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(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 :—

No. 1 of 1911.	An Ordinance to amend the Jaffna Matrimonial Rights and Inheritance Ordinance, 1911.
	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 Jaffna Matrimonial Rights and Inheritance Amendment Ordinance, No. of 1937.
Amendment of section 3 of Ordinance No. 1 of 1911.	2 Section 3 of the Jaffna Matrimonial Rights and Inheritance Ordinance, 1911, (hereinafter referred to as the "principal Ordinance") is hereby amended by the substitution for the word "applies," of the words "applies, and it shall apply in respect of their movable and immovable property wherever situate."
Amendment of section 8 of the principal Ordinance.	3 Section 8 of the principal Ordinance is hereby amended as follows :— (1) by the substitution for the word "Any", of the word "All"; and (2) by the substitution for all the words from "except" to "during her marriage", of the words "which she may during the marriage acquire or become entitled to by way of gift or inheritance or by conversion of any property which she may so acquire or become entitled to".
Amendment of section 9 of the principal Ordinance.	4 Section 9 of the principal Ordinance is hereby amended as follows :— (1) by the substitution for the word "Any", of the word "All"; and (2) by the substitution for all the words from "except" to "during his marriage", of the words "which he may during the marriage acquire or become entitled to by way of gift or inheritance or by conversion of any property which he may so acquire or become entitled to".
Substitution of new section for section 21 of the principal Ordinance.	5 Section 21 of the principal Ordinance is hereby repealed and the following new section is substituted therefor :—
Meaning of <i>thediatheddam</i> .	21. No property other than the following shall be deemed to be the <i>thediatheddam</i> of a spouse :— (a) Property acquired by that spouse during the marriage for valuable consideration, such consideration not forming or representing any part of the separate estate of that spouse. (b) Profits arising during the marriage from the separate estate of that spouse.
Substitution of new section for section 22 of the principal Ordinance.	6 Section 22 of the principal Ordinance is hereby repealed and the following new section is substituted therefor :—
Devolution of <i>thediatheddam</i> .	22. On the death of either spouse one half of the <i>thediatheddam</i> which belonged to the deceased spouse, and has not been disposed of by last will or otherwise, shall devolve on the surviving spouse and the other half shall devolve on the heirs of the deceased spouse.
Amendment of section 24 of the principal Ordinance.	7 Section 24 of the principal Ordinance is hereby amended by the substitution for the words "per capita", of the following words :— "per capita, and it shall not be lawful for the surviving parent or any other member of the family to distribute the property of the deceased parent to the daughters by way of dowry or otherwise, to the exclusion of the sons".
Savings for certain decided cases.	8 The amendments made by this Ordinance shall not be deemed to affect the mutual rights of the parties in the case of <i>Avitchy Chettiar v. Rasamma, D. C., Kurunegala, No. 13636</i> , or in any other case decided in accordance with the decision of the Supreme Court in the first-mentioned case at any time prior to the date on which this Ordinance comes into operation.

Objects and Reasons.

1. This Bill is intended to give effect to the recommendations contained in the Report of the Thesawalamai Commission dated December 12, 1929, (Sessional Paper III of 1930) and in their Supplementary Report of October 9, 1931, (Sessional Paper I of 1933) with some modifications rendered necessary by the decision of the Supreme Court in the case of *Avitchy Chettiar v. Rasamma* (35 New Law Reports, page 313).

2. Clause 2 is designed to place beyond doubt the applicability of the Jaffna Matrimonial Rights and Inheritance Ordinance, 1911, to all the property of those governed by it regardless of the actual situation of such property, whether in the Northern Province or elsewhere.

3. In Clauses 3 and 4 amendments are proposed to sections 8 and 9 of the principal Ordinance, in order to give a clear definition of the separate property of each of the partners of a marriage. The definition is based on well-established custom and is intended to remove the ambiguity which led to the decision in the case of *Avitchy Chettiar v. Rasamma*. A clearer definition of *thediatheddam* is also proposed in Clause 5, and the new principle according to which *thediatheddam* is to devolve on the intestacy of a spouse is set out in Clause 6.

4. Although the meaning of section 24 of the principal Ordinance is that sons and daughters all take equal shares, it seems to be necessary to add to it the provision that the surviving parent or other members of the family may no longer exercise the customary right of distributing all the property of the deceased parent as dowry to the daughters to the exclusion of the sons. This proposal is set out in Clause 7.

5. The object of Clause 8 is to save the rights of the parties in the case of *Avitchy Chettiar v. Rasamma* and in other cases in which that case may have been followed as a precedent prior to the date on which this amendment becomes law.

Colombo, February 23, 1937.

J. C. HOWARD,
Legal Secretary.

MINUTE.

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

**An Ordinance to amend and consolidate the Law of
Pre-emption relating to Lands affected by the
“ Thesawalamai ”.**

WHEREAS it is expedient to amend and consolidate the law of Pre-emption governing the sale of immovable property to which the *Thesawalamai* now applies :

Preamble.

Be it therefore 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 Thesawalamai Pre-emption Ordinance, No. of 1937, and shall come into operation on a date to be appointed by the Governor by Proclamation in the Gazette.

Short title
and date of
operation.

2 (1) When any immovable property subject to the *Thesawalamai* is to be sold, the right of pre-emption over such property, that is to say, the right in preference to all other persons whomsoever to buy the property for the price proposed or at the market value, shall be restricted to the following persons or classes of persons :—

Restrictions
on the right of
pre-emption.

- (a) the persons who are co-owners with the intending vendor of the property which is to be sold, and
- (b) the persons who in the event of the intestacy of the intending vendor will be his heirs.

(2) For the purposes of this Ordinance, the term “ heirs ” means all descendants, ascendants and collaterals up to the third degree of succession, and includes—

- (a) children, grandchildren and great-grandchildren ;
- (b) parents, grandparents on both the paternal and the maternal sides and great-grandparents on all sides ;
- (c) brothers and sisters whether of the full or of the half blood ;
- (d) uncles and aunts, and nephews and nieces, both on the paternal and the maternal sides, and whether of the full or of the half blood.

Mode of exercising right of pre-emption.	3 The right of pre-emption shall not be exercised save in accordance with the provisions of this Ordinance.
Cases in which the right is permitted.	4 The right of pre-emption shall not be exercised except in a case where the property which is to be sold consists of an undivided share or interest in immovable property, and shall in no case be permitted where such property is held in sole ownership by the intending vendor.
Mode of publication of notice.	5 (1) Notice of an intention or proposal to sell any property to which section 4 applies shall be signed by the intending vendor before a Notary Public. The notice shall be attested in triplicate, but the registration of it shall not be obligatory. (2) The notice shall set out the actual price offered by the prospective purchaser, but it shall not be necessary to disclose in addition the name of the prospective purchaser.
Schedule.	(3) A certified copy of the notice shall be forwarded forthwith by the intending vendor to that one of the officers enumerated in the second column of the schedule to this Ordinance against whose name the division in which the land is situated is shown in the first column of the schedule. (4) The officer to whom the certified copy is forwarded shall record the particulars set out therein in a register to be kept by him for that purpose, and shall cause such certified copy to be posted immediately on the notice-board of his court or office as the case may be. (5) A certificate under the hand of the officer that the notice has been duly posted on his notice-board shall be conclusive evidence of the publication of the notice for the purposes of this Ordinance.
Time limit for exercising the right by private treaty.	6 (1) Within three weeks of the date of publication of a notice under section 5, any person to whom the right of pre-emption is reserved by this Ordinance, may either tender the amount stated in such notice and buy the property from the intending vendor, or enter into an agreement to buy it. (2) Any conveyance of the property executed by the intending vendor within the period of three weeks specified in sub-section (1), in completion of a sale of which he has given notice under section 5 or of a sale to any person other than one to whom the right of pre-emption is reserved by this Ordinance, shall be null and void and of no effect whatsoever in law.
Proceedings for enforcing the right within the time limit.	7 (1) If a tender made under section 6 is not accepted by the intending vendor, and if the land remains unsold, the person making the tender may, on condition that he has first deposited in court the amount stated in the notice and tendered by him to the intending vendor, apply to court within the period specified in section 6, by way of petition duly stamped and verified by affidavit, for an order directing the intending vendor to sell the land to the applicant. (2) Where the applicant alleges in his petition and proves by his affidavit, that the amount stated in the notice by the intending vendor is fictitious, the deposit of such smaller sum as may be alleged in the petition to be the reasonable price or the market value of the land, shall be deemed to be sufficient compliance with the condition in sub-section (1) as to the deposit of money in court. (3) In the event of any smaller sum being deposited under sub-section (2), the court shall, without prejudice to such issues relating to the value of the land as may have to be dealt with at the inquiry into the petition, hold a preliminary inquiry as to the sufficiency of the sum deposited by the applicant, hearing such evidence as it may deem necessary for this purpose. (4) Any order made by the court after an inquiry under sub-section (3) shall be final and conclusive; and where such order directs any further sum to be deposited, compliance with the order shall be a condition precedent to the issue of any order nisi, interlocutory order, notice, or process, in the matter of the petition. (5) Every petition under this section shall be disposed of according to the rules of summary procedure laid down in Chapter XXIV of the Civil Procedure Code, 1889; and in the event of the non-appearance or other default of the intending vendor, the court may, if after due inquiry it is satisfied that the application should be allowed, execute a conveyance of the property to the applicant, and the provisions of section 333 of that Code shall apply to any conveyance so executed.

(6) Any conveyance of the property, in completion of the proposed sale, executed by the intending vendor after the service on him of an Order Nisi or Interlocutory Order and before the final order is made in any proceedings taken under this section, shall be null and void and of no effect whatsoever in law.

8 (1) After the completion of a sale of which notice has been given under section 5 or of any sale of which notice has not been given under that section, the right of pre-emption shall not be enforced except by way of regular action, to which the purchaser shall also be made a party.

Remedy after the completion of the proposed sale.

(2) An action to enforce the right of pre-emption under sub-section (1) may be instituted on any of the following grounds :—

- (i) that the notice required by section 5 was not given or that the notice given was irregular or defective ;
- (ii) that the price set out in the notice was fictitious or not fixed in good faith ;
- (iii) that at the time of, and for three weeks after, the publication of the notice, the person seeking to enforce the right was absent from the district and that within a reasonable time after the lapse of the said period of three weeks and before the completion of the proposed sale, he tendered to the intending vendor the purchase amount stated in the notice, and that such tender was not accepted.

9 No action to enforce a right of pre-emption on the ground that the notice required by section 5 was not given or that the notice given was irregular or defective shall be instituted or maintained—

Time limit to action for enforcing right.

- (1) if the actual purchaser of the land is also a person who at the time of the purchase had the right of pre-emption over the property purchased by him ; or
- (2) if more than one year has elapsed from the date of the registration of the purchaser's deed of transfer.

10 No precept or order for the service of notice or summons shall be issued in any proceedings or action for enforcing a right of pre-emption, until proof is furnished to the court of the registration of the proceedings or action as a *lis pendens* in accordance with the provisions of the Registration of Documents Ordinance, No. 23 of 1927.

Registration of *lis pendens* to be compulsory.

11 At any time after the institution of an action to enforce a right of pre-emption, the court may in its discretion order the plaintiff to deposit the purchase amount set out in the notice given under section 5 ; and if the plaintiff makes default in depositing the amount within such period, or further periods not exceeding three months in the aggregate, as the court may allow, his action shall be struck off the roll of pending cases.

Deposit of purchase money as proof of plaintiff's bona fides.

12 No person seeking to enforce a right of pre-emption by way of petition or by regular action, shall be permitted to take over the property for a less amount than that stated in the notice given under section 5 or recited as the consideration in the deed of transfer executed by the vendor : Provided, however, that if the amount so stated or recited is proved to the satisfaction of the court to be fictitious, the court may ascertain the actual price paid and the market value, and allow the property to be pre-empted by the plaintiff for the price actually paid or at the market value, whichever of these is the larger.

The minimum price payable by the plaintiff.

13 All co-owners and heirs within the meaning of section 3 shall be deemed to have an equal right to pre-empt any share or interest in property sold without due publication of the notice required by section 5, and there shall be no preference or precedence among them : Provided, however, that in the event of any competition among such co-owners and heirs, the court may accept the highest offer made by any of them, if such offer is also larger than the actual price paid or the market value, whichever of these is the larger.

Equality of rights of all persons entitled to pre-empt ;

and auction in case of competition among them.

14 So much of the "*Thesawalamai*" and of the Ordinance, No. 4 of 1895, entitled " An Ordinance relating to the publication of intended sales or other alienations of Immovable Property affected by the *Thesawalamai* of the Northern Province of Ceylon ", as is inconsistent with the provisions of this Ordinance, is hereby repealed.

Repeal.

SCHEDULE.

(Section 5 (3)).

Column 1.	Column 2.
1. Administrative limits of the Urban District Council, Jaffna	Chairman, Urban District Council
2. Administrative limits of the Sanitary Board, Point Pedro	Chief Clerk, Police Court
3. Administrative limits of the Sanitary Board, Kayts	do.
4. Do. Valvettiturai	Postmaster, Valvettiturai
5. Do. Mullaattivu	Chief Clerk, Police Court
6. Do. Mannar	do.
7. Do. Vavuniya	do.
8. Any village committee subdivision in the Northern Province	Chairman of the Village Committee

Objects and Reasons.

This Bill is intended to alter the law of pre-emption applicable to lands affected by the "Thesawalamai", on the lines recommended by the Thesawalamai Commission in its first Report of 12 October 1929 (published as Sessional Paper III of 1930) and in its supplementary Report dated 9 October 1931 (published as Sessional Paper I of 1933).

2. Clauses 2, 3 and 4 restrict the right of pre-emption, in accordance with the Commissioners' opinion, to co-owners and to those persons who will be the heirs of the intending vendor if the latter dies intestate, and they make the right available only in cases where the property to be sold consists of undivided shares in land. The object aimed at is that of preventing strangers from acquiring interests in property held by the members of one family.

3. Clause 5 sets out the new method of giving the notice, which the intending vendor is by custom bound to give, of any proposal to sell his share; and clauses 6, 7 and 8 prescribe the steps that may be taken at various stages by any person who has the right and wishes to pre-empt the share.

4. Clause 9 makes an action at law impossible in any case where the actual purchaser is also one who had the right of pre-emption, and sets a time limit of one year to any action that is permitted.

5. Clause 10 makes the registration of *lis pendens* compulsory, so as to give sufficient notice to the prospective purchaser of any proceedings initiated by an aggrieved person. Clause 11 deals with another matter of procedure, designed to make any person who institutes an action prove his *bona fides* by depositing the purchase money in court.

6. The object of clause 12 is to safeguard the interests of the intending vendor, by making it impossible for any person to take over the property at any price less than that offered by the prospective purchaser, or less than the market value if the price stated is fictitious.

7. Clause 13 makes it clear that all persons who have the right rank equally, and that if there is competition among them the property should be made over to the highest bidder among them if his bid is also larger than the proposed price or the market value.

8. Portions of the old customary law of pre-emption which the Commissioners wish to do away with, and the Ordinance No. 4 of 1895 which declared publication of the notice of a sale unnecessary, are to be repealed. (Clause 14).

Colombo, February 23, 1937.

J. C. HOWARD,
Legal Secretary.

MINUTE.

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

An Ordinance to amend Ordinance No. 7 of 1840.

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 Prevention of Frauds and Perjuries Amendment Ordinance, No. of 1937.

2 Section 2 of the Ordinance, No. 7 of 1840, entitled "To provide more effectually for the Prevention of Frauds and Perjuries" is hereby amended by the substitution for the words "shall be of force", of the words—

Amendment of section 2 of Ordinance No. 7 of 1840.

"and no notice, given under the provisions of the *Thesawalamai* Pre-emption Ordinance, No. of 1937, of an intention or proposal to sell any undivided share or interest in land held in joint or common ownership, shall be of force".

Objects and Reasons.

This Bill has been framed, in accordance with the recommendations made by the Thesawalamai Commission in its Supplementary Report of October 9, 1931, (Sessional Paper I of 1933) to make it compulsory to execute before a Notary Public and two witnesses, the notice that an intending vendor has to give of a proposal to sell any property to which the Thesawalamai Pre-emption Ordinance, No. of 1937 applies.

Colombo, February 23, 1937.

J. C. HOWARD,
Legal Secretary.

DISTRICT AND MINOR COURTS NOTICES.

IT is hereby notified under section 98 of the Village Communities Ordinance, No. 9 of 1924, that the Village Tribunal appearing in the Schedule hereto has with my approval set apart for use as Court-house, the building indicated below :—

The Kacheheri,
Kurunegala, February 23, 1937.

W. J. L. ROGERSON,
Government Agent.

Village Tribunal.	Court-house.	SCHEDULE.	
		Area served.	Location.
Katugampola hatpattu	Old Police Court building	Meddeketiya, Yatikaha North and South, Katugampola North and South korales, portion of Karandapattu korale comprising of the Gan-Arachchis' divisions of Dahaneggedera No. 401, Madulupiti No. 402, Kelegedera No. 403, Tarana No. 404, Pihimbiya No. 405, and portion of Yagampattu korale comprising of the Gan-Arachchis' divisions of Watuwatta No. 421, Dunmalasuriya No. 422, Karandawila No. 424, Kappangamu No. 425, and Yaganwela No. 423	Dandagamuwa in Katugampola South korale in Katugampola hatpattu of the Kurunegala District

"The Village Communities Ordinance, No. 9 of 1924."

IT is hereby notified in terms of section 98 of the Village Communities Ordinance, No. 9 of 1924, that the Village Tribunal of Nawadun korale and Uda and Meda pattu of Kukul korale in the District of Ratnapura, has, with the approval of the Government Agent, Province of Sabaragamuwa, prescribed the building noted below as a temporary Village Tribunal Court-house with effect from April 19, 1937, until further notice, while repairs are being effected to the permanent Village Tribunal Court-house at Kotamulla

referred to in notice dated June 15, 1933, and published in *Government Gazette* No. 7,991 of July 7, 1933.

The Kacheheri,
Ratnapura, February 15, 1937.
Court-house.

N. J. LUDDINGTON,
Government Agent.
Jurisdiction.

The new house belonging to Mr. B. A. M. Dingirumahatmaya situated in Uduwatana Village in Elapata wasama, at the 2½ milepost on the Ratnapura-Palawela P. W. D. road

The whole of the Pallepattu of Nawadun korale.

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 Western Circuit will be holden at the Court-house at Hulftsdorp on Monday, March 22, 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,
Colombo, February 23, 1937.

J. R. TOUSSAINT,
for Fiscal.

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 District of Ratnapura will be holden at the Court-house at Colombo, on Monday, March 22, 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,
Ratnapura, February 20, 1937.

N. J. LUDDINGTON,
Fiscal.

NOTICES OF INSOLVENCY.

9 In the District Court of Colombo.

No. 4,832 In the matter of the insolvency of A. L. M. Aliy Abdul Wahab of 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, to approve conditions of sale submitted to court by the assignee, Mr. B. D. Amit.

By order of court, GERALD E. DE ALWIS,
February 24, 1937. Secretary.

In the District Court of Colombo.

No. 4,991. In the matter of the insolvency of Kalaha Pathirage Charles of Nawinna, Nugegoda.

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 April 27, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
February 16, 1937. Secretary.

In the District Court of Colombo.

No. 5,007. In the matter of the insolvency of Alluthellagey Edward Perera of 342, Union place, 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 April 27, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
February 16, 1937. Secretary.

In the District Court of Colombo.

No. 5,066. In the matter of the insolvency of Julius Augustus Caderamen of 293, Mutwal street, Colombo.

WHEREAS the above-named J. A. Caderamen has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by A. J. P. Palle of Pamankada, Wellawatta, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said J. A. Caderamen insolvent accordingly; and that two public sittings of the court, to wit, on March 16, 1937, and on April 27, 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,
February 15, 1937. Secretary.

In the District Court of Colombo.

No. 5,067. In the matter of the insolvency of Mohamed Sheriff Mohamed Mohideen of 90, Muhamdiram's road, Colpetty, Colombo.

WHEREAS the above-named M. S. M. Mohideen has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by M. E. A. Rahaman of 72, Messenger street, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said M. S. M. Mohideen insolvent accordingly; and that two public sittings of the court, to wit, on March 16, 1937, and on April 27, 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,
February 16, 1937. Secretary.

In the District Court of Colombo.

No. 5,068. In the matter of the insolvency of Muttumarikar Samasadeen of 108, Parakrama road, Colombo.

WHEREAS the above-named M. Samasadeen has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by S. M. M. Ali of New Bazaar, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said M. Samasadeen insolvent accordingly; and that two public sittings of the court, to wit, on March 16, 1937, and on April 27, 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,
February 16, 1937. Secretary.

In the District Court of Colombo.

No. 5,069. In the matter of the insolvency of Aelian Edward Jansen of Cemetery road, Talapathpitiya, Udahamulla.

WHEREAS the above-named A. E. Jansen has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by K. C. Ranasoma of 151/B, Model Farm road, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. E. Jansen insolvent accordingly; and that two public sittings of the court, to wit, on March

16, 1937, and on April 27, 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,
February 16, 1937. Secretary.

In the District Court of Kandy.

No. 1,901. In the matter of the insolvency of Kobbekaduwa Ihala Walawwe Loku Banda of Kobbekaduwa in Gangapalata of Yatinuwaru.

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 19, 1937, to appoint a fresh assignee, the original assignee having died.

By order of court, R. MALALGODA,
February 20, 1937. Secretary.

In the District Court of Kandy.

No. 2,106. In the matter of the insolvency of S. P. M. Haniffa of Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on April 9, 1937, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, R. MALALGODA,
February 20, 1937. Secretary.

In the District Court of Galle.

No. 701. In the matter of the insolvency of S. H. Abeyegunawardene of Kaluwella, 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 April 20, 1937, for the examination of the insolvent.

By order of court, L. B. CASPERSZ,
February 19, 1937. Secretary.

In the District Court of Galle.

No. 706. In the matter of the insolvency of Ahangama Nanayakkara Gamage Henry Cornelis de Silva Gunaratne of Pitiduwa in Talpe.

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 April 19, 1937, for the examination of the insolvent.

By order of court, L. B. CASPERSZ,
February 18, 1937. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

B. A. D. Semaneri Appuhamy of Homagama in the Palle pattu of Hewagama korale Plaintiff.
No. 1,062/S. Vs.

Abeysinghe Weerapona D'Almeida Lewis Gomis Appuhamy of Espatta in Puwakpitiya, and presently of Kirillapone in the Palle pattu of Salpiti korale. Defendant.

NOTICE is hereby given that on Thursday, April 15, 1937, at 4 p.m. will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 600, with interest at 9 per cent. per annum from August 31, 1936, till payment in full and costs of action, viz. :-

All that undivided $\frac{3}{4}$ parts or shares towards the northern boundary of all that $\frac{3}{4}$ parts or shares of the allotment of land marked lot 518 of the land called Kahatagahawatta, situated at Kirillapone in the Palle pattu of Salpiti korale in the District of Colombo, Western Province; and bounded on the north by lot No. 514, on the east by lot No. 518A, on the south by lots Nos. 521 and 521A, and on the west by lots Nos. 516, 517, and 519; containing in extent 2 acres 2 roods and 13 perches, together with everything standing thereon.

Fiscal's Office,
Colombo, February 24, 1937.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Avissawella.

Mohammad Mustaliff Abdul Cader of Puwak-pitiya Substituted Plaintiff.

No. 2,031.

Vs.

Jayawarden Welatantrige Hemalatha Boteju Hamine, executrix of the last will of the late Tanippularatchige Don Lewis Gunaratne Jayatilleke of Kanampella Defendant.

NOTICE is hereby given that on Tuesday, March 30, 1937, will be sold by public auction at the respective premises the right, title, and interest of the said defendant as executrix of the last will of the said deceased in the following property for the recovery of the sum of Rs. 975.60, with further interest on Rs. 720 at 12 per cent. per annum from October 25, 1935 till March 31, 1936, and thereafter on the total amount of principal and interest at 9 per cent. per annum till payment in full and costs Rs. 150.15, viz. :—

1. At 9.30 a.m.—The land called Thawalgoda Bollatalanda rubber land, situated at Kanampella in the Udugaha pattu of Hewagam korale in the District of Colombo, Western Province; and bounded on the west by the rubber land belonging to Baronchi Appu, on the north by the rubber land belonging to Veda Mahathmaya, on the east by the rubber land belonging to Pabilis Singho, and on the south by the rubber land belonging to Isan Appu; containing in extent about 12 acres.

2. At 9.45 a.m.—The field called Warakawilakumbura, situated at Kanampella aforesaid, and bounded on the north by Dawatiyawatta, on the west by the liminary ridge of this field belonging to Singho Officer, on the east by the liminary ridge of this field belonging to Julis Ralahamy, and on the south by the liminary ridge of this field belonging to Aratchi Mahathmaya; containing in extent about 1 amunam of paddy sowing.

3. At 10 a.m.—An undivided $\frac{1}{2}$ share of 9 acres of the land called Hadduwalanda, situated at Kanampella aforesaid; and bounded on the east by the land belonging to Sardiel Appu, on the south by Gansabhawa road, on the west by the land of Fiscal's Officer, and on the north by the field; containing in extent about 9 acres.

4. At 10.15 a.m.—An undivided $\frac{6}{7}$ share of the land called Kannannoruwatta, situated at Kanampella aforesaid; and bounded on the north by Kelani river, on the east, south, and west by Katumulla belonging to Seda-watta; containing in extent about $1\frac{1}{2}$ acres.

5. At 10.30 a.m.—The land called Iniminkadwatta, situated at Kanampella aforesaid; and bounded on the east by Gangabodawatta, on the north by Kelani river, on the south by Bokandeowita, and on the west by Rodegodellawatta; containing in extent about $1\frac{1}{2}$ acres.

6. At 10.45 a.m.—The land called Biyanwilagewatta, situated at Kanampella aforesaid; and bounded on the east by ela, on the north by the live fence belonging to Notary Public, on the south by Bogahaowita, and on the west by the land belonging to Pitumpe Appuhamy; containing in extent about $1\frac{1}{2}$ acres.

7. At 11 a.m.—An undivided $\frac{1}{2}$ share of the high land and owita called Sekkan Lebbegawatta, situated at Kanampella aforesaid; and bounded on the north by Meegahawatta alias Gangabodawatta, on the east by Jatungeowita, on the south by ela, and on the west by Kelani river; containing in extent about $2\frac{1}{2}$ acres.

Fiscal's Office,
Colombo, February 24, 1937.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Colombo.

Elwitigalage Don Abraham of Erawwala in the Palle pattu of Salpiti korale Plaintiff.

No. 3,823 M.

Vs.

Don Wilson Arender of Kotigawatta in Ambatalen-pahala, Alutkuru korale south Defendant.

NOTICE is hereby given that on Friday, April 16, 1937, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 3,127 dated June 30, 1931, and attested by N. J. S. Cooray, 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 20, 1936, for the recovery of the sum of Rs. 1,458.32, together with interest on Rs. 1,000 at 18 per cent. per annum from August 28, 1935, to November 11, 1935, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of this action, viz. :—

1. At 11 a.m.—All that divided portion marked lot A in plan No. 691 dated June 17, 1928, made by P. B. Weerasinghe, Licensed Surveyor of Denipitiyawatta, with the

tilled house standing thereon, situated at Kotigawatta in Ambatalenpahala (of Alutkuru korale south in the District of Colombo, Western Province; bounded on the north-west by Nagahakumbura grass fields presently of D. V. Arander and others, north-east by lot marked B in the said plan, on the south by a divided portion of this land, south-west by land presently of Hetti Aratchige Juwanis and others; containing in extent 2 roods and 27 $\frac{5}{100}$ perches reserving to Don Fredrick Arender right of cart way over the said land on to his house and land situated on the eastern side marked lot B in the said plan and registered in B 276/33.

2. At 11.30 a.m.—All that field called Nagahakumbura (grass field) being lot marked A in plan No. 692 dated June 17, 1928, made by P. B. Weerasinghe, Licensed Surveyor, situated at Kotigawatta aforesaid; bounded on the north-east by lot B in the said plan, on the south-east by Denipitiyawatta of D. V. Arander and others, on the south-west by dewata road separating the lands presently of H. A. Janis and others and Talangamage John Perera and others, on the north-west by Ampitiyawatta presently of A. K. Dona Pesona Hamine, and others; containing in extent 1 acre and 9 $\frac{12}{100}$ perches, and registered in B 251/284.

Fiscal's Office,
Colombo, February 24, 1937.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Colombo.

M. E. Mohamed of 120, Skinner's road south, Colombo Plaintiff.

No. 5,202 M.

The Pioneer Films (India), Ltd., Punchikawatta road, Maradara, Colombo Defendants.

NOTICE is hereby given that on Thursday, April 1, 1937, at 10 A.M., will be sold by public auction at this office the following property for the recovery of the sum of Rs. 3,473.37, with legal interest thereon from May 15, 1936, till date of decree (June 1, 1936), and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, viz. :—

The theatrical goods consisting of furniture, dresses, implements, tools, boxes, sceneries, scenes, machinery, lanterns, musical instruments and other stock-in-trade of the defendant Coy.

Fiscal's Office,
Colombo, February 24, 1937.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Colombo.

N. M. N. Muttiah Chettiar of Sea street, Colombo.. Plaintiff.

No. 51,752.

Vs.

Fritz Mack of Huultsdorp, Colombo Defendant

NOTICE is hereby given that on Tuesday, April 6, 1937, at 3.30 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 5,450, together with further interest on Rs. 5,000 at 15 per cent. per annum from February 13, 1933, up to March 6, 1933, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit, viz. :—

All that allotment of land and buildings thereon marked lot No. 134 in registration plan No. 2 and bearing assessment Nos. 650/788, 792, 651/787, and 652/783, thereafter bearing assessment Nos. 256, 256/1, 256/2, 256/3, 256/5, 256/6, 256/7, 256/9, 256/10, 256/11, 256/12, 256/13, 256/14, and now bearing assessment Nos. 200, 200/1, 200/2, 200/3, 200/5, 200/6, 200/7, 200/9, 200/10, 200/11, 200/12, 200/13, and 200/14, Pamankada-Cotta road, now known as High street, situated at Wellawatta (special division), within the Municipality and District of Colombo, Western Province; bounded on the north by a road (new Pamankada-Cotta road), now known as High street, on the south by lot No. 158, on the east by lot Nos. 135, 136, 137, and 138, and on the west by lot No. 133c; and containing in extent 1 rood and 31.5 perches, and registered in 21/225.

Fiscal's Office,
Colombo, February 24, 1937.

J. R. TOUSSAINT,
Deputy Fiscal.

In the Court of Requests of Colombo.

The Colonial Motor and Engineering Company,
Limited, of Union place, Slave Island, Colombo. Plaintiffs.

No. 80,099. Vs.

G. D. V. Seneviratne of Verne Dale, Dematagoda,
in Colombo, presently of 131, Dematagoda road,
Colombo Defendant.

NOTICE is hereby given that on Saturday, April 17, 1937, at 11 A.M., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 91.63, with interest thereon at 4 1/2 per cent. per annum from April 16, 1932, to September 28, 1932, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full and costs of suit Rs. 22.25 incurred costs and Rs. 10 prospective costs, viz. :-

All those premises and the bathing well together with the trees and plantations thereon bearing assessment No. 103 (141/15), situated at Dematagoda road, within the Municipality and District of Colombo, Western Province; bounded on the north by a portion of this land, east by property belonging to the temple, south and west by Crown land; containing in extent about 10 perches, and registered in A 223/76.

Fiscal's Office,
Colombo, February 24, 1937.

J. R. TOUSSAINT,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Sawenna Pana Lana Swaminathan Chettiyar of
Nawalapitiya Plaintiff.

No. 45,199. Vs.

(1) Muhandirama Gegera Habesbu Lebbe Omer Lebbe,
(2) M. Omer Lebbe Zainul Abdeen, both of Balan-
tota Group, Nawalapitiya Defendants.

H. O. Lebbe's son, Abdul Latiff, legal representative of
the 1st defendant, deceased Substituted Defendant.

NOTICE is hereby given that on Saturday, March 20, 1937, at 12 noon, will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 2,116 dated September 4, 1931, and attested by M. W. R. de Silva of Gampola, 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 January 27, 1937, for the recovery of the sum of Rs. 3,588, with interest on Rs. 3,000 at 18 per centum per annum from May 13, 1934, till July 13, 1934, and thereafter on the aggregate amount at 9 per cent. per annum from July 13, 1934, till payment in full and poundage, viz. :-

All that divided 1/2 share of 67 feet in length and 30 feet in breadth towards the east from and out of all that land called Padinchiwehitinagederawatta, situate at Nawalapitiya town in Pasbage korale of Uda Bulatgama in the District of Kandy, Central Province; which said divided portion towards the east is bounded on the east by the fence of the old Resthouse, south by the limit of Pitcha Thamby's land, west by Hill road, and north by the limit of Wappu Kandu's land, together with the house standing thereon, bearing assessment No. 1 and of everything thereon, and registered in L 17/195 and all the right, title, interest, and claim whatsoever of the said defendant in, to, upon, or out of the said several premises mortgaged by the defendant.

Fiscal's Office,
Kandy, February 20, 1937.

H. C. WIJESINHA,
Deputy Fiscal.

Southern Province.

In the District Court of Matara.

Liyanage Wilson de Silva of Matara, administrator of
the estate of the late L. N. de Silva, deceased Plaintiff.

No. 11,118. Vs.

Willie Wickremasinghe of Weragampita, administrator
of the estate of the late J. P. Wickremasinghe of
Weragampita Defendant.

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
defendant in the following property for the recovery of a
sum of Rs. 1,018.77, viz. :-

On Wednesday, March 31, 1937, at 2 p.m.

1. All that the southern half portion of the land called
Mahaowita, situated at Walpola, within the Four Gravets
of Matara, Matara District, Southern Province; and bounded
on the north by the other half portion of the same land,
east by Mirikajjela, south by Puhulpittaniya and Passa-
wagura, and on the west by Alakanduawita; and
containing in extent 1 acre.

2. All that undivided 8/14 parts of the soil and fruit
trees of the land called Wedegewatta, situated at Walpola
aforesaid, and bounded on the north by lot Nos. 6 and 4
of the same land, east by road, south by road, and on the
west by lot Nos. 1 and 2 of the same land; and containing
in extent 1 rood 4 91 perches.

On Saturday, April 3, 1937, at 2 p.m.

3. All that undivided 8/14 parts of the soil and fruit
trees of the portion B of the contiguous lands called
Muruthagahadeniya, Diggahawatta, Maragahawatta alias
Kolambegemaragahawatta, Diggahadeniya, Thelambugaha-
deniya, Kolambagedeniya, and Maduwelhena, situated at
Owitagamuwa in Gangaboda pattu of Matara District
aforesaid; and bounded on the north by Deundaragewatta
and hena, east by lot A of the same lands, south by Liyana-
gewatta, and on the west by Deundaragekumbura, Kolam-
bagedeniya, and Wetamullagahakoratuwa; and containing
in extent 8 acres.

On Wednesday, April 7, 1937, at 2 p.m.

4. All that undivided 8/14 of 1/2 of the soil and fruit
trees of the land called Tenagamayaketiya and Arama-
gamayaketiya, situated at Naimbala in Gangaboda pattu
aforesaid; and bounded on the north by Kolagahakumbura
and tolla, east by Kebellagahakumbura and tolla, south by
Radamedagoda Pitawagura, and Kurapaiyaketiya, and
on the west by Danattediwela and Daniyaketiya; and
containing in extent about 5 acres.

Deputy Fiscal's Office,
Matara, February 19, 1937.

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

Eastern Province.

In the District Court of Trincomalee.

Subramaniam Kaliappu of Paddimedu Plaintiff.
No. 2,107. Vs.

(1) Pathamuttu, widow of Muhammadu of Division
No. 7, Trincomalee, legal representative of the estate
of Pakirmeydin Muhammadu and (2) Muhammadu
Cassim Abdul Hamid of Naehekula Defendants.

NOTICE is hereby given that on Saturday, March 20,
1937, commencing at 12 noon, will be sold by public auction
at the premises the following properties mortgaged with the
plaintiff by bond No. 866, dated October 24, 1928, and
attested by Mr. D. Rajaratnam of Trincomalee, Notary
Public, and declared specially bound and executable under
the decree entered in the above case and ordered to be sold
by order of court dated February 11, 1937, for the recovery
of the sum of Rs. 4,174.10, with interest on Rs. 2,100 at
12 per cent. per annum from January 17, 1937, till January
26, 1937, and thereafter at 9 per cent. per annum and costs
of suit (reserved), Fiscal's fees and charges and poundage,
viz. :-

(1) Out of lots marked N. O. P. delineated in plan
No. 130 dated February 26, 1926, authenticated by
Licensed Surveyor, V. Sanmugalingam, called Poddalkadu,
situated at Peratuveli in Kantalai, Tamblegam pattu,
Trincomalee District, Eastern Province, an extent of 7 acres
3 roods and 1 perch, adjoining the land sold to Ahamadusa
Abdul Cader and others; bounded on the north by land of
Ahamadusa Abdul Cader and others, south by land of
Thillaiampalam Chinniah, west by land of the heirs of
K. Chellapillai, and on the east by land of Muhamadu Carim
Abdul Hamid and Crown land. Registered D 7/292.

(2) All that undivided extent of 6 acres and 6 1/2 perches
of an undivided 1/2 share of a piece of land called Peratuveli-
kadu, bearing lot No. 8 in P. P. No. 4,901, situated at
Kantalai aforesaid; bounded in its entirety on the north by
lot 7 in P. P. No. 4,904, east by lot 31 in P. P. No. 4,901,
south by Crown land, and on the west by T. P. 144,745; in
extent 30 acres and 25 perches. Registered D 5/276.

Deputy Fiscal's Office,
Trincomalee, February 24, 1937.

B. V. SETHUKAVALAR,
Additional Deputy Fiscal.

North-Western Province.

In the District Court of Chilaw.

A. R. R. M. Selliah Pulle of Chilaw ³³ Plaintiff.
No. 10,776. Vs.

(1) J. K. T. Perera, U. D. C. Inspector, and his wife, (2) Mary Agnes, both of Chilaw Defendants.

NOTICE is hereby given that on Wednesday, March 31, 1937, commencing from the 1st and 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 514 with interest on Rs. 400 at 18 per cent. per annum from May 17, 1936, to October 8, 1936, and thereafter with legal interest (less a sum of Rs. 25) and poundage, viz. :—

1. The contiguous lands called Kongahawattukotasa, Kongahawatta, and Millagahawattukotasa adjoining each other, situate at Wennappuwa in Kammal pattu of Pitigal korale south in the District of Chilaw, North-Western Province; and bounded on the north by village limit of Kolinjadiya and land of A. Perera, east by land of Augustinu Perera and Rogus Perera and a portion of Millagahawatta of D. Pinto and others, south by a portion of Kongahawatta of J. Nonis and land of Jagarias, and west by dewata road, a portion of Kongahawatta of J. Nonis and land of Clementu Fernando; containing in extent about 250 coconut trees plantable soil.

2. The land called Bakmigahawatta, situate at Wennappuwa aforesaid; and bounded on the north by field of Manuel Fernando, Peace Officer, east by dewata road, south by land of the heirs of Paulu Perera, and west by field of Manuel Fernando; containing in extent 60 coconut trees plantable soil.

Deputy Fiscal's Office,
Chilaw, February 18, 1937.

L. F. ROSA,
Additional Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Testamentary In the Matter of the Last Will and Testament of Beminahennedige Johannis Fernando of Galkissa, deceased.

Wattoru Tharige Francina Fernando of Galkissa, sole heiress and executrix named in the will Petitioner.

(1) Reverend Vissudhananda of Lunawa, (2) Daisy Kathleen Fernando, (3) Beminahennedige Johannes Edmund Fernando, (4) Beminahennedige Garom Fernando, all of Galkissa Respondents.

THIS matter coming on for disposal before G. Crosette Thambyah, Esq., District Judge of Colombo, in the presence of Mr. Joseph Gerald Fernando, Proctor, on the part of the petitioner; and the petition and affidavit of the petitioner above named having been read :

It is ordered and declared that the petitioner be and she is declared sole heiress and executrix of the last will and testament of the said Beminahennedige Johannes Fernando, now deposited in court, be and the same is declared proved, and that the probate of the said last will be issued to her, unless any one of the respondents or any one else showing sufficient cause to the contrary before December 18, 1936.

G. C. THAMBYAH,
District Judge.

Extended to February 4, 1937.

G. C. THAMBYAH,
District Judge.

Extended to March 3, 1937..

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

B 3

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Don Charles Serasingha Goonewardene of Nupe, Matara, deceased.

Dr. John Alfred Serasingha Goonewardene of Rakwana Petitioner.

(1) Bibona Serasingha, widow of deceased, (2) Sumanapemi Serasingha Goonewardena, wife of Ratnakirti Senarath Serasingha Goonewardena, (3) Lenny Serasingha Goonewardena, wife of D. Amarasingha, (4) Dr. Don Sugathadasa Serasingha Goonewardena, (5) Premananda Serasingha Goonewardena, (6) Dayaratna Serasingha Goonewardena, (7) Karunawathie Margaret Serasingha Goonewardena, and (8) Warnasena Serasingha Goonewardena. Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on January 25, 1937, in the presence of Mr. T. H. Gooneratne, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated October 19, 1936, and (2) of the attesting notary and one of the attesting witnesses dated October 16, 1936, having been read :

It is ordered that the last will of Don Charles Serasingha Goonewardene, 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 March 4, 1937, show sufficient cause to the satisfaction of this court to the contrary.

January 25, 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 Ahmed Lebbe Marikar Mohamed Mohideen of Biddington, Kinross avenue, Wellawatte, Colombo, deceased.

Raihanath Umma of Biddington, Kinross avenue, Wellawatte, Colombo Petitioner.

(1) Mohamed Mohideen Noornaima, (2) Mohamed Mohideen Sithi Zahira Umma, (3) ditto Mohamed Nazim, (4) ditto Sithi Hamdum Umma, (5) ditto Sithi Ravha, (6) ditto Mohamed Nalir, (7) ditto Habeebath Hamida Umma; the 2nd, 3rd, 4th, 5th, 6th, and 7th respondents are minors appearing by their guardian *ad litem* the 8th respondent, (8) Shamsi Lebbe Marikar Abdul Azeez of 112, Avondale road, Maradana, Colombo, (9) Mohamed Mohideefi Ummu Nasima, minor, appearing by her guardian *ad litem* the 8th respondent Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on December 5, 1936, in presence of Mr. A. R. M. Razeen, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 30, 1936, having been read :

It is ordered (a) that the 8th respondent be and he is hereby appointed guardian *ad litem* of the minors, the 2nd, 3rd, 4th, 5th, 6th, 7th, and 9th 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 March 4, 1937, show sufficient cause to the satisfaction of the court to the contrary.

December 5, 1936.

G. C. THAMBYAH,
District Judge.

In the District Court of Colombo.

Order Nisi.

31/ Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of John Gabriel Atapattu of Kaw-
No. 7,880. dana in the Palle pattu of Salpiti korale,
deceased.

(1) Felix A. Wickremasinghe of Wellawatta, (2) James
Edwin Atapattu of Dehiwala Petitioners.

And

(1) Alice Atapattu, (2) Ruth Wickrema-
singhe Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on February 5, 1937, in the presence of Mr. A. Clive Abeyewardene, Proctor, on the part of the petitioners above named; and the affidavits (1) of the said petitioners dated January 12, 1937, and (2) of the attesting notary dated January 22, 1937, and (3) of the attesting witnesses dated November 26, 1936, having been read:

It is ordered that the last will of John Gabriel Atapattu, 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 petitioners are the executors named in the said will and that they are entitled to have probate thereof issued to them accordingly, unless the respondents above named or any other person or persons interested shall, on or before March 4, 1937, show sufficient cause to the satisfaction of this court to the contrary.

February 15, 1937. M. W. H. DE SILVA,
District Judge.

In the District Court of Colombo.

Order Nisi.

28/ Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Bastian Perera Samarasinghe of Weligam-
No. 7,888. pitiya in the Ragam pattu of
Alutkuru korale, deceased.

Senadirage Dona Regina Jayawardene of Weligam-
pitiya aforesaid Petitioner.

And

(1) Makewitige Ma Maria Perera, (2) Makewitige
Carline Perera both of Siduwa, (3) Makewitige
Marsel Perera, and (4) Makewitige Alice Perera, all
of Katunayake Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on February 1, 1937, in the presence of Mr. L. P. Amaratunga, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 26, 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 to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before March 11, 1937, show sufficient cause to the satisfaction of the court to the contrary.

February 1, 1937. M. W. H. DE SILVA,
District Judge.

In the District Court of Colombo.

Order Nisi.

36/ Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Reverend Lindamulage Juan de
No. 7,889. Silva of Rawatawatta in Moratuwa,
deceased.

(1) Lindamulage Simon Peter de Silva and (2) Maha-
marakkala Kurukulasuriya Patabendige Samuel
William Perera, both of Rawatawatta in Mora-
tuwa Petitioners.

And

(1) Lindamulage Mary Jane Fernando nee de Silva of
Rawatawatta in Moratuwa, (2) Widanelage Edmund
Walter de Mel of Korawalwella in Moratuwa, (3)
Widanelage Fredrick Harold de Mel, and (4) Linda-
mulage Samuel Richard de Silva, both of Rawata-
watta in Moratuwa Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on February 2, 1937, in the presence of Messrs. Perera & Fernando, Proctors, on the part of the petitioners above named; and the affidavits (1) of the said petitioners dated November 8, 1936, and (2) of the attesting witnesses dated January 11, 1937, having been read:

It is ordered that the last will of Reverend Lindamulage Juan de Silva, 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 petitioners are the executors named in the said will and that they are entitled to have probate thereof issued to them accordingly, unless the respondents above named or any other person or persons interested shall, on or before March 11, 1937, show sufficient cause to the satisfaction of this court to the contrary.

February 2, 1937. M. W. H. DE SILVA,
District Judge.

In the District Court of Colombo.

Order Nisi.

30/ Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Samsi Lebbe Hadjar Awwa Umma of
No. 7,890. Jezima Villa, Colpetty, Colombo,
deceased.

Samsi Lebbe Hadjar Theba Umma of Jezima Villa,
Colpetty, Colombo Petitioner.

And

(1) Anheed Lebbe Manikar Halma Umma, (2) Samsi
Lebbe Hadjar Mohamed Hassen of Wellawatta,
Colombo, (3) Samsi Lebbe Hadjar Mohamed Yooseof
Hadjar of Colpetty, Colombo, (4) Samsi Lebbe
Hadjar Pathumma Umma of Jezima Villa,
Colpetty, Colombo Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on February 3, 1937, in the presence of Mr. A. R. M. Razeen, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 3, 1937, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as sister of the above named deceased, to have letters of administration to her estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before March 11, 1937, show sufficient cause to the satisfaction of the court to the contrary.

February 3, 1937. M. W. H. DE SILVA,
District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

40/ Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment and of the Intestate Estate of
No. 7,902 N.T. Francis Duncan (commonly known as
Frank Duncan) of Atale estate, Ruan-
wella, in the Island of Ceylon, deceased.

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

(1) Keema Anditchy of Atale, Ruanwella, (2) His
Majesty's Attorney-General for the Island of
Ceylon Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Colombo, on February 19, 1937, in the presence of James Frederick van Langenberg, Proctor, on the part of the petitioner, Stanley Frederick de Saram of Messrs. F. J. & G. de Saram, Colombo; and (1) the affidavit of the said petitioner dated February 10, 1937, (2) the power of attorney dated October 2, 1936, and (3) the certificates of death of the deceased and of two of the beneficiaries named in the will having been read: It is ordered that the will of the said Francis Duncan (commonly known as Frank Duncan), deceased, No. 293 dated March 13, 1918, and attested by James Aubrey Martensz of Colombo, Notary Public, original of which 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 Stanley Frederick de Saram, as the attorney in Ceylon or William Allan and Robert Allan, the persons entitled to the residuary estate of the said Francis Duncan (commonly known as Frank Duncan), deceased, and that he is entitled to have letters of administration (with will annexed) coupled with a grant of letters of administration as on an intestacy in respect of the residuary estate issued to him accordingly, unless the 2nd respondent or any person or persons interested shall, on or before March 18, 1937, show sufficient cause to the satisfaction of this court to the contrary.

February 19, 1937.

G. C. THAMBYAH,
District Judge.

In the District Court of Negombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Mary Cecilia de Croos *nee* Moraes of St. Ives, Negombo, deceased.

No. 3,026. Joseph Emmanuel de Croos of Negombo Petitioner.
49 Vs.

(1) Peter D. F. de Croos, (2) Mary Anna de Faldanu *nee* Croos, (3) Mary Alexia de Croos, (4) Francio Christopher de Croos, (5) Mary Ursula de Croos, (6) Mary Celina de Croos, (7) Mary Beatrice de Croos, (8) Allgenor de Croos, (9) Edmund de Croos, (10) Maria Victoria de Croos, (11) Maria Rachele de Croos, (12) Mary Emelda de Croos, (13) Maria Martha de Croos, (14) Jacob Peter de Croos, all of Negombo, (15) Mary Martha de Croos of Negombo. Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Negombo, on February 2, 1937, in the presence of Mr. H. Paul de Silva, Proctor, on the part of the petitioner; and the petitioner's petition and affidavit dated February 2, 1937, and the affidavit of the attesting notary and witnesses dated July 22, 1936, having been read:

It is ordered and decreed that the last will and testament No. 4,407 dated June 8, 1936, attested by H. P. Silva, Notary Public, of the above-named deceased, the original of which has been deposited in this court, be and the same is declared proved, unless the respondents above named or any other person or persons interested shall show sufficient cause to the contrary to the satisfaction of this court on or before March 8, 1937.

It is further ordered that the petitioner be and he is hereby declared entitled, as the executor named in the said last will and testament, to have probate to same 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 March 8, 1937.

It is further ordered that the 1st respondent be appointed the guardian *ad litem* over the 8th respondent, who is a minor, and that the 15th respondent be appointed as guardian *ad litem* of the 9th, 10th, 11th, 12th, 13th, and 14th respondents, who are also minors, to represent them in this case, unless the respondents above named or any other person or persons interested shall show sufficient cause to the satisfaction of this court to the contrary on or before March 8, 1937.

February 2, 1937.

N. M. BHARUCHA,
District Judge.

43 In the District Court of Matara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Naurunnege Don Sarodis de Silva of Wattegama, deceased.

No. 3,948. Wickrama Hewa Rosnahamy of Wattegama Petitioner.
Rs 20 29 Vs.

(1) Naurunnege Caradiyas de Silva of Wattegama, (2) ditto Permaini wife of (3) Handunetti Ranulu Aralias Silva, Constable Arachchi, both of Dikwella North, (4) Naurunnege Premawathie, wife of (5) Weerasinghe Siridias de Silva, both of Batheegama, (6) Naurunnege Nimalawathie, wife of (7) P. E. S. Karunaratna, both of Dicumbura in Talpe pattu, Galle, (8) Naurunnege Sumanawathie, wife of (9) Auneris de Silva Sudusinghe, Vel-Vidane, both of Wanduruppa in East Giruwa pattu, Tangalla, (10) Naurunnege S. Amarasinghe, (11) Naurunnege Eas de Silva, both of Wattegama; 10th and 11th respondents are minors by their guardian *ad litem* the 1st respondent Respondents.

THIS matter coming on for disposal before M. D. T. Kulatilleke, Esq., Acting District Judge of Matara, on January 11, 1937, in the presence of Mr. E. P. Wijetunge, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 22, 1936, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as widow of the deceased above named, to have letters of administration 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 March 4, 1937, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 1st respondent above named be and he is hereby appointed guardian *ad litem* over the 10th and 11th respondents minors above named, unless the respondents above named or any other person or persons interested shall, on or before March 4, 1937, show sufficient cause to the satisfaction of this court to the contrary.

January 11, 1937.

M. D. T. KULATILLEKE,
Acting District Judge.

33 In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Vijayalakshimi, wife of Poothapillai Ponnampalam of Tellippalai, who died in Bentong in F. M. S., deceased.

No. 388. Poothappillai Ponnampalam of Tellippalai, presently of Bentong, by his attorney Poothappillai Sittampalam of Tellippalai West Petitioner.
Rs 16 29 Vs.

(1) Ponnampalam Rajeswari, (2) Rajeswari, daughter of Ponnampalam, both of ditto, presently of F. M. S., (3) Parameshwari, daughter of Ponnampalam, and (4) Kadirkamathamby Balasingham of Tellippalai East. The 1st, 2nd, and 3rd respondents are minors appearing by their guardian *ad litem* the 4th respondent Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on January 26, 1937, in the presence of Mr. M. S. Subramaniam, Proctor for the petitioner; and an affidavit of the attorney of the petitioner dated November 10, 1936, having been read:

It is ordered that letters of administration to the estate of the above-named deceased be granted to the petitioner above named, as he is the husband of the deceased, unless the respondents or any other person shall, on or before February 15, 1937, show sufficient cause to the satisfaction of the court to the contrary.

February 3, 1937.

C. COOMARASWAMY,
District Judge.

Time to show cause extended for March 19, 1937.

C. COOMARASWAMY,
District Judge.

25 In the District Court of Jaffna.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Thilliampalam Nagalingam of Ellumulli, Manipay, deceased.

No. 409. Sinnammah, widow of Thilliampalam Nagalingam of Ellumulli, Manipay Petitioner.
Rs 16 29 Vs.

(1) Marimuthu Thilliampalam, (2) Savuntharipillai, both of Ellumulli, Manipay Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on January 15, 1937, in the presence of Mr. R. Kannudurey, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner dated January 11 and 15, 1937, having been read:

It is ordered that letters of administration in respect of the estate of the above-named deceased be granted to the petitioner, unless the above-named respondents or any other person shall, on or before February 10, 1937, appear before this court and show cause to the satisfaction of this court to the contrary.

January 29, 1937.

C. COOMARASWAMY,
District Judge.

Order Nisi extended for March 12, 1937.

February 10, 1937.

C. COOMARASWAMY,
District Judge.

35 In the District Court of Kurunegala.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Mr. Punchibanda Delvita of Delvita
No. 4,270. Walauwa in Madure korale, deceased.

Harry Delvita of Kospothoya Petitioner.

(1) Brenda Delvita Kumaramany, (2) Victor Delvita,
(3) Mildred Delvita Kumaramany, (4) L. B. Diullewa,
Rate Adiga, Matale Respondents.

THIS matter coming on for disposal before James Joseph,
Esq., District Judge of Kurunegala on November 30, 1936,
in the presence of Mr. H. B. Wanduragala, Proctor for
petitioner above named; and the affidavit of the petitioner
dated October 13, 1936, having been read:

It is ordered that the 4th respondent be and he is hereby
appointed G. A. L. over the 1st to 3rd minor respondents
for the purpose of these proceedings, unless the respondents
shall, on or before January 13, 1937, 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 brother of the above named deceased,
to have letters of administration to the estate issued to him,
unless the respondents or any other person or persons
interested shall, on or before January 13, 1937, show
sufficient cause to the satisfaction of this court to the
contrary.

November 30, 1936. JAMES JOSEPH,
District Judge.

The date for showing cause extended to February 17,
1937.

January 13, 1937. V. I. V. GOMIS,
Acting District Judge.

The date for showing cause extended to March 24, 1937.

February 17, 1937. J. JOSEPH,
District Judge.