



THE

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PART II.—LEGAL.

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

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DRAFT ORDINANCES.

MINUTE.

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

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

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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 :—

Short title.

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

Appointment of Commissioner.

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.

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Ordinance or part of any Ordinance which has been passed since the first day of January, 1924, and which has not been repealed shall be deemed to be in force although such Ordinance or part thereof has not yet been brought into operation.

Powers of revision vested in the Commissioner.

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

(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- (a) any legislative enactment which has been repealed expressly or specifically or by necessary implication, or which has expired, or has become spent, or has had its effect ;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- (c) any legislative enactment which repeals any written law and any table or list of repealed written law whether contained in a Schedule or otherwise ;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.

Omission of certain Ordinances from 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.

(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.

Numbering of Ordinances.

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.

(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.

Mode of dealing with alterations or amendments.

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.

(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*.

Printing of revised edition.

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.

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

Chronological table and index to the revised edition.

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.

Authenticated copy to be deposited with Supreme Court.

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.

Bringing into force and validity of revised edition.

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.

(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.

Saving of existing subsidiary legislation.

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

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.

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.

Supplementary matter in revised edition.

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.

Effect of repealed or omitted 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.

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

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.

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

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

Place of this Ordinance in the revised edition.

17 In this Ordinance, unless the context otherwise requires—

Interpretation.

“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 Mullaittivu 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 :—

No. 16 of 1908.

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

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 Ceylon Railway Benefit Association Amendment Ordinance, No. of 1936.

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

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 14 of the principal Ordinance.

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 21 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".

Insertion of a new section 28 in 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 :—

Saving of rights of the Crown.

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.

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.

December 8, 1936.

H. J. HUXHAM,
Mover of the Bill.

MINUTE.

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

An Ordinance to amend the General Loan and Incribed Stock Ordinance, No. 5 of 1921, and to make special provision in respect of an issue of Incribed Stock thereunder.

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 General Loan and Incribed Stock Ordinance, No. of 1937. Short title.

2 Section 37A of the General Loan and Incribed Stock Ordinance, No. 5 of 1921, is hereby repealed and the following section is substituted therefor :—

Repeal of section 37A of Ordinance No. 5 of 1921 and substitution of a new section therefor.

37A. (1) Where any loan charged on the public revenue of Ceylon has been issued prior to the ninth day of February, 1932, in the form of debentures or inscribed stock, any new debentures or inscribed stock issued or to be issued in conversion of or for the purpose of redeeming any such debentures or inscribed stock, together with the interest on such new debentures or inscribed stock, may, by resolution passed by the State Council and ratified by the Governor, be exempted with effect from a date specified in such resolution from all taxes, duties and levies payable or recoverable under any written law for the time being in force in Ceylon.

Exemption of debentures and inscribed stock from taxes, duties and levies in certain cases.

(2) Where by any written law or by resolution of the State Council under sub-section (1) any debentures or inscribed stock have been exempted from any taxes, duties or levies, any new debentures or inscribed stock issued or to be issued in conversion of or for the purpose of redeeming the debentures or inscribed stock so exempted, together with the interest on such new debentures or inscribed stock, may, by resolution passed by the State Council and ratified by the Governor, be exempted with effect from a date specified in such resolution from all taxes, duties and levies payable or recoverable under any written law for the time being in force in Ceylon.

(3) It shall be lawful to specify in any resolution of the State Council under sub-section (1) or sub-section (2) any date prior to the date on which that resolution is passed.

(4) Every resolution under sub-section (1) or sub-section (2) shall, when ratified by the Governor, be published in the Gazette, and the debentures or inscribed stock expressed by that resolution to be exempted from all taxes, duties and levies payable or recoverable under any written law for the time being in force shall, together with the interest on such debentures or inscribed stock, be exempt from all such taxes, duties and levies with effect from the date specified in the resolution.

3 Notwithstanding anything in any written law to the contrary, Ceylon Government 3 per cent. Incribed Stock, 1959/1964, whether issued in conversion of any part of the Ceylon Government 6 per cent. Incribed Stock, 1936/1951, or for cash, shall, together with the interest on such aforementioned 3 per cent. Stock be exempt with effect from the date of the issue thereof from all taxes, duties or levies payable or recoverable under any written law for the time being in force in Ceylon.

Exemption of 3 per cent. Incribed Stock 1959/1964, from taxes, &c.

Objects and Reasons.

The General Loan and Incribed Stock Amendment Ordinance, No. 29 of 1935, added to the principal Ordinance, No. 5 of 1921, a new section (37A) which empowers the State Council, by resolution, to attach to any new debentures or inscribed stock issued in conversion of any earlier debentures or inscribed stock, the privileges, exemptions and immunities to which holders of such earlier debentures or inscribed stock are entitled under any written law. Such privileges, exemptions and immunities cannot, however, be attached to debentures or inscribed stock issued for cash even though the cash is to be used for the purpose of redeeming earlier debentures or inscribed stock in respect of which such privileges, exemptions and immunities can be claimed.

2. Clause 2 of this Bill repeals section 37A and substitutes a new section which empowers the State Council by resolution to exempt from all taxes, duties and levies payable or recoverable under any law in force in the Island any new debentures

or inscribed stock issued in conversion of or for the purpose of redeeming any earlier debentures or inscribed stock which, under the existing law, are already exempt from such taxes, duties and levies.

3. Sub-clause (2) of Clause 2 empowers the State Council by a similar resolution to exempt from Ceylon taxes, duties and levies the interest on any debentures or inscribed stock issued in conversion or redemption of debentures or inscribed stock previously exempted from such taxes, duties or levies by Ordinance or by a resolution of the State Council.

4. Section 37A, in its present form, enables the privileges, exemptions and immunities referred to in that section to be attached to debentures or stock issued to persons not ordinarily resident in the Island. The new section which is to be substituted for section 37A is designed to give the benefit of exemption from payment of taxes, duties and levies to all holders of the new debentures or stock, irrespective of residence.

5. It was decided in 1935 that advantage should be taken of the favourable condition of the money market to negotiate a new 3 per cent. loan in conversion of the 6 per cent. Ceylon Government Inscribed Stock, 1936/1951. As it was not possible to convert the entirety of the 6 per cent. stock, it became necessary to raise a part of the new loan by the issue of 3 per cent. stock for cash.

6. The State Council passed on the 11th of October, 1935, a resolution under section 37A of the General Loan and Inscribed Stock Ordinance, No. 5 of 1921, as amended by Ordinance No. 29 of 1935, that the exemption from income tax of interest on Government loans prescribed by section 8 of the Income Tax Ordinance, No. 2 of 1932, shall attach to non-resident holders of the stock which will be issued in part conversion of the 6 per cent. loan 1936/51 on or after 1st July, 1936. Doubts have arisen whether the resolution in question has the full intended legal effect, and Clause 3 is inserted in this Bill to remove all possible doubts.

Colombo, January 20, 1937.

H. J. HUXHAM,
Financial Secretary.

(Continued on page 60.)

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 4,965. In the matter of the insolvency of H. W. de Zoysa of Kastukurunda, Kalutara.

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 23, 1937, for the approval of conditions of sale.

By order of court, GERALD E. DE ALWIS,
January 27, 1937. Secretary.

In the District Court of Colombo.

No. 4,974. In the matter of the insolvency of S. L. Selvadurai of 2, Dean's road, Maradana, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 23, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
January 19, 1937. Secretary.

In the District Court of Colombo.

No. 4,984. In the matter of the insolvency of C. M. Alexander de Silva, Kawdana road, Dehiwala.

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 March 16, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
January 19, 1937. Secretary.

In the District Court of Colombo.

No. 4,997. In the matter of the insolvency of Percival Insolvency. Lawrence Deutrom of 66, Station road, Mount Lavinia.

NOTICE is hereby given that a special sitting of the court will be held on February 23, 1937, for the appointment of an assignee.

By order of court, GERALD E. DE ALWIS,
January 22, 1937. Secretary.

In the District Court of Colombo.

No. 4,999. In the matter of the insolvency of Don David Pitchoris Kariyawasam of 294, Galle road, Dehiwala.

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 March 16, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
January 19, 1937. Secretary.

In the District Court of Colombo.

No. 5,013. In the matter of the insolvency of Lionel Alton Mortier of 63, Baseline road, Dematagoda.

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 March 16, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
January 19, 1937. Secretary.

In the District Court of Colombo.

No. 5,057. In the matter of the insolvency of Abdul Cader Mohamed Thoufeek and Saitip Doray Abdul Wahid, carrying on business as Thoufeek & Company at Second Cross street, Pettah, Colombo.

WHEREAS the above-named A. C. M. Thoufeek and S. D. A. Wahid have filed a declaration of insolvency, and a petition for the sequestration of their estate has been filed by S. D. Mohamood Lebbe of 83/1, Temple road, Maradana, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. C. M. Thoufeek and S. D. A. Wahid insolvents accordingly; and that two public sittings of the court, to wit, on February 23, 1937, and on March 9, 1937, will take place for the said insolvents 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 21, 1937. Secretary.

In the District Court of Colombo.

No. 5,058. In the matter of the insolvency of Mahamed Thamby Idroos of 35, Maligawatta, Colombo.

WHEREAS the above-named M. T. Idroos has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by A. L. M. Abdul Hamid of Pichauds lane, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said M. T. Idroos 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 22, 1937. Secretary.

In the District Court of Kalutara.

No. 298. In the matter of the insolvency of O. P. J. Goonewardana of Panadure.

WHEREAS Wannakuwattawaduge Henry Fernando of Panadure has filed a declaration of insolvency, and a petition for the sequestration of the estate of O. P. J. Goonewardana, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said O. P. J. Goonewardana insolvent accordingly; and that two public sittings of the court, to wit, on March 19, 1937, and on April 23, 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, J. N. CULANTHAIVALU,
January 25, 1937. Secretary.

In the District Court of Galle.

No. 702. In the matter of the insolvency of Cader Tamby Abdul Majied of Katugoda, Galle.

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 23, 1937, to consider the assignee's report.

By order of court, L. B. CASPERSZ,
Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

(1) S. M. Hassanally and another, both of Colombo, carrying on business in partnership under the name, style, and firm of Mulla Hassanally Vallije & Sons at Colombo Plaintiffs.

No. 1,081/S. Vs.

Aga Gulamhusein of 203, Pichauds lane, Maradana, Colombo Defendant.

NOTICE is hereby given that on Saturday, February 27, 1937, will be sold by public auction at 105, 107, and 109,

B 2

Prince street, Pettah, Colombo, the following movable property for the recovery of the sum of Rs. 2,500, viz. :-

At 105, Prince street, Pettah, Colombo, at 9.30 a.m.

One ladder, 2 teakwood glass almirahs, 1 brass tray, 6 pairs cups and saucers, 1 kettle (enamel), 1 tea pot, 8 saucers, 2 glass jugs, 1 cruet stand, 3 show cases, 24 forks, 22 table spoons, 6 tea spoons, 2 table knives, 4 pictures, 6 electric lamps, 3 electric fans, 2 tables with marble tops, 9 teakwood tables, 50 bentwood chairs, 10 bottles sherbet, 10 pots with flower plates, 20 saucers, 5 half plates, 1 screen fixed with glass.

At 107, Prince street, Pettah, Colombo, at 11 a.m.

Three show cases, 6 pictures, 6 electric lamps, 3 electric fans, 3 glass covers, 1 scale with weights, 3 half plates, 1 bottle (large mouthed), 1 brass tray, 1 cruet stand, 42 bentwood chairs, 5 tables with marble tops, 2 teakwood long tables, 4 jak tables, 20 wall mirrors, 1 long screen, 1 glass jug, 1 basin, 3 screens.

At 109, Prince street, Pettah, Colombo, at 1 p.m.

Nine tables with marble tops, 2 tables with marble tops (damaged), 34 bentwood chairs, 20 wall mirrors, 2 pictures, 1 fan, 2 wall clocks, 2 show cases, 1 teakwood ice box, 1 jak counter, 1 tea boiler, 18 pairs cups and saucers, 3 electric lamps, 2 sauce pans (aluminium), 1 electric stove, 2, kettles, 2 jugs, 1 tub, 1 basin, 1 tray (aluminium), 2 tubs (galvanized), 6 half plates, 1 glass finger bowl, 1 jak square table, 2 sideboards, 1 glass box.

In Kitchen.

One ladder (damaged), 7 sauce pans (aluminium), 12 covers (aluminium), 3 dishes (aluminium), 3 basins, 1 boiler, 5 bentwood chairs, 2 tables, 2 side-boards, 13 sauce pans (aluminium), 65 plates, 20 small cups, 7 covers (aluminium), 1 square table.

Fiscal's Office,
Colombo, January 27, 1937.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Avissawella.

Wijesinge Dona Engo Nona Hamine of Udugama. Plaintiff.

No. 1,983. Vs.

D. P. R. Samarasinghe, Notary Public, Hanwella. Defendant.

NOTICE is hereby given that on Tuesday, March 9, 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. 920, with legal interest thereon from August 14, 1935, till payment in full and costs Rs. 147 72½, less Rs. 60 paid, plus Rs. 4 50 additional stamps, viz. :-

1. At 10.30 a.m.—An undivided ¼ share of the land called Susangewatta, situated at Jaltara in the Meda pattu of Hewagama korale in the District of Colombo, Western Province; and bounded on the north by Heeralatchige-kumbura, on the east by the land of Heeralatchige Karamanisappu, on the south by the live fence of Kurupputatchigewatta, and on the west by a portion of this land; containing in extent about 3 bushels of paddy sowing.

2. At 11 a.m.—An undivided ½ share of the land called Mingankanda, situated at Jaltara aforesaid; and bounded on the north by Oluwela, on the north-east by the land belonging to Rubasinatchige Carolis Appu and others and the land of the heirs of Rubasinatchige people, on the east by the land of Henage Romanis Sumanadasa, on the south by the land belonging to Talkotunnage Don Simon Kapurala and Crown land, on the south-west by the land of Don Amaris Rupasinghe and others and the land of the heirs of Wasagoda Mudalige Pauluappuhamy, and on the west by the land of John Rupasinghe; containing in extent 14 acres, subject to a mortgage.

3. At 11.30 a.m.—The defined portion of the land called Meewalaowita, situated at Jaltara aforesaid; and bounded on the north by Dewatantrigeowita, on the east by Waragoda Mudaligeowita, on the south by Rubasinatchigeowita, and on the west by Diganeowita; containing in extent 2 bushels of paddy sowing.

4. At 12 noon.—An undivided 1/5 share of the land called Angahaowita, situated at Jaltara aforesaid; and bounded on the north by Waragoda Mudalige agala, Wendaowita agala, on the east by Rubasinatchigeowita and Senayaka Atchigeowita, on the south by Embattayaowita and Rubasinatchigeowita, and on the west by Meewalaowita; containing in extent about 8 bushels of paddy sowing.

Fiscal's Office,
Colombo, January 27, 1937.

J. R. TOUSSAINT,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

O. A. O. K. R. M. A. R. Arunasalam Chettyiar by his attorney, S. P. Kumarappa Chettyiar of Sea street, Colombo Plaintiff.
No. 47,073. Vs.

(1) S. J. Fernando of Sydney Hill, Pussellawa, (2) A. R. P. R. Arumugam Pillai of Gampola Defendants.

NOTICE is hereby given that on Saturday, February 27, 1937, commencing at 2 P.M., will be sold by public auction at the respective premises the right, title, and interest of the said 2nd defendant for the recovery of the sum of Rs. 4,700, with legal interest from June 18, 1936, till payment in full and poundage in the following property, viz. :—

An undivided $\frac{1}{2}$ shares of the following lands :—

1. All that ~~certified~~ called and known as Gertiville, situate at Polmalgama and Telihunna in Dolosbage in Udapalata in the District of Kandy, Central Province; containing in extent 28 acres 2 roods and 2 perches according to the figure of survey and description thereof dated November 11, 1924, and made by O. V. Bartholomeusz, Licensed Surveyor, and comprising of the following allotments of land adjoining each other :—

(a) All that allotment of land called Pergahamulakelle alias Kongahamulakelle, situate in the village Polmalgama in Dolosbage aforesaid; and bounded on the east by land Parahinne and by land said to belong to the Crown, south by land called Parahinne and on all other sides by land said to belong to the Crown; containing in extent 13 acres 3 roods and 12 perches according to the survey and description thereof No. 62,850 dated November 5, 1864, authenticated by Charles Sim, Surveyor-General, with everything thereon.

(b) All that allotment of land called Parahinnekele, situate at Telihunna in Dolosbage aforesaid; bounded on all sides by Crown property; containing in extent 16 acres and 10 perches, with everything thereon.

2. An allotment of land called Upasakayagekanda and Parahinna, situate at Pallepitiya village, Ganga Ihala korale of Udapalata in the District of Kandy, Central Province; containing in extent exclusive of the Maladola 17 acres 3 roods and 16 perches; and bounded on the north by reservation along the Kandekumbura-ela, east by Parahinne claimed by Mr. W. S. Blachet and Upasakayagekanda said to be Crown, south by reservation along the Dangahakumbura-ela T. P. 293,345, west by Upasakayagekanda said to be Crown.

3. Allotment of land called Dangahamaditta, situate at Pallepitiya in Ganga Ihala korale of Udapalata in the District of Kandy, Central Province; and bounded on the east by Dangahakumbura-ela, south by the reservation along Dangahakumbura-ela and lots 7535 and 7533 in P. P. 2,327, west by lot 7535 in P. P. 2,327, and north by lot 7535 in P. P. 2,327, reservation along Dangahakumbura-ela and Dangahakumbura-ela; containing in extent 3 acres 2 roods and 18 perches.

(b) All that allotment of land called Upasakayagekanda alias Pitakanda, situate at Pallepitiya aforesaid; and bounded on the east by Crown land reservation along Dangahakumbura-ela and T. P. 277,066, south by T. P. 277,066, west and north by Crown land; containing in extent 5 acres and 33 perches; the aforesaid two allotments of land adjoin each other and from their situation as respects each other form one property and can be included in one survey.

4. All that land called Barandarakumburahena now watta described as of about 6 amunams in paddy sowing extent, situate at Telihunna in Dolosbage of Ganga Ihala korale in Udapalata of the District of Kandy, Central Province; and bounded on the east by Heenihulaha, south by Mala-ela, west and north by Digane-ela; containing in extent by survey 42 acres. Registered under D 107/56, 103/223, 73/392, and 102/242.

Fiscal's Office,
Kandy, January 26, 1937.

I. L. M. SHERIFF,
Deputy Fiscal.

Southern Province.

In the District Court of Galle.

Elpitiye Acahrige Babaihamy Bass of Galle Plaintiff.
No. 23,865. Vs.

(20) Panadura Lokuruge Charles Singho and three others of Minuwangoda, Galle Defendants.

NOTICE is hereby given that on Saturday, February 20, 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 defendants in the following property, viz. :—

1. Against the 20th Defendant.—An undivided $\frac{1}{4}$ part of the defined lot No. 14 of the land called Talgahawatta, situated at Kumbalwella, within the Four Gravets of Galle, Galle District, Southern Province; and bounded on the north by lot No. 10 of the same land, east by lot No. 13 of the same land, south by lot 2 of the same land, and west by lot No. 16 of the same land; containing in extent 0.87 perches.

2. Against the 24th Defendant.—An undivided $\frac{1}{2}$ part of the defined lot 13 of the land called Talgahawatta, situated at Kumbalwella aforesaid; bounded on the north by lot No. 11 of the same land, east by lot No. 1B of the same land, south by lot No. 2 of the same land, and west by lot No. 14 of the same land; containing in extent 0.58 perches.

3. Against the 38th Defendant.—All that defined lot No. 3 of the land called Talgahawatta, situated at Kumbalwella aforesaid; and bounded on the north by a portion of the same land, east by road and portion of the same land, south by lots Nos. 1B, 6, and 4 of the same land, and west by lot No. 1A of the same land; containing in extent 30.46 perches.

4. Against the 60th Defendant.—All that the defined lot No. 11 of the land called Talgahawatta, situated at Kumbalwella aforesaid; bounded on the north by lot No. 10 of the same land, east by lot No. 1B of the same land, south by lots Nos. 13 and 14 of the same land, and west by lots Nos. 20 and 16 of the same land; containing in extent 8.70 perches.

Writ amounts Re. 1.23 from 20th defendant; Re. 0.98 from 24th defendant; Rs. 142.78 from 38th defendant; Rs. 48.94 from 60th defendant; and writ costs Rs. 2.40.

Fiscal's Office,
Galle, January 26, 1937.

T. D. S. DHARMASENA,
Deputy Fiscal.

In the District Court of Galle.

Mutumani Keenis de Silva of Galle Plaintiff.
No. 34,315. Vs.

E. W. Alahakoon of Belmont, Talaha, Galle .. Defendant.

NOTICE is hereby given that on Saturday, February 20, 1937, at 2 o'clock in the afternoon, will be sold by public auction at premises the right, title, and interest of the said defendant in the following property, viz. :—

All that land called Nilhera bearing T. P. No. 213,038, together with the plantation and everything else standing thereon, situated at Baddegama in the Gangaboda pattu of Galle District, Southern Province; and bounded on the north by lot 3289 in P. P. 410, T. Ps. 163,032, 161,906, and lot 4019 in P. P. 1,816, east by reservation along the footpath, lot 3283 in P. P. 410, and reservation for a footpath, south by T. Ps. 164,340, and 157,397, lots 10829D, 10829C, and 10829B, in P. P. 5,115 and lot 3289 in P. P. 410, and west by lot 3289 in P. P. 410; containing in extent 20 acres and 37 perches.

Writ amount Rs. 1,345 and Rs. 166.37.

Fiscal's Office,
Galle, January 21, 1937.

T. D. S. DHARMASENA,
Deputy Fiscal.

In the District Court of Matara.

Mr. Samson Dias of Matara Plaintiff.
No. 10,427. Vs.

(1) Pallimulle Kapayamage David Silva, Police Officer of Wewa Ihalogoda, and (2) Halihinga Leenage Aralishamy of Wewa Ihalogoda Defendants.

NOTICE is hereby given that on the following days and hours specified below, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following mortgaged property for the recovery of a sum of Rs. 4,487.47, with legal interest on Rs. 4,174.42 from August 15, 1936, till payment in full, viz. :—

On Saturday, February 27, 1937, at 2 p.m.

1. All that undivided $\frac{1}{4}$ share of the soil and trees and of the buildings thereon of the land called Polambehena, situated at Wewa Ihalogoda in the Four Gravets of Matara, Matara District, Southern Province; and bounded on the north by Koradamaniyagahahena, east by Ketakalagahawatta, and Delgahawatta, south by Gorakagahahena and Mulana, and on the west by Etiyandeniyeewatta; and containing in extent 4 acres and 18 perches.

2. All the soil and trees of the land called and known as Ambalamagawa Godolla, situated at Malagoda in Makawita of the Four Gravets aforesaid; and bounded on the

north by Kellegewatta and Talagaha Iriwatta, east by the water-course, south by Ihalaminumdepela, and on the west by Kapugamage Ambalamagawawatta and Wewege Ambalamagawawatta; and containing in extent 2 roods and 29½ perches.

3. All the soil and trees of the land called Peelledole Kanatta, situated at Malagoda of the Four Gravets aforesaid; and bounded on the north by Dolebeddehena, east by Okuruwawedeniya, south and west by land appearing in plan No. 6,416/17,194 and Peelledolekele; and containing in extent 8 acres and 30 perches.

4. All the field called and known as Keunkumbura, situated at Arapathwala in Kumbalgama, within the Four Gravets of Matara aforesaid; and bounded on the north by Udabokkawewewa, east by Mudiyansegewatta, south by Pokunekumbure-ela, and on the west by Henewatta; and containing in extent 1 pela of paddy sowing.

5. All that undivided ½ share of the soil and trees of the land called and known as the divided lot A of the land called Ketakalagahawatta, situated at Wewa Ihalagoda aforesaid; and bounded on the north by Bogahahena, east by Welipatha and the cart road, south by Delgahawatta, and on the west by lot B of this land; and containing in extent 3 acres 1 rood and 36.6 perches.

6. All that undivided 79/240 shares of the soil and trees, an undivided 9/20 share of the planter's half share of the second plantation, 3 coconut trees of the planter's share of the third plantation thereon of the land called and known as Pelawatta, situated at Gandarawatta in Makawita aforesaid; and bounded on the north by Mulle Kumbura, east by Kongahawatta and Medawalagewatta, south by Uswatta, and on the west by Mulle Kumbura and deniya; and containing in extent about 1½ acres.

On Monday, March 1, 1937, at 2.30 p.m.

7. All the soil and trees and the buildings thereon of the land called and known as Alutwatta, situated at Talalla in the Wellaboda pattu of Matara District aforesaid; and bounded on the north by Ketakalaketihenewatta, east by Watupolawatta, south by Talakoratuwa alias Mahaduragehenewatta, and on the west by Kongahawatta; and containing in extent about 3 acres.

Deputy Fiscal's Office, H. V. F. ABAYAKOON,
Matara, January 20, 1937. Additional Deputy Fiscal.

In the District Court of Matara.

Arumabaduge Don Davith Gunawardene of Ahangama Plaintiff.
No. 6,653. Vs.

(1) Sarukkali Patabendige Singhoappu Gunawardene of Ahangama, (2) W. N. G. Edwin of Dondra, presently of The Empire Garage, Ratnapura Defendants.

NOTICE is hereby given that on Wednesday, February 24, 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 mortgaged property for the recovery of a sum of Rs. 4,311.51, with legal interest on Rs. 4,484 from December 21, 1936, till payment in full, viz. :—

All that undivided ¾ parts of the soil and fruit trees and of all the buildings thereon, of the defined southern portion marked letter A of the land called Hummanewatta, situated at Dondra in the Wellaboda pattu of Matara District, Southern Province; which said portion is bounded on the north by Gansabha road and portion marked letter C of the same land, east by seashore, portion of Hummanegewatta belonging to T. P. Matheshamy, and portion of Hummanegewatta belonging to Sellaheewage Luwishamy and Juwanis Appu, south-east by seashore, south by seashore, and west by Punchihummanewatta; in extent 3½ acres; which said property is at present described as the divided lot A, and the buildings thereon, of the land called and known as Hummanewatta, situated at Dondra in the Wellaboda pattu of the Matara District, Southern Province; and bounded on the north by Wappadamulle Galwetawatta and lots A and D and Gansabha road, east by lots A and B, south by seashore and lot A², and west by Punchihummanewatta; and containing in extent about 2 acres 3 roods and 8 perches as per plan of partition No. 1,081A filed of record in D. C., 3,517.

Deputy Fiscal's Office, H. V. F. ABAYAKOON,
Matara, January 22, 1937. Additional Deputy Fiscal.

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25 In the District Court of Colombo.
M. Mechemm et Cie Societe en Commandite Simple of
Clumant Ferrand in France Plaintiff.
No. 2,622. Vs.

P. H. Mendis de Silva, Belantota estate Defendant.

NOTICE is hereby given that on Saturday, February 20, 1937, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 453.46, with legal interest thereon from January 16, 1935, till payment in full, less a sum of Rs. 300 paid by the defendant, viz. :—

At Hambantota.—The entire upstairs building and all its appurtenances, including the kitchen and the soil of the land on which it stands, bearing assessment No. 34, situated in the Bazaar street in the Hambantota town in Magam pattu, Hambantota District, Southern Province; bounded on the north by the boutique belonging to Wallipuram, on the east by the land belonging to Rukiya Umma and Sarnona; on the south by the boutique belonging to Sahadiya Umma, and on the west by Bazaar street.
Valuation Rs. 5,000.

Deputy Fiscal's Office, K. KANAGASUNDRAM,
Hambantota, January 18, 1937. Additional Deputy Fiscal.

27 In the District Court of Tangalla.
Kalubaduge Nadoris of Nakulugamuwa Plaintiff.
No. 3,853. Vs.

Nawaratna Gamage Babanis (Police Officer) of Palle Beragama Defendant.

NOTICE is hereby given that on Saturday, February 20, 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 defendant in the following mortgaged property for the recovery of Rs. 1,449.62, together with further interest on Rs. 1,250 at 18 per cent. per annum from December 17, 1936, till payment and pounage, viz. :—

At Ambalantota.—Excluding a strip of land 30 feet in length and 12 feet in breadth along the border of the eastern boundary, all that undivided ¾ towards the west of the remaining soil and the buildings now being constructed thereon and the 9 cubits tiled house built along the border of the western boundary with soil covered thereby, of the land Ambalantotalande eastern ¾ portion, situate at Ambalantota in Magam pattu of the Hambantota District, Southern Province; bounded on the north by Crown land, on the east by Paraweni land, on the south by the high road, and on the west by Crown land (Bus stand); containing in extent 2 roods and 4½ perches.
Valuation Rs. 3,000.

Deputy Fiscal's Office, K. KANAGASUNDRAM,
Hambantota, January 23, 1937. Additional Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

Murugesu Thamotheampillai of Chankanai Plaintiff.
No. 9,131. Vs.

(1) Sabapathy Aiyer Sivasubramaniakurukkal, (2) wife, Thankamma of Chankuvely Defendants.

NOTICE is hereby given that on Thursday, February 18, 1937, at 4 o'clock in the afternoon, will be sold by public auction at the spots the right, title, and interest of the said 2nd defendant in the following property for the recovery of Rs. 1,177.50, with interest on Rs. 1,000 at 10 per cent. per annum from December 11, 1935, till payment in full, less Rs. 760 and pounage and charges, viz. :—

1. An undivided ¼ share with its appurtenances of a piece of land situated at Sankuveli in Uduvil parish, Valikamam North division of the Jaffna District, Northern Province, called Karanthan, in extent 13 lachams p.c., with share of well; and bounded on the east by Sivakolunthu, wife of Kandaswamy, and the property belonging to others, north by the heirs of Muttaram, wife of Sabaratnam, west by sand road and the property belonging to Sivagnanapillaiyar temple, and south by Arumugam Muttu and Sivagnanapillaiyar temple.

2. An undivided ¼ share with its appurtenances, situated at ditto called Vinapokkanai and other parcels in extent 6 lachams varagu culture; and bounded on the east by

the property belonging to Sivagnanapillai's temple, north by sand road, west by channel, and south by Sabapathy Kasilingam.

3. A piece of land with its appurtenances situated at ditto called Mullaikaddai, in extent $5\frac{1}{2}$ lachams varagu culture, with stone-built house, hut and share of well, cultivated and spontaneous plants, and bounded on the east and north by lane, west by Kasipillai Ambalavanar, and south by Vaithilingam Kandiah.

Fiscal's Office,
Jaffna, January 25, 1937.

V. VISWALINGAM,
for Fiscal.

In the District Court of Jaffna.

Saravanamuttu Kandiah of Kondavil..... Plaintiff.

No. 9,874 Vs.

Sinnappu Chellappah of Thavady Defendant.

NOTICE is hereby given that on Wednesday, February 24, 1937, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of Rs. 898, with interest on Rs. 700 at the rate of 10 per cent. per annum from March 26, 1936, till payment in full and poundage and charges, viz. :—

A piece of land with its appurtenances situated at Thavady in Uduvil parish, Valikamam North division of the Jaffna District, Northern Province, called Vannappulam, in extent 11 lachams varagu culture and 5 $\frac{1}{2}$ kulies, with cultivated and spontaneous plants, share of water in the well lying on the western side, right of way and water-course; is bounded on the east by lane, north by Arumugam Ponnampalam, west by Pooranamy wife of Sanmugam, and the property belonging to others, and south by Pakkiam, wife of Vaithilingam.

This land is said to be under mortgage.

Fiscal's Office,
Jaffna, January 25, 1937.

V. VISWALINGAM,
for Fiscal.

In the District Court of Mannar.

Joseph Lazarus Fernando of Sinnakadai, Mannar Plaintiff.

No. 9,975 Vs.

Kappaneina Marikar Habibumohamado of Erukkilampiddy Defendant.

NOTICE is hereby given that on Saturday, February 20, 1937, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 568.35, with interest thereon at the rate of 9 per cent. per annum from September 21, 1936, until payment in full, viz. :—

A coconut garden called Ilanthaiaddikaddutharai *alias* Uppalaperiankaddu, in extent about 50 marakals now measured and found to be north to south 154 yards, east to west 224 yards, situated at Erukkilampiddy in Mannar East, Mannar Island, Mannar District, Northern Province; and bounded on the north by the property of Kachumohamed Nagooran and others, east by the property of Kathisa Umma, wife of Ahamed Jallaldeen, and share-holders and others, south by the property of Kapudayar Kappamarakar, and west by road.

Deputy Fiscal's Office,
Mannar, January 20, 1937.

A. CELESTIN NALLIAH,
Additional Deputy Fiscal.

North-Western Province.

In the District Court of Colombo.

(1) K. M. N. N. S. Saminatha Chettiar, (2) K. S. P. S. Arunachalam Chettiar, both of Sea street, Colombo Plaintiffs.

No. 41,456 Vs.

(1) A. Mahadevan of Ponkay, Horton place, (2) R. Doresamy, (3) R. Muthuramy of Cressburgh, Kynsey road, Colombo, as executors of the last will and testament of the late R. Segarajasingham, deceased Defendants.

NOTICE is hereby given that on Saturday, February 20, 1937, at 4.30 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 the sum of Rs. 7,357.56 and poundage, viz. :—

All that allotment of land called Sinhala Kallanchiya Mukalana and Sinhala Kallanchiya Mukalana Wewa (being the lots 392 and 393 in preliminary plan No. 3,931), situated at Sinhala Kallanchiya village in Magul Meda Gandahe korale west of Wannihatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by lot 386 in preliminary plan No. 3,931, on the east by a road, and on the south and west by Crown land; containing in extent (exclusive of the Madugaha-ela), 143 acres 1 rood and 16 perches according to the title plan thereof No. 307,550 dated October 7, 1914, authenticated by W. S. Ingles, Surveyor-General, and held and possessed under and by virtue of deed No. 5,598 dated April 5 and 7 and May 10, 1916, attested by Arthur William Alwis of Colombo, Notary Public, and registered in E 60/99.

The above property is subject to a mortgage for a sum of about Rs. 69,000 under deed No. 221 dated July 11, 1924, and attested by O. P. Mount of Colombo, Notary Public.

Fiscal's Office,
Kurunegala, January 22, 1937.

R. S. GOONESEKERA,
Deputy Fiscal.

In the District Court of Kurunegala.

(1) Suna Pana Rawanna Mana Ramanathan Chettiar and (2) ditto Supparamaia Chettiar by their attorney. (3) Seena Ponnambalam of Narammala..... Plaintiffs.

No. 17,217 Vs.

(1) Liyana Arachchilage Kiri Banda, (2) ditto Punchappahmy, both of Kelgedera in Medapattu korale east, (3) Herat Mudiyanseelage Appuhamy of Hamangalla in the said korale, (4) Ratambala Appuhamillage Siyadoris Appuhamy of Katugampola Medapattu korale east, (5) Chandrasekera Wasala Mudiyanseelage Ranhamy of Hamangalla in Medapattu korale east Defendants.

NOTICE is hereby given that on Friday, February 19, 1937, commencing from the first and at 1 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the defendants in the following property for the recovery of the sum of Rs. 1,600, with interest thereon at the rate of 17 per cent. per annum from September 1, 1931, to September 28, 1933, and thereafter with interest on the aggregate amount at the rate of 9 per cent. per annum till payment in full and the costs of this action as taxed by the officer of the court, less a sum of Rs. 415 and Rs. 300 already paid by the defendants and poundage, viz. :—

1. An undivided $\frac{1}{2}$ share of the land called Koswatta *alias* Alaotupitiyewatta of 5 acres 3 roods and 9 perches in extent, situated at Hamangalla in Medapattu korale east of Katugampola hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by lot 6A in P. P. 388, east by lots 6A and 6B in P. P. 388, south by a road, west by lots 18 and 21 in P. P. 388, together with the plantations, and buildings thereon, and registered in C 469/99.

2. All that land called Imbulgahamulahena *alias* Inna-watta of 6 lahas of kurakkan sowing in extent, situated at Hamangalla aforesaid; and bounded on the north by land of Ranhamy Vidane and others, east by land of Appuhamy and others, south by maimpara, west by garden of Ranhamy Vidane and others, together with the trees and plantations thereon, and registered in C 259/176.

3. An undivided $\frac{1}{2}$ share of the field called Bogahamulakumbura of about 1 pela of paddy sowing in extent, situated at Hamangalla aforesaid; and bounded on the north by high land, east by field of Mudalihamy and others, south by high land, west by field of Ranhamy Vidane and others. Registered in C 376/224.

4. An undivided $\frac{1}{2}$ share of the field called Lindagawakumbura *alias* Lindarakumbura of about 5 lahas of paddy sowing in extent, situated at Hamangalla aforesaid; and bounded on the north by land of Mudalihamy, east by Thalkotekumbura, south by high land, west by field of Kirimenika. Registered in C 178/320.

5. An undivided $\frac{1}{2}$ share of the field called Asseddumekumbura of 2 pelas and 5 lahas of paddy sowing in extent, situated at Hamangalla aforesaid; and bounded on the north by Welipillewa, of Vidane, east by Gonayawewatta, south by field called Guruliyadda, west by the field of Ratamahatmaya. Registered in C 355/120.

6. An undivided $\frac{1}{2}$ share of the land called Anguruwala-gawahena of about 4 acres in extent, situated at Hamangalla aforesaid; and bounded on the north by maimpara in the chena of Allis Appu and others, east by maimpara

in the chena of Appuhamy and others, south by survey road in the Crown mukalana, west by survey road in the chena of Punchappuhamy. Registered in C 256/293.

7. An undivided $\frac{3}{4}$ share of the field called Pahalawel-kotuwakumbura of 15 lahas of paddy sowing in extent, situated at Kawudumunna in the aforesaid korale; and bounded on the north by Attikkawatta, east by the field of Andihamy and others, south by Paluwatta belonging to the same person, west by pillawa, and registered in C 179/42.

Fiscal's Office,
Kurunegala, January 22, 1937.

R. S. GOONESEKERA,
Deputy Fiscal.

In the Court of Requests of Kegalla.

Mutturaman Chettiar by his attorney, M. Balaniappa
Chettiar of Kegalla Plaintiff.
No. 9,247. Vs.

Singakooti Arachige Mohotti Appuhamy of Polgahawela Defendant.

NOTICE is hereby given that on Friday, February 23, 1937, commencing from 11.30 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 the sum of Rs. 331.74, with legal interest on Rs. 265.87 from November 19, 1935, till payment in full and poundage, viz.:

1. The lands called Delgahamulawatta and Patirigewatta of about 2 lahas kurakkan sowing extent, situated at Epakanda in Udapola Oota korale east of Dambadeni hatpattu in the District of Kurunegala, North-Western Province, and which said Delgahamulawatta of about 1 laha kurakkan sowing extent; and bounded on the north by galenda of the garden of Ranmenika, east by galenda of the garden of Menikrala, south by galenda of the garden of Mohotti Appuhamy, and on the west by ela, with the plantations, buildings, and everything situated thereon.

2. The land called Gamagewatta of about 6 lahas kurakkan sowing extent, situated at Epakanda aforesaid; and bounded on the north by galwetiya, east by galwetiya of the land of Menikrala, south by galwetiya of the land of Punchappuhamy, and on the west by the garden of Manelhamy, with the plantations, buildings, and everything situated thereon.

Fiscal's Office,
Kurunegala, January 25, 1937.

R. S. GOONESEKERA,
Deputy Fiscal.

Province of Uva.

In the District Court of Badulla.

In the matter of the estate of Mana Kuna Abdul Kader Malineina of Udawela, deceased.

No. T 3.

Ana Mohamadu Mohammed Idroos of Udawela Citee.

NOTICE is hereby given that on Friday, February 19, 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 deceased in the following property for the recovery of the sum of Rs. 33.75 balance due, with interest at 4 per cent. per annum from December 2, 1935, to date of payment and accrued interest 58 cents due to the Crown, viz.:

All those contiguous land called Godamadahenyaya of 1 $\frac{1}{2}$ amunams, Ittagalaella of 2 amunams, and Munheima of 1 $\frac{1}{2}$ amunams, all situated at Wedigunegama in Rilpola korale in Yatikinda division, Badulla District of the Province of Uva; and bounded on the north by the limit of Westmoreland estate, east by the limit of Westmoreland and the limit of Mapagala-estate, south by kandura and the limit of Wewesse estate, and west by kandura, together with everything standing thereon.

Fiscal's Office,
Badulla, January 25, 1937.

T. J. MENDIS,
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Roland Richard Jaques of No. 7,868. 61, Gheyn Court, Chelsea, in the County of Middlesex, England, deceased.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on January 12, 1937, in the presence of Frederick Claude Rowan of Colombo, Proctor, on the part of the petitioner, Oscar Percy Mount of Colombo and the affidavit of the said petitioner dated January 11, 1937, a certified copy of probate, a certified copy of the will of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated December 15, 1936, having been read: It is ordered that the will of the said deceased dated October 11, 1932, of which a certified copy has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said petitioner is the attorney of the sole executrix named in the said will and that he is entitled to have letters of administration with a copy of the said 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 12, 1937.

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

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Balapuwaduge Daniel Mendis of Willorawatta in Moratuwa, deceased. No. 7,771.

John Mendis of Rawatawatta in Moratuwa Petitioner.

(1) John Hendrick Mendis of Laxapathiya in Moratuwa, (2) Joseph Solomon Mendis of Batapola, (3) Balapuwaduge John Wilnot Mendis, (4) Balapuwaduge Mary Violet Mendis, both of Indibedda in Moratuwa; the 3rd and 4th respondents minors by their guardian *ad litem* (5) Balapuwaduge Hendrick Mendis of Indibedda aforesaid, (6) S. Clarence Mendis of Wesleyan English School, Hatton, (7) Josline Margaret Mendis of Rawatawatta aforesaid; the 7th respondent, minor, by her guardian *ad litem* Edwin A. Peiris, Surveyor, Kolumunna, Kesbewa, the 15th respondent (8) Cecil E. N. J. de Mel of Peradeniya, (9) J. L. Fred de Mel, Wesley College, Colombo, (10) Roy H. de Mel, Zahira College, Colombo, (11) Justin A. de Mel St. Paul's High School, Kandy, (12) Rose Fernando, wife of late R. F. L. Fernando, C/o M. Louis Fernando, Catechist, Korawella in Moratuwa, (13) Florence Senanayake, Nawala, Rajagiriya, (14) Eva de Mel, Nawala, Rajagiriya, (15) Edwin A. Peiris, Surveyor, Kolumunna, Kesbewa, (16) Walter H. Peiris, Dhararatne avenue, Rawatawatta aforesaid, (17) Kumaragewattege John Samuel Fernando of Willorawatta aforesaid, (18) Kumaragewattage William Alfred Fernando of Willorawatta aforesaid, (19) Kumaragewattage John Daniel Fernando of Moratumulla in Moratuwa, (20) Martha Emaly Fernando, Batapola, Hikkaduwa, (21) T. W. D. S. Wijeywickrama, Catechist, Walahapitiya, (22) Mercy Florence de Silva Wijeywickrama of Langdon Home, Badulla, (23) John Cyril de Silva of Batapola, (24) Sophia Monica de Silva, City Mission, Pettah, (25) George Wilfred de Silva of Batapola, (26) Eveline Beatrice de Silva, Richmond Hill, Galle, (27) Esther Winifred de Silva of Batapola, (28) Eric Arthur de Silva of Batapola; (29) Gertrude Heriot de Silva of Batapola; the 27th, 28th, and 29th respondents minors by their guardian *ad litem* (30) John M. Silva, Registrar, Batapola; (31) Rev. J. S. B. Mendis, Wellawatta, (32) Mary Herriot Mendis, Bope, Galle, (33) Mercy Mendis, (34) Justin Mendis, (35) Christie Mendis, all of Bope, Galle; the 33rd, 34th, and 35th respondents minors by their guardian *ad litem* the 32nd respondent above named, (36) B. Peter Hubert Mendis, Y. M. C. A., Colombo, (37) Elizabeth Mendis, (38) Lidiya Cecilia Mendis, (39) William Peter Mendis, (40) Alice Margaret Mendis, (41) Joseph Daniel Mendis, all of Willorawatta aforesaid Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on September

17, 1936, in the presence of Mr. G. C. E. Peiris, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 9, 1936, having been read:

It is ordered (a) that the 5th respondent over the minors the 3rd and 4th respondents, the 15th respondent over the minor the 7th respondent, the 30th respondent over the minors the 27th, 28th, and 29th respondents, and the 32nd respondent over the minors the 33rd, 34th, and 35th respondents, be and they are respectively hereby appointed guardians *ad litem* to represent them respectively for all the purposes of this action, and (b) that Mr. G. E. de Alwis as Secretary of this court be and he is hereby declared entitled 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, on or before October 20, 1936, show sufficient cause to the satisfaction of the court to the contrary.

September 17, 1936. G. C. THAMBYAH,
District Judge.

The date for showing cause is extended for November 26, 1936.

October 29, 1936. G. C. THAMBYAH,
District Judge.

The date for showing cause is extended for December 10, 1936.

November 26, 1936. G. C. THAMBYAH,
District Judge.

The date for showing cause is extended for February 4, 1937.

December 10, 1936. G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Edmund Stephen Perera
No. 7,835. Kalpage of Dehiwala, deceased.

Andrew Christopher Perera, Kalpage of Apponso
avenue, Dehiwala Petitioner.

And

- (1) Mrs. E. S. P. Kalpage of Vaverset Place, Wellawatta,
(2) Ana Rita Kalpage, (3) Neida Esther Kalpage,
(4) Edgar Godwin Kalpage, the 2nd, 3rd, and 4th
respondents appearing by their guardian
ad litem the 1st respondent above named, (5)
Elizabeth Kalpage of Dehiwala Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 2, 1936, in the presence of Mr. S. R. Arianayakam, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated November 12, 1936, and (2) of the attesting notary and witnesses dated November 14, 1936, having been read:

It is ordered (1) that the 1st respondent be and she is hereby appointed guardian *ad litem* of the minors, the 2nd, 3rd, and 4th respondents above named, for all the purposes of this action, and (b) that the last will of Edmund Stephen Perera Kalpage, 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 February 4, 1937, show sufficient cause to the satisfaction of this court to the contrary.

December 2, 1936. G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and
Jurisdiction. Effects of Lathpandurage James Perera
No. 7,846. of Karagampitiya in the Palle pattu of
Salpiti Kalle, deceased.

Lathpandurage Abraham Perera of Karagampitiya
aforesaid Petitioner.

And

- (1) Wijemannehottige Ezlin Hamine of Karagampitiya aforesaid, (2) Lathpandurage Sedoris Perera of Nikape in the Palle pattu aforesaid, (3) Lathpandurage Luciana Perera, wife of (4) A. E. Wijeratne, both of Wellawatta in Colombo Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December

9, 1936, in the presence of Mr. H. A. Abeyewardene, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 3, 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 February 4, 1937, show sufficient cause to the satisfaction of the court to the contrary.

December 9, 1936. M. W. H. DE SILVA,
District Judge.

In the District Court of Colombo.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Kane Theema Ravanna Mana Muthu-
No. 7,857. caruppen Chettyar of Malasivalpatty
in the village of Varpatty Tirumayam
Taluk Puthukottai State, South India,
deceased.

Muthucaruppen Chettyar Nagasabai Chettyar of 76,
Sea street, in Colombo Petitioner.

And

- (1) Nagammai Achi *alias* Sitala Devi, widow of Muthu-
caruppen Chettyar, (2) Thennammai Achi *alias*
Nagammai, wife of Vasa Ena Palaniappa
Chettyar, (3) Alagammai Achi, widow of Raman
Chettyar, son of Muthucaruppen Chettyar, (4)
Ramayee Achi, daughter of the late Raman Chettyar,
(5) Muthucaruppen Chettyar, son of the late Raman
Chettyar, (6) Sinnammal Achi *alias* Ramayee Achi,
wife of A. N. Periyacaruppen Chettyar, (7) Muthap-
pan Chettyar *alias* Manikkam Chettyar, son of the late
Muthucaruppen Chettyar, (8) Thiyagarajan Chettyar,
son of the late Muthucaruppen Chettyar, (9) Sathu-
raman Chettyar, son of the late Muthucaruppen
Chettyar, all of Malasivalpatty Puthukottai State,
South India, (10) A. N. Periyacaruppen Chettyar of
76, Sea street, Colombo Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 22, 1936, in presence of Mr. C. Sevaprakasam, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated December 22, 1936, and the order of the Supreme Court dated December 21, 1936, having been read: It is ordered (a) that the 10th respondent be and he is hereby appointed guardian *ad litem* of the minor, the 4th, 5th, 7th, 8th, and 9th 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 11, 1937, show sufficient cause to the satisfaction of the court to the contrary.

December 22, 1936. G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Dewapurage Siyadoris Fernando of
No. 7,859. Ganegama in Alutgama, deceased.

Aturaliyage Laura Fernando *nee* Gamasinghe of Gane-
gama aforesaid Petitioner.

- (1) Dewapurage Mandadasa Fernando, (2) ditto
Nandawathie Fernando, (3) ditto Namawathie
Fernando, (4) ditto Clarice Fernando, (5) ditto
Jimasena Fernando, (6) ditto Sivinita Fernando, all
of Ganegama aforesaid minors, appearing by their
guardian *ad litem* (7) Aturaliyage Amaradasa Guna-
singhe of Wellawatta in Colombo Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on December 22, 1936, in presence of Mr. A. S. Gunawardene, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 3, 1936, having been read:

It is ordered (a) that the 7th respondent be and he is hereby appointed guardian *ad litem* of the minor, the 1st to 6th 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 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.

In the District Court of Colombo.

Order Nisi.

30
Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of St. John Augustus Cox, a retired
No. 7,867. Lieutenant-Colonel in His Majesty's
Army, O.M.G., O.B.E., of 12, Honeywood
Road, Colchester, in the County of Essex,
deceased.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on January 12, 1937, in the presence of Frederick Claude Rowan of Colombo, Proctor, on the part of the petitioner, Oscar Percy Mount of Colombo; and the affidavit of the said petitioner dated January 11, 1937, a certified copy of probate, a certified copy of the will of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated December 15, 1936, having been read: It is ordered that the will of the said deceased dated August 13, 1935, of which a certified copy has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said petitioner is the attorney of two of the executors named in the said will and that he is entitled to have letters of administration with a copy of the said 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 12, 1937. M. W. H. DE SILVA,
District Judge.

33 In the District Court of Ayissawella.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of the late Suriapperuma Vidanelage
No. 253. Girigoris Pieris of Kanampella, deceased.

Don Beonis Jayasinghe of Weboda, presently of
22, Frances road, Wellawatta. Petitioner.

(1) Mrs. Josiah Harriet Ranasinghe, widow of Muda-
liyar A. E. Ranasinghe, (2) Mrs. Selina Jayasinghe,
both of 22, Frances road, Wellawatta. Respondents.

THIS matter coming on for disposal before J. Wilmot Perera, Esq., District Judge of Ayissawella, on December 9, 1936, in the presence of Mr. J. R. Pieris, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 1, 1936, and of the attesting notary of the will having been read:

It is ordered that the will of the above-named deceased dated October 22, 1934, and now deposited in this court, be and the same is hereby declared proved, unless any person shall, on or before January 12, 1937, show sufficient cause to the contrary.

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

December 8, 1936. J. WILMOT PERERA,
District Judge.

The date for showing cause against the above Order Nisi is extended till February 9, 1937.

January 12, 1937. J. WILMOT PERERA,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the estate of the late
Jurisdiction. Hinidumage Lakshaman de Silva, de-
No. 5,307. ceased, of Kawatayamune estate, Matale.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on August 6, 1936, in the presence of Messrs. Wijayatilake & Wijayatilake,

on the part of the petitioner, Hinidumage Sedias de Silva; and the affidavit of the said petitioner dated May 10, 1935, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as a brother of the deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents—(1) Lokuge Eliso Hamine of Madawala, Matale, (2) Mrs. Caroline Ranasinghe, wife of (3) H. W. P. Ranasinghe, both of Meetiyyagoda, Ambalangoda, (4) Mrs. H. W. Mathias de Silva, wife of (5) W. H. M. de Silva, both of Dombawela, Matale, (6) Catherine de Silva, wife of (7) P. C. de Silva, both of Kurunegala, (8) Hinidumage Karunawathie de Silva, (9) ditto Jayasundera de Silva, both of Kawatayamune estate, Mahawela, in Matale; 8th and 9th by their guardian *ad litem* the 6th—or any other person or persons interested shall, on or before September 21, 1936, show sufficient cause to the satisfaction of this court to the contrary.

August 6, 1936. R. F. DIAS,
District Judge.

The date for showing cause is extended to November 2, 1936.

September 21, 1936. R. F. DIAS,
District Judge.

The date for showing cause is extended to November 30, 1936.

November 2, 1936. R. F. DIAS,
District Judge.

The date for showing cause is extended to January 7, 1937.

November 30, 1936. R. F. DIAS,
District Judge.

The date for showing cause is extended to February 4, 1937.

January 7, 1937. R. F. DIAS,
District Judge.

In the District Court of Kandy.

28
Testamentary In the Matter of the Estate and Effects of
No. 5,450. Hettiveediya Mudiandsela Kiri Banda
Paranagama of Ampitiya, deceased.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on November 19, 1936, in the presence of Messrs. Wickramaratne & Malalgoda, on the part of the petitioner, Yapa Mudiandselge Leelawathi Biso Menikay; and the affidavit of the said petitioner dated October 25, 1936, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the deceased, to have letters of administration to the estate of the deceased issued to her accordingly, unless the respondents—(1) Hettiveediya Mudiandsela Beatrice Seetha Kumarihamy, (2) Hettiveediya Mudiandsela Edward Gunaratne Banda, (3) Hettiveediya Mudiandsela Herbert Wijeratne Banda, (4) Hettiveediya Mudiandsela Nobel Hemalatha Kumarihamy; the 1st, 2nd, 3rd, and 4th by their guardian *ad litem* (5) Yapa Mudiandselge Loku Banda, all of Ampitiya aforesaid—or any other person or persons interested shall, on or before January 11, 1937, show sufficient cause to the satisfaction of this court to the contrary.

November 19, 1936. R. F. DIAS,
District Judge.

Date for showing cause is extended to February 4, 1937.

January 11, 1937. R. F. DIAS,
District Judge.

27 In the District Court of Kandy.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Bandaranayake Mudiyanseralahamillage
No. 5,459. Punched Mahatma Ekanayake, deceased,
of Harasgama Walawwa in Harasgama,
Matale.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, on December 7, 1936, in the presence

of Messrs. Abeykoon & Dias Desinghe, on the part of the petitioner, Loku Banda Bandaranayake; and the affidavit of the petitioner dated November 12, 1936, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as brother of the deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents—(1) Indarawasna Ekanayake, (2) Premawathie Ekanayake, (3) Suvitha Sumeda Ekanayake, (4) Lalitha Mallika Ekanayake, (5) Chitra Malani Ekanayake (6) Geetha Nalani Ekanayake, (7) Victor Ekanayake; the 1st to 6th respondents appearing by their duly appointed guardian *ad litem* the 7th respondent—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 7, 1936.

R. F. DIAS,
District Judge.

27/ In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Sayakara Muhandiramge Sano, deceased No. 5,463. of 110, Peradeniya road, Kandy.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on December 18, 1936, in the presence of Messrs. Liesching & Lee, on the part of the petitioner Weerappuli Cornelis de Silva; and the affidavit of the said petitioner dated December 14, 1936, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the widower of the above-named deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents—(1) Weerappuli Karunapala de Silva, (2) Weerappuli Jinadasa de Silva, (3) Weerappuli Hilda de Silva, (4) Weerappuli Charles de Silva, (5) Weerappuli Daisey de Silva, (6) Weerappuli Linda de Silva, (7) Weerappuli Catherin *alias* Tulina de Silva, and (8) Weerappuli Tilly de Silva, all of 152, Peradeniya road, Kandy; the 3rd, 4th, 5th, 6th, 7th, and 8th by their guardian *ad litem* the 1st respondent—or any other person or persons interested shall, on or before February 15, 1937, show sufficient cause to the satisfaction of this court to the contrary.

December 18, 1936.

R. F. DIAS,
District Judge.

20/ In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late No. 377. Sittampalam Katheravalu of Manippay, deceased.

Amirthavally, widow of Katheravalu of Manippay Petitioner.

(1) Kathiravali Arunasalam, ditto and Pommampalam Muttichamaru of ditto; the 1st a minor appearing by his guardian *ad litem* the 2nd Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, on November 19, 1936, in the presence of Mr. E. Muttigesampillai, Proctor; and the affidavit of the petitioner having been read:

It is ordered that letters of administration to the estate of the said deceased be granted to the petitioner, unless the respondents shall appear before this court on February 12, 1937, and state objection to the contrary.

November 21, 1936.

C. COOMARASWAMY,
District Judge.

24/ In the District Court of Jaffna (sitting at Point Pedro).

Order Nisi.

Testamentary In the Matter of the Last Will and Testament Jurisdiction. of the late Sanmugam Velupillai No. 165. of Thunnalai South, deceased.

Velupillai Arulchelva Anayagam of Thunnalai South Petitioner.

Bagawathy, daughter of Velupillai of ditto, a minor, by her guardian *ad litem*, Coomarasamy Thillainadarajah of ditto Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, on November 20, 1935, in the presence of Mr. S. Mailvaganam, Proctor, on the part of the petitioner; and the petition and affidavit of the petitioner having been read:

It is ordered that the petitioner be declared entitled to take out letters of administration, as the legatee of the estate of the said Velupillai, and that letters of administration with copy of the will annexed be issued to him, as such legatee, unless the respondents or any other person shall appear before this court on or before December 18, 1935, and show sufficient cause to the satisfaction of this court to the contrary.

November 22, 1935.

C. COOMARASWAMY,
District Judge.

Extended and reissued for February 5, 1937.

(Itd.) S. R.,
Additional District Judge.

DRAFT ORDINANCES.

(Continued from page 52.)

MINUTE.

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

L. D.—O. 61/36

An Ordinance to repeal the Electricity Board Establishment Ordinance, No. 38 of 1935, and to make provision for matters incidental to such repeal.

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

Short title and date of operation.

1 This Ordinance may be cited as the Electricity Board (Dissolution) Ordinance, No. of 1937, and shall come into operation on such date as the Governor may appoint by Proclamation in the Gazette.

Repeal of Ordinance No. 38 of 1935 and Dissolution of Electricity Board.

2 On the appointed date, the Electricity Board Establishment Ordinance, No. 38 of 1935, shall be repealed and the Electricity Board of Ceylon established under that Ordinance shall be dissolved.

3 On and after the appointed date—Consequential
and incidental
provisions.

- (1) all the rights, powers, duties and functions of or belonging to, or vested in, the Board at the time of its dissolution shall, subject to the provisions of this Ordinance, be transferred and belong to or be vested in, the Government in direct succession to the Board; and the Government shall in all respects whatsoever be deemed to be the successor of the Board;
- (2) all property movable or immovable vested in, or purchased or acquired by, or leased to, or placed at the disposal of, or in any other manner transferred to the Board, or in its possession or control at the time of its dissolution shall be vested in or held by the Government, subject to any trust, charge, liability, reservation, servitude, or other incumbrance, and on the terms and conditions appertaining, attaching or applicable thereto at that time;
- (3) all moneys vested in, held by, or in the possession of, the Board at the time of its dissolution shall be vested in, transferred to and held by the Government; and all charges, contributions, fees or other sums of money due or payable to the Board at the time of its dissolution shall be deemed to be due and payable to the Government;
- (4) all debts, liabilities, obligations or contracts of the Board outstanding or subsisting at the time of its dissolution shall be deemed to be debts, liabilities, obligations or contracts of the Government;
- (5) all deeds, bonds, securities and other instruments executed or issued by or in favour of the Board and in force or enforceable at the time of its dissolution shall be deemed to be executed or issued by or in favour of the Government;
- (6) all actions or other legal proceedings instituted or which might have been instituted by or against the Board at the time of its dissolution may, subject to the provisions of any other written law, be continued or instituted by or against the Government;
- (7) all decrees or orders made by any competent court in favour of, or against, the Board prior to the appointed date shall be deemed to have been made in favour of, or against the Government;
- (8) all officers and servants employed by the Board at the time of its dissolution shall, subject as hereinafter provided, be entitled to be transferred to the service of the Government on such terms and conditions as may be approved by the Governor;

Provided that nothing herein contained shall in any way affect or be deemed or construed to affect the right of the Government at any time to abolish the office or to discontinue or dispense with the services of any officer or servant so transferred.

4 During the period commencing on the appointed date and ending on the thirtieth day of September, 1937, any sum authorised to be expended by the Board, for any purpose in any budget duly approved by the State Council under section 13 of the principal Ordinance, may, in so far as that sum or any part thereof has not been duly expended for that purpose by the Board prior to the appointed date, be expended for that purpose by the Government and shall be payable out of the general revenue and assets of the Island.

Appropriation
of revenue to
meet
expenditure
authorised in
budget of
Board.

5 (1) Where by reason of the dissolution of the Board or the repeal of the Electricity Board Establishment Ordinance, No. 38 of 1935, any question, matter or difficulty arises for which no provision or no effective provision is made in this Ordinance, the Governor may make order for the determination or adjustment of any such question or matter or for the removal of any such difficulty.

Provision for
unforeseen
contingencies.

(2) Every order made under sub-section (1) shall be published in the Gazette and shall, upon such publication, have the force of law and be as valid and effectual as if it were herein enacted.

6 In this Ordinance, unless the context otherwise requires—

Interpretation.

“appointed date” means the date appointed by the Governor under section 1;

“ Board ” means the Electricity Board of Ceylon established under the principal Ordinance ;

“ principal Ordinance ” means the Electricity Board Establishment Ordinance, No. 38 of 1935.

Objects and Reasons.

The object of this Bill is to give effect to the decision of the State Council by repealing the Electricity Board Establishment Ordinance, No. 38 of 1935. Clause 2 provides for the dissolution of the Electricity Board and Clauses 3, 4 and 5 make provision for matters incidental to such dissolution.

J. L. KOTELAWALA,

Minister for Communications and Works.

Colombo, January 26, 1937.