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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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DISTRICT AND MINOR COURTS NOTICES.

List of Uncertificated Insolvents for the Half-year ended December 31, 1934.

In the District Court of Jaffna.

- No. of case : 128—Name and residence of insolvent : S. N. Chellappahchetty of Vannarponnai—Remarks : Inquiry fixed for May 15, 1935.
- No. of case : 136—Name and residence of insolvent : Kati-ramupillai Palapillai of Anaicoddai—Remarks : Meeting of creditors adjourned for April 11, 1935.
- No. of case : 139—Name and residence of insolvent : Manuelpillai Benjamin of 3rd Cross street, Jaffna—Remarks : Protection extended to May 2, 1935.
- No. of case : 140—Name and residence of insolvent : Tyabally Esmajee Schorwalla of Grand Bazaar, Jaffna—Remarks : Notice on insolvent reissued for April 17, 1935.
- No. of case : 141—Name and residence of insolvent : T. S. Kandiah Kuppusamy-chetty of Vannarponnai East—Remarks : Protection entered for June 24, 1935.
- No. of case : 142—Name and residence of insolvent : N. K. Arumugampillai of Grand Bazaar, Jaffna—Remarks : Assignee's report due on April 9, 1935.
- No. of case : 144—Name and residence of insolvent : Hajee Aboobucker Hajee Noor Mohamed of Grand Bazaar, Jaffna—Remarks : Assignee's report due on May 24, 1935.
- No. of case : 145—Name and residence of insolvent : Sinnathamby Visuvanather of Kantherodai—Remarks : Assignee's report due on May 30, 1935.

District Court,
Jaffna, April 3, 1935.

C. COOMARASWAMY,
District Judge.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

- No. 4,465. In the matter of the insolvency of J. H. S. Holsinger of 108, Maliban street, Colombo.

WHEREAS Arthur Kettle, carrying on business under the name and style of Sydney W. Hassall and Company at Birmingham, has filed a petition for the sequestration of the estate of the above-named J. H. S. Holsinger, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said J. H. S. Holsinger insolvent accordingly ; and that two public sittings of the court, to wit, on May 14, 1935, and on May 28, 1935, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, GERALD E. DE ALWIS,
April 2, 1935. Secretary.

In the District Court of Colombo.

- No. 4,474. In the matter of the insolvency of Warusa-hennedige Daniel Fernando of Queen's 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 June 11, 1935, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
April 3, 1935. Secretary.

In the District Court of Colombo.

- No. 4,616. In the matter of the insolvency of M. T. M. Hassim of Maradana, 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 June 11, 1935, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
April 3, 1935. Secretary.

In the District Court of Colombo.

- No. 4,806. In the matter of the insolvency of O. B. Swan of Bambalapitiya in 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 June 4, 1935, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
April 3, 1935. Secretary.

Order for an Attachment.

In the District Court of Colombo.

- No. 4,808. In the matter of the insolvency of Bonjean Roche, carrying on business as J. L. Roche & Bros. at Kandy., an insolvent.

To the Fiscal of the Central Province.

WHEREAS the above-named Bonjean Roche has been adjudged under the Insolvent Ordinance of 1853, the estate of the said Bonjean Roche is hereby placed under sequestration in your hands, and you are hereby ordered forthwith to lay an attachment on the property including books of account of the said Bonjean Roche under inventory thereof, and to proceed therein as directed by the said Ordinance, and to return this order, with what you have done thereon, to this court on or before April 15, 1935, next. And for so doing this shall be your sufficient warrant.

April 3, 1935.

G. C. THAMBYAH,
District Judge.

In the District Court of Badulla.

- No. 23. In the matter of the insolvency of Abdul Sathar Abdul Moomin Khan 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 June 4, 1935, to consider the grant of a certificate of conformity to the insolvent.

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

NOTICES OF FISCALS' SALES.

Western Province.

47.

In the District Court of Colombo.

In the matter of the last will and testament of Ahamado Lebbe Hamidu Lebbe, late of Meewitiya, Kotambe, in the District of Colombo, deceased.

No. 5,755, Testy.

- (1) Assena Lebbe Abdul Samad, (2) Assena Lebbe Abdul Latiff, both of Meewitiya, Kotambe. *Rs. 24.39* Executors.

NOTICE is hereby given that on Thursday, May 16, 1935, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the estate of the above-named deceased in the following property for the recovery of the sum of Rs. 7,455.31, with interest at 4 per cent. per annum from July 26, 1934, to date of payment being balance estate duty due in this case, together with a further sum of Rs. 775.05 : Rs. 719.85 being outstanding interest and Rs. 55.20 being costs of citation, and of this writ, viz. :—

All those lots marked letters B and C in plan No. 1,528 dated May 6, 1904, and made by George P. Weeraratne, Surveyor, of the lands called Hedawakagahalanda and Nagollahena, adjoining each other ; containing in extent 22 acres 3 roods and 12 perches, save and except therefrom land in extent 28 yards in length and 14 yards in breadth and the ambalama standing thereon as marked by red line in the said plan No. 1,528, situated at Ellalamulla and Meewitiya in the Udugaha pattu of Siyane korale in the District of Colombo, Western Province ; and bounded on the north by lot marked A in the said plan No. 1,528, east by the land claimed by Horatala and the land purchased from the Crown by K. Williya, south by a portion of land appearing in plan No. 51,869, and on the west by the road leading from Pasyala to Hanwella, which said premises have been held and possessed of upon deed of transfer No. 2,303 dated January 19, 1922, attested by J. P. S. Ratnayake, Notary Public, transfers Nos. 3,673

dated February 6, 1903, 5,365 dated January 20, 1905, 5,880 dated September 13, 1905, 9,898 dated April 30, 1909, 13,730 dated February 10, 1913, all attested by J. B. Jayaratne, Notary Public, and transfer No. 8,742 dated September 25, 1910, attested by D. C. Wijesinghe, Notary Public.

Note.—The title of the deceased to the above property has been passed by the Crown Proctor, Colombo, and the deeds are available for inspection at the office of the Commissioner of Income Tax, Estate Duty and Stamps.

Fiscal's Office,
Colombo, April 10, 1935.

R. O. DE SARAM,
Deputy Fiscal.

In the Court of Requests of Gampaha.

Loku Singankuttige Carolis of Walgammulla in
Udugaha pattu Plaintiff.
No. 5,755. Vs.

Pathirennehelage *alias* Senadira Pathirennehelage
Maththes Appu of Walgammulla aforesaid .. Defendant.

NOTICE is hereby given that on Thursday, May 16, 1935, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 10,731 dated March 12, 1931, and attested by D. K. S. Gunawardene, Notary Public, and ordered to be sold by the order of court dated February 8, 1935, for the recovery of the sum of Rs. 300, with interest thereon at 9 per cent. per annum from October 8, 1934, till payment in full, and costs of this action Rs. 29.50, viz. :—

All that undivided 47/180 part or share in the third and house standing thereon of all that land called and known as Beligahawatta, situated at Walgammulla in Udugaha pattu of Siyane korale, Colombo District, Western Province; and bounded on the north by the field called Kolainkumbura and the live fence of the land of Appu, east by the live fence of the land of Pathirennehelage Baba Singhappu and others, south by the land purchased by Jacolis Appu and another and the land of Thelenis, Police Vidanerala, and Hathan Hamy, and west by the land of Lokasingankuttige Andris Appu and others; containing in extent within these boundaries about 10 bushels of paddy sowing and all the right, title, interest, and claim whatsoever of the said defendant in, to, upon, or out of the premises.

Prior registration F 75/224 registered F 87/199.

Fiscal's Office,
Colombo, April 10, 1935.

R. O. DE SARAM,
Deputy Fiscal.

In the District Court of Colombo.

M. R. P. L. M. M. R. Murugappa Chettiar of Sea street,
Colombo Plaintiff.
No. 46,849. Vs.

(1) Sitti Amoon, widow of the late Alaldeen Junus Kitchilan, (2) Hamin Junus Kitchilan *alias* Hamin Kitchilan, (3) Muna Seyna Segu Kanu Marikar, all of Church street, Slave Island, Colombo. Defendants.

NOTICE is hereby given that on Monday, May 20, 1935, at 3.30 in the afternoon, will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 544 dated January 20, 1931, attested by Mr. J. H. Rasiah Joseph 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 February 1, 1932, for the recovery of the sum of Rs. 2,235.00 with interest on Rs. 2,000 at 24 per cent. per annum from October 15, 1931, to date of decree (November 12, 1931), and thereafter the aggregate amount at 9 per cent. per annum till payment in full, and costs of suit, viz. :—

An undivided $\frac{1}{2}$ part or share of all that piece of ground shaded lake in the plan with the buildings standing thereon bearing at one time Municipal assessment No. 38, now Nos. 30, 32, and 34 (16-21), situated at Slave Island, within the Municipality of Colombo, in the District of Colombo, Western Province; bounded on the north by the property of Tamby Kitchilam now premises No. 28, Church street, on the east by the road, on the south by the other part belonging to Oonoos Ibram, now premises bearing Municipal assessment No. 34, Church street, and on the west by other part of the property belonging to Oonoos Asma, wife of Meedin Mamoot; containing in extent 10 $\frac{93}{100}$ square perches; according to the survey dated July 8, 1874, made by B. Thalys, Surveyor.

Prior registration A204/132.

Fiscal's Office,
Colombo, April 10, 1935.

R. O. DE SARAM,
Deputy Fiscal.

In the District Court of Colombo.

Stanley Frederick de Saram of Colombo, administrator (with will annexed) of the estate of Elizabeth Jane Somerville, widow, deceased, (2) James Anderson Ridge of Linden Cottage, Mount Harry road, Sevenoaks Kent; England, (3) Emma Davidson Murray of 24 Belgrave Terrace, Aberdeen, Scotland, Spinster, (4) Ethel St. Cyr Powell of 3 Glenroyd, Cleveland road, St. Helier Jerse Channel Islands, widow, (5) George Percival Madden, (6) Daniel Cottier Wilson, and (7) Aubrey Hollingworth, all care of Messrs. George Steuart & Co., Colombo, as Trustees of a certain Indenture dated April 2, 1887 Plaintiffs.

No. 54,265.

Vs.

(1) Kudduru Aratchige Rosaline Perera, (2) Algama Korallage William Perera (wife and husband), both of 31, Police Training School road, Havelock road, Colombo Defendants.

NOTICE is hereby given that on Wednesday, May 22, 1935, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged with the plaintiffs by bond No. 10,731 dated September 27, 1928, attested by James Frederick Van Langenberg of Colombo, Notary Public, and declared specially bound and executable under the decree dated November 17, 1933, entered in the above action and ordered to be sold by the order of court dated June 11, 1934, for the recovery of the sum of Rs. 33,311.02, together with interest on Rs. 30,052.51 at 7 per cent. per annum from October 1, 1933, till the date of the said decree and thereafter on the aggregate amount of the decree at 9 per cent. per annum till date of payment in full, and costs of suit, less Rs. 1,861.85 and Rs. 1,400 paid, viz. :—

All those contiguous lots of lands marked Nos. 1 and 2, with all the buildings, trees, and plantations thereon formerly bearing assessment Nos. 7, 8, 9, 10, 11 and 12 and presently bearing assessment Nos. 2155/9A/(1-9) and 2156/8, 9-12, Mayfield road, situated at Kotahena within the Municipality of Colombo in the District of Colombo, Western Province in the Island of Ceylon (now bears assessment Nos. 46, 48, 50, 52, 54, 56, 58, 60, and 62, Wasala street, and Nos. 59, 61, 63, 65, 67, and 69, Mayfield road); bounded on the north by land described in Government plan No. 49,945, on the east by the other part of this garden marked No. 3, and on the south and west by the roads; containing in extent 1 rood and 29 $\frac{21}{100}$ perches; according to the figure of survey thereof dated May 26, 1864, and made by C. H. Schwallie, Licensed Surveyor, together with the buildings standing thereon, and all the buildings to be hereafter erected on the said allotment of land and all rights, privileges, easements, servitudes, and appurtenances whatsoever to the said allotment of land and buildings belonging or in anywise 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 defendants in, to, upon, or out of the same.

Registered A 223/173.

Fiscal's Office,
Colombo, April 10, 1935.

R. O. DE SARAM,
Deputy Fiscal.

In the District Court of Colombo.

National Bank of India, Limited. Plaintiffs.
No. 51,815. Vs.

(1) Letchimanan Chettiar Karuppan Chettiar of 98, Sea street, Colombo, (2) Karuppan Chettiar, son of Karuppan Chettiar of Kandramanikam, Ramnad, South India, carrying on business at 98, Sea street, Colombo, under the name, style, and firm or Vilasam of "Pana Lana Suna Pana Lerna" and two others Defendants.

NOTICE is hereby given that on Saturday, May 4, 1935, commencing at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 1st and 2nd defendants in the following property, viz. :—

An undivided $\frac{1}{2}$ share of the allotment of land comprising the following five contiguous portions of land called (1) Ambagahawatupanguwa, in extent 1 acre 2 roods and 5 perches, (2) Divulgaha *alias* Bulugahakella, in extent 2 roods, (3) Maragahawatupanguwa, in extent 1 acre 2 roods and 29 perches, (4) Divulgahawatupanguwa, in extent 16 yards in length and 12 $\frac{1}{2}$ yards in breadth, and (5) Bulugahawatupanguwa, in extent 27.94 perches, and adjoining each other now forming one property, situated at Katunayake in Dasiya pattu of Alutkuru korale in the District of Negombo, Western Province; and bounded on the north by lands belonging to A. Peter Salgado and Daniel Salgado

and others, east by lands belonging to V. Paulu Fernando and Thelotage Catherina and Thresia Fernando and others, south by the high road leading to Kadirana and lands belonging to D. Don Pidelis and Mrs. Gunawardane, and on the west by lands belonging to K. Elaris Silva, Police Headman, and Winsage Lazarus Fernando and others; containing in extent about 5 acres and of the trees and buildings and the desiccating mill standing thereon. Registered (1) C 298/202, (2) C 277/2, (3) C 277/19, (4) C 277/20, and C 277/21.

Amount to be levied Rs. 33,611.36, with interest on Rs. 24,630.65 and Rs. 8,750.21 at the respective rates of 9 and 8½ per cent. per annum from February 1, 1933, till May 23, 1933, and thereafter on the aggregate amount of the decree at the same rate till date of payment.

Deputy Fiscal's Office,
Negombo, April 8, 1935.

C. EMMANUEL,
Deputy Fiscal.

In the District Court of Kalutara.

Dora Caroline Wickramasuriya of Tangalla Plaintiff.
No. 17,398. Vs.

Mrs. Helena de Fonseka, executrix of the late of G. Charles David de Fonseka, deceased, of Wekada in Panadura Defendant.

NOTICE is hereby given that on Saturday, May 4, 1935, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 2,022.50, with interest at 9 per cent. per annum from March 15, 1932, till September 1, 1933, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, and Rs. 968.51 being costs of action, viz. :-

(1) The land called Diyaporagahaowita *alias* Kumbura *alias* Wanduramuldeniya, situated at Wanduramulla in Talpiti badde, Panadura totamune, Kattara District, Western Province; and bounded on the north by Inniyara of the land owned by Jeremidus Fonseka, east and west by lands belonging to P. Daniel Peris, south by Inniyara of the portion of land owned by Marithinu Fonseka; and containing in extent 4 bushels of paddy sowing. B 277/283.

(2) The land called Diyaporagahakumbura, situated at Wanduramulla aforesaid; and bounded on the north by cart road, east by drain, south by portion belonging to Lawrence de Fonseka, and west by land belonging to Malalage people; and containing in extent 4 bushels of seed paddy sowing. B 277/284.

(3) The land called Dewawila-alubogahayaya, situated at Mahawila in Talpitibadde aforesaid; and bounded on the north by Tuduwewatta *alias* Alubogahawatta and Pinkumbura, east by the undivided portion of this property, south by the portion marked B, separated from the said property, and west by Kurunduwatta, north-west by Wanduramuldeniya; containing in extent 2 acres and 25 perches. B 113/1.

(4) The land called two contiguous portions of Kosgahakotuwa and Mahaliyadda, situated at Wekada in the Talpiti badde aforesaid; and bounded on the north by field and owita land belonging to Mathes Salgado and land belonging to the heirs of L. F. Fernando, east by Delgahawatta belonging to Geeris Fernando and others, and land belonging to Tamirasa Lebbe and others and Hendrick Fernando and others, west by land belonging to C. D. Fonseka; containing in extent 3 roods and 27.2 perches. B 173/116.

Deputy Fiscal's Office, H. SAMERESINGHA,
Kalutara, April 8, 1935. Additional Deputy Fiscal.

Central Province.

In the District Court of Kandy.

(1) George Black and (2) Mrs. Margret Black, both of Strathisla estate, Matale Plaintiffs.
No. 45,247. Vs.

Ponniah Sellasamy of Kirigalpotta in Gampahasiya pattu of Matale South Defendant.

NOTICE is hereby given that on Friday, May 10, 1935, at 2 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of Rs. 2,166.22, with interest on Rs. 2,000 at 12 per cent. per annum from June 6, 1934, to July 23, 1934, and thereafter on the aggregate amount at 9 per cent. per annum from July 23, 1934, till payment in full, viz. :-

All that allotment of lands called and known as Beligammanahena, Bambaragahaelahena, Bilindagewatta, Gurunnehelagewatuyaya, and Kosgaswattehenena; containing in extent on the whole 26 acres and 10 perches according to the survey and description thereof in title plan

No. 367, dated May 1, 1925, and authenticated by A. J. Wickwar, Esq., Surveyor-General; and bounded on the north by reservation along the road and lot No. 121, east by a road, lots 138, 139, and 144 and *ela*, T. P. 340,295 and Ambokudena village boundary, south by Monaruwela village boundary, and on the west by lot No. 117, together with all the buildings, plantations, and everything standing thereon, situated at Koswatta in Udugoda korale of Uda-siyapattu of Matale North in the District of Matale, Central Province of the Island of Ceylon, and registered in B. Volume 44, folio 200, in the Matale District Land Registry Office, subject to a lease for 25 years commencing from March 18, 1929, and created by deed No. 99 dated July 6, 1929, attested by F. A. Van Rooyen, Notary Public of Matale, and all the right, title, interest, and claim whatsoever of the defendant in, to, upon, or out of the said premises mortgaged with the plaintiff's upon bond No. 2,152 dated November 5, 1929, and attested by F. J. Van Rooyen of Matale, Notary Public.

Deputy Fiscal's Office,
Matale, April 8, 1935.

S. C. FERNANDO,
Additional Deputy Fiscal.

Southern Province.

In the District Court of Matara.

Diyogu Henedige Angoappu of Kapparatota... Plaintiff.
No. 6,862. Vs.

(1) Augustine Merwyn Ignatius Gunaratna, Proctor, Supreme Court, of Panadure, (2) Dr. Merl Perera (executor *de bonis tort* of the estate of the deceased, C. A. Gunaratne) of Ratnapura Defendants.

NOTICE is hereby given that on Saturday, May 11, 1935, commencing at 10 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following mortgaged property for the recovery of a sum of Rs. 3,868.40, with legal interest from February 5, 1935, till payment in full, viz. :-

1. All that the soil and fruit trees of the two contiguous lots A and B of the land called Mirissegewatta, situated at Talpawela, within the Four Gravets of Matara, Matara District, Southern Province; and bounded on the north by lot P and the land belonging to Mr. Kemps, east by Unapandurehena, south by Kalugahahena and lot E and footpath and Kahatagahawatta *alias* Gulugahawatta, and on the west by portions of same land; and containing in extent 2 acres 2 roods and 35.41 perches.

2. All that the soil and fruit trees of lot A of Kaluwagahahena, situated at Talpawela aforesaid; and bounded on the north by Mirissegewatta, east by Unapandurehena, south by lot B, and west by Mirissegewatta; and containing in extent 1 rood and 32.2 perches.

Deputy Fiscal's Office,
Matara, April 6, 1935.

H. V. F. ABAYAKOON,
Deputy Fiscal.

North-Western Province.

In the District Court of Negombo.

Kana Runa Veyana Kana Nana Velauthan Chettiar of Negombo Plaintiff.
No. 7,654. Vs.

Warnakulasuriya Mahatelge Eugino Fernando of Weñappuwa Defendant.

NOTICE is hereby given that on Saturday, May 4, 1935, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 3,335.34, with interest on Rs. 3,575 at the rate of 13 per cent. per annum from May 29, 1933, till September 27, 1933, and thereafter at 9 per cent. per annum till payment and poundage (less Rs. 170), viz. :-

An allotment of land called Nugagahahena, situated at Morawila in Kinyama korale of Katugampola hatpattu in the District of Kurunegala, North Western Province; and bounded on the north by lots 22, 20, 19B, and 19C in P. P. 1,425, east by T. P. 300,237, south by lot 3 in P. P. 1,441 and lots 19½ and 19H in P. P. 1,425, west by a road and lots Nos. 36, 35, 22½, and 22 in P. P. 1,425; containing in extent 37 acres. Registered in C 290/109.

The above property is under seizure under D. C., Negombo, writ No. 7,668 and 7,878.

Fiscal's Office,
Kurunegala, April 4, 1935.

R. S. GOONESEKERA,
Deputy Fiscal.

In the District Court of Puttalam.

U. S. Mohamado of Puttalam Plaintiff.
No. 4,446. Vs.
C. W. Brito of Puttalam Defendant.

NOTICE is hereby given that on Tuesday, May 7, 1935, at the time mentioned below, will be sold by public auction at the premises the right, title and interest of the above defendant in the following property:—

At 10 a.m. on May 2, 1935.—The rents and profits for five years from the date of sale of the land, called and known as Seemavelitotam, situate at Seemaveli South village in Puttalam Gravelts, Puttalam District, North-Western Province, in extent about 12 acres; and bounded on north by land belonging to A. Sultan Mohiedeen, east by land belonging to M. M. A. Ahamado Jalaldeen Marikar, south by land belonging to S. M. Siddick, and on the west by reservation.

Amount of writ Rs. 974.17, with interest on Rs. 748.90 at 15 per cent. per annum from November 7, 1932, to May 24, 1933, and thereafter at 9 per cent. till payment in full, costs, and poundage.

Deputy Fiscal's Office,
Puttalam, April 2, 1935.

R. CHINTAMANI,
Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Colombo.

(1) Theodora Mary Fernandopulle of Raja Giri, 58, St. Mary's Mattacooly, Colombo, (2) Peter Christopher de Costa, executor of the estate of the late Mary Magdalene de Costa, late of 179, Aluthawatta road, Mutwal Plaintiffs.
No. 1,649. Vs.

(1) Antony David of Kattaikadoo in Puttalam and (2) Maria David of Selva Mahal, Hill street, in Kottahena, Colombo Defendants.

NOTICE is hereby given that on Wednesday, May 8, 1935, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title and interest of the said 2nd defendant in the following property for the recovery of the sum of Rs. 5,220; with interest on Rs. 1,500 at 12 per cent. per annum from July 10, 1934, to October 19, 1934, and thereafter on the aggregate amount of the decree till payment in full and costs of suit and poundage, less Rs. 200 already paid:—

An undivided 1/4th part or share of all that and those the estate, plantations, and premises called and known as Madolwitiya estate, situated at Dodampe in the Uda pattu of Kuruwiti korale in the District of Ratnapura; bounded on the north by Kuru-ganga, east by Indiwitiya and the rubber estates owned by Dhanwardena Bandara, south by high road, Moragahadeniyakumbura and deniya, west by Gallena-ela; and containing in extent 182 acres and 26 perches.

Fiscal's Office,
Ratnapura, April 3, 1935.

E. MUNASINHA,
Deputy Fiscal.

I, Roger Herbert Whitehorn, Fiscal for the Western Province, do hereby appoint Mr. R. C. Wickramasinghe to be Marshal for the division comprising the Gampaha peruwa of Ragam pattu in Alutkuru korale south, the Meda pattuwa of Siyane korale west, the Udugaha pattuwa of Siyane korale east, the following peruwas, viz., Rada-wana, Keragala, Dompe, and Welgama of Gangaboda pattuwa of Siyane korale east, and the Hapitigam korale, under the provisions of the Fiscal's Ordinance, No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal on the 5th day of April, 1935, for which this shall be his warrant.

Fiscal's Office,
Colombo, April 5, 1935.

R. H. WHITEHORN,
Fiscal.

I, Roger Herbert Whitehorn, Fiscal for the Western Province, do hereby appoint Mr. W. A. Mendis to be Marshal for the division of Panadure comprising the Raigam korale and the Panadure totamune belonging to the revenue district of Kalutara and the portion of Salpiti korale in the revenue district of Colombo lying south of the village Angulana and of the road leading from the Wewala ferry to the Lunawa bridge near the 10th milepost on the Galle road and thence to Mampe road and from it to

Mattegoda and following villages, viz., Katuwawala, Nilam-mahara, Niwantidiya, Bokubdara, Dulammahara, Jaligoda, and Wewala, situate in Salpiti korale aforesaid, under the provisions of Fiscal's Ordinance, No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal from the 18th to 22nd day of April, 1935, for which this shall be his warrant.

Fiscal's Office,
Colombo, April 8, 1935.

R. H. WHITEHORN,
Fiscal.

I, Richard Morgan Davies, Fiscal of the Central Province, do hereby appoint Mr. Wijeratne Bandula Herat to be my Marshal for the division of Hatton, under Ordinance No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Fiscal's Office,
Kandy, April 2, 1935.

R. M. DAVIES,
Fiscal.

I, Murari Prasad, Fiscal for the North-Western Province, do hereby appoint R. V. Brito to be Marshal for the Puttalam District, under the provisions of the Fiscal's Ordinance, No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Given under my hand at Kurunegala, this 5th day of April, 1935.

M. PRASAD,
Fiscal.

I, Murari Prasad, Fiscal for the North-Western Province, do hereby appoint K. M. Tennekoon to be Marshal for the divisions of Dambadeni Udukaha north and west and Mairawathi korales of Dambadeni hatpattu, Giratalana, Baladora, and Angomu korales of Dewamedi hatpattu, Karandapattu, Meddeketiya, Yatikaha, Yagampattu, Kinyama, Katugampola, Medapattu east and west, Katugampola north and south, and Pitigal korales of Katugampola hatpattu in the Kurunegala District, under the provisions of the Fiscal's Ordinance, No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Given under my hand at Kurunegala, this 5th day of April, 1935.

M. PRASAD,
Fiscal.

I, Charles Ernest Jones, Fiscal for the Province of Uva, do hereby nominate and depute Walwin Arnold de Silva, Esq., to be my Deputy in the said Office of Fiscal for the Province of Uva, during my pleasure.

April 8, 1935.

C. E. JONES,
Fiscal.

I, Charles Ernest Jones, Fiscal for the Province of Uva, do hereby nominate and depute Joseph Isaac Gnanamuttu, Esq., to be my Deputy in the said Office of Fiscal for the Province of Uva, during my pleasure.

April 8, 1935.

C. E. JONES,
Fiscal.

I, Charles Ernest Jones, Fiscal for the Province of Uva, do hereby nominate and depute Mr. Thirimadure James Mendis to be my Additional Deputy in the said Office of Fiscal for the Province of Uva, during my pleasure.

April 8, 1935.

C. E. JONES,
Fiscal.

I, Charles Ernest Jones, Fiscal for the Province of Uva, do hereby appoint Mr. Makalandage Richard de Silva to be Marshal for the Division of Bandarawela, under the provisions of the Fiscal's Ordinance, No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

April 8, 1935.

C. E. JONES,
Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

31 In the District Court of Colombo. Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Mana Kuna Mohideen Meera Saibo of No. 7,126. 30, Third Cross street, in Colombo, deceased.

Mana Kuna Ahamad Assen of 30, Third Cross street, Pettah, Colombo Petitioner.

- (1) Mahuthu Pathumma, (2) Jainamba Seyad Ali Pathumma, (3) Seyed Lameil Saibo, (4) Seyed Mohamed Pathumma, (5) Mohideen Assen Saibo, all of Kattapattam in South India, (6) S. M. Kalunga Mohideen of 30, Third Cross street, Colombo. Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on March 14, 1935, in the presence of Mr. C. Sevaprakasam, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated March 12, 1935, and power of attorney in favour of the petitioner, having been read:

It is ordered (a) that the 6th respondent be and he is hereby appointed guardian ad litem of the minor, the 2nd, 3rd, 4th, and 5th respondents above named, to represent them for all the purposes of this action, and (b) that the petitioner be and he is hereby declared entitled, as attorney of the widow of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before May 16, 1935, show sufficient cause to the satisfaction of the court to the contrary.

March 14, 1935. G. C. THAMBYAH, District Judge.

In the District Court of Colombo. Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Reginald Limond Benwell of No. 7,150 N.T. Ashfield, Yaxley, in the County of Hants, England, deceased.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on April 4, 1935, in the presence of Messrs. F. J. and G. de Saram, Proctors, on the part of the petitioner, George Roland Smart of Colombo, and (1) the affidavit of the said petitioner dated April 1, 1935, (2) the power of attorney dated February 14, 1935, and (3) the order of the Supreme Court dated March 28, 1935, having been read: It is ordered that the will of the said Reginald Limond Benwell, deceased, dated November 11, 1934, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said George Roland Smart is the attorney in Ceylon of the sole executrix named in the said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before May 16, 1935, show sufficient cause to the satisfaction of this court to the contrary.

April 4, 1935. G. C. THAMBYAH, District Judge.

In the District Court of Negombo. Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of H. Don Siman Appuhamy of No. 2,946. Etgala, deceased.

Between

- (1) H. Don Cyril Appuhamy of Etgala, (2) Don Marthinu Jayawardene Appuhamy of Welihena. Petitioners.

And

- (1) Happu Aratchige Don Marianu Appuhamy, (2) ditto Dona Maria Nona Hamy, (3) ditto Rosa Mari Hamy, (4) ditto Don Charles Appuhamy, (5) ditto Dona Charlotte Mable Agnes, (6) ditto Don Ansalet Appuhamy; the 5th and 6th are minors by their Guardian ad litem the 7th respondent, (7) ditto Don Pedru Appuhamy, (8) Vincent Paul Fernando, all of Etgala Respondents.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge of Negombo, on March 20, 1935, in the presence of Mr. S. A. I. Dheen, Proctor, on the part of the petitioners; and their petition and affidavit dated March 19, 1935, and March 11, 1935, respectively,

and the affidavit of the notary and witnesses attesting the last will and testament of the above-named deceased, having been read:

It is ordered that the last will and testament of the above-named deceased dated October 29, 1932, the original of which is now deposited in this court, be and the same is hereby declared proved; unless the respondents above named or any other person or persons interested should show sufficient cause to the contrary to the satisfaction of this court on or before April 17, 1935.

It is further ordered that the respondent be appointed guardian ad litem of the 5th and 6th respondents, who are minors, for the purpose of this case, unless the respondents above named or any person or persons interested shall show sufficient cause to the satisfaction of this court to the contrary on or before April 17, 1935.

It is further ordered that the petitioners be and they are hereby declared entitled, as the executors named in the said last will and testament, to have probate to the estate issued to them, unless the respondents above named or any other person or persons interested shall show sufficient cause to the satisfaction of this court to the contrary on or before April 17, 1935.

March 20, 1935. D. H. BALFOUR, District Judge.

35 In the District Court of Negombo. Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Sembukuttiaratchige Benedict No. 2,940. Gabriel de Silva of Katana, deceased.

Sembukuttiaratchige Reginold Leopold de Silva of Katana Petitioner.

- (1) Helan de Silva of Katana, (2) Sembukuttiaratchige Benedict de Silva of Katana (minor). Respondents.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge of Negombo, on February 12, 1935, in the presence of Mr. P. D. F. de Croos, Proctor, on the part of the petitioner; and the petition and affidavit of the petitioner dated January 23, 1935, having been read:

It is ordered that the petitioner be and is hereby declared entitled, as a brother of the above-named deceased, to have the letters of administration to the above estate issued to him, unless the respondents above named or any other person or persons interested shall show sufficient cause to the satisfaction of this court to the contrary on or before March 4, 1935.

It is further ordered that the 1st respondent be and she is hereby declared appointed guardian ad litem of the 2nd respondent, who is a minor for the purpose of this case, unless the respondents above named or any other person or persons interested shall show sufficient cause to the satisfaction of this court to the contrary on or before March 4, 1935.

February 12, 1935. D. H. BALFOUR, District Judge.

Time for showing cause this Order Nisi is extended till April 16, 1935.

D. H. BALFOUR, District Judge.

In the District Court of Kalutara.

Testamentary Jurisdiction. In the Matter of the Estate of the late No. 2,629. Galappaththige James Silva of Alutgama East, deceased.

30.

Between

Diwadalage Charlis Silva of Alutgama Petitioner.

- (1) Galappaththige Piyaseeli de Silva, represented by her guardian ad litem, (2) Diwadalage Mappy Silva, both of Alutgama Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on March 15, 1935, in the presence of Mr. Arthur de Silva, Proctor, on the part of the petitioner, Diwadalage Charlis Silva of Alutgama; and the affidavit of the said petitioner dated January 31, 1935, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as brother-in-law, to have letters of administration to the said estate issued to him, unless the respondents or any other person or persons interested shall, on or before May 9, 1935, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said second respondent be and she is hereby appointed guardian *ad litem* over the first minor respondent for the purpose of this action, unless the respondents or any other person or persons interested shall, on or before May 9, 1935, show sufficient cause to the satisfaction of this court to the contrary.

March 15, 1935.

N. M. BHARUCHA,
District Judge.

In the District Court of Nuwara Eliya.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Arthur Stephen Paynter, late of
No. 286. Nuwara Eliya, deceased.

(1) Agnes Louisa Paynter of Nuwara Eliya, (2) Samuel
Susew Weerasuriya of Dodanduwa. Petitioners.

And

(1) Ada Averill Greet *nee* Paynter of The Children's
Home, Nuwara Eliya, (2) Arnold Grimbly Paynter
presently residing at Champawatt District of
Almora, United Provinces, India, (4) David Stilling-
ford Paynter, and (5) Evnageline Lucy Paynter,
both of Nuwara Eliya Respondents.

THIS matter coming on for disposal before Richard
Montagu Gybbon Monypenny, Esq., District Judge,
Nuwara Eliya, on February 14, 1935, in the presence of
Mr. P. P. Sumanatilake, Proctor, on the part of the peti-
tioners above named; and the affidavit of the said Agnes
Louisa Paynter and Samuel Susew Weerasuriya dated
February 7 and 8, 1935, and the petition of the petitioners
dated February 14, 1935, having been read: It is ordered
that the will of Arthur Stephen Paynter, deceased, dated
November 5, 1912, now deposited in court, be and the same
is hereby declared proved, unless the respondents above
named or any other person or persons interested shall, on
or before March 29, 1935, show sufficient cause to the
satisfaction of this court to the contrary.

And it is further declared that the said Agnes Louisa
Paynter and Samuel Susew Weerasuriya, the petitioners
above named, are the executors named in the said will and
that they are entitled to have probate of the same issued
to them accordingly, unless the respondents above named
or any other person or persons interested shall, on or before
March 29, 1935, show sufficient cause to the satisfaction of
this court to the contrary.

R. M. G. MONYPENNY,
February 14, 1935. District Judge.

Time to show cause against this *Order Nisi* is extended
till April 26, 1935.

R. M. G. MONYPENNY,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Joslin Charlotte Perera Goonawardana,
No. 7,639. deceased, of Hiddaruwa, Kosgoda.

THIS matter coming on for disposal before C. E. de
Vos, Esq., District Judge of Galle, on March 7, 1935,
in the presence of Mr. A. P. de Zoysa, Proctor, on the
part of the petitioner, Albert Smith de Silva Karunaratna
of Hiddaruwa, Kosgoda; and the affidavit of the said
petitioner dated March 6, 1935, having been read:

It is ordered that the said respondent be appointed
guardian *ad litem* over the 1st minor respondent, unless
the said respondent, viz., (1) Agampodi Chaman Jeeva-
nanda de Thabrew, (2) Raiso de Silva Karunaratna, both
of Hiddaruwa, Kosgoda, shall, on or before April 16, 1935,
show sufficient cause to the satisfaction of this court to
the contrary.

It is further declared that the said petitioner, as a cousin
of the deceased above named, is entitled to have letters of
administration issued to him accordingly, unless the said
respondents shall, on or before April 16, 1935, show suffi-
cient cause to the satisfaction of this court to the contrary.

C. E. DE VOS,
March 7, 1935. District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate and Effects
Jurisdiction. of the late Sinnappu Navaretnam of
No. 36. Manipay, deceased.

Annaretnam, widow of Sinnappu Navaretnam of
Manipay. Petitioner.

And

(1) Navaretnam Vamathevan, (2) Navaretnam Krish-
nadevan, (3) Navaretnam Pathmanathan (minors),
all of Manipay, (4) Sinnappu Seevaretnam of ditto,
presently of Gampola. Respondents.

THIS matter of the petition of the petitioner above
named, praying for letters of administration to the estate
of the deceased above named, coming on for disposal
before C. Coomaraswamy, Esq., District Judge, Jaffna,
on March 22, 1935, in the presence of Mr. T. C. Rajaretnam,
Proctor, on the part of the petitioner; and the affidavit
and petition of the petitioner above named having been
read: It is ordered that letters of administration to the
estate of the deceased above named be issued to the above-
named petitioner, as the widow of the deceased above named,
unless the respondents shall appear before this court on
May 10, 1935, and show sufficient cause to the satisfaction
of this court to the contrary.

March 22, 1935. C. COOMARASWAMY,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Kanagasabapathy Veluppillai of Nunvely,
No. 8,603. deceased.

Kannammah, daughter of Vairilingam of ditto. Petitioner.

(1) Veluppillai Kanagaratnam and (2) Veluppillai
Annaledchumy, both minors by their guardian
ad litem the 3rd respondent, (3) Arumugam Soma-
sundram of Nunvely. 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 C. Coomaraswamy,
Esq., District Judge, on February 21, 1935, in the presence
of Mr. V. A. Harichandra, Proctor, on the part of the
petitioner; and the affidavit of the petitioner dated
September 3, 1934, having been read: It is declared that
the petitioner is one of the relation of the said intestate
and is entitled to have letters of administration to the estate
of the said intestate issued to him, unless the 3rd re-
spondent or any other person shall, on or before March 13,
1935, show sufficient cause to the satisfaction of this court
to the contrary.

February 25, 1935. C. COOMARASWAMY,
District Judge.

This *Order Nisi* is extended and reissued returnable on
April 17, 1935.

March 13, 1935. C. COOMARASWAMY,
District Judge.

In the District Court of Mullaaittivu.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Sadayar Arumugam of Kurukkal Puthu,
No. 300. kulam in Vavuniya South, deceased.

Ponnachchy, wife of Murugar Ramupillai of Vannar-
ponnai East in Jaffna, by her attorney Ramupillai
Vallipuram of Vannarponnai East in Jaffna. Petitioner.

THIS matter of the petition of Ponnachchy, wife of
Murugar Ramupillai of Vannarponnai East in Jaffna,
praying for letters of administration to the estate of the
above-named deceased, Sadayar Arumugam of Kurukkal
Puthukulam in Vavuniya South, coming on for disposal
before M. F. de S. Jayaratne, Esq., District Judge, on
April 3, 1935, in the presence of Messrs. Ramaswamy &
Valemurugu, Proctors, on the part of the petitioner; and
affidavit of the petitioner's attorney dated March 12, 1935,
having been read: It is declared that the petitioner is the
sister of the said intestate and is entitled to have letters of
administration to the estate of the said intestate issued to
her, unless any person shall, on or before April 27, 1935,
show sufficient cause to the satisfaction of this court to the
contrary.

April 3, 1935. M. F. DE S. JAYARATNE,
District Judge.

In the District Court of Puttalam.

Testamentary In the Matter of the Intestate Estate of the
No. 707. late Assen Naina Marikar Balkees Umma
of Teli, deceased.

Naina Muhammad Marikar Sheikh Ismail Marikar of
Teli Petitioner.

Vs.

(1) Wappa Saibu Marikar Assen Naina Marikar *alias*
Ponnimuthu Marikar, (2) Muhammad Umma Johara,
Beevy, minor, appearing by her proposed guardian
ad litem (3) Sheikh Sathakatullah Marikar Ali Thamby
Marikar, all of Teli Respondents.

THIS matter coming on for disposal before R. J. Wilkin-
son, Esq., Additional District Judge of Puttalam, on
February 1, 1935, in the presence of H. S. Ismail, Proctor,
on the part of the petitioner; and the petition of the
petitioner dated February 1, 1935, and affidavit dated
January 30, 1935, having been read: It is ordered that the
above-named Sheikh Sathakatullah Marikar Ali Thamby
Marikar, the 3rd respondent, be and he is hereby appointed
guardian *ad litem* over the minor, the 2nd respondent above
named, and that the above-named petitioner, Naina
Muhammad Marikar Sheikh Ismail Marikar, be and he is
hereby appointed administrator of the above-named
deceased, Assen Naina Marikar Balkees Umma, and that
letter of administration be accordingly issued to him, unless
the respondents above named or any other person or
persons interested in the matter of this application shall,
on or before March 25, 1935, show sufficient cause to the
contrary.

February 1, 1935.

Time to show cause is extended up to April 16, 1935.

March 25, 1935.

R. J. WILKINSON,
Additional District Judge.S. S. J. GUNASEKARA,
District Judge.

In the District Court of Ratnapura.

Order Nisi.

District Court, In the Matter of the Estate of the late
Kalutara, Ahammadu Lebbe Marikar Mohamradu
Testamentary Lebbe deceased.
No. 2,560.

THIS matter coming on for disposal before C. F. Dharmar-
ratna, Esq., Additional District Judge of Ratnapura, on
October 4, 1932, in the presence of Mr. A. D. de Fonseka,
Proctor, on the part of the petitioner, Ahammadu Lebbe
Ismail Marikar and Mrs. Mulla Sahidha of Kuda Heenatiyan-
gala; and the affidavit of the said petitioner dated Sep-
tember 30, 1932.

It is ordered that Ahammadu Lebbe Marikar Moham-
madu be appointed guardian *ad litem* of the minor respon-
dent, Mohamradu Lebbe Asu Nona, and Uduma Lebbe
Marikar Ahammadu Ismail be appointed guardian *ad litem*
of the minor respondent, Mohamradu Lebbe Marikar
Mohamradu Suleiman of Kuda Heenatiyangala, unless
the said respondents or any other person or persons
interested shall, on or before November 21, 1932, show
sufficient cause to the satisfaction of this court to the
contrary.

It is further declared that the said petitioner above
named is the widow of the deceased above named and that
she is entitled to have letters of administration to the estate
of the said deceased issued to her accordingly, unless the
respondents above named or any other person or persons
interested shall, on or before November 21, 1932, show
sufficient cause to the satisfaction of this court to the
contrary.

October 4, 1932.

C. F. DHARMARATNA,
District Judge.

The above Order Nisi is extended till April 17, 1935,
before the District Court of Kalutara, to which the case
has been transferred.

March 27, 1935.

N. M. BHARUCHA,
District Judge.