933. Secretary.

In the District Court of Galle.

No. 687. In the matter of the insolvency of Kalupahanage Balahamy Fernando of Sri Chandrawasa, 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 January 12, 1934, for appointment of an assignee.

By order of court, P. E. S. DHARMASEKHARA,
November 29, 1933. Secretary.

In the District Court of Matara.

No. 99. In the matter of the insolvency of Omer Saibu Abdul Caffoor of Kadeweediya in Matara.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 18, 1934, for examination of the above-named insolvent.

By order of court, R. MALALGODA,
November 24, 1933. Secretary.

In the District Court of Matara.

No. 100. In the matter of the insolvency of Mohamed Aboobucker Mahomed Sharifudeen of Kotuwegoda, Matara.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 18, 1934, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, R. MALALGODA,
November 17, 1933. Secretary.

In the District Court of Badulla.

No. 15. In the matter of the insolvency of M. A. S. Seiyadu Abbas of Bandarawela.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 24, 1934, to examine the insolvent.

By order of court, J. N. CULANTHAIVALU,
Secretary.

In the District Court of Badulla.

No. 16. In the matter of the insolvency of A. C. Wijekoon of Badulla.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 31, 1934, to consider the allowance of a certificate of conformity to the insolvent.

By order of court, J. N. CULANTHAIVALU,
Secretary.

In the District Court of Badulla.

No. 20. In the matter of the insolvency of Vettyappen Neelamegam of Badulla.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 24, 1934, to examine the insolvent.

By order of court, J. N. CULANTHAIVALU,
Secretary.

In the District Court of Badulla.

No. 21. In the matter of the insolvency of V. M. Muttusamy Chettiar of Passara.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 31, 1934, to examine the insolvent.

By order of court, J. N. CULANTHAIVALU,
Secretary.

In the District Court of Badulla.

No. 22. In the matter of the insolvency of O. L. M. Aboobakker and O. L. M. Abdul Rahiman, trading under the name, style, and firm of O. L. M. Aboobakker at Moneragala.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvents will take place at the sitting of this court on January 31, 1934, to examine the insolvents.

By order of court, J. N. CULANTHAIVALU,
Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

(1) Clifford Henry Figg, (2) Arthur Stanley Collett, both presently in England Plaintiffs.

No. 1,083G/52,566. Vs.

Ahamed Bin Ibrahim of Salonika, Bambalapitiya, and 101, Main street, Pettah, Colombo, executor appointed by the last will and testament of Hadji Ibrahim Bin Ahamed, late of Colombo, deceased Defendant.

NOTICE is hereby given that on Wednesday, January 10, 1934, will be sold by public auction at the respective premises the following property mortgaged with the

plaintiffs by bond No. 414 dated October 17, 1929, attested by C. M. G. de Saram of Colombo, 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 August 24, 1933, for the recovery of the sum of Rs. 107,908.31, together with further interest on Rs. 100,851.26 at 7 per cent. per annum from and including April 1, 1933, to the date of the said decree, June 30, 1933, and thereafter on the aggregate amount of the said decree at 9 per cent. per annum till payment in full and costs of suit, Rs. 2,685.73, less Rs. 5,000, viz. :-

1. At 1 p.m.—All that allotment of land with the buildings thereon formerly bearing assessment No. 11 and presently No. 13/11 (1-2), (now No. 331, Main street, and No. 2, St. John's road), situated in the Pettah of Colombo, within the Municipality and District of Colombo, Western Province; bounded on the north by the boutique bearing assessment No. 1, on the east by the boutique bearing assessment No. 12, on the south by the Kayman's gate junction road, and on the west by the Government reservation; containing in extent 64/100 of a perch according to the plan thereof dated October 5, 1889, made by C. Schwallie, Surveyor.

2. At 1.30 p.m.—All that allotment of land with the buildings standing thereon formerly bearing assessment No. 14, and presently No. 10/14 (now No. 337, Main street), situated in the Pettah aforesaid; bounded on the north by the boutique of Madena Marikar, on the east by the boutique bearing assessment No. 15, on the south by the Kayman's gate junction road, and on the west by the boutique bearing assessment No. 13; containing in extent 1 6/100 perches according to the plan thereof dated October 5, 1889, made by the said C. Schwallie.

3. At 2 p.m.—All that allotment of land with the buildings standing thereon formerly bearing assessment No. 15, Kayman's gate (now No. 339, Main street), and the back room No. 1, which now form one property presently bearing assessment No. 9/15, Kayman's gate, situated in the Pettah aforesaid; bounded on the north by the yard of Dr. J. B. Misso, on the east by the boutique bearing assessment No. 16 of Mrs. R. Kelaart, on the south by the Kayman's gate junction road, and on the west by boutique bearing assessment No. 14; containing in extent 1 84/100 perches according to the plan thereof dated October 5, 1889, made by the said C. Schwallie.

4. At 2.30 p.m.—All that allotment of land with the buildings standing thereon formerly bearing assessment No. 19, Kayman's gate (now No. 347, Main street) and the back room No. 5, which now form one property presently bearing assessment No. 5/19, Kayman's gate, situated in the Pettah aforesaid; bounded on the north by the yard said to belong to the estate of Dr. J. B. Misso, on the east by the boutique bearing assessment No. 20 of Mrs. Mortier and now of Tamby Notary, on the south by the Kayman's gate junction road, and on the west by the boutique bearing assessment No. 18 of Mrs. Mortier; containing in extent 1 84/100 perches according to the plan thereof dated October 5, 1889, made by the said C. Schwallie.

5. At 3 p.m.—All that allotment of land with the buildings standing thereon formerly bearing assessment No. 7 and presently assessment No. 11/13, Kayman's gate (now No. 335, Main street), situated in the Pettah aforesaid; and bounded on the north by the property of Madena Marikar, on the east by the shop No. 14, on the south by Kayman's gate road, and on the west by the shop No. 12; containing in extent 1 11/100 perches according to the plan thereof dated March 24, 1891, made by C. Henry J. Leembruggen, Surveyor.

6. At 3.30 p.m.—All that allotment of land with the buildings standing thereon formerly bearing assessment No. 16 and back room No. 8 thereon now bearing assessment No. 2/22, Kayman's gate (now No. 353, Main street), situated in the Pettah aforesaid; and bounded on the north by the yard belonging to the estate of the late Dr. J. B. Misso and by premises No. 23 of Mrs. W. H. Mortier, on the south by premises No. 23 of Mrs. W. H. Mortier and by foot way, and on the west by premises No. 21 of Mrs. W. H. Mortier; containing in extent 1 56/100 perches according to the plan thereof dated November 18, 1898, made by David Dewapuraratne, Licensed Surveyor.

7. At 4 p.m.—All that allotment of land with the buildings standing thereon formerly bearing assessment No. 434A/5 and presently No. 11, Maliban street (now No. 11, Maliban street), situated in the Pettah aforesaid; and bounded on the north by the properties of Mitcho but now by the property bearing assessment Nos. 22 and 23, belonging to Mr. Rode, on the east by the house and ground bearing assessment No. 6, Maliban street, on the south by Land street now known as Maliban street, and on the west by the property of Lucia Fernando but now by property bearing assessment No. 4, Maliban street

belonging to C. M. Bappu; containing in extent 3 78/100 perches according to the plan thereof No. 2,179 dated July 17, 1908, made by G. P. Weeraratne, Licensed Surveyor.

8. At 4.30 p.m.—All that allotment of land with the buildings standing thereon formerly bearing assessment No. 438/10 and presently No. 23, Maliban street (now No. 23, Maliban street), situated in the Pettah aforesaid; and bounded on the north by the house of Baba Appu, on the east by the house of Julian Silva, on the south by Maliban street, and on the west by the house of Louisa Perera; containing in extent 2 55/100 perches according to the plan thereof dated July 13, 1830, authenticated by Captain G. Schneider, Surveyor-General, together with all buildings to be thereafter erected on the said respective allotments of lands and all rights, ways, privileges, easements, servitudes, and appurtenances whatsoever to the said respective allotments of land, buildings, and premises belonging or in any wise appertaining or used or enjoyed therewith or reputed or known as part and parcel thereof and all the estate, right, title, interest, claim, and demand whatsoever of the said Hadjie Ibrahim Bin Ahamed in, to, out of, or upon the same respectively. Registered Colombo A 195/24 to 28,218/277 and A 219/68-69.

Fiscal's Office, C. J. S. PRITCHETT,
Colombo, December 6, 1933. Deputy Fiscal.

In the District Court of Colombo.

(1) William Murray of 24, Belgrave Terrace, Aberdeen, Scotland, (2) James Downie Stevenson of Dippitiya, Katugastota, and (3) James Malcolm Stevenson of New Castle, Matale, both as trustees of a certain indenture of settlement dated November 20, 1894, (4) Harriet Stapleton de Saram of Dickman's road, Bambalapitiya, widow, now deceased, (5) Maud de Saram of Kandy, widow, (6) Leslie William Fredrick de Saram of Colombo, (7) Isa Maud Sargent, wife of John Denys Sargent of McCarthy road, Colombo, presently in England Plaintiffs.

The Public Trustee of Ceylon as administrator of the estate of Harriet Stapleton de Saram, deceased Substituted Plaintiff.

No. 51,030. Vs.

(1) Charles Hubert Zaleski Fernando of Gaffoor building, Fort, Colombo, residing at St. Catherine's, Cambridge place, Colombo, and (2) Reginald Abraham de Mel of D'Eyn Court, Colpetty, Colombo, executors of the last will and testament of Hettikandage Bastian Fernando, (3) Evelyn Maud Astilla de Mel, wife of the said Reginald Abraham de Mel of D'Eyn Court, Colpetty, Colombo Defendants.

NOTICE is hereby given that on Friday, January 19, 1934, will be sold by public auction at the premises the following property mortgaged with the plaintiffs by bond No. 375 dated November 23, 1921; attested by Stanley Fredrick de Saram of Colombo, Notary Public, and declared specially bound and executable under the decree dated September 9, 1932, entered in the above action and ordered to be sold by the order of court dated November 8, 1933, for the recovery of the sum of Rs. 48,090, with further interest on Rs. 43,250 at 8 per cent. per annum from October 1, 1932, till date of the said decree and thereafter on the aggregate amount of the said decree at 9 per cent. per annum till date of payment in full and costs of suit, viz. :—

At 3.30 P.M.

All that land with the building standing thereon bearing assessment Nos. 52, 56, 58, 60, 62, 64, 66, 68, 70, and 74, Kitulwatta road, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, and 38, Kitulwatta lane, and 63, Narahenpitiya road, called and known as Walston Stores, comprising the following allotments of land which adjoin each other and form one property and which from their situation as respects each other can be included in one survey.

1. (a) One half of the land called Moonamalgahawatta, situated at Kanatta in the Palle pattu of Salpiti korale, now within the Municipality and District of Colombo, Western Province; bounded or reputed to be bounded on the north by the road 40 feet wide, on the east by the other part of the same land, and on the south and west by the property of George Wallis; containing in extent 27 1/4 perches more or less according to the diagram or map referred to in Fiscal's transfer No. 4,232/1889.

(b) All that part of the garden called Moonamalgahawatta, situated in Kanatta aforesaid; bounded or reputed to be bounded on the north and east by the property of Madar Lebbe, on the south by the garden of George Wallis, and on the west by the garden of Pattabendige Raphael Silva

and Maria; containing in extent 1 rood and 60/100 of a perch more or less according to the diagram or map referred to in the Fiscal's transfer No. 4,233/1889.

(c) One-fourth part of a garden situated in Kanatta aforesaid; bounded or reputed to be bounded on the north by the road, on the east by the garden of Pattabendige Raphael Silva, on the south by the garden of George Wallis, and on the west by the other part of Jamuny Carolis Silva; containing in extent 12.4/100 perches more or less according to the diagram or map referred to in Fiscal's transfer No. 4,234/1889.

(d) An allotment of land called Delgahawatta, situated at Kanatta aforesaid; bounded or reputed to be bounded on the north by a road and by land claimed by Madar Lebbe, on the north-east by land claimed by Pattabendige Maria Silva, on the east by land claimed by Pattabendige Maria and by road, on the south-east by land claimed by Wettesinhehamy, on the south by the other portion of Hendrick Perera, on the west by a road and on the north-west by lands claimed by Kiri Naide Tommadura Nadoris Silva and Gurunanse; containing in extent 2 acres and 29 perches more or less according to the diagram or map referred to in the Fiscal's transfer No. 4,235/1,889.

(e) Two contiguous portions of land situated in Kanatta aforesaid; bounded or reputed to be bounded on the north and east by roads, on the south by lands described in plan No. 50,701 and now belonging to George Wallis, and on the west by the garden of T. Nadoris Silva; containing in extent 2 roods and 4 perches more or less according to the diagram or map referred to in Fiscal's transfer No. 4,236/1889, which said five allotments of land herein before described are presently described as several contiguous portions of land called Moonamalgahawatta and Delgahawatta, situated in Kanatta aforesaid; bounded on the north by a road and the land claimed by Pettahandy Maria, on the east by the road leading to Model Farm, on the south by land claimed by Mettrisingahamy and portion of the same land belonging to Hendrick Perera, and on the west by the road from Colombo to Pamankada; containing in extent 3 acres 1 rood and 23.19 perches as per figure of survey No. 387 dated June 7, 1898, and made by John William Coorey, Licensed Surveyor.

At 4 P.M.

2. All that allotment of land called Moonamalgahawatta, situated at Kanatta aforesaid; bounded on the north by a road 40 feet wide, on the east and south by the land of George Wallis, and on the west by the other half share of this property; containing in extent 27 1/4 perches as per survey plan dated April 22, 1867, made by A. L. Vanheer, Licensed Surveyor, together with all the buildings, stores, machinery, fixtures, furniture, tools, implements, and other the dead and live stock in and upon the said premises or thereto belonging or in anywise appertaining or used or enjoyed therewith and all the estate, right, title, interest, claim, and demand whatsoever of the 1st and 2nd defendants as executors as aforesaid in, to, upon, or out of the same. Registered A 219/156.

Fiscal's Office, C. J. S. PRITCHETT,
Colombo, December 6, 1933. Deputy Fiscal.

In the District Court of Colombo.

Bastian Koralalage Joseph Rodrigo Weerasinghe Gunawardene of Uswetakeiyawa in the Ragam pattu of Alutkuru korale Plaintiff.

No. 52,320. Vs.

(1) Bastian Koralalage Francis Mathes Rodrigo Weerasinghe Gunawardene, (2) Bastian Koralalage Juwakinu Nikolas Rodrigo Weerasinghe Gunawardene, both of Uswetakeiyawa aforesaid Defendants.

NOTICE is hereby given that on Thursday, January 18, 1934, at 3 P.M., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 701 dated March 10, 1931, attested by D. L. Gunasekera, 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 15, 1933, for the recovery of the sum of Rs. 4,080, with interest on Rs. 3,000 at 18 per cent. per annum from March 11, 1933, up to July 31, 1933, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of this action, viz. :—

All that portion of land called Madangahawatta, with the owita land, situated at Uswetakeiyawa in the Ragam pattu of Alutkuru korale in the District of Colombo, Western Province; bounded on the north by the ditch of the land of Deekirikege Don Anthony Appu and of others, on the east by new canal running to Negombo, on the

south by the land of Jayamahamudalige Roberthu Appu, Koswattage Paulu Perera and of others, and on the west by the land of Bastian Korallage Hendrick Rodrigo Weerasinghe Gunawardene, Vel-Vidane Arachchi; containing in extent 9 acres 3 roods and 22 perches, together with the trees, plantations, and the buildings standing thereon. Registered B 150/238.

Fiscal's Office,
Colombo, December 6, 1933.

C. J. S. PRITCHETT,
Deputy Fiscal.

In the District Court of Colombo.

A. M. M. Murugappa Chettiar of Sea street in
Colombo Plaintiff.
No. 35,621. Vs.

C. M. Dias of Panadure and two others. Defendants.

NOTICE is hereby given that on Tuesday, January 23, 1934, commencing at 4.30 in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 17,287.66, with interest thereon at 10 per cent. per annum from November 5, 1930, till payment in full and costs of suit, viz. :-

1. All that the portion of land called Ettemgahawatta, together with the soil trees and plantations and the tiled house thereon, situated at Panadure of Panadure totamune in the District of Kalutara, Western Province; bounded on the north by high road, on the east by a portion of Ettunnagahawatta belonging to Palamandadige Carolis Peiris and the Welbima belonging to Daniel Peiris Arachirala, on the south by Welbima belonging to Joseph de Mel, Division Officer, and on the west by a portion of Ettemgahawatta belonging to Don Abraham and others and the Welbima belonging to the heirs of the late Francisco Fernando; containing in extent 1 rood and 11 $\frac{37}{100}$ perches.

2. All that and those the allotments of land and premises marked A on plan No. 7,896 dated July 9, 1917, made by Flamer Caldera of the land called Ettunnagahawatta, situated at Pattiya in Panadure of Panadure badda of Panadure totamune in the District of Kalutara, Western Province; which said allotment is bounded on the north by lot No. 1 of the land called Etunagahawatta, which with this land together once formed one land, on the east by lot marked B in the said plan, on the south by Seventh Cross road, and on the west by the high road; and containing in extent 17 perches and which said allotment marked A is a portion of the land called Etunagahawatta, situated at Pattiya aforesaid; and bounded on the north by lot No. 1 of the land called Etunagahawatta, on the east by lot 3 of this land, on the south by the Fourth Cross road, and on the west by the high road; and containing in extent 3 roods and 26 perches.

Deputy Fiscal's Office,
Kalutara, December 5, 1933.

H. SAMERESINGHA,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Seena Thana Seena Valliappa Chettiar, administrator of the estate of Seena Thana Seena Sidambaram Chettiar of Matale, deceased Plaintiff.
No. 43,716. Vs.

Natar's daughter, Waumma of Aluwihare in Matale, administratrix of the estate of Seiyadu Mohummad's son, Nataru, deceased Defendant.

NOTICE is hereby given that on Thursday, January 25, 1934, commencing at 1 o'clock in the afternoon, will be sold by public auction at the spots the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 418.41 and Rs. 2,775.64, both aggregating to the sum of Rs. 3,194.05, with interest thereon at the rate of 9 per cent. per annum from June 28, 1933, till payment in full, viz. :-

Schedule A referred to.

1. All that land called Avalandapitiyagederadematawellandehena, containing in extent about 8 measures kurakkan sowing, situated at Agalewatta in Kohonsiyapattu, Matale South, in the District of Matale, Central Province; and bounded on the east by limit of Ranghamy Vedarala's garden, south by the garden of Ukku Banda Vedarala, west by the garden belonging to Menika Duraya and Komala, and on the north by Tena Kattandiya's garden, together with the plantations and everything thereon.

2. Undivided $\frac{1}{3}$ share of and in all that land called Tanahenkotuwawatta, containing in extent about 12 nellies kurakkan sowing, situate at Harasgama in Kohonsiyapattu of Matale aforesaid; and bounded on the east by the limit of Kiriya's garden and limit of Galgodewatta, south by the limit of Mutuwa's garden and limit of Aruma Duraya's garden and limit of Dewalewatta, west by the fence of Komala's garden and fence of Mutuwa's garden, and on the north by the limit of Ukkurala's garden and limit of Duraya's garden, together with a like share of everything thereon and registered in B 28/241 and 242.

Schedule B referred to.

3. Southern $\frac{1}{3}$ portion in extent about 3 $\frac{1}{2}$ nellies kurakkan sowing from and out of the land called Batalawattehena, in extent about 10 nellies kurakkan sowing, situated at Agalawatta, within the Urban District Council limits of Matale town, in the District of Matale, Central Province; and which said southern $\frac{1}{3}$ portion is bounded on the east by endaru fence of Kalaweddananawatta, south by the endaru fence of Dikawatta, west by the fence of Galgodawatta, and on the north by the limit of the remaining portion.

4. Land called Dikawatta, in extent of 6 measures kurakkan sowing, situated at Agalawatta aforesaid; and bounded on the east by Muna Pena Reena Kannappa Chettiar's land, and limit of Nugu's land, south by the fence of Dematagahakotuwa, west by the fence of Dachchakosgahumulahena, and on the north by the fence of Batalawatta and fence of Kalawaddanawatta.

5. Land called Batalawatta, in extent about 7 nellies kurakkan sowing, situated at Harasgama, within the Urban District Council limits of Matale town aforesaid; and bounded on the east by the fence of Muthusamy's garden, south by the fence of Kaluwa's garden, west by the fence of Settiyargewatta, and on the north by agala of Muthusamy's garden, together with the houses, plantations, and everything thereon which said premises Nos. 1, 3, 4, and 5 adjoin each other and now form one block called and known as Dikawatta, in extent about 4 acres; bounded on the east by Gansabhawa road and fence of lands belonging to Ahamadu and S. Ramalingam, south by Gansabhawa road, west by fence of land belonging to S. T. K. M. Sidambaram Chettiar and others, and on the north by fence of land belonging to S. Ramalingam bearing assessment No. 417A and registered in A 5/29 and 4/89 mortgaged with the plaintiff upon bond No. 909 dated February 8, 1924, and No. 2,185 dated May 25, 1927, and attested by S. W. Wijeyatilake, Notary Public, Matale.

Deputy Fiscal's Office,
Matale, December 5, 1933.

S. C. FERNANDO,
Additional Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

S. M. S. Sockalingam Chettiar, by his attorney S. M. S. Sundaram Chettiar of Kankesanturai Plaintiff.
No. 3,981. Vs.

(1) Velichore Rasenthiram, (2) Velichore Chelliah and Velichore Marisapillai Ooraney, Kankesanturai Defendants.

NOTICE is hereby given that on Thursday, January 11, 1934, at 10 o'clock in the forenoon, will be sold by public auction at the respective spots the right, title, and interest of the said defendants in the following property for the recovery of Rs. 1,869, with interest on Rs. 1,500 at the rate of 18 per cent. per annum from April 10, 1933, and costs (reserved), poundage, and charges, viz. :-

1. An undivided $\frac{1}{3}$ share of a piece of land situated at Myliddy in Myliddy parish, Valigamam north division of the Jaffna District, Northern Province, called Avalai alias Santhinavalai, containing in extent 18 $\frac{1}{2}$ lachams varagu culture, with well spontaneous and cultivated plantations; and bounded on the east by the property belonging to Thamper Moothathamby and others, north by road, west by the property belonging to Amthoni Yacco, and south by the property of Rasinger Kathirkamar and others.

2. An undivided $\frac{1}{3}$ share of a piece of land situated at ditto called Odaiadikardu, containing in extent 22 lachams varagu culture, with vadialies; and bounded on the east by Vellavaikal (channel), north by sea-shore, west by the property of Arumugam Mutiah and cremation ground, and south by road.

3. An undivided $\frac{1}{4}$ share of a piece of land situated at ditto called Kakaiyapallai Odai, containing in extent 15 lachams varagu culture, with houses, cultivated and spontaneous plantations; and bounded on the east by the property belonging to Vaithy Neekilapillai and others, north by sea-shore, west by the property belonging to the heirs of Theo Millegal, and south by road.

An undivided $\frac{1}{4}$ share of the 3rd land is said to be under mortgage.

Fiscal's Office,
Jaffna, December 2, 1933.

S. TURAIYAPPAH,
Deputy Fiscal.

In the Court of Requests of Mallakam.

Velauther Ramu of Elalai 33 Plaintiff.
No. 8,043. Vs. R. 16. 00

Sinnappu Arunasalam of Kadduvan Defendant.

NOTICE is hereby given that on Saturday, January 6, 1934, at 10 o'clock in the forenoon, will be sold by public auction at the respective spots the right, title, and interest of the said defendant in the following property for the recovery of Rs. 198.75, with interest on Rs. 100 at the rate of 10 per cent. per annum from January 25, 1933, and costs Rs. 21.75, poundage, and charges (less Rs. 10 already recovered), viz. :—

1. An undivided $\frac{1}{2}$ share of a piece of land situated at Kadduvan in Tellippalai parish, Valigamam North division of the Jaffna District, Northern Province, called Uk-kulai, containing in extent 20 lachams varagu culture, with vadalies (but exclusive of the ground taken for the road passing through); and bounded on the east and north by the property belonging to Chellammah, wife of Vairavy and others, west by the property belonging to Theivanai, wife of Elaiyathamby, and south by the property belonging to Sithamparam, widow of Murugesu, and others.

2. An undivided $\frac{1}{2}$ share and $\frac{1}{4}$ share of the well lying on the northern boundary land of a piece of land situated at ditto called Kaduthavathai, containing in extent 26 lachams varagu culture, with stone-built house, cultivated and spontaneous plantations; and bounded on the east by the property of Kathirasi, wife of Suppiah, north by well and by the property belonging to Sithamparam, wife of Kandiah, west by Old Dutch road, and south by lane.

The lands are said to be under mortgage.

Fiscal's Office,
Jaffna, December 2, 1933.

S. TURAIYAPPAH,
Deputy Fiscal.

In the Court of Requests of Anuradhapura.

K. Sockalingam Chettiar of Kandavarayanpathi, by his attorney M. S. Karupapillai of Anuradhapura Plaintiff.
No. 15,025. Vs. R. 16. 00

(1) Vinayakamoorthy Chellappah of Maradankaduwa,
(2) Naganather Elagupillai of Kalattewa .. Defendants.

NOTICE is hereby given that on Wednesday, January 3, 1934, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said 1st defendant in the following property for the recovery of Rs. 242.25, with interest thereon at the rate of 9 per cent. per annum from February 25, 1928, until payment in full, costs Rs. 29.55, poundage and charges, viz. :—

A piece of land situated at Mandaitivu in Allaipiddy parish, Islands division of the Jaffna District, Northern Province, called Vakaiaddy, containing in extent 6 lachams varagu culture, with house, well, palmyra trees, coconut trees, and margosa tree; and bounded on the east by road, north by the property of Annam, wife of Ponnampalam, west by the property of S. Kandiah, and south by the property of Veeragathy and others.

The land is said to be under mortgage.

Fiscal's Office,
Jaffna, November 27, 1933.

S. TURAIYAPPAH,
Deputy Fiscal.

Eastern Province.

In the District Court of Trincomalee.

Florence Alagarasam Vallipuram of Division No. 1, Trincomalee Plaintiff.
No. 1,754. Vs.

K. W. P. Sugathathasa of Division No. 7, Trincomalee Defendant.

NOTICE is hereby given that on Saturday, January 6, 1934, at 4 o'clock in the afternoon, will be sold by public auction at the spot the following property mortgaged with

the plaintiff by bond No. 1,248 attested by Mr. M. Somanathapillai, Proctor and Notary Public, Trincomalee, dated October 10, 1930, and declared specially bound and executable under the decree entered in the above case and ordered to be sold by order of court dated November 28, 1933, for the recovery of a sum of Rs. 1,575, with interest on Rs. 1,500 at 12 per cent. per annum from May 20, 1933, to June 5, 1933, and thereafter at 9 per cent. per annum on the aggregate amount till payment in full provided such interest does not exceed Rs. 1,425, less a sum of Rs. 120 paid by way of interest and costs of suit which is reserved, Fiscal's fees, charges, and poundage :—

An undivided 7/18th shares of a piece of land bearing assessment No. 26, situated in Division No. 7, Trincomalee town, Trincomalee District, Eastern Province, together with a bankhall of two rooms, up-stair house, and well standing thereon, and all other rights relating thereto; bounded in its entirety on the north and west by roads, east by premises belonging to Baby Singho Bandara, and on the south by premises belonging to Parupathy, widow of Kandiah, in extent 12 $\frac{27}{100}$ perches. Registered A 12/56.

V. A. JOSEPH-CHELVARETNAM,
Deputy Fiscal's Office, for Deputy Fiscal.
Trincomalee, December 5, 1933.

North-Western Province.

In the District Court of Kurunegala.

Suna Pana Ana Veyna Kana Nana Subramaniam Chettiar of Kurunegala Plaintiff.

No. 16,469. Vs.

(1) Meena Una Sana Sathaku Marikkar *alias* Una Sena Sathaku Tulla of Colombo, presently of Godawela in Udapola Otota korale, (2) Tennakoon Mudiyansele Kiri Banda Tennakoon of Potuhera, (3) Ena Kona Kavanna Kader Meera Saibo of Kuripotta in Udapola Medalasse korale Defendants.

NOTICE is hereby given that on Friday, January 12, 1934, commencing from the 1st land at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 200, with interest on Rs. 2,000 at 18 per cent. per annum from September 28, 1930, to October 14, 1932, and thereafter with legal interest on the aggregate amount till payment in full and poundage, viz. :—

1. An undivided 11/15 shares of Bogahamulahena now garden of about 12 seers kurakkan sowing extent, situate at Potuhera in Udapola Medalasse korale of Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by Ketakala tree, east by Crown land, south by Palihekumbura, west by limit of Galbokkehena, with everything thereon. Registered under F211/55.

2. An undivided 1/5 share of the high and low lands called Ambagahakumbura of 2 pelas and 5 lahas paddy sowing, and its adjoining pillewa of 2 seers kurakkan sowing extent, situate at Potuhera aforesaid; and bounded on the north by field of Ranamal Etana and Sethangirala, east by enderu fence on the boundary of the ditch of the land of Seiyadu Omar and others, south by pillewa and field of Ukkurula Nekathrala, west by field of Ranamal Etana, with everything thereon. Registered under F 136/29.

3. An undivided 1/5 share of Dikgalahena of about 5 lahas kurakkan sowing extent, situate at Potuhera aforesaid; and bounded on the north by land of Batholameusz Gurunnanse, east by chena of Mudalihamy, south by land of Kawrala, west by high road, with everything thereon. Registered under F 136/30.

4. An undivided 1/10 share of Kongahamulahena of 5 seers kurakkan sowing extent, situate at Potuhera aforesaid; and bounded on the north by limit of the chena of Kirihamy and others, east by land of B. Gurunnanse and others, south by land of B. Gurunnanse and chena of Ukkurula, west by chena of Indigolle Appuhamy, with everything thereon. Registered under F 136/31.

5. An undivided 11/60 shares of the field called Palihekumbura of 3 pelas paddy sowing extent, situate at Kuripotta in Udapola Medalasse korale aforesaid; and bounded on the north by roda of the chena of Punchirala, east by wela of Punchirala and liminary ridge of the field of Vidane, south by liminary ridge of the field of Komalihamy, west by liminary ridge of the field of Ukkuhamy. Registered under F 211/54

6. The northern portion of about 1 laha kurakkan sowing from and out of Puwakgahakotuwekahatagahamalahena now garden, situate at Bevilgomuwa in Udapola Melalasse korale aforesaid; and which said northern portion is bounded on the north by land of Kiri Banda, east by wire fence on the village limit of Kuripotta, south by wire fence separating the remaining portion of this land, west by wire fence of Agalkanda of Bandirala Vidane and Kapuruhamy Aratchi. Registered under F 252/201.

7. An undivided 5/6 shares of Puwakgahakotuwehena of 8 lahas kurakkan sowing extent, situate at Bevilgomuwa aforesaid; and bounded on the north and east by village limit of Kuripotta, south by the limit of the fence of the land of Appuhamy, Gan-Arachchi, west by field. Registered under F 164/99.

Fiscal's Office,
Kurunegala, December 4, 1933.

A. BASNAYAKE,
Deputy Fiscal.

In the District Court of Chilaw.

J. M. Peiris Appuhamy of Pilakattumulla Plaintiff.
No. 9,655. Vs.

(1) N. L. Mangohamy, (2) H. M. Ranmenikhamy, (3) H. M. Ukku Banda, (4) H. M. Jayatuhamy, and (5) K. M. Dingiri Banda, all of Puliyankulama. Defendants.

NOTICE is hereby given that on Saturday, January 6, 1934, at 10 A.M., will be sold by public auction on the spot the right, title of the defendants in the following property, viz. :-

The undivided 3/7th shares from and out of the contiguous lands called Ambagahawatta, Kongahawatta, Meegahawatta, Siyambalahawatta, Kongahawatta, and Kehelwatta known as Siyambalahawatta, situate at Puliyankulama in Kumara Pallam pattu in Demala hatpattu, Puttalam District, North-Western Province, in extent about 50 acres; and bounded on the north by ela, east by land of Kapuruhamy and Maharambekumbura, south by field of Nambirala and land of Mr. Peiris, and west by high road and Viharekele, together with everything appertaining therein subject to mortgage bond No. 14,651 dated January 6, 1928, attested by B. N. F. Jayasekera, Notary Public, for Rs. 1,000 in favour of the plaintiff.

Amount of writ Rs. 824.50, with further interest at 15 per cent. from October 23, 1931, to September 14, 1932, and thereafter at 9 per cent. till payment in full, costs, and poundage.

Deputy Fiscal's Office,
Puttalam, November 29, 1933.

K. ALVAPPILLAI,
Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

Silpaberakarayalage Babagura of Kiribathgala . . . Plaintiff.
No. 5,382. Vs.

Batuwitalyanage Sophia de Silva of Dela Defendant.

NOTICE is hereby given that on Saturday, January 13, 1934, commencing at 1 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 2,814.27, with interest on Rs. 2,400 at 6 per cent. per annum from September 23, 1930, to February 13, 1931, and thereafter at 10 per cent. per annum on the amount of the decree and poundage, viz. :-

1. An undivided one-half share of the land called Galgodehena appertaining to Kiribabagepanguwa in Kottagangoda, Nivitigala, in Meda pattu of Navadun korale in the District of Ratnapura, with the rubber plantation thereon; bounded on the north by Indivitiyabomalawa and the jak tree, east by Gansabhawa road, south by Tawalamevattagalweta *alias* Danketiyehehewatta, and on the west by Batamandiyehena and Dompegedeniyecasseduma; containing in extent about 5 amunams of paddy sowing, exclusive of the calicut tiled housestanding thereon.

2. An undivided one-sixth share of Pitadepela, situate at Dela in Meda pattu aforesaid; bounded on the north by wella, east by Elakumbura, south by ela, and on the west by hena; and containing in extent about 1 acre 3 roods and 37 perches.

3. The whole of the land called Ranthetiyeennahenyaya, situate at Erabadda in the aforesaid pattu; bounded on the north by Crown land and Galkanda, east by Indola, south by Kiribathgala *alias* Erabadda estate, west by deniya and Peellagawadola; and containing in extent about 10 acres of rubber plantation.

4. An undivided one-half share of Kambadolawatta, situate at Marapona in Meda pattu aforesaid; bounded on the north by road reservation, east by Temchena, south by Kambadola, and on the west by cart road; and containing in extent about 45 acres, together with a half share of all the buildings, factories, machinery, tools, and implements.

Fiscal's Office, H. C. WIJESINHA,
Ratnapura, December 1, 1933. Additional Deputy Fiscal.

N.B.—These properties have been seized under writ in the same case for the recovery of a further sum of Rs. 87.80 and poundage by the Fiscal, Sabaragamuwa.

In the District Court of Kegalla.

The Commissioner of Stamps Applicant.
No. Testy. 1,409. Vs.

(1) Bulumulle Palagamagedara Koththahmy of Uppurana, (2) Kolonda Marikkar Mohamadu Ismail Marikkar of Mawanella, (3) D. J. Alveyappala, Municipal Council Inspector, Kandy. Respondents.

NOTICE is hereby given that on January 10, 1934, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said respondents in the following property, viz. :-

1. An undivided 1/4 share of the land called Hitinawatta of about one amunam of paddy sowing in extent, situated at Danagama in Tanipperu pattu of Galboda korale in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the east by the ditch of Hathlahagodawatta, west by wella and the ditch of Kudahangidigewatta, south by the ditch, and on the north by wella.

2. An undivided 1/4 share of the land called Warakamedillewatta of about one amunam of paddy sowing in extent, situated at Danagama aforesaid; and bounded on the east by the ditch on Usubu Lebbe's land, west and north by the ditch, south by the limit of the land belonging to Segu Lebbe.

For the recovery of the sum of Rs. 96.90, with interest on Rs. 63.10 at 4 per cent. per annum from October 11, 1928, till payment in full, less a sum of Rs. 29.11 recovered by sale of property.

Deputy Fiscal's Office,
Kegalla, December 2, 1933.

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

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Alutgama Kankanamalage Frederick Perera of Kudabuthgomuwa in Ambatalenpahalala, Alutkuru korale south, deceased.

Alutgama Kankanamalage Lewis Perera of Kudabuthgomuwa aforesaid Petitioner.

And

(1) Alutgama Kankanamalage Charles Perera, (2) ditto Jane Perera and her husband (3) Galagedarage Don Pelis Appuhamy, (4) Alutgama Kankanamalage Baby Perera and her husband (5) Heitiarachchi Don Charles, and (6) Alutgama Kankanamalage Davith Perera, all of Kudabuthgamuwa aforesaid. Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on July 4, 1932, in the presence of Mr. D. R. de S. Abhayanyake, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated June 28, 1932, having been read :

It is ordered that the said petitioner be and he is hereby declared entitled, as brother of the above-named deceased, to have letters of administrations to his estate issued to him, unless the respondents above named or any other person or persons shall, on or before December 14, 1933, show sufficient cause to the satisfaction of this court to the contrary.

July 4, 1932.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Sara Rasamuttu, deceased, No. 4,388. wife of Subramaniam Vaitilingam of Vaddukodai, presently of Colombo.

Edwin Canagasingham Jesudasan of Wellawatta in Colombo Petitioner.

(1) Ernest Rajakone Vaitilingam, (2) Fuella Rasamany, (3) George Jayaratnam, (4) William Selvaratnam, all of Uduvil, (5) E. J. Allying of Karamagar. Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on September 9, 1933, in the presence of Mr. S. Katiresu, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 2, 1933, having been read :-

It is ordered that the last will of Sara Rasamuttu, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner, as son-in-law of the above-named deceased, is entitled to have letters of administration *de bonis non*, with copy of the said will annexed, issued to him, unless the respondents above named or any other person or persons interested shall, on or before October 19, 1933, show sufficient cause to the satisfaction of this court to the contrary.

September 9, 1933. G. C. THAMBYAH, District Judge.

Time to show cause extended to November 30, 1933.

G. C. THAMBYAH, District Judge.

Time to show cause extended to December 14, 1933.

G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Mahapatunage Abraham Perera of Dalugama Warakanatta in the Adikari pattu of Siyane korale, deceased.

Mahapatunage Maria Margaret Perera of Dalugama Warakanatta aforesaid Petitioner.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on July 13, 1933, in the presence of Mr. L. L. B. Cabraal, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 6, 1933, having been read :

It is ordered that the petitioner be and she is hereby declared entitled, as sister of the above-named deceased, to have letters of administration to his estate issued to her, unless any person or persons interested shall, on or before November 23, 1933, show sufficient cause to the satisfaction of the court to the contrary.

October 9, 1933. G. C. THAMBYAH, District Judge.

The date for showing cause is extended to December 12, 1933.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Abdul Gaffor (or Gaffar) Abdul Rahim of No. 6,502. Rajasinghe road, Wellawatta, Colombo, in the Island of Ceylon, deceased.

Umma Rakeeba Rahim (*nee* Samsudeen) of 26, Demata-goda lane, Colombo Petitioner.

And

(1) Suliman Bee Kalid, wife of (2) Yacoob Mohamed Kalid, both of Elwyn, Galle road, Colpetty, (3) Hameeda Bee Pallie, wife of (4) Tuan Arifeen Ekken Pallie of Elwyn, Galle road, Colpetty, (5) Abdul Majeed Abdul Raheem of Elwyn, Galle road, Colpetty Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on September 28, 1933, in the presence of Mr. S. R. Ariyanayagam, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 28, 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 November 23, 1933, show sufficient cause to the satisfaction of the court to the contrary.

September 28, 1933. G. C. THAMBYAH, District Judge.

Time to show cause is extended for December 14, 1933.

G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Weerasinghe Arachchige Dona Cornelia Gunasekara Hamine of Kehelwatugoda in the Meda pattu of Siyane korale, deceased.

James Cecil Walter Perera Wijesinghe Samarasekara of Kehelwatugoda aforesaid Petitioner.

And

(1) Makewitige Mary Margaret Perera Sundarasekara Samarasinghe of Ekala in the Dasiya pattu of Alutkuru korale, (2) Makewitige Jane Catherine Perera Sundarasekara Samarasinghe, and (3) Thomas Edward Titus Perera Wijesinghe Samarasekara, both of Kehelwatugoda aforesaid Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on September 19, 1933, in the presence of Mr. K. E. Alwis, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 19, 1933, having been read :

It is ordered that the petitioner be and he is hereby declared entitled, as son of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before December 14, 1933, show sufficient cause to the satisfaction of the court to the contrary.

September 19, 1933. G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Abraham Perera Rupesinghe of Kuda Buthgomuwa, deceased.

Hettiaratchige Dona Agida Martinus Rupesinghe of Kuda Buthgomuwa Petitioner.

And

(1) Muriel Anne Mary Perera Rupesinghe, (2) Mary Theresa Perera Rupesinghe, (3) Andrew John Perera Rupesinghe, (4) Christian Markus Perera Rupesinghe, (5) Hector Meril Perera Rupesinghe, all of Kuda Buthgomuwa, and (6) Hettiaratchige Don Stephen Martinus of Hewagama Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on November 6, 1933, in the presence of Mr. J. A. Wijeyekoon, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated November 10, 1933, and (2) of the attesting notary dated November 13, 1933, having been read :

It is ordered that the last will of Abraham Perera Rupesinghe, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executrix named in the said will, and that she is entitled to have probate thereof issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before December 14, 1933, show sufficient cause to the satisfaction of this court to the contrary.

November 16, 1933. G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and
Jurisdiction. Effects of William de Zoysa Gunatilleke
No. 6,837. Rajapakse of 55, Horton place, Colombo,
deceased.

Elizabeth de Abrew Abeyasinghe of 124, Fraser road,
Maradana, Colombo Petitioner.

And

- (1) Agnes Rajapakse of Rosmead place, Colombo,
- (2) Henderina Mendis of Karlsrhue gardens,
Colombo, (3) Catherine de Zoysa of 3, Wall street,
Colombo, (4) Elizabeth Gunasekera of Ascot, Union
place, Colombo Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on November 24, 1933, in the presence of Messrs. Samarasinghe & de Silva, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 23, 1933, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as mother of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before December 14, 1933, show sufficient cause to the satisfaction of this court to the contrary.

November 24, 1933.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Elizabeth Beadnell, late of
No. 6,646. Kotagiri Nilgiris, South India, deceased.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on November 29, 1933, in the presence of Mr. Frederick Claude Rowan of Colombo, Proctor, on the part of the petitioner, Mr. Oscar Percy Mount of Colombo; and the affidavit of the said petitioner dated November 21, 1933, a certified copy of probate of the will of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated November 6, 1933, having been read: It is ordered that the will of the said deceased dated December 21, 1929, of which a certified copy has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said petitioner is the attorney of the proving executors named in the said will, and that he is entitled to have letters of administration with a copy of the said will annexed issued to him accordingly, unless any person or persons interested shall, on or before December 14, 1933, show sufficient cause to the satisfaction of this court to the contrary.

November 29, 1933.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi in Intestacy.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Robert Callander, late of the City of
No. 6,648 N. T. Ottawa in the County of Carleton,
Province of Ontario and Dominion of
Canada, Civil Servant, deceased.

And

In the matter of the Civil Procedure Code,
1889, Chapter XXXVIII.

Oswald Boyd Forbes of Messrs. Forbes & Walker,
Colombo Petitioner.

Vs.

- (1) Louise Lauriston Callander of Ottawa, Carleton,
Ontario, Canada, (2) Thomas Callander of Kingston,
Ontario, Canada, (3) John Graham Callander of
Edinburgh, Scotland, (4) Alexander David Callander,
formerly of Edinburgh, Scotland, and presently of
Colombo, Ceylon, (5) William Callander of Aberdeen,
Scotland, (6) Elphinstone Callander of Banbury,
Oxford, England, (7) Agnes Anderson Callander of
Edinburgh, Scotland, (8) Mary Taylor Callander of
Edinburgh, Scotland, (9) Leila Graham Callander
or Whitelaw, wife of (10) Charles Edward Whitelaw,
both of Edinburgh, Scotland Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 1, 1933, in the presence of Messrs. F. J. & G. de Saram,

Proctors, on behalf of the petitioner, Oswald Boyd Forbes of Colombo; and (1) the affidavit of the said petitioner dated November 29, 1933, (2) power of attorney dated July-13, 1932, (3) order of the Supreme Court dated November 22, 1933, and (4) minutes of consent from the 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, and 10th respondents above named, having been read: It is ordered that the said Oswald Boyd Forbes is the attorney in Ceylon of Louise Lauriston Callander, the widow and one of the heirs and next-of-kin of the above-named Robert Callander, deceased, and that as such he is entitled to have letters of administration issued to him accordingly, unless the above-named respondents or any other person or persons interested shall, on or before December 14, 1933, show sufficient cause to the satisfaction of this court to the contrary.

December 1, 1933.

G. C. THAMBYAH,
District Judge.

27 In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Marenage Christina Fernando of
No. 7,435. Rawatawatta in Moratuwa, deceased.

Jeremias Robert de Silva of Rawatawatta in Mora-
tuwa Petitioner.

- (1) Arnolis de Silva, (2) Solomon de Silva, (3) Veronica
de Silva and her husband (4) K. Kaithan Silva, (5)
Sextus Jeramias Cooray, (6) Muthuthanthrige Lionel
Cooray, (7) N. Jeramias Cooray, (8) Charles Peter de
Silva, (9) John Semion de Silva, (10) Annie Violet de
Silva, all of Rawatawatta in Moratuwa ... Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on November 10, 1933, in the presence of Mr. J. P. Rodrigo, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 25, 1933, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before December 14, 1933, show cause to the satisfaction of the court to the contrary.

November 10, 1933.

G. C. THAMBYAH,
District Judge.

In the District Court of Kalutara.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Mahayalage Raimon Fernando, deceased,
No. 2,540 of Bolgoda.

THIS action coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on August 24, 1933, in the presence of Mr. H. D. Perera, Proctor, on the part of the petitioner, Kahapolage Alice Fernando of Bolgoda; and the affidavit of the said petitioner dated March 27, 1933, having been read:

It is ordered that the will of Mahayalage Raimon Fernando, deceased, dated May 26, 1933, now deposited in this court, be and the same is hereby declared proved, unless any person or persons interested shall, on or before September 28, 1933, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said Kahapolage Alice Fernando is the executrix named in the will and she is entitled to have probate issued to her accordingly, unless any person or persons interested shall, on or before September 28, 1933, show sufficient cause to the satisfaction of this court to the contrary.

August 24, 1933.

N. M. BHARUCHA,
District Judge.

Date for showing cause is extended till December 14,
1933.

September 28, 1933.

N. M. BHARUCHA,
Judge District.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Ratwatte Ganegedera Dingiri Banda No. 5,187. Aratchi of Millawana in Matale North in the District of Matale, deceased.

Ratwatte Ganegedera Loku Banda Mahanama of Gunasinghe Mudiyanselegedera in Millawana aforesaid Petitioner.

(1) Ratwatte Ganegedera Punchi Banda Karunaratna, (2) ditto Banda Menika, (3) ditto Jayasundara Banda, all of Gunasinghe Mudiyanselegedera in Millawana aforesaid, (4) Samarakoon Mudiyanselegedera Ukku Amma, (5) ditto Gunaratna, (6) ditto Tikiri Banda Samarakoon, (7) ditto Weerakoon Banda, (8) ditto Piyadasa, (9) ditto Dhanapala, (10) ditto Sasanapala, (11) ditto Anulawatie, (12) ditto Jayatilake, (13) ditto Jayawardana, all of Millawana aforesaid; the 6th to 13th respondents minors, appearing by their guardian *ad litem* the 4th respondent Respondents.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on October 12, 1933, in the presence of Mr. S. J. B. Dharmakirti, Proctor, on the part of the petitioner, Ratwatte Ganegedera Loku Banda Mahanama of Millawana; and the affidavit of the said petitioner dated July 31, 1933, having been read :

It is ordered and decreed that the petitioner, as the eldest son of the said 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 or any other person shall, on or before November 16, 1933, show sufficient cause to the satisfaction of this court to the contrary.

October 12, 1933. R. F. DIAS, District Judge.

Extended and reissued for December 14, 1933.

November 16, 1933. R. F. DIAS, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Kailayar Veluppillai of Chulipuram, No. 8,261. deceased.

(1) Arumugam Veluppillai and wife (2) Theivanaipillai, both of Chulipuram Petitioners.

(1) Ramanathar Murugesu and wife (2) Sinnathangam of Gemas in F. M. S.; (3) Nedchamy daughter of Veluppillai of Gemas in F. M. S. appearing by her guardian *ad litem* Ramanathar Murugesu, the above-named 1st respondent, (4) Veluppillai Annamuthu, and (5) Veluppillai Kandiah, both of Chulipuram, are minors appearing by their guardian *ad litem* the following 6th respondent, (6) Ramanathar Sinnappu of Chulipuram Respondents.

THIS matter of the petition of the above-named petitioner, coming on for disposal before D. H. Balfour, Esq., District Judge, Jaffna, on July 28, 1933, in the presence of Mr. T. Vaitilingam, Proctor, on the part of the petitioner, praying for grant of letters of administration in respect of the estate of the late Kailayar Veluppillai of Chulipuram; and the affidavit and petition of the petitioner having been read :

It is ordered that the petitioner be and he is hereby declared entitled to take out letters of administration in respect of the estate of the said deceased, unless the respondents or any others shall appear before this court, on August 25, 1933, and show sufficient cause to the satisfaction of this court to the contrary.

August 18, 1933. D. H. BALFOUR, District Judge.

Extended for December 15, 1933.

In the District Court of Jaffna.

Order Nisi for Letters.

Testamentary In the Matter of the Estate of the late Jurisdiction. Thillaiampalam Arumugam of Karainagar West, deceased.

Sethuppillai, widow of Arumugam of Karainagar East Petitioner.

(1) Pakkiyam, daughter of Arumugam of ditto, (2) Arumugam Retnasethukavalan of ditto, minors, appearing by their guardian *ad litem* (3) Velauther Arunasalam of ditto Respondents.

THIS matter of the petition of the above-named petitioner, coming on for disposal before D. H. Balfour,

Esq., District Judge, Jaffna, on June 30, 1933, in the presence of Mr. K. Aiyadurai, Proctor, on the part of the petitioner; and the affidavit and the petition of the petitioner having been read : It is ordered and declared that letters of administration to the estate of the above-named deceased be granted to the petitioner, as the lawful widow of the deceased, and same issued to her accordingly, unless the respondents shall, on or before July 28, 1933, appear and show sufficient cause to the satisfaction of this court to the contrary.

July 19, 1933.

Extended to December 18, 1933.

D. H. BALFOUR, District Judge.

In the District Court of Jaffna.

Order Nisi for Letters.

Testamentary In the Matter of the Estate of the late Jurisdiction. Sinnachchippillai, wife of Elaiyathamby No. 8,322. of Achchelu, deceased.

Sithamparappillai Elaiyathamby of Achchelu Petitioner.

Vs.

(1) Elaiyathamby Ponniah and his wife (2) Thangachchippillai, both of Achchelu, (3) Elaiyathamby Kathiravelu of Achchelu, (4) Achchimuttu, wife of Mutukumar of ditto, (5) Thangammah, daughter of Elaiyathamby of ditto, and (6) Somar Arumugam of Achchelu Respondents.

THIS matter of the petition of the above-named petitioner, coming on for disposal before C. Coomaswamy, Esq., District Judge, Jaffna, on November 13, 1933, in the presence of Mr. K. Aiyadurai, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner having been read :

It is ordered and declared that letters of administration to the estate of the above-named deceased be granted to the petitioner and same issued to him accordingly, unless the above-named respondents shall, on or before December 11, 1933, appear before this court at 10 o'clock in the forenoon and show sufficient cause to the satisfaction of this court to the contrary.

November 13, 1933.

C. COOMARASWAMY, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Arokkiam, wife of S. Mariampillai, No. 8,373. deceased.

THIS matter of the application for letters by S. Mariampillai for the estate of his wife, Arokkiam, coming on for disposal before D. H. Balfour, Esq., District Judge, in the presence of Mr. C. R. Tambiah.

It is ordered that letters do issue to him, unless the respondents shall show cause on or before December 14 to the contrary.

October 26, 1933.

D. H. BALFOUR, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Theivanaipillai, widow of Kathiravelu No. 8,391. of Kokkuvil, deceased.

Kathiravelu Ponniah of Kokkuvil Petitioner.

Vs.

Kathiravelu Veluppillai of ditto Respondent.

THIS matter of the petition of the above-named petitioner, praying that letters of administration to the estate of the above-named deceased be granted to the petitioner, coming on for disposal before D. H. Balfour, Esq., District Judge of Jaffna, on July 20, 1933, in the presence of Mr. V. K. Gnanasundaram, Proctor, on the part of the petitioner; and on reading the affidavit and petition of the petitioner :

It is ordered that letters of administration to the estate of the above-named deceased be granted to the petitioner, as one of the heirs, unless the above named respondent appear before this court on August 11, 1933, and show sufficient cause to the satisfaction of this court to the contrary.

August 2, 1933.

Extended for December 15, 1933.

November 24, 1933.

D. H. BALFOUR, District Judge.

D. H. BALFOUR, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. David Kalairajah John of Changuvely,
No. 8,383. deceased.

Harriet Rajamany, widow of D. K. John of Changuvely
Petitioner.

Vs.

(1) Ranjeethamany, daughter of D. K. John of Changuvely, (2) Thabaratham John of ditto, (3) Kirupaimany, daughter of D. K. John of ditto, (4) Samuel Pararajasingham John of Uduvil; the 1st, 2nd, and 3rd respondents are minors by their guardian *ad litem* the 4th respondent. Respondents.

THIS matter of the petition of the petitioner, praying for letters of administration to the estate of the above-named deceased, coming on for disposal before D. H. Balfour, Esq., District Judge, on July 17, 1933, in the presence of Mr. S. V. Chinniah, Proctor for petitioner; and the affidavit of the petitioner dated July 6, 1933, having been read: It is declared that the petitioner is the widow of the said intestate and is entitled to have letters of administration issued to her, unless the respondents or any other person shall, on or before October 4, 1933, show sufficient cause to the satisfaction of this court to the contrary.

D. H. BALFOUR,
District Judge.

September 27, 1933.

The returnable date is extended to December 13, 1933.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Warnekulasuria Belichore Fernando of
No. 2,113. Kammala, deceased.

Warnekulasuria Victoria Janse of Kammala .. Petitioner.

Vs.

(1) Warnekulasuria Mary Margaret Fernando of Kammala, appearing by her guardian *ad litem*
(2) Warnekulasuria Marthino Tissera of Dummala-deniya Respondents.

THIS matter coming on for disposal before N. J. Martin, Esq., Acting District Judge of Chilaw, on September 18, 1933, in the presence of Mr. C. V. M. Panditsekere, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated May 15, 1933, having been read: It is ordered that the 2nd respondent be and she is hereby appointed guardian *ad litem* of the 1st respondent, who is a minor, and the petitioner be and she is hereby declared entitled, as widow of the said deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before December 15, 1933, show sufficient cause to the satisfaction of this court to the contrary.

September 18, 1933.

W. SANSONI,
District Judge.

In the District Court of Anuradhapura.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Herath Mudiyanse Mudiyanse Velvidane of Konwewa.
No. 446.

Mudiyanse Velvidanage Ram Banda of Konwewa
Petitioner.

And

(1) Mantrihamy Upasakaralage Rammenika, (2) Mudiyanse Velvidanage Ukku Amma, (3) Ukku-ralage Kalu Banda, all of Konwewa; second and third respondents by the first respondent Respondents.

THIS matter coming on for disposal before J. N. Vethavanam, Esq., District Judge of Anuradhapura, on

November 28, 1933, in the presence of the petitioner above named; and the affidavit of the petitioner filed of record, having been read:

It is ordered that the petitioner be and is hereby declared entitled, as son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before December 18, 1933, show sufficient cause to the satisfaction of this court to the contrary.

November 28, 1933.

J. N. VETHAVANAM,
District Judge.

In the District Court of Ratnapura.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Nainangala Vidanelaye Bimbarahamy
No. 1,003. of Kalawana, deceased.

C. H. de Zilwa, Secretary, District Court, Ratnapura
Petitioner.

And

(1) Nainangala Vidanelaye Dingirimahatmaya, (2) Nainangala Vidanelaye Kirimudiyanse, both of Kalawana Respondents.

THIS matter coming on for disposal before N. E. Ernst, Esq., District Judge, Ratnapura, on November 30, 1933, in the presence of the petitioner above named in person; and the affidavit of the said petitioner dated April 26, 1933, having been read: It is declared that the said petitioner above named, as official administrator, is entitled to have letters of administration issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before January 16, 1934, show sufficient cause to the satisfaction of this court to the contrary.

November 30, 1933.

N. E. ERNST,
District Judge.

In the District Court of Kegalla.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of Epahammy of Walagama, deceased.
Jurisdiction. Epahammy of Walagama, deceased.
No. 1,535.

THIS matter coming on for disposal before C. E. de Pinto, Esq., District Judge of Kegalla, on November 22, 1933, in the presence of Mr. A. A. Wickremasinghe, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner dated September 18 and October 30, 1933, respectively, having been read, and the evidence of R. V. Dedigama, Proctor and Notary Kegalla, and J. T. M. Karthelis Appuhamy.

It is ordered that the will of Epahammy of Walagama, deceased, dated July 1, 1933, and now deposited in this court, be and the same is hereby declared proved, unless Epahammy Jayatilaka, (2) ditto Piyadasa, (3) ditto Somawathee, (4) ditto Abeyesinghe, the respondents, or any person or persons shall, on or before December 20, 1933, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Sooriya Arachchillage Laisahamy of Walagama is the executrix named in the said will and that she is entitled to have probate of the same issued to her accordingly, unless the above-named respondents or any person or persons shall, on or before December 20, 1933, show sufficient cause to the satisfaction of this court to the contrary.

And it is also ordered that the above-named 1st respondent be and he is hereby appointed guardian *ad litem* of the 2nd, 3rd, and 4th minor respondents for the purpose of this action, unless the respondents or any person or persons shall, on or before December 20, 1933, show sufficient cause to the satisfaction of this court to the contrary.

November 22, 1933.

C. E. DE PINTO,
District Judge.