



THE

# CEYLON GOVERNMENT GAZETTE

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## PART II.—LEGAL.

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

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## DRAFT ORDINANCES.

## MINUTE.

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

**An Ordinance to amend and consolidate the law relating to whaling operations in the coastal waters of Ceylon.**

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

- |   |   |
|---|---|
| Short title and commencement.             | <p>1 This Ordinance may be cited as the Whaling Ordinance, No. of 1936, and shall come into operation on such date as may be appointed by the Governor by proclamation published in the Gazette.</p>  |
| Application of Ordinance.                 | <p>2 (1) The provisions of this Ordinance shall apply only in relation to whales known as—</p> <p>(a) whalebone whales or baleen whales ;</p> <p>(b) sperm whales.</p> <p>(2) The Governor may, by Order published in the Gazette, declare that the provisions of this Ordinance shall apply to whales other than those mentioned in sub-section (1) or to any other marine mammals of the order <i>Cetacea</i>, subject to such exceptions, adaptations and modifications as may be specified in the Order ; and upon the publication of any such Order the provisions of this Ordinance shall apply to such other whales or mammals or to such descriptions thereof as may be so specified.</p>   |
| Protection for certain species of whales. | <p>3 (1) No person shall, within the coastal waters of the Island, kill or take or attempt to kill or take—</p> <p>(a) a right whale, or</p> <p>(b) an immature whale, or</p> <p>(c) a female whale which is accompanied by a calf.</p> <p>(2) If any person kills or takes or attempts to kill or take any whale specified in sub-section (1), that person and the master of the vessel used for the purpose of such killing or taking or of such attempt to kill or take, shall be guilty of an offence and shall on conviction after summary trial before a Police Magistrate be liable to imprisonment of either description for a term not exceeding three months, or to a fine not exceeding two thousand rupees, and an additional fine not exceeding the value of the products (if any) obtained or obtainable from the whale in question, or to both such imprisonment and such fines.</p> <p>(3) For the purposes of this section, a whale of any description shall be deemed to be immature if it is of less than such length as may be prescribed in relation to whales of that description :</p> <p>Provided that the length prescribed for the purposes of this section shall not—</p> <p>(a) in relation to blue whales, be less than sixty feet ; or</p> <p>(b) in relation to fin whales, be less than fifty feet.</p> |
| Vessels and factories to be licensed.     | <p>4 (1) Without prejudice to the provisions of section 3, no person shall use any vessel for the purpose of taking or treating whales within the coastal waters of the Island or use any factory situate within the Island for the purpose of treating whales, unless the master of the vessel or the occupier of the factory is the holder of a licence in force under this Ordinance authorising the vessel or the factory, as the case may be, to be so used.</p> <p>(2) If any vessel or factory is used for taking or treating whales in contravention of this section, the master of the vessel or the manager and the occupier of the factory, as the case may be, shall each be guilty of an offence and shall each be liable, in respect of each whale taken or treated in contravention of this section, to imprisonment of either description for a term not exceeding three months, or to a fine not exceeding two thousand rupees and an additional fine not exceeding the value of the products (if any) obtained or obtainable from the whale, or to both such imprisonment and such fines.</p>   |
| Whaling licences.                         | <p>5 (1) Every application for a licence under this Ordinance shall be in such form, contain such particulars, and be accompanied by such fee, as may be prescribed, and shall be addressed to the Marine Biologist.</p> <p>(2) On receipt of an application for a licence, the Marine Biologist shall have power to call for such further information as he may require and to inspect or test or cause to be inspected or tested any vessel, factory, plant or equipment</p>  |

specified or referred to in the application, and it shall be his duty to forward the application to the Executive Committee together with his recommendation or comments thereon.

(3) No licence shall be issued unless the Executive Committee passes a resolution that the application for that licence shall be allowed, and unless such resolution is approved by the Governor.

(4) A licence may be refused on any one or more of the following grounds :—

- (a) that the vessel or the factory, or the plant or equipment provided in the vessel or the factory specified or referred to in the application is inadequate or is unsuitable in any respect ;
- (b) that the applicant does not possess or command sufficient capital to ensure the proper conduct of the operations for which the licence is required ;
- (c) that the applicant has been convicted previously of an offence under this Ordinance ;
- (d) that it is not in the public interest to issue any licence.

(5) In any case where a licence is or is liable to be refused on any ground set out in paragraph (a) of sub-section (4), it shall be lawful for the Marine Biologist to return the application to the applicant with a statement of such further requirements as are considered necessary to enable such application to be entertained.

Any application renewed after compliance with such requirements may be entertained without the payment of another fee.

(6) Where the decision of the Executive Committee to allow an application is approved by the Governor, the Marine Biologist shall issue to the applicant a licence under his hand in such form as may be prescribed containing the conditions required or authorised to be inserted therein by section 6.

(7) Where an application is refused by the Executive Committee or not approved by the Governor, the fee paid by the applicant shall be refunded to him subject to the deduction of such expenditure as may have been incurred in the inspection of the vessel or factory or in the inspection or testing of the plant or equipment of the vessel or factory.

(8) Every licence issued under this Ordinance shall, unless previously cancelled, continue in force for one year from the date specified in the licence as the day on which it takes effect.

6 (1) There shall be attached to every licence under this Ordinance authorising the use of a vessel for taking whales a condition that the remuneration of the gunners and crew of the vessel must, so far as it is calculated by reference to the results of their work, be calculated by reference to the size, species, oil-yield and value of the whales taken, and in such manner as to exclude remuneration in respect of any whale which is of less than such length as may be prescribed for the purposes of this section, or the taking of which is prohibited by this Ordinance.

(2) There shall be attached to every licence under this Ordinance authorising the use of a vessel or factory for treating whales, the following conditions :—

(a) that there must be recorded in the prescribed manner and by the prescribed person—

- (i) with respect to each whale treated in the vessel or factory, the date and place of taking, the species and the sex of the whale, and such measurements and other biological information (including information as to the contents of its internal organs) as may be prescribed ; and
- (ii) the prescribed particulars as to the number of whales treated in the vessel or factory, and as to the yield of oil of different grades, and the quantities of meal, guano and other products derived, from those whales ; and

(b) that the vessel or factory must be equipped with plant of a type approved by the Marine Biologist for the extraction of oil from the blubber, flesh and bones of whales, and that steps must be taken to ensure that the plant is kept in good order and operated efficiently ; and

(c) that, except in the case of a whale or part of a whale intended to be used for human food, the oil must be extracted, by boiling or otherwise, from all whale blubber, from the heads and tongues of whales and from their tails as far forward as the outer opening of the lower intestine ; and

(d) in the case of a factory, that adequate arrangements must be made for utilising residual products.

Conditions attached to licences.

(3) There shall be attached to every licence under this Ordinance the condition that the records required by the licence to be kept must be transmitted, at such times and in such manner as may be prescribed, to the Marine Biologist.

(4) There may be attached to any licence under this Ordinance such conditions (if any), in addition to the conditions required by the foregoing provisions of this section, as appear to the Marine Biologist to be necessary or expedient for the purpose of preventing, so far as practicable—

(a) any wastage of whales or whale products ; or

(b) the taking of whales during certain seasons ; and any conditions attached to such licence as aforesaid for the purpose of preventing the taking of whales during certain seasons, may specify different seasons in relation to different parts of the coastal waters of the Island or different descriptions of whales.

(5) Notwithstanding anything in the foregoing provisions of this section, no condition involving the substitution of one type of plant for another shall be attached to a licence under this section unless at least twelve months' notice of the intention to impose the condition has been given by the Marine Biologist in such manner as he thinks best for informing persons concerned.

(6) If any condition attached to a licence under this Ordinance is contravened or not complied with, then, in the case of a licence granted in respect of a vessel, the master of the vessel, or, in the case of a licence granted in respect of a factory, the manager and the occupier of that factory, shall each be guilty of an offence, and shall each be liable on conviction after summary trial before a Police Magistrate to imprisonment of either description for a term not exceeding three months, or to a fine not exceeding two thousand rupees or to both such imprisonment and such fine ; and the Police Magistrate by whom the offender is convicted may, if he thinks fit, cancel any licence granted under this Ordinance to the offender, being a licence which is for the time being in force in respect of the vessel or factory, as the case may be, and that licence shall thereupon cease to be in force.

(7) Without prejudice to the provisions of sub-section (6), if any person fails to keep any record in accordance with the conditions attached to a licence under this Ordinance or knowingly makes in any record which he is required by such conditions to keep, a statement false in any material particular, he shall be guilty of an offence and shall on conviction after summary trial before a Police Magistrate be liable to imprisonment of either description for a term not exceeding three months or to a fine not exceeding five hundred rupees, or to both such imprisonment and such fine.

Permits to take and treat whales for scientific purposes.

7 (1) Notwithstanding anything in this Ordinance contained, the Marine Biologist may, with the approval of the Executive Committee and of the Governor, grant to any person a special permit authorising that person to kill, take or treat whales within the coastal waters of the Island for purposes of scientific research or for other exceptional purposes, subject to such restrictions as to number, and subject to such other conditions, as may be specified in that permit ; and the killing, taking or treating of whales in accordance with a permit in force under this section shall be exempt from the operation of the foregoing provisions of this Ordinance.

(2) The Marine Biologist may at any time, with the approval of the Executive Committee and of the Governor, revoke a permit granted by him under this section.

Whale fishery inspector.

8 (1) The Governor may appoint any person by name or by office to be or to act as a whale fishery inspector.

(2) For the purpose of enforcing the provisions of this Ordinance, a whale fishery inspector, on producing on demand evidence of the fact that he is such an inspector—

(a) may board or enter any vessel or factory which he has reason to believe is used for taking or for treating whales, and inspect the vessel or factory and its plant and equipment ; and

(b) may, in the case of any such vessel, require the master and crew, or any of them, or in the case of any such factory, require the occupier or manager thereof and the employees therein or any of them, to produce all such licences, records and other documents as the inspector considers it necessary to inspect, and to answer all such inquiries as he considers it necessary to make ; and

(c) may take copies of, or extracts from, any documents produced to him.

(3) Every person who refuses to produce to a whale fishery inspector any document which he is required under this section to produce, or refuses to answer, or answers falsely, any inquiry duly made of him by such an inspector, or otherwise obstructs, or refuses facilities to, such an inspector in the discharge of his functions under this section, shall be guilty of an offence and shall on summary conviction before a Police Magistrate be liable to a fine not exceeding one thousand rupees.

(4) A whale fishery inspector appointed under this Ordinance shall be a public servant within the meaning of the Ceylon Penal Code.

No. 2 of 1883.

Derelict whales.

9 (1) Notwithstanding anything in this Ordinance contained, the owner or lessee of any land, or his agent, may take possession of any derelict whale found on such land or on the coast or shore adjacent thereto, but no such whale or part thereof shall be appropriated by him except on such special terms and conditions in respect of royalty and otherwise as may be prescribed.

(2) Any person who appropriates any derelict whale or part thereof in contravention of sub-section (1) shall be guilty of an offence and shall on summary conviction before a Police Magistrate be liable to a fine not exceeding five hundred rupees. Any whale or part of a whale or whale oil found in the possession of any such person may be confiscated by order of the Police Magistrate and, if confiscated, shall be disposed of in such manner as may be prescribed.

10 (1) The Executive Committee may make all such regulations as may be necessary for the purpose of carrying out or giving effect to 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 prescribing—

- (a) the form of applications for licences, the fees to be paid on any such application and the mode of payment of such fees ;
- (b) the form of licences issued under this Ordinance ;
- (c) the terms and conditions on which derelict whales may be appropriated, and the amount to be paid by way of royalty thereon ;
- (d) the lengths of whales for the purposes of any of the provisions of this Ordinance, and the manner in which the lengths are to be measured or determined ;
- (e) all matters required or authorised to be prescribed under this Ordinance ; and
- (f) all matters incidental to or connected with the matters specifically referred to in this section.

(3) No regulation shall have effect unless it has been approved by the State Council and ratified by the Governor. Notification of such approval and ratification shall be published in the Gazette.

(4) Every regulation shall, upon the publication in the Gazette of the notification required by sub-section (3), be as valid and effectual as though it were herein enacted.

11 In this Ordinance, unless the context otherwise requires—

Interpretation.

“ blue whale ” means a whale known by any of the following names, namely, blue whale, Sibbald's rorqual, sulphur bottom ;

“ calf ” includes a suckling whale ;

“ coastal waters ” means the part of the sea within a distance of three nautical miles from any point on the coast of the Island measured from low water mark of ordinary spring tides ;

“ Executive Committee ” means the Executive Committee of Local Administration ;

“ factory ” does not include a vessel ;

“ fin whale ” means a whale known by any of the following names, namely, common finback, common finner, common rorqual, finback, fin whale, herring whale, razorback, true fin whale ;

“ licence ” means a licence issued under this Ordinance ;

“ master,” in relation to any vessel, includes the person for the time being in command or charge of the vessel and in relation to a vessel used for treating whales, includes the person for the time being in charge of the operations on board the vessel which are connected with or incidental to such treatment ;

“ prescribed ” means prescribed by regulations made under this Ordinance ;

“right whale” means a whale known by any of the following names, namely, Atlantic right whale, Arctic right whale, Biscayan right whale, Bowhead, Greenland right whale, Greenland whale, Nordkaper, North Atlantic right whale, North Cape whale, Pacific right whale, Pigmy right whale, Southern pigmy right whale, Southern right whale;

“vessel” means a ship or boat of any description not propelled by oars and includes any floating platform, barge or raft used for the purpose of treating whales.

Repeals.  
No. 30 of 1928.

12 The Whaling Ordinance, 1928, and the Whaling Amendment Ordinance, No. 49 of 1935, are hereby repealed.

#### *Objects and Reasons.*

The Whaling Industry Regulation Act of the Imperial Parliament was passed in 1934 in order to enable effect to be given to an International Convention for the regulation of whaling, which was signed at Geneva on the 24th September, 1931. His Majesty is empowered by section 13 of the Act to extend the provisions of the Act by Order in Council to any Colony, subject to necessary exceptions, adaptations and modifications. The provisions of the Act when so extended to Ceylon will give the local courts jurisdiction to punish offences against the Act if such offences are committed outside the coastal waters of the Island. Section 12 of the Act enables His Majesty by Order in Council to direct that the principal provisions of the Act shall not apply within the coastal waters of any part of His Majesty's dominions if there is in force, as respects those coastal waters, any local law which is substantially equivalent to those provisions. In the absence of any local law corresponding to those provisions of the Act, it will be possible for whaling operations to be conducted in the coastal waters of Ceylon under the authority of a licence issued by the Board of Trade.

2. It has been decided that all whaling operations within the coastal waters of the Island should be regulated by a local Ordinance. The Secretary of State has pointed out that the provisions of the local Whaling Ordinance of 1928 are not substantially equivalent to the principal provisions of the Imperial Act and has requested that steps should be taken to amend the local law so as to enable the necessary Orders in Council to be issued by the end of May, 1936.

3. This Bill, which is introduced as an emergency measure, repeals the existing Whaling Ordinance and substitutes therefor provisions modelled on the Imperial Act of 1934 which will enable effect to be given in Ceylon to the terms of the International Convention. The method of repeal and re-enactment has been adopted as preferable to the cumbersome process of amending in detail every section of the existing Ordinance and the relevant regulations and Schedules and of adapting our Ordinance of 1928 to the requirements of the new Constitution.

4. Clause 2 of the Bill provides that the law shall apply only to baleen whales and sperm whales. The Geneva Convention applies only to baleen whales, but sperm whales have been included as they are found in Ceylon waters and are likely to be washed ashore as derelict whales to which the provisions of Clause 9 will apply. Power has been taken to apply the provisions of the measure to other species of whales and to other marine mammals of the order *Cetacea*.

5. Clause 3 prohibits absolutely the killing or taking of right whales, immature whales and female whales which are accompanied by calves. The penalties provided in this clause as well as the other penalties provided in the Bill are the same as the penalties provided in the Imperial Act.

6. Clauses 4 and 5 provide for the licensing of vessels and factories. Licences will be issued by the Marine Biologist after applications for such licences have been approved by the Executive Committee of Local Administration and by the Governor. Power has been taken to refuse licences on specified grounds as such refusal is permissible under the International Convention. Clause 6 enumerates the conditions which have to be attached to all licences in order to comply with the requirements of the Convention. A failure to comply with the conditions attached to a licence may be penalised by the cancellation of the licence.

7. Clause 7 authorises the issue of special permits to conduct whaling operations within the coastal waters of the Island for the purposes of scientific research. Clause 8 makes provision for the appointment of a whale fishery inspector and vests him with powers necessary for the proper discharge of his duties.

8. Clause 9 deals with derelict whales and provides that such whales may be appropriated on payment of prescribed royalties. Clause 10 authorises the Executive Committee of Local Administration to make such regulations as may be necessary to give effect to the principles and provisions of the new law, subject to the usual conditions as to approval by the State Council and ratification by the Governor.

9. The whales included in the definitions of the terms blue whale, fin whale and right whale are those specified in the Schedule of the Imperial Act. Most of these whales are not likely to be found in Ceylon waters, but they have been included on the suggestion of the Secretary of State in order to enable the necessary Orders in Council to be issued.

S. W. R. D. BANDARANAIKE,  
Minister for Local Administration.

Colombo, May 1, 1936.

## NOTICES OF INSOLVENCY.

In the District Court of Kandy.

No. 2,115. In the matter of the insolvency of Ana Mahammadu Lebbe of Eladetta.

WHEREAS Ana Mahammadu Lebbe has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Una Hameedu Lebbe, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said Ana Mahammadu Lebbe insolvent accordingly ; and that two public sittings of the court, to wit, on May 22, 1936, and on June 26, 1936, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, R. MALALGODA,  
Secretary.

In the District Court of Badulla.

No. 28. In the matter of the insolvency of Nawenna Ana Moona Mohamado Ossen of Bandarawela.

WHEREAS Cheena Choona Ana Peer Muhamadu Saibo of Lowerstreet, Badulla, has filed a declaration of insolvency, and a petition for the sequestration of the estate of Nawenna Ana Moona Mohamado Ossen of Bandarawela, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said Nawenna Ana Moona Mohamado Ossen insolvent accordingly, and that two public sittings of the court, to wit, on May 26, 1936, and on June 30, 1936, 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, A. K. ALVAPILLAI,  
Secretary.  
May 2, 1936.

In the District Court of Kegalla.

Insolvency Jurisdiction. In the matter of the insolvency of Koruwage Peter Fernando of Rambukkana.  
No. 70.

NOTICE is hereby given that a sitting of this court on the above matter will be held on May 27, 1936, for the assignee to file his report.

By order of court, R. B. RATNAIKE,  
Secretary.  
April 29, 1936.

## NOTICES OF FISCALS' SALES.

### Western Province.

In the District Court of Colombo.

Egodage John Perera of Mirihana, Nugegoda, in the Palle pattu of Salpiti korale ..... Plaintiff.

No. 3,523. Vs.

Lamappuge Charles Perera of Pagoda in the Palle pattu of Salpiti korale ..... Defendant.

NOTICE is hereby given that on Tuesday, June 9, 1936, at 10 A.M., will be sold by public auction at the premises

the following property mortgaged with the plaintiff by bond No. 68 dated February 6, 1928, and attested by M. D. Goonatilleke, 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 March 12, 1936, for the recovery of the sum of Rs. 3,129.68, together with interest on Rs. 650 at 12½ per cent. per annum from July 6, 1935, up to October 29, 1935, and thereafter on the aggregate amount of the decree at 9 per cent. per annum from date of decree (October 29, 1935), till payment in full and costs of suit, viz. :—

An undivided ¼ share of the land called and known as Madangahawatta alias Madangahawatta, situated at Pagoda in the Palle pattu of Salpiti korale in the District of Colombo, Western Province ; and bounded on the north by Gorakagahawatta of Saparamadu, Mereññage Kallis Appuhamy, east by the land of Kankanige Abraham Allis, south by the field of Basnayake, and on the west by the field and owita of Egodage John Perera ; and containing in extent about 1½ acres, and registered under M 250/103, which land is said to be identical with the land registered under M 250/213 ; and bounded on the north by Pelengahawatta of Egodage Siman Perera, on the east by Madangahawatta of Egodage Tickonis Allis, on the south by the field of Artie Basnayake, and on the west by the field of Egodage Punchappu ; and containing in extent 1½ acres, and is a divided half part or share of Mudalpraveni Madangahawatta and owita, situated at Pagoda aforesaid ; and bounded on the north and east by the garden and field of Don Manuelge Don Joranis, south by the field, and on the west by the owita of Kuragamage people ; and containing in extent land sufficient to plant 250 coconut plants, together with the entirety of the dwelling house and an undivided ¼ share of all the plantations standing on the said land.

Prior registration M 250/103.

Fiscal's Office,  
Colombo, May 1, 1936.

J. R. TOUSSAINT,  
Deputy Fiscal.

In the District Court of Colombo.

(1) Mercy Florence Singanayagam, wife of (2) D. G. Singanayagam of Chelsea Gardens, Colpetty, Colombo ..... Plaintiffs.

No. 3,830. Vs.

(1) Mrs. Kannamma and her husband (2) Sivasooria Narayanapillai Suppiah Pillai, both of 53, Galpotta street, Kotahena, Colombo ..... Defendants.

NOTICE is hereby given that on Friday, May 29, 1936, at 5 P.M., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 630 dated February 27, 1932, attested by S. Sivasubramaniam, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated February 4, 1936, for the recovery of the sum of Rs. 6,478, with interest on Rs. 6,000 at 12 per cent. per annum from August 30, 1935, to October 11, 1935, and thereafter on the aggregate amount at 12 per cent. per annum till payment in full and costs of suit, viz. :—

All that allotment of land with the buildings thereon, formerly bearing assessment Nos. 193/12, 194/13, 194/13A, and 195/14, and presently bearing assessment Nos. 51, 51/2, 51/3, 51/4, 51/5, 51/6, and 53, situated at Galpotta street in Kotahena, within the Municipality and District of Colombo, Western Province ; bounded on the north by the

property bearing assessment No. 197/16 belonging to Wappu Marikar, east by Galpotta street, south by the property bearing assessment No. 192/11 belonging to the estate of the late N. D. P. Silva now of C. P. Wijesinghe, and west by the garden belonging to Assena Marikar; containing in extent 14 65/100 perches.

Prior Registration A 144/53.

Fiscal's Office,  
Colombo, May 2, 1936.

J. R. TOUSSAINT,  
Deputy Fiscal.

40 In the District Court of Colombo.

V. P. L. S. Swaminathan Chettiar of Sea street,  
Colombo ..... Plaintiff.

No. 48,334.

Vs.

(2) G. R. de Silva of Green Lodge, Skinner's road,  
Colombo ..... Defendant.

NOTICE is hereby given that on Monday, June 1, 1936, at 2 P.M., will be sold by public auction at the premises the right, title, and interest of the said 2nd defendant in the following property for the recovery of the sum of Rs. 14,000 together with further interest on Rs. 14,000 at 15 per cent. per annum from March 23, 1932, up to the date of decree (November 22, 1933) and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit, viz. :—

An undivided  $\frac{1}{2}$  share of all that house and ground called Egodawattewalawwa, or Green Lodge, together with all the buildings thereon bearing assessment Nos. 5, 6, and 7, situated at Skinner's road north, Kotahena, within the Municipality and in the District of Colombo, Western Province; and bounded on the east by road to Madampitiya, west by high road to Mutwal called Skinner's road, south by high road, and north by property of Dr. Misso; and containing in extent 10 acres and now described as follows:—All those allotments of land with the buildings thereon bearing assessment Nos. 7, 8, 5 and ward Nos. 1,786, 1,758, 1,623, 1,622, 1,779, &c., and presently bearing assessment Nos. 225 to 243, 247, 253, 307, 355, 357, 361, 363, 365, 379, Skinner's road north, 23, 37, 47, 101, Bloemendahl road, and 64/1 to 64/157 and known as Green Lodge, situated at Skinner's road north as aforesaid; and bounded on the north by premises belonging to Roman Catholic Church and property of Maris Appu and Kotahena mills, east by Bloemendahl road, south by a portion of the bare land acquired by the Crown and subsequently purchased by Mrs. Lillawathy Silva, and west by Skinner's road north; and containing in extent 9 acres and 3 roods, and registered A 93/170 Colombo.

Fiscal's Office,  
Colombo, May 7, 1936.

J. R. TOUSSAINT,  
Deputy Fiscal.

In the District Court of Colombo.

Abdulussein Jafferjee of Bankshall street in Co-  
lombo ..... Plaintiff.

No. 49,502.

Vs.

M. H. Perera, building contractor of Pita Kotte. Defendant.

NOTICE is hereby given that on Thursday, June 11, 1936, at 10 A.M., will be sold by public auction at the premises the right, title, and interest of the said defendant, in the following property for the recovery of the sum of Rs. 934.61, with interest thereon at 9 per cent. per annum from July 6, 1932, till payment in full and costs of suit, viz. :—

All that allotment of land called Madatiyagahawatta, situated at Pita Kotte in the Palle pattu of Salpiti korale in the District of Colombo, Western Province; and bounded on the north by the land of Weerasekera-aratchige Don Paulis and others, on the east by the field of Pinto Jayawardene, on the south by the land of Nicholas Perera, and on the west by the high road from Kotte to Colombo; containing in extent 2 roods and 6 perches, together with the buildings and plantations according to plan No. 1,884 dated November 27, 1928, made by M. S. de Silva, Licensed Surveyor, and registered under title M 325/269 at the Colombo Land Registry, which said land is subject to a primary mortgage.

Fiscal's Office,  
Colombo, May 2, 1936.

J. R. TOUSSAINT,  
Deputy Fiscal.

### Central Province.

32

In the District Court of Kandy.

N. N. Panayappa Chettiyar of Nawalapitiya .... Plaintiff.

No. 44,790.

Vs.

Muna Ana Cader Mohideen of Padupola in Ginigathena  
of Nawalapitiya ..... Defendant.

NOTICE is hereby given that on Tuesday, June 2, 1936, at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant for the recovery of the sum of Rs. 1,680, with Rs. 94.20 legal interest both aggregated to Rs. 1,770.20, with further legal interest of Rs. 1,680 from August 16, 1934, till payment in full and poundage in the following property, viz. :—

1. Ratnamalehena *alias* Pulukohehena of 21 acres 1 rood and 24 perches in extent, situate at Padupola in Ambegamuwa korale, Uda Bulatgama, in the District of Kandy, Central Province; and bounded on the east by ela called Humbahapitiya, west by Niyandagala-ela, north by jak tree and ant hill of Ranhamy's land, and south by high road leading to Ambegamuwa.

2. Debagahamulahena and Meeriyagahamulahena of 3 annams of paddy sowing in extent, situate at Padupola aforesaid; and bounded on the east by Nidanoya, south by high road, west by Meeriyagala-ela, and north by Debagala Kosgaha and Ettaheraliya Kosgaha. The above lands adjoin each other and from their situation can be included in one survey of the aggregate extent of 33 acres 1 rood and 20 perches.

The above sale is subject to any rights created by deed No. 397 of October 10, 1931, in favour of the claimant, *vide* Court order No. 40 of January 23, 1936.

Fiscal's Office,  
Kandy, April 29, 1936.

I. L. M. SHERIFF,  
Deputy Fiscal.

54 In the District Court of Kandy.

Awanna Rawanna Mawa Ramanathen Chettiyar of  
Pussellawa ..... Plaintiff.

No. 45,317.

Vs.

(1) Dampage Don Jayatilleke of Morape in Pallepone korale of Kotmalie, insolvent in D. C. K. insolvency case No. 1,849, (2) Z. A. M. Zaim of Trincomalee street, Kandy, assignee of the insolvent's estate of the 1st defendant, (3) W. M. Appuhamy of Kotmalie, (4) H. D. P. Rodrigo of Mawela .... Defendants.

NOTICE is hereby given that on Friday, May 29, 1936, at 12 noon, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 289 dated August 10, 1928, and attested by P. B. Papabokke 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 December 19, 1934, for the recovery of the sum of Rs. 3,000, with interest thereon at the rate of 9 per cent. per annum from June 13, 1934, till payment in full and poundage, viz. :—

1. All that land called Whitetapanahelahena, situate at Morape in Pallepone korale, Kotmalie, in the District of Nuwara Eliya, Central Province; in extent 15 lahas paddy sowing; and bounded on the north by Galperiya, east by Nilawelagedera Ukkurale's land, south by Wijesinghegedera Ranhamy's land, and west by Ranhamy's chena.

2. All that land called Ambagahakotuwa *alias* Dambagahakotuwa, situate at Mawela in Pallepone korale aforesaid; in extent 2 pelas paddy sowing; and bounded on the north by the land belonging to Munasinghegedera Sarana, *ex* Vel-Vidane, east by Medama-ela, south by ditch, and west by Pitiyekumburagedera Ukkuwa's land and galbemma.

3. An undivided 1/10 share of all that land called Wehetapanahela Copiwatta, in extent 6 acres 2 roods and 26 perches, situate at Morape aforesaid; and bounded on the north by Belungala Galperiya, east by the land belonging to Simon Cooray, Jusey Cooray, D. D. Jayatilleke, and Baby Cooray, south by road; and west by the remaining portion of this land belonging to D. D. Jayatilleke, together with the buildings, plantations, and everything thereon.

4. An undivided 1/10 share of all that land called Wehetapanahelahena *alias* Thanahena, situate at Morape aforesaid; in extent 2 acres; and bounded on the north by Galperiya, east by ela, south by the land belonging to Jusey Cooray, Simon Cooray, D. D. Jayatilleke, and Baby



Cooray, and west by the limit of the land belonging to D. D. Jayatilleke, and registered in Q 50/171 and 172 and 55/284 and 285, and all the right, title, interest, and claim whatsoever of the said defendants in, to, upon, or out of the said several premises mortgaged by the defendants.

Fiscal's Office,  
Kandy, April 28, 1936.

H. C. WIJESINGHA,  
Deputy Fiscal.

**Southern Province.**

In the District Court of Galle.

Andiris alias Amaradasa de Silva Warasavitana of Hikkaduwa ..... Plaintiff.  
No. 33,772.

Nanayakkarawasan Karijjawattege Premawathi Nona of Alutwala in Hikkaduwa ..... Defendant.

NOTICE is hereby given that on Saturday, May 30, 1936, at 2 o'clock in the afternoon, will be sold by public auction at the spot the following mortgaged property for the recovery of the under-mentioned amount, viz. :—

All the soil and fruit trees of the defined lots marked letters A and B of the land called Delgahaduwwatta, situated at Diviture in Gangaboda pattu in Galle District, Southern Province; and bounded on the north by Mahanayarawela and Ambalamalangawela, east by Kiribatawela and Ratmeherabedda, south by lot marked C of the same land, and on the west by the Crown land called Kotawila; containing in extent 22 acres 1 rood and 9 1/2 perches.

Amount of the order to sell: Rs. 4,989, with interest thereon at the rate of 9 per cent. per annum from May 31, 1935, till payment in full, less a sum of Rs. 500.

Fiscal's Office,  
Galle, May 4, 1936.

T. D. S. DHARMASINGHA,  
Deputy Fiscal.

**Northern Province.**

In the District Court of Jaffna.

(1) Thanukodipillai and (2) Marugastu Kasinather, both wife and husband of Karaitivu East ..... Plaintiffs.  
No. 8,607.

(1) Kandappu Vignathar and wife (2) Parupati-pillai of Karaitivu West ..... Defendants.

NOTICE is hereby given that on Saturday, May 30, 1936, at 10 o'clock in the forenoon, will be sold by public auction at the spot the property decreed to be sold under the above action for the recovery of the sum of Rs. 4,235.41, with interest on Rs. 3,000 at the rate of 5 per cent. per annum from September 5, 1935, till December 15, 1935, and thereafter on the aggregate amount at 9 per cent. per annum from December 15, 1935, till payment in full and costs Rs. 203.17, and poundage and charges, viz. :—

A piece of land situated at Kalapoomy in Karaitivu East in Karaitivu parish, Islands Division of the Jaffna District, Northern Province, called Kompayappulam, in extent 20 1/2 lachams p. e.; and bounded on the east by Valliammai, wife of Paramanather, north by the property belonging to Ambalavanaswamy Temple and by Kandapper Vaitilingam and Vinasithamby Nallathamby, west by Vinasithamby Nallathamby and Sithamparam, widow of Sanmugam, and south by Sanmugam Kandiah.

Fiscal's Office,  
Jaffna, May 4, 1936.

S. TURAIYAPPAH,  
Deputy Fiscal.

**Province of Sabaragamuwa.**

In the District Court of Ratnapura.

Mrs. M. M. A. P. VanDenBerg of Ratnapura administratrix of the intestate estate of the late Mr. James VanDenBerg of Ratnapura ..... Plaintiff.  
No. 5,905.

M. L. M. Asana Marikar of 35, Main Street, Ratnapura ..... Defendant.

NOTICE is hereby given that on Tuesday, June 2, 1936, commencing at 10 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title,

and interest of the said defendant in the following property for the recovery of the sum of Rs. 6,376.80, less Rs. 10.26, and poundage, viz. :—

1. The land called and known as Peelalangahena and Annakkagahena, situate at Haldola in Palle pattu of Nawadun korale, in the District of Rayapura; bounded on the north by Diyakotta-ela, east by Crown land, south by Thaladeniya, and on the west by Pelawatta; containing in extent 3 acres planted with rubber.

2. The two contiguous allotments of land called Yatawatta and Dewatavattahena, bearing lot No. 7c1 in B. S. P. P. No. 57, situate at Haldola aforesaid; bounded on the north by lot No. 7c2 and 8d, east by lot No. 8d, south by lot No. 7c, and on the west by lots 15.12 and 7c2; containing in extent 3 acres 1 rood and 12 perches planted with rubber.

3. (a) All that allotment of land called Dairayewatta, situate at Haldola aforesaid; bounded on the north by Ambagalagehena, east by Badamuweowita, south by agala and Badamuweowita, west by Muttettuwehena; containing in extent 5 seers of kurakkan sowing, and registered under B 88/68.

(b) All that allotment of land called Haldolawalalanga-hena, situate at Haldola aforesaid; bounded on the north by Maladola, east by Muttettueheneatura, south by Haldolawalalangaowita, west by Hangomuwa-ganga; containing in extent 5 seers of kurakkan sowing, and registered under B 119/184.

(c) All that allotment of land called Epitahawatta, situate at Haldola aforesaid; bounded on the north by Ambagalagewatta, east by Haldolalumbura, south by Gairawatta, west by Muttettuwehena; containing in extent 12 seers of kurakkan, sowing, and registered under B 187/201, now forming one property and called and known as "Haldola estate"; and containing in extent 15 acres 2 roods and 20 perches as depicted in plan No. 1,458 made by D. E. A. Balasooriya, Licensed Surveyor, with the buildings, machinery, fixtures, and the rubber plantation.

4. Commencing at 2 p.m.—All that allotment of land called Batahena, situated at Karangoda in Palle pattu of Nawadun korale aforesaid; and bounded on the north by lots 1E4 and 1E, east by lot 1E, south by lots 1E5 and 1E2, and on the west by lot 9; and containing in extent 10 acres and 6 perches planted with rubber.

Fiscal's Office,  
Ratnapura, May 4, 1936.

A. R. HALLOCK,  
Deputy Fiscal.

In the District Court of Ratnapura.

Mrs. M. M. A. P. VanDenBerg of Ratnapura, the administratrix of the intestate estate of James VanDenBerg of Ratnapura, deceased ..... Plaintiff.  
No. 6,044.

(1) Mohammad Ibrahim Marikar Sara Umma of Deenagoda in Heruwala, (2) Mohammad Marikar Ahamadu Jemaldeen of Maradana in Deruwala ..... Defendants.

NOTICE is hereby given that on Monday, June 1, 1936, at 10 o'clock in the forenoon will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 4,000 with interest thereon at 9 per cent. per annum from July, 30, 1935, till payment in full, and costs of suit Rs. 184.12 and poundage, less Rs. 250, viz. :—

All that allotment of land in extent 6 perches together with the whole of the tiled boutique bearing assessment No. 35, situate in the main street of the town of Ratnapura, in Uda pattu of Kiruwiti korale, in the District of Ratnapura of the Province of Sabaragamuwa; bounded on the north-east by high road, south-east by a portion of the same land, south-west by Crown land, north-west by land belonging to Handapangodage Bastian Peers, and registered at the Ratnapura District Land Registry under A 182/296.

Fiscal's Office,  
Ratnapura, April 30, 1936.

E. MUNASINGHA,  
Deputy Fiscal.

In the Court of Requests of Kegalla.

Theodore de Jansz Abeyesekera, Proctor, of Kegalla ..... Plaintiff.  
No. 9,371.

D. Punchi Banda of Ambuwangala ..... Defendant.

NOTICE is hereby given that on May 29, 1936, commencing at 3 o'clock in the afternoon will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

An undivided 1/2 share of the land called Koskolawatta now rubber estate of 10 pelas of paddy sowing in extent, situated at Ambuwangala in Gandolaha pattu of Beligal

korale, in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the north by Weleiura, east by endaru fence of land belonging to Tikiri Banda and Kaluhakuranne Sinna, south by Mala-ela, and west by ela.

To levy Rs. 20.39 with legal interest on Rs. 22.39 from July 4, 1935, the payment in full. Fiscal's charges, and poundage.

Deputy Fiscal's Office, Kegalla, April 30, 1936. J. A. F. SIRIWARDENE, Additional Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Palagedara Arachchige Odiris Perera of Malapalla in the Pallepattu of Hewagama korale, deceased. No. 7,518.

Wickramage Dona Francisca Harding of Malapalla aforesaid Petitioner. And

- (1) Palagedara Arachchige Bastiana Perera, (2) ditto Carolis Perera, (3) ditto Leanova Perera, (4) ditto Neris Perera; the 3rd and 4th respondents are minors appearing by their guardian ad litem (5) Palagedara Arachchige Charlis Perera, all of Malapalla aforesaid Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on March 11, 1936, in the presence of Mr. M. Oliver Fernando, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 17, 1936, having been read:

It is ordered (a) that the 5th respondent be and he is hereby appointed guardian ad litem of the minors, the 3rd and 4th respondents above named, to represent them for all the 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 May 14, 1936, show sufficient cause to the satisfaction of the court to the contrary.

March 11, 1936.

G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of A. W. Carthelis of Temple View, Etul Kotte, deceased. No. 7,522.

Ellen Carthelis of Temple View, Etul Kotte Petitioner. And

- (1) E. H. Carthelis, (2) W. A. Carthelis, (3) C. W. Carthelis, and (4) L. M. Carthelis, all of Temple View, Etul Kotte, (5) Manayana Moses Molligodde of Colombo Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on March 13, 1936, in the presence of Mr. M. N. M. Salahudeen, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner having been read:

It is ordered (1) that the 5th respondent above named be and he is hereby appointed guardian ad litem over the 1st to 4th respondents above named, minors, to represent them for all the purposes of this action, and (2) that the petitioner above named 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 May 14, 1936, show sufficient cause to the satisfaction of the court to the contrary.

March 13, 1936.

V. L. ST. CLAIR SWAN, District Judge.

In the District Court of Colombo.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Walgampolage Aesop Perera of Galkissa, deceased. No. 7,525.

Catherina alias Cecilia Perera nee Watutantrige Catherina alias Cecilia de Alwis of Galkissa Petitioner.

Vs.

- (1) Walgampolage Rupawathie Perera, (2) ditto Walter Perera, (3) ditto Saranadasa Perera, (4) ditto Gunawathie Perera, all of Galkissa, (5) Walgampolage Allis Perera also of Galkissa Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on March 16, 1936, in the presence of Mr. C. R. de Alwis, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated March 12, 1936, having been read:

It is ordered (1) that the 5th respondent above named be and he is hereby appointed guardian ad litem over the 1st to 4th respondents above named, minors, to represent them for all the purposes of this action, and (2) that the petitioner above named 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 May 14, 1936, show sufficient cause to the satisfaction of the court to the contrary.

March 16, 1936.

O. L. DE KRETZER, District Judge.

In the District Court of Colombo.

Order Nisi in Intestacy.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Robert Lewis Waller Byrde of Over-Butterow near Stroud in the County of Gloucester, England, deceased. No. 7,570 N.T.

Stanley Frederick de Saram of Messrs. F. J. & G. de Saram, Colombo Petitioner.

Vs.

- (1) Gladys Wade Byrde of Over-Butterow near Stroud in the County of Gloucester, England, (2) Gladys Katherine Maud Byrde of Over-Butterow aforesaid, (3) Robert Jocelyn Walter Byrde of Over-Butterow aforesaid, (4) Gerald Ernest de Alwis, Secretary of the District Court of Colombo, Colombo Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Acting District Judge of Colombo, on April 29, 1936, in the presence of James Frederick van Langenberg, Proctor, on behalf of the petitioner, Stanley Frederick de Saram of Colombo; and (1) the affidavit of the said petitioner dated April 25, 1936, (2) the power of attorney dated January 22, 1936, (3) order of the Supreme Court dated February 26, 1936, (4) minute of consent dated March 16, 1936, from Gladys Wade Byrde as mother and natural guardian of the 3rd respondent and also minutes of consent from the 1st and 2nd respondents both dated January 23, 1936, having been read: It is ordered that the said Stanley Frederick de Saram is the attorney in Ceylon of the Public Trustee, the administrator in England of the estate of the said Robert Lewis Waller Byrde, 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 May 21, 1936, show sufficient cause to the satisfaction of this court to the contrary: It is further ordered that the said 4th respondent be and he is hereby appointed guardian ad litem over the 3rd respondent above named for the purpose of this action.

April 29, 1936.

V. L. ST. CLAIR SWAN, Acting District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament (with codicil) of Elizabeth Mary Fowler of the Manor House, Horspath in the County of Oxford, England, deceased. No. 7,571 N.T.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Acting District Judge of Colombo, on April 29, 1936, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Neville Ernest Smith of Colombo; and (1) the affidavit of the said petitioner dated April 27, 1936, (2) the power of attorney dated February 6, 1936, and (3) the order of the Supreme Court dated April 3, 1936, having been read: It is ordered that the will of the said Elizabeth Mary Fowler, deceased,

dated October 7, 1932 (and a codicil thereto dated May 7, 1934), certified copies of which under the Seal of His Majesty's High Court of Justice in England have been produced and are now deposited in this court, be and the same are hereby declared proved; and it is further declared that the said Neville Ernest Smith is the attorney in Ceylon of the administrators *cum testamento annexo et de bonis non* of the unadministered estate of the said deceased and that he is entitled to have letters of administration (with will and codicil annexed) issued to him accordingly, unless any person or persons interested shall, on or before May 21, 1936, show sufficient cause to the satisfaction of this court to the contrary.

April 29, 1936.

V. L. ST. CLAIR SWAN,  
Acting District Judge.

In the District Court of Colombo.

*Order Nisi in Intestacy.*

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. George Merrick Fowler of The Manor  
No. 7,572.N.T. House, Horspath, in the County of  
Oxford, England, Companion of the  
Distinguished Order of St. Michael and  
St. George, deceased.

Neville Ernest Smith, care of the Imperial Bank of  
India, Colombo ..... Petitioner.

(1) Ernest Merrick Fowler, (2) Annie Sara Fowler,  
(3) Alice Levin Fowler, of Crookham End,  
Brimpton, Reading, in the County of Berks,  
England, (4) Phyllis Kennedy, wife of (5) Derrick  
Kennedy, both of Thotulagalla, Haputale, Ceylon,  
(6) Gordon Dashwood Fowler of Springhurst, P. O.  
Franklin, East Griqualand, South Africa, (7)  
Charles Merrick Fowler, c/o The Controller, L. M. S.  
Hotels Services, St. Pancras, London, and (8) Harry  
Cranborne Fowler of Loinorn, Bogawantalawa,  
Ceylon ..... Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Acting District Judge of Colombo, on April 29, 1936, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Neville Ernest Smith of Colombo; and (1) the affidavit of the said petitioner dated April 27, 1936; (2) power of attorney dated February 6, 1936, (3) order of the Supreme Court dated April 3, 1936, and (4) minutes of consent from the respondents above named having been read: It is ordered that the said Neville Ernest Smith is the attorney in Ceylon of Lilian Alice Fowler (*nee* Roe) Frank Dashwood Fowler and Lilian Augusta Fowler, the administrators, and some of the beneficiaries of the said George Merrick Fowler, 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 May 21, 1936, show sufficient cause to the satisfaction of this court to the contrary.

April 29, 1936.

V. L. ST. CLAIR SWAN,  
Acting District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Kandasamy Alagusundaram of Kandra-  
No. 7,573. manikam, Ramnad District, South India,  
deceased.

Narayanan Chettiar, son of Kandasamy Chettiar of 167,  
Sea street, Colombo ..... Petitioner.

(1) Kandasamy Chettiar, (2) Theivanai, and (3)  
Lakshmi, all of Kandrmanikam, Ramnad District,  
South India ..... Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., District Judge of Colombo, on April 29, 1936, in the presence of Mr. L. Alagusundaram Chettiar, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated April 29, 1936, having been read:

It is ordered (a) that the 2nd respondent be and she is hereby appointed guardian *ad litem* of the minor, the 3rd respondent above named, to represent her 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 his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before May 14, 1936, show sufficient cause to the satisfaction of the court to the contrary.

April 29, 1936.

V. L. ST. CLAIR SWAN,  
Acting District Judge.

In the District Court of Kalutara.

34 *Order Nisi declaring Will proved.*

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Halawatage Victoria Roslin Perera,  
No. 2,650. deceased, of Paiyagala.

Comitige Laugin Perera of Paiyagala ..... Petitioner.

And.

(1) Comitige Alexis Leslie Frank Perera, (2) ditto  
Josephine Perera by their guardian *ad litem* (3) ditto  
Domingo Perera, all of Paiyagala .. Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on June 13, 1935, in the presence of Mr. P. A. Cooray, Proctor, on the part of the petitioner, Comitige Laugin Perera of Paiyagala; and the affidavit of the said petitioner dated August 4, 1933, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as husband of the deceased above named, to have letters of administration to her estate issued to him, unless the respondents or any other person or persons interested shall, on or before July 25, 1935, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 3rd respondent be and he is hereby appointed guardian *ad litem* over the said 1st and 2nd respondents, who are minors, for all the purposes of this action, unless the respondents or any other person or persons shall, on or before July 25, 1935, show sufficient cause to the satisfaction of this court to the contrary.

June 13, 1935.

N. M. BHARUCHA,  
District Judge.

The date for showing cause is extended to May 19, 1936.

N. E. ERNST,  
District Judge.

In the District Court of Kandy.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late  
No. 5,380. Idangedera Rankira, deceased, of  
Neluwakande in Udasia pattu of Matale.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on April 6, 1936, in the presence of Mr. H. A. C. Wickramaratne on the part of the petitioner, Galegedera Samadari; and the affidavit of the said petitioner dated January 16, 1936, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the deceased, to have letters of administration to the estate of the deceased issued to her, unless the respondents—(1) Idangedera Samara, (2) Idangedera Tikiri Dureya, (3) Idangedera Appuwa, (4) Idangedera Siripina, (5) Idangedera Kiri, (6) Idangedera Karunawathy, (7) Idangedera Seelawathi, (8) Idangedera Laisi, (9) Idangedera Pinee, (10) Galegedera Somira, all of Neluwakande in Matale; the 3rd to 9th respondents by their guardian *ad litem* the 10th—or any other person or persons interested shall, on or before May 11, 1936, show sufficient cause to the satisfaction of this court to the contrary.

April 6, 1936.

R. F. DIAS,  
District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Pussewela Liyanage Adirian Appuhamy of Polonnaruwa in Medapattu of Tamankaduwa in the District of Anuradhapura, deceased.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on March 30, 1936, in the presence of Messrs. Coomaraswamy & Vijayaratham on the part of the petitioner, Galapita Aratchige Marthina Hamine of Matale; and the affidavit of the said petitioner dated March 14, 1936, and of the attesting notary dated February 19, 1936, having been read. It is ordered that the will of the above-named deceased dated December 7, 1928, now deposited in this court, be and the same is hereby declared proved, unless any person or persons interested shall, on or before May 14, 1936, show sufficient cause to the satisfaction of this court to the contrary; and it is further declared that the said petitioner is the executrix named in the said will, and that she is entitled to probate of the same issued to her accordingly, unless any person or persons shall, on or before the said date, show sufficient cause to the satisfaction of this court to the contrary.

March 30, 1936.

R. F. DIAS, District Judge.

In the District Court of Galle.

Order Nisi.

No. 7,691. In the Matter of the Estate of the late W. S. W. Weerasingha, deceased, of Ginimellagaha.

W. J. S. Weerasingha of Ginimellagaha . . . . . Petitioner.

And

- (1) Daluwatumlegamage Aithohamy Alis Lokubamy, (2) Vitanage Chalewis Waidiyasekera Weerasinghe, (3) G. V. S. de Silva Weerasinghe, (4) Sumathipala Waidiyasekera Weerasinghe, (5) Ariyasena Waidiyasekera Weerasinghe, (6) Sugathipala Waidiyasekera Weerasinghe, (7) Nandisena ditto, (8) Nandawathie ditto, (9) Vijayapala ditto, (10) Weeraratne ditto, (11) Daluwatumlegamage Charles de Silva . . . . . Respondents.

THIS matter coming on for disposal before G. Furse Roberts, Esq., District Judge of Galle, on January 9, 1936, in the presence of Mr. K. T. E. de Silva, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated January 9, 1936, having been read:

It is ordered (a) that the 1st respondent be and she is hereby appointed guardian ad litem over the 4th to 10th respondents [above named, and (b) that the last will and testament of W. S. W. Weerasinghe, 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, W. J. W. Weerasinghe, is the executor named in the said will and that he is entitled to have probate thereof issued to him accordingly, unless any person or persons interested shall, on or before February 28, 1936, show sufficient cause to the satisfaction of this court to the contrary.

March 18, 1936.

G. FURSE ROBERTS, District Judge.

Extended to April 24, 1936.

G. F. ROBERTS, District Judge.

Extended to May 13, 1936.

April 24, 1936.

A. D. JAYASUNDARA, A. D. J.

In the District Court of Galle.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the late Jurisdiction. Galgodellege Carolis Dias Adikarana, deceased of Ihlagoda.

THIS matter coming on for disposal before G. Furse Roberts, Esq., District Judge, Galle, on March 7, 1936, in the presence of Mr. P. A. Wadood, Proctor, on the part

of the petitioners, (1) Alfred Gunewardena and (2) Pedrick Vethasinghe, both of Akmeemana; and the affidavit of the said petitioners and the attesting notary and witnesses of the last will dated March 4, 1936, having been read:

It is ordered that the will of Galgodellege Carolis Dias Adikarana of Ihlagoda, deceased, dated February 7, 1936, the original of which is deposited in this court, be and the same is hereby declared proved, unless the respondents—(1) Alice Weeratunga, (2) Galgodellege Piyasena Dias Adikarana, (3) Sissena Weeratunga, all of Ihlagoda, (4) Galgodellege Seetha Adikarana, wife of, (5) James Appu of Ganegoda—shall, on or before April 30, 1936, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioners—(1) Alfred Gunewardena and (2) Pedrick Vethasinghe, both of Akmeemana—are the executors named in the said will and that they are entitled to have probate of the same issued to them accordingly; and that the said 1st respondent be and she is hereby appointed guardian ad litem over the said 2nd minor respondent, unless the respondents above named or any person or persons interested shall, on or before April 30, 1936, show sufficient cause to the satisfaction of this court to the contrary.

March 12, 1936.

G. FURSE ROBERTS, District Judge.

Extended for May 21, 1936.

April 30, 1936.

G. FURSE ROBERTS, District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Martinus Charles Jayatilake, deceased, No. 7,702. of Modarapatuwata in Dodanduwa.

THIS matter coming on for disposal before G. Furse Roberts, Esq., District Judge, Galle, on March 26, 1936, in the presence of Mr. H. I. de Silva, Proctor, Galle, on the part of the petitioner, Dominguvitane Missynona of Modarapatuwata, Dodanduwa; and the affidavit of the said petitioner dated December 20, 1935, having been read:

It is ordered that the 1st respondent, Joslin Jayatilake, be and she is hereby appointed guardian ad litem over the 5th and 7th respondents, Bennet Jayatilake, Regina Jayatilake, and Violet Jayatilake, all of Modarapatuwata, unless the respondents or any person or persons interested shall, on or before May 12, 1936, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner be and she, as widow of deceased, is hereby declared entitled to have letters of administration issued to her accordingly, unless the respondents or any person or persons interested shall, on or before May 12, 1936, show sufficient cause to the satisfaction of this court to the contrary.

May 1, 1936.

G. FURSE ROBERTS, District Judge.

In the District Court of Galle.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late Jurisdiction. Waduge James Singho, deceased, of No. 7,704. Modarapatuwata in Dodanduwa.

THIS matter coming on for disposal before G. Furse Roberts, Esq., District Judge, Galle, on April 1, 1936, in the presence of Mr. H. de S. Kularatne, Proctor, Galle, on the part of the petitioners (1) Thuyahannedige Eminona and (2) Gurusingha Aratchige Baran Appu; and the affidavit of the petitioners dated April 1, 1936, having been read:

It is declared that the said 1st petitioner, as widow of the deceased, and the 2nd petitioner, Gurusingha Aratchige Baran Appu, are entitled to have letters of administration issued to them accordingly, unless any person or persons interested shall, on or before May 15, 1936, show sufficient cause to the satisfaction of this court to the contrary.

April 1, 1936.

G. FURSE ROBERTS, District Judge.

In the District Court of Kegalla.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Manawila Mudiyansele Juwanis Appu-  
No. 1,571. hamy of Kegalla, deceased.

Manawila Mudiyansele Endy Singho of Ke-  
galla ..... Petitioner.

57.  
Vs. 29.  
R. 28.

(1) Gamage Premavathie Silva of Kegalla, being a  
minor by her guardian *ad litem* (2) Rupasingha  
Araccige Enga Nona Hamine of Kegalla .. Respondents.

THIS matter coming on for disposal before J. N. Vethavanam, Esq., District Judge, Kegalla, on September 12, 1935, in the presence of Mr. G. Aturupane, Proctor, on the part of the petitioner; and his affidavit and petition dated August 31 and September 11, 1935, respectively, having been read :

It is ordered that the petitioner be and he is hereby declared entitled, as the son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents or any person or persons, interested shall, on or before October 23, 1935, show sufficient cause to the satisfaction of the court to the contrary.

It is further ordered that the above-named 2nd respondent be and she is hereby appointed guardian *ad litem* of the 1st minor respondent for the purpose of this action, unless the respondents or any person or persons

interested shall, on or before October 23, 1935, show sufficient cause to the satisfaction of the court to the contrary.

September 12, 1935.

J. N. VETHAVANAM,  
District Judge.

The date for showing cause is extended to November 13, 1935.

October 23, 1935.

J. N. VETHAVANAM,  
District Judge.

The date for showing cause is extended to December 18, 1935.

November 20, 1935.

G. S. SURAWEERA,  
District Judge.

The date for showing cause is extended to January 22, 1936.

December 18, 1935.

G. S. SURAWEERA,  
District Judge.

The date for showing cause is extended to February 19, 1936.

January 22, 1936.

G. S. SURAWEERA,  
District Judge.

The date for showing cause is extended to April 1, 1936.

February 19, 1936.

G. S. SURAWEERA,  
District Judge.

The date for showing cause is extended to April 29, 1936.

April 1, 1936.

G. S. SURAWEERA,  
District Judge.

The date for showing cause is extended to May 27, 1936.

G. S. SURAWEERA,  
Acting District Judge.