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DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to provide for the Registration and Control of Cheetus.

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

CHAPTER I.

Preliminary.

Short title and commencement.

1 This Ordinance may be cited as the Cheetu Ordinance, No. of 1935, and shall come into operation on such date as may be appointed by the Governor by proclamation in the Gazette.

Interpretation.

2 In this Ordinance, unless the context otherwise requires—

“ agreement ” means the document which contains the terms and conditions agreed to and adopted by the subscribers and the manager of a cheetu ;

“ cheetu ” means a scheme or arrangement based wholly on the terms and conditions set out in section 3 but does not include any scheme or arrangement which only partakes of the nature of a cheetu within the meaning of section 4 ;

“ cheetu amount ” means the aggregate of the instalments payable on any specified day or in respect of any specified interval ;

“ discount ” means that portion of the cheetu amount which the subscriber who purchases it agrees to forego ;

“ dividend ” means the share of the discount payable to each subscriber ;

“ instalment ” means the sum of money payable periodically in respect of the several specified intervals by each subscriber under the agreement ;

“ manager means ” the person who promotes the cheetu and who is responsible under the agreement for its management ;

“ prize ” or “ prize amount ” means the difference between the cheetu amount and the discount ;

“ Registrar ” in relation to any cheetu means the Registrar of Lands for the district in which the cheetu is to be conducted ;

“ Registrar-General ” includes any officer performing for the time being the duties of an Assistant Registrar-General ;

“ subscriber ” means any person who has agreed to participate in a cheetu and has signed the agreement in token thereof.

CHAPTER II.

Cheetus.

Essential terms and conditions of a cheetu.

3 (1) No scheme or arrangement purporting to be a cheetu shall be deemed to be a cheetu for the purposes of this Ordinance, unless at the time of the formation of that scheme or arrangement the persons joining as subscribers and the person acting as manager agree upon and adopt each of the following essential terms and conditions :—

(a) that the cheetu is to be for a specified amount and for a specified number of subscribers only ;

(b) that the subscribers are to contribute equal portions of the amount ;

(c) that the contribution of each subscriber is to be paid to the manager in money in equal instalments of a specified value during a specified period or for a specified number of intervals of a specified length ;

(d) that each instalment is to be payable on a date specified therefor or within such number of days of grace after that date as may be specified ;

(e) that on a specified date after each date on which the instalments are payable, the cheetu amount or pool consisting of the aggregate of those instalments is to be put up for sale by the manager among the subscribers either by auction or by way of sealed tenders ;

- (f) that each of the subscribers is to be entitled to purchase the cheetu amount once and not oftener during the period of that cheetu, and that no subscriber who has been declared the purchaser at any such sale is to be entitled or permitted to bid or tender at any subsequent sale ;
- (g) that every bid or tender of a subscriber at a sale is to indicate the sum which he is willing to forego as discount for the privilege of obtaining the prize on that occasion ;
- (h) that of the subscribers entitled to bid at any sale, the subscriber who offers the highest discount is to be declared the purchaser ;
- (i) that the purchaser is to be entitled to receive the prize consisting of the cheetu amount less the discount offered by him, on giving security to the manager for the due payment of his future instalments in respect of that cheetu ;
- (j) that out of the discount so secured at each sale, the manager is to appropriate for commission and working expenses a specified sum or a sum bearing a specified proportion to the prize at that sale ;
- (k) that the balance of the discount is to be distributed in equal proportion among all the subscribers.

(2) In every case where the manager of a cheetu desires to participate therein as a subscriber, it shall also be obligatory to adopt, in addition to the terms and conditions set out in sub-section (1), the condition that he is not to be entitled to bid or tender as an ordinary subscriber at any sale held for the purposes of that cheetu, and that the final cheetu amount made up of the instalments payable at the end of the cheetu period is to be appropriated by him for his share without a sale and without any discount.

4 Every scheme or arrangement which, notwithstanding that it purports to be a cheetu, is not based wholly on the essential terms and conditions set out in section 3 or which is based on terms and conditions inconsistent wholly or in part with those essential terms and conditions shall for the purposes of this Ordinance be deemed only to partake of the nature of a cheetu.

Schemes which only partake of the nature of a cheetu.

Explanation I.—A scheme or arrangement under which the right to a prize is determined by the drawing of lots is not a cheetu but only partakes of the nature of a cheetu.

Explanation II.—A scheme or arrangement under which all the subscribers are to get prizes in turn with a liability to pay future contributions but the prizes themselves are of fixed amounts and not ascertainable by the deduction of the discount offered from the cheetu amount in each case, is not a cheetu but only partakes of the nature of a cheetu.

Illustration.

X starts a cheetu with 200 subscribers each of whom is to pay a monthly instalment of Rs. 10 for a period of 120 months. One prize is to be drawn every month up to the fortieth month, and thereafter two prizes every month until all the subscribers get their prizes. Out of the monthly cheetu amount of Rs. 2,000, a sum of Rs. 200 is to be set apart for discount and the prize-winner is to be paid a fixed sum of Rs. 1,000. The foreman is to be allowed the use of the balance of Rs. 200 each month until the money is required for the payment of any later prize. The scheme is not a cheetu but only partakes of the nature of a cheetu.

5 (1) No person shall promote or conduct, or aid assist or take any part in the promotion or conduct of, any scheme or arrangement which only partakes of the nature of a cheetu within the meaning of section 4.

Prohibition of schemes which only partake of the nature of a cheetu.

(2) No right or claim under any scheme or arrangement which only partakes of the nature of a cheetu within the meaning of section 4, shall be enforceable by action in any court or village tribunal in this Island.

6 (1) No person shall promote or conduct, or aid assist or take any part in the promotion or conduct of, any cheetu otherwise than in accordance with the provisions of this Ordinance.

Prohibition of cheetus conducted in contravention of the Ordinance.

(2) Any scheme or arrangement which is based wholly on the essential terms and conditions set out in section 3 or has all the attributes and incidents of a cheetu within

the scope and intent of that section, shall, notwithstanding that it is called by any other name, be deemed to be a cheetu for the purposes of this Ordinance.

(3) Nothing in this section shall affect—

- (a) any cheetu in which the cheetu amount is less than fifty rupees, or
- (b) any cheetu exempted by the Registrar-General in such manner and in such circumstances as may be prescribed by regulation.

CHAPTER III.

Formation and Registration of Cheetus.

Formation of cheetus.

7 (1) Subject to the provisions of Chapter V. relating to the formation of cheetus by companies or firms or by individuals trading under business names, every cheetu shall be formed by the execution of a written agreement between the manager on the one part and the several intending subscribers on the other part.

Requisites of the agreement.

(2) Every such agreement shall be in such form as may be prescribed by regulation, and shall contain—

- (a) All the essential terms and conditions set out in section 3 with the actual amounts dates and other particulars agreed upon between the parties in respect of each of those terms and conditions,
- (b) the full names and addresses of the manager and the subscribers, the business address of the manager or the exact situation of the place where the records of the cheetu are to be kept and its business is to be transacted,

and may in addition contain such other terms and conditions, not inconsistent with the essential terms and conditions as may be agreed upon between the parties for the better management and control of the cheetu.

(3) In respect of every cheetu, two copies of the agreement as aforesaid shall be signed by the manager and the several intending subscribers, either in person or by duly authorized agent, and attested by not less than two witnesses present at the time of such execution of the agreement.

Duty of manager to acknowledge subscribers' rights

8 (1) As soon as may be after the agreement is signed by each intending subscriber, the manager shall give him a written acknowledgment that that subscriber is entitled to participate in the cheetu.

and to forward agreement for registration.

(2) Within twenty-one days, exclusive of Sundays and public holidays, after the formation of a cheetu under section 7, the manager of the cheetu shall deliver or transmit the two copies of the agreement to the Registrar.

Duties of the Registrar.

9 The Registrar shall, if the agreement is in accordance with the requirements of this Ordinance and the regulations made thereunder, forthwith—

- (a) register the cheetu in a book kept by him for the purpose ;
- (b) endorse the fact of the registration and the registered number under his signature on each of the copies ;
- (c) file one of the copies so endorsed in his office ; and
- (d) return the other copy so endorsed to the manager.

Duty of manager to furnish copies of registered agreement to subscribers.

10 Within seven days of the receipt of the endorsed copy of the agreement from the Registrar, the manager shall deliver or transmit to every subscriber a copy certified under his signature as a true copy, of the agreement and of the endorsement made thereon by the Registrar.

CHAPTER IV.

Conduct of Cheetus.

Conduct of cheetus.

11 Every cheetu shall be conducted in accordance with the provisions of this Ordinance and the regulations made thereunder and the terms and conditions of the agreement relating to that cheetu.

Meetings of subscribers.

12 (1) Where the provisions of the Ordinance or the regulations made thereunder or the terms and conditions of the agreement require any matter to be decided by a meeting of the subscribers, the manager shall convene a meeting for the purpose by written notice served on each of the subscribers not less than seven days before the date selected by him for the meeting.

(2) Every such notice shall state the time and place at which the meeting is to be held, and the business to be transacted at the meeting.

(3) The notice may either be served personally on the subscribers or be posted to them at the respective addresses set out in the agreement.

13 (1) The manager shall enter in a book to be kept by him for the purpose the minutes of the proceedings of every meeting of the subscribers, and the minutes shall in every case contain the following particulars :—

Minutes of meetings.

- (a) the place, date, time, and duration of the meeting ;
- (b) the names of the subscribers who were present ;
- (c) the items of business transacted at the meeting ;

and in the case of a meeting at which a cheetu amount is auctioned, the following additional particulars :—

- (d) the serial number of the auction ;
- (e) the name of each bidder and the amount of each bid ;
- (f) the name of the purchaser ; and
- (g) the amount of the discount.

(2) The minutes of each meeting shall be entered in the book immediately after the meeting and shall be signed in every case by the manager and by not less than two of the subscribers present at the meeting, and in the case of a meeting at which a cheetu amount is auctioned, by the purchaser also.

(3) A copy of the minutes so recorded of each meeting, certified as a true and correct copy under the hand of the manager, shall within twenty-one days of that meeting be forwarded by him to the Registrar who shall file it in his office : Provided, however, that in lieu of this sub-section the provisions of sub-sections (2) and (3) of section 14 shall apply to the minutes of any meeting at which any alteration of the terms and conditions of the agreement is adopted.

Copy of minutes to be filed in Registrar's office.

14 (1) Subject to the provisions of this Ordinance and the regulations made thereunder and subject also to any terms or conditions contained in the agreement as to the matters or the mode in which alterations of the agreement may be made, any alteration of the figures amounts dates or other particulars which are not likely to affect the intention or the legal effect of the essential terms and conditions, or any alteration of the additional terms and conditions contained in any registered agreement, may be made at any meeting of the subscribers, duly convened for the purpose, by the votes of a majority the aggregate of whose instalments is not less than three-fourths of the cheetu amount.

Alteration of the agreement.

(2) Within twenty-one days of each such meeting two copies of the minutes of that meeting, certified under the hand of the manager as true and correct copies, of the minutes recorded and signed in the manner required by section 13, shall be delivered or transmitted by him to the Registrar.

and registration of the alteration.

(3) The provisions of sections 9 and 10, as to registration and service of copies on the subscribers, shall apply to the copies of the minutes so delivered or transmitted.

15 Every subscriber shall be entitled to a receipt under the hand of the manager for each instalment paid by him.

Receipts for the instalments paid.

16 The manager shall be liable to the subscribers for all moneys due to them under the agreement.

Liability of manager

17 The manager shall, before the date fixed for the auction of the first cheetu amount collected, execute as security for the due discharge of his duties and liabilities under the agreement a bond in favour of or in trust for the subscribers, hypothecating either immovable property approved by the Registrar and sufficient for the realisation of not less than twice the cheetu amount specified in the agreement, or movable property, not less in value than twice the cheetu amount, deposited in such manner as may be specified in the agreement or prescribed by regulation.

Security to be given by manager.

18 Every subscriber who is declared the purchaser of a cheetu amount, shall, as a condition precedent to the payment of the prize amount by the manager, give security to the manager by the hypothecation of immovable property, or the deposit of movable property, of a value sufficient for the realisation of twice the aggregate of the instalments payable by that subscriber under the agreement for the remainder of the cheetu period.

Security to be given by purchaser of cheetu amounts.

19 (1) Where, by reason of the failure of the subscriber purchasing any cheetu amount to give the security required under section 18, the prize amount remains unpaid on the date fixed for the auction of the next succeeding cheetu amount, the manager shall, within fourteen days after that date, deposit that prize amount in such bank as may be prescribed by regulation.

Prize amount to be deposited in bank if security is not given by purchaser.

(2) Any prize amount deposited under sub-section (1) may be withdrawn from the bank for payment to the purchaser on the requirements of section 18 as to security being complied with by the purchaser.

Substitution of new subscriber for defaulting subscriber who has not purchased any cheetu amount.

20 (1) Where default in the payment of any instalment is made by any subscriber who has not purchased a cheetu amount, the manager shall be entitled to remove the name of the defaulting subscriber from the register of subscribers kept under section 25 and to substitute therein the name of a new subscriber: Provided, however, that the removal of the name from the register shall not be deemed to prejudice the right of the defaulting subscriber to a refund of any earlier instalments paid by him, at such time and with such deductions by way of penalty as may be authorized by the terms and conditions of the agreement.

(2) Within twenty-one days of the substitution of a new subscriber under sub-section (1), the manager shall deliver or transmit to the Registrar two copies of a statement under his hand setting out the full particulars of the removal and the substitution, and the provisions of sections 9 and 10 as to registration and service of copies on the subscribers shall apply to the copies of the statement so delivered or transmitted.

(3) Upon the registration of the manager's statement relating to the substitution of a new subscriber, all the rights and liabilities that would under the agreement have accrued to or been incurred by the defaulting subscriber after the date of such substitution if he had not made default, shall be deemed to be transferred to the new subscriber.

(4) No collateral undertaking as to mutual rights and obligations entered into by the manager and the new subscriber for the purposes of the substitution of the new subscriber, shall be deemed to affect in any respect the duties and liabilities of the new subscriber under the terms and conditions of the agreement.

Voluntary reduction of membership in lieu of substitution of new subscriber.

21 (1) In any case referred to in section 20, the manager may, before substituting a new subscriber in place of the defaulting subscriber whose name is removed from the register under that section, convene a meeting of the remaining subscribers for the purpose of obtaining their consent to a reduction of the number of subscribers and of the cheetu amount by refraining from substituting a new subscriber in place of the defaulting subscriber.

(2) If at the meeting so convened, the subscribers by a majority representing not less than three-fourths of the cheetu amount consent to such reduction and to the necessary alteration of the agreement, the manager shall take the steps required by section 13 for the registration of the alteration.

(3) Upon the registration of the alterations made for the purposes of a voluntary reduction under this section, every subscriber who is the purchaser of a cheetu amount sold at any auction prior to the date of the reduction, shall be liable to refund to the manager a sum which bears to the difference between the original cheetu amount and the reduced cheetu amount the proportion borne by the prize amount actually drawn by him to the original cheetu amount, and all sums so refunded shall be added to the amounts available for distribution as dividends to the subscribers.

Recovery of all future instalments from defaulting subscriber who has purchased a cheetu amount.

22 Where default in the payment of any instalment is made by a subscriber who has already purchased a cheetu amount, that subscriber shall be liable to make immediate payment to the manager of the aggregate of all the instalments payable by him to the end of the cheetu period.

Transfer of subscriber's rights.

23 (1) Any subscriber who has not purchased a cheetu amount may make over his rights in the cheetu by a transfer in writing to any person.

(2) Notice of every transfer made under sub-section (1) shall be given forthwith to the manager, in writing signed by the transferor and the transferee.

(3) On receipt of the notice of any transfer made under sub-section (1) the manager shall make the appropriate entries in the register of members kept under section 25 and deliver or transmit a copy of the entries to the Registrar within twenty-one days of the date on which they were made. The provisions of section 9 and 10 as to registration and service of copies on the subscribers shall apply to every copy delivered or transmitted under this sub-section.

(4) Where the transfer of the rights of any subscriber under sub-section (1), is proved at any time during the cheetu period to have been made to any person who was insolvent at the time of the transfer or to have been made

with the intention of defeating the provisions of any law in force in Ceylon, the transfer shall not be deemed to operate as a discharge to that subscriber from his duties and liabilities under the terms and conditions of the agreement.

(5) Notwithstanding anything contained in any other written law to the contrary, the stamp duty payable on any transfer under this section shall be fifty cents irrespective of the consideration for the transfer.

24 Any transfer made by the manager of his right to recover the instalments payable by subscribers who have purchased cheetu amounts, shall be voidable at the instance of any subscriber who has not purchased a cheetu amount if such transfer is likely to defeat or delay the rights of that subscriber under the terms and conditions of the agreement.

Transfer of manager's right to recover instalments to be voidable.

25 The manager shall keep, and from day to day regularly post up the following books and such other books as may from time to time be prescribed by regulation :—

Books to be kept by manager.

(1) A register of subscribers containing—

- (a) the names and full addresses of all subscribers with the respective dates on which the subscribers signed the agreement, and the date on which any subscriber ceased to be a subscriber by reason of a transfer of rights or of a substitution in case of default ;
- (b) in the case of any transfer of rights by a subscriber, the name and full address of the person to whom the rights are transferred, with the date of such transfer and the date on which notice thereof is given to the manager ; and
- (c) the name and full address of any person substituted in place of defaulting subscribers, with the dates on which they are so substituted.

(2) The minute book required under section 13.

(3) An account book containing separate accounts of the following :—

- (a) the instalments paid by each subscriber and the respective dates of such payments ;
- (b) the prize amounts paid to purchasers of the cheetu amount and the respective dates of such payments ;
- (c) the amount of the manager's commission or remuneration and the registration fees paid by him ; and
- (d) the amount of the dividend paid to each subscriber on each occasion and the date of such payment.

26 (1) The manager shall be liable to each subscriber for all amounts due to that subscriber under the terms and conditions of the agreement.

Manager's liability to subscribers.

(2) The manager shall not be entitled to withdraw from the management and conduct of the cheetu without the written consent of all the subscribers.

(3) Where the manager is adjudicated an insolvent before payment in full of any debt due from him to any subscriber under the terms and conditions of the agreement relating to the cheetu, that debt shall, notwithstanding anything contained in any other written law to the contrary, be a first charge upon any property acquired or held by him for the purposes of that cheetu.

27 Where the terms and conditions of the agreement permit the manager to participate in the cheetu as a subscriber, he shall be liable to pay the same instalments as the other subscribers, and shall be entitled to the last cheetu amount collected under the agreement without an auction and without any discount.

Manager's liability and right as participant in cheetu.

28 When the manager of a cheetu dies or is incapacitated by unsoundness of mind, his legal representative or guardian, as the case may be, shall, in the absence of any provision to the contrary in the agreement, take the place of the manager and continue the cheetu or make suitable arrangements for its continuance.

Continuance of cheetu on manager's death or incapacity.

For the purposes of this section legal representative shall mean an executor or administrator, or in the case of an estate below the value of two thousand five hundred rupees, the next of kin who have adiated the inheritance.

Termination of
cheetu.

29 A cheetu shall be deemed to terminate upon the occurrence of any of the following events :—

- (a) when the cheetu period specified in the agreement expires ;
- (b) on the failure of the manager to conduct the cheetu in accordance with the provisions of the Ordinance, the regulations made thereunder and the terms and conditions of the agreement as lawfully altered for the time being ;
- (c) when the manager is adjudicated an insolvent ;
- (d) when the legal representative of a deceased manager or the guardian of a manager of unsound mind fails to continue the cheetu or to make suitable arrangements for its continuance as required by section 27.

CHAPTER V.

Special provisions relating to companies, firms, and individuals trading under business names.

Restrictions on
operations of
companies firms
and individuals
with business
names.

30 It shall not be lawful for any company or firm or for any individual carrying on business under a business name which does not consist of his true full name without any addition, to promote or to form a cheetu unless that company or firm or such individual is duly registered and has deposited security in accordance with the provisions of this Chapter.

Registration.

31 (1) Where any company, or firm, or any individual with a business name, desires to conduct cheetus in more than one revenue district, the registration required by this Ordinance shall be effected in each of those districts, whether or not that company firm or individual has an office or branch office in any of those districts.

(2) Where the cheetus are to be conducted by any such company firm or individual in one revenue district alone, the registration shall be effected in the office of the registrar of lands of that district.

(3) Every application for registration shall be in the prescribed form and shall be presented to the Registrar of Lands of the district or each of the districts in which the cheetus are to be conducted.

(4) Every application for registration made by a company shall be accompanied by such documents as may be necessary to prove to the satisfaction of the Registrar—

- (a) that the company has been registered or incorporated under any law relating to joint stock companies in force in this Island,
- (b) that it has a fully paid-up capital of not less than ten thousand rupees in cash, and
- (c) that it is not carrying on the business of banking or insurance or any business in the nature of banking or insurance or any kind of trade.

(5) Every application for registration made by a firm shall be accompanied by such documents as may be necessary to prove to the satisfaction of the Registrar—

- (a) that the firm has been registered under any law relating to the registration of business names in force in the Island,
- (b) that it has a capital of not less than ten thousand rupees in cash, and
- (c) that it is not carrying on the business of banking or insurance or any business in the nature of banking or insurance or any kind of trade.

(6) Every application for registration made by an individual with a business name shall be accompanied by such documents as may be necessary to prove in respect of that individual to the satisfaction of the Registrar the facts enumerated in sub-section (5).

(7) The Registrar may in his discretion disallow any application for registration made to him.

(8) If the Registrar decides to allow any application, he shall enter the particulars set out therein in a Register of Cheetu Promoters, and shall issue to the applicant a certificate of registration in such form as may be prescribed by regulation.

Cancellation of
registration.

32 If at any time the Registrar has reasonable cause to believe that any company firm or individual registered under section 31 has ceased to have the capital, or has commenced any kind of business or trade, specified in that section, he may by notice in writing call upon that company firm or individual to show cause why the name of the company

firm or individual should not be removed from the Register, and if sufficient cause is not shown he may remove the name accordingly and recall and cancel the certificate of registration.

33 The certificate of registration issued under section 31, or a certified copy of that certificate, shall, so long as it remains valid, be kept exhibited in a conspicuous position at the principal place of business of the company firm or individual or at the place of business in the district to which the certificate relates, and in the event of its being recalled for cancellation by the Registrar, shall be surrendered forthwith.

Certificate of registration.

34 (1) The registration of any company firm or individual under this Ordinance shall not be deemed to authorise the promotion or formation of any cheetu until security in respect of that cheetu is deposited in accordance with the provisions of this section.

Security.

(2) Every such company firm or individual shall, in respect of each cheetu proposed to be formed by that company firm or individual give security for twice the cheetu amount of the proposed cheetu by hypothecating to the Crown—

- (a) a cash deposit of twice the cheetu amount made either in the nearest Kachcheri or to the credit of the Financial Secretary in a bank approved for that purpose by regulation, or
- (b) securities of the Government of Ceylon or of India or of the United Kingdom, deposited to the aforesaid value either in the nearest Kachcheri or with the Financial Secretary.

35 No agreement relating to any cheetu purporting to be formed by a company or firm or an individual with a business name shall be registered until it is proved to the satisfaction of the Registrar that security in respect of that cheetu has been given under section 34.

Security to be a prerequisite to registration of agreement.

36 (1) The total value of the cheetus conducted at any one time by any company firm or individual registered under this Ordinance shall not exceed ten times the value of the paid-up capital of that company firm or individual.

Financial limits to be observed.

(2) It shall be lawful for the Registrar to refuse to register the agreement relating to any cheetu promoted by any company firm or individual, if he is satisfied that the formation of that cheetu will make the total value of the cheetus conducted at that time by that company firm or individual exceed the limit specified in sub-section (1).

(3) For the purposes of this section, the "total value" of a cheetu means the aggregate of the cheetu amounts that are to be collected and put up for sale during the period of that cheetu.

37 In the registration and the conduct of cheetus formed by a company or firm or an individual with a business name, the duties imposed on the manager of a cheetu by the provisions of Chapters III and IV, shall be performed—

Application of Chapters III and IV.

- (a) in the case of a company, by the officer by whatever name called, who is in executive control of the business of the company,
- (b) in the case of a firm, by the managing partner or by any officer appointed by the partners to have the management and executive control of the business of the firm and
- (c) in the case of an individual, by him under the business name and style registered in that behalf.

38 In the case of a cheetu conducted by a registered company or firm, the sale of the cheetu amounts may, if the terms and conditions of the agreement provide therefor, be effected by way of sealed tenders as an alternative to an auction, if at a duly convened meeting of the subscribers held before the sale of the first cheetu amount a majority representing three-fourths of the cheetu amount resolves to adopt the method of sealed tenders; and the method adopted for the sale of the first cheetu amount shall be followed at each subsequent sale in connection with that cheetu.

Sale by tender as an alternative to auction.

39 (1) No company firm or individual registered under section 31, shall be entitled to bid or to submit a tender or shall bid or submit a tender either directly or indirectly, at any sale of a cheetu amount held by auction or by tender in connection with any cheetu formed or conducted by that company firm or individual.

Prohibition of bid or tender by promoters.

(2) Any company firm or individual registered under section 31, may, in lieu of substituting a new subscriber in the place of each defaulting subscriber, take up the share of one or more defaulting subscribers, and in every such case the company firm or individual shall be entitled to take, without an auction or other sale and without any discount, the successive cheetu amounts available after the last of the continuing subscribers has purchased his amount.

(3) Whenever a company takes up the share of a defaulting subscriber under sub-section (2), a statement of the fact shall be delivered or transmitted to the Registrar in like manner as in the case of the substitution of a new member under section 20.

Disputes to be settled by arbitration.

40 All matters in dispute between the subscribers to a cheetu and the company or firm or the individual with a business name, conducting that cheetu shall be settled by arbitration.

Termination of a cheetu conducted by a company or firm or an individual with a business name.

41 (1) In lieu of the provisions of section 29 the provisions of this section shall apply to a cheetu conducted by a company or firm or an individual with a business name.

(2) A cheetu conducted by a company shall be deemed to terminate—

- (a) when the cheetu period specified in the agreement expires ; or
- (b) on the failure of the company to conduct the cheetu in accordance with the provisions of the Ordinance, the regulations made thereunder, and the terms and conditions of the agreement as lawfully altered for the time being ; or
- (c) when steps are taken for the winding up of the company whether voluntarily or by order of court ; or
- (d) when the certificate of registration is cancelled by the Registrar under section 32.

(3) A cheetu conducted by a firm shall be deemed to terminate—

- (a) when the cheetu period specified in the agreement expires ; or
- (b) on the failure of the firm to conduct the cheetu in accordance with the provisions of the Ordinance, the regulations made thereunder, and the terms and conditions of the agreement as lawfully altered for the time being ; or
- (c) when the partnership is unable to meet its liabilities or is dissolved ; or
- (d) when the certificate of registration is cancelled by the Registrar under section 32.

(4) A cheetu conducted by an individual with a business name shall be deemed to terminate—

- (a) when the cheetu period specified in the agreement expires ; or
- (b) on the failure of the individual to conduct the cheetu in accordance with the provisions of the Ordinance, the regulations made thereunder and the terms and conditions of the agreement as lawfully altered for the time being ; or
- (c) when that individual become insolvent, or is incapacitated by unsoundness of mind, or dies ; or
- (d) when the certificate of registration is cancelled by the Registrar under section 32.

Misconduct of companies to be reported to registrar of joint stock companies.

42 It shall be the duty of the Registrar to report to the registrar of joint stock companies every case of dishonesty fraud or gross mismanagement on the part of any company in the conduct of a cheetu under this Ordinance, and on receipt of such report the registrar of joint stock companies shall take steps for the compulsory winding-up of the company in accordance with the provisions of any written law in force in the Island in that behalf :

Provided, however, that in the case of a company duly conducting six or more cheetus simultaneously, the termination of any one cheetu, through any act omission or default on the part of the company, shall not be deemed to be a ground for the compulsory winding-up of the company.

CHAPTER VI.

Miscellaneous.

43 (1) Fees at such rates as may from time to time be prescribed by regulation shall be paid to the Registrar for each of the following :—

Fees payable
to the Registrar.

- (a) the registration of the agreement and of alterations of the agreement ;
- (b) the registration of copies of minutes and other statements for which registration is required under the Ordinance ;
- (c) the search for any registered or other document on application made by any person ;
- (d) the inspection by any person of any document registered or filed in the office of the Registrar ;
- (e) the issue of a certified copy or extract of any document registered or filed in the office of the Registrar ;
- (f) the registration under Chapter V of a company or firm or an individual with a business name ;
- (g) the certificate of registration issued under Chapter V, and certified copies thereof.

(2) The prescribed fee shall in every case be payable by means of one or more uncanceled stamps of the appropriate value affixed, as the case may be, to the document delivered or transmitted for registration or to the application presented.

44 (1) The Executive Committee of Labour, Industry and Commerce may make all such regulations as may be necessary for carrying into effect the principles and 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, namely :—

- (a) for all matters stated or required in this Ordinance to be prescribed ;
- (b) for prescribing the fees payable to the Registrar under section 43 ;
- (c) for prescribing the procedure to be adopted by the Registrar in registering or filing any document in respect of which special provision is not made by this Ordinance ;
- (d) for prescribing the accounts or books to be kept and the forms to be used by the manager of a cheetu in any case where express provision is not made by this Ordinance ;
- (e) for prescribing the periods during which the several documents registered or filed in the office of the Registrar shall be preserved, and the method of disposal of such documents at the end of those periods ;
- (f) for specifying the banks in which cheetu amounts may be deposited by the manager of a cheetu under section 19.

(3) No regulation made under this Ordinance shall have effect until it is approved by the State Council and ratified by the Governor and notification of such approval and ratification is published in the Gazette.

45 (1) Every act in contravention of any of the provisions of this Ordinance, and every omission of any duty imposed by this Ordinance, shall be an offence punishable—

Offences and
penalties.

- (a) in the case of a first offence, with a fine not exceeding one hundred rupees or with imprisonment of either kind for a period not exceeding one month ;
- (b) in the case of a second offence with a fine not exceeding two hundred and fifty rupees, or with imprisonment of either kind for a period not exceeding three months ; and
- (c) in the case of a third or any subsequent offence with a fine not exceeding one thousand rupees or imprisonment of either kind for a period not exceeding one year :

Provided, however, that any contravention of section 5 (1) or of section 30 may, notwithstanding that it is a first offence, be punishable in the discretion of the court with a fine not exceeding one thousand rupees or with imprisonment of either kind for a period not exceeding one year.

(2) Where an offence under this Ordinance is committed by a company, every director of that company and the officer by whatever name called who has the executive control and management of the business of the company, shall severally be deemed to be guilty of the offence and be liable to the penalty specified in that behalf in sub-section (1).

(3) Where an offence under this Ordinance is committed by a firm, every partner of that firm and the officer by whatever name called who has the executive control and management of the business of the firm, shall severally be deemed to be guilty of the offence and be liable to the penalty specified in that behalf in sub-section (1).

(4) Where an offence under this Ordinance is committed by an individual with a business name, the individual shall personally be liable to the penalty specified in that behalf in sub-section (1).

(5) Every offence under this Ordinance shall be summarily triable, and any penalty set out in sub-section (1) may be imposed, by a Police Court, notwithstanding that such penalty exceeds the limits imposed on its jurisdiction by any other written law.

Objects and Reasons.

The object of this Bill is to make provision for the registration and supervision of auction cheetus, in order to safeguard the interests of that section of the public among whom they are fast becoming a popular institution. As auction cheetus have been introduced into Ceylon from South India and are conducted mainly by Indians, expressions like "cheetu" "cheetu amount" and "prize amount" to which they are accustomed have been purposely adopted, and the essential terms and conditions which are laid down as the basis on which cheetus can lawfully be formed in Ceylon, are also based on the system which is actually worked in India to-day.

Cheetus which do not conform to the requirements laid down in Clause 3 and are not conducted in accordance with the proposed provisions are to be prohibited, and no rights or claims under them are to be enforceable in any court or village tribunal in the Island.

Even the auction cheetus which are to be permitted will be recognised in law and rights under them enforced in the courts, only if they are formed and conducted in accordance with the various requirements of the proposed law, the two exceptions to this rule being those cheetus which were formed before the date on which the Bill becomes law and those in which the "cheetu amount" does not exceed fifty rupees.

The principal feature of the system of control that is now proposed is the requirement that every cheetu should be formed by a written agreement, that this agreement should be registered in the land registry of the district in which the cheetu is to be conducted, and that all variations of the agreement in matters that do not affect the legal basis of the cheetu should be made at duly convened meetings of the subscribers and registered in like manner. The registrar is given the power to refuse to register any cheetu which is not formed in conformity with the law, and the various minutes and statements to be furnished to him will afford him the opportunity to supervise the working of the cheetus generally.

The duties and liabilities of the manager and the rights and liabilities of the subscribers are set out in detail, and it is made obligatory on the manager to keep proper accounts of all receipts and payments in connection with each cheetu. Copies of the agreement and of the more important variations made in it will have to be served on each subscriber, and as facilities for inspecting other documents at the registry are also to be provided, the members of the public who become subscribers to cheetus will be adequately protected.

With regard to the formation and conduct of cheetus by companies or firms or individuals trading under business names, the special provisions set out in Chapter V are also to apply. Before they form any cheetu it will be necessary for them to register themselves and to give adequate security in respect of each cheetu they propose to form. They will be registered only if they have a minimum capital of ten thousand rupees and satisfy the registrar that they are not carrying on the business of banking or insurance or any kind of trade; and they are liable to be removed from the register if they cease to be so qualified. In the case of companies there is also the additional safeguard that they will be reported by the registrar

to the registrar of companies if they are found to be guilty of fraud or gross mismanagement, and that they will be liable to be wound up compulsorily on that ground. The security to be given in respect of every cheetu formed by companies firms or registered individuals is to be equal in value to twice the cheetu amount, and they will not be permitted to conduct cheetus in excess of a sum which bears a reasonable proportion to their capital. The public in dealing with such companies firms or individuals will thus be well protected; and the penalties proposed in Clause 45 for any act or omission in contravention of the law are severe enough to act as a deterrent on mere speculators.

PERI SUNDARAM,

Minister for Labour Industry and Commerce.

Colombo, October 7, 1935.

DISTRICT AND MINOR COURTS NOTICES.

In the Court of Requests of Badulla-Haldumulla.
M. Muttusamy, Head Kangany of Sinna Golkonda estate, Haputale, on his own and on behalf of the labourers appearing on Schedule A annexed to the plaint Plaintiff.
No. 166. Vs.

The Proprietor of Sinna Golkonda estate, Haputale Defendant.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Badulla-Haldumulla holden at Bandarawela by 100 labourers of Sinna Golkonda estate Haputale, against the proprietors thereof under the Ordinance No. 13 of 1889, for the recovery of their wages amounting to Rs. 908.06.

September 27/30, 1935. N. M. BHARUCHA,
Commissioner of Requests.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.
No. 4,368/4,376. In the matter of the insolvency of Freudenberg Co.

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 November 5, 1935, for the proof of amended claim of the National Bank of India, Ltd., Colombo.

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

In the District Court of Colombo.

No. 4,906. In the matter of the insolvency of C. L. Jayasinghe of Peliyagoda, 4th milepost, Negombo road.

WHEREAS the above-named C. L. Jayasinghe has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by K. R. Perera of Peliyagoda Wattala, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said C. L. Jayasinghe insolvent accordingly; and that two public sittings of the court, to wit, on November 5, 1935, and on November 19, 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,
October 4, 1935. Secretary.

In the District Court of Colombo.

No. 4,907. In the matter of the insolvency of S. E. Lodrick of 139B, Dutugamunu road, Kohuwela, Nugegoda.

WHEREAS the above-named S. E. Lodrick has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by W. Don William Perera of 239, Dematagoda road, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court

has adjudged the said S. E. Lodrick insolvent accordingly; and that two public sittings of the court, to wit, on November 12, 1935, and on November 26, 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,
October 7, 1935. Secretary.

In the District Court of Colombo.

No. 4,908. In the matter of the insolvency of D. D. M. M. Jayaweera Bandara of 21, Rudds lane, Maradana.

WHEREAS the above-named D. D. M. M. Jayaweera Bandara has filed a declaration of insolvency, and a petition for the sequestration of estate has been filed by Y. M. P. Banda of 189, Dematagoda, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said D. D. M. M. Jayaweera Bandara insolvent accordingly; and that two public sittings of the court, to wit, on November 12, 1935, and on November 26, 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,
October 8, 1935. Secretary.

In the District Court of Kandy.

No. 1,890. In the matter of the insolvency of Vidanelage Francis Soysa of Orange Field Group, Panwilatenna, Gampola.

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 November 15, 1935, to appoint a fresh assignee.

By order of court, E. J. DE ZILVA,
Kandy, October 5, 1935. Acting Secretary.

In the District Court of Kandy.

No. 2,056. In the matter of the insolvency of Maharakkalage Henry Perera of Wattegama in Lower 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 November 15, 1935, for proof of claims.

By order of court, E. J. DE ZILVA,
Kandy, October 5, 1935. Acting Secretary.

In the District Court of Kandy.

No. 2,070. In the matter of the insolvency of (1) Kana Pena Yogambaram Pillai, (2) Kana Pena Ayanna Ponnasamy Pillai, and (3) Kana Pena Yeyanna Karupiah Pillai, all of Hartfield estate, Gampola.

NOTICE is hereby given that the order of adjudication as regards the 1st and 3rd insolvents was annulled on September 2, 1935.

The case now proceeds as against the 2nd insolvent only.

By order of court, E. J. DE ZILVA,
Kandy, October 5, 1935. Acting Secretary.

In the District Court of Kandy.

No. 2,095. In the matter of the insolvency of E. W. Shokman of Trincomalee street, 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 November 8, 1935, to appoint an assignee.

By order of court, E. J. DE ZILVA,
Kandy, October 5, 1935. Acting Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

³⁷ In the District Court of Colombo.

A. P. R. Periyacaruppen Chettiar of 292, Sea street, Colombo Plaintiff.
No. S/506. Vs.

R. M. S. P. L. S. Soekalingam Chettiar of 304, Sea street, Colombo Defendant.

NOTICE is hereby given that on Wednesday, November 13, 1935, at 3.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 423.33, with interest on Rs. 3,970 at 8½ per cent. per annum from September 9, 1935, till September 16, 1935, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit, viz. :—

All that house and ground situated at Hill street, within the Municipality and in the District of Colombo, Western Province; and bearing assessment No. 753/36, presently bearing No. 111 (1, 6, 7, 12, 15-22, and 25-29); bounded on the north by the garden of Daniel Appu, on the east by the Hill street, on the south by the garden of Andris Mendis, Mudaliyar, and on the west by the garden of Christoffelpulle, which according to the Town survey of 1869 is bounded as follows: on the north by the property of Mrs. Stewart No. 37, on the south by the property of Mr. G. A. Dias No. 35, on the east by Hill street, and on the west by the property of Brittopulle Nos. 91-96; and containing in extent 1 rood and 22 square perches. Subject to mortgage created by bond No. 1,504 dated October 23, 1933, attested by J. T. Bartlett, Notary Public.

Fiscal's Office,
Colombo, October 9, 1935.

J. R. TOUSSAINT,
Deputy Fiscal.

⁴⁸ In the District Court of Colombo.

Dr. John Abraham Perera of Kuruwa Walwva, Kuruwa street, Colombo Plaintiff.
No. 1,054. Vs.

Ramanayake Aratchige Dona Porlentina Hamine, administratrix of the estate of the late Pattamperuma Aratchige Don Wensal Danasinghe of Batuwatta in the Ragam pattu of Alutkuru kovale Defendant.

NOTICE is hereby given that on Thursday, November 14, 1935, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 916 dated January 29, 1925, attested by J. H. Perera, 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 2, 1935, for the recovery of the sum of Rs. 759.32, with further interest on Rs. 500 at 12 per cent. per annum from May 25, 1934, till date of decree June 29, 1934, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of this action Rs. 180.25, viz. :—

(a) At 1 p.m.—The divided portion of Delgahawatta with the buildings thereon, situated at Batuwatta in the Ragam pattu of Alutkuru korale in the District of Colombo, Western Province; bounded on the north by the ditch of the field, east by the land of Pandikorallage Jacolis and others, south by the land of Jacolis Appu and others and cart road, west by cart road; containing in extent about 2 acres.

(b) At 1.30 p.m.—All that portion of land called Delgaha alias Ambagahawatta with the buildings thereon, situated at Bollate in the Ragam pattu of Alutkuru korale in the District of Colombo, Western Province; bounded on the north by the land of Moderagamage Anthoni Appu, east by the portions of this land of G. Juwan Appu and others, south by the field, west by the land of Solanga Aratchige Juwakinu Appu and others; containing in extent 1 acre and 2 roods.

(c) At 1.45 p.m.—All that allotment of land called Galakumbura alias Halgahakumbura (now owita and low land), situated at Bollate alias Batuwatta aforesaid; bounded on the north by the high land, east by the field of Wannaku Aratchige Andris Appu and others, south by the high land, west by the field of Pattamperuma Aratchige Jeelis Appu and others; containing in extent about 2 bushels of paddy sowing. Registered B 211/262, 263, 264.

Fiscal's Office,
Colombo, October 9, 1935.

J. R. TOUSSAINT,
Deputy Fiscal.

⁷⁰ In the District Court of Colombo.

In the matter of the estate of M. Charles Fernando, deceased.

No. 5,088 Testy.

Arunanda Hewage Rodina Fernando of 4, Albert road, Colpetty, Colombo Administratrix.

NOTICE is hereby given that on Monday, November 11, 1935, at 3 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. 684, being the balance deficiency of stamp duty due in this case, viz. :—

All that allotment of land presently bearing assessment Nos. 1, 3, and 5, Nelson lane, situated in Colpetty, within the Municipality and District of Colombo, Western Province; and bounded on the north by Nelson lane, on the east by premises No. 9, on the south by premises No. 46, and on the west by Albert road; containing in extent 3.52 perches.

Fiscal's Office,
Colombo, October 9, 1935.

J. R. TOUSSAINT,
Deputy Fiscal.

³¹ In the District Court of Colombo.

In the matter of the estate of Ahamed Ali Abdul Rahaman of Rahamania Villa, 21st lane, Bambalapitiya, Colombo (deceased).

No. 5,393 Testy. Vs.

Balkis Umma of Rahamania Villa, aforesaid, Citee.

NOTICE is hereby given that on Tuesday, November 5, 1935, at 3.30 p.m. will be sold by public auction at the premises the right, title, and interest of the said citee in the following property for the recovery of the sum of Rs. 1,510.72, with interest at 4 per cent. per annum from September 29, 1934, and accrued interest Rs. 7.39 being Estate Duty and Rs. 7.20 being stamp duty, viz. :—

All that allotment of land with the buildings thereon bearing assessment Nos. 347/5 (1 to 27), Vincent street, and No. 574/7A, Silversmith street presently Nos. 97, 99, 101, 103, 105, 107, 109, and 111, Vincent street, situated and lying at New Bazaar, Hulftsdorp, within the Municipality and District of Colombo, Western Province; bounded on the north by the land of Mr. W. L. Peries Goonatilleke, on the east by the land claimed by Mr. J. G. Rodrigo and Princes Gate road, on the south by the property of Sinne Tamby Muttu Caruppen, and on the west by the property of Sinne Tamby and the New road; containing in extent 1 acre 3 roods and 8¼ perches, according to the plan and survey thereof dated November 25, 1884, made by P. Fonseka, Land Surveyor (save and except therefrom the allotment of land with the mosque standing thereon conveyed in favour of the Trustees of the said mosque.)

Fiscal's Office,
Colombo, October 9, 1935.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Colombo.

In the matter of the intestate estate of Nawalage Richard Albert Cooray, late of 79, Nawala, in the Palle pattu of Salpiti korale (deceased).

No. 6,020 Testy.

Nawalage Reginald Victor Cooray, 71, Madampitiya, Grandpass, in Colombo Petitioner.

NOTICE is hereby given that on Wednesday, November 6, 1935, at 3 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. 160.13, with interest thereon at 4 per cent. per annum from March 7, 1932, to date of payment, being estate duty due in this case,

together with a further sum of Rs. 18·04—Rs. 10, being penalty imposed by the Commissioner of Stamps and Rs. 8·04, being costs of a citation and of this writ, viz. :—

An undivided half share of all that house and premises bearing assessment No. 1607/70 called Uswatta, situated at Madampitiya, within the Municipality and District of Colombo, Western Province; and bounded on the east by assessment No. 1607/C belonging to Henry Fernando, north by public road to Madampitiya, south by Government property, and on the west by premises No. 1607/8 containing in extent 20 perches.

Fiscal's Office,
Colombo, October 9, 1935.

J. H. TOUSSAINT,
Deputy Fiscal.

In the District Court of Colombo.

In the matter of the estate of Abdul Azeez Umma Haffera of Merton, Kanatta road; Colombo, deceased.

No. 6,785 Testy. - Vs.

Nagoor Meera Mohamed Haniffa of Merton, Kanatta road, Colombo, administrator.

NOTICE is hereby given that on Thursday, October 31, 1935, at 3.45 p.m., 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. 87·76, with interest thereon at 4 per cent. per annum from May 26, 1935, to date of payment and further interest Rs. -/03 being estate duty due, together with a further sum of Rs. 8·04 being stamp duty due, viz. :—

All that allotment of land with the buildings standing thereon formerly bearing assessment No. 74B, presently No. 84 (40-44), situated at Piachaud's lane, Panchikawatta within the Municipality of Colombo; bounded on the north by a lane, on the east by premises bearing assessment No. 84/39, south by premises bearing assessment No. 84/45, and on the west by premises bearing assessment No. 84/34 and a lane; containing in extent about 8 perches.

Fiscal's Office,
Colombo, October 9, 1935.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Colombo.

Liyanage Dona Pamo Seelawathie Hamine of Egoda Kolonnawa in Ambatalenpahala, Colombo Mudaliyar's Division Plaintiff.

No. 50,953. Vs. 00.

Lokurallage Don Manis Appuhamy of 446, Manning Town, Narahenpita, in Colombo Defendant.

NOTICE is hereby given that on Tuesday, November 12, 1935, at 3.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,190, viz. :—

All that garden called Pelangahawatta or Gorakagahawatta and a portion of the garden called Kahatagahawatta with the buildings standing thereon now called Ernest Villa presently bearing assessment Nos. 252, 254, and 260, Cotta road east, and Nos. 203 and 203/1, Castle street east, situated and lying between Cotta road east and Castle street east within the Municipality and District of Colombo, Western Province; bounded on the north by the high road leading to Cotta, on the east by the other part of the same garden belonging to Pedrick Perera, Schoolmaster, on the south by the garden of Nawagomuwege Elias Perera and Kenitigodage Don Johannes Appuhamy and Castle street, and on the west by a passage (now Cotta lane); containing in extent about 3 roods and 4 perches. Registered in A 79/32.

Fiscal's Office,
Colombo, October 9, 1935.

J. R. TOUSSAINT,
Deputy Fiscal.

Central Province.

In the District Court of Colombo.

Haji Abdul Gany Giga & Esmail Giga carrying on business as H. A. G. Giga & Co., Main street, Colombo Plaintiff.

No. 1,355. Vs.

(1) P. B. Nugawela of Kandy and (2) K. P. V. A. Mari- kar of 2nd Cross street, Colombo Defendants.

NOTICE is hereby given that on Saturday, November 2, 1935, commencing at 2 p.m., will be sold by public auction at the respective premises the right, title, and interest of the said 1st defendant for the recovery of the sum of Rs. 2,000 with further interest thereon at the rate of 9 per

cent. per annum from July 3, 1934, till date of decree and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit (bill not taxed) and poundage, less Rs. 1,000 paid by the defendant, in the following property, viz. :—

1. All that field called Narankumbura Attikkagahayatapela of 1 pela in paddy sowing extent, situate at Werellagama in Kulugammanasiyapattu, Harispattu, in the District of Kandy, Central Province; and bounded on the east by the imaniyara of Dikliyadde, south by ela, west by the imaniyara of the field belonging to Dingiri Menika, and north by the ella of Gederawatta.

2. All that eastern 3 pelas in and out of all that field called Narankumbura of 5 pelas in paddy sowing extent, situate at Werellagama aforesaid; and the said 3 pelas being bounded on the east by the ela, south by the imaniyara of Attikkagahayatapela, west by the imaniyara of Godapela and north by Kurunde-ela.

3. All that field called Medaliyadde of 12 lahas paddy sowing extent, situate at Werellagama aforesaid; and bounded on the east by ela, south by the imaniyara of Dikliyadde, west by Kurunde-ella, north by the imaniyara of Mulwakke, 12 lahas.

4. All that land called Kurundewatta alias Kurukudewatta of about 1 amunam in paddy sowing extent, situate at Werellagama aforesaid; and bounded on the east by the fence of Vidanelewatta and the ditch of Medakurundehena, west by stone fence of Kiri Appu's garden, south by Wele-ella, and north by the fence of Pilasdeniyegederawatta.

5. The land called Medakurundehena alias Medakurukudehena of 1 amunam paddy sowing extent, situate at Werellagama aforesaid; and bounded on the east by the ela of Narankumbura, south by ela of Godapelekumbura, west by the Kandaheeriya of the field of Ukku Menika and the ditch of Vidanelegewatta, and north by the ela of Elamalpothekumbura.

6. The land called Arambe of 5 pelas paddy sowing extent, situate at Werellagama aforesaid; and bounded on the east by the agala of the Amukotuwa and the road, south by the agala of Pansalewatta, west by the agala and the fence of Amptiye Punchirale's garden, and north by Pansale-ella.

7. The land called Amukotuwewatta of 15 lahas paddy sowing extent, situate at Werellagama aforesaid; and bounded on the north, east, west, and south by the agala.

8. The land called Amukotuwewatta of 15 lahas paddy sowing extent, situate at Werellagama aforesaid; and bounded on the east by the fence of Mudunegederawatta, south by the agala, west by Padassaleange-ella, and north by the ela of Narankumbura.

9. The field called Padathalangekumbura of 1 pela in paddy sowing extent, situate at Werellagama aforesaid; and bounded on the east by the imaniyara of Godaliyadde, south by the ella of Ampitiyegederawatta, west by the imaniyara of Gederakumbura, and north by below the ella of Amuhenewatta.

Fiscal's Office,
Kandy, October 4, 1935.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Colombo.

(1) A. R. K. R. V. Velauthan Chettiyar and A. R. K. R. V. Suppramaniam Chettiyar, both of 168, Sea street, Colombo Plaintiffs.

No. 110s. 311 Vs. 16.00

(1) Peter C. de Costa and (2) Peter C. de Costa executor of the last will and testament of Mary M. de Costa of Alutmawata presently of Messrs. Wilson & Cadigamar, Fort, Colombo, now of 17A Alutmawata Mutwal, Colombo Defendants.

NOTICE is hereby given that on Saturday, November 16, 1935, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants for the recovery of the sum of Rs. 739·46 with interest on Rs. 675 at the rate of 18 per cent. per annum from March 2, 1935, to March 20, 1935, and thereafter on the aggregate amount of the decree at 9 per cent. per annum from date of decree till payment in full and costs of suit and poundage, in the following property, viz. :—

An undivided half share of an allotment of land with building bearing assessment Nos. 374, 374A, 375, 375A, 376, 376A to G, in extent 15 66/100 perches, situate at Trincomalee street, Kandy, within the limit of Municipality of Kandy, Central Province; and bounded on the north by lands in plan Nos. 49,755, 49,754, 49,753, 49,752, and 49,727, east by land adjacent of Trincomalee street reserved for public purpose and land in plan No. 49,729, south by land in P. P. 49,729; and west by land in plan Nos. 49,771 and 49,755.

Fiscal's Office,
Kandy, October 4, 1935.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Kandy.

Kiriellage Don Luis Appuhamy of Timbirigasyaya
in Colombo..... Plaintiff.
No. 44,208. Vs.

Abdul Haniffa's son Ahamadoo of house No. 4 in Molton
street, Gampola..... Defendant.

NOTICE is hereby given that on Thursday, November 7, 1935, commencing at 12 noon, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 664 dated October 21, 1932, and attested by U. D. P. Dharmaratne, Notary Public of Kandy, 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 December 19, 1934, for the recovery of the sum of Rs. 1,401.07, with legal interest thereon at 9 per cent. per annum from September 1, 1933, till payment in full and costs of suit Rs. 195.05 (less Rs. 540 paid by defendant) and poundage, viz. :—

The land called Goolaeellehenewatta; containing in extent 1 acre 2 roods and 32 perches, situated at Gurulla in Pallegama of Pasbage Kotala of Uda Bulatgama, in the District of Kandy, Central Province; and bounded on the north and east by Vaneswala field and Copiwatta, south by a portion of this land belonging to Martha Copleston and her brothers, and west by the high road (save and except the portion belonging to the rail road) being the remaining undivided land, buildings, plantations, and everything standing thereon.

That according to the plan dated January 19, 1928, made by O. V. Bartholomeusz, Licensed Surveyor, the said lands comprises two allotments, namely :—

(a) An allotment of land containing in extent 2 roods and 20 perches; and bounded on the north and east by land belonging to rail road, south by the garden belonging to Romanis Singho, and west by high road being the allotment of land within the said boundaries together with the house standing thereon and registered in L 31/217, Kandy.

(b) An allotment of land containing in extent 1 rood and 14 perches; and bounded on the north and west by land belonging to the rail road, east by garden belonging to K. M. Ismail, and south by the garden belonging to Romanis Singho being the allotment of land within these boundaries and everything thereon, and registered in L31/218, Kandy, and all the right, title, interest, and claim whatsoever of the said defendant in, to, upon, or out of the said several premises mortgaged by the defendant.

Fiscal's Office,
Kandy, October 7, 1935.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Kandy.

Sulaima Lebbe Abdul Caffoor, (2) Sulaima Lebbe
Abdul Jabbar, both of Colombo street, Kandy.. Plaintiffs.
No. 45,497. Vs.

Sego Mohideen's daughter, Paakeer Umma *alias* Zathoon
Umma of 18, Katugastota road, Kandy..... Defendant.

NOTICE is hereby given that on Monday, November 11, 1935, at 2 P.M., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 2,630 dated August 29, 1930, and attested by S. A. Wijetilleke of Kandy, 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 26, 1935, for the recovery of the sum of Rs. 2,500, being the aggregate amount of the principal and interest on Rs. 2,000 at 4 per centum per annum from July 26, 1934, till November 20, 1934, and thereafter legal interest on the aggregate amount at 9 per cent. per annum from November 20, 1934, till payment in full and costs, less a sum of Rs. 100 paid, and poundage, viz. :—

The northern one-third portion in extent 4½ perches of a piece of ground, situate at Trincomalee street now Katugastota road within the Town and Municipality of Kandy, in the District of Kandy, Central Province; and which said portion is bounded on the east by old road, south by the limit of the remaining portion belonging to Slemma Lebbe bearing assessment No. 33, west by Katugastota road, and north by the limit of the house and land bearing assessment No. 35 belonging to Ana Segu Mohideen together with the tiled house No. 34, plantations, and everything thereon—Registered in A 58/144 and all the right, title, interest, and claim whatsoever of the said defendant in, to, upon, or out of the said several premises mortgaged by the defendant.

Fiscal's Office,
Kandy, October 7, 1935.

H. C. WIJESINHA,
Deputy Fiscal.

Southern Province

In the District Court of Matara.

No. 3,346. In the Matter of the Estate of the late Clara
Testy. W. B. T. Tillekaratne, deceased.

NOTICE is hereby given that on Saturday, November 16, 1935, commencing at 2 o'clock in the afternoon will be sold by public auction at the premises the right, title, and interest of the said estate in the following property for the recovery of a sum of Rs. 268.72 with interest thereon at 4 per cent. per annum from June 21, 1935, to date of payment and outstanding interest Rs. 67.51 being balance estate duty due, viz. :—

All that undivided ¼ share of the land called Wijesiriwalawwatta *alias* Kandapalapattuwalawwewatta, situated at Babarenda, Goigodapaluwa, in the Wellaboda pattu of the Matara District, Southern Province; and bounded on the north and east by Goodilekalapuwa, south by the seashore, and on the west by Meddewatta *alias* Pitarodewatta; and containing in extent 29 acres 3 roods and 24 perches.

Deputy Fiscal's Office, H. V. F. ABAYAKOON,
Matara, September 28, 1935. Additional Deputy Fiscal.

In the District Court of Tangalla.

Waduge Don Mathes of Pahala Beligalla Plaintiff.
No. 3,700. Vs.

(1) Dewasurendra Ratuge Dochchohamy, (2) Naotunne
Gammacharige Gabrielhamy, (3) Dantanarayana
Badal Mestrige Baboahmy, all of Pahala Beligalla
..... Defendants.

NOTICE is hereby given that on Saturday, November 2, 1935, 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 mortgaged property for the recovery of Rs. 127.62, together with further legal interest on Rs. 490.24 from August 10, 1935, till payment in full and poundage, viz. :—

At Pahala Beligalla.

All the soil and fruit trees of the contiguous lands called Arekoratuwa, Embikutimulleatmaga and Badalgewatta together with the 7-cubits tiled house and the newly built 13-cubits house standing thereon, situated at Pahala Beligalla, in West Giruwa pattu of the Hambantota District; and bounded on the north by dewata and Telambughawatta, east by Siyambalagahakoratuwa, south by Galanakoratuwa, and west by the field called Embilikuttimulla; containing in extent about 4 seers of kurakkan sowing.

Deputy Fiscal's Office, A. L. M. NOOR MOHAMED,
Tangalla, October 5, 1935. Additional Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

The Honourable Attorney-General for the Island of
Ceylon Plaintiff.
No. 7,427. Vs.

Kanapathy Naganathy and two others of Saravanai
..... Defendants.

NOTICE is hereby given that on Saturday, November 2, 1935, at 10 o'clock in the forenoon, will be sold by public auction at the spots the right, title, and interest of the said defendants in the following property for the recovery of Rs. 2,400.21 with interest thereon at the rate of 9 per cent. per annum from January 13, 1935, till payment in full, less Rs. 517.50, and cost of suit being Rs. 174.42, poundage and charges, viz. :—

1. A piece of land situated at Saravanai in Kayts Parish, Islands Division of the Jaffna District, Northern Province, called Kirachavayalvadaku, in extent 6 lachams p. c.; and bounded on the east by Sivakolunthu, wife of Naganathy and Kanmany, wife of Kanapathy, north by Kasi-pillai Vinasithamby, west by the heirs of Sivakolunthu, wife of Subramaniam Ampalavany and the property belonging to Narantanai Kandasamy temple, and south by the heirs of Kanapathy Kandappu and Sivakolunthu, wife of Naganathy.

2. A piece of land situated at ditto called Vilathiyadi-vayal, in extent 17 lachams p. c.; and bounded on the east by Thirumany, wife of Thambiah, and Maruthainar Ram-nather, north by Sethukavalar Ponnampalam and Naga-ratnam, widow of Nadarasa, west by Nagaratnam, widow of Nadarasa, and south by Thirumany, wife of Thambiah.

3. An undivided $\frac{1}{2}$ share of a piece of land situated at ditto called Mikkavayal, in extent 14 lachams p. c.; and bounded on the east by Visuvan Arumugam and others, north by Nagammah, wife of Arumugam, west by Visaladehy, wife of Sellathurai, and others, and south by Apiramy, wife of Eliyathamby.

4. An undivided $\frac{1}{2}$ share of a piece of land situated at ditto called Mikkavayal, in extent 16 $\frac{1}{2}$ lachams p. c.; and bounded on the east by Visaladehy, wife of Sellathurai; Visuvar Arumugam, and others, north and west by Naga-muttu, wife of Chellappah, and south by Apiramy, wife of Eliyathamby.

Lands are said to be under mortgage.

Fiscal's Office,
Jaffna, October 8, 1935.

S. TURAIYAPPAH,
Deputy Fiscal.

Eastern Province.

In the District Court of Batticaloa.

(1) Sinnathamby Kathiranthamby and wife (2) Vyra-muttu Thangammah, (3) Kumaraperumal Vyranuttu Kumarasamy, (4) Vyramuttu Sinnapillai and hus-band (5) Arumugam Kanapathipillai, all of Valai-chenai Plaintiffs.

No. 6,728.

(1) Meerasaibupody Aliuthamalevve and wife (2) Pichchaithamby Pattumma, both of Miravodai, (3) Vyramuttu Kandumani and husband, (4) Vellayar Arumugam of Valaichenai Defendants.

NOTICE is hereby given that on Wednesday, November 6, 1935, at the times hereinafter mentioned, will be sold by public auction at the respective spots the right, title, and interest of the said defendants in the following properties decreed to be sold for the recovery of the sum of Rs. 850, costs Rs. 14.40, poundage and other charges, viz. :—

(1) At 2 o'clock in the Afternoon.—Land called Athan-karai Valavu at Miravodai in Koralai pattu in the District of Batticaloa, Eastern Province; in extent east to west 27 fathoms, north to south 39 fathoms with coconut trees and other belongings; and bounded on the east by the land of Aliyarpody, south by land of A. Athamlebbe, west by river, and north by land possessed by Athambawa. The entire land with all belongings.

(2) At 5 o'clock in the Afternoon.—Sinnaodduveli bearing lot No. 170 in plan No. 343,113 in Odduvelikandam in Oddamavady in Koralai pattu in the District of Batticaloa, Eastern Province, in extent 26 acres 3 roods and 3 perches with outlets, inlets, and all other rights; and bounded on the east by land in plan Nos. 159,911, 107,544, and 116,335 (and land in lot Nos. 19, 75, 74, and 73) and land in plan No. 116,746, south by land in plan No. 148,699 and Vaikal, west by land in plan Nos. 148,703 and 159,912, and north by land in plan 159,912. The entire land with all rights.

K. S. CHANDRASEGARAMPILLAI,
Fiscal's Office, Deputy Fiscal.
Batticaloa, October 7, 1935.

In the District Court of Batticaloa.

Namasivayam Sangarapillai Sivapragasam of Batticaloa Plaintiff.

Nadarajah Nagaretnam of Puliyan-tivu Substituted Plaintiff.

No. 7,457. Vs.

(1) Samuel Nallaretnam Velupillai of Koddaimunai,
(2) Velupillai Alagamma of Kallady Defendants.

NOTICE is hereby given that on Saturday, November 9, 1935, at 4 o'clock in the afternoon, 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 the sum of Rs. 1,200 with legal interest thereon from August 29, 1934, till payment in full, costs, poundage, and other charges, less Rs. 200, viz. :—

An undivided $\frac{1}{2}$ share out of the coconut estate formed of three pieces exclusive of the land marked "A" and known

as May Field, situated at Vandarumoolai in Eravur pattu, Batticaloa District, Eastern Province; and bounded on the north-east by Crown land known as Mapathuvillukaadu and path, south-east and south-west by path, and north-west by land described in plan No. 125,507, in extent 64 acres 2 roods and 20 perches, and of all rights.

K. S. CHANDRASEGARAMPILLAI,
Fiscal's Office, Deputy Fiscal.
Batticaloa, October 7, 1935.

North-Western Province.

In the Court of Requests of Dandagomuwa.

Rankotpedi Durayalage Wattuwa of Eluwapola. Plaintiff.

Karunapedi Durayalage Dingu of Eluwapola, administratrix of the estate of plaintiff above named Substituted Plaintiff.

No. 1,621. Rs. 20.00 Vs. Rs. 39.39

Dewatapedi Durayalage Menika of Kandegedara in Mairawathie korale Defendant.

Asuramanapedige Batt of Koswadiya in Chilaw District, as legal representative of the estate of the defendant above named Added Defendant.

NOTICE is hereby given that on Saturday, November 2, 1935, at 2 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 2,285 dated July 7, 1928, and attested by S. D. Karunaratne, Notary Public, declared specially bound and executable under the decree dated October 31, 1930, entered in the above action and ordered to be sold by the order of court dated August 10, 1935, for the recovery of the sum of Rs. 300, with interest thereon at the rate of 9 per cent. per annum from date of decree till payment in full, costs of suit Rs. 29.50, and poundage, together with the right, title, and interest of the defendant in the said property, to wit :—

1. An undivided $\frac{1}{2}$ share of the land called Meegahamulawatta of about 1 timba kurakkan sowing in extent, situated at Kandegedara in Mairawathie korale of Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by the oya, east by the live fence of the land of Salli, south by Gansabhawa road, and west by the live fence of the land of Balaya.

2. All that field called Embillagahakumbura of about 2 pelas paddy sowing in extent, situated at Kandegedara aforesaid; and bounded on the north by the garden of Peruma and others, east by the field of Bandiya, south by oya, and west by the field of Mohotha and others.

Fiscal's Office, R. S. GOONESEKERA,
Kurunegala, September 25, 1935. Deputy Fiscal.

In the Additional Court of Requests of Kurunegala.

Jayamaha Hitihamillage Punchappuhamy of Paramulla Plaintiff.

No. 7,176. Rs. 16.00 Vs. Rs. 39.39

Subasinghe Mudiyansele Kiri Babaa, ex Arachchy of Paramulla in Dambadeni Uducaha korale east Defendant.

NOTICE is hereby given that on Friday, November 1, 1935, at 4.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 160.75, and further damages at Rs. 20 per annum from August 16, 1935, till restoration of possession of plaintiff's share of the land called Padinchiwainawatta, situated at Paramulla aforesaid and poundage, viz. :—

An undivided $\frac{2}{6}$ shares of the field called Nathekumbura of about 7 pelas of paddy sowing extent, situate at Paramulla in Dambadeni Uducaha korale east of Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by limitary ridge of Pinliyadda and pilleva, east by limitary ridge of Henaingekumbura, south by high road, west by limitary ridge of Pathanduwekumbura.

The above property is under seizure under D. C. K. 12,094.

Fiscal's Office, R. S. GOONESEKERA,
Kurunegala, September 24, 1935. Deputy Fiscal.

In the District Court of Negombo.

Muna Runa Ravanna Mana Muna Runa Ramasamy
Chettiar by his attorney Peena Suppa Pana Suppiah
Pulle of Negombo Plaintiff.

No. 7,967.

Warnakula Weerasuriya Juwana Fernando of Nainamadama Defendant.

NOTICE is hereby given that on Saturday, November 9, 1935, beginning from the first land at 9.15 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 Rs. 1,250, with interest thereon at 13½ per cent. per annum from May 17, 1931, till February 12, 1934, and thereafter at 9 per cent. per annum till payment, less a sum of Rs. 320, viz. :—

1. An undivided ½ share towards the eastern side from and out of the land called Divulgahawatta, situate at Nainamadama in Kammal pattu of Pitigal korale south, in the District of Chilaw, North-Western Province; and bounded on the north by gardens of Ana Fernando and others, east by the garden of Marthinu Fernando, south by the garden of Pedro Fernando, and west by the garden of Adirian Fernando and others; containing in extent 3 roods.

2. An undivided ¼ share towards the southern side from and out of the land called Madangahawatupanguwa, situate at Nainamadama aforesaid; and bounded on the north by garden of Christian Croos, east by the garden of Anthony Thavarera and others, south by the garden of Manuel Fernando Gamarala, and west by the garden of Allino Thaverera and others; containing in extent about 1 acre and 1 rood.

3. An undivided ¼ share towards the southern side from and out of the land called Dombagahawatta, situate at Nainamadama aforesaid; and bounded on the north by the garden of Kamel Fernando, east by the canal known as Muttuwa, south by a land belonging to the estate of Estegu Fernando Vidanarala, and west by seabeach; containing in extent 2 acres.

4. An undivided ½ share of the land called Narangahakumbura, situate at Nainamadama aforesaid; and bounded on the north by the garden of Francisco Fernando, east by the field of Grasio Thamel and others, south by Gin-oya, and west by the field of Kamel Fernando and others; containing in extent about 4 bushels of paddy sowing soil.

5. An undivided ½ share of the allotment of land called Talgahawatukeyella, situate at Katuneriya in Kammal pattu aforesaid; and bounded on the north by the garden of Jacob Fernando, east by the land of Augustino Fernando, south by the garden of Philippu Fernando and others, and west by the high road; containing in extent about 3 roods.

6. All that allotment of land called Nugagahawatta, situate at Nainamadama aforesaid; and bounded on the north by the garden of Marthino Fernando and others, east by the ovita land of Alfred Fernando and others, south by the land of Philippu Fernando and others, and west by the lands of Inaciano Thamel and others; containing in extent about 1 rood and 13 perches.

7. An undivided ½ share towards the western side from and out of all that allotment of land called Divulgahawatta, situate at Nainamadama aforesaid; and bounded on the north by gardens of Ana Fernando and others, east by the garden of Marthino Fernando, south by the garden of Bastian Perera Vedarala, and west by the gardens of Adirian Fernando; containing in extent 2 roods and 30 perches.

8. An undivided ⅓ share exclusive of an undivided extent of 10 coconut trees plantable ground of the land called Madangahawatta, situate at Nainamadama aforesaid; and bounded on the north by the dewata road separating the land formerly of Santiago Fernando, now belonging to Joranis Fernando, east by fence of the garden of Francisco Thamel, south by the fence of the garden of Santiago Fernando, and west by the garden and field of Pedro Fernando and others; containing in extent 1 acre and 1 rood.

The above lands are subject to mortgage bond No. 274 dated March 13, 1926, attested by M. Austin Fernando, Notary Public, for Rs. 3,600 and interest thereon.

Deputy Fiscal's Office,
Chilaw, October 8, 1935.

L. F. ROSA,
Additional Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

33.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Felix Arthur de Jacolyn Seneviratne of
No. 6,614. Dehiwala, deceased.

Felix Charles Bertram de Jacolyn Seneviratne of the
Castle, Ratnapura Petitioner.

And

(1) Leslie Leonard de Jacolyn Seneviratne, (2) Gertrude Pearl de Jacolyn Seneviratne, (3) Ivor de Jacolyn Seneviratne, (4) Walter Duke de Jacolyn Seneviratne, (5) Edith Novilly Francis de Jacolyn Seneviratne, (6) Christopher Bonjean de Jacolyn Seneviratne of Kegalla, guardian *ad litem* over the 2nd, 3rd, 4th and 5th respondents who are minors..... Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on September 19, 1935, in the presence of Mr. B. O. Pulleuayagam, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 19, 1935, 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 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 October 17, 1935, show sufficient cause to the satisfaction of the court to the contrary.

G. C. THAMBYAH,
District Judge.

September 19, 1935.

In the District Court of Colombo.

35.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Daniel Rulach of Perth road in
No. 7,216. Colombo, deceased.

Henry Richard Dennis Rulach of Baseline Road in
Colombo Petitioner.

And

(1) Clifford Godfrey Rulach of 1, Mount Mary in Colombo, (2) Venetia Beatrice Janson, 14, Hampden lane, Wallawatta, (3) Daniel Bertram Rulach, A. L.F., C. G. R., Kandy, (4) Henrietta Amalia Marian Duckworth, 51, Nawalapitiya, (5) Frances Mary Alexandra Bowen, 50, Cork road, Dematagoda, (6) Elizabeth Rulach of Kalubowila, (7) Belle Seneviratne, C/o Christi Seneviratne, Diyatalawa Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on July 23, 1935, in the presence of Mr. Malcolm E. Wickremesinghe, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated June 13, 1935, and (2) of the attesting Notary and one of the attesting witnesses dated July 16, 1935, having been read:

It is ordered that the Last Will of Daniel Rulach, 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 executor named in the said will, and that he is entitled to have probate thereof issued to him, accordingly, unless the respondents above named or any other person or persons interested shall, on or before October 24, 1935, show sufficient cause to the satisfaction of this court to the contrary.

G. C. THAMBYAH,
District Judge.

July 23, 1935.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment and Codicil of John Riekaby of
No. 7,341. Billbrough, in the County of York,
deceased.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on September 25, 1935, in the presence of Mr. Frederick Claude Rowan

of Colombo, Proctor, on the part of the petitioner Mr. Geoffrey Thomas Hale of Colombo; and the affidavit of the said petitioner dated September 16, 1935. Probate of the will and Codicil of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated September 4, 1935, having been read: It is ordered that the will of the said deceased dated May 24, 1916, and a Codicil thereto dated August 13, 1932, of which Probate has been produced and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the said petitioner is the attorney of the executors named in the said will and Codicil, and that he is entitled to have letters of administration with a copy of the said will and Codicil annexed issued to him accordingly, unless any person or persons interested shall on or before October 17, 1935, show sufficient cause to the satisfaction of this court to the contrary.

G. C. THAMBYAH,
District Judge.
September 25, 1935.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Amadoru Weerawarna Jayasekera Patabendige William Frederick Gunawardane, Gate Mudaliyar, of Rose Villa, Mount Lavinia, deceased.

Agnes Matilda Jayasuriya nee Gunawardane of Rose Villa, Mount Lavinia Petitioner.

(1) Lucy Anne Gunawardane, (2) Denzil Fernando Jayasuriya, (3) Sumana Fernando Jayasuriya, (4) Llewellyn Fernando Jayasuriya, (5) Bardley Fernando Jayasuriya, (6) Padmini Fernando Jayasuriya, (7) Gilmour Fernando Jayasuriya, (8) Hiran Fernando Jayasuriya, all of Wasala Walauwa, Mount Lavinia, minors appearing by their guardian *ad hitem*, (9) Simon Jayasekera Gunawardane of Ratmalana... Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on September 4, 1935, in the presence of Mr. J. P. Rodrigo, Proctor, on the part of the petitioner above named; and the affidavits—(1) of the said petitioner dated June 8, 1935, and (2) of the attesting Notary dated June 8, 1935, having been read:

It is ordered (a) that the 9th respondent be and he is hereby appointed guardian *ad hitem* of the minors, the 2nd to 8th respondents above named, to represent them for all the purposes of this action (b) that the last will of Amadoru Weerawarna Jayasekera Patabendige William Frederick Gunawardane, 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 executor 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 October 17, 1935, show sufficient cause to the satisfaction of this court to the contrary.

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

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Gurullawala Gamarallage Singappu of No. 7,326. Alawala, in the Uduhaha pattu of Siyane korale, deceased.

Gurullawala Gamarallage Thegis Appu of Alawala, in the Uduhaha pattu aforesaid..... Petitioner.

And

1) Gurullawala Gamarallage Carolis Appu, (2) Gurullawala Gamarallage Louis Singho, both of Alawala aforesaid, (3) Gurullawala Gamarallage Peter Singho, (4) Gurullawala Gamarallage James Singho, (5) Gurullawala Gamarallage Edwin Singho, all of Alawala aforesaid, (6) Lokuhittige Jayasekere of Hap-pitiya in the Uduhaha pattu aforesaid, (7) Lokuhittige Noris Singho of Hap-pitiya aforesaid... Respondents.

THIS matter coming for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on September 13, 1935, in the presence of Mr. H. A. Abeyewardene, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 11, 1935, having been read:

B 4

It is ordered (a) that the 2nd and 7th respondents be and they are hereby appointed guardian *ad hitem* of the minor, the 3rd, 4th, 5th, and 6th respondents, respectively, 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 brother 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 October 17, 1935, show sufficient cause to the satisfaction of the court to the contrary.

G. C. THAMBYAH,
District Judge.
September 13, 1935.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Slema Lebbe Mohamed Hashim of 40, High street, Wellawatta, Colombo, deceased.

Abdul Hameed Hadjar Mohamed Rafeek of 62, Panchikawatta, Maradana; Colombo..... Petitioner.

Abdul Hameed Hadjar Noor Zahira of 40, High street, Wellawatta, Colombo Respondent.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 3, 1935, in the presence of Mr. M. M. Abdul Raheem, Proctor, on the part of the petitioner above named; and the affidavits—(1) of the said petitioner dated September 18, 1935, (2) of the attesting notary dated September 17, 1935, and (3) of the attesting witnesses dated September 26, 1935, having been read:

It is ordered that the last will of Selema Lebbe Mohamed Hashim, 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 executor named in the said will, and that he is entitled to have probate thereof issued to him accordingly, unless the respondent above named or any other person or persons interested shall, on or before November 7, 1935, show sufficient cause to the satisfaction of this court to the contrary.

G. C. THAMBYAH,
District Judge.
October 3, 1935.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Beruwalage Missi Nona Fernando of No. 7,339. Hampden lane, in Wellawatta, deceased.

Karunanayakage Aron Singho of 35, Hampden lane, Wellawatta Petitioner.

(1) Beruwalage Romiel Fernando of 125, Coota lane, Wellawatta, (2) Beruwalage Welmina Fernando of 65/2, Hampden lane, Wellawatta, (3) Beruwalage Emalia Fernando of 41/1, Wellawatta, (4) Sinikuge Martin Rodrigo of 41/1, Sri Pathi lane off Hampden lane in Wellawatta, (5) Sinikuge Simon Rodrigo of 24/1, Pamankade lane, Wellawatta, and (6) Diogu Silvage Podi Nona Silva of 65/2, Hampden lane, Wellawatta Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on September 24, 1935, in the presence of Mr. M. E. Wickremesinghe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 24, 1935, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as widower 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 October 31, 1935, show sufficient cause to the satisfaction of the court to the contrary.

G. C. THAMBYAH,
District Judge.
September 24, 1935.

In the District Court of Colombo.

Order Nisi in Intestacy.

32
Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Emma Louisa Barlow of 52, High street,
No. 7,348 N.T. Lye, near Stourbridge, in the County of
Worcester in England, deceased.

David Ernest Martensz of Messrs. F. J. & G. de Saram,
Colombo Petitioner.

Vs.

(1) Albert Bennett Barlow of Bockdale, Ham lane,
Pedmore near Stourbridge, in the County of Worcester
in England, (2) Frederick John Barlow of 52,
High street aforesaid, (3) Robert Henry Barlow of
52, High street aforesaid Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 2, 1935, in the presence of Mr. J. F. Van Langenberg, Proctor, on the part of the petitioner, David Ernest Martensz of Colombo; and (1) the affidavit of the said petitioner dated September 28, 1935, (2) power of attorney dated June 21, 1935, (3) minute of consent from the above-named respondents dated June 21, 1935, and (4) the order of the Supreme Court dated September 26, 1935, having been read: It is ordered that the said David Ernest Martensz is the attorney in Ceylon of Harry Barlow, the husband and one of the heirs and next of kin of the said Emma Louisa Barlow, 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 interested shall, on or before October 17, 1935, show sufficient cause to the satisfaction of this court to the contrary.

October 2, 1935.

G. C. THAMBYAH,
District Judge.

23. In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Letchumipillai, wife of Cunaratnam of
No. 7,338. Taiping, in the Federated Malay States,
deceased.

Valliammai, widow of Sivapragasam of Mutwal in
Colombo Petitioner.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on September 24, 1935, in the presence of Mr. V. K. Subramaniam, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 19, 1935, and the order of the Supreme Court dated September 4, 1935, 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 her estate issued to her, unless any other person or persons interested shall, on or before October 31, 1935, show sufficient cause to the satisfaction of the court to the contrary.

September 24, 1935.

G. C. THAMBYAH,
District Judge.

In the District Court of Negombo.

Order Nisi.

37
Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Mihidukulasuriya Patabendige Lucia
No. 2,964. Irene Mathes *nee* Costa of Negombo,
deceased.

Mihidukulasuriya Patabendige Sebastian Domingo
Lawrie Mathes of Negombo Petitioner.

(1) Mihidukulasuriya Patabendige Victor Mathes,
(2) ditto Marcus Martin Mathes, (3) ditto Freddy
Mathes, (4) ditto Aloysius John Mathes, all of Ne-
gombo, (5) ditto Mary Thelma Fernando *nee* Mathes
of Kudapattuwa in Negombo, (6) Mihidukulasuriya
Patabendige Mary Clara Ranasinghe *nee* Mathes of
Tudella, (7) Mihidukulasuriya Patabendige Mary
Emelda Fernando *nee* Mathes of Wennappuwa, (8)
Mihidukulasuriya Patabendige Dasanerius Maria
Laura Cooray *nee* Mathes of Katukurunda. Respondents.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge of Negombo, on September 9, 1935, in the presence of Mr. T. Q. Fernando, Proctor, on the part of the petitioner; and the petitioner's petition and affidavit dated December 20, 1934, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the eldest son of the above-named deceased, to have letters of administration to the above estate issued to him, unless the respondents or any other person or persons interested shall show sufficient cause to the satisfaction of this court to the contrary on or before September 30, 1935.

September 9, 1935.

D. H. BALFOUR,
District Judge.

Time for showing cause against this *Order Nisi* is extended to October 21, 1935.

September 30, 1935.

D. H. BALFOUR,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late Ranasinghe Arachchige Singhappu-
No. 2,966. hamy of Mabodale, deceased.

Don Thomas Ranasinghe Wijewardane of Mabo-
dale Petitioner.

(1) Dewagamage Ranmenikhamy, (2) Dona Wimalawa-
thie Ranasinghe, (3) Don Seelies Ranasinghe, (4)
Don Jinadasa Ranasinghe, (5) Don Themanis Rana-
singhe, all of Mabodale Respondents.

THIS matter coming on for disposal before D. H. Balfour, Esq., District Judge of Negombo, on July 22, 1935, in the presence of Mr. M. P. Jayawardane, Proctor, on the part of the petitioner; and the petitioner's petition and affidavit dated July 22, and May 13, 1935, respectively having been read:

It is ordered and decreed that the petitioner be and he is hereby declared entitled, as a son of the above-named deceased, to have 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 August 20, 1935.

It is further ordered that the 1st respondent be appointed guardian *ad litem* for the 5th 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 August 20, 1935.

July 22, 1935.

D. H. BALFOUR,
District Judge.

Time for showing cause against the *Order Nisi* is hereby extended to September 17, 1935.

September 3, 1935.

D. H. BALFOUR,
District Judge.

Time for showing cause against the *Order Nisi* is hereby extended to October 17, 1935.

October 3, 1935.

D. H. BALFOUR,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Welikannamohottige Johanis Appu, de-
No. 2,661. ceased, of Kotigala

Welikannamohottige Don Appu Singho Welikanna of
Kotigala Petitioner.

Vs.

(1) Amarasingha Mudalige Abilnahamy of Kotigala,
(2) Welikannamohottige Hendrick Singho of Araka-
wila, (3) Welikannamohottige Themis Singho of Koti-
gala, (4) ditto Peter Singho of ditto, minor, by his
guardian *ad litem* the 1st respondent Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on July 10, 1935, in the presence of Messrs. Tirimanne & Meegama, Proctors, on the part of the petitioner, Welikannamohottige Don Appu Singho Welikanna of Kotigala; and the affidavit of the said petitioner dated July 1, 1935, having been read:

It is ordered that the will of the deceased above named dated March 30, 1935 and now deposited in this court be and the same is hereby declared proved, unless the respondents or any other person or persons interested shall, on or before August 15, 1935, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless the respondents or any other persons interested shall, on or before August 15, 1935, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the 1st respondent be and she is hereby appointed guardian *ad litem* over the 4th minor respondent, unless the respondents shall, on or before August 15, 1935, show sufficient cause to the satisfaction of this court to the contrary.

July 10, 1935.

N. M. BHARUCHA,
District Judge.

The date for showing cause against this *Order Nisi* is extended for October 17, 1935.

N. E. ERNST,
District Judge.

19 In the District Court of Kalutara.

Absolute Order declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of the late Lewishennedige Manuel No. 2,680. Fernando, deceased, of Morawinna in Panadura.

THIS matter coming on for final determination before N. E. Ernst, Esq., District Judge of Kalutara, on September 12, 1935, in the presence of Mr. T. J. C. Peiris, Proctor, on the part of the petitioner, Hennedige Somie de Soysa of Morawinna, and the affidavit of the said petitioner dated September 2, 1935, having been read :

It is ordered that the last will No. 988 dated September 6, 1912, made by the deceased, and now deposited in this court, be and the same is hereby declared proved, and that probate thereof be issued to Hennedige Somie de Soysa of Morawinna, as executrix of the said will.

September 12, 1935.

N. E. ERNST,
District Judge.

33. In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Bodyyabaduge Salmon Perera of Wekada in Panadure, deceased. No. 2,670.

Telge Roslin Peiris of Wekada in Panadure... Petitioner.

(1) Bodyyabaduge Justin Andris Perera, (2) ditto Donald Perera, (3) ditto Shelton Perera, all of Wekada in Panadure, minors, appearing by their guardian *ad litem* (4) Bodyyabaduge Suwaris Perera of Pattiya in Panadure... Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on April 1, 1935, in the presence of Mr. C. W. de Silva, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 21, 1935, having been read :

It is ordered (a) that the 4th respondent be and he is hereby appointed guardian *ad litem* of the minors the 1st, 2nd, and 3rd respondents above named to represent them for all purposes of this action, and (b) 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 June 6, 1935, show sufficient cause to the satisfaction of the court to the contrary.

April 1, 1935.

E. SWAN,
District Judge.

Date for showing cause extended to October 31, 1935.

N. E. ERNST,
District Judge.

26 In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late No. 2,678. Abdul Rahiman Marikar Ummu Salih, deceased, of Alutgamweediya.

THIS matter coming on for disposal before N. E. Ernst, Esq., District Judge of Kalutara, on September 5, 1935, in the presence of Mr. A. D. de Fonseka, Proctor, on the part of the petitioner, Abdul Rahiman Marikar Mohamadu of Alutgamweediya, and the affidavit of the said petitioner dated September 5, 1935, having been read :

It is ordered that the petitioner above named be and he is hereby declared entitled, as brother of the deceased above named, to have letters of administration to her estate issued to him, unless the respondents—(1) Abdul Rahiman Marikar Umma Saida and (2) Ismail Lebbe Marikar Mohamadu Marikar, both of Alutgamweediya—or any other person or persons interested shall, on or before October 15, 1935, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 2nd respondent be and he is hereby appointed guardian *ad litem* over the 1st minor respondent for all the purposes of this action, unless the respondents shall, on or before October 15, 1935, show sufficient cause to the satisfaction of this court to the contrary.

September 5, 1935.

N. E. ERNST,
District Judge.

28. In the District Court of Kandy.

Testamentary In the Matter of the Last Will and Testament of Charles Winslow de Soysa, deceased, of Lady Manning's road, Kandy. No. 5,324.

THIS action coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on August 13, 1935, in the presence of Mr. H. A. C. Wickremeratne on the part of the petitioner, Cyril Arthur Koelmeyer; and the affidavit of the said petitioner dated March 29, 1935, and the affidavit of the attesting Notary dated May 29, 1935, having been read :

It is ordered that the will of the said deceased No. 33,131 dated August 11, 1933, and now deposited in this court, be and the same is hereby declared proved, unless any person or persons interested shall, on or before September 19, 1935, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Cyril Arthur Koelmeyer is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any person or persons interested shall, on or before September 19, 1935, show sufficient cause to the satisfaction of this court to the contrary.

August 18, 1935.

R. F. DIAS,
District Judge.

Date for showing cause is extended to October 14, 1935.

September 19, 1935.

R. F. DIAS,
District Judge.

20 In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Thangamma, wife of Karthigesu Sinniah No. 5,335. of 1, Colombo street, Kandy.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on September 19, 1935, in the presence of Mr. P. Balsingham, Proctor, on the part of the petitioner, Karthigesu Sinniah; and the affidavit of the said petitioner dated July 29, 1935, having been read :

It is ordered that the petitioner be and he is hereby declared entitled, as widower of the deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents—Sinniah Thirunavukkarasu of Kandy and Sanmugam Thamothersampillai of Vannarponnai, Jaffna—or any other person or persons interested shall, on or before October 14, 1935, show sufficient cause to the satisfaction of this court to the contrary.

September 19, 1935.

R. F. DIAS,
District Judge.

In the District Court of Matara.

Order Nisi.

32
Testamentary In the Matter of the Intestate Estate of the
No. 3,894. late Lydia Perera Wijetunge of Fort,
Matara, deceased.

Felix Perera Wijetunge of Atu Ella estate, Gorakawela Petitioner.

And

Rs. 16.00 29/29
(1) Samson Perera Wijetunge, Mudaliyar, Wellabodapattu, Matara, (2) Cigilia Wijesekara Lamaetani of Fort, Matara, widow of the late Mudaliyar D. E. Wijesekara of Colombo, (3) Edmund Perera Wijetunge, Justice of the Peace and Proctor and Notary of Fort, Matara, (4) Rosalind Perera Wijetunge of Fort, Matara, (5) Wilmot Perera Wijetunge, Proctor and Notary of Matara, (6) Lionel Perera Wijetunge of Fort, Matara Respondents.

THIS matter coming on for disposal before Cyril Ernest de Pinto, Esq., District Judge of Matara, on August 26, 1935, in the presence of Mr. E. P. Wijetunge, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated August 17, 1935, having been read:

It is ordered that the petitioner above named, as brother of the above-named deceased, be and he is hereby declared entitled, to have letters of administration issued to him to administer the estate of the said deceased, unless the said respondents or any other person or persons interested shall, on or before October 31, 1935, show sufficient cause to the satisfaction of this court to the contrary.

C. E. DE PINTO,
District Judge.

August 26, 1935.

In the District Court of Tangalla.

Order Nisi.

44
Testamentary In the Matter of the Estate of the late
Jurisdiction. Warnakulasuriya Patabendige Ludis-
No. 1,222. hamy of Pallikkudawa, deceased.

Warnakulasuriya Patabendige Charlissinno of Pallikkuduwa Petitioner.

(1) Ediriweera Jayasuriya Avukatti Patabendige Lucynona, (2) Warnakulasuriya Patabendige Arnolis Appu, (3) Warnakulasuriya Patabendige Sangohamy, (4) Warnakulasuriya Patabendige Jasohamy, (5) Warnakulasuriya Patabendige Panchinona, (6) Warnakulasuriya Patabendige Hendricksinno, (7) Warnakulasuriya Patabendige Dionisappu, (8) Warnakulasuriya Patabendige Suvanchiappu, (9) Warnakulasuriya Patabendige Subehamy, all of Pallikkudawa Respondents.

THIS action coming on for disposal before R. R. Selvadurai, Esq., District Judge of Tangalla, on May 21, 1935, in the presence of Mr. D. P. Atapattu, Proctor, on the part of the petitioner above named; and the affidavit of the above-named petitioner dated May 14, 1935, having been read:

It is ordered and adjudged that the 6th respondent above named be appointed guardian *ad litem* over the minors, 7th, 8th, and 9th respondents, unless any person or persons interested shall, on or before July 8, 1935, show sufficient cause to the contrary.

It is further ordered that the petitioner be and he is hereby declared entitled, as the eldest son of the deceased, to have letters of administration of the said estate issued to him, unless any persons or persons interested shall, on or before July 8, 1935, show sufficient cause to the contrary.

R. R. SELVADURAI,
District Judge.

Extended for August 12, 1935.

July 8, 1935.

R. R. SELVADURAI,
District Judge.

Extended for September 12, 1935.

August 12, 1935.

R. R. SELVADURAI,
District Judge.

Extended for October 17, 1935.

September 12, 1935.

R. R. SELVADURAI,
District Judge.

In the District Court of Jaffna.

Order Nisi.

21
Testamentary In the Matter of the Estate of the late
No. 106. Annaratnam, wife of Canagaratnam of
Manipay, deceased.

Sittampalam Canagaratnam of Manipay Petitioner.

VE.

(1) Thavamalar, daughter of Canagaratnam, by her guardian *ad litem* (2) Cirusamy Valupillai of Dickoya estate, Dickoya Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, on July 19, 1935, in the presence of Mr. E. Kurugesampillai, Proctor, for petitioner; and the affidavit of the petitioner dated July 18, 1935, having been read: It is declared that the petitioner is the husband of the said intestate, and is entitled to have letters of administration to the estate of the said deceased issued to him, unless sufficient cause is shown by the respondents or any others on or before October 14, 1935.

September 9, 1935.

S. RODRIGO,
District Judge.

In the District Court of Chilaw.

Order Absolute.

22
No. 2,152 T. In the Matter of the Last Will and Testament of Lokujwange Manuel Chrispin Perera of Chilaw, deceased.

Clara Perera nee Thumbawile of Chilaw Petitioner.

THIS matter coming on for disposal before M. Chinniah, Esq., District Judge of Chilaw, on September 19, 1935, in the presence of Mr. J. J. Fernando, Proctor, on the part of the petitioner; and the affidavits dated September 4 and 18, 1935, and of the attesting witnesses and the notary dated September 18 and 19, 1935, respectively, having been read:

It is ordered that the last will of Lokujwange Manuel Chrispin Perera, deceased, of which the original has been produced and now deposited in this court, and the same is hereby declared proved, and that probate be issued to Clara Perera nee Thumbawile, the petitioner accordingly, unless any person or persons interested shall, on or before October 16, 1935, show sufficient cause to the satisfaction to the court to the contrary.

September 19, 1935.

M. CHINNIAH,
District Judge.