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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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PASSED ORDINANCES.

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

No. 1 of 1935.

973/9 (S.B.)

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| No. 16 of 1931. | <p style="text-align: center;">An Ordinance to amend the Ceylon State Mortgage Bank Ordinance, 1931.</p> <p style="text-align: center;">R. E. STUBBS.</p> <p style="text-align: center;">BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows :—</p> <p>Short title. 1 This Ordinance may be cited as the Ceylon State Mortgage Bank Amendment Ordinance, No. 1 of 1935.</p> <p>Amendment of section 36 of Ordinance No. 16 of 1931. 2 Section 36 of the Ceylon State Mortgage Bank Ordinance, 1931, (hereinafter referred to as "the principal Ordinance"), is hereby amended as follows :—</p> <p style="margin-left: 40px;">(1) by the re-numbering thereof as sub-section (1) of that section ; and</p> <p style="margin-left: 40px;">(2) by the insertion of the following new sub-section as sub-section (2) thereof :—</p> <p style="margin-left: 80px;">“ (2) The Board may compound for the payment of the stamp duty payable on the debentures in the same manner and subject to the same conditions as a joint stock company issuing debenture stock and authorised under section 5 of the Stamp Ordinance, 1909, to compound for payment of stamp duty.”</p> <p>No. 22 of 1909.</p> <p>Amendment of section 37 of the principal Ordinance. 3 Section 37 of the principal Ordinance is hereby amended by the addition of the following proviso at the end thereof :—</p> <p style="margin-left: 40px;">“ Provided that where any applicant for debentures elects to have such debentures issued to him in a denomination higher than fifty rupees, the Directors may, if they think fit, issue debentures to that applicant in that higher denomination.”</p> <p>Insertion of new section 44A in the principal Ordinance.</p> <p style="margin-left: 40px;">Power to redeem part of any debenture of the higher denominations.</p> <p style="margin-left: 40px;">4 Immediately after section 44 of the principal Ordinance the following new section shall be inserted and shall have effect as section 44A of that Ordinance :—</p> <p style="margin-left: 80px;">44A. If in the course of any drawing for the compulsory redemption of debentures under section 42, a debenture is drawn of such a denomination that the amount of that debenture together with the amount of the debentures previously drawn on that occasion exceeds the amount of the debentures to be compulsorily redeemed, the Board shall redeem such part of that debenture as may be sufficient for the purpose of such compulsory redemption, and shall issue to the holder of that debenture one or more new debentures of such denomination as the Board may determine and equal in the aggregate to the amount of the unredeemed part of that debenture.</p> <p>Amendment of section 52 of the principal Ordinance. 5 Section 52 of the principal Ordinance is hereby amended as follows :—</p> <p style="margin-left: 40px;">(1) in paragraph (c) thereof, by the deletion of all the words after the word “ purposes ” ; and</p> <p style="margin-left: 40px;">(2) at the end thereof, by the insertion of the following new paragraph and proviso :—</p> <p style="margin-left: 80px;">“ (d) Any other purpose which may be prescribed by rule made under section 92.</p> <p style="margin-left: 80px;">Provided that in making such loans the Bank shall give preference to any person who applies for a loan for any of the purposes authorised in paragraph (a), (b) and (c) ”.</p> <p>Amendment of section 53 of the principal Ordinance. 6 Section 53 of the principal Ordinance is hereby amended as follows :—</p> <p style="margin-left: 40px;">(1) in paragraph (a) thereof, by the substitution for the words “ five thousand rupees ”, of the words “ two thousand five hundred rupees ” and</p> <p style="margin-left: 40px;">(2) in paragraph (e) thereof, by the substitution for the words “ six and a half per centum per annum ”, of the words “ the minimum rate fixed by rule under section 92.”</p> |
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7 Section 92 of the principal Ordinance is hereby amended in sub-section (1) thereof as follows :—

Amendment of section 92 of the principal Ordinance.

- (1) by the omission of the words " in Council " ; and
- (2) by the addition at the end of paragraph (d) thereof, of the words " the minimum rate of the interest to be charged on loans and the additional purposes for which loans may be made under section 52."

Passed in Council the Twenty-ninth day of March, One thousand Nine hundred and Thirty-five.

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Governor the Fifteenth day of April, One thousand Nine hundred and Thirty-five.

G. M. RENNIE,
Secretary to the Governor.

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to provide for the establishment in the Island of an official Bureau of Statistics and for the supply of information thereto.

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 Statistics Ordinance, No. of 1935.

Short title.

2 The Governor may by proclamation published in the Gazette, apply the provisions of this Ordinance to any matter relating to the economic conditions of the Island, including among others any matter relating to agriculture, emigration, immigration, factories, meteorology, mining, importation, exportation, manufacture and sale of products, stocks of products in possession and in course of transshipment, shipping, transportation by land or by water, trade, labour, industry, and commerce.

Matters to which the Ordinance applies.

3 There shall be established in the Island a Bureau of Statistics for the collection and preparation of statistics relating to any matter to which the provisions of this Ordinance are applied by proclamation under section 1.

Establishment of Bureau of Statistics.

4 (1) The Governor may appoint—

- (a) any person by name or by office to be or to act as Director of Statistics ;
- (b) such other officers and servants as may from time to time be required for the purposes of this Ordinance.

Appointment of Director and other officers.

(2) The Bureau shall be under the control and management of the Director.

(3) All persons, officers, and servants discharging duties or engaged in carrying out the provisions of this Ordinance shall be deemed to be public servants within the meaning of the Ceylon Penal Code.

5 (1) The Director may at any time by notice in writing require any person to supply, in the prescribed form and before a specified date, any information relating to any matter to which this Ordinance applies.

Supply of information.

(2) In addition to or in lieu of the power under sub-section (1), the Director or any officer duly authorised by him may at any time require any person to supply to the prescribed officer, in the prescribed manner and before a specified date, written or oral information relating to any matter to which this Ordinance applies.

(3) The Director or any officer duly authorised by him may at any time require any person to produce or cause to be produced before a specified date such documentary or other evidence as the Director or the officer so authorised may deem necessary for the purpose of verifying any information supplied by that person under this Ordinance.

Duty of person supplying information.

6 Every person required under section 5 to supply any information shall be bound to supply that information to the best of his knowledge and belief :

Provided that no person shall be required or bound to supply any information other than such as is accessible to him in and derivable by him from any business, undertaking, occupation, or work carried on in the Island of which he is the owner for the time being, or in the conduct or supervision of which he is engaged, or any information which involves the disclosure of any technical process or trade secret in or relating to such business, undertaking, occupation or work.

Information supplied by any one person not to be published except in certain circumstances.

7 (1) No information supplied by any one person under the provisions of this Ordinance shall be published without the consent in writing of the owner for the time being of the land, business, or undertaking to which that information relates ; nor, except for the purposes of a prosecution under this Ordinance, shall that information be divulged or communicated to any person not engaged in the collection and preparation of statistics under this Ordinance.

(2) Every person engaged in the collection and preparation of statistics under this Ordinance shall make a declaration in the prescribed form that he will not, except for the purposes of this Ordinance, disclose or make use of any information supplied under this Ordinance.

Penalty for unlawful disclosure of information.

8 Any person who—

- (a) knowingly acts in contravention of a declaration made by him under section 7 ; or
- (b) being in possession of any information which to his knowledge has been disclosed in contravention of the provisions of section 7, publishes or communicates that information to any other person,

shall be guilty of an offence and shall on conviction after summary trial before a Police Magistrate be liable to imprisonment of either description for a term not exceeding one year or to a fine not exceeding one thousand rupees or to both such imprisonment and fine.

Mode of service of notices, &c.

9 Subject to any regulations made under section 13, all notices and other communications for the purposes of this Ordinance may be served in the following manner :—

- (1) Where the owner for the time being of the land, business, or undertaking in relation to which information is required is in Ceylon, the notice or communication shall be deemed to have been duly served upon him if it has been delivered to him or left with some adult member of his family who resides with him.
- (2) Where the owner for the time being of such land, business, or undertaking has in Ceylon an agent duly authorised by power of attorney to accept service on his behalf or an agent or other employee entrusted with the control, management or supervision of such land, business, or undertaking, the notice or communication shall be deemed to have been duly served upon such owner if it has been delivered to such agent or employee.
- (3) Where service cannot be effected in the manner described in sub-sections (1) and (2), the notice or communication shall be deemed to have been duly served upon such owner if it has been sent by registered post addressed to him at his last known place of residence in the Island.
- (4) Where the owner for the time being of such land, business, or undertaking is a company or corporation the notice or communication shall be deemed to have been duly served upon such company or corporation if it has been—
 - (a) delivered to any director, manager, secretary or other principal officer in the Island of that company or corporation or to any person duly authorised to accept service on behalf of the company or corporation or to any person having on behalf of the company or corporation powers of control or management over such land, business, or undertaking ; or
 - (b) left at the registered office, if any, of the company or corporation in Ceylon ; or
 - (c) sent by registered post addressed to the company or corporation at its principal office wherever situate.

10 Any person who—

Offences.

- (a) commits a breach of any of the provisions of this Ordinance or of any regulation made thereunder, or
- (b) without lawful excuse refuses or neglects to comply with any direction or requirement duly made under the powers conferred by this Ordinance, or by any regulation made thereunder, or
- (c) resists or obstructs any person in the performance of the duties imposed or in the exercise of the powers conferred upon him under this Ordinance or under any regulation made thereunder, or
- (d) knowingly supplies or causes to be supplied any false information when directed to supply information under this Ordinance or under any regulation made thereunder, or
- (e) knowingly produces or causes to be produced any false evidence when directed to produce evidence under this Ordinance or under any regulation made thereunder,

shall be guilty of an offence and shall on conviction after summary trial before a Police Magistrate be liable to a fine not exceeding one thousand rupees, or to simple or rigorous imprisonment for a period not exceeding one year and, in the case of a continuing offence shall be liable to a further fine not exceeding fifty rupees for each day during which the offence continues.

11 Where a company or corporation has been directed by a notice served in the manner provided in section 9 (4) to supply any information or to produce any evidence under this Ordinance or under any regulation made thereunder, every director, and the manager, secretary, or other principal officer in the Island of that company or corporation, and any person to whom such notice has been delivered under section 9 (4), who—

Liability of individuals for offences committed by companies, &c.

- (a) without lawful excuse refuses or neglects, or wilfully authorises or permits any employee of that company or corporation to refuse or neglect, to supply that information or to produce that evidence in accordance with such direction, or
- (b) knowingly supplies or causes to be supplied any false information, or
- (c) knowingly produces or causes to be produced any false evidence,

shall be guilty of an offence and shall be liable on conviction after summary trial before a Police Magistrate to the punishment provided in section 10.

12 Where any person has committed an offence under section 10 (d) or section 11 (b), the offence shall be deemed to be a continuing offence until true information shall have been duly supplied.

Continuing offences.

13 (1) The Executive Committee may make regulations for the purpose of carrying out the provisions of this Ordinance.

Regulations.

(2) In particular, and without prejudice to the generality of the powers conferred by sub-section (1), the Executive Committee may make regulations for or in respect of all or any of the following matters :—

- (a) all matters under this Ordinance stated or required to be prescribed ;
- (b) the manner in which information required under this Ordinance shall be collected and arranged by the Bureau either in co-operation with or independently of the Government Agent of any province, the Assistant Government Agent of any district, or the head of any department of Government ;
- (c) the officers to whom, the times and places at which, and the form and manner in which information shall be supplied and authenticated ;
- (d) the form and manner in which statistics collected under this Ordinance shall be published ;
- (e) the manner in which notices and other communications issued under this Ordinance shall be served in special cases ;
- (f) the exemption from the obligation to furnish information under this Ordinance either wholly or to a limited extent and either unconditionally or subject to conditions, of any person or class of persons ;
- (g) the entry and inspection by officers discharging duties under this Ordinance of any land, institution, building, mine, factory, workshop or other place, for the purpose of obtaining or verifying information required under this Ordinance.

Approval of State Council and ratification by Governor.	<p>14 (1) No regulation made under this Ordinance shall have effect unless it has been approved by the State Council and ratified by the Governor. Notification of such approval and ratification shall be published in the Gazette.</p> <p>(2) Every regulation shall, upon the publication of the approval and ratification of that regulation as provided for in sub-section (1) be as valid and effectual as if it were herein enacted.</p>
Duty in making regulations.	<p>15 In making regulations under this Ordinance, due regard shall be had to the circumstances of various trades and industries, and in particular to the importance of avoiding the disclosure in any information required under this Ordinance of any technical process, trade secret, or trading profits, or of any other matter the disclosure of which would be likely to tend to the prejudice of the owner for the time being of the land, business or undertaking to which that information relates.</p>
Contents of reports, &c., published under the Ordinance.	<p>16 In any report, summary of statistics, or other publication prepared under this Ordinance with reference to any trade or industry, the particulars comprised in the information supplied by any one person shall not be disclosed or so arranged as to facilitate the identification of any particulars so published as being particulars relating to any individual person or business.</p>
Information to be verified by declaration.	<p>17 (1) All information supplied under this Ordinance shall be verified by a declaration that the statements contained therein are true and accurate.</p> <p>(2) Every declaration made under this Ordinance shall be free from stamp duty.</p>
Interpretation.	<p>18 In this Ordinance unless the context otherwise requires—</p> <p>“Bureau” means the Bureau of Statistics established under section 2 ;</p> <p>“Director” means the person appointed by the Governor to be or to act as Director of Statistics under section 3 ;</p> <p>“Executive Committee” means the Executive Committee of Labour, Industry and Commerce ;</p> <p>“prescribed” means prescribed by this Ordinance or by any regulations made thereunder ;</p> <p>“regulation” means a regulation made by the Executive Committee of Labour, Industry and Commerce.</p>

Objects and Reasons.

1. There is at present no provision for the systematic collection of statistics relating to the economic condition of the Island and the need for an organisation whose duty it would be to collect such statistics has been felt for some time. Statistical information secured by means of voluntary or optional returns cannot be relied upon as accurate.

2. The object of this Bill is to establish an official Bureau of Statistics, under the control and management of the Director of Statistics. The Bureau will be responsible for the collection and preparation of statistics relating to any matter to which the Bill applies. (Clauses 3 and 4.) Clause 2 enables the Governor to apply the Bill by proclamation to any matter relating to the economic conditions of the country.

3. Statistics will be collected by the Director and his staff, with the co-operation where necessary of Government Agents and the heads of other departments of Government, in accordance with regulations which the Executive Committee is empowered to make. Clause 5 empowers the Director by written notice to require any person to supply on the prescribed form information relating to any matter to which the Ordinance applies. That Clause also gives power to the Director to require any person to supply to the prescribed officer oral or written information on any such matter, and to call for documentary or other evidence for the purpose of verifying any information supplied. All persons engaged in the collection of statistics are by Clause 4 (3) declared to be public servants within the meaning of the Ceylon Penal Code, and the Executive Committee may by regulation provide for the entry and inspection of any land, building, factory, &c., for the purposes of the Ordinance. Every person who is required to furnish information is bound to supply that information and make a declaration that such information is true (Clauses 6 and 17 (1)). Any person who refuses or neglects to supply any information which he is required to supply will be guilty of an offence. (Clauses 10 and 11.) Clause 6 provides that no person shall be required or bound to

supply any information which will involve the disclosure of any technical process or trade secret, or which does not relate to a business or other undertaking of which he is the owner or in the conduct or supervision of which he is engaged.

4. In order to ensure the secrecy of the information collected it is provided in Clause 7 (2) that every person engaged in the collection of statistics should make a declaration to the effect that he will not disclose any information except for the purposes of the Ordinance and Clause 8 penalises every person who acts in violation of such a declaration. Further safeguards are provided in Clauses 7 (1) and 16. Clause 7 prohibits the publication of any information affecting individual interests without the consent of the owner of the business or other undertaking to which that information relates. Clause 16 requires that particulars published in any report or summary of statistics shall not be so arranged as to facilitate the identification of the individual or business to which those particulars relate.

5. Clause 13 confers upon the Executive Committee power to make regulations generally for the purposes of the Bill, and in particular for such matters as are mentioned in that Clause. Clause 15, which is modelled on corresponding legislation in the Federated Malay States, requires due regard to be paid, in preparing regulations, to the circumstances of various trades and industries, and in particular to the importance of avoiding the disclosure in any information required under the Bill of any technical process or trade secret, or any other matter the disclosure of which would tend to the prejudice of the owner of the business or undertaking to which the information relates.

PERI SUNDARAM,

Minister for Labour, Industry and Commerce.

Colombo, April 24, 1935.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 4,849. In the matter of the insolvency of Devenividanelage Bertie Fernando of 42, Mohamdiram's road, Colpetty, Colombo.

WHEREAS the above-named Devenividanelage Bertie Fernando has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by M. W. Fernando of 90, Mohandiram's road, Colpetty, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Devenividanelage Bertie Fernando insolvent accordingly; and that two public sittings of the court, to wit, on May 21, 1935, and on June 4, 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 16, 1935. Secretary.

In the District Court of Kandy.

No. 1,998. In the matter of the insolvency of Vethiah Robert Selliah of Wattagama in Palle-gampaha of Pata Dumbara.

NOTICE is hereby given that a special meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 31, 1935, to appoint an assignee.

By order of court, E. J. DE ZILVA,
April 11, 1935. Acting Secretary.

In the District Court of Kandy.

No. 2,048. In the matter of the insolvency of Clements Morris Rosayro of Empire Theatre, 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 May 31, 1935, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, E. J. DE ZILVA,
April 17, 1935. Acting Secretary.

In the District Court of Kandy.

No. 2,051. In the matter of the insolvency of Solomon Nadar's son Yovan Nadar of Nawalapitiya.

NOTICE is hereby given that the order of adjudication made in the above case has been annulled.

By order of court, E. J. DE ZILVA,
April 23, 1935. Acting Secretary.

In the District Court of Kandy.

No. 2,052. In the matter of the insolvency of Thomas Rasiah Williams of Cemetery road in Kandy.

NOTICE is hereby given that the order of adjudication made in the above case has been annulled.

By order of court, E. J. DE ZILVA,
Acting Secretary.

In the District Court of Kandy.

No. 2,085. In the matter of the insolvency of M. R. Muthucumaru of Matale.

WHEREAS M. R. Muthucumaru has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Muna Suppiah under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said M. R. Muthucumaru insolvent accordingly; and that two public sittings of the court, to wit, on May 10, 1935, and on June 7, 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, R. MALALGODA,
April 10, 1935. Secretary.

In the District Court of Kurunegala.

No. 112. In the matter of the insolvency of M. S. M. Mohammado Abdul Cader of Polgahawela.

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 21, 1935, for the examination of the insolvent.

By order of court, T. J. M. FERNANDO,
Secretary.

NOTICES OF FISCALS' SALES.

23 Western Province.

In the District Court of Colombo.

In the matter of the intestate estate of Idroos Lebbe Marikar Pathumuttu, wife of Wappu Maraikar Alim Ahamed of 166, Old Moor street, Colombo (deceased).

No. 6,533 Testamentary.

Wappu Maraikar Alim Ahamed of 166, Old Moor street, Colombo Petitioner.

NOTICE is hereby given that on Wednesday, May 22, 1935, at 2 o'clock in the afternoon, will be sold by public auction on 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. 8.04 being costs of citation and writ, viz. :—

All that premises bearing assessment No. 37 presently No. 111, situated at New Moor street, Pettah, within the Municipality and District of Colombo, Western Province; and bounded on the north by boundary wall, on the east by premises No. 113, New Moor street, on the south by New Moor street, and on the west by premises No. 109, New Moor street; containing in extent about 6 perches more or less.

Fiscal's Office,
Colombo, April 24, 1935.

R. O. DE SARAM,
Deputy Fiscal.

In the District Court of Colombo.

S. P. K. Kasivisvanathan Chettiar of Sea street, Colombo Plaintiff.

No. 31,675. Vs.

(1) K. Martin Perera of Fort, Colombo, presently of Kotahena, (2) Edgar O. Gerreyn of 171, Grandpass road, Colombo Defendants.

NOTICE is hereby given that Thursday, May 30, 1935, at 3.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 796.25, with legal interest thereon from February 14, 1929, till payment in full and costs of suit, less a sum of Rs. 520, viz. :—

All that lot marked D and bearing assessment No. 76, situated between the road to Mutwal and Wall street, Kotahena, within the Municipality and District of Colombo, Western Province, and presently bearing assessment No. 107, Wall street, Kotahena aforesaid; and bounded on the north-east by the property of Louis Mendis, on the south-west by Wall street, and on the north-west by the property of Kalu Appu and lot marked C; containing in extent 12½ square perches; and registered in A 157/30 presently by on the north by the property No. 109, on the east by Wall street, on the south by premises No. 105, and on the west by Wasala road, Kotahena, Colombo.

Fiscal's Office,
Colombo, April 24, 1935.

R. O. DE SARAM,
Deputy Fiscal.

In the District Court of Colombo.

(1) V. K. R. S. T. Casivisvanathan Chettiar and (2) V. K. R. S. T. Narayanan Chettiar, both of Sea street, Colombo Plaintiffs.

No. 49,749. Vs.

Don David Jayasinghe of Hiripitiya in the Palle pattu of Hewagam korale Defendant.

NOTICE is hereby given that on Saturday, May 25, 1935, at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the following property mortgaged with the plaintiffs by bond No. 61 dated July 24, 1929, and attested by C. T. Nawaratnam, 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 July 30, 1934, for the recovery of the sum of Rs. 5,638.35, with further interest on Rs. 4,000 at 15 per cent. per annum from July 28, 1932, till August 16, 1932, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit, viz. :—

1. All that allotment of land called Davatagahawatta, situated at Mabalugoda in the Palle Pattu of Hewagam korale in the District of Colombo, Western Province; and bounded on the north by the ditch separating a portion of this land belonging to Attapattu Hewawasam Liyanage Iso Hamy and her children, east by Delgahawatta, south by the ditch separating a portion of this land belonging to Jasinge Baronchi Hamy, and on the west by Elwitigalagekumbura; containing in extent about 5 acres.

At 11.15 a.m.—(b) All that undivided 1/5 part or share from and out of the land called and known as Dawatagahawatta, situated at Mabalugoda aforesaid; and bounded on the north-east by the land belonging to D. D. Jayasinghe Costa and others, south-east by the portion of this land marked lots E and F allotted to Abeyasinghe and Aron Perera, south-west by the field belonging to Siyadoris Perera and others, north-west by the portion of this land marked lots B and C allotted to Jayasinghe and others; containing in extent 3 acres 2 roods and 6 perches.

At 11.30 a.m.—(c) All that undivided extent of 3 acres 2 roods and 36 perches from and out of the land called and known as Dawatagahawatta, situated at Mabalugoda aforesaid; and bounded on the north by high road, east by Elwitigalagekumbura, south by Elwitigalagekumbura, and on the west by the land of Welivattage Baba Appu; containing in extent 18 acres.

At 11.45 a.m.—(d) All that undivided 1/12 part or share of the land called Dawatagahawatta, situated at Mabalugoda aforesaid; and bounded on the north by the high road, east by Galabodawatta, south by Kahatagahawatta and the live fence of the same land, and on the west by the Badawetiya; containing in extent about 2 bushels of paddy sowing, together with all the trees, plantations, buildings and everything standing thereon, and all the right, title, interest, property, claim, and demand whatsoever of the defendant in and to the said several premises. Prior registration G 111/227-228, 120/18-19.

Fiscal's Office,
Colombo, April 24, 1935.

R. O. DE SARAM,
Deputy Fiscal.

I, Roger Herbert Whitehorn, Fiscal for the Western Province, do hereby appoint Mr. A. D. Madanayake to be Marshal for the division comprising the Gampaha peruwu of Ragam pattu in Alutkuru korale south, the Meda pattuwa of Siyane korale west, the Udugaha pattuwa of Siyane korale east, the following peruwus, viz., Radawana, Kera-gala, 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 from April 18 to 22, 1935, for which this shall be his warrant.

Fiscal's Office,
Colombo, April 16, 1935.

R. H. WHITEHORN,
Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Kalutara.

32 Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Waduge James Fernando of Nalluruwa, No. 2,582. Panadure, deceased.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on March 16, 1934, in the presence of Mr. C. S. Perera, Proctor, on the part of the petitioner Lewishennedige Joseline Fernando of Nalluruwa, and the affidavit of the said petitioner dated February 25, 1934, having been read :

It is ordered that the said petitioner be and she is hereby declared entitled, as widow, to have letters of administration to his estate issued to her, unless the respondents—(1) Waduge Engallina Fernando, (2) ditto Carlina Fernando, both of Nalluruwa in Panadure—or any other person or persons interested shall, on or before May 17, 1934, show sufficient cause to the satisfaction of this court to the contrary.

March 16, 1934. DONALD GOONETILAKE,
Acting District Judge.

The date for showing cause is extended till August 16, 1934.

May 17, 1934. N. M. BHARUCHA,
District Judge.

The date for showing cause is extended till December 13, 1934.

N. M. BHARUCHA,
District Judge.

The date for showing cause is extended till May 9, 1935.

N. M. BHARUCHA,
District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of late Raja-
Jurisdiction. paksa Durayale Bebilegedera Raja-
No. 5,274. paksaya, deceased, of Meegahahena in
Udupalata of Tumpane.

THIS matter coming on for disposal before W. E. Barber, Esq., District Judge, Kandy, on October 15, 1934, in the presence of Mr. Alfred Fernando, on the part of the petitioner, Rupassaragedera Esanda; and the affidavit of the said petitioner dated October 13, 1934, having been read:

It is ordered that the petitioner, as widow of the deceased, be and she is hereby declared entitled to have letters of administration issued to her, unless the respondents—(1) Rajapaksa Durayale Bebilegedera Dinga, (2) Rajapaksa Durayale Bebilegedera Ponna, (3) Rajapaksa Durayale Bebilegedera Wattuwa, (4) Rajapaksa Durayale Bebilegedera Muttuwa, (5) Rajapaksa Durayale Bebilegedera Ukku, (6) Rajapaksa Durayale Bebilegedera Aruma; the 5th and 6th respondents by their duly appointed guardian *ad litem* the 3rd respondent, all of Meegahahena in Udupalata of Tumpane—shall, on or before November 26, 1934, show sufficient cause to the satisfaction of this court to the contrary.

October 15, 1934.

W. E. BARBER,
District Judge.

Date for showing cause is extended for May 13, 1935.

W. E. BARBER,
District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Jayawardana Simion Premachandera
No. 5,295. Samarasinghe, deceased, of Katukele,
Kandy.

THIS matter coming on for disposal before W. E. Barber, Esq., District Judge, Kandy, on March 14, 1935, in the presence of Messrs. Beven & Beven, on the part of the petitioner, Meddagamage Mary Angelina Samarasinghe Hamine; and the affidavit of the said petitioner dated March 7, 1935, having been read:

It is ordered that the petitioner, as widow of the deceased, be and she is hereby declared entitled to have letters of administration to the said estate issued to her, unless the respondent, Carolis Samarasinghe, or any other person or persons interested shall, on or before May 2, 1935, show sufficient cause to the satisfaction of this court to the contrary.

March 14, 1935.

W. E. BARBER,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Mohamed Wajiha Umma, deceased, of
No. 7,642. Talapitiya, Galle.

THIS matter coming on for disposal before C. E. de Vos, Esq., District Judge of Galle, on March 8, 1935, in the presence of Mr. A. M. Ismail, Proctor, on the part of the petitioner, Abdul Rahuman Mohamed Haniffa of Talapitiya, Galle; and the affidavit of the said petitioner dated March 8, 1935:

It is ordered and decreed that the 3rd respondent be appointed guardian *ad litem* over the 1st minor respondent, unless the respondents—(1) Mohamed Haniffa Sithi Bahiya

of Katugoda, (2) Mohamed Saliha Umma, wife of Rasa Marikar Abdul Hamid of Matara, (3) Mohamed Mohamed Mahusoom of Talapitiya, (4) Mohamed Mohamed Saheed of Talapitiya—shall, on or before May 3, 1935 show sufficient cause to the contrary.

It is further ordered that the said petitioner, as husband of the deceased above named, is entitled to have letters of administration issued to him accordingly, unless the respondents shall, on or before May 3, 1935, show sufficient cause to the satisfaction of court to the contrary.

March 8, 1935.

C. E. DE VOS,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
No. 8,627. Rasaledchumy, wife of Ponniah of
Sandilleppay, deceased.

Sinnatamby Ponniah of Sandilleppay Petitioner.
Vs.

(1) Puvanespary, daughter of Ponniah, (2) P. Ragu-
nathan, (3) P. Rasanathan, (4) P. Paramanathan,
(5) P. Pathmanathan; 5 minors appearing by their
guardian *ad litem* Ampalavanar Canagaratnam of
ditto Respondents.

THIS matter, praying for letters of administration to the estate of the above-named deceased, coming on for disposal before C. Coomaraswamy, Esq., District Judge, on January 12, 1935, in the presence of E. Murugesampillai, Proctor for petitioner; and the affidavit of the petitioner dated October 19, 1934, having been read:

It is declared that the petitioner is the husband of the deceased and is entitled to have letters of administration to her estate issued to him, unless the respondents or any other person shall, on or before May 2, 1935, show cause to the contrary.

January 22, 1935.

C. COOMARASWAMY,
District Judge.

In the District Court of Anuradhapura.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Ussan Thamby Sultan of Pandiyan-
No. 454. kulama, deceased.

Sultan Yunus of Pandiyankulama Petitioner.

Vs.

(1) I. Mohammadu Meera Nachch, (2) Assan Amina
Umma, both of Pandiyankulama Respondents.

THIS matter of the petition of Sultan Yunus of Pandiyankulama, praying for letters of administration to the estate of the above-named deceased, Ussan Thamby Sultan of Pandiyankulama, coming on for disposal before V. E. Rajakarier, Esq., District Judge, on March 14, 1935, in the presence of Messrs. Ramaswamy & Valemurugu, Proctors, on the part of the petitioner; and affidavit of the petitioner dated March 14, 1935, having been read: It is declared that the petitioner is the son of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before April 11, 1935, show sufficient cause to the satisfaction of this court to the contrary.

March 14, 1935.

J. WILMOT PERERA,
District Judge.

Extended to May 2, 1935.

J. WILMOT PERERA,
District Judge.