



THE  
CEYLON GOVERNMENT  
GAZETTE

---

No. 8,268 — FRIDAY, JANUARY 22, 1937.

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*Published by Authority.*

PART II.—LEGAL.

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

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PRINTED AT THE CEYLON GOVERNMENT PRESS, COLOMBO.

**PASSED ORDINANCES.**

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

**No. 19 of 1936.**

**An Ordinance to make provision for the publication and authentication of revised reprints of written law.**

R. E. STUBBS.

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

- Short title.** 1 This Ordinance may be cited as the Statutory Reprints Ordinance, No. 19 of 1936.
- Governor may authorise revised reprints of written law.** 2 Whenever it is necessary to publish any reprint of any written law, the Governor may by order under his hand authorise—
- (a) the inclusion or incorporation in that reprint of any addition made to that written law or of any alteration, amendment or modification made in that written law by any other written law enacted, promulgated or otherwise brought into operation or declared to be in force prior to the date of reprinting ;
- (b) the omission from that reprint of any provision of that written law which has been repealed, rescinded, revoked, deleted or ordered to be omitted by any other written law enacted, promulgated or otherwise brought into operation or declared to be in force prior to the date of reprinting.
- Authentication of revised reprints.** 3 Every copy of any published reprint of any written law which has been revised for reprinting by authority of an order of the Governor under section 2 shall for all purposes be deemed to be authentic and a correct copy of written law in force in the Island on the date of such reprinting provided that such date is printed on each such copy and provided further that each such copy purports to be printed by the Government Printer by authority of an order of the Governor made under this Ordinance.
- Savings.** 4 Nothing in this Ordinance shall be deemed to authorise the publication of a revised edition of the Legislative Enactments or to require an order of the Governor to authorise the publication by the Government Printer of a reprint of any written law in the form in which that written law was enacted, promulgated or otherwise brought into operation or declared to be in force.

Passed in Council the Second day of December, One thousand Nine hundred and Thirty-six.

E. W. KANNANGARA,  
Clerk of the Council.

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

G. M. RENNIE,  
Secretary to the Governor.

**DRAFT ORDINANCES.****MINUTE.**

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

**No. 2 of 1932.** **An Ordinance further to amend the Income Tax Ordinance, 1932.**

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

- Short title.** 1 This Ordinance may be cited as the Income Tax (Amendment) Ordinance, No. 2 of 1936.
- Amendment of section 2 of Ordinance No. 2 of 1932.** 2 Section 2 of the Income Tax Ordinance, 1932, (hereinafter referred to as "the principal Ordinance"), is hereby amended as follows :
- (1) in the definition of " Executor "—
- (a) by the substitution for the word " includes " of the word " means " ; and

- (b) by the substitution for the word "person" at the end thereof of the words "person, and includes a trustee acting under a trust created by the last will of the author of the trust.";
- (2) in the definition of "Profits" or "income", by the substitution for the words "the profits" of the words "the nett profits";
- (3) in the definition of "Trustee",  
by the substitution for the word "person" at the end thereof, of the words "person, but does not include an executor."; and
- (4) in the definition of "Written-down value"—
- (a) by the substitution for the words "plant and machinery" wherever those words occur therein, of the words "plant, machinery or fixtures"; and
- (b) by the omission of the word "its" where that word occurs therein before the word 'purchase'.

3 Section 6 of the principal Ordinance is hereby amended in sub-section (1) thereof by the substitution for the words "profits and income" of the words "profits and income" or "profits" or "income".

Amendment of section 6 of the principal Ordinance.

4 Section 10 of the principal Ordinance is hereby amended in paragraph (j) thereof by the substitution for the words "any provident" of the words "any pensions, provident".

Amendment of section 10 of the principal Ordinance.

5 Section 11 of the principal Ordinance is hereby amended as follows:—

Amendment of section 11 of the principal Ordinance.

- (1) in sub-section (3) thereof by the substitution for the word "profit" of the word "profits"; and
- (2) in sub-section (6) thereof by the addition of the following proviso at the end of that sub-section:—

"Provided that where any such person becomes entitled to receive after the date on which such cessation occurs a pension or any sum payable in commutation of pension, such person shall be deemed to have commenced a new employment on the date next succeeding the date of such cessation and such pension or sum payable in commutation of pension shall be deemed to be profits arising from such new employment; and the provisions of this sub-section and of sub-sections (3), (4) and (5) shall apply accordingly. This proviso shall have no application in any case where such cessation occurs on any date in any year of assessment prior to the year of assessment commencing on the first day of April, 1936."

Proviso.

6 Section 17 of the principal Ordinance is hereby amended by the addition at the end thereof, of the following:—

Amendment of section 17 of the principal Ordinance.

"Provided that the allowance under section 16 (1) (b) shall not exceed the allowance due in respect of the earned income of the resident period: Provided, further, that where the total of the allowances under section 16 exceeds the assessable income of the resident period, the amount of such excess shall not be set off against the assessable income of the non-resident period."

7 Section 20 of the principal Ordinance is hereby amended in sub-section (2) by the addition at the end thereof of the following:—

Amendment of section 20 of the principal Ordinance.

"Provided, further, that where an individual is resident in Ceylon for a part only of a year of assessment, the provisions of this sub-section shall apply to the income of the resident period."

8 Section 45 of the principal Ordinance is hereby amended in sub-section (2) thereof—

Amendment of section 45 of the principal Ordinance.

- (1) by the substitution for the words "Kingdom shall" where they occur therein, of the words "Kingdom, or in any other part of His Majesty's dominions, or in any British protectorate or protected state, or in any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty, shall"; and

(2) by the addition at the end thereof of the words  
 " Provided further that no individual resident in  
 any place other than the United Kingdom shall be  
 entitled to relief under this sub-section for any year  
 of assessment preceding the year of assessment  
 commencing on the first day of April, 1937."

Amendment of  
 section 46 of  
 the principal  
 Ordinance.

9 Section 46 of the principal Ordinance is hereby amended  
 in paragraph (a) of sub-section (2) thereof—

- (1) by the substitution for the word " Dominions " of the  
 word " dominions " ; and
- (2) by the substitution for the words " or in any place  
 under His Majesty's protection or suzerainty " of  
 the words " or in any British protectorate or  
 protected state, or in any territory in respect of  
 which a mandate on behalf of the League of Nations  
 has been accepted by His Majesty ".

Amendment of  
 section 74 of  
 the principal  
 Ordinance.

10 Section 74 of the principal Ordinance is hereby amended  
 in sub-sections (4) and (5) thereof by the substitution for the  
 words " The Supreme Court " wherever they occur in those  
 sub-sections, of the words " Any two or more Judges of the  
 Supreme Court ".

*Objects and Reasons.*

The object of this Bill is to amend the Income Tax Ordinance, 1932, so as to remove further difficulties which have been experienced in the interpretation and administration of that Ordinance.

2. Clause 2 amends and clarifies the definitions of " Executor ", " Profits ", " Trustee ", and " Written-down value ".

3. Clause 3 effects a drafting amendment in section 6 of the principal Ordinance so as to make it clear that the word " profits " and the word " income " have the same meaning as the phrase " profits and income ".

4. Clause 4 supplies an omission in paragraph (j) of section 10 which, in its present form, makes no specific reference to a " pensions " fund which is mentioned in paragraph (g) of section.

5. Clause 5 effects two amendments in section 11. The first amendment corrects a misprint in sub-section (3). The amendment of sub-section (6) removes a difficulty in the recovery of tax which has arisen as a result of a recent decision of the Supreme Court, and will enable a sum payable in commutation of pension to be taxed for the year of assessment in which that sum becomes due; this amendment will, however, have no application to any sum which is due for payment in commutation of pension on any date prior to April 1, 1937.

6. Clause 6 amends section 17 of the principal Ordinance and provides that the allowance under section 16 (1) (b) shall not exceed the allowance due in respect of the earned income of the resident period and that in a case where the total of the allowances under section 16 exceeds the assessable income of the resident period, the amount of such excess will not be set off against the assessable income of the non-resident period.

7. Clause 7 extends the application of section 20 (2) to persons who are resident in Ceylon for a part only of a year of assessment.

8. Section 45 (2) grants the relief referred to in that section to a British subject resident in the United Kingdom only. The amendment introduced in Clause 8 will extend such relief to all British subjects resident in any part of the British Empire. Clause 9 amends the definition of " Empire tax " in section 46 so as to introduce into that definition phraseology similar to that introduced by Clause 8 in section 45 (2).

9. Clause 10 amends section 74 so as to make it clear that the powers conferred by that section on the Supreme Court can be exercised by any two Judges of that Court.

Colombo, January 13, 1937.

H. J. HUXHAM,  
 Financial Secretary.

*Observations of the Financial Secretary.*

The Financial Secretary's observations are given in the statement of objects and reasons appended to the draft Bill.

The Board of Ministers approves.

## MINUTE.

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

**An Ordinance to provide for the preparation and publication of a Revised Edition of the Legislative Enactments of Ceylon.**

## TABLE OF SECTIONS.

1. Short title.
2. Appointment of Commissioner.
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5. Numbering of Ordinances.
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7. Printing of revised edition.
8. Chronological table and index to the revised edition.
9. Authenticated copy to be deposited with Supreme Court.
10. Bringing into force and validity of revised edition.
11. Saving of existing subsidiary legislation.
12. Supplementary matter in revised edition.
13. Effect of repealed or omitted Ordinances.
14. Construction of reference to repealed, &c., Ordinances.
15. Effect of Ordinance on enactments which have not come into operation.
16. Place of this Ordinance in the revised edition.
17. Interpretation.

**An Ordinance to provide for the preparation and publication of a Revised Edition of the Legislative Enactments of Ceylon.**

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

1 This Ordinance may be cited as the Revised Edition of the Legislative Enactments Ordinance, No. of 1937.

Short title.

2 (1) Hema Henry Basnayake, Esquire, Crown Counsel, is hereby appointed a Commissioner for the purpose of preparing a new and revised edition of the legislative enactments of Ceylon in force on the thirty-first day of December, 1937, or such later date as the Governor may fix by notification in the Gazette.

Appointment of Commissioner.

(2) In case the said Hema Henry Basnayake is unable from any cause fully to discharge his commission under this Ordinance, the Governor may, by notification in the Gazette, appoint some other fit and proper person to be a Commissioner in his stead.

(3) For the purposes of this section, any Ordinance or part of any Ordinance which has been passed since the first day of January, 1924, and which has not been repealed shall be deemed to be in force although such Ordinance or part thereof has not yet been brought into operation.

3 In the preparation of the revised edition, the Commissioner shall have the following powers :—

Powers of revision vested in the Commissioner.

(1) to omit—

- (a) any legislative enactment which has been repealed expressly or specifically or by necessary implication, or which has expired, or has become spent, or has had its effect ;
- (b) any appropriation Ordinance and any Ordinance or part of any Ordinance so far as that Ordinance or part effects any change in the title or designation of any person or office ;
- (c) any legislative enactment which repeals any written law and any table or list of repealed written law whether contained in a Schedule or otherwise ;
- (d) any preamble to any legislative enactment, where such omission can, in the opinion of the Commissioner, be conveniently made ;
- (e) all introductory words of enactment in any legislative enactment ;
- (f) any legislative enactment prescribing the date when any legislative enactment is to come into force or operation, where such omission can, in the opinion of the Commissioner, be conveniently made ;
- (g) any amending legislative enactment where the amendment effected by such legislative enactment has been embodied by the Commissioner in any other legislative enactment ;

- (h) in any legislative enactment the interpretation of any expression which is defined in identical or similar terms with the definition of that expression contained in the Interpretation Ordinance, 1901 ; and
- (i) in any legislative enactment, any section or part thereof referring to any matter for which provision is made in similar or identical terms in the Interpretation Ordinance, 1901 :

Provided that the provisions of section 5 of the Interpretation Ordinance, 1901, shall apply to any omission under this sub-section in the same way as if the legislative enactment omitted had been repealed ;

- (2) to arrange the grouping and sequence of legislative enactments, whether consolidated or not, in any order that may be convenient irrespective of the date of enactment ;
- (3) to add a short title to any legislative enactment which may require it, and, if necessary, to alter the long or short title of any legislative enactment ;
- (4) to supply, alter or omit marginal notes ;
- (5) to consolidate into one enactment any two or more legislative enactments or parts thereof *in pari materia*, making such alterations as are thereby rendered necessary in the consolidated enactment and affixing such date thereto as may seem most convenient ;
- (6) to incorporate in any legislative enactment any amendment, addition, or alteration made to any Schedule, Form or other part thereof by any authority under powers conferred by that legislative enactment ;
- (7) to alter the order of sections in any legislative enactment, and, in all cases where it is necessary to do so, to re-number the sections of any legislative enactment ;
- (8) to alter the form or arrangement of any section of any legislative enactment by transposing words, by combining it in whole or in part with another section or other sections or by dividing it into two or more sub-sections ;
- (9) to frame and insert definitions of terms and expressions used in any legislative enactment and to substitute other terms and expressions of a like nature for those used ;
- (10) to divide any legislative enactment, whether consolidated or not, into two or more enactments, parts or other divisions ;
- (11) to correct grammatical, typographical and other mistakes in the existing copies of legislative enactments and for that purpose make verbal additions, omissions, or alterations not affecting the meaning of any legislative enactment ;
- (12) to make such formal alterations as to names, localities, offices, titles, currency and otherwise as may be necessary to bring any legislative enactment into conformity with conditions or circumstances obtaining or existing in Ceylon on the thirty-first day of December, 1937, or such later date as the Governor may fix under section 2 ;
- (13) to make such adaptations or amendments in any legislative enactment as may appear to be necessary or proper as a consequence of the Royal and Parliamentary Titles Act, 1927, the Statute of Westminster, 1931, and the Establishment of the Irish Free State ;
- (14) to insert in all sections in which His Majesty's Army and Navy are mentioned or referred to and in which the Royal Air Force is not mentioned or referred to such mention and reference to the Royal Air Force as may be appropriate ;
- (15) to correct cross references ;
- (16) to shorten and simplify the phraseology of any legislative enactment ;
- (17) to alter the title of any subsidiary legislative instrument whether heretofore made or prescribed as capable of being made under any legislative authority whatsoever, whether such subsidiary legislative instrument be entitled an Order in Council, order, proclamation, rule, regulation, by-law, or bear any other title whatsoever ;
- (18) to do all other things relating to form and method which may be necessary for the perfecting of the revised edition.

4 (1) The Commissioner shall omit from the revised edition the Ordinances specified in the Schedule to this Ordinance: Provided always that, anything in this Ordinance to the contrary notwithstanding, the said Ordinances shall remain in force until the same shall have been expressly repealed or shall have expired or become spent or had their effect.

Omission of certain Ordinances from the revised edition.

(2) At any time before the revised edition is brought into force in pursuance of section 10, it shall be lawful for the Governor by notice in the Gazette to make any addition to or variation in the said Schedule.

5 (1) There shall be attached to each Ordinance contained in the revised edition a number showing its place among the Ordinances of the year to which it belongs.

Numbering of Ordinances.

(2) There may be inserted in the margin of any part of any legislative enactment a note containing a reference to any Ordinance and section passed since the first day of January, 1924, adding, substituting or amending that part of that legislative enactment, but such note shall not, by reason of its insertion in the margin as aforesaid, have any legislative effect.

6 (1) The powers conferred on the Commissioner by section 3 shall not be taken to imply any power in him to make any alteration or amendment in the matter or substance of any legislative enactment.

Mode of dealing with alterations or amendments.

(2) In any case where the Commissioner may think fit he may draft a Bill authorising such alterations and amendments as he may consider necessary to be made in the revised edition; and every such Bill shall, subject to the approval of the Governor, be submitted to the State Council and be dealt with in the ordinary way.

(3) Any such Bill may have reference to one legislative enactment or to more legislative enactments than one though they may not be *in pari materia*.

7 (1) The revised edition shall be printed in six or more volumes which shall contain the legislative enactments of Ceylon in force on the thirty-first day of December, 1937, or such later date as the Governor may fix under section 2.

Printing of revised edition.

(2) Each volume shall contain a statement that the same is published under the authority of the Government of Ceylon.

8 The Commissioner shall prepare and cause to be printed together in a separate volume or otherwise a chronological table of all the legislative enactments of Ceylon and a full and complete index to the legislative enactments contained in the revised edition.

Chronological table and index to the revised edition.

9 One copy of each volume shall be dated and signed by the Commissioner and by the Governor and shall be sealed with the Public Seal of the Island and deposited among the records of the Supreme Court.

Authenticated copy to be deposited with Supreme Court.

10 (1) The Commissioner shall, as soon as the revised edition is completed, transmit a copy thereof to the Legal Secretary who shall lay that copy before the State Council.

Bringing into force and validity of revised edition.

(2) Upon the passing of a resolution of the State Council authorising him to do so, the Governor may, by proclamation, order that the revised edition shall come into force from such date as he may think fit.

(3) From the date appointed in such proclamation the revised edition shall be deemed to be and shall be without any question whatsoever in all courts of Justice and for all purposes whatsoever the sole and only proper Statute Book of Ceylon in respect of the legislative enactments therein contained and shall be substituted for, firstly, the revised edition of the legislative enactments of Ceylon in force immediately before the date appointed in such proclamation and secondly for all Ordinances passed between the thirty-first day of December, 1923, and the thirty-first day of December, 1937, or such later date as the Governor may fix under section 2; and the legislative enactments firstly and secondly herein referred to except such legislative enactments as may be omitted under section 4 shall be repealed from that date.

11 All orders, proclamations, letters patent, rules, resolutions, by-laws, regulations, warrants and other subsidiary legislation whatsoever made under any Ordinance included in the revised edition, and in force on the date appointed by the Governor under section 10, shall continue in force until otherwise provided; and references in any such order, proclamation, letters patent, rule, resolution, by-law, regulation, warrant or other subsidiary legislation, to the Ordinance under which such order, proclamation, letters patent, rule, resolution, by-law, regulation, warrant or other

Saving of existing subsidiary legislation.

subsidiary legislation is made, or to any other Ordinance, shall, where necessary and practicable, be deemed to apply to the corresponding Ordinance in the revised edition.

Supplementary matter in revised edition.

12 The revised edition may also contain a reprint of such Imperial Statutes, Imperial Orders in Council, Letters Patent, Royal Instructions, and other Instruments as the Commissioner may think desirable.

Effect of repealed or omitted Ordinances.

13 The repeal or omission from the revised edition of any legislative enactment repealed or omitted during and for the purpose of the preparation of such revised edition shall not affect the validity of any existing orders, proclamations, letters patent, rules, resolutions, by-laws, regulations, warrants and other subsidiary legislation whatsoever made under any legislative enactment so repealed or omitted, but such orders, proclamations, letters patent, rules, resolutions, by-laws, regulations warrants and other subsidiary legislation so far as they are not inconsistent with any legislative enactment of Ceylon for the time being in force, shall continue in force until otherwise provided.

Construction of reference to repealed, &c., Ordinances.

14 Where in any written law or in any document of whatsoever kind, reference is made to any legislative enactment repealed or otherwise affected by or under the operation of this Ordinance, such reference shall, where necessary and practicable, be deemed to extend and apply to the corresponding legislative enactment in the revised edition.

Effect of Ordinance on enactments which have not come into operation.

15 Nothing in this Ordinance shall be construed as bringing into operation any of the legislative enactments included in the said revised edition, before the date on which such enactment if it had not been so included, would have come into operation.

Place of this Ordinance in the revised edition.

16 This Ordinance shall be printed at the commencement of the revised edition.

Interpretation.

17 In this Ordinance, unless the context otherwise requires—

“legislative enactment” means—

- (a) any Ordinance;
- (b) any enactment having the force of law in Ceylon and promulgated in the form of a proclamation or regulation prior to the first day of January, 1834;
- (c) the Tésawalamai or the laws and customs of the Malabars of Jaffna promulgated by the Dutch Government of Ceylon in the year 1707, and referred to in the Government Regulation No. 18 of December 9, 1806;
- (d) the Mahomedan Code of 1806;
- (e) the Royal Charter, 1833, the Letters Patent, January 28, 1843, and the Letters Patent, July 2, 1844;

and includes any part of any legislative enactment;

“revised edition” means the edition of the legislative enactments to be prepared under the authority of this Ordinance.

#### SCHEDULE.

*Legislative enactments and parts of legislative enactments to be omitted from the revised edition.*

No. and Year	Title of Ordinance	Extent to which to be omitted
4 of 1892	An Ordinance to abolish the Paddy Tax	The whole
10 of 1914	The Revised Edition Ordinance, No. 10 of 1914	The whole
17 of 1919	The Termination of the Present War (Definition) Ordinance, No. 17 of 1919	The whole
10 of 1927	The Village Tribunals (Validation of Proceedings) Ordinance, No. 10 of 1927	Preamble, enacting clause, sections 1, 2 and 3 and Schedule
24 of 1931	The Emergency Remission of Customs Duties (Validation) Ordinance, 1931	The whole
11 of 1932	The Poll Tax Abolition Ordinance, 1932	The whole
31 of 1935	The Mullattivu Courts (Validation of Proceedings) Ordinance, No. 31 of 1935	The whole



*Objects and Reasons.*

The object of this Bill is to authorise the preparation and publication of a Revised Edition of the Legislative Enactments of Ceylon.

Legal Secretary's Office,  
Colombo, January 11, 1937.

J. C. HOWARD,  
Legal Secretary.

## MINUTE.

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

**An Ordinance to amend the Ceylon Railway Benefit Association Ordinance, 1908.**

No. 16 of 1908.

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

1 This Ordinance may be cited as the Ceylon Railway Benefit Association Amendment Ordinance, No. of 1936.

Short title.

2 Section 3 of the Ceylon Railway Benefit Association Ordinance, 1908, (hereinafter referred to as "the principal Ordinance"), is hereby amended by the substitution, for the words "next of kin or", of the words "to his widow and children or if there is no widow or child surviving him to his".

Amendment of section 3 of Ordinance No. 16 of 1908.

3 Section 14 of the principal Ordinance is hereby amended by the substitution for the words "business, and", of the words "business, for the regulation of the extraordinary loans to be given to members under section 21 and for prescribing the conditions of such loans including the nature and situation of the immovable property that may be accepted as security, and".

Amendment of section 14 of the principal Ordinance.

4 Section 21 of the principal Ordinance is hereby amended in sub-section (1) thereof by the substitution in paragraph (b) of that sub-section, for all the words from "within" to "Colombo", of the words "within such limits as may be prescribed by rules made under section 14".

Amendment of section 21 of the principal Ordinance.

5 The following new section is hereby inserted immediately after section 27, and shall have effect as section 28 of the principal Ordinance :—

Insertion of a new section 28 in the principal Ordinance.

28. Nothing in this Ordinance contained shall affect or be deemed to affect the rights of His Majesty the King, His Heirs and Successors, or of any body politic or corporate or of any other persons except such as are mentioned in the foregoing provisions of this Ordinance and those claiming by, from, or under them.

Saving of rights of the Crown.

6 Nothing in this Ordinance contained shall affect or be deemed to affect the rights of His Majesty the King, His Heirs and Successors, or of any body politic or corporate or of any other persons except such as are mentioned in the foregoing provisions of this Ordinance and those claiming by, from, or under them.

Saving of rights of the Crown.

*Objects and Reasons.*

The principal objects of the amendments to the Ceylon Railway Benefit Association Ordinance, 1908 (No. 16 of 1908, as amended by No. 15 of 1931), which are proposed in this Bill, are—

- (1) to make it clear that on the death of a member who has not appointed a nominee, his widow and children shall be entitled, in preference to other next of kin or heirs, to receive the balance of his contributions to the funds and the donation given by the Association (Clause 2);
- (2) to leave it to the members to prescribe, by rules under section 14, the conditions subject to which extraordinary loans will be given and the nature and situation of the immovable property that will be accepted as security for such loans (Clauses 3 and 4).

2. Clause 6 of the Bill, in accordance with Article VI of the Royal Instructions, saves the rights of the Crown and of all persons not specifically mentioned in the Bill. Clause 5 inserts a similar saving clause in the principal Ordinance.

H. J. HUXHAM,  
Mover of the Bill.

December 8, 1936.

**NOTIFICATIONS OF CRIMINAL SESSIONS.**

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Districts of Jaffna, Mannar, and Mullaittivu will be holden at the District Court-house at Jaffna on Tuesday, February 16, 1937, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

Fiscal's Office,  
Jaffna, January 15, 1937.

M. SELVADURAI,  
for Fiscal.

**NOTICES OF INSOLVENCY.**

In the District Court of Colombo.  
No. 4,844. In the matter of the insolvency of A. H. Tett of 45, Mount Mary, C. G. R., Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 9, 1937, for declaration of a dividend.

By order of court, GERALD E. DE ALWIS,  
January 13, 1937. Secretary.

In the District Court of Colombo.  
No. 5,056. In the matter of the insolvency of Vaithilingam Muthuvelu Rasiah *alias* Rasanayagam of 104, Sea street, Colombo.

WHEREAS the above-named Vaithilingam Muthuvelu Rasiah *alias* Rasanayagam has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by V. C. Paramsothi Chettiar of New Chetty street in Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Vaithilingam Muthuvelu Rasiah *alias* Rasanayagam insolvent accordingly; and that two public sittings of the court, to wit, on February 23, 1937, and on March 16, 1937, 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,  
January 18, 1937. Secretary.

In the District Court of Kandy.  
No. 2,104. In the matter of the insolvency of A. B. Talgodapitiya of Ampitiya, Kandy.

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 February 19, 1937, to appoint an assignee.

By order of court, R. MALALGODA,  
January 15, 1937. Secretary.

In the District Court of Nuwara Eliya holden at Hatton.  
No. 29. In the matter of the insolvency of Ana Lana Ana Runa Alagupillai of Hatton.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held on March 2, 1937, for proving of further claims and appointment of an assignee.

By order of court, E. DE S. GUNAWARDENE,  
January 19, 1937. Secretary.

**NOTICES OF FISCALS' SALES.**

**Western Province.**

In the District Court of Colombo.  
S. M. Hassan Ally and A. M. Hassan Ally, both carrying on business as Muller Hassan Ally Valleejee & Sons at Colombo ..... Plaintiffs.  
No. 5,233. Vs.

Mrs. Cathamuttu Pillai Thaisammal of 14, Dawson street, Hulftsdorp, Colombo ..... Defendant.  
NOTICE is hereby given that on Monday, March 1, 1937, at 11 A.M., will be sold by public auction at Nos. 11A

and 13, Rifle street, Slave Island, the following movable property for the recovery of the sum of Rs. 612.50 and further damages at Rs. 87.50 per month from September 1, 1936, till the defendant is ejected from premises, less Rs. 190, viz. :—

One Cylinder printing machine, 3 patent machines, 1 lot types.

Fiscal's Office,  
Colombo, January 19, 1937.

J. R. TOUSSAINT,  
Deputy Fiscal.

In the District Court of Colombo.

(1) Welikalage Dona Mariana Hamine of Hokandara in the Palle pattu of Hewagam korale and others ..... Plaintiffs.  
No. 5,683. Vs.

(1) Vedumpuliatchige Dona Johana, legal representative of the estate of Weragalage Don Sugathan, (2) Dona Pabiliana Wanaguru Hamine, (3) Merennage Charles Perera, all of Hokandara South in the Palle pattu of Hewagam korale ..... Defendants.

NOTICE is hereby given that on Friday, February 26, 1937, will be sold by public auction at the respective premises the following property mortgaged with the plaintiffs by bond No. 2,369 dated November 15, 1926, attested by D. R. de S. Abhayanayake, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated November 23, 1936, for the recovery of the sum of Rs. 1,500, with interest thereon at 9 per cent. per annum from date of decree (October 2, 1936), till payment in full and costs of suit taxed at Rs. 396, viz. :—

(1) At 11 a.m.—All that allotment of land called and known as Wewekumbura, together with all the trees and plantations standing thereon, situated at Hokandara in the Palle pattu of Hewagam korale in the District of Colombo, Western Province; and bounded on the north by a portion of land bearing No. 206 depicted in original plan No. 5,583 and a water-course, east also by a water-course and by the portion of land bearing No. 208 depicted in original plan No. 5,583, south also by the portion of land bearing No. 212 depicted in original plan No. 5,583, and west by land appearing in title plan No. 193,720; containing in extent 1 acre 2 roods and 17 perches.

(2) At 11.30 a.m.—All that undivided portion of the land in extent about 2 acres from and out of all that defined portion of the land called and known as Diyaporangahalandu, together with all the trees and plantations and the tiled house standing on the said undivided portion of land situated at Hokandara aforesaid; and bounded on the north by a portion of this land belonging to Weragalage Don Geeris Appu, east by Delgahawatta, south by the land belonging to Amarasinghage Cornelis Silva, and west by Delgahawatta of Weragalage Don Cornelis; containing in extent about 8 acres.

Prior registration G 4/196, 47/309, 310 Colombo.

Fiscal's Office,  
Colombo, January 19, 1937.

J. R. TOUSSAINT,  
Deputy Fiscal.

In the District Court of Jaffna.

(1) Rethammah, wife of Suppaiyer Sathasivakurukkal,  
(2) Suppaiyer Sathasivakurukkal, both of Kondavil ..... Plaintiffs.

No. 8,984. Vs.  
Seenivasaga Iyer Thammasa Iyer of Inuvil, now of Kondavil ..... Defendant.

NOTICE is hereby given that on Thursday, February 25, 1937, 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. 6,912, with interest thereon at 6 per cent. per annum from November 14, 1935, until payment in full and costs Rs. 165.71, viz. :—

(1) At 11 a.m.—An undivided 1/14 share of all that piece of land, with the buildings and rooms standing thereon bearing assessment No. 36, situated at Symond's road, Maradana, within the Municipality and District of Colombo, Western Province; and bounded on the north by the property of Kulande Marikar Avoo Lebbe Marikar, east by Symond's road, south by the property of Hadjie Marikar and west by Crown land; containing in extent 24 87/100 perches, more or less.

(2) At 11.15 a.m.—An undivided 1/14 share of all that allotment of land with the buildings, rooms, and plantations thereon bearing assessment No. 38, situated at Symond's road, Maradana aforesaid; and bounded on the east by Symond's road, north-west by premises bearing assessment No. 3 (now No. 40), south-west by Crown land, and south-east by premises bearing assessment No. 5 (now No. 36); containing in extent 18 59/100 perches, more or less.

Fiscal's Office,  
Colombo, January 19, 1937.

J. R. TOUSSAINT,  
Deputy Fiscal.

In the District Court of Colombo.

D. L. Pandithakorale, formerly 2, Perth road, Dematagoda, now of Pannipitiya, ..... Plaintiff.  
No. 43,197.

D. R. Weerasinghe of 31, Perth road, Dematagoda, Colombo ..... Defendant.

NOTICE is hereby given that on Wednesday, February 24, 1937, 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. 3,000, viz. :—

1. At 11 a.m.—All that land called Merennegewatta, with the buildings marked lot B bearing assessment No. 12, Piachaud's lane, and 39, Panchikawatta road, within the Municipality and District of Colombo, Western Province; and bounded on the north by premises No. 14, Piachaud's lane and lane, east by Panchikawatta road, south by lot C, and west by premises belonging to S. Kadiravelu; containing in extent 29.78 perches; and registered in A 218/88, A 219/274.

2. At 11.30 a.m.—All that land called Merennagewatta, with the buildings marked lot J bearing assessment No. 13, Panchikawatta road, within the Municipality and District of Colombo, Western Province; and bounded on the north by lot I, east by Panchikawatta road, south and west by premises bearing assessment No. 11; containing in extent 36/100 of a perch; and registered in A 218/86.

Fiscal's Office,  
Colombo, January 19, 1937.

J. R. TOUSSAINT,  
Deputy Fiscal.

In the District Court of Colombo.

O. E. P. Jayasinghe, presently of Welikada in Colombo ..... Plaintiff.  
No. 517.

(1) E. M. J. Abeyesinghe and (2) Nellie Gertrude Abeyesinghe, both of Kandana in the Raigampattu of Alutkuru korale ..... Defendants.

NOTICE is hereby given that on Tuesday, February 16, 1937, at 5 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

All that land called Church View estate and everything thereon situated at Kondagammulla in Dunagaha pattu of Alutkuru korale in the District of Negombo, Western Province; and bounded on the north by the road, land belonging to the heirs of Abilinu Annavirala, and lands belonging to Gordiyana Appuhamy and others, east by the road, land of Mrs. Siriwardane, field and oya and the land belonging to Supramaniyam Chettiyar, south by the field and oya and the land belonging to Supramaniyam Chettiyar, and on the west by the other portion of this land; containing in extent within these boundaries 35 acres 3 roods and 15 perches; and registered under E 183/246, subject to deed of lease No. 1,393 dated October 5, 1933, attested by G. de Zoysa, Notary Public.

Amount to be levied is Rs. 800, less the sum of Rs. 550 already paid by them.

Deputy Fiscal's Office,  
Negombo, January 13, 1937.

A. W. ROSA,  
Deputy Fiscal.

In the District Court of Colombo.

Muthu Kana Avanna Veena Seena Thana Avitchey Chettiar of Sea street, Colombo, presently of Natarasan Cottai, Ramnad District, South India, by his attorney Rawanna Mana Veluchamy Pillai of Sea street, Negombo ..... Plaintiff.  
No. 2,097.

(1) Thirumathiri Adrick Mendis of Kosgoda and (2) Agampodi Joseph Mendis of Tammitta in Negombo ..... Defendants.

NOTICE is hereby given that on Thursday, February 18, 1937, at 3.30 in the afternoon, will be sold by public

B 3

at the premises the right, title, and interest of the said 2nd defendant in the following property, viz. :—

1. The field called Negagahakumbura, situated at 4th Division Tammitta, within the Gravets of Negombo and in the District of Negombo, Western Province, and bounded on the north by the field of Amaris and others, east by the land of the heirs of Pasirio Silva, south by the land of Juwanis and others, and on the west by the land of J. Gabriel Fernando and others, but the said land presently bounded on the north by the field of Miguel Vidana Rala and others, east by the land of the heirs of Pamanis Silva, south by the land of Miguel Vidanarala and others, and on the west by the land of Wattalpedige Ana Fernando and others; containing in extent within these boundaries about 2 acres and 24 perches or 5 parras of paddy sowing ground; registered No. A 90/218.

2. The land called Kosgahawatta, situated at 4th Division Tammitta aforesaid; and bounded on the north by a portion of this land of Abilinu Appu, east by a portion of this land of Amaris Rosairo, south by a portion of this land of A. Dona Anohamy, and on the west by the land of Simon Dabarera; and containing in extent within these boundaries about 12 coconut trees plantable ground, together with the buildings and plantations standing thereon; registered No. A 64/91.

Amount to be levied Rs. 1,000, with interest on Rs. 1,000 at 15 per cent. per annum from June 21, 1931, till payment in full, less Rs. 1,300.

Deputy Fiscal's Office,  
Negombo, January 12, 1937.

A. W. ROSA,  
Deputy Fiscal.

In the District Court of Kalutara.

Wedge Seedin Peiris of Panadure ..... Plaintiff.  
No. 459 Liquid.

(1) S. T. Perera, (2) Lucy Hamine, both of Haltetota ..... Defendants.

NOTICE is hereby given that on Wednesday, February 10, 1937, at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 765.45, with legal interest on Rs. 676 from June 16, 1936; till payment in full, viz. :—

1. All those undivided  $\frac{1}{2}$  shares of the rubber plantation standing on the eastern half portion of the land called Koskandewatta, situated at Madampe in Munwattebage pattu of Raigam korale in the District of Kalutara, Western Province; and which said eastern half portion is bounded on the north by Samarappuligewatta, on the east by gala and Galwetiya, on the south by Samarappuligewatta, and on the west by the other half portion of Koskandewatta; and containing in extent about  $3\frac{1}{2}$  acres; registered under title H 77/228.

2. Wednesday, February 10, 1937, at 4.30 p.m.—Undivided  $\frac{1}{2}$  of undivided  $\frac{1}{2}$  of the soil and of trees (exclusive of the planter's half share of the coconut trees standing on an undivided 2 acres extent towards the eastern side and of the cinnamon plantation standing on an undivided 1 acre extent towards the southern side, and of the rubber trees standing on an undivided 1 acre in extent towards the western side, and an undivided portion in extent  $\frac{1}{2}$  an acre out of the said  $\frac{1}{2}$  share towards the south-western corner) together with an undivided portion of the above excluded extent of  $\frac{1}{2}$  an acre together with the tiled house thereon at the edge of the south-western boundary built by Subasinghe Thepanis Perera and standing on the land called Himbutulanda alias Talawehena, situated at Haltetota in Munwattebage pattu aforesaid; and which said entire land is bounded on the north by the central portion of this land, east and south by the land which belonged to the Crown, and on the west by Himbutulandewatta; and containing in extent about 7 acres and 2 roods; registered under title H 125/224.

Deputy Fiscal's Office,  
Kalutara, January 19, 1937.

H. SAMERESINGHA,  
Deputy Fiscal.

In the District Court of Colombo.

P. R. V. R. M. Ramanathan Chettiar of Sea street, Colombo ..... Plaintiff.

No. 53,035. Vs.

Don Simon Meegama of Arukgoda in Panadure ..... Defendant.

NOTICE is hereby given that on Monday, February 15, 1937, at 4 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property

for the recovery of Rs. 10,072.33, with interest thereon at the rate of 9 per cent. per annum from June 22, 1933, till payment in full and costs of suit, less Rs. 4,905.91, viz. :—

1. An undivided 4/240 shares of Dangahawela also Gangaboda Aswedduma, situated at Maha-awuggoda in Panadure badde in Panadura totamune in the District of Kalutara, Western Province; bounded on the north by the river and the field belonging to Panatunge Don Cornelis, Police Vidane, on the east by the boundary of an irawalla of the same field, on the south by the ridge of the field belonging to Renuwala Unnanse and boundary of the land belonging to Renuwala Don Simon Appuhamy, and on the west by Panatunge Don Simon Appuhamy, and ridge of the field belonging to Don Davith Appuhamy, containing in extent about 10 bushels of paddy sowing; and registered under B 251/277.

On Tuesday, February 16, 1937, at 4 o'clock in the afternoon.

2. One half share of the land called Atugala and of building standing thereon, situated at Welapura Kalutara in Kalutara badde of Kalutara totamune in the District of Kalutara, Western Province; and bounded on the north-east by Sudugala land claimed by natives, the jungle land appertaining to Tekkawatta, on the south and south-east by jungle land appertaining to Tekkawatta, on the south-west by the lands called Parmuk Bungalow, and north-west by Kalu-ganga; containing in extent 32 acres 1 rood and 37 perches.

Deputy Fiscal's Office,  
Kalutara, January 13, 1937.

H. SAMERESINGHA,  
Deputy Fiscal.

#### Central Province.

In the District Court of Kandy.

Udawattege Don Alwis Perera of Minuwatta ..... Plaintiff.  
No. 47,911.

Nather Saiboo's son, Asanar of Kandy ..... Defendant.

NOTICE is hereby given that on Tuesday, February 23, 1937, at 2 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendant for the recovery of the sum of Rs. 1,097 with legal interest on Rs. 1,097 at 9 per cent. per annum from December 10, 1936, till payment in full and poundage (less Rs. 139.87) in the following property, viz. :—

All that house and premises bearing assessment No. 61, situate at Brownrigg street, within the town, Municipality, and District of Kandy, Central Province, presently bearing assessment No. 68, in extent 1 94/100 perches; and bounded on the east by Brownrigg street, south and west by the land of Abdul Pule Sinnatamby, north by land of Suriya Aratchige Don Simon Silva Appuhamy with the upstairs house standing thereon and everything else. Registered under A 50/13 in the Kandy Registry. The above land is subject to the mortgage bond No. 21,577 dated February 5, 1926, which bond has been put in suit in case No. 47,909 of the District Court, Kandy.

Fiscal's Office,  
Kandy, January 16, 1937.

H. C. WIJESINHA,  
Deputy Fiscal.

#### Southern Province.

In the Additional Court of Requests of Matara.

Juwanis Manamperi of Matara ..... Plaintiff.  
No. 18,408.

(1) Don Hendrick Abeysiriwardene of Kirinda and others ..... Defendants.

NOTICE is hereby given that on Wednesday, February 17, 1937, commencing at 2.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of a sum of Rs. 55.03, viz. :—

All that northern boutique room and the kitchen belonging to it out of the 13 cubit tiled boutique adjoining the road and standing on the land called Ampitiyawatta, situated at Kirinda in Gangaboda pattu of Matara District, Southern Province; and bounded on the north by Pahala Ampitiyawatta, east by road, south by Pujamadubendakoratuwa and Lebberalagewatta, and on the west by Kattadigewatta; and containing in extent 5 acres.

Deputy Fiscal's Office,  
Matara, January 12, 1937.

H. V. F. ABAYAKOON,  
Additional Deputy Fiscal.

In the District Court of Tangalla.

Hettihewage Ponthenis Appu of Beliatta ..... Plaintiff.  
No. 3,843.

(1) Abayawickrama Munasin Arachchige Don Andris of Puwakdandawa and 2 others ..... Defendants.  
Galwewa Walgama Kodituwakkuge Babun Appu of Puwakdandawa ..... Substituted Defendant.

NOTICE is hereby given that on Saturday, February 13, 1937, 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 1st defendant and substituted defendant in the following properties for the recovery of Rs. 732.27 with legal interest on Rs. 698.43 from October 29, 1936, till payment in full and poundage, viz. :—

At Puwakdandawa.

(1) All the soil and fruit trees of the land called Munasingewatta situated at Puwakdandawa in West Giruwa pattu of the Hambantota District, Southern Province; and bounded on the north by Godakadurehena alias Talweta, east by Dunumadalagawatta alias Munasingewatta, south by Mahahena, and west by Nugehena; containing in extent about 3½ acres belonging to the first defendant.

(2) Two kurunies extent of the field called Panuwalamulana, situated at Puwakdandawa aforesaid; and bounded on the north by Pinkella, east by Mahawewa, south by Munasingewatta, and west by Tunkuttuhena; containing in extent 1 amunam of paddy belonging to the first defendant.

(3) The entire soil and fruit trees of the land called Nugehena, situated at Puwakdandawa aforesaid; and bounded on the north by Godakadurehena alias Talweta, east by Munasingewatta, south by Mahahena, and west by Sabapathunnehegewatta; containing in extent 3 acres belonging to the substituted defendant.

(4) Two kurunies extent of the field called Panuwalamulana, situated at Puwakdandawa aforesaid; and bounded on the north by Pinkella, east by Mahawewa, south by Munasingewatta, and west by Tunkuttuhena; containing in extent 1 amunam of paddy belonging to the substituted defendant.

Deputy Fiscal's Office,  
Tangalla, January 13, 1937.

P. D. WEERAMAN,  
Additional Deputy Fiscal.

#### North-Western Province.

In the District Court of Kegalla.

Alahakoon Mudiyansele Dingiri Banda of Kumbaldiwela ..... Plaintiff.  
No. 135.

Kiridana Yasatileke Mayurapaksa Wasala Mudiyanseralahamillage Dingiriamma Kumarihamy of Kegalla, administratrix of the estate of H. S. Manchanayaka of Kegalla, deceased ..... Defendant.

NOTICE is hereby given that on Friday, February 26, 1937, commencing from the first land at 10.30 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. 838.90, with legal interest thereon from December 19, 1935, till payment in full, costs of suit, and poundage, viz. :—

1. An undivided ¾ share of the land called Kahatagahayayemedawatta, situate at Nattandiya in Meda palata of Pitigal korale south in the District of Chilaw, North-Western Province; and bounded on the north by Gansabha road, east by lands of Thelesinghe Mudiyansele Singhappu Gamarala, south by ditch of land of Samel Appuhamy, west by lands of Wijesinghe Abeyekoon Sundara Appuhamy; containing in extent 4 acres.

2. An undivided 5/16 share of the land called Ambagahawatta, situate at Nattandiya aforesaid; and bounded on the north by land in plan No. 119,374 and 119,373, east by land in plan No. 117,756, south by land in plan No. 117,756 and 117,827, and west by land in plan No. 117,976; containing in extent 1 acre 3 roods and 7 perches.

3. An undivided 2/5 share of Ambagahawatta, situate at Nattandiya aforesaid; and bounded on the north and south by wela, east by Galawita, and west by garden of Babappuhamy and others; containing in extent 3 acres.

4. An undivided ¼ share of Siyambalagahawatta or Madangahawatta, situate at Nattandiya aforesaid; and bounded on the north by field called Divulgahakumbura of Menikrala Velvidanerala and others, south and east by garden of Kapuruhamy Appuhamy Vidanarala, and west by garden of Menikrala Velvidanerala and others; containing in extent about 2 acres.

5. An undivided  $\frac{1}{2}$  share of Ehetugahakumbura, situate at Nattandiya aforesaid; and bounded on the north by garden of Baba Appuhamy and others, east by iniyara of the field of Puchappuhamy and others, south by garden of Telesingha, V. A., and others, and west by iniyara of the field of deceased Singhappuhamy and others; containing in extent about 30 perches of paddy sowing soil.

6. An undivided  $\frac{1}{2}$  share of Pulugahawatta, situate at Nattandiya aforesaid; and bounded on the north-east by lands in plans Nos. 117,857 and 199,755, south-east by lands in plan No. 117,756, south by lands in plan No. 119,372 south-west by lands in plan No. 119,373, and north-west by lands in plan No. 117,143; containing in extent 1 acre 1 rood and 19 perches.

The above-mentioned 2nd to 6th lands are subject to a mortgage bond for Rs. 3,000 in favour of the father of the present Vidane Arachchi of Nattandiya.

Deputy Fiscal's Office, L. F. ROSA, Additional Deputy Fiscal.  
Chilaw, January 19, 1937.

### Province of Uva.

In the Police Court of Badulla-Haldummulla.

The Crown ..... Complainant.  
No. 6,169. Vs.

Meera Mohideen Kaldeen, Bandawela ..... Respondent.

NOTICE is hereby given that on Friday, February 12, 1937, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said respondent in the following property for the recovery of Rs. 26, viz. :—

The land called Godapatana, situated in Bandarawela town in Mahapalata korale in Udukinda division in Badulla District in the Province of Uva; and containing in extent about  $\frac{1}{2}$  of an acre; and bounded on the north by the reservation for the road, south by water-course, east by water tank, and west by the land owned by the Chettinad Corporation.

Fiscal's Office, T. J. MENDIS, Deputy Fiscal.  
Badulla, January 18, 1937.

In the Court of Requests of Colombo.

K. N. Lalvani, carrying on business under the name, firm, and style of Messrs. Lalvani Brothers at Main street, Colombo ..... Plaintiff.  
No. 22,143. Vs.

(1) Simon de Silva and (2) Puchi Hewage Henry de Silva, both carrying on business under the name, firm, and style of de Silva Stores, Bandarawela ..... Defendants.

NOTICE is hereby given that on Saturday, February 20, 1937, at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 1st defendant, Simon de Silva, in the following property for the recovery of Rs. 116.45, with interest on Rs. 108.31 at 12 per cent. per annum from May 7, 1936, to August 4, 1936, and thereafter legal interest on the aggregate amount till payment in full and costs of suit, incurred cost Rs. 20.25 and prospective costs Rs. 11.12, viz. :—

The land bearing assessment No. 80, containing in extent about  $\frac{1}{2}$  acre, situated at Bandarawela town, Mahapalata korale, Udukinda division, Badulla District of the Province of Uva; and bounded on the north by Main road leading to Welimada and land belonging to James Perera, south by land belonging to Mr. Soris, east by land belonging to Messrs. Miller & Co., and west by land belonging to Mr. Soris, together with the building and everything standing thereon.

Fiscal's Office, T. J. MENDIS, Deputy Fiscal.  
Badulla, January 18, 1937.

### Province of Sabaragamuwa.

In the District Court of Ratnapura.

A. R. A. Adikappa Chettiar carrying on business under the name, style, and firm of A. R. A. Adikappa Chettiar & Co., 93, Maliban street, Colombo ..... Plaintiff.  
No. 6,227. Vs.

Mrs. C. H. R. Tennakoon and D. H. W. Tennakoon, wife and husband, both of Mudduwa Walawwa, Ratnapura ..... Defendants.

NOTICE is hereby given that on Tuesday, February 16, 1937, commencing at 1 o'clock in the afternoon, will be sold

by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 2,000, with legal interest thereon from March 11, 1936, till payment in full and Rs. 102.40 costs of this action and poundage, less Rs. 500, viz. :—

1. All that the land called Hakamuwa estate, situate at Hakamuwa in Meda pattu of Nawadun korale in the District of Ratnapura; bounded on the north by portion bearing No. 3, Kaluwakanattchena, portion bearing No. 4 of Kaluwakanattchena wherein Dingipa resides, portion bearing No. 5, Kaluwakanattchena wherein Hapanpediyalage Kiriasanga resides, portions bearing Nos. 6 and 7 of Kaluwakanattchena wherein Rankina resides, Baduwatta bearing No. 9 and Aluthewalagawatta, east by Deniyakumbura, portion bearing No. 10 of Deniyehon Demataketiyeowita, Mahaala, Egodawatta, portion bearing Nos. 11 and 12 of Muragalagodahena, Patangalakumbura, Halugeliyadda bearing No. 13, portion bearing No. 14 of Halugeliyaddagawahena, Hewaduwwela, Naranawila, Bolutiawekumburuyaya, Mudduwegehena, Lekamalayehena, Lekamalayewatta, and Gansabhawa, south by dola, Gilimalagehena, and Wandurukapollemukalana, and on the west by rubber estate belonging to Mr. William Dias and village limit of Mudduwa; containing in extent 243 acres 3 roods and 6 perches (excluding therefrom Aliyamalagodahenewatta bearing No. 18 registered in B 211/64 (subject to mortgage bond No. 2,146 dated December 20, 1935, and bond No. 124 dated December 18, 1935, for Rs. 30,000 in respect of portions of this estate).

2. An undivided  $\frac{1}{2}$  share of the land called Wisilahakumburalangahena and Wisilahchena now called and known as "Airy Hill", together with and undivided one half share of the building standing thereon, situate at Ratnapura town in the Uda pattu of Kuruwiti korale in the District of Ratnapura; bounded on the north by Crown land, east by land belonging to T. P. Abeysekera, south by field, and on the west by railway property; containing in extent about 3 acres more or less, and registered in A 196/296.

3. All that land called Godella bearing assessment No. 13, situate at Ratnapura town aforesaid; bounded on the north by Wisilaha, east by Godapitiya, south by Ihalogadapeliya, west by minor road; containing in half Avalu kurakkan sowing, and registered in A 202/142, subject to D. C., Ratnapura, cases Nos. 5,827 and 5,843.

Fiscal's Office, N. SWAMINATHA AYER, Additional Deputy Fiscal.  
Ratnapura, January 18, 1937.

In the Court of Requests of Avissawella.

Sittambalam Chelliah of Gonaramba ..... Plaintiff.  
No. 16,322. Vs.

(1) Mohammed Jemaldeen and (2) Mohammed Saidu, both of Mattamagoda ..... Defendants.

NOTICE is hereby given that on February 13, 1937, commencing at 1 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, viz. :—

1. All that field called Ambalamagawa Assedduma, situated at Paradeniya in Kirawella pattu of Beligal korale in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the north by Gamagekumbura, east by Gurugoda-oya, south by Bogahaowita, and west by Kahatagahaowita; containing in extent within these boundaries 2 pelas of paddy sowing mortgaged upon mortgage bond No. 14,894 dated March 28, 1929, and attested by C. P. D. S. Senanayake, Notary Public; and registered in E 123/57.

2. All that field called Gedarakumbura, situated at Paradeniya aforesaid; and bounded on the north by the stream, east by Gamagewatta and Appugewatta, south by the field called Tumpela, and west by Pattiyeewatta and Vedaralagewatta; and containing in extent within these boundaries 2 pelas and 1 thimba of paddy sowing mortgaged upon the aforementioned mortgage bond; and registered in E 123/58.

To levy Rs. 300.25, with interest on Rs. 270 at 9 per cent. per annum from September 11, 1934, till payment in full, Fiscal's charges, and poundage.

Deputy Fiscal's Office, J. A. F. SIRIWARDENE, Additional Deputy Fiscal.  
Kegalla, January 15, 1937.

**NOTICES IN TESTAMENTARY ACTIONS.**

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Ellekuttige Martid No. 7,712. Fernando of 214, Moratuwella, inn Moratuwa, deceased.

- (1) Joseph Vincent de Silva, Proctor of Moratuwa, and
- (2) Ellekuttige Man Fernando of Perumala, presently of Balangoda. . . . . Petitioners.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 3, 1936, in the presence of Mr. G. W. de Silva, Proctor, on the part of the petitioners above named; and the affidavits (1) of the petitioners dated August 9, 1936, and (2) of the five witnesses dated August 3, 1936, and November 25, 1936, having been read:

It is ordered that the last will and testament of the above-named deceased dated January 6, 1936, 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 petitioners, being the executors named in the said last will, are entitled to have probate thereof issued to them accordingly, unless the said deceased's widow, Margaret Annie Rosline Fernando, and children, Noel Mary Sylvia Fernando, Florence Regina Margaret Fernando, Francis Joseph Fernando, Merl Lucas Fernando, and Percy Anton Fernando, all of Moratuwa, or any other person or persons interested shall, on or before January 28, 1937, show sufficient cause to the satisfaction of this court to the contrary.

G. C. THAMBYAH,  
District Judge.

December 3, 1936.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of No. 7,797. Nawalage Justin Cooray of 19, Circular road, Welikada, in the Palle pattu of Salpiti korale, deceased.

Nawalage Hubert Cooray of 19, Circular road, Welikada. . . . . Petitioner.

- (1) Kuruppuge Dona Elizabeth, (2) Nawalage Oliver Cooray, both of 19, Circular road, Welikada. . . . . Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on October 27, 1936, in the presence of Mr. A. N. V. R. Cooray, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 26, 1936, having been read:

It is ordered 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 December 17, 1936, show sufficient cause to the satisfaction of the court to the contrary.

G. C. THAMBYAH,  
District Judge.

October 27, 1936.

The date for showing cause is extended to January 28, 1937.

G. C. THAMBYAH,  
District Judge.

December 17, 1936.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Last Will and Testament of Mohideen *alias* Ana Mohideen, No. 7,822. son of Assan of Srivaikuntam Taluk, Tinnevely District, South India, deceased.

Mohamed Mohideen, presently of St. Sebastian in Colombo. . . . . Petitioner.

- (1) Pathumma (widow), (2) Seyado Momammado, (3) Mohammado Mohideen, (4) Mohideen Pathumma, (5) Kalunga Pathumma, minor, appearing by her guardian *ad litem* the 2nd respondent above named, (6) Assan Pathumma. . . . . Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on November 20, 1936, in the presence of Mr. K. T. Chittampalam, Proctor, on the part of the petitioner above named; and

the affidavits (1) of the said petitioner dated October 6, 1936, and (2) of the attesting notary and one of the attesting witnesses dated November 12, 1936, having been read:

It is ordered that the last will of Mohideen *alias* Ana Mohideen, 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 January 28, 1937, show sufficient cause to the satisfaction of this court to the contrary.

G. C. THAMBYAH,  
District Judge.

November 20, 1936.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Stanley Arthur Alfred Tissera of Edstan, No. 7,836. Pandarawela, deceased.

Edith Olivia Tissera, presently of Colombò. . . . . Petitioner.

- And
- (1) Kathleen Edith Channan Tissera, (2) Stanley Ivo Tissera, minors, of the respective ages of 7 and 5, by their guardian *ad litem* (3) Edward Robertson of the C. C. R., Hatton. . . . . Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 2, 1936, in presence of Mr. V. Navaratnam, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 1, 1936, having been read:

It is ordered (a) that the 3rd respondent be and he is hereby appointed guardian *ad litem* of the minor, the 1st and 2nd 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 January 28, 1937, show sufficient cause to the satisfaction of the court to the contrary.

G. C. THAMBYAH,  
District Judge.

December 2, 1936.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Subramaniam Chettiar, son of Muthu-caruppan Chettiar, also known as M. R. M. S. Subramaniam Chettiar of Ramanad District, South India, deceased.

Manickam Chettiar, son of Subramaniam Chettiar of 161, Sea street, Colombò. . . . . Petitioner.

- And
- (1) Valliammai Achy, widow of the late Subramaniam Chettiar of A. Thekkur, Ramanad District, (2) Sundaram Chettiar, son of Subramaniam Chettiar, (3) Sanmugam Chettiar, son of Subramaniam Chettiar, (4) Kalyani Achy, wife of Sivalingam Chettiar, son of Murugappa Chettiar, (5) Sivalingam Chettiar, son of Murugappa Chettiar, (6) Nadarajah Chettiar, son of Subramaniam Chettiar, (7) Alagappa Chettiar, son of Subramaniam Chettiar, all of A. Thekkur, Ramanad District, South India. . . . . Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 10, 1936, in presence of Mr. K. T. Chittampalam, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 9, 1936, and the order of the Supreme Court dated December 8, 1936, having been read:

It is ordered (a) that the 2nd respondent be and he is hereby appointed guardian *ad litem* of the minor, the 6th and 7th 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 February 4, 1937, show sufficient cause to the satisfaction of the court to the contrary.

G. C. THAMBYAH,  
District Judge.

December 10, 1936.



36 In the District Court of Colombo.  
Order Nisi.

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Kandiah Kanagasundaram of Bambala-  
No. 7,851. pitiya in Colombo, deceased.

Kandiah Somasundaram of Fern Lodge, Barnes place,  
Colombo ..... Petitioner.

Rs. 16 29 And  
(1) Thangamma Wallooppillai, wife of T. Wallooppillai,  
Proctor, Rajagama, 77 Kandiah Rajasundaram of  
81, Harwood road, Gordon, Manchester, (3)  
Gnanam Saralasingham, wife of Dr. A. Caralasing-  
ham, Dickman's lane, Bambalapitiya, (4) Kandiah  
Surendranath, P. W. D., Colombo, (5) Kandiah  
Mahadeva, Medical Student, Colombo, (6) Kandiah  
Vamadeva, University College, Colombo, minor,  
appearing by his guardian *ad litem* the 5th respondent  
above named ..... Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 15, 1936, in presence of Messrs. Wilson & Kadirgamar, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 8, 1936, having been read:

It is ordered (a) that the 5th respondent be and he is hereby appointed guardian *ad litem* of the minor, the 6th respondent above named, to represent him 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 February 4, 1937, show sufficient cause to the satisfaction of the court to the contrary.

December 15, 1936.

G. C. THAMBYAH,  
District Judge.

34 In the District Court of Colombo.  
Order Nisi.

Testamentary In the Matter of the Last Will and Testa-  
Jurisdiction. ment of Harold Victor Melder Pietersz of  
No. 7,855. Nugegoda, deceased.

Camila Edna Pietersz of Silver Spray, Nuge-  
goda ..... Petitioner.

Rs. 16 29 And  
(1) Christabel Iris Hill of Pietersz place, Nugegoda, (2)  
Victor Walford Davidson Pietersz, (3) Mencia Crystal  
Davidson Pietersz, (4) Louisa Vanda Davidson Pietersz,  
(5) Gloria Carmen Davidson Pietersz, (6) Harold Hi-  
ram Davidson Pietersz, (7) Russell Carlyle Davidson  
Pietersz, (8) Paul Victor Davidson, all of  
Pagoda ..... Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 18, 1936, in the presence of Mr. D. H. Jayasinghe, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated December 18, 1936, and (2) of the attesting witnesses dated November 22, 1936, having been read:

It is ordered that the last will of Harold Victor Melder Pietersz, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executrix named in the said will and that she is entitled to have probate thereof issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before February 4, 1937, show sufficient cause to the satisfaction of this court to the contrary.

December 18, 1936.

G. C. THAMBYAH,  
District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testa-  
Jurisdiction. ment of Alfred William Nevile Wyatt,  
No. 7,861 N.T. Commendatore of the Crown of Italy of  
Villa Lugarna near Menaggio in Italy,  
and care of the National Bank of India,  
Limited, 26, Bishopsgate, London, E.C.  
2, England, formerly of Peeprah in the  
District of Champaran and Province of  
Behar and Orissa in the Empire of India,  
deceased.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on December 23,

1936, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Frederick James Harry Harrison of Colombo; and (1) the affidavit of the said petitioner dated December 21, 1936, (2) the power of attorney dated October 2, 1936, and (3) the order of the Supreme Court dated December 18, 1936, having been read: It is ordered that the will of the said Alfred William Nevile Wyatt, deceased, dated January 31, 1936, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Frederick James Harry Harrison is the attorney in Ceylon of the executors named in the said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before February 4, 1937, show sufficient cause to the satisfaction of this court to the contrary.

December 23, 1936.

M. W. H. DE SILVA,  
District Judge.

31 In the District Court of Colombo.  
Order Nisi.

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Dandangodagamage Edmund Perera of  
No. 7,860. The Retreat, 61, Silversmith street, in  
Colombo, deceased.

Liyanage Felicita Perera of 80 Silversmith street,  
Colombo ..... Petitioner.

Rs. 16 29 And  
(1) Dandangodagamage Edmund Perera, a minor,  
appearing by his guardian *ad litem* (2) Liyanage  
Simon Perera, both of 61, Silversmith street,  
Colombo ..... Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on December 22, 1936, in the presence of Mr. John Wilson, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 22, 1936, having been read:

It is ordered (a) that the 2nd respondent be and he is hereby appointed guardian *ad litem* of the minor, the 1st respondent above named, to represent him 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 February 4, 1937, show sufficient cause to the satisfaction of the court to the contrary.

December 22, 1936.

M. W. H. DE SILVA,  
District Judge.

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

Testamentary In the Matter of the Last Will and Testa-  
Jurisdiction. ment of Constance Marion Jeaffreson, late  
No. 7,862 N.T. of Redlands, South Holmwood, near  
Darking in the County of Surrey,  
England, deceased.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on January 11, 1937, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Cecil Grandison Colquhoun Kerr of Colombo; and (1) the affidavit of the said petitioner dated December 21, 1936, (2) the power of attorney dated October 19, 1936, and (3) the order of the Supreme Court dated December 18, 1936, having been read: It is ordered that the will of the said Constance Marion Jeaffreson, deceased, dated August 23, 1935, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Cecil Grandison Colquhoun Kerr is the attorney in Ceylon of the sole executrix named in the said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before February 4, 1937, show sufficient cause to the satisfaction of this court to the contrary.

January 11, 1937.

G. C. THAMBYAH,  
District Judge.

33/ In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of Herbert Cunningham Clogstoun No. 7,863 N.T.

of Thorne Lee Hotel Egham in the County of Surrey and care of Lloyds Bank, Limited, 105 and King's Branch, Pall Mall, in the County of Middlesex, England, formerly of Pensione Maris Alassia Italy, deceased.

THIS matter coming on for disposal before G. C. Thambayah, Esq., District Judge of Colombo, on January 11, 1937, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Cecil Grandison Colquhoun Kerr of Colombo; and (1) the affidavit of the said petitioner dated December 21, 1936, (2) the power of attorney dated November 4, 1936, and (3) the order of the Supreme Court dated December 18, 1936, having been read: It is ordered that the will of the said Herbert Cunningham Clogstoun, deceased, dated January 31, 1933, and a codicil thereto dated September 27, 1934, certified copies of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Cecil Grandison Colquhoun Kerr is the attorney in Ceylon of the surviving executor named in the said will 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 February 4, 1937, show sufficient cause to the satisfaction of this court to the contrary.

January 11, 1937. G. C. THAMBYAH, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament (with three Codicils thereto) of Haji Puthen Beetil Umbichy of Bankshall street, Colombo, in the Island of Ceylon, deceased.

(1) Assena Marikar Hamid of Barnes place, Colombo, (2) K. K. Koiya of Mient in India, and (3) V. C. Mammoo of 175, Bankshall street, in Colombo. Petitioners.

THIS matter coming on for disposal before G. C. Thambayah, Esq., District Judge of Colombo, on January 13, 1937, in the presence of Mr. John Wilson, Proctor, on the part of the petitioners above named; and (1) the affidavit of the said petitioner dated January 13, 1937, and (2) of the attesting notary and one of the attesting witnesses also dated January 13, 1937, having been read:

It is ordered that the last will of Hadjie Puthen Beetil Umbichy, deceased, with three codicils thereto of which the originals have been produced and are now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioners are the executors named in the said will and that they are entitled to have probate thereof issued to them accordingly, unless any person or persons interested shall, on or before January 28, 1937, show sufficient cause to the satisfaction of this court to the contrary.

January 13, 1937. G. C. THAMBYAH, District Judge.

33/ In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Mary Florentina Benedicta Dias of Negombo, deceased. No. 3,021.

Athauada Aratchige Joseph Henry Dias of Negombo. Petitioner.

(1) K. S. Anthony Llewellyn Fernando of Negombo, (2) A. A. Anseien Lloyd David Dias of Wattala, (3) K. S. Manuel Rosalia Austin Peries of Wattala. Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Negombo, on December 8, 1936, in the presence of Mr. T. W. Fernando, Proctor, on the part of the petitioner; and the petitioner's petition and affidavit dated December 8 and December 4, 1936, respectively having been read:

It is ordered that the 3rd respondent be appointed guardian *ad litem* of the 2nd respondent, who is a minor, for the purpose of this case, unless sufficient cause to the contrary is shown to this court on or before January 8, 1937.

It is further ordered that the petitioner be and he is hereby declared entitled, as husband of the above-named deceased, to have letters of administration to the above estate issued to him, unless any person or persons interested shall show sufficient cause to the satisfaction of this court to the contrary on or before January 8, 1937.

December 8, 1936.

N. M. BHARUCHA, District Judge.

Time for showing cause against this Order Nisi is extended to January 29, 1937.

January 8, 1937.

N. M. BHARUCHA, District Judge.

32/ In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of No. 3,022. Manamalage Carlina Fernando of Kurana Katunayake, deceased.

Sawalappuge James Fernando Siriwardena of Kurana Katunayake. Petitioner.

(1) Sawalappuge Nelly Muriel Siriwardena of Liyanagemulla, (2) ditto Lilian Estelle Siriwardena, (3) ditto Agnes Bernice Siriwardena, (4) ditto Cecilia Margaret Siriwardena, (5) ditto Milda Winifred Siriwardena, (6) ditto Ada Rosamund Siriwardena, all of Kurana Katunayake. Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Negombo, on January 7, 1937, in the presence of Mr. A. E. Rosa, Proctor, on the part of the petitioner; and the petitioner's petition and affidavit dated January 7, 1937, having been read:

It is ordered that the 5th respondent be appointed guardian *ad litem* of the 6th respondent, who is a minor, for the purpose of this case, unless sufficient cause to the contrary is shown on or before February 2, 1937.

It is further ordered that the petitioner be and he is hereby declared entitled, as husband 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 February 2, 1937.

January 7, 1937.

N. M. BHARUCHA, District Judge.

33/ In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Muddumage Don Enis Appuhamy, deceased, of Govinna. No. 2,737.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Kalutara, on October 8, 1936, in the presence of Messrs. Trifunane & Meegama, Proctors, on the part of the petitioner, Kiriwaththuduwege Dona Yahapatigama of Govinna; and the affidavit of the said petitioner dated April 4, 1936, having been read:

It is ordered 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—(1) Maddumage Dona Somawathie Hamine, (2) ditto Dharmasena, (3) ditto Gunawathie, (4) ditto Sumanawathie, (5) ditto Chandrasena, (6) ditto Don Paulis Appuhamy of Ihalanaragala—or any other person or persons interested shall, on or before November 19, 1936, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 6th respondent be and he is hereby appointed guardian *ad litem* over the said 2nd to 5th respondents, who are minors, for all the purposes of this action, unless the respondents shall, on or before November 19, 1936, show sufficient cause to the satisfaction of this court to the contrary.

October 8/15, 1936.

M. A. SAMARAKOON, District Judge.

The date for showing cause against this Order Nisi is extended for January 28, 1937.

November 19, 1936.

M. A. SAMARAKOON, District Judge.



In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Edirisinghe Endiris de Silva, deceased,  
No. 7,718. of Randonbe.

Between  
Sandoris de Silva Edirisinghe of Randonbe . . . . . Petitioner.  
And

- (1) Elpinona de Silva Edirisinghe, wife of (2) Minijoti Charles de Silva, both of Randonbe. (3) Palmona de Silva Edirisinghe wife of (4) Pathagama Meliyas de Silva, (5) Albert de Silva Edirisinghe of Randonbe, (6) Haljoti Ventin Silva for himself and as guardian *ad litem* over the minors, (7) Haljoti Somawathy Silva, (8) ditto Yasawathie Silva appearing by their guardian *ad litem* the 6th respondent aforesaid, all of Pathagama . . . . . Respondents.

THIS matter coming on for disposal before G. Furse Roberts, Esq., District Judge of Galle, on June 22, 1936, in the presence of Mr. A. P. de Zoysa, Proctor, Galle, on the part of the petitioner above named; and the affidavit of the said petitioner dated June 13, 1936, having been read:

It is ordered that the said 6th respondent be and he is hereby appointed guardian *ad litem* over the said 7th and 8th respondents, unless the above-named respondents or any person or persons interested shall, on or before August 21, 1936, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said petitioner is entitled to have letters of administrations to the estate of the above-named deceased issued to him accordingly, unless the above-named respondents or any person or persons interested shall, on or before August 21, 1936, show sufficient cause to the satisfaction of this court to the contrary.

June 27, 1936. G. FURSE ROBERTS, District Judge.  
Extended and reissued for October 2, 1936.  
August 21, 1936. G. FURSE ROBERTS, District Judge.  
Extended and reissued for November 13, 1936.  
October 2, 1936. G. FURSE ROBERTS, District Judge.  
Call for January 8, 1937.  
November 13, 1936. G. FURSE ROBERTS, District Judge.  
Extended and reissued for January 29, 1937.  
January 8, 1937. G. FURSE ROBERTS, District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Pettagan Arniel de Silva, deceased, of  
No. 7,749. Midderamulla, Kosgoda.

THIS matter coming on for disposal before G. Furse Roberts, Esq., District Judge, Galle, on November 17, 1936, in the presence of Mr. A. J. Pandita-Gunewardene, Proctor, Galle, on the part of the petitioner, Pettagan Daniel Silva of Midderamulla; and the affidavit of the said petitioner dated November 16, 1936, having been read:

It is declared that the said petitioner be and he is entitled to have letters of administration issued to him accordingly, unless the respondents—(1) Pettagan Andy de Silva of Ahungalla, (2) Rev. Pandit Ahungalle Wimale Kirthi Tissa of Welitara, (3) Pettagan Betin de Silva, (4) Pettagan Aldin de Silva, both of Midderamulla—shall, on or before January 13, 1937, show sufficient cause to the satisfaction of this court to the contrary.

November 19, 1936. G. FURSE ROBERTS, District Judge.  
The date for showing cause is extended to January 27, 1937.  
January 13, 1937. G. FURSE ROBERTS, District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Estate of Palawinnage  
Jurisdiction. Don Bastian *alias* Barónis Muthucumarana,  
No. 3,938. late of Dickwella, deceased.

Between  
Palawinnage Don Marthela Muthucumarana of  
Dickwella . . . . . Petitioner.

And

- (1) Palawinnage Sumathipala Muthucumarana, (2) ditto Dayawathie ditto, (3) ditto Karthayathie ditto, (4) ditto Cicilia ditto, (5) ditto Somalia ditto, all of Dickwella; the 1st and 2nd minor respondents by their guardian *ad litem* the 1st respondent; (6) Sadina Gajaweera of Kanhawatta, Beliatta, (7) Hendreck Gajaweera of ditto, (8) Sath ditto of Dickwella, (9) Don Andrayas ditto of ditto, (10) Muthucumarana Wagachchige Asilin of Dickwella; the 9th and 10th minor respondents by their guardian *ad litem* the 7th respondent, (11) Palawinnage Don Salaman Muthucumarana of Dickwella . . . . . Respondents.

THIS action coming on for disposal before Cyril Ernest de Pinto, Esq., District Judge of Matara, on August 18, 1936, in the presence of Mr. Samson Dias, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated August 13, 1936, having been read:

It is ordered (a) that the 1st respondent above named be and he is hereby appointed guardian *ad litem* over the 2nd to 5th minor respondents above named and (b) that the 7th respondent above named be and he is hereby appointed guardian *ad litem* over the 9th and 10th minor respondents above named, unless the respondents above named or any other person or persons interested shall, on or before October 28, 1936, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the petitioner above named be and he is hereby declared entitled, as son of the deceased above named, to have letters of administration to the estate of the deceased issued to him, unless the respondents above named or any other person or persons interested shall, on or before October 28, 1936, show sufficient cause to the satisfaction of this court to the contrary.

August 18, 1936. C. E. DE PINTO, District Judge.  
Date extended for December 4, 1936.  
October 28, 1936. C. E. DE PINTO, District Judge.  
Date extended for February 5, 1937.  
December 4, 1936. C. E. DE PINTO, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Chellappah Coomaraswamy of Chundik-  
No. 339. kuli, Jaffna, deceased.

Sivapakkiam widow of Chellappah Coomaraswamy of  
Chundikkuli . . . . . Petitioner.

- (1) Kamawathy, daughter of Coomaraswamy, (2) Coomaraswamy Thanabalasingham, (3) Nagamma, widow of Chellappah, all of Manipay South. The 1st and 2nd respondents are minors by their guardian *ad litem* the 3rd respondent . . . . . Respondents.

THIS matter of the petition of the above-named petitioner, praying that letters of administration to the estate of the above-named deceased be issued to her, coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on October 10, 1936, in the presence of Mr. C. C. Somasegaram, Proctor, on the part of the petitioner and on reading the affidavit and petition of the petitioner.

It is ordered that letters of administration to the estate of the above-named deceased be granted to the petitioner, as the lawful widow of the said deceased, unless the above-named respondents appear before this court on December 1, 1936, and show sufficient cause to the satisfaction of this court to the contrary.

November 6, 1936. C. COOMARASWAMY, District Judge.  
Extended for January 25, 1937. C. COOMARASWAMY, District Judge.

26  
In the District Court of Jaffna.  
*Order Nisi.*  
Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Kanapathypillai Saravanamuttu, de-  
No. 406. ceased.  
Nallapillai, widow of Saravanamuttu of Alaved-  
dy ..... Petitioner.

- (1) Sithamparam, widow of Kanapathypillai, (2) Kana-  
pathypillai, (3) Sinnathambay, both of Tellipalai  
East ..... Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge of Jaffna, on January 7, 1937, in the presence of Mr. V. Sandra Segara, Proctor, on the part of the petitioner above named, and the affidavit of the said petitioner dated January 5, 1937, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration as to the estate of the deceased issued to her, unless the respondents above named or any other person or persons interested shall, on or before February 8, 1937, show sufficient cause to the satisfaction of the court to the contrary.

C. COOMARASWAMY,  
District Judge.  
January 18, 1937.

34  
In the District Court of Kurunegala.  
*Order Nisi.*  
Testamentary In the Matter of the Estate of the late  
Jurisdiction. Jayatilake Hitihamillage Mutu Menika  
No. 4268. of Welagedara, deceased.  
Imihamy Tennakoon Mudiyanse Lage Kiri Mudiyanse  
Potuhera of Welagedara ..... Petitioner.

- (1) Imihamy Tennakoon Mudiyanse Lage Kaw Amma  
Menike, (2) Jayatilake Hitihamillage Wkku Banda,  
both of Welagedara ..... Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Kurunegala, on November 10, 1936, in the presence of Messrs. Daniels & Ratnayaka, Proctors for the petitioner above named, and the affidavit of the said petitioner dated November 2, 1936, having been read:

It is ordered that the 2nd respondent be and he is hereby appointed guardian *ad litem* over the 1st minor respondent for the purpose of these proceedings, unless the respondents shall, on or before December 16, 1936, show sufficient cause to the satisfaction of this court to the contrary.

It is ordered that the said petitioner be and he is hereby declared entitled, as husband of the above-named deceased, to have letters of administration to the estate issued to him, unless respondents or any other person or persons interested shall, on or before December 16, 1936, show sufficient cause to the satisfaction of this court to the contrary.

JAMES JOSEPH,  
District Judge.  
November 10, 1936.

Time to show cause against this is extended for January 27, 1937.

JAMES JOSEPH,  
District Judge.

57  
In the District Court of Puttalam.  
*Order Nisi.*  
Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. P. L. S. P. N. Nachchiappa Chettiar, late  
No. 719. Devakottai in Ramnad District,  
South India, deceased.  
Between  
Adaikammai Achchy alias Sornavalli Achchy of Deva-  
kottai aforesaid, widow of P. L. S. P. N. Nachchiappa  
Chettiar, deceased, by her attorney P. L. S. P. N.  
Sampanthan Chettiar of Puttalam ..... Petitioner.

- (1) P. L. S. P. N. Thirunavak-Arasu Chettiar of Putta-  
lam, presently of Pana Lana Ana street, Devakottai,  
(2) P. L. S. P. N. Nachchiappa Chettiar *alias* Manikan  
Chettiar of Pana Lana Ana street, Devakottai  
aforesaid, (3) Nachchammai Achchy, (4) P. L. S. P. N.  
Palaniandy Chettiar, (5) Letchimie Achchy, (6) Mee-  
nachchy Achchy, (7) Alamel Achchy, all of Pana  
Lana Ana street in Devakottai aforesaid. . . Respondents.

THIS matter coming on for disposal before H. Jina-  
dasa, Esq., Additional District Judge of Puttalam, on

October 9, 1936, in the presence of Mr. Wilfred A. Muttu-  
kumar, Proctor, on the part of the petitioner; and the  
petitioner's petition dated October 9, 1936; and affidavit  
of P. L. S. P. N. Sampanthan Chettiar dated October 9,  
1936, and the order of the Supreme Court directing and  
appointing this court to have and to exercise sole and  
exclusive testamentary jurisdiction in respect of the  
property and effects of the said P. L. S. P. N. Nachchiappa  
Chettiar, deceased, having been duly read:

It is ordered that P. L. S. P. N. Thirunavak-Arasu  
Chettiar, the 1st respondent above named, be and he is  
hereby appointed guardian *ad litem* of the minors, the 3rd,  
4th, 5th, 6th, and 7th respondents above named, and that  
the petitioner be and she is hereby declared entitled, as  
widow, to administer the estate of the said intestate, and  
directing that letters of administration of the said estate  
be granted to her accordingly, unless the respondents  
above named or any other person or persons interested  
in the said estate shall, on or before October 28, 1936, show  
sufficient cause to the satisfaction of this court to the  
contrary.

H. JINADASA,  
Additional District Judge.  
October 9, 1936.

Time for showing cause is extended to December 16, 1936.

H. JINADASA,  
Additional District Judge.  
October 28, 1936.

Time for showing cause is extended to January 27, 1937.

H. JINADASA,  
Additional District Judge.  
December 15, 1936.

In the District Court of Puttalam.  
*Order Nisi.*

Testamentary In the Matter of the Last Will and  
Jurisdiction. Testament of Thamby Neina Pillai  
No. 721. Marakar Mohamedo Mohiedeen Marakar  
Hadjiar, late of Kalpitiya in the  
Puttalam District, deceased.

Between  
Mohamedo Mohiedeen Marakar Hadjiar Mohamedo  
Salihu Marakar of Kalpitiya ..... Petitioner.

- (1) Mohamedo Mohiedeen Marakar Hadjiar Casie  
Mohiedeen Marakar, (2) Mohamedo Mohiedeen  
Marakar Hadjiar Mohamedo Ismail Marakar, (3)  
Mohamedo Mohiedeen Marakar Hadjiar Thamby  
Neinapillai Marakar, (4) Sarah Umma, wife of Seena  
Ana Saha Marakar, all of Kalpitiya, (5) Rookia  
Umma, wife of E. S. A. M. Falaloon Marakar of  
Puttalam, (6) Naina Mohamedo Natchia, (7) Ummu  
Kuluth Umma, (8) Ummu Johora Umma, all  
minors of Kalpitiya, by their guardian *ad litem*  
Mohamedo Mohiedeen Marakar Hadjiar Mohamedo  
Ismail Marakar above named ..... Respondents.

THIS matter coming on for disposal before H. Jinadasa,  
Esq., Additional District Judge of Puttalam, on November  
30, 1936, in the presence of Mr. Wilfred A. Muttukumaru,  
Proctor, on the part of the petitioner; and the affidavit  
and petition of the petitioner dated November 30, 1936,  
and of the attesting witnesses, Wilfred Adam Muttukumaru  
dated November 30, 1936, and Mohamedo Cassim Marakar  
Sahul Hamidu, Ramasamy Pillai Veeraperumal Pillai, and  
Murugesu Subramaniam dated November 30, 1936, having  
been duly read: It is ordered that the 2nd respondent  
Mohamedo Mohiedeen Marakar Hadjiar Mohamedo Ismail  
Marakar be and he is hereby appointed guardian *ad litem*  
of the minors, the 6th, 7th, and 8th respondents above named,  
unless the respondents or any other person or persons  
interested shall, on or before December 16, 1936, show  
sufficient cause to the satisfaction of this court to the  
contrary. It is further ordered that the will of Thamby Neina  
Pillai Marakar Mohamedo Mohiedeen Marakar Hadjiar,  
deceased, dated April 5, 1935, which is filed in this court,  
be and the same is hereby declared proved. It is further  
declared that the petitioner above named 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 respond-  
ents above named or any other person or persons  
interested shall, on or before December 16, 1936, show  
sufficient cause to the satisfaction of this court to the  
contrary.

H. JINADASA,  
Additional District Judge.  
November 30, 1936.

Time for showing cause is extended to January 27, 1937.

H. JINADASA,  
Additional District Judge.  
December 15, 1936.