



THE

# CEYLON GOVERNMENT GAZETTE

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## PART II.—LEGAL.

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## PASSED ORDINANCES.

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

**No. 66 of 1938.**

**An Ordinance to provide for the regulation of the employ-  
ment of persons in shops and for the control of the  
hours of business in shops.**

A. CALDECOTT.

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**An Ordinance to provide for the regulation of the employment of persons in shops and for the control of the hours of business in shops.**

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 Shops Regulation Ordinance, No. 66 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.

*Appointment of Officers, &c.*

2 (1) The Governor may appoint such number of officers and servants as may from time to time be required for the purpose of carrying out or giving effect to the provisions of this Ordinance.

Appointment of  
officers and  
servants for the  
purposes of the  
Ordinance.

(2) In the exercise of their powers and in the discharge of their duties under this Ordinance all officers and servants appointed under this section shall be subject to the general direction and control of the Executive Committee.

*Employment of Persons in Shops.*

3 (1) Subject to the provisions of any regulation made under sub-section (3), the normal period during which any person may be employed in or about the business of any shop—

Restriction of  
hours of  
employment of  
persons in shops.

(a) on any one day shall not exceed nine hours, and

(b) in any one week shall not exceed fifty hours.

(2) The periods referred to in sub-section (1) shall include meal times.

(3) Regulations may be made—

(a) prescribing the periods for which persons may be employed overtime in or about the business of a shop ;

(b) varying any period mentioned in sub-section (1) or prescribed under paragraph (a), as regards persons employed in or about the business of different classes of shops or persons above or below a specified age ;

(c) prescribing the conditions subject to which persons may be employed overtime in or about the business of a shop and the method of computing the remuneration (if any) which shall be paid in respect of such overtime work.

(4) No person shall be employed in or about the business of any shop in contravention of any provision of this section or of any regulation made thereunder which applies to that shop or class of shop.

4 No person, who has to the knowledge of the occupier of a shop been previously employed on any day in any other shop or in a factory, shall be employed in or about the business of the shop on that day for a period longer than will, together with the time during which he has so been previously employed on that day, complete the number of hours provided by or prescribed under section 3 as the maximum period during which that person shall be employed on any one day.

Hours of  
employment in  
any other shop  
or in a factory  
to be taken  
into account.

5 Every person employed in or about the business of a shop shall be allowed, with full wages, one whole holiday and one half-holiday in each week.

Weekly  
holidays.

Holidays and leave with full wages.

6 (1) In each year succeeding that during which any person has been continuously employed in or about the business of any shop, that person—

- (a) shall be entitled to take, and shall take, a holiday of seven consecutive days with full wages; and
- (b) shall, subject to such conditions as may be prescribed, be entitled to take, on account of private business, ill-health or other reasonable cause, leave with full wages for periods not exceeding fourteen days in the aggregate;

and the occupier of that shop shall allow such holiday and such leave and be liable to pay such wages. ✓

(2) Any contract or agreement, whether made before or after the commencement of this Ordinance, whereby any right under sub-section (1) of any person employed in or about the business of any shop is in any way affected or modified, or whereby any liability under that sub-section of the occupier of any shop is in any way removed or reduced, shall be null and void in so far as it purports to affect or modify any such right, or to remove or reduce any such liability.

(3) For the purposes of this section, the continuity of the employment of any person in or about the business of a shop shall be deemed not to be interrupted by reason of the absence of that person from work—

- (a) with full wages in accordance with any provision of this Ordinance; or
  - (b) for a longer period than seven consecutive days, where a holiday in excess of the requirements of this section is granted to that person; or
  - (c) with the consent of the occupier of the shop in or about the business of which that person is employed.
- (4) In this section “year” means a period of twelve months.

Intervals for meals.

7 No person employed in or about the business of a shop shall be so employed continuously for more than four hours without an interval of at least half an hour, or such other longer period as may be prescribed, for rest or a meal:

Provided, however, that nothing in this section shall apply to—

- (a) any such person on any day on which he is so employed for a total period not exceeding five hours; or
- (b) any person who is a member of the family of the occupier of the shop, maintained by him and dwelling in his house.

Provisions relating to employment of women and persons under eighteen in shops.

8 (1) No person under the age of fourteen years shall be employed in or about the business of a shop.

(2) No person who is above the age of fourteen years and under the age of eighteen years, and no woman, shall be employed in or about the business of a shop before 6 A.M. or after 6 P.M. on any day.

*Arrangements for Health and Comfort of Shop Assistants.*

Provisions of lighting and ventilation.

9 In every part of a shop in which persons are employed about the business of the shop, suitable and sufficient means of lighting and ventilation shall be provided and maintained by the occupier of that shop.

Provisions relating to residence and taking of meals in shops.

10 (1) No person employed in or about the business of any shop shall be permitted or required by the occupier of that shop to live or reside therein:

Provided, however, that this section shall not apply in the case of any person who is a member of the family of the occupier of the shop and is maintained by him, or of any other person in respect of whom a permit in the prescribed form has been issued by the prescribed officer.

(2) Where any persons employed in or about the business of any shop take any meals in that shop, suitable and sufficient facilities for the taking of those meals in that shop shall be provided and maintained by the occupier of that shop.

Provision of sanitary conveniences and washing facilities, except in exempted shops.

11 Save and except to the extent to which a certificate issued under section 12 is in force in respect of any shop, there shall be provided and maintained in every shop by the occupier thereof suitable and sufficient sanitary conveniences and washing facilities for the use of all persons employed in or about the business of that shop:

Provided that where female persons are so employed, suitable and sufficient sanitary conveniences shall be separately provided and maintained for the use of such persons exclusively.

12 (1) If the occupier of any shop furnishes to the satisfaction of the prescribed officer proof of—

Procedure for exemption of shops from provisions of section 11.

- (a) the fact that suitable and sufficient sanitary conveniences and washing facilities are available, within the prescribed distance from that shop, for the use of the persons employed in or about the business of that shop; and
- (b) any other prescribed circumstance or fact,

such officer shall issue to the occupier of that shop a certificate in the prescribed form exempting that shop from any or all of the provisions of section 11.

(2) Where the prescribed officer refuses to grant a certificate under this section, the refusal shall be communicated to the occupier of the shop by notice in writing served on him.

(3) Every certificate issued under this section shall remain in force until withdrawn under sub-section (4) and where any such certificate is modified under that sub-section, such certificate shall continue in force as so modified until it is so withdrawn.

(4) The prescribed officer may at any time by notice in writing served on the occupier of any shop, and with effect from a date to be specified in such notice (which date shall not be less than three months from the date of service of the notice) withdraw any certificate issued under this section or modify, in the manner specified in the notice, any such certificate.

(5) The occupier of any shop who is aggrieved by the refusal of the prescribed officer to issue a certificate under this section, or the withdrawal or modification of any such certificate, may appeal against such refusal, withdrawal or modification to the Police Court having jurisdiction over the place in which the shop to which such certificate relates is situated.

(6) Where the occupier of any shop desires to appeal to the Police Court under the provisions of sub-section (5), he shall, within ten days of the receipt by him of the notice refusing, withdrawing or modifying the certificate, file in such court a written statement of appeal setting out the grounds on which he is dissatisfied with such refusal, withdrawal or modification; and the Police Court shall, after giving notice in the prescribed manner to the officer who refused, withdrew or modified the certificate, proceed to hear and determine the appeal and make such order thereon as to it may seem just and equitable in all the circumstances of the case.

(7) The occupier of the shop, or the officer who refused, withdrew or modified the certificate, may, if dissatisfied with any order made by a Police Court under this section, appeal against such order to the Supreme Court in the manner provided by section 338 of the Criminal Procedure Code, 1898, for preferring an appeal against a judgment or final order pronounced by a Police Court in a criminal case or matter, and the provisions of Chapter XXX of that Code shall apply accordingly to every appeal preferred under this section.

13 No prosecution against the occupier of any shop for the breach of any requirement of this Ordinance relating to the provisions of sanitary conveniences or washing facilities in any shop, shall be instituted in any court unless such occupier—

Special provisions relating to prosecutions for breaches of section 11.

- (a) has been served with a notice issued by the prescribed officer calling on him to take such action as may be specified in the notice for the purpose of securing compliance with the said requirement; and
- (b) has failed to comply with such notice within a period of three months from the date of the service on him of such notice.

14 (1) In all rooms of any shop in which female persons are employed in the serving of customers, there shall be provided for the use of such persons seats behind the counter or in such other position as may be suitable for the purpose.

Provision of seats for female shop assistants.

(2) The seats provided under sub-section (1) shall be in the proportion of not less than one seat to every three female persons employed in each room.

(3) The occupier of every shop in which seats are provided under sub-section (1) shall permit the female persons employed in that shop to make use of such seats whenever the use thereof does not interfere with their work, and shall also in the prescribed manner and in the prescribed form give notice informing such persons that they are intended to do so.

*Closing Orders.*

Minister to make "closing orders".

15 (1) Where the Minister is of opinion that it is expedient to restrict the hours during which shops may be or remain open for the serving of customers, he may, subject to the provisions of section 16, make an order under this section (hereinafter referred to as a "closing order") requiring that every shop shall be closed for the serving of customers—

- (a) until a specified hour on each day, or on one or more specified days, in every week;
- (b) at and after a specified hour on each day, or on one or more specified days, in every week;
- (c) throughout a specified day in every week.

(2) Any closing order may—

- (a) specify different days or different hours for different classes of shops or for shops in different areas; or
- (b) specify different days or different hours for different periods of the year; or
- (c) authorise sales after the closing hour, in any specified class of shop, in cases of emergency or in such other circumstances as may be specified in the order; or
- (d) exempt from all or any of the provisions of any such order any particular class of shops; and
- (e) make such incidental, supplemental or consequential provisions as may appear necessary or expedient.

Notice of intention to make a closing order to be given in the Gazette.

16 (1) No closing order shall be made by the Minister unless notification of his intention to make such order is published in the Gazette and in one Sinhalese, one Tamil and two English newspapers, together with full particulars relating to such order, and a notice specifying a date on or before which objections to the proposed order will be received by the Minister.

(2) Every objection preferred in consequence of a notice under sub-section (1) shall be made in writing and shall contain a statement of the grounds upon which objection is taken to the proposed order.

(3) The Minister shall consider all objections made in consequence of a notice under sub-section (1) and may for the purpose of investigating any such objection hold such inquiry as to him may seem necessary.

Closing orders to be approved by State Council and ratified by the Governor.

17 (1) Every closing order made by the Minister under section 15 shall be published in the Gazette and shall be brought before the State Council by a motion that such order be approved.

(2) If the State Council approves any closing order such order shall be submitted to the Governor for ratification.

(3) No closing order shall have effect until it has been approved by the State Council and ratified by the Governor; nor until notification of such approval and ratification has been published in the Gazette.

(4) A closing order made by the Minister, when approved by the State Council and ratified by the Governor shall, upon notification of such approval and ratification in the Gazette, be as valid and effectual as if it were herein enacted.

No shop to be open in contravention of a closing order.

18 No shop shall be or remain open for the serving of customers in contravention of any provision of any closing order duly made under this Ordinance, and no customer shall on any day be permitted to enter any shop after the hour specified in any such order as the hour at and after which that shop shall be closed on that day.

*Miscellaneous.*

List of persons employed, &c., to be exhibited.

19 The occupier of every shop shall keep exhibited in the shop in such manner as may be prescribed a notice in the prescribed form setting out a list of persons employed in or about the business of the shop and such other particulars as may be prescribed.

Records to be kept by occupier.

20 The occupier of every shop shall, in the prescribed form and manner, keep a record of the hours actually worked by each person employed in or about the business of that shop, including particulars of all overtime work done by each such person.

Powers of entry, &c., of prescribed officers.

21 (1) Every prescribed officer shall have power—

- (a) to enter and inspect, at all reasonable hours by day or night, any shop or any part of a shop, for the purpose of examining any record or notice required to be kept or exhibited by or under this Ordinance or of ascertaining whether the provisions of this Ordinance are being complied with; and

(b) to examine any person whom he finds in any shop and who is employed in or about the business of any shop or whom he has reasonable cause to believe is so employed.

(2) It shall be the duty of the occupier of any shop and of every agent or servant of such occupier to furnish such facilities as may be required by any officer for the purposes of any entry, inspection or examination which that officer is empowered to carry out under sub-section (1).

22 Where several trades or businesses are carried on in the same shop, and any of those trades or businesses is of such a nature that, if it were the only trade or business carried on in the shop, the shop would be exempt from any provision of this Ordinance or of any regulation, the exemption shall, subject to any regulation in that behalf, apply to the shop only so far as the carrying on of that trade or business is concerned.

Provisions relating to shops where more than one business is carried on.

#### *Offences.*

23 (1) In the event of any contravention of or failure to comply with any provision of this Ordinance or of any regulation relating to any shop or to the employment of any person in or about the business of that shop, the occupier of that shop shall be guilty of an offence and shall be liable—

Offences.

(a) for a first offence, to a fine not exceeding twenty-five rupees or, in default of payment of such fine, to imprisonment of either description for a term not exceeding one month;

(b) for a second offence, to a fine not exceeding fifty rupees or, in default of payment of such fine, to imprisonment of either description for a term not exceeding three months;

(c) for a third or subsequent offence to a fine not exceeding one hundred rupees or to imprisonment of either description for a term not exceeding six months, or to both such fine and imprisonment.

(2) Where any person, who has previously on any day been employed in or about the business of any shop or in any factory, is subsequently employed on that day in or about the business of any shop for a period longer than will, together with the time during which he has so been previously employed on that day, complete the number of hours provided by or prescribed under section 3 as the maximum period during which that person shall be employed on any one day, such person shall be guilty of an offence and shall be liable to the penalties provided in sub-section (1).

24 Any person who wilfully delays or obstructs any officer in the exercise of any power conferred by section 21 (1), or conceals or prevents any person liable to be examined by such officer from being so examined, shall be guilty of an offence and shall be liable to a fine not exceeding one hundred rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

Obstruction of officer exercising powers under section 21 (1).

25 If any person makes or exhibits, or causes or allows to be made or exhibited, in any record or notice required by or under this Ordinance to be kept or exhibited, any entry which is to his knowledge false in any material particular, or wilfully omits or causes or allows to be omitted from any such record or notice any entry required to be made therein, he shall be guilty of an offence and shall be liable to a fine not exceeding two hundred rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

Offences in connection with notices or records under the Ordinance.

26 All offences under this Ordinance may be tried summarily before a Police Magistrate.

Offences under Ordinance to be triable summarily.

27 Where an offence for which the occupier of the shop is liable under this Ordinance, has in fact, been committed by some manager, agent, servant, or other person, the manager, agent, servant or other person shall be guilty of that offence and be liable to the like penalty as if he were the occupier.

Liability of manager, agent, &c., of occupier for offences.

28 Where the occupier of a shop is charged with an offence against this Ordinance, he shall, upon complaint duly made by him in accordance with the provisions of section 148 of the Criminal Procedure Code, 1898, and on giving to the prosecution not less than three days notice of his intention, be entitled, subject to the provisions of Chapter XV of that Code, to have any other person whom he charges as the actual offender brought before the court, and if, after the commission of the offence has been proved, the occupier proves to the satisfaction of the court that he has used due

Where occupier proves that some other person is guilty of the offence.  
No. 15 of 1898.

diligence to enforce the provisions of this Ordinance and that such other person has committed the offence without his knowledge, consent, or connivance, such other person shall be convicted of the offence and the occupier shall be acquitted of the offence.

No offence committed by occupier in certain cases where customer is served after hours.

29 (1) Where, on any day, any person employed in or about the business of a shop is, at the hour at which his employment should under this Ordinance cease on that day, actually engaged in serving any customer, the occupier of that shop shall not be deemed to be guilty of any offence by reason only of the fact that such person was employed on that day after such hour merely in continuing to serve that customer.

(2) Where, on any day, any customer is in any shop at the hour at and after which that shop should under this Ordinance be closed on that day, the occupier of that shop shall not be deemed to be guilty of any offence by reason only of the fact that such customer was served on that day at any time within a period of half an hour after such hour.

#### *Regulations.*

Regulations.

30 (1) The Executive Committee may make regulations for the purpose of carrying out or giving effect to the principles and provisions of this Ordinance.

(2) In particular and without prejudice to the generality of the powers conferred by sub-section (1), the Executive Committee may make regulations for or in respect of any or all of the following matters :—

- (a) all matters stated or required by this Ordinance to be prescribed ;
- (b) the manner in which notices under this Ordinance shall be served ;
- (c) the exemption of particular classes of premises, or of particular classes of trades or businesses, from the provisions of this Ordinance, either with or without conditions or restrictions, and either for specified periods or not.

(3) Every regulation made by the Executive Committee shall be brought before the State Council by a motion that such regulation shall be approved and if so approved shall be submitted to the Governor for ratification. No regulation made by the Executive Committee shall have effect until it has been approved by the State Council and ratified by the Governor. Notification of such approval and ratification shall be published in the Gazette.

(4) A regulation made by the Executive Committee when approved by the State Council and ratified by the Governor shall, upon notification of such approval and ratification in the Gazette, be as valid and effectual as if it were herein enacted.

#### *Interpretation.*

Interpretation.

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

“ Executive Committee ” means the Executive Committee of Labour, Industry and Commerce ;

“ factory ” means a factory as defined in the Mines and Machinery Protection Ordinance, 1896 ;

“ full wages ”, in relation to any holiday or leave granted to a person employed in or about the business of a shop, means wages at a rate equivalent to the rate of wages to which such person was entitled immediately before the holiday or leave, as the case may be ;

“ half-holiday ” means a day on which the employment of a person employed in or about the business of a shop ceases not later than two o'clock in the afternoon and on which such person is not so employed for more than six hours, including meal times ;

“ Minister ” means the Minister for Labour, Industry and Commerce ;

“ occupier ”, in relation to any shop, means the owner of the business of that shop or any person having the charge or the general management and control of that shop ;

“ overtime ”, in relation to any employment or work, means employment or work in excess of the normal maximum period provided by or under section 3 ;

“ Police Magistrate ” and “ Police Court ”, respectively include a Municipal Magistrate and the court of a Municipal Magistrate ;

“ prescribed ” means prescribed by regulation ;

No. 2 of 1896.



- “ regulation ” means a regulation made by the Executive Committee under this Ordinance ;
- “ shop ” means any premises in which any retail or wholesale trade or business is carried on and includes any premises in which the business of a barber or hairdresser, or the sale of articles of food or drink is carried on ; but does not include any prescribed premises or any premises in which any prescribed trade or business is carried on ;
- “ suitable and sufficient ”, in relation to any shop or part of a shop, means suitable and sufficient having regard to the circumstances and conditions affecting that shop or part of a shop ;
- “ week ” means the period between midnight on any Saturday night and midnight on the succeeding Saturday night ;
- “ whole holiday ” means a day on which a person usually employed in or about the business of a shop is not so employed during any period.

(2) For the purpose of this Ordinance—

- (a) a person shall be deemed to be employed in or about the business of a shop if he is wholly or mainly employed—
- (i) in a shop, in connexion with the serving of customers or the receipt of orders or the despatch or delivery of goods ; or
  - (ii) in the service of the occupier of any shop upon any work, whether in the shop or outside it, which is ancillary to the business carried on in that shop, and notwithstanding that he receives no reward for his labour ; but he shall not be deemed to be so employed if his only employment in the service of the occupier of the shop is in the capacity of a caretaker ;
- (b) no person other than the occupier of any shop, or the spouse or a child of such occupier, shall be deemed to be a member of the family of the occupier of that shop ;
- (c) employment shall be deemed to be continuous unless it is interrupted by at least half an hour.

*Application of the Ordinance.*

32 Nothing in this Ordinance shall apply to—

- (a) any bazaar or sale of work for charitable or other purposes from which no private profit is derived, and which does not continue longer than for a period of one month from the date on which such bazaar or sale commenced ; or
- (b) any business carried on by any undertaker in connection with funerals ; or
- (c) any other prescribed trade or business :

Exemption from application of Ordinance.

Provided that the exemption from the provisions of this Ordinance in the case of any bazaar or sale of work under paragraph (a) may be continued beyond the period mentioned in that paragraph, under the authority of a written permit from the Minister specifying the further period during which such exemption shall continue in force.

33 The provisions of this Ordinance shall be in addition to and not in substitution or derogation of the provisions of any other written law relating to the carrying on of any trade or business, or the employment of any person in any trade or business ; and nothing in this Ordinance shall be deemed or construed to permit the carrying on of any business or trade or the employment of any person in contravention of any provision of any such other law.

Provisions of Ordinance to be in addition to and not in substitution of other laws.

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

E. W. KANNANGARA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Twenty-first day of December, 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. 70 of 1938.**

M. L. A.—B 1609/L. D.—O 65/38

No. 18 of 1892.

**An Ordinance to amend the Small Towns Sanitary  
Ordinance, 1892.**

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 Small Towns Sanitary (Amendment) Ordinance, No. 70 of 1938.

Amendment of  
section 9F of  
Ordinance  
No. 18 of 1892.

**2** The Small Towns Sanitary Ordinance, 1892, (hereinafter referred to as "the principal Ordinance"), is hereby amended in section 9F by the addition, at the end thereof, of the following :—

" Provided further that in sanctioning the conditions for the repayment of the said loan, the Governor may dispense with the requirements provided for in section 9I."

Amendment of  
section 9I of  
the principal  
Ordinance.

**3** Section 9I of the principal Ordinance is hereby amended, by the addition at the end thereof, of the following :—

" Provided, however, that the provisions of this section shall not apply where an order has been made by the Governor under the last proviso to section 9F dispensing with the requirements provided for in this section."

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

E. W. KANNANGARA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Twenty-first day of December, 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. 71 of 1938.**

M. L. A.—B 1610/L. D.—O 84/38

No. 6 of 1910.

**An Ordinance to amend the Municipal Councils  
Ordinance, 1910.**

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 Municipal Councils Amendment Ordinance, No. 71 of 1938.

Amendment of  
section 216 of  
Ordinance  
No. 6 of 1910.

**2** The Municipal Councils Ordinance, 1910, (hereinafter referred to as "the principal Ordinance"), is hereby amended in section 216 by the addition, at the end thereof, of the following :—

" Provided further that in sanctioning the conditions for the repayment of the said loan, the Governor may dispense with the requirements provided for in section 219."

Amendment of  
section 219 of  
the principal  
Ordinance.

**3** Section 219 of the principal Ordinance is hereby amended by the addition at the end thereof, of the following :—

" Provided, however, that the provisions of this section shall not apply where an order has been made by the Governor under the last proviso to section 216 dispensing with the requirements provided for in this section."

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

E. W. KANNANGARA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Twenty-first day of December, 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. 72 of 1938.**

M. L. A.—B 1589/ L. D.—O 33/38

**An Ordinance to amend the Municipal Councils  
Ordinance, 1910.**

No. 6 of 1910.

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 Municipal Councils Amendment Ordinance, No. 72 of 1938.

Short title.

2 Section 45 of the Municipal Councils Ordinance, 1910, is hereby amended in paragraph (j) of sub-section (1) of that section, by the substitution, for the word "institution" at the end of that paragraph, of the following :—

Amendment of  
section 45 of  
Ordinance  
No. 6 of 1910.

"institution, or to any fund or scheme constituted or established for the purpose of granting relief or assistance to Municipal officers or servants in cases of sickness, indebtedness or distress."

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

E. W. KANNANGARA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Twenty-first day of December, 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. 74 of 1938.**

M. L. A.—B 1588/L. D.—O 67/38

**An Ordinance to enable pensions or gratuities to be granted and  
paid to the widows, children, next of kin or depend-  
ants of deceased officers or servants of specified  
or authorised Urban District Councils.**

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 Local Government (Pensions and Gratuities) Ordinance, No. 74 of 1938.

Short title.

2 Any Urban District Council specified in the Schedule may, by resolution, grant a pension or gratuity, in accordance with the by-laws made in that behalf by the Council or for the time being in force, to the widow, children, next of kin or dependants of any deceased officer or servant of the Council, notwithstanding that his death had occurred prior to the date on which the by-laws took effect, if the Council is satisfied that he died while in the service of the Council and on a date not earlier than the first day of January, 1933.

Power of  
specified Urban  
District  
Councils to  
grant pensions,  
&c. with  
retrospective  
effect to  
dependants of  
deceased  
officers.

3 Any Urban District Council, authorised in that behalf by order of the Governor published in the Gazette, may, by resolution, declare that any by law made by that Council for the provision of pensions or gratuities to the widows, children, next of kin or dependants of deceased officers or servants shall be applicable retrospectively to the case of any deceased officer or servant, where the Council is satisfied that such officer or servant died while in the service of the Council and on a date not earlier than the first day of January, 1933.

Power of  
authorised  
Urban District  
Council to  
apply  
retrospectively  
by-laws for the  
grant of  
pensions, &c. to  
dependants of  
deceased  
officers.

4 Any Urban District Council may, in any resolution passed by that Council under section 2 or section 3, declare that any pension granted by such resolution to the widow or children of any deceased officer or servant shall be payable with effect from the date of the death of such officer or servant.

Payment of  
pension for  
period between  
death of officer  
and grant of  
pension.

Construction of  
Ordinance.

5 This Ordinance shall be construed as one with the Local Government Ordinance, No. 11 of 1920, and shall have effect accordingly.

SCHEDULE.

1. The Matale Urban District Council.
2. The Chilaw Urban District Council.

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

E. W. KANNANGARA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Twenty-first day of December, 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. 75 of 1938.

L. D.—O 100/38

No. 5 of 1908.

An Ordinance to amend the Colombo Graving Dock and Patent Slip Ordinance, 1908.

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 Graving Dock and Patent Slip (Amendment) Ordinance, No. 75 of 1938.

Amendment of  
section 2 of  
Ordinance  
No. 5 of 1908.

2 Section 2 of the Colombo Graving Dock and Patent Slip Ordinance, 1908, is hereby amended in the definition of "Graving dock" in that section by the substitution, for the words "graving dock" where those words occur collectively for the second and third times in that definition, of the words "graving docks".

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

E. W. KANNANGARA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Twenty-third day of December, 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. 77 of 1938.

L. D.—O. 58/37

No. 29 of 1928.

An Ordinance to amend the Coconut Research Ordinance, 1928.

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 Coconut Research (Amendment) Ordinance, No. 77 of 1938.

Amendment of  
section 5 of  
Ordinance  
No. 29 of 1928.

2 Section 5 of the Coconut Research Ordinance, 1928, is hereby amended by the substitution, for sub-section (4) thereof, of the following:—

"(4) The Board shall repay the principal amount of the loan or of any instalment thereof by means of ten equal annual payments, the first of which payments shall be due on the expiry of a period of one year from the date on which the loan or the instalment thereof, as the case may be, is paid to the Board.

Together with each such annual payment the Board shall also pay interest, at such rate as the Financial Secretary may fix, on the amount of the loan or of the instalment thereof, as the case may be, which was outstanding during the year preceding the date on which such payment is made.

The Financial Secretary may, at any time before repayment of the loan or of the instalment thereof, as the case may be, is completed, reduce the rate of interest so fixed, with effect from a specified date".

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

E. W. KANNANGARA,  
Clerk of the Council.

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

E. R. SUDBURY,  
Secretary to the Governor.

## DISTRICT AND MINOR COURTS NOTICES.

### Magistrate's Court, Jaffna.

NOTICE is hereby given that, three months hence, the valueless records of this Court will be destroyed subject to the provisions of section 6 of Ordinance No. 12 of 1894 as amended by Ordinance No. 24 of 1930.

Any person interested in any record may personally, by proctor, or by duly authorized petition claim upon good cause shown that such record may not be destroyed.

Magistrate's Court,  
Jaffna, January 5, 1939.

JULIUS F. PHILIPS,  
Acting Magistrate.

## NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,316. In the matter of the insolvency of Dissanayake Pathirage David Perera of Kotikawatta, Angoda.

WHEREAS D. P. D. Perera has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by A. S. A. Navaratnam of Wellawatta, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said D. P. D. Perera insolvent accordingly; and that two public sittings of the court, to wit, on January 31, 1939, and on February 28, 1939, 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, C. EMMANUEL,  
December 20, 1938. Secretary.

In the District Court of Colombo.

No. 5,317. In the matter of the insolvency of Kandeuda-Hewage Henry de Silva of 217/16-17, Dematagoda, Colombo.

WHEREAS K. H. H. de Silva has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by U. N. P. Ariyaratne of Nawalapitiya, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said K. H. H. de Silva insolvent accordingly; and that two public sittings of the court, to wit, on January 31, 1939, and on February 28, 1939, 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, C. EMMANUEL,  
December 20, 1938. Secretary.

In the District Court of Colombo.

No. 5,318. In the matter of the insolvency of Don Everard Weerakoon of Littlehampton, Pirivena road, Ratmalana, Mt. Lavinia.

WHEREAS D. E. Weerakoon has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by George Fernando of Rajamawatta road, Ratmalana, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said D. E. Weerakoon insolvent accordingly; and that two public sittings of the court, to wit, on January 31, 1939, and on February 29, 1939, 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, C. EMMANUEL,  
December 23, 1938. Secretary.

In the District Court of Kandy.

No. I. 23. In the matter of the insolvency of Martin Leonard Reiss of 4A, Bahirawakanda 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 February 3, 1939, to appoint an assignee.

By order of court, R. B. RATNAIKE,  
January 10, 1939. Secretary.

In the District Court of Kandy.

No. 1,800. In the matter of the insolvency of Cumarasingam Ratnasabapathy of Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 3, 1939, for the examination of the insolvent.

By order of court, R. B. RATNAIKE,  
January 10, 1939. Secretary.

In the District Court of Chilaw.

No. 48. In the matter of the insolvency of Warnakula-suriya Anthony Tharjil of Nainamadama.

NOTICE is hereby given that the first sitting of this court in the above matter will take place on January 16, 1939, at 10 AM.

By order of court, S. P. STOUTER,  
January 6, 1939. Secretary.

## NOTICES OF FISCALS' SALES.

## Western Province.

In the District Court of Colombo.

V. V. R. V. Valliappa Chettiar of Sea street, in Colombo ..... Plaintiff.

No. 2,051/s. Vs.

- (1) Jayawiridu Daniel Dharmasena, carrying on business under the name, style, and firm of J. D. Fernando, at Dam street, Colombo, (2) J. R. Dharmasena of Dam street, Colombo, (3) K. T. Lavaris of Norris road, Colombo ..... Defendants.

NOTICE is hereby given that on Friday, February 3, 1939, at 11 A.M., will be sold by public auction at 99, Dam street, Pettah, Colombo, the following movable property for the recovery of the sum of Rs. 615.15, with interest on Rs. 600 at 9 per cent. per annum from August 25, 1937, to October 29, 1937, and thereafter on the aggregate amount at the same rate of interest till payment in full, less Rs. 30, viz. :—

*In No. 1 Almirah.*—24 letter books, 15 blotting pads, 50 letter files, 20 brushes, 15 paper stands, 8 blackboard brushes, 6 school bells, 9 bells, 3 seal stands, 2 ink stands, 6 globes, 4 packets sealing wax, 4 inkpot stands, 3 brass inkpots, 7 packets note papers, 1 lot envelopes 1 lot Sinhalese books about 280, 15 bundles picture books, 1 lot sundries.

*In No. 2 Almirah.*—1 lot English books about 500, 1 lot Sinhalese school books.

*In No. 3 Almirah.*—1 lot books about 800.

*In No. 4 Almirah.*—1 lot Sinhalese books about 600.

*In No. 5 Almirah.*—6 begging bowls, 50 colour boxes, 25 boxes carbon papers, 1 lot stationery.

*In No. 6 Almirah.*—38 Sinhalese books (leather bound), 1 lot Sinhalese books about 150.

*In No. 7 Almirah.*—1 lot English books about 500, 1 lot Sinhalese books about 350, 1 lot books (about 100).

*In No. 8 Almirah.*—1 lot Sinhalese books about 150 (leather bound), 30 account books, 1 lot Sinhalese books about 250 (leather bound).

*In No. 1 Show Case.*—6 robes, 8 umbrellas, 1 lot stationery.

*In No. 2 Show Case.*—24 ink stands, 7 boxes Swan ink bottles, 8 fountain pen inkstands, 18 ink bottles, 6 boxes inkstands.

*In No. 3 Show Case.*—75 boxes tubes, 7 boxes drawing pins, 12 small boxes pins.

*In No. 4 Show Case.*—9 boxes drawing pencils, 2 boxes erasers.

Seven ink bottles, 13 boxes typewriter ribbons, 1 lot envelopes and notepapers.

## In Upstair.

*In No. 1 Almirah.*—1 lot English and Sinhalese books.

*In No. 2 Almirah.*—1 lot Sinhalese books.

*In No. 3 Almirah.*—1 lot Sinhalese books.

*In No. 4 Almirah.*—1 lot Sinhalese books.

*In No. 5 Almirah.*—1 lot Sinhalese books.

*In No. 6 Almirah.*—1 lot Sinhalese books.

*In No. 7 Almirah.*—1 lot Sinhalese books.

*In No. 8 Almirah.*—1 lot Sinhalese books.

*In No. 9 Almirah.*—1 lot Sinhalese and English books.

*In No. 10 Almirah.*—1 lot Sinhalese books.

*In No. 11 Almirah.*—1 lot Sinhalese books, 1 lot English books about 500, 1 lot sundries.

Twenty almirahs, 3 show cases, 1 Underwood typewriter, 4 office tables, 5 chairs, 1 clock, 3 small show cases, 2 counters, 1 iron safe, 2 tables, 1 pigeon-hole, 1 show case, 1 stand.

Fiscal's Office,  
Colombo, January 11, 1939.

H. E. PERIES,  
Deputy Fiscal.

In the District Court of Colombo.

Sathappa Chettiar, son of Ramanathan Chettiar of Sea street, Colombo ..... Plaintiff.

No. 2,849.

Vs.

Kaluaratchige Anthony Coorag of De Vos lane, Grandpass in Colombo ..... Defendant.

NOTICE is hereby given that on Monday, February 6, 1939, at 11 A.M., will be sold by public auction at this office the following bonds mortgaged with the plaintiff by bond No. 1,842 dated August 19, 1929, attested by C. Sovaprakasam, Notary Public, and declared specially bound and executable under the decree entered in the above action

and ordered to be sold by the order of court dated November 2, 1938, for the recovery of the sum of Rs. 14,378.50, with interest on Rs. 8,000 at 18 per cent. per annum from February 27, 1935, to August 30, 1938, and thereafter on the aggregate amount of the decree at 9 per cent. per annum, till payment in full, interest on the aggregate limited to 2 years or till payment in full whichever period is shorter, viz. :—

(1) Bond No. 184 dated May 17, 1929, attested by W. D. N. Selvadurai of Colombo, Notary Public, and executed by Wappu Marikar Mohamed Yoosof Marikar and Idroos Lebbe Marikar Maria Muthu Natchia, husband and wife, both of Veyangalla, in favour of the defendant for securing the sum of Rs. 10,000 and interest as provided therein as security for which said moneys the following lands have been thereby mortgaged, to wit :—

1. All that allotment of land called Alubogahapitakattiya, together with the buildings standing thereon, situated at Veyangalla village in Gangaboda pattu of Pasdun korale east in the District of Kalutara, Western Province; and bounded on the north by Hirikandane-kumbura belonging to E. L. Ibrahim Lebbe, east by Arupangudeniya belonging to W. M. Mohamed Yoosof and deniya belonging to Hassen Meera Lebbe Marikar Uduma Lebbe Marikar and others, south by Kahatagahawatta belonging to S. Mohamed Ismail and others, and on the west by road; containing in extent 1 acre 1 rood and 34 perches, according to the survey and description thereof bearing No. 221 dated December 10, 1917, made by M. I. L. Marikar, Licensed Surveyor and Leveller.

2. All that allotment of land called Arupangudeniya, situated at Veyangalla village aforesaid; and bounded on the north by Hirikandane-kumbura belonging to E. L. Ibrahim Lebbe and Kosgahaowita belonging to S. L. M. Aboosally Marikar, east by Kosgahaowita belonging to U. L. Abdul Hamid and others and Crown, south by Kosgahaowita belonging to Mohamed Lebbe Marikar Ahamed Ibrahim and deniya belonging to Hassen Meera Lebbe Marikar Uduma Lebbe Marikar and others, and on the west by Alubogahapitakattiya belonging to S. L. M. Idroos Lebbe Marikar; containing in extent 6 acres and 37 perches according to the survey and description thereof bearing No. 220 dated December 9, 1927, made by M. I. L. Marikar, Licensed Surveyor and Leveller.

3. All that allotment of land called Mananewatta, situated at Mahagama village in Gangaboda pattu of Pasdun korale east aforesaid; and bounded on the north by property of Suwaris Fernando, on the east, south, and west by Mananehena belonging to Crown; containing in extent 2 acres 3 roods and 25 perches according to the survey and description thereof bearing No. 210 dated November 30, 1927, made by M. I. L. Marikar, Licensed Surveyor and Leveller.

4. All that allotment of land called Hiripatalekanda, situated at Mahagama aforesaid; and bounded on the north by the property belonging to S. Suwaris Fernando and others, east by the property belonging to S. L. M. Idroos Lebbe and others, south by the property belonging to E. L. Ibrahim Lebbe; and on the west by Mahowita belonging to M. L. M. Ahamed Ibrahim and others; containing in extent 5 acres and 35 perches according to the survey and description thereof bearing No. 211 dated November 30, 1927, made by M. I. L. Marikar, Licensed Surveyor and Leveller.

5. All that allotment of land called Geelo-owita, situated at Mahagama aforesaid; and bounded on the north by Kammandigewatta and Geelo-owita belonging to W. M. Mohamed Yoosof and others, east by Gansabhawa road, south by Galakoya, and on the west by Kammandigewatta belonging to W. M. Mohamed Yoosof and others; containing in extent 1 acre and 20 perches according to the survey and description thereof bearing No. 188 dated October 18, 1927, made by M. I. L. Marikar, Licensed Surveyor and Leveller.

6. All that undivided  $\frac{1}{3}$  share of the soil, plantation, and the whole of the tiled house of the portion of land in extent 8 yards in length and 8 yards in breadth from and out of all that northern portion of the land called Kitulgodayaliyadda, situated at Agalawatta in Maha pattu north of Pasdun korale aforesaid, and which portion of land with the tiled house in extent 8 yards in length and 8 yards in breadth is bounded on the north and east by the portions of this land, on the south by the road, and west by the road and a portion of this land.

(2) Bond No. 201 dated July 16, 1929, attested by the said W. D. N. Selvadurai, Notary Public, and executed by the said Wappu Marikar Mohamed Yoosof and Idroos Lebbe Marikar Maria Muthu Natchia in favour of the said defendant for securing the sum of Rs. 4,000, interest as in the said bond provided as security for which the said moneys the following land was thereby mortgaged, to wit :—

All that allotment of land called Amuhalgodawatta and hena, situated at Mahagama village aforesaid; and bounded on the north by Gongal-ela, east by Heen-ela, south by

Amuhalgoda belonging to W. M. Mohamed Yooseof and others, and on the west by Galakoya; containing in extent 10 acres 2 roods and 16 perches according to the survey and description thereof bearing No. 225 dated December 12, 1927, made by M. I. L. Marikar, Licensed Surveyor and Leveller.

Prior registration E 22/168, 29/130, D 33/174, D 33/261, 33/175, D 35/102.

Fiscal's Office,  
Colombo, January 11, 1939.

H. E. PERIES,  
Deputy Fiscal.

In the District Court of Colombo.

Charles Morgan & Co., Ltd., of 46/58, Mansele street,  
London E 1 ..... Plaintiffs.

No. 2,982/S. Vs.

J. D. Dharmasena, carrying on business under the name, style, and firm of J. D. Fernando, at 29, Dam street, Colombo, residing at Dhammika Niwasa, 13, Karlsrhue place, Maradana, Colombo ..... Defendant.

NOTICE is hereby given that on Friday, February 3, 1939, at 10 A.M., will be sold by public auction at 99, Dam street, Pettah, Colombo, the following movable property for the recovery of the sum of Rs. 973.98, with interest on Rs. 795.68 at 5 per cent. per annum from September 21, 1938, to date of decree (November 17, 1938), and thereafter on the aggregate amount at 9 per cent. per annum, till payment in full or for two years whichever is shorter, viz. :—

*In No. 1 Almirah.*—24 letter books, 15 blotting pads, 50 letter files, 20 brushes, 15 paper stands, 8 blackboard brushes, 6 school bells, 9 bells, 3 seal stands, 2 inkstands, 6 globes, 4 packets sealing wax, 4 inkpot stands, 3 brass inkpots, 7 packets notepapers, 1 lot envelopes, 1 lot Sinhalese books about 250, 15 bundles picture books, 1 lot sundries.

*In No. 2 Almirah.*—1 lot English books about 500, 1 lot Sinhalese books.

*In No. 3 Almirah.*—1 lot school books about 800.

*In No. 4 Almirah.*—1 lot Sinhalese books about 600.

*In No. 5 Almirah.*—6 begging bowls, 50 colour boxes, 25 boxes carbon papers, 1 lot stationery.

*In No. 6 Almirah.*—38 Sinhalese books (leather bound), 1 lot Sinhalese books about 150.

*In No. 7 Almirah.*—1 lot English books about 800, 1 lot Sinhalese books about 380, 1 lot books about 100.

*In No. 8 Almirah.*—1 lot Sinhalese books about 180 (leather bound), 30 account books, 1 lot Sinhalese books about 280 (leather bound).

*In No. 1 Show Case.*—6 robes, 8 umbrellas, 1 lot stationery.

*In No. 2 Show Case.*—24 inkstands, 7 boxes Swan inkstands, 8 fountain pen inkstands, 18 ink bottles, 6 boxes inkstands.

*In No. 3 Show Case.*—75 boxes colour tubes, 7 boxes drawing pins, 12 small boxes pins.

*In No. 4 Show Case.*—2 boxes erasers.

Seven ink bottles, 13 boxes typewriter ribbons, 1 lot envelopes and notepapers, 1 iron safe, 1 Seth Thomas clock; 2 counters, 3 chairs, 2 tables, 1 pigeon-hole, 1 table, 1 glass almirah, 1 show case, 8 glass almirahs, 2 large show cases, 2 small show cases, 1 lot sundries.

*In Uptair.*

*In No. 1 Almirah.*—1 lot English and Sinhalese books.

*In No. 2 Almirah.*—1 lot Sinhalese books.

*In No. 3 Almirah.*—1 lot Sinhalese books.

*In No. 4 Almirah.*—1 lot Sinhalese books.

*In No. 5 Almirah.*—1 lot Sinhalese books.

*In No. 6 Almirah.*—1 lot Sinhalese books.

*In No. 7 Almirah.*—1 lot Sinhalese books.

*In No. 8 Almirah.*—1 lot Sinhalese books.

*In No. 9 Almirah.*—1 lot English and Sinhalese books.

*In No. 10 Almirah.*—1 lot Sinhalese books.

*In No. 11 Almirah.*—1 lot Sinhalese books.

*In Rack.*—1 lot English books about 800.

One writing table, 1 desk, 1 office table, 2 chairs, 1 press, 1 writing table, 1 small table, 11 glass almirahs, 1 almirah, 1 commonwood safe, 2 racks, 1 lot sundries.

Fiscal's Office,  
Colombo, January 11, 1939.

H. E. PERIES,  
Deputy Fiscal.

In the District Court of Colombo.

G. T. T. de Silva of Greenpath in Colpetty,  
Colombo ..... Plaintiff.

No. 5,828/M. Vs.

A. C. M. Abdul Cader of 36, Greenpath, Colpetty, and  
35, Ferry street, Hulftsdorp, Colombo ..... Defendant.

NOTICE is hereby given that on Saturday, February 4, 1939, at 11 A.M., will be sold by public auction at 36 Greenpath, Colpetty, Colombo, the following movable property for the recovery of the sum of Rs. 1,610, viz. :—

4 nadun loungers, 4 teakwood low chairs, 1 small chair, 3 teakwood round teapots, 1 ditto stand, 1 porcelain flower vase, 2 teakwood cushioned settees, 1 ditto cushioned arm-chairs, 2 ditto cushioned chairs, 1 ebony teapoy, 4 nickel flower vases, 1 clock with glass case, 2 brass flower vases with stands, 2 teakwood corner whatnots, 4 aluminium flower vases, 1 teakwood cushioned couch, 4 teakwood cushioned chairs, 1 ditto teapoy, 1 teakwood arm-chair, 1 teakwood writing table, 1 ditto glass almirah, 1 ditto box, 1 ditto screen, 1 ditto cushioned settee, 2 ditto corner chairs, 1 oval teapoy, 1 show case (black), 1 gramophone with cabinet, 1 nadun cabinet, 1 wall clock, 1 Galle Gymkhana cup, 1 Abeysundera cup, 1 flower pot stand (silver colour), 1 dish (silver colour), 8 small flower vases (silver colour), 4 nadun chairs, 1 jak almirah, 1 jak toilet table, 2 teakwood loungers, 1 ditto round lounge, 1 ditto almirah fixed with mirror, 1 ditto table, 1 ditto sideboard fixed with mirror, 1 teakwood glass almirah, 1 ditto cabinet, 1 jak stand, 1 teakwood dining table, 2 ditto arm chairs, 6 ditto chairs, 1 jak ice box, 1 teakwood whatnot with marble top, 1 ditto table with marble top, 1 ditto almirah fixed with mirror, 1 ditto writing table, 1 jak almirah fixed with mirror, 1 iron safe, 10 teakwood flower pots, 6 flower pot stands (marble), 15 pots with flower plants.

Fiscal's Office,  
Colombo, January 11, 1939.

H. E. PERIES,  
Deputy Fiscal.

In the District Court of Kalutara.

Charles Henry de Silva of Mount Lavinia ..... Plaintiff.

No. 499 Liquid. Vs.

Lokubadalliyana Erolis Karunasena of Kalu-  
tara ..... Defendant.

NOTICE is hereby given that on Saturday, February 4, 1939, at 4 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. 1,071.87, with further interest on Rs. 100 and Rs. 300 at 15 per cent. per annum from November 18, 1938, till December 6, 1938, and thereafter at 9 per cent. per annum on the aggregate till payment in full, viz. :—

An undivided  $\frac{1}{4}$  share of the soil, buildings, and everything standing thereon of the land called Duremullewatta, situated at Welapura, Kalutara, in Kalutara badda of the Kalutara totamune in the District of Kalutara, Western Province; and bounded on the north by Kaltotayalage Sopayagewatta, east by Mahagederawatta and owita, south by Kotawatta alias Koswatta alias Kattawatta presently belonging to Dr. Scharenguivel, and on the west by Imiyagodellawatta; and containing in extent about 2 acres.

Deputy Fiscal's Office,  
Kalutara, January 10, 1939.

H. SAMERESINGHA,  
Deputy Fiscal.

In the District Court of Ratnapura.

P. A. Meniketana of Ellagawa in Yatipauwa .... Plaintiff.

No. 4,959. Vs.

(1) Sirisena Aratchige Noris Singho (dead), (2) Wetta-  
singhe Arachchillaye Selonona of Ellagawa .. Defendants.

(1) Singankuttiarachchillaye Manganona of Palugama ;  
P. Arnon Singho (minor) by his guardian *ad litem*  
S. A. Manganona ..... Substituted defendants.

NOTICE is hereby given that on Tuesday, February 14, 1939, commencing at 4 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 1,101.65 plus Rs. 13.80 together with interest on Rs. 1,200 at 12 $\frac{1}{2}$  per cent. per annum from November 14, 1938, till July 24, 1939, and thereafter at 9 per cent. per annum on the aggregate till payment in full, viz. :—

1. The right, title, and interest of the 1st defendant deceased to recover a sum of Rs. 550 from Julius Abraham de Livera Tennakoon Hamu, Adline Tilakarathne Hamu,

and Cecil Tillakaratne, all of Ampitigala in Raigam korale under deed of assignment No. 21373 dated March 20, 1935, attested by D. S. A. Samaranyaka, Notary Public, and on non-payment of the said sum the right to sell the land called Rukmalekumbura, situated at Padagala in Kessellenawa in Munwattabage pattu of Raigam korale in the District of Kalutara, Western Province; and bounded on the north by Welikumbura, east by Balapuwekumbura and Irawallekumbura, south by Kottunnekumbura, and Deniyekumbura, and on the west by Mahadeniya; and containing in extent about nine bushels of paddy sowing.

2. The right, title, and interest of the 1st defendant, deceased, to recover a sum of Rs. 20 from Julius Abraham de Livera Tennakoon Henu of Ampitigala under deed of assignment No. 21374 dated March 20, 1935, attested by D. S. A. Samaranyaka, Notary Public, and on non-payment of the said sum to sell an undivided  $\frac{1}{4}$  shares of the land called Rukmalekumbura, situated at Padagala in Kessellenawa aforesaid; and bounded on the north by Welikumbura, east by Balapuwekumbura and Irawallekumbura, south by Kottunnekumbura and Deniyekumbura, and on the west by Mahadeniya; and containing in extent about nine bushels of paddy sowing.

Deputy Fiscal's Office,  
Kalutara, January 4, 1939.

H. SAMERESINGHA,  
Deputy Fiscal.

In the District Court of Kalutara.

Ponnahennedige Kitty Lianora Dias of Pattiya South in Panadure . . . . . Plaintiff.  
No. 20,186. Vs.

(1) Prangige James Peiris, (2) Prangige Richard Peiris, both of Nalluruwa, Panadure . . . . . Defendants.

NOTICE is hereby given that on Thursday, February 9, 1939, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged by the defendant with the plaintiff and declared bound and ordered to be sold by the decree entered in the said case for the recovery of Rs. 3,537/50, with interest on Rs. 2,000 at 15 per cent. per annum from January 19, 1937, till June 25, 1938, and thereafter at 9 per cent. per annum on the aggregate till payment in full, and costs Rs. 75 plus Rs. 56.40, viz. :—

All that the defined western half part or portion of the land called Koraththawatta together with the tile-roofed cabook building, plantations and everything thereon, situated at Nalluruwa in Talpiti Badda of the Panadure totamune in the District of Kalutara, Western Province; and bounded on the north and south by portions of this land belonging to others, east by the live fence separating the land from the half part allotted to Bastian Fernando, and on the west by the cart road; and containing in extent 20 $\frac{1}{4}$  yards from the western to the eastern boundary and 20 yards from the north to the south.

Deputy Fiscal's Office,  
Kalutara, January 4, 1939.

H. SAMERESINGHA,  
Deputy Fiscal.

In the District Court of Kalutara.

Domnearatchillage Appahamy of Kahangama in Ratnapura District . . . . . Plaintiff.  
No. 20,664. Vs.

The Secretary, District Court, Kalutara, as official administrator of the estate of the late Kumbukage Babbu Singho *alias* Jinadasa of Horana . . . . . Defendant.

NOTICE is hereby given that on Monday, February 6, 1939, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged by the defendant with the plaintiff and declared bound and ordered to be sold by the decree entered in the said case for the recovery of Rs. 1,360, with interest at 9 per cent. per annum from October 21, 1937, till payment in full, and costs Rs. 147.40, viz. :—

The undivided  $\frac{1}{4}$  share of the soil and of all the trees and plantations together with the tiled house which was used as Post Office and the tiled boutique buildings built by the said Kumbukage Babbu Singho *alias* Jinadasa bordering the high road and everything else appertaining thereto and standing thereon of a portion of the land called Ralahaminnewatta, situated at Horana in Kumbuke pattu of Raigam korale in the District of Kalutara, Western Province; and bounded on the north by the portion of this land wherein Arnolis Theswa resides, east by the land appearing

in plan No. 56,338 belonging to Kulupanabadalge Juwanis Perera, south also by the land belonging to the said Juwanis Perera, and on the west by the high road leading to and from Anguruwatota; and containing in extent 3 acres and 16 perches.

Deputy Fiscal's Office,  
Kalutara, January 5, 1939.

H. SAMERESINGHA,  
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

A. M. Nagoor Meera Saibo *alias* Ana Muna Nagoor Meera Saibo of 8 and 9, Ward street, Kandy . . . . . Plaintiff.

No. M. B. 112. Vs.

Waidiyaratne Mudiyansele Addarara Lebbe's son Uduma Lebbe Vedarala of Elkemalla in Udunuwera . . . . . Defendant.

NOTICE is hereby given that on Saturday, February 25, 1939, at 2 P.M., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 37,369 dated March 23, 1937, and attested by J. W. Wickremasinghe, Notary Public of Kandy; 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 December 21, 1938, for the recovery of the sum of Rs. 940, with further interest thereon at 9 per cent. per annum from August 4, 1938, till payment in full, and costs of suit and poundage, viz. :—

The daranda 2 pelas and 3 lahas in paddy sowing extent out of the field called Dunukedekumbura of 1 amunam and 5 lahas paddy sowing extent, situate at Daskara in Medapalata of Udunuwera in the District of Kandy, Central Province; which said daranda portion is bounded on the east by the weilla of this field where the well is situated, south by Pallewattewela, west by imaweilla of Welakumbura and ella of Dunukedekumburawatta, and north by ella of Dunukedekumbura, and registered in C 58/87 and registered in C 115/200, and all the right, title, interest, and claim whatsoever of the said defendant in, to, upon, or out of the said several premises mortgaged by the defendant.

Fiscal's Office,  
Kandy, January 9, 1939.

H. C. WIJESINHA,  
Deputy Fiscal.

In the District Court of Kandy.

Herat Wasala Mudiyansele Loku Menika of Sirimalwatta in Udagampaha korale of Lower Dumbara, administratrix of the intestate estate of the late Attanayake Mudiyansele Dingiri Banda *alias* Dingiri Banda Attanayake, also known as Mayurapada Abeysondera Wasala Mudiyansele Dingiri Banda Attanayaka, deceased . . . . . Plaintiff.

No. 48,799. Vs.

Kahanda Welipotha Rapanjoti Thero of Sirimalwatta in Udagampaha of Lower Dumbara . . . . . Defendant.

NOTICE is hereby given on Saturday, February 18, 1939, at 2 P.M., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bonds No. 1,235 of September 2, 1925, and No. 4,413 dated December 9, 1929, both attested by H. D. Samarasinghe, 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 October 5, 1938, for the recovery of the sum of Rs. 1,500 with interest thereon at 9 per cent. per annum from March 10, 1938, till payment in full, and costs of suit and poundage, viz. :—

The field called Gederakumbura, in extent 2 pelas and 5 lahas in paddy sowing extent, situate at Sirimalwatta in Pallegampaha of Pata Dumbara, in the District of Kandy, Central Province; and bounded on the east by the ella of Gederawatta, south by the high road, west by the ella of Kudahenayagewatta and ella of Bogahawatta, and north by the Imaweilla of Appuhamy's field, together with everything thereon. Registered Kandy E 88/38 and all the right, title, interest, and claim whatsoever of the said defendant in, to, upon or out of the said several premises mortgaged by the defendant, without prejudice to the rights of Sirimalwatta Vihare.

Fiscal's Office,  
Kandy, January 9, 1939.

H. C. WIJESINHA,  
Deputy Fiscal.



In the District Court of Colombo.

George Marshall of Dunfermline in Scotland . . . . Plaintiff.  
N. J. Wimalasena of Colombo . . . . . Substituted plaintiff.

No. 54,587. Vs.

W. B. Mahagedera of Dehiwala in Colombo, as legal representative of the estate of Matilda Adelaide Mahagedera, deceased, also of Mahagedera Walauwa, Poramadulla, Kandy . . . . . Defendant.

NOTICE is hereby given that on Saturday, February 11, 1939, 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. 26,610.83 with interest at 9 per centum per annum from October 20, 1938, till payment in full and poundage in the following property, viz. :—

1. All that allotment of land called Mahatonepatana *alias* Galwalepatana, containing in extent 8 acres 2 roods and 27 perches, situate at Ekiriya, in Gannewe korale of Nuwara Eliya District, Central Province; and bounded on the east by the portion reserved for Waturanetikandura, south by the portion reserved for Narankandura and Minielgodakandura, and west by the land claimed by the natives and lot D 458 in P. P. No. 3,152, and north by Crown land together with the buildings plantations and everything thereon save and except the land passing through the land, and registered in R 23/131 and 132.

2. All that allotment of land called Mahatone, containing in extent about 6 acres, situate at Ekiriya aforesaid; and bounded on the north by the cart road, south by Narankandura, west by Keenagahakandura, and east by Abeygoonesekera's property together with everything thereon.

3. All that allotment of land called Pallekande, containing about 6 acres, situate at Ekiriya aforesaid; and bounded on the east by the cart road and Ma-ela, and north by Narankandura, west by the boundaries of Pallekanda estate (Rutland extension), and south by Gansabhawa road, together with everything thereon.

4. All that allotment of land called Alawenipatana, containing about 5 lahas kurakkan sowing extent, situate at Ekiriya aforesaid; and bounded on the east by Gansabhawa road, south by the property belonging to Yaddedi Rankiri and the kandura, west by the kandura and the property belonging to Mahagedera Ukku Banda and Mutu Banda, and north by Gansabhawa road together with everything thereon.

5. All that allotment of land called Wakkumbura, containing in extent about 2 pelas paddy sowing, situate at Ekiriya aforesaid; and bounded on the east by Mahagedera-kumbura and the ela, north by the ela, west by Haddarawakumbura and the field of N. U. Jotidasa, south by the live fence and the Gansabhawa road together with everything thereon.

6. All that allotment of land called Lunuwattukumbura, containing 1 pela and 2 kurunies paddy sowing, situate at Ekiriya aforesaid; and bounded on the east by the property belonging to Asweddumegedera Simon Mudalaly, south by the oya, west by the field belonging to Asweddumegedera Appuwa, north by the ela together with everything thereon.

7. All that allotment of land called Etambilla, containing about 2 amunams paddy sowing, situate at Ekiriya aforesaid; and bounded on the east by the property belonging to Elambure Appuhamy, south by the stone fence, west by the field belonging to Asweddumegedera Appuwa, north by Mahagederahena together with everything thereon.

8. All that allotment of land called Galpottakumbura, containing 5 lahas paddy sowing, situate at Ekiriya aforesaid; and bounded on the east by the ela, south by the Gansabhawa road, west by the property belonging to Kulugammana Kumarihamy, north by the field belonging to Kulugammana Kumarihamy and together with everything thereon.

9. All that allotment of land called Dehiattemulla, containing 8 lahas paddy sowing, situate at Ekiriya aforesaid; and bounded on the east by the cliff, south by the field belonging to Mahagedera Ukku Banda, and west by ela, and north by the live fence and the Gansabhawa road together with everything thereon.

10. All that allotment of land called Etambilla (dry land) containing 1 pela kurakkan sowing, situate at Ekiriya aforesaid; and bounded on the east by the property belonging to Mahagedera Siyatu, south by Etambilla paddy field, west by the kandura, north by the Crown land and together with everything thereon.

11. All that allotment of land called Ambetota *alias* Aswedduma, containing 1 pela paddy sowing, situate at Makempe, in Gannewe korale aforesaid; and bounded on the east by the stone fence of Hapugollekumbura, south by kandura, west by the stone fence and the kandura, north by the property of Gamgedera Kalu Banda, and together with everything thereon.

12. All that allotment of land called Kirindehena, containing 2 lahas kurakkan sowing extent, situate at Makempe aforesaid; and bounded on the east by the Gansabhawa road, south by stone fence belonging to the Arachchi, west by the oya, north by property belonging to Tatuwalawara Dingirale, and together with everything thereon.

13. All that allotment of land called Ambagolla-ela, containing 1 pela paddy sowing extent, situate at Makempe aforesaid; and bounded on the east by Dumukepalkadakumbura, north by the Gange-ellakumbura, west by the field belonging to Ambagolla-Naida, south by the rest of the property called Ambagolle-ela and together with everything thereon.

14. All that allotment of land called Pallepitiyewatta, containing 3 kurunies kurakkan sowing, situate at Makempe aforesaid; and bounded on the east by Mahakumbura, south by the kandura, and the Handendawe, west by boundary of Dulwelakumbura, north by the boundary of Berakaragederawatta and together with everything thereon.

Fiscal's Office,  
Kandy, January 9, 1939.

H. C. WIJESINHA,  
Deputy Fiscal.

In the District Court of Galle.

Jandoris de Silva Wickramasuriya, Muhandiram of Poramba, Ambalangoda . . . . . Plaintiff.  
No. 36,574. Vs.

(1) Hilda de Silva, legal representative of the estate of H. W. de Silva, (2) Henda Vitharana Garlis de Silva, (3) Henda Vitharana Raymond de Silva, (4) Henda Vitharana Bonzie de Silva, (5) Henda Vitharana Hilton de Silva, (6) Henda Vitharana Basil de Silva, (7) Henda Vitharana Dulciye de Silva, (8) Henda Vitharana Frederick de Silva, (9) Henda Vitharana Martin de Silva, all of Balapitiya, minors, by their guardian *ad litem* (10) Peter Jayawardene (Wijesekera of Vilegoda) in Ambalangoda . . . . . Defendants.

NOTICE is hereby given that on Friday, February 10, 1939, at 3 o'clock in the afternoon, will be sold by public auction at the spot, the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 18,848, together with interest thereon at the rate of nine per centum per annum from April 4, 1938, till payment in full, and costs and poundage due in respect of mortgage bonds Nos. 2,022 of March 18, 1929, and 7,121 of July 14, 1928, attested by Messrs. P. C. Dias & R. J. Rupasinghe, respectively, Notary Public, mortgaged with the plaintiff, viz. :—

The entire soil and all the trees and buildings of the three lots A, A1, and A2 of the land called Galkotuwa, situated at Rasingolla and Ambanwela in the division of Walapone, in Nuwara Eliya District in the Central Province; which said lots are together bounded on the north by lots C, B, B 1, and B 2 of the same land, on the east by water-course and Gansabhawa road, on the south and west by the land belonging to the villagers, and on the west by the Crown land; and containing 22 acres and 8.66 perches in extent.

D. G. L. MISSE,  
Deputy Fiscal's Office, Additional Deputy Fiscal.  
Nuwara Eliya, January 10, 1939.

### Southern Province.

In the District Court of Tangalla.

Polwatte Gallege Peter Gunawardana, Vidane Arachchi of Ambalantota . . . . . Plaintiff.  
No. 4,137. Vs.

Don Nikulas Wijesuriya of Tawaluwila . . . . . Defendant.

NOTICE is hereby given that on Saturday, February 11, 1939, 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. 1,700.02, together with further legal interest on Rs. 1,370 from June 13, 1937, till payment and poundage, viz. :—

(1) An undivided 7/120 shares of the soil and of the fruit trees of the land called Kohombagahawatta, in extent about 3 acres, situated at Welipatenwila in East Giruwa pattu of the Hambantota District; and bounded on the north by amuna, east by Alutgama Fiscal's Arachy's garden, south by the seashore, and west by Kumbukgahawatta, owned by Weerawarna Achchige Carolis and others.

## Province of Sabaragamuwa.

In the District Court of Ratnapura.

Amithalatha Induwatne Goonaratne (*nee* Dissanayake)  
and her husband, Frederick William Gooneratne,  
both of Ratnapura . . . . . Plaintiffs.

No. 6,604. *39* vs.

Tennakoon Mudiyanse Alber Mulgama of Wiki-  
liya Walatwa, Balangoda, presently of Weralupe  
old road, Ratnapura . . . . . Defendant.

NOTICE is hereby given that on Friday, February 3, 1939, at 3 o'clock in the afternoon, will be sold by public auction at the respective premises commencing from the 1st land the right, title, and interest of the said defendant in the following property for the recovery of Rs. 476 30 and poundage, viz. :—

1. All that the land called and known as Heen Naran-gawatta, registered at the office of the Tea Controller under S. Y. 17, situate at Wikiliya in Helauda palata in Meda korale in the District of Ratnapura of the Province of Sabaragamuwa; and bounded on the north by minor road, east and south by agala, and on the west by ara; and containing in extent 1 kurunie of kurakkan sowing together with the plantations thereon, and registered under E 44/159.

2. All that land called Egodagederawatta, registered under No. S. Y. 17, situate at Wikiliya aforesaid; and bounded on the north by minor road, east by Karawwe-watta and Heen Naran-gawatta, and south and west by Egodagedera ara; and containing in extent 4 kurunies of kurakkan sowing together with the plantations thereon, and registered under E 71/13.

The said premises are subject to Mortgage Bond No. 620 dated September 17, 1926, attested by J. P. W. Delgoda, Notary Public.

Fiscal's Office, N. SWAMINATHA IYER,  
Ratnapura, January 6, 1939. Additional Deputy Fiscal.

I, Noel Edward Ernst, Fiscal for the North-Western Province, do hereby appoint S. M. Marikkar to act as Marshal from January 4, 1939, till February 4, 1939, or until the resumption of duties by the permanent officer, for the divisions of Dambadeni Uducaha North and West and Mairawathi korales of Dambadeni hatpattu, Giratalana, Baladora, and Angomu korales of Dewameddi hatpattu, Karandapattu, Meddeketiya, Yaticaha, Yagampattu, Kiniyama, 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 5th day of January, 1939.

N. E. ERNST,  
Fiscal.

(2) An undivided  $\frac{1}{4}$  share of all the fruit trees and soil of the land called Puhujulgoda, in extent 2 acres, situated at Welipatenwala aforesaid; and bounded on the north by the reserved strip of land along the road, east and south by the allotment of land bearing No. 1 and west by lot bearing No. 1.

(3) An undivided  $\frac{1}{4}$  share of the field called Tawaluwila, in extent 35 amunams of Paddy sowing, situated at Tawaluwila in East Giruwa pattu aforesaid; and bounded on the north by Debbandiawala, east by Kudawilemahagala, south by Puhule Uhapigala, and west by the hole near the jool tree at Boranuketiya.

(4) All the fruit trees and soil of the land called Boraluwalehena, in extent 1 acre, situated at Tawaluwila aforesaid; and bounded on the north by lot 119, east by lot 119A, south by the reserved strip of land along the road, and west by lot 119AV.

(5) All that land called Ginigallanda bearing lot No. 119C in T. P. 399677, and all the things belonging thereto, in extent 2 acres and 8 perches, situated at Tawaluwila aforesaid; and bounded on the north by the reserved strip of land along the stream, east by the reserved strip of land along the road, south and west by lot 119.

Deputy Fiscal's Office,  
Tangalla, January 6, 1939.

P. D. WEERAMAN,  
Additional Deputy Fiscal.

*27* In the District Court of Tangalla.

Mrs. Dollie Gunasekara *nee* Paranapalliyeguruge Dolli-  
nona, presently of Dicklanda in Neboda . . . . . Plaintiff.

No. 4,325.

Mohammedu Ismail Sumarath Umma of Tangalla, the  
duly appointed legal representative over the estate  
of the deceased, Sulfa, Marikkar Mohammedu Sahidu  
late of Dickwella . . . . . Defendant.

NOTICE is hereby given that on Thursday, February 9, 1939, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following mortgaged property for the recovery of Rs. 1,496 69, together with legal interest on Rs. 1,481 88 from October 4, 1938, till payment in full and poundage, viz. :—

*At Pallikkudawa.*

All that soil and plantations of the land called Dondiyas-padinchiwasitiyakebella being a divided  $\frac{1}{4}$  portion of the land called Kemagodayawatta, situated at Pallikkudawa in West Giruwa pattu of the Hambantota District; and bounded on the north by Paranamahapara, east by Konnehamygekoratuwetibena Netolgaha, south by Patabendi-arachchimahathmayagewatta being a portion of Kema-godayawatta, and west by Welowatta; containing in extent 2 kurunies of kurakkan sowing.

Deputy Fiscal's Office,  
Tangalla, January 6, 1939.

P. D. WEERAMAN,  
Additional Deputy Fiscal.

## Northern Province.

*23* In the District Court of Jaffna.

Kanther Sellathurai of Vannarponnai East . . . . . Plaintiff.

No. 23,262.

Sithamparapillai Ambulevaner of Vannarponnai  
East . . . . . Defendant.

NOTICE is hereby given that on Saturday, February 4, 1939, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant for the recovery of Rs. 13,372, with interest at the rate of 9 per cent. per annum from January 4, 1928, until payment in full and poundage and charges, less Rs. 6,385 10, in the following property, viz. :—

An undivided  $\frac{1}{4}$  share with its appurtenances of a piece of land situated at Vannarponnai East in Vannarponnai parish, Jaffna division of the Jaffna District, Northern Province, called Aavaranthulakkai, Vannanthoddam and Kattalampulam, in extent 7 lachams varagu culture, with house, well, and plantations; and bounded on the east by Karthigesu and wife Theivanai and by lane, north by road, west by the property belonging to Kanthapoorana Madam, and on the south by Nallathamby Vaithilingam.

Fiscal's Office,  
Jaffna, January 7, 1939.

M. SELVADURAI,  
for Fiscal.

## NOTICES IN TESTAMENTARY ACTIONS.

*35* In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Deraniyagalage Johanna Peris Hamine.  
No. 8,509.

Hiripitiyage Don Vionis Appuhamy of Gintupitiya street,  
Colombo. . . . . Applicant for letters of Admi-  
nistration.

Deraniyagalage Duliya Peris Hamine of Pelenwatta  
in the Palle pattu of Salpiti Korale . . . . . Petitioner.

Hiripitiyage Don Vionis Appuhamy of Gintupitiya  
street, Colombo . . . . . Respondent.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on November 2, 1938, in the presence of Mr. A. Clive Abeyewardene, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 26, 1938, having been read:

It is ordered that the said Order Absolute made on September 29, 1938, granting letters of administration to the above-named deceased's estate to Hiripitiyage Don Vionis Appuhamy be vacated and that order be made directing that letters of administration to the above estate be issued to the Secretary of this Court and that the

petitioner above named be added as an heir of the deceased, unless the respondent above named or any other person or persons interested shall, on or before November 17, 1938, show sufficient cause to the satisfaction of this court to the contrary.

December 1, 1938. W. SANSONI,  
District Judge.

This is extended and re-issued for December 8, 1938.

W. SANSONI,  
District Judge.

This is extended for January 19, 1939.

W. SANSONI,  
District Judge.

24 In the District Court of Colombo.  
*Order Absolute in the First Instance.*

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of the late Adriel Henry No. 8,660. Wijeyesekere of Gangodawila, Nugegoda, deceased.

THIS matter coming on for final determination before W. Sansoni, Esq., District Judge, Colombo, on December 5, 1938, in the presence of Mr. A. C. Abeyewardene, Proctor, on the part of the petitioners—(1) Dr. Charles Joseph Christopher de Silva of Bambalapitiya, Colombo, (2) Patrick Perera Abeyewardene of The Orient Club, Colombo, and (3) Herbert Donald Walter de Silva of Inner Flower road, Colombo; and the affidavits of the said petitioners dated November 30, 1938, and of the attesting notary and witnesses dated December 2, 1938, having been read:

And it appearing to this court that the said petitioners have established their right thereto, it is ordered that probate of the will of the said deceased be issued to (1) Dr. Charles Joseph Christopher de Silva, (2) Patrick Perera Abeyewardene and (3) Herbert Donald Walter de Silva accordingly.

December 9, 1938. W. SANSONI,  
District Judge.

32 In the District Court of Colombo.  
*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Vallipuram Chelliah of Hulftsdorp in No. 8,663 N.T. Colombo, deceased.

Chelliah Ranganathan of Hulftsdorp street in Colombo ..... Petitioner.

vs.

(1) Nagasundaram Chelliah, widow of Vallipuram Chelliah of Perumalkadawe, Alaviydy South, Chunakam, (2) Chelliah Ramanathan, (3) Chelliah Pathmanathan (minor), both of Hulftsdorp, Colombo ..... Respondents.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on December 8, 1938, in the presence of Mr. S. Sivasubramaniam, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 7, 1938, having been read:

It is ordered (a) that the 2nd respondent be and he is hereby appointed guardian *ad litem* of the minor, the 3rd respondent above named, to represent him for all purposes of this action and (b) that the petitioner be and he is hereby declared entitled, as eldest son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before January 26, 1939, show sufficient cause to the satisfaction of this court to the contrary.

December 9, 1938. C. NAGALINGAM,  
District Judge.  
22.12.38.

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

Testamentary In the matter of the Last Will and Testa- Jurisdiction ment of Algernon Christian Walter Denne No. 8,669 N.T. of "Moorcot" Crowborough in the County of Sussex, England (Coffee Planter, Retired) deceased.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on December 15, 1938, in the presence of Messrs. F. J. & G. de Saram, Proctors,

on the part of the petitioner, Ronald John Wightman Irving of Colombo, and (1) the affidavit of the said petitioner dated December 8, 1938, (2) the power of attorney dated September 27, 1938, and (3) the order of the Supreme Court dated November 30, 1938, having been read: It is ordered that the will of the said Algernon Christian Walter Denne, deceased, dated April 23, 1938, 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 Ronald John Wightman Irving is the attorney in Ceylon of the sole executor 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 January 19, 1939, show sufficient cause to the satisfaction of this court to the contrary.

December 15, 1938. W. SANSONI,  
District Judge.

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

Testamentary In the matter of the Last Will and Testa- Jurisdiction ment of Hugh Henry Gordon Mitchell, No. 8,672 N.T. O.B.E., of 397, Upper Richmond road, Putney, in the County of Surrey, England, and 9, Victoria street, in the City of Westminster, England, deceased.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on December 19, 1938, in the presence of James Frederick van Langenberg, Proctor, on the part of the petitioner, David Ernest Martensz of Colombo and (1) the affidavit of the said petitioner dated December 15, 1938, (2) the power of attorney dated November 3, 1938, and (3) the order of the Supreme Court dated December 12, 1938, having been read: It is ordered that the will of the said Hugh Henry Gordon Mitchell, deceased, dated September 17, 1935, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said David Ernest 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 annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 26, 1939, show sufficient cause to the satisfaction of this court to the contrary.

December 19, 1938. W. SANSONI,  
District Judge.

In the District Court of Colombo.

29 - *Order Nisi.*

Testamentary In the Matter of the Last Will and Jurisdiction. Testament of Muriel Woolnough No. 8,675. Ramsay late of Bellevue Hill, near Sydney in the State of New South Wales, widow, deceased.

THIS matter coming on for disposal before C. Nagalingam, Additional District Judge of Colombo, on December 21, 1938, in the presence of Patrick Merle Duggan of Colombo, Proctor, on the part of the petitioner, Frederick Claude Rowan of Colombo; and the affidavit of the said petitioner dated December 12, 1938, 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 November 29, 1938, having been read: It is ordered that the will of the said deceased dated March 17, 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 one of the attorneys of the executors and trustees 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 January 19, 1939, show sufficient cause to the satisfaction of this court to the contrary.

December 21, 1938. R. F. DIAS,  
District Judge.

29 In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Last Will and Jurisdiction. Testament and Codicil of Helena Eliza No. 8,676. Shant of "Ingleside", Blackwater in the County of Hants, widow, deceased.

THIS matter coming on for disposal before C. Nagalingam, Esq., Additional District Judge of Colombo, on December 21, 1938, in the presence of Patrick Merle Duggan of Colombo, Proctor, on the part of the petitioner, Frederick Claude Rowan of Colombo; and the affidavit of the said petitioner dated December 12, 1938, a certified copy of probate, a certified copy of the last will and testament and codicil of the above-named deceased, power of attorney in favour of the petitioner and Supreme Court's Order dated November 30, 1938, having been read: It is ordered that the will of the said deceased dated April 8, 1937, and a codicil thereto dated April 14, 1937, of which a certified copy has been produced, and is now deposited in this court be and the same are hereby declared proved; and it is further declared that the said petitioner is one of the attorneys of the executor and trustee named in the said will and that he is entitled to have letters of administration with copies of the said will and codicil annexed issued to him accordingly unless any person or persons interested shall on or before January 19, 1939, show sufficient cause to the satisfaction of this court to the contrary.

December 21, 1938.

R. F. DIAS,  
District Judge.

32 In the District Court of Kalutara.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Mohamed Lebbe Marikar Mohamed No. 2,836. Ibrahim, deceased of Deenagoda in Beruwala.

THIS matter coming on for disposal before E. O. C. Vander Gert, Esq., District Judge of Kalutara, on October 7, 1938, in the presence of Messrs. Wilson de Silva & Wadood, Proctors, on the part of the petitioner Sinne Lebbe Fatima Umma of Deenagoda; and the affidavit of the said petitioner dated September 16, 1938, having been read:

It is ordered that the said petitioner above named be and she is hereby declared entitled, as widow of the deceased above named, to have letters of administration to his estate issued to her unless the respondents (1) Mohamed Lebbe Mohamed Haniffa, (2) Mohamed Lebbe Abdul Hamid, (3) Saliha Umma, all of Deenagoda in Beruwala, and (4) Abdul Rahiman Marikar Khadja Umma of Panadure, or any other person or persons interested shall, on or before November 15, 1938, show sufficient cause to the satisfaction of this Court to the contrary.

October 7, 1938.

E. O. C. VANDER GERT,  
District Judge.

Showing cause against this *Order Nisi* is extended till December 20, 1938.

E. O. C. VANDER GERT,  
District Judge.

Showing cause against this *Order Nisi* is extended till January 31, 1939.

E. O. C. VANDER GERT,  
District Judge.

32 In the District Court of Kalutara.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Don Johannis Jayanetti, deceased, of No. 2,843. Lewwanduwa.

(1) Don Albert Jayanetti, (2) Dona Athin Jayanetti, (3) Don Denage Jayanetti, (4) Don Herry Jayanetti, (5) Don Cyril Jayanetti, (6) Don Somawathie Jayanetti, (7) Don Chandadasa Jayanetti, (8) Dona Premawathie Jayanetti, (9) Don Victor Jayanetti, all of Lewwanduwa. Respondents.

THIS matter coming on for disposal before E. O. C. Vander Gert, Esq., District Judge of Kalutara, on November 25, 1938, in the presence of Mr. N. H. de S. Wijesekera, Proctor, on the part of the petitioner, Kaththiriaratchige Dona Sampi Nona Siriwardana Hamine of Lewwanduwa; and the affidavit of the said petitioner dated November 25, 1938, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as widow of the deceased above named to have letters of administration to his

estate issued to her, unless the respondents or any other person or persons interested shall, on or before January 17, 1939, show sufficient cause to the satisfaction of this court to the contrary. It is further declared that the said 1st respondent be and he is hereby appointed guardian *ad litem* over the said 3rd to 9th respondents, who are minors for all the purposes of this action, unless the respondents shall, on or before January 17, 1939, show sufficient cause to the satisfaction of this court to the contrary.

November 25, 1938.

E. O. C. VANDER GERT,  
District Judge.

29 In the District Court of Kalutara.

*Order Nisi declaring Will proved, &c.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Theodora de Silva Gooneratne de Abrew No. 2,845. Rajapakse, deceased of Etagama.

THIS matter coming on for disposal before E. O. C. Vander Gert, Esq., District Judge of Kalutara, on December 3, 1938, in the presence of Mr. D. J. K. Goonetilleke, Proctor, on the part of the petitioner, Walter de Abrew Rajapakse of Mount Lavinia; and the affidavit of the said petitioner dated November 30, 1938, having been read, and the respondent, having consented:

It is ordered that the petitioner above named be and he is hereby declared entitled, as son of the deceased above named, to have letters of administration to her estate issued to him, unless any person or persons interested shall, on or before January 18, 1939, show sufficient cause to the satisfaction of this court to the contrary.

December 3, 1938.

E. O. C. VANDER GERT,  
District Judge.

35 In the District Court of Kalutara.

*Order Nisi declaring Will proved, &c.*

Testamentary In the Matter of the Estate of the late Jurisdiction. Asuramuni Cornelis de Silva, deceased, No. 2,846. of Pohaddaramulla.

Asuramuni Elaris de Silva of Pohaddaramulla. Petitioner.

(1) Weerasinghe Raisalana Silva, (2) Asuramuni Neuton de Silva, (3) ditto Lissa de Silva, (4) ditto Nellie de Silva, (5) ditto Squalis de Silva, (6) ditto Sarnelishamy, all of Pohaddaramulla, (7) Rev. Gnana-dhaja Therunanse of Mahigarjanaramaya, Pohaddaramulla. Respondents.

THIS matter coming on for disposal before E. O. C. Vander Gert, Esq., District Judge of Kalutara, on December 6, 1938, in the presence of Messrs. Tirimanne and Meeagama, Proctors, on the part of the petitioner, Asuramuni Elaris de Silva of Pohaddaramulla; and the affidavit of the said petitioner dated November 18, 1938, having been read:

It is ordered that the will of Asuramuni Cornelis de Silva of Pohaddaramulla deceased, dated October 12, 1938, and bearing Number 4788 and now filed of record in this case be and the same is hereby declared proved unless the respondents or any other person or persons interested shall, on or before January 19, 1939, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Asuramuni Elaris de Silva of Pohaddaramulla 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 respondents or any other person or persons interested shall, on or before January 19, 1939, show sufficient cause to the satisfaction of this court to the contrary.

December 6, 1938.

E. O. C. VANDER GERT,  
District Judge.

29 In the District Court of Kandy.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Jurisdiction. late Ratnayake Mudiyanse Lage Maligawattegedera Kiri Banda, deceased, of Pussellawa. No. T 78.

THIS matter coming on for disposal before George Crossette Thambayah, Esq., District Judge, Kandy, on December 6, 1938, in the presence of Mr. C. E. A. de Silva, Proctor, on the part of the petitioner, Wijesinghe Mudiyanse Lage Panchi Menika; and the affidavit of the said petitioner dated October 26, 1938, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as the widow of the above-named deceased, to have letters of administration to the estate of the

deceased issued to her unless the respondents—(1) Ratnayake Mudiyansele Ram Menika, (2) Ratnayake Mudiyansele Appuhamy Ratnayake, (3) Ratnayake Mudiyansele Bala Menika and (4) Ratnayake Mudiyansele Puchi Banda, all of Pussellawa or any other person or persons interested shall, on or before January 23, 1939, show sufficient cause to the satisfaction of this court to the contrary.

December 6, 1938.

G. C. THAMBYAH,  
District Judge.

In the District Court of Kandy.

Order Nisi declaring Will Proved, &c.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Daniel Joseph Blyth, deceased of No. T. 80. Augusta estate, Peradeniya.

THIS matter coming on for disposal before George Crosssette Thambyah, Esq., District Judge, Kandy, on December 16, 1938, in the presence of Mr. V. D. de Vos, Proctor, on the part of the petitioners (1) Anthony Kenneth Pyper of Bologalla estate, Galagedera, and (2) Nigel Inglesant Lee of Kandy; and the affidavit of the said petitioners dated December 15, 1938, and of the attesting witnesses dated December 16, 1938, having been read:

It is ordered that the last will of the above-named deceased dated October 24, 1931, and now deposited in this court be and the same is hereby declared proved, unless any person or persons interested shall, on or before February 6, 1939, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioners are the attorneys of the executors named in the said will and that they are entitled to have letters of administration issued to them accordingly with a copy of the said will annexed, unless 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.

December 16, 1938.

G. C. THAMBYAH,  
District Judge.

In the District Court of Tangalla.

Order Nisi declaring Will Proved, &c.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Don Siadoris Abewira, deceased, late of Sinimodara. No. 1,296.

THIS matter coming on for disposal before J. H. V. S. Jayawickrama, Esq., District Judge of Tangalla, on November 10, 1938, in the presence of Messrs. Wikramanayake and Edrisooriya, on the part of the petitioner; and the affidavit of Don Tiloris Abewira, of Sinimodara dated October 25, 1938, having been read:

It is ordered that the will of Don Siadoris Abewira, deceased, dated September 1, 1938, be and the same is hereby declared proved, unless the respondent shall, on or before December 15, 1938, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Don Tiloris Abewira is entitled to have letters of administration with copy of will annexed issued to him accordingly, unless the respondent shall, on or before December 15, 1938, show sufficient cause to the satisfaction of this court to the contrary.

November 10, 1938.

V. S. JAYAWICKRAMA,  
District Judge.

to showing cause is extended to January 26, 1939.

V. S. JAYAWICKRAMA,  
District Judge.

In the District Court of Jaffna (held at Point Pedro).

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Charles Vallipuram Sithamparappillai No. 63/P.T. of Thunnalai South, deceased.

Ezakkial Vairavanathar Veeragathy of Point Pedro ..... Petitioner.

Vs.

(1) Margaret Pekkiam Sithamparappillai, (2) Samuel Winfred Nasadurai Sithamparappillai, both of Point Pedro ..... Respondents.

THIS matter coming on for disposal before C. E. A. Samarakkody, Esq., Additional District Judge, Jaffna, on June 4, 1938, in the presence of Mr. M. Esurapadham, Proctor, Supreme Court, on the part of the petitioner; and the petition and affidavit of the petitioner having been read:

It is ordered that the 1st respondent be appointed guardian *ad litem* over the minor, the 2nd respondent, that the petitioner, as the father-in-law of the deceased, be declared entitled to take out letters of administration, and that letters of administration be issued to him accordingly, unless the respondent or any other person shall appear before this court on or before June 17, 1938, and show sufficient cause to the satisfaction of this court to the contrary.

June 4, 1938.

Extended and reissued for January 19, 1939.

C. E. A. SAMARAKKODY,  
Additional District Judge.

S. RODRIGO,  
Additional District Judge.

In the District Court of Jaffna (held at Point Pedro).

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Mailvaganam Thamotharampillai of Thunnalai South, deceased. No. 69/P.T.

Kasinathar Ambikaibakar of Kaithady ..... Petitioner. Thangaratnam, wife of Kasinathar Ambikaibakar of Kaithady ..... Respondent.

THIS matter coming on for disposal before C. E. A. Samarakkody, Esq., Additional District Judge, Jaffna, on July 6, 1938, in the presence of Mr. M. Esurapadham, Proctor, Supreme Court, on the part of the petitioner; and the petition and affidavit of the petitioner having been read:

It is ordered that the petitioner, as son-in-law of the deceased, be declared entitled to take out letters of administration and that letters of administration be issued to him accordingly, unless the respondent or any other person shall, on or before July 22, 1938, show sufficient cause to the satisfaction of this court to the contrary.

July 8, 1938.

Extended and reissued for January 19, 1939.

C. E. A. SAMARAKKODY,  
Additional District Judge.

S. RODRIGO,  
Additional District Judge.

In the District Court of Jaffna (held at Point Pedro).

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Sivakampillai widow of Sinnathamby of Puloly West, deceased. No. 79/P.T.

Sinnathamby Veluppillai of Puloly West ..... Petitioner.

Vs.

Veluppillai Veeragathippillai of ditto ..... Respondent.

THIS matter coming on for disposal before C. E. A. Samarakkody, Esq., Additional District Judge, on October 18, 1938, in the presence of Mr. M. Esurapadham, 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 be and is hereby declared entitled to take out letters of administration to the above estate, as the son of the deceased, and that letters of administration be issued to him accordingly, unless the respondent above named or any other persons appear and show cause to the contrary on or before November 10, 1938.

October 20, 1938.

Extended and reissued for January 20, 1939.

C. E. A. SAMARAKKODY,  
Additional District Judge.

S. RODRIGO,  
Additional District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Nagamma, wife of Velan Sangaran of Sankanai, deceased. No. 594.

Velan Sangaran of Sankanai ..... Petitioner.

Vs.

(1) Sangaran Kanesan of Sankanai, (2) Perian Murugan of ditto ..... Respondents.

THIS matter of the petition of the above-named petitioner praying for letters of administration to the

estate of the above-named deceased coming on for disposal before C. Coomaraswamy, Esq., District Judge, on June 15, 1938, in the presence of Mr. M. Vythialingam, Proctor, on the part of the petitioner; and the affidavit of the petitioner having been read: It is declared that the petitioner is the lawful husband 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 January 16, 1939, show sufficient cause to the satisfaction of this court to the contrary.

June 15, 1938.

C. COOMARASWAMY,  
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary. In the Matter of the Estate of the late No. 660. J. R. Nathaniel of Nalloor, deceased.

THE petition of the petitioner, Amirtharetam Nathaniel, praying that the 3rd respondent be appointed guardian *ad litem* over 1st and 2nd respondents and for the grant of letters of administration to her, coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, in the presence of Mr. C. T. Kumaraswamy, Proctor for petitioner; it is ordered that the 3rd respondent be appointed guardian *ad litem* over 1st and 2nd respondents, and letters of administration be granted to petitioner, unless the respondents shall, show cause to the contrary on January 18, 1939.

November 30, 1938.

C. COOMARASWAMY,  
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Jurisdiction late K. Visuvalingham Ponnampalam of No. 669. Pungudutivu West, deceased.

Kumaraswamy Visuvalingham of Pungudutivu West ..... Petitioner.

Visuvalingham Sellathurai of ditto ..... Respondent.

THIS matter coming on for disposal before C. Coomaraswamy, Esquire, District Judge, Jaffna, on November 9, 1938, in the presence of Messrs. Aiyadurai and Thambirajah, Proctors, on the part of the petitioner and the petition and affidavit of the petitioner having been read:

It is ordered that the petitioner, as father of the deceased, be and he is hereby declared entitled to take out letters of administration to the intestate estate and that letters of administration be issued to him accordingly, unless the respondent or any other person shall, on or before December 14, 1938, show sufficient cause to the satisfaction of this court to the contrary.

November 17, 1938.

C. COOMARASWAMY,  
District Judge.

Time to show cause is extended for January 27, 1939.

December 14, 1938.

(Intd.) C. C.,  
D. J.

In the District Court of Batticaloa.

Order Nisi declaring Will proved.

Testamentary In the matter of the last Will and Testa- Jurisdiction ment of the late Sinnatamby Ambala- No. 471. vanar of Thirukkovil, deceased.

Between  
Sinnatamby Kanagasabey of Perakallar ..... Petitioner.

(1) Vyramittu Thangaretnam, (2) Anbalavanar Thiraviviyam, (3) Anbalavanar Sathasivam, (4) Anbalavanar Thechanamoorthy, all of Thirukkovil, (5) Sinnatamby Ponnambalam of Trincomalee Respondents.

THIS matter coming on for disposal before P. Vythialingam, Esquire, District Judge of Batticaloa, on November 22, 1938, in the presence of Mr. C. S. Poopalaratnam, Proctor, on the part of the petitioner above named, and the affidavits (1) of the said petitioner dated October 19, 1938, (2) of the attesting witnesses to the last will dated November 14, 1938, having been read:

It is ordered that the 1st respondent above named, be and she is hereby appointed guardian *ad litem* of the minors the 2nd, 3rd and 4th respondents unless the respondents above named or any other person or persons interested shall, on or before December 22, 1938, show sufficient cause to the satisfaction of this court to the contrary. It is further ordered that the last will of Sinnatamby Ambalavanar, deceased, dated August 11, 1938, and now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executor named in the said will, and that he is entitled to have probate thereof issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before December 22, 1938, show sufficient cause to the satisfaction of this court to the contrary.

November 22, 1938.

P. VYTHIALINGAM,  
District Judge.

Order Nisi extended to January 24, 1939.

December 22, 1938.

P. VYTHIALINGAM,  
D. J.

In the District Court of Chilaw.

Order Nisi.

No. 2,225 T. In the Matter of the Last Will and Testament of Laura Frederica Perera late of Madampe.

C. V. M. Pandittesekere of Chilaw ..... Petitioner.

(1) Linden de Alwis, President, V. T., Marawila, (2) D. R. Clement de Alwis of Matara, (3) Shelton de Alwis of Kurunegala, (4) Mrs. Percy Perera of Tangalla, (5) Freda de Alwis of Marawila, (6) Herbert de Alwis of Marawila, (7) Noel Bandaranayake of Kelaniya, (8) Amibel Dissanayake of Mt. Lavinia, (9) Don Henry Corea, Inspector of Police, Ruanwela, (10) Newton Ameresekere of Madampe, (11) Percy Corea, Mudaliyar of Agalawatta, (12) Hon. Mr. Claude Corea of Colombo, (13) A. W. Corea, Proctor, Chilaw, (14) Bertram Corea, Chilaw, (15) Egerton Goonetilleke of Panadure, (16) Daphne Goonetilleke of Panadure, (17) Rienzi Goonetilleke of Panadure, (18) Stephanie Goonetilleke of Panadure, (19) Merle Samarasinghe of Marawila, (20) Antley Corea of Colombo, (21) Bertram Dias of Divulapitiya, (22) Ada Delgoda of Ratnapura, (23) Asmund Dias of Divulapitiya, (24) Cecily Corea of Madampe, (25) Walter Corea of Divulapitiya, (26) Grace Corea of Madampe, (27) Letitia Corea of Madampe, (28) Egar Corea of Panadure, (29) Alexia de Silva of Madampe, (30) Colin de Silva of Madampe, (31) Herschel Pandittesekere, Proctor, Chilaw ..... Respondents.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Chilaw, on September 26, 1938, in the presence of Mr. S. C. Shirley Corea, Proctor, on the part of the petitioner; (1) the affidavits of the said petitioner dated September 23, 1938, (2) of Stanley Ameresekere, Notary Public and Justus Ameresekere dated September 9, 1938, and (3) of F. T. Proctor, Notary Public, and M. Miguel Perera dated September 20, 1938, having been read:

It is ordered that the last will No. 230 dated May 28, 1927, and the codicil No. 1,623 dated October 27, 1931, of the above-named deceased, now deposited in this court be and the same is hereby declared proved; and the said petitioner declared the executor named in the said will and that he is declared entitled, to have probate thereof issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before October 28, 1938, show sufficient cause to the satisfaction of this court to the contrary.

September 26, 1938.

M. A. SAMARAKOON,  
District Judge.

Showing cause against the Order Nisi is extended to December 15, 1938.

November 21, 1938.

M. A. SAMARAKOON,  
District Judge.

Showing cause against the Order Nisi is extended to January 18, 1939.

December 15, 1938.

M. A. SAMARAKOON,  
District Judge.



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

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Marasinghe Aratchige Ungu Naide of  
No. 2,227. Ihelewalahapitiya, deceased.

Suriyafatne Marasinghe of Ihelewalahapitiya . . . Petitioner.

(1) Senanayake Aratchige Nonohamy of Ihala Walaha-  
pitiya, (2) Marasinghe Aratchige Alawathie of  
Kumbukgahamulla in Kurunegala District, (3)  
Marasinghe Aratchige Aron Djas, (4) Marasinghe  
Aratchige Karunawathie, (5) Dharamasiri Sarana-  
dasa Rajapakse, (6) Badrawathie Piyaseelig Raja-  
pakse, (7) Amarawathie Rajapakse, all of Ihala-  
walahapitiya; 4th, 5th, 6th, and 7th appearing by their  
guardian *ad litem* the 1st respondent . . . Respondents.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Chilaw, on October 27, 1938, in the presence of Mr. C. V. M. Pandi-tesekere, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated October 27, 1938, having been read:

It is ordered that the 1st respondent above named be appointed guardian *ad litem* of the 4th, 5th, 6th, and 7th respondents, who are minors, and the petitioner be and he is hereby declared entitled, as the eldest son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before November 25, 1938, show sufficient cause to the satisfaction of this court to the contrary.

M. A. SAMARAKOON,  
District Judge.

October 27, 1938.

Showing cause against the *Order Nisi* is extended to January 20, 1939.

M. A. SAMARAKOON,  
District Judge.

November 25, 1938.

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

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Asana Lebbe Moomina Umma of Kos-  
No. 1,613. wetiya, Kotambe, deceased.

Ahamadu Lebbe Hamidu Lebbe Ummawasila of  
Uyanwatta . . . . . Petitioner.

(1) Ahamadu Lebbe Hamidu Lebbe Ummu Jaseema of  
Warakapola, (2) ditto Naina Mohamadu of Waraka-  
pola, minor . . . . . Respondents.

THIS action coming on for disposal before H. A. de Silva, Esq., District Judge, Kegalla, on October 26, 1938, in the presence of Mr. A. I. Abeyawickrama, Proctor, on the part of the petitioner; and her affidavit and petition dated May 10 and 17, 1938, respectively, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as the eldest daughter of the above-named deceased, to have letters of administration to his estate issued to her, and that the 1st respondent be and she is hereby appointed guardian *ad litem* of the 2nd respondent for the purpose of this action, unless the respondents or any person or persons interested shall, on or before December 7, 1938, show sufficient cause to the satisfaction of this court to the contrary.

H. A. DE SILVA,  
District Judge.

October 26, 1938.

The *Oder Nisi* is extended till January 25, 1939.

T. F. C. ROBERTS,  
District Judge.

December 7, 1938.