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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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PASSED ORDINANCES.

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

No. 15 of 1937.

906/11 (SB/FSO)

No. 2 of 1932.

An Ordinance further to amend the Income Tax Ordinance, 1932.

M. M. WEDDERBURN.

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

Short title.

1 This Ordinance may be cited as the Income Tax (Amendment) Ordinance, No. 15 of 1937.

Amendment of section 67 of Ordinance No. 2 of 1932

2 Section 67 of the Income Tax Ordinance, 1932, is hereby amended as follows :—

(1) by the re-numbering thereof as section 67 (1); and
(2) by the addition thereto of the following sub-section :—

“(2) Where by reason of an amendment of the law or an amendment of the unit rate under section 20 (10) it is necessary to vary the amount of tax charged in any notice of assessment, the Assistant Commissioner may give such notification as may be necessary to the person assessed in that notice of assessment; and any notification so given shall, as regards any particulars of the assessment contained in the notification which have not been included in the notice of assessment, have effect as if the notification were a notice of assessment.”

Passed in Council the Twenty-sixth day of August, One thousand Nine hundred and Thirty-seven.

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Officer Administering the Government the Fourth day of September, One thousand Nine hundred and Thirty-seven.

E. R. SUDBURY,
Secretary to the Governor.

DRAFT ORDINANCES.**MINUTE.**

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

A 180/35

An Ordinance to amend the Labour Ordinance, No. 1 of 1923

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 Labour Amendment Ordinance No. of 1937.

Amendment of section 13 of Ordinance No. 1 of 1923.

2 Section 13 of the Labour Ordinance, No. 1 of 1923, is hereby amended in sub-section (1) thereof by the addition at the end of that sub-section of the following new paragraph (h) :—

“(h) The payment of contributions to any provident fund or to any scheme for the grant of pensions or gratuities established for the benefit of those persons mentioned in paragraph (g) who, in addition to their salaries, receive no regular remuneration or allowance from any source other than the Fund in respect of any services rendered or duties performed in any matter relating to Indian immigrant labourers or incidental to the recruitment of such labourers”.

Objects and Reasons.

The object of this Bill is to authorise the payment out of the Immigration Fund of contributions to a scheme for the grant of pensions or gratuities to officers referred to in section 13 (1) (g) of the Labour Ordinance No. 1 of 1923. Such contributions will be made only in the case of those officers who receive no regular remuneration other than their salaries for duties performed in connexion with the recruitment of Indian Immigrant labourers.

Colombo, September 3, 1937. G. S. WODEMAN,
Acting Chief Secretary.

MINUTE.

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

An Ordinance further to amend the Courts Ordinance, 1889.

No. 1 of 1889.

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 Courts Amendment Ordinance, No. of 1937, and shall come into operation on such date as the Governor may appoint by Proclamation in the *Gazette*.

Short title and date of operation.

2 Section 8 of the Courts Ordinance, 1889, (hereinafter referred to as "the principal Ordinance"), is hereby amended as follows :—

Amendment of section 8 of Ordinance No. 1 of 1889.

(1) by the substitution for the words "seven Judges," of the words "nine Judges,";

(2) by the substitution for the words "six Puisne Justices." of the words "eight Puisne Justices."; and

(3) in the marginal note to that section, by the substitution for the words "six Puisne Justices." of the words "eight Puisne Justices."

3 Section 53 of the principal Ordinance is hereby amended by the substitution for the words "any three of them," of the words "any five of them,".

Amendment of section 53 of the principal Ordinance.

4 Section 54 of the principal Ordinance is hereby amended by the substitution for the words "any three of them," of the words "any five of them,".

Amendment of section 54 of the principal Ordinance.

5 Section 54A of the principal Ordinance is hereby repealed and the following section is substituted therefor :—

Repeal of section 54A of the principal Ordinance and substitution of a new section therefor.

54A. (1) It shall be lawful for the Chief Justice to make order in writing in respect of any case brought before the Supreme Court by way of appeal, review or revision, that it shall be heard by and before all the Judges of such Court or by and before any five or more of such Judges named in the order, but so that the Chief Justice shall always be one of such five or more Judges. The decision of such Judges when unanimous, or of the majority of them in case of any difference of opinion, shall in all cases be deemed and taken to be the judgment of the Supreme Court.

Chief Justice may order appeals, &c. to be heard before Full Court or five or more Judges.

(2) Where an order has been made under sub-section (1) that any case shall be heard by and before an even number of Judges and where such Judges are equally divided in their opinions, the decision of the Chief Justice or the decision of any Judge with whom the Chief Justice concurs shall be deemed and taken to be the judgment of the Supreme Court.

Objects and Reasons.

The object of this Bill is to make such amendments in the Courts Ordinance, 1889, as are necessary for the purpose of giving effect to the recent decision of the State Council that the number of Puisne Justices of the Supreme Court should be increased from six to eight.

2. Section 8 of the principal Ordinance has been successively amended by Ordinances No. 16 and No. 21 of 1926, and by Ordinance No. 1 of 1936. Clause 2 of the Bill amends section 8 so as to provide that the Supreme Court shall consist of nine Judges, namely the Chief Justice and eight Puisne Justices.

3. Section 53 of the principal Ordinance empowers the Judges of the Supreme Court, or any three of them of whom the Chief Justice must be one, to frame Rules of Court. An increase in the number of Puisne Justices necessitates an amendment of this section so as to confer the power to make rules on a majority of the Judges of the Supreme Court. The object of Clause 3 of the Bill is to amend section 53 so as to provide that the powers conferred on the Judges of the Supreme Court may be exercised by any five of them when their number has been increased to nine. Clause 4 effects a corresponding amendment in section 54 of the principal Ordinance.

4. Section 54A was added to the principal Ordinance by Ordinance No. 21 of 1926, and was later amended by Ordinance No. 1 of 1936. The proposal to increase the number of Judges of the Supreme Court necessitates several consequential amendments in section 54A, and it has been considered preferable to repeal the existing section and to substitute a new section in its place.

Sub-section (2) of the new section provides that the decisions supported by the judgment of the Chief Justice shall prevail in a case where the Judges are equally divided in their opinions.

Chambers,
Hulftsdorp, Colombo, September 7, 1937.

J. C. HOWARD,
Legal Secretary.

DISTRICT AND MINOR COURTS NOTICES.

Destruction of Valueless Records.

IN terms of section 6 of Ordinance No. 12 of 1894, it is hereby notified for general information that three months hence the valueless Criminal Records decided in the District Court, Trincomalee, during the period of January 16, 1900, to November 29, 1932, will be destroyed.

Any person interested in any record referred to above may personally or by Proctor or by duly authenticated petition, claim upon good cause shown that such record may not be destroyed.

District Court, Trincomalee, September 3, 1937. A. R. SUPRAMANIAM,
District Judge.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.
Insolvency In the matter of the insolvency of Ernest No. 2,757. Michael Clarence Pioris of Ragama, insolvent.

NOTICE is hereby given that a sitting of this court will be held on October 12, 1937, for the appointment of an assignee in the above case.

By order of court, GERALD E. DE ALWIS,
September 3, 1937. Secretary.

In the District Court of Colombo.
No. 4,455. In the matter of the insolvency of Mana Ramalingampillai and Muna Suppramanipillai, both carrying on business under the name, firm, and style of R. M. S. K. & Coy., 46, Wolfendahl street, 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 October 5, 1937, for the grant of a certificate of conformity to the insolvents.

By order of court, GERALD E. DE ALWIS,
August 31, 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.

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 October 5, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
August 31, 1937. Secretary.

In the District Court of Colombo.
No. 5,084. In the matter of the insolvency of Wanniaratchige Ibius Arthur Fonseka of 221A, Kirillapona road, 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 October 12, 1937, for the grant of a certificate of conformity to the insolvent.

By order of court, GERALD E. DE ALWIS,
August 31, 1937. Secretary.

In the District Court of Colombo.
No. 5,085. In the matter of the insolvency of Don Johanest Wijesiriwardena of 103/17, Cotta road, in 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 October 5, 1937, for the grant of a certificate of conformity to the insolvent.

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

In the District Court of Colombo.
No. 5,137. In the matter of the insolvency of Kodagoda Vithanage Jinadasa of K 185, U. D. C., Kolonnawa.

WHEREAS the above-named K. V. Jinadasa has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by D. A. Nanayakkara of 203, Old Kolonnawa road, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said K. V. Jinadasa insolvent accordingly; and that two public sittings of the court, to wit, on October 5, 1937, and on November 9, 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,
September 2, 1937. Secretary.

In the District Court of Colombo.
No. 5,138. In the matter of the insolvency of Thomas Gordon Philip Paul of 21, Ambalama road, Kotahena, Colombo.

WHEREAS the above-named T. G. P. Paul has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by E. D. Bandaranaike of Walpitimulla, Veyandgoda, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said T. G. P. Paul insolvent accordingly; and that two public sittings of the court, to wit, on October 5, 1937, and on November 9, 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,
September 2, 1937. Secretary.

In the District Court of Colombo.
No. 5,139. In the matter of the insolvency of James Samuel Henry Edirisinghe of Rajagiriya, Colombo.

WHEREAS the above-named J. S. H. Edirisinghe has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by R. A. B. Rabot of Bambalapitiya, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said J. S. H. Edirisinghe insolvent accordingly; and that two public sittings of the court, to wit, on October 19, 1937, and on November 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, GERALD E. DE ALWIS,
September 3, 1937. Secretary.

In the District Court of Colombo.
No. 5,140. In the matter of the insolvency of James Martin Alphonsu of Killarney, Pattiya, Kelaniya.

WHEREAS the above-named J. M. Alphonsu of Killarney, Pattiya, Kelaniya, has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by F. E. S. Perera of 105, Madampitiya road, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said J. M. Alphonsu insolvent accordingly; and that two public sittings of the court, to wit, on October 5, 1937, and on November 30, 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,
September 3, 1937. Secretary.

In the District Court of Colombo.

No. 5,141. In the matter of the insolvency of Joseph Edwin Cramer of 165, Nagalagam street, Grandpass, Colombo.

WHEREAS the above-named J. E. Cramer has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by M. S. Cole of Skinners road south, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said J. E. Cramer insolvent accordingly; and that two public sittings of the court, to wit, on October 5, 1937, and on November 30, 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,
September 3, 1937. Secretary.

In the District Court of Kandy.

No. 2,133. In the matter of the insolvency of A. B. Ratnayake of Mulgampola in 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 October 22, 1937, to appoint an assignee.

By order of court, K. M. KARUPIAH,
September 4, 1937. Acting Secretary.

In the District Court of Avissawella.

L. Henry Silva of Gampaha Plaintiff.

No. 320. 30 Vs.

(1) Henadipathiremohelage Heetalahamy and others of Yogama Defendants.

NOTICE is hereby given that on Saturday, October 9, 1937, at 2 o'clock in the afternoon, will be sold by public auction at the premises thereof, title and interest of the said plaintiff and the defendant in the following property for the recovery of the sum of Rs. 68.67 and Rs. 17.16½, viz.:—

1. The lot marked F in extent 11 acres 3 roods and 1 5/9 perches allotted to the plaintiff from and out of the land called Delatte-ehelena alias Helehelena, situated at Yogama in Panawal korale of Three Korales, in the District of Kegalla, Province of Sabaragamuwa; and bounded on the north by Hurikumburewatta, Kostennewatta, lot marked F 1 and Ethwatewatta, east by Ethwatewatta and lot marked G, south by lot marked G and Yogamawatta, west by lot marked E.

2. At 2.30 p.m.—An undivided 1/3 share belonging to the 1st defendant of the lot marked G from and out of the aforesaid land, situated at Yogama aforesaid; and bounded on the north by lot marked F and Ethwatewatta, east by road, south by Rasnakarakkuwewatta and Yogamawatta west by lot marked F; and containing in extent 9 acres 3 roods and 7 perches.

Valuation Rs. 1,500.

Fiscal's Office, CHARLES DE SILVA,
Avissawella, September 3, 1937. Deputy Fiscal.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

(1) David Gordon, (2) William Church Brodie, (3) Robert Alexander Greig Mc Michen, all of Colombo, Trustees of St. Andrews Church Endowment Fund Plaintiffs.

No. 6,636. 51 Vs.

(1) Lloyd Lievers of Dowgate, Wellawatta, (2) Mrs. Louise Rode of Bambalapitiya Defendants.

NOTICE is hereby given that on Monday, October 11, 1937, at 4 p.m., will be sold by public auction at the premises the following property mortgaged with the plaintiffs by bond No. 3,104 dated August 1, 1927, attested by George Alfred Henry Wicks of Colombo, Notary Public, and declared specially bound and executable under the decree dated April 30, 1935, entered in the above action and ordered to be sold by the order of court dated August 24, 1937, for the recovery of the sum of Rs. 15,892.19, together with interest on Rs. 15,000 at 6½ per cent. per annum from and including March 1, 1937, till date of the said decree and thereafter on the aggregate amount of the said decree at 9 per cent. per annum till date of payment in full, and costs of suit taxed at Rs. 347.52, viz.:—

All that and those the land buildings and premises bearing assessment No. 991/463 called and known as Dowgate, situated at Pamankada, Cotta road, in Wellawatta within the Municipality and District of Colombo, Western Province, comprising the following allotments of land which adjoin each other and now form one property and which from their situation as respects each other can be included in one figure of survey, to wit:—

1. All that allotment of land called Kongahawatta being lot No. 34 in registration plan No. 2 situated at Wellawatta in the Palle pattu of Salpiti korale in the District of Colombo, Western Province; bounded on the north by lot No. 21A, on the east by lot No. 35, on the south by a road, and on the west by lots Nos. 31 and 33; containing in extent 25 25/100 perches.

2. All that allotment of land called Kongahawatta being lot No. 35 in registration plan No. 2, situated at Wellawatta aforesaid; bounded on the north by lot No. 21A, on the east by lot No. 21, on the south by a road, and on the west by lot No. 34; containing in extent 26 25/100 perches.

Together with all rights, privileges, easements, servitudes, and appurtenances whatsoever to the said premises belonging or usually held, occupied, used or enjoyed therewith and all the estate, right, title, interest, property, claim, and demand whatsoever of the 1st defendant of, in, to, upon or out of the same. Registered Well 21/199.

Fiscal's Office,
Colombo, September 7, 1937.

J. R. TOUSSAINT,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Estate of Ranhoti Aratchillegedera Kiri Hatana Arachchilla, deceased.

No. 5,270 (Crown.)

Ranhoti Aratchillegedera Kira of Yatapana Petitioner.

NOTICE is hereby given that on Saturday, October 9, 1937, commencing at 2 p.m. will be sold by public auction at the respective premises the right, title, and interest of the said deceased for the recovery of the sum of Rs. 490.70, with interest from July 11, 1936, till date of payment, and accrued interest Re. 1.68, and poundage in the following property, viz.:—

2. The land called Dambagollewatta of 4 acres in extent, situate at Yatapana in Dolosbage, Ganga Ihala korale of Udapalata in the District of Kandy, Central Province; and bounded on the north by the live fence of the remaining portion of this land belonging to Ranhoti Aratchchilla, south by ela of Pansalekumbura, west by Dambagollekumbura, east by the live fence of Ellewatta.

3. The field called Galagawakumbura, containing in extent 14 lahas paddy sowing, situate at Yatapana aforesaid; and bounded on the north by Watagalakumburaweilla, south by Imweilla of Idampitiyekumbura, west by Iura of Karuppiyah's garden, and east by Galapitiyekumburaweilla.

Fiscal's Office,
Kandy, September 4, 1937.

H. F. RATWATTE,
Deputy Fiscal.

In the District Court of Kandy.

S. Shakoorden Bai of Kandy Plaintiff.

No. 46,697. Vs.

M. B. Wettewe of Galagedera Defendant.

NOTICE is hereby given that on Monday, October 4, 1937, commencing at 2 p.m., will be sold by public auction at the respective premises the right, title, and interest of the said defendant for the recovery of the sum of Rs. 2,060, with further interest on Rs. 2,000 from July 16, 1935, up to September 2, 1935, at 12 per cent., and thereafter legal interest on the aggregate amount till payment in full and poundage in the following property, viz.:—

1. All that land called Weudagederawatta of 2 pelas in paddy sowing extent, situate at Wettewe in Udapalata of Tumpane in the District of Kandy, Central Province; and bounded on the east by the fence of Aratchchilla's garden, south by the fence of Willbagederawatta, west by the hapu tree and fence, and north by the road and the fence of Pahalagederawatta.

2. All that field called Talpolekumbura of the extent of 6 pelus in paddy sowing, situate at Eramuduliyadda in Udapalata of Tumpane aforesaid and bounded on the east by the endaru fence, south by the Hattuwangederawatteweta, west by the ela, and north by the ela of Godigomuwekumbura.

Fiscal's Office,
Kandy, September 3, 1937.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Kandy.

Paideen Bay of 126, Colombo street, Kandy Plaintiff.
No. 48,458. Vs.

(1) R. Dullewe of Moladandé Walawwe, Kandy, (2)
Mrs. R. Dullewe of the same place Defendants.

NOTICE is hereby given that on Saturday, October 2, 1937, commencing at 2 p.m., will be sold by public auction at the respective premises the right, title, and interest of the said defendants for the recovery of the sum of Rs. 440.50 with interest thereon at 9 per cent. per annum from May 31, 1937, till payment in full and costs of suit and poundage in the following property, viz. :-

1. (a) The field called Dawakekumbura of 5 pelus paddy sowing in extent, situate at Moladanda in Ganga-palata of Yatinuwera in the District of Kandy, Central Province; and bounded on the east by Meegasangekumbura, south by Delgahakumbura and Kahatagodakumbura, west by Walawwewatta, and north by Imbulpitiyawekumbura.

2. (b) The land called Walawwewatta of 3 amunams in paddy sowing extent, situate at Moladanda aforesaid; and bounded on the east by Dawakekumbura, south by Dandeniyewatta and Egodawatta, west by Ketalemadittdewata, north by Kiriwadeniyewatta; together with the buildings standing thereon. The aforesaid 2 lands adjoin each other and now form one property.

3. The field called Delgahakumbura of 2 pelus and 5 kurunies in paddy sowing extent, situate at Moladanda aforesaid; and bounded on the east by Moladandewalawwewatta, south by Moladandewalawwekahatagodakumbura, west by Dawakakumbura, and north by Migasangekumbura. (The above lands are also seized in C. R. K., 21,876.)

Fiscal's Office,
Kandy, September 6, 1937.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Kandy.

Ana Lana Bawanna Mana Ramánathen Chettiyar by his attorney Rawanna Mana Alagappa Chettiyar of Ambegamuwa road, Gampola Plaintiff.

No. 48,612. Vs.

(1) Mohammado Mastan Mohideen, son of Kalingu Mohideen Meera Mohideen, (2) Kalija Umma, daughter of Pitche, both of Waturura in Ganga-pahala korale of Udapalata Defendants.

NOTICE is hereby given that on Saturday, October 16, 1937, at 12 noon will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 598 dated February 26, 1936, and attested by S. Kanagasabala 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 August 31, 1937, for the recovery of the sum of Rs. 1,223.53, with further interest on Rs. 1,135 at 18 per cent. per annum from May 6, 1937, till July 9, 1937, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full and poundage, viz. :-

All that house (upstair house) and ground bearing assessment No. 50 and presently bearing No. 46 and the land appurtenant thereto towards the southern boundary and the two coconut trees and the two kitul trees standing thereon out of all those four allotments of land adjoining each other and forming one property and formerly bearing assessment Nos. 51 and 52 and known as Paragahamulawatta and Sundarayagewatta, situate adjoining the Kandy road within the limits of the Urban District Council of Gampola in Ganga Ihala korale of Udapalata, Kandy District, Central Province; which said house and ground is bounded on the east by Kandy road, south by the fence of the portion of A. Mohamado Ossen Saibo and B. Rodrigo, west by the remaining portion of this land, and north by the house bearing assessment No. 51 and now No. 47 and the remaining portion of this land; containing in extent of half shares of the two walls on either sides of the house 13 feet and 4 inches in breadth and 173 and a half feet in length inwards from the road, which said premises form

part and parcel of all those four allotments of land adjoining each other and forming one property and bearing former assessment Nos. 61 and 62 and bearing assessment Nos. 50 to 53 and now Nos. 46 to 49 and known as Paragahamulawatta and Sundarayagewatta with the buildings and plantations thereon situated adjoining the Kandy road within the Urban District Council of Gampola aforesaid; and bounded on the north by the fence of the property of Don Isahamy, east by Kandy street, south by the fence of the properties of A. Mohamed Ossen Saibo and B. Rodrigo, west by the fence which separates the Railway reservation; containing in extent 19 40/100 perches. Registered in D 131/186 and all the right, title, interest, and claim whatsoever of the said defendants in, to, upon or out of the said several premises mortgaged by the defendants.

Fiscal's Office,
Kandy, September 6, 1937.

H. C. WIJESINHA,
Deputy Fiscal.

Southern Province.

In the District Court of Colombo.

In the matter of the estate of Sir Christoffel Obeysekera, deceased; the Public Trustee of Ceylon, administrator (with copies of the last will and codicil) annexed of the estate of the late Sir S. C. Obeysekera Petitioner.

No. 3,866 T. Vs.

(3) Forrester Augustus Obeysekera of Colombo Respondent.

NOTICE is hereby given that on Wednesday, October 6, 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 3rd respondent in the following property, viz. :-

All that garden called Walauwawatta alias Algaiye Kurunduwatta and the two houses standing thereon, situated at Kataluwa, within the District of Galle; bounded on the north by Kavillatudoova Kurunduwatta, on the east by Boragangoda Kurunduwatta, on the south by Boragangodaowita, and on the west by Godella Walauwewatta and owita; containing or reputed to contain in extent 3 roods and 16 perches according to the figure of survey and description thereof dated December 16, 1882, authenticated by Mr. Van Rooyan, Surveyor, and all the estate, right, title, and interest, claim and demand whatsoever in, to, upon, or out of the same belonging to Mr. F. A. Obeysekera.

Writ amount Rs. 40,375.43 with interest thereon at 4 per cent. per annum from February 29, 1936, till payment in full.

Fiscal's Office,
Galle, September 4, 1937.

T. D. S. DHARMASENA,
Deputy Fiscal.

In the District Court of Galle.

In the matter of the intestate estate of the late Nuga-duwevitanage Lewis de Silva, deceased, Andugoda, Galle Plaintiff.

No. 6670 T. Vs.

Mr. L. B. Caspersz, Secretary, District Court, Galle Official administrator.

NOTICE is hereby given that on Tuesday, October 5, 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 estate in the following property, viz. :-

(1) Undivided $\frac{1}{2}$ part of Delgahawatta at Andugoda in Talpe pattu of Galle District, Southern Province; and bounded on the north by Telambugahawatta, east by Pangalhenewatta and Bogahawatta, south by Bogahawatta, and west by Wileowita; and in extent about 3 acres.

(2) Undivided 1 bag of paddy sowing extent of Widanelaikumbura at Andugoda aforesaid; and bounded on the north by Kajjugahakumbura and Ralahamilaideniya, east by Addarageowita, south by Teahena, west by Gamageikumbura; and in extent 1 amunam of paddy.

(3) Undivided 5 kurunies extent of Hitgedeniyewatta and owita, situated at Andugoda aforesaid; and bounded on the north by Uyangodawatta, on the east by Paluwatta, south by Nakadedeniya, and west by Jambugaha-owita; and in extent about 4 acres.

(4) Undivided 2 $\frac{1}{2}$ bags paddy sowing extent of Delgahakumbura at Andugoda aforesaid; and bounded on the north by Nakadedeniya, east by Gamageikumbura, south by Teahena, and west by Ambalamagawahena; and in extent 1 amunam of paddy.

(5) Undivided 10 kurunies paddy sowing extent of Wellawalakumbura *alias* Ralahamilaikumbura, situated at Andugoda aforesaid; bounded on the north by Pallewala-kumbura, east by Lissawakagewita, south by Widanelaikumbura, west by Kappuragahakumbura; and in extent 6 pelas of paddy.

(6) Undivided $\frac{1}{2}$ kurunie extent of Puwakgahawala at Andugoda aforesaid; bounded on the north by Tillagahaddadara, east by Pinhela and Wellagayakumbura, west by Puwakwaleowita; and in extent 2 kurunies of paddy.

(7) Undivided 8 kurunies paddy sowing extent of Munasingeikumbura at Andugoda aforesaid; bounded on the north by Wellagaha-addarawatta, east by Alutgedarawatta and field, south by Paragaha-addarakumbura, west by Munasingewatta; and in extent 4 pelas of paddy.

(8) Undivided $\frac{1}{5}$ of Munasingeiwatta at Andugoda aforesaid; bounded on the north by Lokugewatta, east by Munasingeikumbura, south by Munasingepittaniya, west by Wattakgodagewatta and Kapparagewatta; and in extent about 2 acres.

(9) Undivided $\frac{1}{16}$ part of Galgedikoratuwa at Malalgodapitiya aforesaid; bounded on the north by Ihalagewatta, east by Mahawatta, south by field, and west by Rattindeniyawatta; and in extent about $\frac{1}{2}$ an acre.

(10) Undivided 1 bag paddy sowing extent of Dodan-godakumbura at Kodagoda aforesaid; bounded on the north by Attanaliyadda, east by Dedunna, south by Dedunna, Deikumpawa, and Telpeliya, west by Depelapattiniwatta; in extent 1 bag of paddy.

Writ amount Rs. 240·20.

Fiscal's Office,
Galle, September 7, 1937.

T. D. S. DHARMASENA,
Deputy Fiscal.

In the Court of Requests of Balapitiya.

Patuwata Vithana Richard de Silva of Patabendimulla Plaintiff.
No. 20,347.

Kirikankani Hector Lionel Silva of Patabendimulla Defendant.

NOTICE is hereby given that on Friday, October 1, 1937, at 2 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz.:

An undivided $\frac{1}{4}$ share of the soil and the plantations and the buildings of the land called Yahalagodawatta *alias* Subana-deer estate, situated at Weragoda, in Wellaboda pattu of Galle District; and bounded on the north by Rangaha Keraweyaya Welbissa belonging to D. A. de S. Jayasinghe and Rangaha Keraweyaya Goipala belonging to B. V. Appuhamy and others, east by Cannon Dish being the lot D of the same land, south by Rocky Field being lot B of the same land, and west by portion called Rochefeld being a portion of the same land; and containing in extent 33 acres 2 roods and 8 perches, excluding the life interest of the defendant's mother.

Writ amount Rs. 271·08 with interest on Rs. 242 at the rate of 9 per cent. per annum from March 24, 1936, till payment in full.

Fiscal's Office,
Galle, September 1, 1937.

T. D. S. DHARMASENA,
Deputy Fiscal.

In the District Court of Tangalla.

Suriya Arachchige Dinoris Appu of Walganeliya. . Plaintiff.
No. 3,567.

Don Andrayas Abraham Galappatty of Mawella Defendant.

NOTICE is hereby given that on Saturday October 2, 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 defendant in the following mortgaged property for the recovery of Rs. 147·88, together with further interest on Rs. 127·11 at 9 per cent. per annum from June 15, 1937, till payment in full and pounce, viz.:

At Mawella and Moraketiara.

(1) All that allotment of land called Dissawagewatta *alias* Aretotawatta bearing No. 21; containing in extent 1 acre 1 rood and 7 perches, situated at Mawella in West Giruwa pattu of the Hambantota District; and bounded on the north by Disawagewatta *alias* Aretotawatta No. 1, east by lots J and K of the same land, south by lot I of the same land, and west by lot H of the same land.

(2) All that undivided $\frac{5}{7}$ shares of the land called Beliatawalalebima bearing No. 8; containing in extent 1 acre and 26 $\frac{1}{2}$ perches, situated at Moraketiara in West Giruwa pattu; and bounded on the north by lots bearing Nos. 7 and 15 of the same land, east by lots bearing Nos. 16 and 17 of the same land, south by lot bearing No. 9 of the same land, and west by Gansabhawara road.

Deputy Fiscal's Office, P. D. WEERAMAN,
Tangalla, September 3, 1937. Additional Deputy Fiscal.

In the District Court of Tangalla.

Charles Ernest Abraham Perera of Panadure . . . Plaintiff.
No. 3,938.

(1) Galappattige Appuhamo, (2) Mariyawasan Warnakula Tantarige Engshamy, and (3) Dino Appu Jayasinghe, all of Walasmulla . . . Defendants.

NOTICE is hereby given that on Saturday, October 9, 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 mortgaged property for the recovery of Rs. 379·09, together with further interest on Rs. 250 from August 5, 1937, till payment, and pounce, viz.:

At Walasmulla.

(1) All the soil and plantations and the three tiled boutiques standing thereon of the land called Galabendihena, Sattambiralapadinchiwasitiyawatta, situated at Walasmulla in West Giruwa pattu of the Hambantota District, Southern Province; and bounded on the north by the boutique and land belonging to D. D. Jayawickrama, east by high road, south by boutique and land possessed by Perneris de Silva Jayasuriya, and west by Palliyewatta; containing in extent about 1 rood, which said premises form a divided portion of Galabendihena Sattambiralapadinchiwasitiyawatta; bounded on the north by Kohar-padinchiwasitiyawatta, east by high road, south by the land of Packir Tamby, and west by Mirisseralageidama; containing in extent 1 kurunie of kurakkan.

(2) All that undivided $\frac{3}{4}$ parts of shares of the soil and plantations and the entirety of the two tiled boutiques standing thereon of the land called Galabendihena lot 2,704 depicted in T. P. 69,994, situated at Walasmulla aforesaid; and bounded on the north by the land, purchased by M. K. P. Muhammadu, east by a road, south by high road, and west by land said to belong to the Crown; containing in extent 31 perches.

Deputy Fiscal's Office, P. D. WEERAMAN,
Tangalla, September 3, 1937. Additional Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

(1) Samuel Edward Rajasingham and (2) wife Mary Rose Charlotte, both of Navaly . . . Plaintiffs.
No. 11,099.

(1) Francispillai Mariyanayagam and (2) wife Anna Navaratnam Mariyanayagam of Jaffna . . . Defendants.

NOTICE is hereby given that on Saturday, October 9, 1937, from 10 o'clock in the forenoon, will be sold by public auction at the spots the right, title, and interest of the said defendants in the following property, viz.:

1. The land called Chellatharai, situated at Chilawattai in Karikkadumoolai North division in Maritime pattu in Mullaitivu District, Northern Province, in extent about 8 acres; and bounded on the east by the property of the heirs of the late V. M. Nalliah and others, south by the property of F. Maryanayagam and others, west by the property of the heirs of the late Nagan and others, north by the property of Somar, Amumgam and others. The whole of this with spontaneous plantations standing thereon.

2. The land called Appakiddytharai, situated at ditto, in extent about 3 acres; and bounded on the east by the property of the late V. M. Nalliah, south by road, west by the property of Nagan Minasy and others, and north by the property of F. Maryanayagam. The whole of this.

The 1st land is subject to mortgage bond No. 130 of July 31, 1935, attested by C. Thambiah, Notary Public, for Rs. 400, and interest.

Amount to be levied Rs. 572·25 with interest on Rs. 500 at 12 per cent. from January 20, 1937, until payment in full, and costs of suit Rs. 87·20, pounce, &c.

Deputy Fiscal's Office, C. SHIVASUBRAHMANYAN,
Mullaitivu, September 6, 1937. Additional Deputy Fiscal.

North-Western Province.

In the Additional Court of Requests of Kurunegala.

- (1) Agnes Silva for herself and as next friend of Bonifus Silva, (2) Liliyan Rodrigo *nee* Silva, all of Joseph lane, Grandpass, Colombo Plaintiffs.

No. 9,791. Vs.

Elakuttige Don Harmanis Silva of Kandy road, Kurunegala Defendant.

NOTICE is hereby given that on Saturday, October 2, 1937, at 11 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 the sum of Rs. 92.50, with legal interest on Rs. 75 from December 18, 1936, till payment in full and poundage, viz. :—

The tiled house bearing assessment No. 48 and the ground appertaining thereto, situated at Kandy road, Kurunegala, on the land called and known as Hapuwa-kotuwpellewa of 1 chundu kurakkan sowing extent, situated at Kandy road in the Town of Kurunegala; and bounded on the east by the Kandy road, and on the north, south, and west by lands belonging to Etakanda Vihare (subject to the mortgage decree entered in case No. 10,030, A. C. R., Kurunegala).

Fiscal's Office, R. S. GOONESEKERA,
Kurunegala, September 7, 1937. Deputy Fiscal.

In the District Court of Kurunegala.

Dissanayake Mudiyansele Dingiri Banda of Algama Plaintiff.

No. 17,373. Vs.

- (1) Marasinghe Mudiyansele Somawathie Tillekesiri Menike by her guardian *ad litem* (2) ditto Siyathamy, both of Minikukula in Dambadeni Udakaha korale north Substituted defendants in place of 4th defendant.

NOTICE is hereby given that on Monday, October 4, 1937, at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said substituted defendants in the following property for the recovery of the sum of Rs. 90.62 and poundage, viz. :—

All that land called Ethgallehema now garden of about 5½ acres in extent, together with everything standing thereon, situated at the villages Mailla and Kalundegedera in Recopattu korale of Dambadeni hatpattu, in the District of Kurunegala, North-Western Province; and bounded on the north by Piranekumbura and now garden of Appusingho, east by cart road, south by Gansabhawa road, and west by cart road and Karawgahalandehena.

Fiscal's Office, C. H. HARTWELL,
Kurunegala, September 6, 1937. Deputy Fiscal.

Province of Uva.

In the District Court of Ratnapura.

Rama Anatha Padmanadan of Ampitigoda, Bandara-wela Plaintiff.

No. 5,524. Vs.

H. A. Gunasekera, R. M., Batugedara in Ratnapura, administrator of the estate of H. A. Dambawinna, deceased, of Ratnapura Defendant.

NOTICE is hereby given that on Saturday, October 9, 1937, commencing at 10 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of the sum Rs. 2,333.85, with interest on Rs. 2,100 at the rate of 9 per cent. per annum from April 28, 1931, till payment in full and poundage (less a sum of Rs. 185.02 and Rs. 366.39), viz. :—

1. An undivided 1/7 share of the field called Mahaulpotekumbura of 5 pelas of paddy sowing extent, situated at Dambawinnegama in Dambawinipalata korale of Udukinda division in Badulla District of the Province of Uva; and bounded on the east and south by Fansalepanguwa, north by ela and limit of Gannilekumbura, and west by ela.

2. An undivided 1/7 share of the field called Muttettuwekumbura of about 5 amunams of paddy sowing extent, situated at Dambawinnegama aforesaid; and bounded on the east by ela, south by wella, north by imaniyara, and west by ela.

3. An undivided 1/7 share of the field called Ambekumbura of 2 pelas and 5 lahas of paddy sowing extent, situated at Dambawinnegama aforesaid; and bounded on the east, south, north, and west by imaniyara.

4. An undivided 1/7 share of the field called Tingolpeleliekumbura of 1 amunam of paddy sowing extent, situated at Dambawinnegama aforesaid; and bounded on the east by imaniyara, north by road, south by imaniyara, and west by imaniyara.

5. An undivided 1/7 share of the field called Aswed-dumekumbura of 2 pelas and 5 lahas of paddy sowing extent, situated at Dambawinnegama aforesaid; and bounded on the east by imaniyara, north by live fence, south and west by imaniyara.

6. An undivided 1/7 share of the field called Alawattekumbura of 10 pelas of paddy sowing extent, situated at Dambawinnegama aforesaid; and bounded on the east and south by imaniyara, north and west by footpath.

7. An undivided 1/7 share of the field called Lunuwatwearawa of about 3 pelas of paddy sowing in extent, situated at Dambawinnegama aforesaid; and bounded on the north and south by imaniyara, east and west by imaniyara.

8. An undivided 1/7 share of the land called Aswed-duma of about 2 kurunies of kurakkan sowing in extent, situated at Dambawinnegama aforesaid; and bounded on the east, south, and west by live fence, north by footpath.

9. An undivided 1/7 share of the field called Hatdawulekumbura of about 5 pelas of paddy sowing in extent, situated at Dambawinnegama aforesaid; and bounded on the north and east by kandura, south by the boundary of the tea estate, west by Fansalepanguwa.

10. An undivided 1/7 share of the field called Dambagollekumbura of 6 amunams of paddy sowing in extent, situated at Dambawinnegama aforesaid; and bounded on the east and north by the boundary of the tea estate, south and west by kandura.

11. An undivided 1/7 share of the field called Imbulhitiyawekumbura of about 3 amunams of paddy sowing in extent, situated at Dambawinnegama aforesaid; and bounded on the east and south by imaniyara, north by footpath, and west by imaniyara.

12. An undivided 1/7 share of the land called Dambawinnepahalawalawwewatta of 3 kurunies of kurakkan sowing in extent, and of the tiled buildings and plantations standing thereon, situated at Dambawinnegama aforesaid; and bounded on the east by kandura, south by Wiharakotuwwatta, north by live fence, of Pallegedarawatta, and west by wella.

Fiscal's Office, T. J. MENDIS,
Badulla, September 6, 1937. Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Kalutara.

Wappusa Marikar Mohamed Sheriff of Kalutara. Executor.
No. 1,031. Vs.

Wappusa Marikar Habibu Umira of Kalutara. Respondent.

NOTICE is hereby given that on Tuesday, October 5, 1937, at 3 o'clock in the afternoon will be sold by public auction at the premises the right, title, and interest of the said executor in the following property for the recovery of the sum of Rs. 10,150 less Rs. 8,780 recovered, and poundage, viz. :—

An undivided half share of the land with the buildings standing thereon bearing assessment No. 55 and 56, situate at Main street in Ratnapura town, in Uda pattu of Kuruwiti korale, in the District of Ratnapura; bounded on the north-east by a road, south-east by the land described in plan No. 52,510, south-west by the land said to belong to the Crown, north-west by land described in plan No. 52,512; containing in extent about 8 perches.

Fiscal's Office, N. SWAMINATHA AYER,
Ratnapura, September 1, 1937. Additional Deputy Fiscal.

I, Edward Trevor Dyson, Fiscal for the Central Province, do hereby appoint Mr. Tikiri Banda Dissanayake, to be my Marshal for the judicial division of Gampola, with effect from September 1, 1937, under Ordinance No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Fiscal's Office, E. T. DYSON,
Kandy, September 6, 1937. Fiscal.

I, Arthur Eric Christoffelsz, Fiscal for the North-Western Province, do hereby appoint S. M. Marikkar to be Marshal for September 3 and 4, 1937, for the divisions of Dambadeni Udukaha north and west and Mairawathi korales of Dambadeni hatpattu, Giratalana, Baladora, and Angomu korales of Dewameddi hatpattu, Karandapattu, Meddeketiya, Yatikaha, Yagampattu, Kinyama, Katugampola Medapattu east and west, Katugampola north and south, and Pitigal korales of Katugampola hatpattu in the District of Kurunegala under the provisions of the Fiscal's Ordinance, No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Given under my hand at Kurunegala, this 31st day of August, 1937.

A. E. CHRISTOFFELSZ,
Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Jane Mackwood, late of 60, East India No. 7,451. Dock Road Poplar, in the County of Middlesex, widow, deceased.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on September 1, 1937, in the presence of Don John Bonifacio Gomes of Colombo, Proctor, on the part of the petitioner, Geoffrey Thomas Hale of Colombo; and the affidavit of the said petitioner dated August 30, 1937, a certified copy of letters of administration to the intestate estate of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated August 23, 1937, having been read: It is ordered and declared that the said petitioner is the attorney of the only heir and next of kin of the said deceased, and that he is entitled to have letters of administration to the intestate estate of the said deceased issued to him accordingly, unless any person or persons interested shall, on or before September 16, 1937, show sufficient cause to the satisfaction of this court to the contrary.

September 1, 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. Wellege Evelyn Fernando of Dort place, No. 8,034. Bambalapitiya, deceased.

Wellege Isabella Fernando of Dort place, Bambalapitiya Petitioner.

And

(1) Sembuge Don Simon Fonseka, (2) Wellege Cilly Fernando *nee* Alwis, (3) ditto Lucy Fernando, wife of (4) Ambeperuse Liyanage Francis Perera, (5) Wellege Amy Fernando, wife of (6) Weerakone Theobald Gomes, (7) Wellege Pemie Fernando, wife of (8) A. E. de Alwis, (9) Wellege Shelton Fernando, (10) ditto Cissy Fernando (the 9th and 10th respondents are minors appearing by their guardian *ad litem* the 7th respondent above named), (11) Wellege Premaratne Fernando, (12) ditto Karunawathie Fernando, (13) ditto Chandrawathie Fernando, (14) ditto Chandrapala Fernando, (15) ditto Lalanawathie Fernando, (16) ditto Piyasoma Fernando; the 11th to 16th are minors appearing by their guardian *ad litem* (17) Emily Fernando, all of Bambalapitiya Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on June 16, 1937, in the presence of Mr. Ernest A. de Silva, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 8, 1937, having been read:

It is ordered (a) that the 7th and 17th respondents be and they are hereby appointed guardian *ad litem* of the minors, the 9th and 10th and 11th to 16th respondents above named, respectively, to represent them for all the purposes of this action, and (b) that the petitioner be and she is hereby declared entitled, as mother 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 July 29, 1937, show sufficient cause to the satisfaction of the court to the contrary.

June 16, 1937. M. W. H. DE SILVA,
District Judge.

The date for showing cause is extended to September 16, 1937.

August 31, 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. Kanugajawatte Edwin Perera Samarasinghe of Kandana, deceased. No. 8,077.

Alice Mary Samarasinghe *nee* de Silva of Mabole, in the Ragam pattu of Alutkuru Korale Petitioner.

And

(1) Kanugajawatte Adlin Merina Samarasinghe of Mabole aforesaid, minor, appearing by her guardian *ad litem* (2) M. A. Perera Aratchige Theodore Margaret Silva *nee* Peiris of Mabole aforesaid Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on July 20, 1937, in presence of Mr. A. S. Gunawardena, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated June 30, 1937, having been read:

It is ordered (a) that the 2nd respondent be and she is hereby appointed guardian *ad litem* of the minor, the 1st respondent above named, to represent her 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 September 16, 1937, show sufficient cause to the satisfaction of the court to the contrary.

July 20, 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. Muhandirange Don Pemiyanu of Udakanapella in the Gangaboda pattu of Siyane korale, deceased. No. 8,081.

Weerahennedige Bibiana Fernando of Udakanapella Petitioner.

And

(1) Muhandirange Don Demasius Alfred, (2) ditto Don Victor John, (3) ditto Don Vincent, (4) ditto Dona Annie Cristina, all minors, appearing by their guardian *ad litem* (5) Weerahennedige Domingo Fernando, all of Udakanapella aforesaid. Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on July 23, 1937, in the presence of Messrs. Moonasinghe & Jayamaha, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 21, 1937, having been read:

It is ordered (a) that the 5th respondent be and he is hereby appointed guardian *ad litem* of the minors, the 1st to 4th respondents above named, to represent them for all the purposes of this action, and (b) that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before September 23, 1937, show sufficient cause to the satisfaction of the court to the contrary.

July 23, 1937. M. W. H. DE SILVA,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Hellassage Gilbert Perera, late of Kotte, deceased. No. 8,088.

Charles Gilbert Perera of Haputale Petitioner.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on July 28, 1937, in the presence of Mr. Malcolm Evan Wickremesinghe,

Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated July 27, 1937, and (2) of the attesting witnesses also dated July 27, 1937, having been read:

It is ordered that the last will of the late George Gilbert Perera, 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 any person or persons interested shall, on or before September 16, 1937, show sufficient cause to the satisfaction of this court to the contrary.

July 28, 1937.

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

In the District Court of Colombo.

26 / *Order Nisi.*
Testamentary In the Matter of the Intestate Estate of Jurisdiction. Vidanelage Maria Francisca de Mel No. 8,110. *Hamme of Welikada, deceased.*

Seekkuhewage George Aubert Dias of Ihala-Welikada Petitioner.

And
(1) Seekkuhewage Peter Benedict Dias, (2) ditto Kittie Maria Dias both of Ihala-Welikada aforesaid Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on August 24, 1937, in presence of Mr. S. W. Perera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated August 23, 1937, having been read:

It is ordered (a) that the petitioner be and he is hereby declared entitled, as son of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before October 7, 1937, show sufficient cause to the satisfaction of the court to the contrary.

August 24, 1937.

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

23 / In the District Court of Colombo.

Order Nisi.
Testamentary In the Matter of the Last Will and Testa- Jurisdiction. ment of Ernest Jubilee Melder of No. 8,117. Nugegoda, deceased.

Ella Jane Melder of Nugegoda Petitioner.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on August 30, 1937, in the presence of Mr. John Wilson Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated August 25, 1937, and (2) of the attesting notary dated August 25, 1937, having been read:

It is ordered that the last will of Ernest Jubilee Melder, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executrix named in the said will, and that she is entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before October 14, 1937, show sufficient cause to the satisfaction of this court to the contrary.

August 30, 1937.

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

29 / In the District Court of Colombo.

Order Nisi.
Testamentary In the Matter of the Last Will and Testa- Jurisdiction. ment of Basil Walter Cuthbert Lee of No. 8,119. 26, Sussex place, Regents park, in the County of Middlesex, and late of Colombo, in the Island of Ceylon, deceased.

THIS matter coming on for disposal before M. W. H. de Silva, District Judge of Colombo, on September 1, 1937, in the presence of Don John Boniface Gomes of

Colombo, Proctor, on the part of the petitioner, Geoffrey Thomas Hale of Colombo; and the affidavit of the said petitioner dated August 30, 1937, exemplification of probate of the will of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated August 23, 1937, having been read: It is ordered that the will of the said deceased dated March 23, 1936, of which an exemplification of probate has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said petitioner is the attorney of the sole executor and trustee 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 September 16, 1937, show sufficient cause to the satisfaction of this court to the contrary.

September 1, 1937.

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

31 / In the District Court of Colombo.

Order Nisi in Intestacy.
Testamentary In the Matter of the Intestate Estate of Jurisdiction. Patten Stevinson of Hereford Cottage, No. 8,121 N.T. Shorthearthly road, Farnham, in the County of Surrey, England, deceased.

Frederick James Harry Harrison of the National Bank of India, Ltd., Colombo Petitioner.

And
Sarah Elizabeth Spensin of Hereford Cottage, Short- heath road aforesaid Respondent.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on September 1, 1937, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Frederick James Harry Harrison of Colombo, and (1) the affidavit of the said petitioner dated August 30, 1937, (2) the power of attorney dated June 4, 1937, (3) minute of consent from the respondent above named dated July 30, 1937, and (4) the order of the Supreme Court dated July 28, 1937, having been read: It is ordered that the said Frederick James Harry Harrison is the attorney in Ceylon of John Sandbach Stevinson, the father of the said deceased and the administrator duly appointed by His Majesty's High Court of Justice in England, and that as such he is entitled to have letters of administration issued to him accordingly, unless any person or persons interested shall, on or before September 23, 1937, show sufficient cause to the satisfaction of this court to the contrary.

September 1, 1937.

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

31 / In the District Court of Colombo.

Order Nisi declaring Will proved.
Testamentary In the Matter of the Last Will and Testa- Jurisdiction. ment of Frank Augustus Capper of 34, No. 8,125 N.T. De Vere Gardens, Kensington, in the County of London, England, and formerly of The Times of Ceylon Company, Limited, Colombo, in the Island of Ceylon, Journalist retired, deceased.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on September 2, 1937, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Frederick James Harry Harrison of Colombo; and (1) the affidavit of the said petitioner dated August 31, 1937, (2) the power of attorney dated June 22 and 23, 1937, and (3) the Order of the Supreme Court dated August 24, 1937, having been read: It is ordered that the will of the said Frank Augustus Capper, deceased, dated March 14, 1933, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced, and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Frederick James Harry Harrison is the attorney in Ceylon of the executors named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before September 16, 1937, show sufficient cause to the satisfaction of this court to the contrary.

September 2, 1937.

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

22 In the District Court of Avissawella.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Enapatti Kumara Gorokkumburage *alias* Iambalawattage Yasohamy of Gonagala, deceased.

Kudakumaramaddumage Sinnappu of Gonagala Petitioner.

Kudakumara Maddumage Sriwardane Vedarala of Gonagala Respondent.

THIS matter coming on for disposal before J. Wilmot Perera, Esq., District Judge of Avissawella, on May 5, 1937, in the presence of Mr. D. L. Welikala, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 3, 1937, having been read:

It is ordered that the petitioner be and he is hereby declared entitled to have letters of administration to the estate of the deceased issued to him, unless the respondents above named or any other person or persons interested shall, on or before June 1, 1937, show sufficient cause to the satisfaction of this court to the contrary.

May 5, 1937.

J. WILMOT PERERA,
District Judge.

This *Order Nisi* is extended to September 14, 1937.

J. WILMOT PERERA,
District Judge.

26 In the District Court of Kandy.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of John Taylor Van Twest No. 5,512. of Kandy, deceased.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on July 24, 1937, in the presence of Messrs. J. J. de Wambek, on the part of the petitioner, Emma Beatrice Van Twest; and the affidavits of the said petitioner dated June 14, 1937, and of one of the interested witnesses, dated June 15, 1937, having been read:

It is ordered that the last will of the above-named deceased, dated July 14, 1921, and now deposited in this court, be and the same is hereby declared proved, unless any person or persons interested shall, on or before September 16, 1937, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the executrix named in the said will, and that she is entitled to have probate of the same issued to her 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.

July 24, 1937.

R. F. DIAS,
District Judge.

34 In the District Court of Kandy.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Gannagurunnansegedera Isubu Lebbe's son Noohoo Lebbe, deceased, of Akurana.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on August 2, 1937, in the presence of Mr. M. A. S. Marikar on the part of the petitioner, Gannagurunnansegedera Isubu Lebbe's son Jamaldeen Isube of Akurana; and the affidavits of the said petitioner and of the attesting Notary dated August 2, 1937, having been read:

It is ordered that the last will of the above-named deceased dated May 15, 1937, and now deposited in this court, be and the same is hereby declared proved, unless the respondents—(1) Noohoo Lebbe's daughter Sulaila Umma, (2) ditto Rabiya Umma, (3) ditto Sheriffa Umma, (4) ditto son Habibu Mohamed, (5) ditto Seyado Mohammado, (6) ditto Meeya Umma, (7) Kadi Mudiyansegedera Noohoo Lebbe's daughter Ralina Umma, all of Akurana, (8) M. M. Shaul Hameedu Lebbe of Akurana, 4th, 5th and 6th by their guardian *ad litem* the 8th respondents—or any other person or persons interested shall, on or before September 16, 1937, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly,

unless the said respondents or any other person or persons interested shall, on or before the said date, show sufficient cause to the satisfaction of this court to the contrary.

August 2, 1937.

R. F. DIAS,
District Judge.

23 In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Awanna Muna Mari Kangany, deceased, No. 5,519. of Rookwood estate, Hewahetta, and late of Civil Hospital, Kandy.

THIS matter coming on for disposal before R. F. Dias, Esq., District Judge, Kandy, on August 24, 1937, in the presence of Messrs. Liesching & Co., on the part of the petitioner, Mawanna Nadesan; and the affidavit of the said petitioner dated August 24, 1937, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as a sole executor of the above-named deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents—(1) Mawanna Sellammal of Bagan Eatho, F. M. S., (2) Mawanna Muttusamy, and (3) Sompai Ammal, both of Rookwood estate, Hewahetta (the 2nd respondent appearing by his guardian *ad litem* the 3rd respondent)—or any other person or persons interested shall, on or before October 4, 1937, show sufficient cause to the satisfaction of this court to the contrary.

August 24, 1937.

R. F. DIAS,
District Judge.

26 In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Sudrikku Hennedige Bastianappu, late of No. 3,860. Mirissa, deceased:

Abeysuriya Gunawardena De Watte Patabendige Ranohamy of Mirissa (deceased) Original Petitioner.

Sudrikku Hennedige Sommie de Silva of Mirissa Petitioner.
Sudrikku Hennedige Sommie de Silva, of Mirissa Respondent.

THIS matter coming on for disposal before Charles Edwin Augustes Samarakkody, Esq., District Judge of Matara, on August 31, 1937, in the presence of Messrs. Balasuriya & Daluwatte, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated August 31, 1937, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as sole executrix to have letters of administration to the estate of the above-named deceased issued to her, unless the respondents above named or any other person or persons interested shall, on or before October 6, 1937, show sufficient cause to the satisfaction of this court to the contrary.

August 31, 1937.

C. E. A SAMARAKKODY,
District Judge.

30 In the District Court of Jaffna.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Kanagaratnam Ponnusamy of No. 1 P.T. Thondaimanar, deceased.

Thyalammai, widow of Kanagaratnam Ponnusamy of Thondaimanar Petitioner.

(1) Ponnusamy Naranasamy, (2) Manicavasagam Paramsothy, (3) and wife Thirivanaipillai, (4) Ponnusamy Manjappu, (5) Ponnusamy Meenadchisundaram, (6) Ponnusamy Kumaraswamy, all of ditto, the 4th, 5th, and 6th respondents by their guardian *ad litem* the 2nd respondent Respondents.

THIS matter of the petition of the above-named petitioner, coming on for disposal before S. Rodrigo, Esq., District Judge, on December 2, 1936, in the presence of Mr. S. Mailvaganan, Proctor, on the part of the petitioner; and the petition and affidavit of the petitioner, having been read:

It is hereby ordered that the petitioner, as widow of the deceased, is entitled to obtain letters of administration to the estate of the said intestate, unless the respondents or

any other person shall, on or before August 12, 1937, show sufficient cause to the satisfaction of this court to the contrary.

July 2, 1937.

S. RODRIGO, District Judge.

Extended and reissued for September 17, 1937.

S. RODRIGO, District Judge.

In the District Court of Jaffna held at Point Pedro.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Kartigesar Kandiah of Karanavay No. 10/P. North, deceased.

Kandiah Rasiyah of Karanavay North, Petitioner.

- (1) Teiwanaipillai widow of K. Kandiah, (2) Ratnam, daughter of Kandiah, (3) Arpanimah, daughter of Kandiah, ditto; the 2nd respondent is a minor, by her guardian ad litem, the 1st respondent. Respondents.

THIS matter of the petition of the petitioner above-named, praying for letters of administration to the estate of the above-named deceased, Kartigesar Kandiah of Karanavay North, coming on for disposal before S. Rodrigo, Esq., Additional District Judge, on July 7, 1937, in the presence of Mr. S. Appadurai, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated June 30, 1937, having been read: It is declared that the petitioner is the lawful son of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before August 19, 1937, show sufficient cause to the satisfaction of this court to the contrary.

July 17, 1937.

S. RODRIGO, Additional District Judge.

Extended and reissued returnable on September 16, 1937.

S. RODRIGO, Additional District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Sinnathambiappillai Kanagasabai of Araly No. 427. North, deceased.

Sivapakiam, widow of Sinnathambiappillai Kanagasabai of Araly North, Petitioner.

- (1) Kanagasabai Nadarajah of ditto, (2) Kanagasabai Thillaikone of ditto, (3) Manganadevi, daughter of Kanagasabai of ditto, (4) Manjayararasay, daughter of Kanagasabai of ditto, (5) Sinnathambiappillai Mathiaparanam of ditto (the 1st to 5th respondents are minors, appearing by their guardian ad litem, the 5th respondent) Respondents.

This matter of the petition of the above-named petitioner coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on June 14, 1937, in the presence of Mr. V. Nagalingam, Proctor, for petitioner; and the affidavit and petition of the said petitioner having been read: It is ordered that the said petitioner, as the widow of the said deceased, be granted letters of administration to the estate of the above-named deceased, unless the said respondents shall, appear on or before July 14, 1937, and show cause to the satisfaction of this court to the contrary.

June 24, 1937.

C. COOMARASWAMY, District Judge.

Extended to September 15, 1937.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Kanagasabapathy Visuvanathan of No. 480. Kopay South, late of Colombo, deceased.

Nagaretnam, widow of Kanagasabapathy Visuvanathan of Kopay South, Petitioner.

- (1) Visuvanathan Sanmugam, (2) Theiventhiranathan, son of Visuvanathan (minors); and (3) Sabapathiar Kandiahpillai of Kanterodai. Respondents.

THIS matter of the petition of the petitioner praying that the above-named 3rd respondent be appointed guardian ad litem over the minors the above-named 1st and 2nd respondents for the purpose of watching their interest in

these testamentary proceedings and that letters of administration be issued to the petitioner to the estate of the above-named deceased, as his lawful widow, coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on August 25, 1937, in the presence of Mr. M. Ratnasingam, Proctor, on the part of the petitioner; and her affidavit dated June 9, 1937, having been read: It is ordered that the above-named 3rd respondent be appointed guardian ad litem over the 1st and 2nd respondent for the purpose aforesaid and that letters of administration to the estate of the said deceased be issued to the petitioner as the lawful widow of the deceased above named, unless the respondents shall, appear before this court on September 20, 1937, and show sufficient cause to the satisfaction of this court to the contrary.

August 25, 1937.

C. COOMARASWAMY, District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Wijesinghe Hettiachi Mudiyansele No. 2,192. Sumanahamy of Karukkuwa, deceased.

Ekanayake Mudalige Robo Singho Appuhamy of Karukkuwa, Petitioner.

- (1) Wijesinghe Hettiachi Mudiyansele Dingiri Banda of Karukkuwa, (2) Wijesinghe Hettiachi Mudiyansele Punchi Menikhan of Weerahena, (3) Wijesinghe Hettiachi Mudiyansele Nancy Lelawathie of Karukkuwa, (4) Wijesinghe Hettiachi Mudiyansele Pyadasa, (5) Wijesinghe Hettiachi Mudiyansele Muniadasa, (6) Wijesinghe Hettiachi Mudiyansele Seralawathie, (7) Wijesinghe Hettiachi Mudiyansele Wimalawathie, (8) Wijesinghe Hettiachi Mudiyansele Kusumawathie, all of Karukkuwa Respondents.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Chilaw, on August 19, 1937, in the presence of Mr. H. H. A. Jayawardene, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 27, 1937, having been read:

It is ordered that the above-named 3rd respondent, be and she is hereby appointed guardian ad litem over the 4th, 5th, 6th, 7th and 8th respondents above named, and that the said petitioner be and he is hereby declared entitled, as husband of the above-named deceased, to have letters of administration to her estate issued to him accordingly, unless the said respondents or any other person or persons interested shall, on or before September 23, 1937, show sufficient cause to the satisfaction of this court to the contrary.

August 19, 1937.

M. A. SAMARAKOON, District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Wilfred Peries Pathirenne, deceased, of No. 2,193. Mawila, Weerahena.

Charlotte Cicily Patherenne nee Saparamadu of Mawila, Weerahena, Petitioner.

- (1) Dammadinda Sumanawathi Peries Pathirenne, (2) Manjughosa Prababulara Peries Pathirenne, (3) Sumada Peries Pathirenne, (4) Bodhisirana Dharma Kirti Peries Pathirenne, (5) Chanda Gnalatha Peries Pathirenne, all of Mawila, minors, by their guardian ad litem (6) Don Harry Amarasinghe of Katana Respondents.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Chilaw, on August 26, 1937, in the presence of Mr. C. V. M. Pandittesekere, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated August 26, 1937, having been read: It is ordered that the 6th respondent, be and he is hereby appointed guardian ad litem of the 1st, 2nd, 3rd, 4th, and 5th respondents, who are minors, and the petitioner, as widow of the said deceased, be and she is hereby appointed administratrix of the estate of the said deceased, and that letters of administration be issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before September 16, 1937, show sufficient cause to the satisfaction of this court to the contrary.

August 26, 1937.

M. A. SAMARAKOON, District Judge.

In the District Court of Kegalla

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Jalathge Wattuwa, Vel-Duraya of Siyam
No. 1,602. balangomuwa, deceased.

Jalathge Samara of Siyambalangomuwa. Petitioner.

Vs.

Jalathge Tikka of Siyambalangomuwa. Respondent.

THIS matter coming on for disposal before H. A. de
Silva, Esq., District Judge of Kegalla, on June 11, 1937, in
the presence of Mr. D. S. Crispeyn, Proctor, on the part of
the petitioner; and his affidavit and petition dated June 7,
1937, and June 11, 1937, respectively, having been read :

It is ordered that the petitioner be and he is hereby
declared entitled, as the eldest son of the deceased, to have
letters of administration to his estate issued to him, unless
the respondent or any person or persons interested shall, on
or before August 11, 1937, show sufficient cause to the
satisfaction of this court to the contrary.

June 10, 1937.

H. A. DE SILVA,
District Judge.This *Order Nisi* is extended to September 15, 1937.

August 11, 1937.

H. A. DE SILVA,
District Judge.