



THE

# CEYLON GOVERNMENT GAZETTE

No. 8,366 — FRIDAY, APRIL 29, 1938.

*Published by Authority.*

## PART II.—LEGAL.

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

	PAGE		PAGE
Passed Ordinances .. .. .	350	District and Minor Courts Notices .. .. .	357
Draft Ordinances .. .. .	356	Notices in Insolvency Cases .. .. .	357
List of Notaries .. .. .	—	Notices of Fiscals' Sales .. .. .	357
List of Jurors and Assessors .. .. .	—	Notices in Testamentary Actions .. .. .	360
Supreme Court Notices .. .. .	—	Council of Legal Education Notices .. .. .	—
Notifications of Criminal Sessions of the Supreme Court .. .. .	—	Miscellaneous .. .. .	—

PRINTED AT THE CEYLON GOVERNMENT PRESS, COLOMBO.

**PASSED ORDINANCES.**

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

**No. 14 of 1938.**

M. L. A.— B. 1534/L. D.—O. 34/37

**An Ordinance to amend the Colombo Municipal Council (Constitution) Ordinance, No. 60 of 1935.**

A. CALDECOTT.

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 Colombo Municipal Council (Constitution) Amendment Ordinance, No. 14 of 1938.

Amendment of section 2 (2) of Ordinance No. 60 of 1935.

**2** Section 2 of the Colombo Municipal Council (Constitution) Ordinance, No. 60 of 1935, (hereinafter referred to as "the principal Ordinance"), is hereby amended in sub-section (2), paragraphs (a) and (b), by the substitution of the word "building" for the word "dwelling-house" wherever that word occurs in those paragraphs.

Amendment of section 14 of the principal Ordinance.

**3** Section 14 of the principal Ordinance is hereby amended as follows :—

(1) in sub-section (2)—

(a) by the insertion of the words "except in the case provided for in paragraph (g) (iv) of this sub-section" at the beginning of paragraph (f);

(b) by the repeal of paragraph (g) and the substitution of the following paragraph therefor :—

"(g) (i) is the owner of qualifying property situated within the limits of the Municipality; or

(ii) is the tenant of qualifying property situated within the limits of the ward of the Municipality in which he is resident on the said date; or

(iii) has an income of not less than fifteen rupees a month; or

(iv) is the owner of qualifying property within the limits of a ward of the Municipality but is not resident within the Municipality on the said date or being so resident has failed to comply with the requirements of residence prescribed by paragraph (f).";

(2) by the repeal of sub-section (3) and the substitution of the following sub-section therefor :—

"(3) (a) For the purposes of paragraph (g) (i) of the preceding sub-section—

"owner" includes a fiduciary and a person entitled to a usufruct for life but does not include a usufructuary mortgagee;

"qualifying property" means any land, house, tenement or building bearing a separate number in the Assessment Book of the Municipal Council and assessed at an annual value of not less than ten rupees.

(b) For the purposes of paragraph (g) (ii) of the preceding sub-section—

"tenant" means the person in possession or occupation whether as lessee, sub-lessee, tenant or sub-tenant of any qualifying property under any contract of letting and hiring relating to that qualifying property;

"qualifying property" means any land, house, tenement or building, whether bearing a separate number in the Assessment Book of the Municipal Council or not, or part of such land, house, tenement or building and in respect of which the person in possession or occupation pays a monthly rent of not less than one rupee.

(c) For the purposes of paragraph (g) (iv) of the preceding sub-section—

“owner” includes a fiduciary and a person entitled to a usufruct for life but does not include a usufructuary mortgagee;

“qualifying property” means any land, house, tenement or building bearing a separate number in the Assessment Book of the Municipal Council and assessed at an annual value of not less than six hundred rupees.”;

(3) by the repeal of sub-section (4) and the substitution of the following sub-section therefor :—

“(4) Where two or more persons are owners of any qualifying property, the annual value at which such qualifying property is assessed shall, for the purposes of this section only, be divided in the proportion of their several shares in that qualifying property; and, if the amount of the annual value which corresponds to the share of any owner is equal to or exceeds ten rupees or six hundred rupees, as the case may be, that owner shall, for the purposes of paragraph (g) (i) or paragraph (g) (iv) of sub-section (2) respectively, be deemed to be an owner of qualifying property, notwithstanding the fact that he owns a share only in such property and that such share is not separately numbered in the Assessment Book of the Municipal Council.”;

(4) by the repeal of sub-section (5), and the substitution of the following sub-section therefor :—

“(5) Where two or more persons are tenants of any qualifying property, the monthly rental payable under the contract of letting and hiring relating to that qualifying property shall, for the purposes of this section only, be divided in the proportion of the amounts respectively payable as monthly rental by each tenant under the contract of letting and hiring relating to that qualifying property; and if, upon such division, the amount of the monthly rental payable by any tenant is equal to or exceeds one rupee, ~~that~~ tenant shall, for the purposes of paragraph (g) (ii) of sub-section (2), be deemed to be a tenant of qualifying property, notwithstanding the fact that the qualifying property is jointly tenanted.”

(5) in sub-section (6), by the addition of the following proviso at the end and in continuation thereof :—

“Provided however that in the case of a person who in any year is qualified to vote under paragraph (g) (iv) of sub-section (2) his name shall be entered in the new or revised list of persons qualified to vote prepared for the ward in which his qualifying property is situated on the date of the preparation or revision, as the case may be, of such list for that year.”; and

(6) in sub-section (10)—

(a) by the insertion in paragraph (a), between the words “qualifying property” and the word “shall”, of the words “under paragraph g (i) or paragraph g (ii) of sub-section (2), as the case may be,”; and

(b) by the substitution in paragraph (b), for the words “sub-sections (3),” of the words “paragraphs (a) and (b) of sub-section (3) and sub-sections ”

4 Section 15 of the principal Ordinance is hereby amended in sub-section (4) by the insertion at the end and in continuation thereof of the following words “or a person who is qualified to vote and whose name appears in the list of persons duly qualified to vote in force for the time being by reason of the qualification specified in paragraph (g) (iv) of section 14 (2).”.

Amendment of section 15 (4) of the principal Ordinance.

5 Section 21 of the principal Ordinance is hereby amended as follows :—

Amendment of section 21 of the principal Ordinance.

(1) in sub-section (1)—

(a) by the repeal of paragraphs (e), (f), (g) and (h);  
 (b) by re-numbering paragraph (i) as paragraph (e);  
 (c) by the repeal of the words “or who requests that his name shall be erased” at the end of the re-numbered paragraph (e) (i);

- (d) by the repeal of the words "and who has made due application for that purpose" at the end of the re-numbered paragraph (e) (ii);
- (e) by the repeal of the words "and who has made due application for that purpose" at the end of the re-numbered paragraph (e) (iii); and
- (2) by the repeal of sub-section (2) and the substitution of the following sub-section therefor:—

"(2) In preparing or revising any such lists, the Commissioner may make such inquiries as he shall deem necessary, either by himself or by any officer appointed by him for that purpose. He may, for the same purpose, require any person to make a declaration in writing of his annual income and, where the owner of any house, building or land situated within the limits of the Municipality is resident outside such limits, may require such owner to furnish him with a declaration of the nature of the title on which such house, building or land is held. Any person intentionally giving any false information in connection with any such inquiry or refusing or failing to furnish any declaration herein specified for the space of one week from the date on which he shall have been required to do so or intentionally making a false or incorrect declaration shall be guilty of an offence and shall be liable to a fine not exceeding one hundred rupees."

Amendment of section 23 of the principal Ordinance.

6 Section 23 of the principal Ordinance is hereby amended by the repeal of sub-section (1) and the substitution of the following sub-section therefor:—

Claims and objections.

"(1) Every person duly qualified in any year to vote or to be elected or whose name was inserted in the lists for the previous year or whose name was marked with the double qualification mark in the lists for the previous year and who finds at the time when the new or revised lists are open to inspection under section 22 that his name is omitted from such lists or is in a wrong list or is not marked with the double qualification mark and who claims to have his name inserted or transferred to a list for another ward or so marked (such person being hereinafter referred to as "the claimant") may apply to the Commissioner to have his name inserted or transferred or so marked."

Amendment of section 25 of the principal Ordinance.

7 Section 25 of the principal Ordinance is hereby amended—

- (1) by the insertion between the word "insertion" and the words "or omission" of the word "transfer"; and
- (2) by the insertion between the word "insertion" and the words "or erasure" of the word "transfer".

Passed in Council the Twenty-ninth day of March, One thousand Nine hundred and Thirty-eight.

E. W. KANNANGARA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Twelfth day of April, One thousand Nine hundred and Thirty-eight.

E. R. SUDBURY,  
Secretary to the Governor.

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

**No. 15 of 1938.**

M. L. A.—B 1562/L. D.—O 166/29

**An Ordinance to amend the Local Government Ordinance, No. 11 of 1920.**

A. CALDECOTT.

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 Local Government Amendment Ordinance, No. 15 of 1938.

2 Section 168 of the Local Government Ordinance, No. 11 of 1920, is hereby amended in paragraph (2) (a) set out therein, as follows :—

Amendment of section 168 of Ordinance No. 11 of 1920.

- (1) by the substitution, for the words " the appointment of officers ", of the words " the appointment of officers and servants "; and
- (2) by the substitution, for the words " leave of absence.", of the words " leave of absence to such officers or servants, and the provision of pensions or gratuities to the widows, children, next of kin, or dependants of deceased officers or servants."

Passed in Council the Thirtieth day of March, One thousand Nine hundred and Thirty-eight.

E. W. KANNANGARA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Twelfth day of April, One thousand Nine hundred and Thirty-eight.

E. R. SUDBURY,  
Secretary to the Governor.

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

### No. 16 of 1938.

#### An Ordinance to amend the Food Control Ordinance, No. 22 of 1937.

A. CALDECOTT.

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 Food Control (Amendment) Ordinance, No. 16 of 1938.

Short title.

2 The following section shall be inserted immediately after section 2 of the Food Control Ordinance, No. 22 of 1937, (hereinafter referred to as " the principal Ordinance "), and shall have effect as section 2A of that Ordinance :—

Insertion of a new section 2A in Ordinance No. 22 of 1937.

2A. The Governor may appoint any number of Deputy or Assistant Food Controllers for the purposes of this Ordinance. Any such Deputy or Assistant may be appointed by name or by office and shall, in the exercise of his powers, the performance of his duties and the discharge of his functions under this Ordinance, be subject to the general direction and control of the Food Controller.

Appointment of Deputy Food Controllers and Assistant Food Controllers.

3 Section 3 of the principal Ordinance is hereby amended as follows :—

Amendment of section 3 of the principal Ordinance.

(1) In sub-section (1), by the omission of all the words from " prohibit " to " Island." at the end of that sub-section and by the substitution therefor of the following :—

- (a) prohibit or regulate the transport or removal of any cattle, food or article of food to or from any place or area in the Island ;
- (b) regulate and control the importation into the Island of any cattle, food or article of food by the introduction of a system of licences or otherwise ;
- (c) provide for the allocation, distribution or withdrawal of import licences for the purpose of the regulation or control hereinbefore mentioned in paragraph (b) ;
- (d) regulate and control the removal of any cattle or food or article of food from the Customs premises or from any warehouse or store within such premises ;
- (e) assume control of any granary, warehouse or store and prohibit, control or regulate the transport thereto or removal therefrom of any cattle, food, or article of food ;
- (f) prescribe standard weights and measures for the purposes of any such Order ;
- (g) provide for the allocation of supplies of cattle, food or articles of food to distributors or merchants, for the organization and administration of a system of rationing such supplies, for the transport and conveyance of such supplies and the requisitioning of vehicles and animals for the purpose of such transport or conveyance."

(2) by the addition at the end of that section of the following new sub-section :—

“ (9) The provisions of any Order made under this section shall, notwithstanding that they are inconsistent with or in conflict with the provisions of any other written law, prevail over such other written law for the period during which the Order is in force.”

Amendment of section 4 of the principal Ordinance.

4 Section 4 of the principal Ordinance is hereby amended in sub-section (2) of that section by the omission of paragraphs (a) and (b) and by the substitution therefor of the following :—

“ (a) any matter for which provision may be made by an Order issued under section 3 ;

(b) the collection of information necessary for the purposes of this Ordinance or for the enforcement of any Order made thereunder ; the returns to be made for the purposes of this Ordinance, the forms of such returns and the manner of the authentication thereof ; ”.

Passed in Council the Thirtieth day of March, One thousand Nine hundred and Thirty-eight.

E. W. KANNANGARA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Twelfth day of April, One thousand Nine hundred and Thirty-eight.

E. R. SUDBURY,  
Secretary to the Governor.

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

### No. 17 of 1938.

No. 15 of 1898.

#### An Ordinance to amend the Criminal Procedure Code, 1898.

A. CALDECOTT.

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

Short title and date of operation.

1 This Ordinance may be cited as the Criminal Procedure Code (Amendment) Ordinance, No. 17 of 1938, and shall come into operation on such date as the Governor may appoint by Proclamation published in the Gazette.

Insertion of new section 442A in Ordinance No. 15 of 1898.

2 The Criminal Procedure Code, 1898, is hereby amended by the insertion, immediately after section 442 of that Code, of the following new section :—

Clerks of Assize.

442A. (1) The Chief Justice or any other Judge of the Supreme Court may at any time, by writing under his hand, appoint as a Clerk of Assize any person who is or who is acting as—

- (a) the Private Secretary to the Chief Justice ; or
- (b) the private secretary or clerk to any other Judge ; or
- (c) an officer of the Supreme Court.

(2) An appointment under sub-section (1) may be made by name or by office, and either generally or conditionally, or for a particular purpose or occasion ; and no notification or publication of the fact of any such appointment shall at any time be necessary.

(3) Subject to any limitations or conditions specified in the writing whereby he is appointed, a Clerk of Assize may, in respect of any criminal sessions of the Supreme Court or of any matter incidental to such sessions or connected therewith, exercise, perform or discharge any of the powers,\* duties or functions of the Registrar under this Code or any other written law.

Passed in Council the Thirty-first day of March, One thousand Nine hundred and Thirty-eight.

E. W. KANNANGARA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Twelfth day of April, One thousand Nine hundred and Thirty-eight.

E. R. SUDBURY,  
Secretary to the Governor.

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

**No. 18 of 1938.**

1/8 (FSO)

**An Ordinance to authorise the exemption from customs duty of certain articles required for the use of aircraft entering or leaving Ceylon.**

**A. CALDECOTT.**

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 Foreign-going Aircraft (Exemption from Customs Duty) Ordinance, No. 18 of 1938, and shall come into operation on such date as the Governor shall appoint by Proclamation published in the Gazette.

Short title and date of operation.

2 The Governor may, by Notification published in the Gazette, appoint any person by name or by office to be or to act as a "Certifying Officer" for the purposes of this Ordinance.

Certifying Officers.

3 (1) Where the owner of any aircraft proves to the satisfaction of a Certifying Officer that any scheduled article was, on or after the first day of December, 1937—

Certificates of exemption.

- (a) imported into Ceylon for the use of that aircraft for its voyage to or from Ceylon, or  
(b) purchased in Ceylon for the use of that aircraft for its voyage from Ceylon to any place outside Ceylon,

such owner shall be entitled to obtain from that Officer a certificate of exemption exempting that scheduled article from customs duty.

(2) Every certificate of exemption shall be in such form as the Principal Collector of Customs shall from time to time prescribe.

4 No customs duty shall be levied on any scheduled article specified in any certificate of exemption; and a Collector of Customs shall, on production of a certificate of exemption, pass free of customs duty any scheduled article specified in that certificate.

Exemption of scheduled articles from customs duty.

5 Where customs duty has, at any time prior to the issue of a certificate of exemption, been paid in respect of any scheduled article specified in that certificate, the Principal Collector of Customs shall, notwithstanding anything in Ordinance No. 17 of 1869 to the contrary, allow a rebate of the customs duty so paid in respect of that article on production of the certificate of exemption relating thereto and on proof to his satisfaction of such particulars as he may require in regard to the amount of the customs duty paid and the time and place of payment of such duty.

Refund of customs duty paid.

6 (1) If any scheduled article specified in any certificate of exemption issued to the owner of any aircraft is sold in Ceylon, the owner of such aircraft shall forthwith furnish the Collector of Customs with a declaration containing such particulars relating to such sale as the Collector may require; and the owner of such aircraft shall be liable to pay and shall pay to the said Collector an amount equivalent to the customs duty which would have been payable on such scheduled article if it had been imported into Ceylon at the time of such sale.

Re-imposition of customs duty if exempted article is sold or presumed to be sold.

(2) If any scheduled article specified in any certificate of exemption issued to the owner of any aircraft is not on board that aircraft at the time of its departure on its voyage from Ceylon, it shall be presumed that such article was sold in Ceylon; and the owner of the aircraft—

(a) shall be liable to pay and shall pay to the Collector of Customs the customs duty which would have been payable on such scheduled article at the time of its importation into Ceylon in that aircraft if it had not been specified in a certificate of exemption;

(b) shall forthwith furnish the Collector of Customs with a declaration setting out the reason why such scheduled article is not on board that aircraft at the time of its departure on its voyage from Ceylon.

(3) Every declaration furnished for the purposes of this section shall be exempt from stamp duty.

(4) In this section, "sale" includes any transfer of the ownership of any scheduled article.

Penalty for failure to furnish declaration under section 6.

7 The owner of any aircraft who fails or neglects to furnish the Collector of Customs with a declaration required to be furnished under section 6 in respect of any scheduled article, shall, in addition to his liability to pay the customs duty on that article, be liable to pay to the Collector a sum equivalent to treble the value of that article or a sum of one thousand rupees, at the election of the said Collector.

Recovery of moneys payable by owner of aircraft.

8 Any sum which the owner of any aircraft may become liable to pay under this Ordinance may, on application made by the Collector of Customs to a Police Court, be recovered as if it were a fine imposed by that Court, notwithstanding that such sum may exceed the amount of a fine which a Police Magistrate may impose in the exercise of his ordinary jurisdiction.

Amendment of Schedule.

9 The Schedule may from time to time be varied, amended or added to by Resolution passed by the State Council and ratified by the Governor.

Interpretation and construction.

10 (1) In this Ordinance, unless the context otherwise requires—

“aircraft” includes airships, aeroplanes, seaplanes, flying boats or other aircraft having means of propulsion;

“article” means, in the case of any article commonly sold by measure or quantity, a specified measure or quantity of that article;

“Certifying Officer” means an officer appointed by the Governor under section 2;

“customs duty” means any duty payable under any written law for the time being in force in Ceylon on the importation into Ceylon or on the exportation from Ceylon of any scheduled article;

“certificate of exemption” means a certificate issued under section 3;

“owner” when used with reference to any aircraft, includes the person for the time being in charge of that aircraft;

“scheduled article” means an article for the time being included in the Schedule.

(2) This Ordinance shall, so far as is consistent with the tenor thereof, be read and construed as one with Ordinance No. 17 of 1869.

#### SCHEDULE.

##### *Scheduled Articles.*

1. Any substance used as fuel for the purpose or providing motive power for aircraft.

2. Any substance used as a lubricant.

Passed in Council the Thirtieth day of March, One thousand Nine hundred and Thirty-eight.

E. W. KANNANGARA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Twenty-sixth day of April, One thousand Nine hundred and Thirty-eight.

E. R. SUDBURY,  
Secretary to the Governor.

## DRAFT ORDINANCES.

### MINUTE.

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

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

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

Short title.

1 This Ordinance may be cited as the Income Tax Amendment Ordinance, No. of 1938.

Amendment of section 45 (4) of Ordinance No. 2 of 1932.

2 Section 45 of the Income Tax Ordinance, 1932, is, with effect from the twenty-fifth day of February, 1938, (being the date of the commencement of the Income Tax Amendment Ordinance, No. 3 of 1938), amended in sub-section (4), by the substitution for paragraph (b) (ii) of the following:—

“(ii) any additional tax charged under sub-section (6) or sub-section (6A) of section 20.”



*Objects and Reasons.*

The object of this Bill is to amend section 45 (4) (b) (ii) of the Income Tax Ordinance, 1932, by providing that the additional tax on Hindu undivided families and non-resident companies authorised by new section 20 (6A) shall not be included in the definition of "Ceylon tax" for the purpose of relief in cases of double taxation.

2. New sub-section (6A) of section 20 was added to the principal Ordinance by the Income Tax Amendment Ordinance, No. 3 of 1938, which was reserved for Royal assent and became law in Ceylon on the 25th February, 1938, by virtue of a Proclamation published in the Government Gazette No. 8,356 of the same date.

Colombo, April 12, 1938.

H. J. HUXHAM,  
Financial Secretary.

**DISTRICT AND MINOR COURTS  
NOTICES.****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 Eravur korale and Bintenne pattus has, with the approval of the Government Agent, Eastern Province, set apart the under-mentioned building, from May 1, 1938, as the court-house of the Village Tribunal of Eravur korale pattu subdivision in the Chief Headman's division of Eravur korale pattus of the Batticaloa District, Eastern Province.

The Kachcheri,  
Batticaloa, April 19, 1938.

M. PRASAD,  
Government Agent.

*Description of Building.*

Building standing on the land called Meevattikerni Valavu, situated in the village of Vakara in Eravur korale pattu, Batticaloa District, Eastern Province.

**NOTICES OF INSOLVENCY.**

In the District Court of Colombo.

No. 4,669 In the matter of the insolvency of Meera Insolvency. Saibo Mohamed Rafoof, insolvent.

NOTICE is hereby given that a special sitting is fixed in the above case, for May 10, 1938, to enable the creditors of the insolvent to meet and discuss as to what steps should be taken as regards the immovable property of the insolvent.

By order of court, GERALD E. DE ALWIS,  
April 19, 1938. Secretary.

In the District Court of Colombo.

No. 5,201 In the matter of the insolvency of Kowenna Insolvency. Saib Mohamed Abdul Careem Marikar carrying on business under the name, style, and firm of K. O. Ossen Morideen Marikar & Bros, at No. 87/89, No. 5th Cross Street, Pettah, 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 May 10, 1938, to approve conditions of sale.

By order of court, GERALD E. DE ALWIS,  
Colombo, April 25, 1938. Secretary.

In the District Court of Colombo.

In the matter of the insolvency of Tudor de Silva Gunawardena of 371, Alutmauwatta road, Colombo.

WHEREAS the above-named T. D. S. Gunawardena has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by W. P. Fernando of Ragama, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said T. D. S. Gunawardena insolvent accordingly; and that two public sittings of the court, to wit, on June 14, 1938, and on June 28, 1938, 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,  
April 22, 1938. Secretary.

In the District Court of Galle.

No. 712. In the matter of Abdul Rahiman Ibrahim Julaya of 99, Main Street, Galle.

WHEREAS Abdul Rahiman Ibrahim Julaya has filed a declaration of insolvency, and a petition for the sequestration of his own estate under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged him an insolvent accordingly; and that two public sittings of the court, to wit, on May 30, and June 30, 1938, will take place for the 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, L. B. CASPERSZ,  
April 25, 1938. Secretary.

**NOTICES OF FISCALS' SALES.****Western Province.**

In the District Court of Hatton.

R. M. L. M. Muttiah Pillai of Holbrook, Agarapatana ..... Plaintiff.  
No. 1,930. Vs. R. 10.000

Maddunage William Peter Fernando of Wekada, Panadura, Administrator of the estate of P. A. Fernando, deceased ..... Defendant.

WITH reference to the advertisement appearing in the Gazette of April 8, 1938, regarding the sale in the above case, it is hereby notified that the land called Ambalamkanuwewswatta, bearing assessment No. 259 fixed for sale on May 2, 1938, at 4 P.M., is situated at Moratumulla and not Moratumulla as stated therein.

Fiscal's Office,  
Colombo, April 25, 1938.

J. R. TOUSSAINT,  
for Fiscal.

In the District Court of Colombo.

Lokupitiyage Hendrick Perera of Udahamulla in the Palie pattu of Salpiti korale ..... Plaintiff.  
No. 7,346M. Vs. R. 16.00

(1) Embuldeniyage Don Adrian alias Don Endoris of Udahamulla aforesaid ..... Defendants.

NOTICE is hereby given that on Thursday, May 26, 1938, at 4 P.M., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 2,103 dated October 3, 1929, attested by David de Silva, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated March 30, 1938, for the recovery of the sum of Rs. 1,947.92, together with further interest on the principal sum of Rs. 1,000 at 12 per cent. per annum from August 28, 1937, to date of decree January 17, 1938, and thereafter on the aggregate amount of the decree at 9 per cent. per annum

till payment in full and costs of suit taxed at Rs. 175·24, to wit :—Rs. 140·42 being incurred costs and Rs. 34·82 being prospective costs, viz. :—

All that divided ½ part or share marked lot B of Pelen-gahawatta together with the tiled house, trees, and plant-ations thereon, situated at Udahamulla in the Palle pattu of Salpiti korale in the District of Colombo, Western Province; which said divided ½ share marked lot B is bounded on the north-east by another portion of Pelen-gahawatta, on the east by Gorakagahawatta, on the south-east by road from Cotta to Madiwala, and on the west by the other ½ share marked lot A of the same land; and containing in extent 1 acre and 5 perches, as per plan dated September 25, 1911, and made by D. J. W. Ediri-singhe, Licensed Surveyor. Prior registration M 246/217.

Fiscal's Office,  
Colombo, April 27, 1938.

J. R. TOUSSAINT,  
Deputy Fiscal.

**Southern Province.**

In the District Court of Galle.

Magdon Ismail Hamim Hadjar of Galle, Zohara Beebee of Millidduwa substituted in place of deceased .. Plaintiff.  
No. 28,819. Vs.

H. B. Sopinona and others of Ettiligoda . . . . Defendants.

NOTICE is hereby given that on Saturday, May 21, 1938, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

1. *Property belonging to the 15th and 46th-51st defendants.*—All the soil and trees of an undivided 148/188, plus 28/188 parts or shares of the defined lot 9 of Gorakadogodawatta together with like shares of houses marked 9, 10, 11, 12, 13, and 14 standing thereon and situated at Ettiligoda within the Municipal limits of Galle, Galle District, Southern Province; and bounded on the north-west by lot 7 of the same land and road, the north-east by road, and lots 13 and 11 of the same land, south-east by lots 10 and 11 of the same land, south-west by remaining ½ portion of the same land; containing in extent 33·32 perches, as per plan of partition No. 2,599a of August 17, 1935, filed of record in case No. 28,819, D. C., Galle.

2. *Property belonging to the 17th defendant.*—All the soil and trees of the defined lot 12 of Gorakadogodawatta together with house No. 8 standing thereon, situated at Ettiligoda aforesaid; and bounded on the north-west by lot 13 of the same land, north and north-east by lot 13 of the same land, south-east by lots 13 and 11 of the same land, south west by lot 11 of the same land; and containing in extent 4·86 perches.

3. *Property belonging to 12th, 22nd, 23rd, 24th, 25th, 33rd, 35th, 39th, 43rd defendants.*—All the soil and trees of the defined lot 13 of Gorakadogodawatta, situated at Ettiligoda aforesaid, together with the well standing thereon; and bounded on the north-west by road, east by Godagewatta, south-east and south by lot 11 of the same land, south-west by path reservation and lot 9 of the same land; containing in extent 24·43 perches as per aforesaid plan.

Writ amount Rs. 1,966·87.

Fiscal's Office,  
Galle, April 25, 1938.

T. D. S. DHARMASENA,  
Deputy Fiscal.

**33/ In the District Court of Galle.**

Gardiyewassan Weligamage Don Morrison de Silva of Welhengoda, Kataluwa . . . . . Plaintiff.  
No. 35,758. Vs.

Gardiyewassan Weligamage Carlina Maria of Welhengoda, Kataluwa, duly appointed administratrix of the estate of the deceased W. H. Thevenis de Silva of Kataluwa, admn. in D. C., T. 7,660 . . . . . Defendant.

NOTICE is hereby given that on Saturday, May 21, 1938, 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 property, viz. :—

1. All the soil and trees together with all the buildings standing thereon of the defined lot No. 6 of the land called

Madina-arambewatta, situated at Kataluwa in Talpe pattu of Galle District, Southern Province; and which said lot is bounded on the north by the lot No. 5 and Ganearambewatta, east by Madina-arambewatta belonging to Dingibaba, south by lot No. 7, and west by lots Nos. 7, 3, and 4; containing in extent 22 perches.

2. All the soil and trees together with all the buildings standing thereon of the defined lot No. 7 of the land called Madina-arambewatta, situated at Kataluwa aforesaid; and bounded on the north by lots Nos. 6 and 3, east by Madina-arambewatta belonging to Dingibaba, south by a portion of this land, and on the west by lot No. 2 and portion of this land belonging to Tettuwa and Babanappu; and containing in extent 18·1 perches.

Writ amount Rs. 2,353·78, with legal interest at 9 per cent. from date of decree (November 3, 1937) till payment in full.

Fiscal's Office,  
Galle, April 23, 1938.

T. D. S. DHARMASENA,  
Deputy Fiscal.

In the District Court of Matara.

Peduru Arachchige Babune . . . . . Plaintiff.  
No. 3,832. Vs.

(3) Kuda Anthong Dingiya of Narawelpita, and others . . . . . Defendants.

NOTICE is hereby given that on Friday, May 27, 1938, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of a sum of Rs. 27·60, viz. :—

1. All that divided lot A I of the land called Duragewatta, situated at Narawelpita in Kandaboda pattu of Matara District, Southern Province; and bounded on the north by Pinkoratuwa alias Pannalakoratuwa, east by lots A and B of the same land, south by Delgahawatta, and on the west by lots A and C of the same land; and containing in extent 2 roods and 31·31 perches.

2. All that divided lot B of the land called Duragewatta, situated at Narawelpita aforesaid; and bounded on the north by Alutwatta, east by lot C of the same land, south by road, and on the west by lot A I of the same land; and containing in extent 2 roods and 4·37 perches.

3. All that divided lot C of the land called Duragewatta, situated at Narawelpita aforesaid; and bounded on the north by Alutwatta, east by Wanuwelanulana, south by Delgahawatta, and on the west by lots B and D of the same land; and containing in extent 3 roods and 4·37 perches.

4. All that divided lot D of the land called Duragewatta, situated at Narawelpita aforesaid; and bounded on the north by high road, east by lot C of the same land, south by Delgahawatta, and on the west by lot A I of the same land; and containing in extent 1 rood and 18·5 perches.

5. All that divided lot E of the land called Duragewatta, situated at Narawelpita aforesaid; and bounded on the north by high road, east by lot A I of the same land, south by Delgahawatta, and on the west by lot A I of the same land; and containing in extent 3 roods and 4·06 perches.

6. All that divided lot E I of the land called Duragewatta, situated at Narawelpita aforesaid; and bounded on the north by high road, east by lot E of the same, south by Delgahawatta, and on the west by lot F of the same land; and containing in extent 9·66 perches.

7. All that divided lot F of the land called Duragewatta, situated at Narawelpita aforesaid; and bounded on the north by Duragewattedeniya alias Godella, east by lot E I of the same land, south by Delgahawatta, and on the west by lot G of the same land; and containing in extent 28·4 perches.

8. All that divided lot G of the land called Duragewatta, situated at Narawelpita aforesaid; and bounded on the north by Duragewattedeniya alias Godella, east by lot F of the same land, south by Kapahedudeniya, and on the west by lot H of the same land; and containing in extent 7·89 perches.

9. All that divided lot H of the land called Duragewatta, situated at Narawelpita aforesaid; and bounded on the north by Duragewattedeniya alias Godella, east by lot G of the same land, south by Delgahawatta alias Maragahawatta and Kapahedudeniya, and on the west by Delgahawatteliyadda alias Maragahawatta; and containing in extent 1 acre 2 roods and 22·57 perches.

Deputy Fiscal's Office,  
Matara, April 23, 1938.

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

In the District Court of Tangalla.

Danoris de Silva Weeraratna of Beliatta ..... Plaintiff.

No. 3,277.

Vs.

Landewatte Acharige Adiris de Silva of Pahala Beligalla ..... Defendant.

NOTICE is hereby given that on Saturday, May 21, 1938, 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 property for the recovery of Rs. 736.43, with legal interest at Rs. 454.64 from February 8, 1938, till payment and poundage, viz. :—

(1) The life interest of Landewatte Acharige Adiris de Silva of  $\frac{1}{2}$  share of the land called Karagahahena and deniya, situated at Pahala Beligalla in West Giruwa pattu of the Hambantota District, Southern Province; and bounded on the north by Galehena, east by Welimandiye-potakandiya and weta agala, south by Kongahawalawewa and Galekoratuwa, and west by land purchased from Crown by Angulmaduwegamage Tepanis and Sadiris, Debaragahakoratuwa and weta agala; containing in extent about 8 acres.

(2) The life interest of Landewatte Acharige Adiris de Silva of all that soil and plantations of the land called Godawanehena (exclusive of the 13-cubit tiled house sold by Adiris Silva), together with the thatched boutique facing the north standing thereon, situated at Pahala Beligalla aforesaid; and bounded on the north by Gansabhawa road, east by Kapugedarawatta, south by Lolugahakoratuwa, and west by wela; containing in extent about 4 acres.

(3) The life interest of Landewatte Acharige Adiris de Silva of  $\frac{1}{2}$  share of the land called Liyangasarehena bearing T. P. No. 201,532, together with an undivided  $\frac{1}{2}$  share of the 13-cubit tiled house standing thereon, situated at Bedigama in West Giruwa pattu aforesaid; and bounded on the north by footpath, east by reservation along the road, south by T. P. No. 201,290, and west by T. P. No. 201,301 and footpath; containing in extent 24 perches.

Deputy Fiscal's Office,  
Tangalla, April 23, 1938.T. J. T. CASSIM,  
Additional Deputy Fiscal.**Eastern Province.**

In the District Court of Trincomalee.

(1) Sivasegaram Satchithanatham and (2) wife Puvaneswari of Balangoda ..... Plaintiffs.

No. 1,630.

Vs.

(1) Canapathypillai Vallipurampillai Madaliyar and (2) wife, Vallipillainayagam, both of Division No. 1, Trincomalee ..... Defendants.

NOTICE is hereby given that on Saturday, May 21, 1938, at 4 o'clock in the afternoon, will be sold by public auction at the spot the following property mortgaged with the plaintiffs by bond No. 5,544 dated October 7, 1929, and attested by Mr. M. M. Subramaniam 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 September 28, 1932, for the recovery of the sum of Rs. 6,200 with interest on Rs. 5,000 at 12 per cent. per annum from February 24, 1932, till March 30, 1932, and thereafter at 9 per cent. per annum and costs of suit, less Rs. 4,786 already recovered and Fiscal's fees and charges and poundage, viz. :—

An undivided half share of all that allotment of land with a tiled house called Eraddainatchar-Vidu, out houses, well and other appurtenances belonging thereto; bounded or reputed to be bounded on the north-east by the road called Mudaliyartheru, on the south-east and north-west by the house and ground belonging to M. M. Subramaniam, and on the south-west by the land belonging to Vallipillai Navagam, wife of Mudaliyar Vallipurampillai and to M. M. Subramaniam; extent 1 rood and 14  $\frac{1}{2}$  square perches, assessment No. 121 and the tenement is situate in No. 1, Trincomalee town, Trincomalee District, Eastern Province. Registered No. A8/121.

Deputy Fiscal's Office,  
Trincomalee, April 21, 1938.B. VRASPILLAI,  
Additional Deputy Fiscal.**Province of Uva.**

In the District Court of Badulla.

Mari Adakkan Nadian Kanakkapulle of Waldemar Group, Udapussellawa ..... Plaintiff.

No. 6,291.

Vs.

(1) Kadija Umma, widow of S. M. Mohamed Haniffa of Seluwakanda, Udapussellawa, legal representative of the estate of S. M. Mohamed Haniffa, deceased, (2) Kondamarasu Seiyadu Mohamadu Rawther's son Sheik Ali Rather of St. Margarets, Udapussellawa ..... Defendants.

NOTICE is hereby given that on Tuesday, May 31, 1938, at 3 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 the sum of Rs. 3,480, with interest at 12 per cent. per annum on Rs. 2,000 from January 19, 1936, till June 18, 1937, and thereafter with legal interest at 9 per cent. per annum on the aggregate amount till payment in full, viz. :—

All that and those the contiguous allotments of land together with everything thereon called and known as (1) Dambagahamadehena of about 4 kurunies of kurakkan sowing in extent, (2) Huriyamandiyehena of about 2 kurunies of kurakkan sowing in extent, (3) Kehelkotuwehena of about 2 kurunies of kurakkan sowing in extent, (4) all that defined portion of about 5 kurunies in extent out of the range of chena lands called Wakahenayaya, (5) Wakahenemetihakkehena of about 4 kurunies of kurakkan sowing in extent, and (6) Gannilehena of about 6 kurunies of kurakkan sowing in extent now forming one property situated at Diyabikandura in Gampaha korale in Udukinda division in Badulla District of the Province of Uva; and bounded as follows: north by tea garden belonging to Appuhamy, east by Gansabhawa road, south by Gansabhawa road, west by Ambalama and land purchased from the Crown by M. K. Velaythen; and registered in C 151/107 at the Badulla Land Registry.

Fiscal's Office,  
Badulla, April 25, 1938.T. J. MENDIS,  
Deputy Fiscal.

In the Court of Requests of Badulla.

P. S. P. Nagoor Pitchay of Badulla, trading under the name, firm, and style of P. S. P. Nagoor Pitchay &amp; Company at Badulla ..... Plaintiff.

No. 8,247.

Vs.

Nanayakkara Sophia Perera, administratrix of the estate of D. C. Vadasinghe, deceased of Badulla, presently of Bandarawela ..... Defendant.

NOTICE is hereby given that on Saturday, May 28, 1938, 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 property for the recovery of the sum of Rs. 101.13, with legal interest from August 19, 1935, till payment in full and costs of suit Rs. 28.25, viz. :—

All that land called Ilwatmalei; containing in extent about 2 acres, situated at Bindunuwewa in Mahapalata korale in Udukinda Division, in Badulla District of the Province of Uva; and bounded on the north by cart road leading to the Survey bungalow, south by Crown land, east by main road, and west by Crown land, together with the buildings and plantations standing thereon.

Fiscal's Office,  
Badulla, April 25, 1938.T. J. MENDIS,  
Deputy Fiscal.**Province of Sabaragamuwa.**

In the District Court of Ratnapura.

A. W. Muttetwegama, Doctor, Ratnapura .... Plaintiff.

No. 6,401.

Vs.

Ratnayaka Aratnillage James Appuhamy of Weralupe ..... Defendant.

NOTICE is hereby given that on Tuesday, May 24, 1938, commencing at 10 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 4,975.16, with interest on Rs. 2,786 at 12 per cent. per annum from

February 1, 1937, till March 10, 1937, and thereafter legal interest at 9 per cent. per annum till payment in full and costs of suit Rs. 149.97½ and poundage, viz. :-

1. All that land called Ihaladeniyagawahena and the plantations thereon situate at Weralupe in Uda pattu of Kuruwiti korale in the District of Ratnapura; bounded on the north by Pahalgalahena claimed by P. Mohottihamy and others, east by Pahalgalahena claimed by P. Mohottihamy and others, and a water-course, south by Ihaladeniya claimed by U. Ukkuhamy and another and land described in plan No. 150,247, and on the west by Penidodangasdeniya and Penidodangashena claimed by Punchiappuhamy and another; and containing in extent exclusive of the footpath running through the land 2 acres 2 roods and 30 perches; registered in A 162/293.

2. All that land called Heraligaswatta and the plantations thereon consisting two contiguous portions situate at Weralupe aforesaid; and bounded on the north by Penidodangasdeniya claimed by G. Mohottihamy and others and Ihaladeniyagawahena claimed by A. Appuhamy, east by Ihaladeniya claimed by U. Ukkuhamy and others, south by Heraligaswatta claimed by U. Ukkuhamy and others, and on the west by Penidodangahakumbura claimed by U. Ukkuhamy and others and G. Mohottihamy and others; and containing in extent exclusive of the footpath passing through the land 3 acres 1 rood and 11 perches; and registered in A 186/110.

3. An undivided one half share of the soil and fruit trees of the land called Welapallewatta together with the thatched house standing thereon situate at Weralupe aforesaid; bounded on the north by Kiriellemuhandiramagewatta, east by Welapallekumbura, south by Welapallepahalawatta, and on the west by high road; and containing in extent about 4 seers of kurakkan sowing; registered in A 186/111.

4. An undivided ¼ share of the field called Welapallekumbura, situate at Weralupe aforesaid; and bounded on the north by Battanagewelapalle and Godawela-assedduma, east by Hiththaragekumbura, Medakumbura, and Wadukumbura, south by Haggalage-assedduma, and on the west by Welapallewatta; containing in extent 2 pelas of paddy sowing; and registered in A 159/240.

5. An undivided ¼ share of the land called Boralessa, situate at Weralupe aforesaid; bounded on the north by Battanage-elagodella and Piniadda, east by Wella, south by Basnayakamuttettuwa, and on the west by Tibbotuwage-assedduma; and containing in extent 2 pelas of paddy sowing; and registered in A 186/112.

6. All that soil and plantation of the chena land called Rekawal Okanda together with the thatched house standing thereon situate at Weralupepolhengoda aforesaid; bounded on the north by Heendola, east by deniya, south by Aggallegeassedduma and pla, west by Teniwalakumbura; and containing in extent about 12 seers of kurakkan sowing; and registered in A 66/329.

Fiscal's Office,  
Ratnapura, April 25, 1938.

B. M. CHRISTOFFELSZ,  
Deputy Fiscal.

In the District Court of Kegalla.

J. W. Udalagama of Kegalla... 21 ..... Plaintiff.  
No. 10,330. Vs.

A. Francis Molamure of Kegalla, presently of Horton place, Cinnamon Gardens, Colombo ..... Defendant.

NOTICE is hereby given that on Friday, May 23<sup>rd</sup> 1938, 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 property, for the recovery of the sum of Rs. 2,450.82 with interest on Rs. 2,965 at 9 per cent. per annum from February 2, 1933, till payment in full, and poundage, viz. :-

All that land called Meegaswatta alias Walauwatta, situate at Rakwana in Meda pattu of Atakalan korale, in the District of Ratnapura of the Province of Sabaragamuwa; bounded on the north by Meegaswatta, east by land belonging to Government Hospital, south by cart road, west by Roman Catholic burial ground; and containing in extent about 3 acres with the house standing thereon.

Fiscal's Office,  
Ratnapura, April 22, 1938.

B. M. CHRISTOFFELSZ,  
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

30 In the District Court of Colombo.  
Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Kanagasabai Alfred Wilson alias Wijeyaratnam of 4th lane in Colpetty, Colombo, deceased.  
No. 8,364.

Emily Sellammiah Wilson of 4th lane, Colpetty in Colombo ..... Petitioner.

And

(1) John Rasiah Wilson, (2) David Kanagasabai Wilson, (3) Daniel Wijeyasingham Wilson, and (4) Bennet Jebaratnam Wilson, all of 4th lane, Colpetty, in Colombo ..... Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on March 14, 1938, in the presence of Mr. C. Sevaprakasam, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 28, 1938, having been read: It is ordered (a) that the 1st respondent be and he is hereby appointed guardian *ad litem* of the minors, the 3rd and 4th respondents above named, to represent them for all the purposes of this action, and (b) that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before May 19, 1938, show sufficient cause to the satisfaction of the court to the contrary.

March 14, 1938. M. W. H. DE SILVA,  
District Judge.

29 In the District Court of Colombo.  
Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late Calutantrige Don Amaradasa No. 8,390. Jayaweera of Station road, Wellawatta, deceased.

Dr. Charles Leslie Ernest Parera Samarasokere of Station road, Wellawatta ..... Petitioner.

And

(1) Kuppumpullage Rosaling Amaradasa, (2) Calutantrige Anala Samarasokere, (3) ditto Ranjini Amaradasa Jayaweera, and (4) ditto Nanda Amaradasa Jayaweera, all of Station road, Wellawatta ..... Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on April 5, 1938, in the presence of Messrs. Jayasekera & Jayasekera Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated April 5, 1938, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son-in-law of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before June 2, 1938, show sufficient cause to the satisfaction of the court to the contrary.

April 5, 1938. M. W. H. DE SILVA,  
District Judge.

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

Testamentary In the Matter of the Joint Last Will and Jurisdiction. Testament (with codicil) or Mutual No. 8,403, N.T. Settlement (with codicil) of Marjorie MacGillivray or Maclean (otherwise Marjorie McLean) sometime of Gordonhall, Kingussie, Invernesshire, Scotland, and late of Belmont, Kingussie aforesaid, widow, deceased.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on April 11, 1938, in the presence of James Frederick Van Langenberg, Proctor, on the part of the petitioner Percival Stephen Martensz of Colombo; and (1) the affidavit of the said petitioner dated April 8, 1938, (2) the power of attorney dated February 18, 1938, and (3) the order of the Supreme Court dated April 5, 1938, having been read: It is ordered that the will of the said Marjorie MacGillivray or Maclean deceased dated November 10, 1910 (and a codicil thereto dated August 31, 1917), a certified copy of which under the

seal of the Commissariat of Inverness in Scotland 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 Percival Stephen Martensz 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 and codicil annexed) issued to him accordingly, unless any person or persons interested shall, on or before May 19, 1938, show sufficient cause to the satisfaction of this court to the contrary.

April 11, 1938. M. W. H. DE SILVA, District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. N. Cornejo's Fernando of Udayartoppuwa, No. 3,062. Negombo, deceased.

Nammunidewage Sirineris Fernando of 4th Division, Udayartoppuwa, Negombo. Petitioner.

- (1) Menikouradewage Leisa Fernando, (2) Nammunidewage Simon Fernando, (3) Menikpuradewage Edinona, (4) ditto Jinadasa, (5) ditto Mabel Fernando, all of Hunderapola, (6) Walimunidewage Disana Fernando, (7) Nammunidewage Ebinona, both of 4th division Udayartoppuwa, Negombo, (8) Nammunidewage Aggie Nona of Yagoda, (9) ditto Podisingho of 4th Division, Udayartoppuwa, Negombo, (10) Nammunidewage Nonno Fernando of Mabile, (11) Amudaladewage Pemianu Fernando of Dagonna, (12) ditto Davith Fernando of Kundanwila, Negombo, (13) ditto Mango Fernando of Katuwella-gama, (14) ditto Guecheha Fernando of Hundirapola. Respondents.

THIS matter coming on for disposal before T. Weeraratne, Esq., District Judge of Negombo, on February 7, 1938, in the presence of Mr. E. W. de Zoysa, Proctor, on the part of the petitioner; and the petition and affidavit of the said petitioner dated February 5, 1938 and December 23, 1937, respectively, having been read:

It is ordered (a) that the 3rd respondent above named be and she is hereby appointed guardian *ad litem* of the 4th respondent above named, who is a minor, and that the 6th respondent above named be and she is hereby appointed guardian *ad litem* of the 9th respondent above named, who is also a minor, to represent them for all the purposes of this action, (b) that the said petitioner be and he is hereby declared to have letters of administration to his estate issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before February 25, 1938, show sufficient cause to the satisfaction of this court to the contrary.

February 7, 1938. T. WEERARATNE, District Judge.

The Order Nisi returnable date is extended to May 11, 1938.

T. WEERARATNE, District Judge.

In the District Court of Negombo.

Order Absolute in the First Instance declaring Will proved.

Testamentary In the Matter of the Joint Last Will and Jurisdiction. Testament of Kumarasinghe Katuneka No. 3,066. Appuhamillage Dona Rebecca Jayawardana Haming (wife), and husband Katunekarallage Don Haramanis Jayawardana of Ambanwita (deceased).

Kumarasinghe Katuneka Appuhamillage Dona Rebecca Jayawardana Haming of Ambanwita. Petitioner.

THIS matter coming on for disposal before T. Weeraratne, Esq., District Judge of Negombo, on April 1, 1938, in the presence of Mr. L. Samaratinga, Proctor, on the part of the petitioner; and the petitioner's petition and affidavit dated March 21, 1938, and the affidavit dated March 21, 1938, of Don Francis de Kunarat Samaratinga Randunu of Gampaha Medagama, an attesting witness to the joint last will and testament above named having been read: It is ordered that the above named joint last will and testament No. 32,039 dated August 11, 1911, attested by D. D. A. Jayawardana, Notary Public, the original of which is deposited in this court, be and the same is hereby declared proved. It is further ordered that the petitioner be and she is hereby declared entitled, as executrix named in the said last will, to have probate to same issued to her.

April 1, 1938. T. WEERARATNE, District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Udupihille Walawwe Dingiri Kumari-bani of Udupihilla, deceased. No. 5,201.

THIS matter coming on for disposal before Reginald Felix Esq., District Judge, Kandy, on April 4, 1938, in the presence of Messrs. Beven & Beven, Proctors, on the part of the petitioner, Ranpanhith Diwakara Alahakoon Mudiyansele Niyarepola Walawwe Medduma Bandara Alahakoon Niyarepola of Udupihilla in Matale; and the affidavit of the said petitioner dated February 21, 1938, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the husband of the above-named deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents (1) Ranpanhith Diwakara Alahakoon Mudiyansele Kamala wathie alias Dora Niyarepola, (2) Ranpanhith Kalukumara Bandaranayake Cyril Bandara Niyarepola, both of Udupihilla in Matale, and (3) T. B. Niyarepola of Aluvihare in Matale or any other person or persons interested shall, on or before May 9, 1938, show sufficient cause to the satisfaction of this court to the contrary.

April 4, 1938. R. F. DIAS, District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Masakoralage Nathaniel Venvelzon Jayawardana of Uluwitike, deceased. No. 7,803.

Between Masakoralage Danister Venvelzon Jayawardana of Uluwitike. Petitioner.

- (1) Charlotte Lucia Seneviratne, (2) Masakoralage Roland Venvelzon Jayawardana, both of Uluwitike, a minor by guardian *ad litem* the 1st respondent. Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Galle, on February 15, 1938, in the presence of Messrs. Adihetti & Abey-sundere, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 20, 1938, having been read: It is ordered that the said 1st respondent be appointed guardian *ad litem* over the 2nd minor respondent, unless the said respondents or any person or persons interested shall, on or before March 22, 1938, show sufficient cause to the satisfaction of this court to the contrary. It is further declared that the said petitioner is entitled to have letters of administration to the estate of the said deceased issued to him accordingly, unless the said respondents or any person or persons interested shall, on or before March 22, 1938, show sufficient cause to the satisfaction of this court to the contrary.

February 15, 1938. N. M. BHARUCHA, District Judge.

The date for showing cause has been extended to May 3, 1938.

March 22, 1938. N. M. BHARUCHA, District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Nanayakkarawasan Doralegoda Kankanange Darly Perera, deceased, of Galduwa. No. 7,810.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Galle, on March 25, 1938, in the presence of Mr. A. C. Arisena, Proctor, on the part of the petitioner, Nanayakkarawasan Doralegoda Kankanange Charlis Perera of Galduwa; and the affidavit of the said petitioner dated March 24, 1938, having been read:

It is declared that the said petitioner, Nanayakkarawasan Doralegoda Kankanange Charlis Perera, is entitled to have letters of administration issued to him accordingly, unless



the respondents—(1) Faith Sophaya Kalansuriya of Ketiyepe in Deiyandara, Hakmana, (2) Nanayakkara Wasan Doralegoda Kankanange Dona Leisina Perera, (3) ditto Dona Baby Perera, both of Galduwa—shall, on or before May 10, 1938, show sufficient cause to the satisfaction of this court to the contrary.

March 25, 1938. N. M. BHARUCHA,  
District Judge.

In the District Court of Matara.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Awalikara Galappattige Samichchiappu, No. 3,973. late of Weligama, deceased.

Between

Henda Vitharanage Singhoappu Kulasuriya of Weligama ..... Petitioner.

And

(1) Gamage Nonahamy of Weligama, (2) Awalikara Galappattige Alice Nona of ditto (dead), (3) ditto Sensinona of Gaggala, (4) ditto Pūchinona of Weligama, (5) ditto Nelson Silva of ditto, (6) ditto Wilson Silva of ditto, (7) ditto Martin Silva of ditto, (8) ditto Dayawathie of ditto, (9) ditto Gunapala of ditto, (10) ditto Ariyadasa of ditto; 10th respondent is a minor by his guardian *ad litem* the 1st respondent, (11) Henda Vitharanage Jayanetti Kulasuriya and the petitioner are the heirs of 2nd respondent, deceased; 11th respondent is a minor by his guardian *ad litem* the 3rd respondent ..... Respondents.

THIS action coming on for disposal before Charles Edwin Augustus Samarakkody, Esq., District Judge of Matara, on October 14, 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 September 30, 1937, having been read:

It is ordered, that the petitioner above named be and he is hereby declared entitled, as son-in-law, to have letters of administration to the estate of the above-named deceased issued to him, unless the respondents above named or any other person or persons interested shall, on or before December 10, 1937, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 1st and 3rd respondents, and they are hereby appointed guardians *ad litem* over the minors, 10th and 11th respondents, respectively, for all the purposes of this action, unless the respondents above named or any other person or persons interested shall, on or before December 10, 1937, show sufficient cause to the satisfaction of this court to the contrary.

October 14, 1937. C. E. A. SAMARAKKODY,  
District Judge.

The date of showing cause against the above *Order Nisi* is extended to February 16, 1938.

December 10, 1937. C. E. A. SAMARAKKODY,  
District Judge.

The date of showing cause against the above *Order Nisi* is extended to March 28, 1938.

February 16, 1938. K. D. DE SILVA,  
District Judge.

The date of showing cause against the above *Order Nisi* is extended to May 16, 1938.

March 28, 1938. JAMES JOSEPH,  
District Judge.

In the District Court of Batticaloa.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Sinnatamby Kankaniar Pathanachy of No. 433. Periakallar, deceased.

Murugapper Sembacuddy of Periakallar ..... Petitioner.

Vs.

(1) Sinnatamby Canagasabey, (2) Sembacuddy Theivayanayagam, (3) Sembacuddy Thangaretnam, all of Periakallar ..... Respondents.

THIS matter coming on for disposal before P. Vythialingam, Esq., District Judge of Batticaloa, on February 5, 1936, in the presence of Mr. R. B. Kadramer, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 15, 1936, having been read:

It is ordered that the 1st respondent above named be and he is hereby appointed guardian *ad litem* of the minors, the 2nd and 3rd respondents, unless the respondents above named or any other person or persons interested shall, on or before March 26, 1936, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the petitioner be and he is hereby declared entitled, as the husband of the said 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 March 26, 1936, show sufficient cause to the satisfaction of this court to the contrary.

March 3, 1936. P. VYTHIALINGAM,  
District Judge.

*Order Nisi* extended to May 9, 1936.

April 28, 1936. P. VYTHIALINGAM,  
District Judge.

*Order Nisi* extended to June 11, 1936.

May 19, 1936. P. VYTHIALINGAM,  
District Judge.

*Order Nisi* extended to July 7, 1936.

June 11, 1936. P. VYTHIALINGAM,  
District Judge.

*Order Nisi* extended to July 28, 1936.

July 7, 1936. P. VYTHIALINGAM,  
District Judge.

*Order Nisi* extended to August 11, 1936.

July 28, 1936. P. VYTHIALINGAM,  
District Judge.

*Order Nisi* extended to September 3, 1936.

August 11, 1936. M. CHINNAIYAH,  
District Judge.

*Order Nisi* extended to September 22, 1936.

September 3, 1936. M. CHINNAIYAH,  
District Judge.

*Order Nisi* extended for May 5, 1938.

April 19, 1938. P. VYTHIALINGAM,  
District Judge.

In the District Court of Puttalam.

*Order Nisi.*

Testamentary In the Matter of the Last Will and Testament No. 731. Muhammad Ibrahim, late of Puttalam, deceased.

Between

Cader Saibu Marikar Muhammad Sara Umma appearing by her attorney Segu Madar Saiyed of Puttalam ..... Petitioner.

Vs.

(1) Thamby Marikar Subair *alias* Muhammad Haniffa, (2) Thamby Marikar Abdul Gaffoor, (3) Abdul Hameed Seyadu Ibrahim; the 2nd and 3rd respondents, minors, appearing by their proposed guardian *ad litem* (4) Ibrahim Naina Muhammad Lebbai, all of Puttalam ..... Respondents.

THIS matter coming on for disposal before C. J. Oorloff, Esq., Additional District Judge of Puttalam, on March 30, 1938, on the motion of Mr. H. S. Ismail, Proctor, on the part of the petitioner: and the petition of the petitioner dated March 30, 1938, and the affidavit of the petitioner dated March 28, 1938, and the affidavit of the witnesses of the last will dated March 29, 1938, having been read: It is ordered that the will of Ibrahim Thamby Marikar *alias* Muhammad Ibrahim, deceased, dated June 16, 1937, and now deposited in this court be and the same is hereby declared proved: It is further declared that the petitioner above named is the executrix thereof and that she is entitled to have probate

of the same issued accordingly and that the 4th respondent above named be and she is hereby appointed guardian *ad litem* over the 2nd and 3rd minor respondents above named, unless the respondents above named or any other person or persons interested in the matter of this application shall, on or before April 12, 1938, show sufficient cause to the contrary.

March 30, 1938. C. J. OORLOFF,  
Additional District Judge.

Time for showing cause has been extended to June 1, 1938.

April 20, 1938. M. A. SAMARAKOON,  
District Judge.

In the District Court of Chilaw.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Last Will and Testament of Lokujuange Manuel Mary Perera, No. 2,204. late of Chilaw, deceased.

Rathnavibusana Don George of Chilaw ..... Petitioner.  
Vs.

R. W. Don Francis Walter of Chilaw, a minor, by his guardian *ad litem* Joseph Edwin Perera of Chilaw ..... Respondent.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Chilaw, on January 13, 1938, in the presence of Mr. W. S. Maharajah Vanderkoen, Proctor, on the part of the petitioner above named; and the affidavits (1) of the petitioner, (2) of the witnesses both dated January 12, 1938, and (3) of the attesting notary dated January 13, 1938, having been read:

It is ordered that the last will and testament of the said 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 February 10, 1938, show sufficient cause to the satisfaction of this court to the contrary.

And it is further ordered that the above-named Joseph Edwin Perera be and he is hereby appointed guardian *ad litem* of the said minor respondent for the purpose of these proceedings, unless any person or persons interested shall, on or before February 10, 1938, show sufficient cause to the satisfaction of this court to the contrary.

January 13, 1938. C. V. M. PANDITSEKERE,  
District Judge.

The date of showing cause is extended for March 7, 1938.

February 18, 1938. M. A. SAMARAKOON,  
District Judge.

The date of showing cause is extended for March 31, 1938.

March 22, 1938. M. A. SAMARAKOON,  
District Judge.

The date of showing cause is extended for May 5, 1938.

April 5, 1938. M. A. SAMARAKOON,  
District Judge.

30/ In the District Court of Chilaw.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late Amarasekara Siriwardene Jayasekera Mudalige Elaris Appuhamy of Mohottimulla. No. 2,209.

Karunanayaka Athuralalage Babahamy of Mohottimulla ..... Petitioner.

(1) Amarasekara Siriwardene Jayasekera Mudalige Mango Noda, (2) ditto Mansirinel Jayasekara, (3) ditto Menikhamy, (4) ditto Poku Banda Jayasekara, (5) ditto Emalia Jayasekara, (6) ditto Annie Jayasekara (7) ditto Charles Jayasekara, all of Mohottimulla. .... Respondents.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Chilaw on March 24, 1938, in the presence of Messrs. Corea & Silva, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated March 24, 1938, 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 May 5, 1938, show sufficient cause to the satisfaction of the court to the contrary.

March 24, 1938. M. A. SAMARAKOON,  
District Judge.

29/ In the District Court of Kegalla.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Warakapola Muhandiramalage Amala No. 1,608. Marikkar Hadjiar Abdul Majeedu of Hingula, deceased.

Ahamado Lebbe Marikkar Mariyamustu Natchiyar of Hingula ..... Petitioner.

(1) Majeedu Marikkar Mahammad Subayar, (2) ditto Mahamed Kalid, (3) ditto Majeed Umma, (4) ditto Seleha Natchiyar, (5) ditto Parid, (6) ditto Niyas Marikkar, (7) ditto Samsun Natchiyar, (8) ditto Mahamed Isadeen, (9) ditto Yohanis Umma, all of Hingula. .... Respondents.

THIS matter coming on for disposal before H. A. de Silva, Esq., District Judge of Kegalla, on March 25, 1938, in the presence of Mr. R. L. Perera, Proctor, on the part of the petitioner; and her affidavit and petition dated December 11, 1937, and January 27, 1938, respectively, 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 or any person or persons interested shall, on or before May 25, 1938, show sufficient cause to the satisfaction of this court to the contrary.

March 16, 1938. H. A. DE SILVA,  
District Judge.