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

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**DRAFT ORDINANCES.
MINUTE.**

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

L.D.—O 47/37

No. 2 of 1932.

An Ordinance to amend the Income Tax Ordinance, 1932.

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

Short title and date of operation.

1 This Ordinance may be cited as the Income Tax (Amendment) Ordinance, No. of 1939, and shall come into operation on such date as the Governor may appoint by Proclamation published in the Gazette.

Amendment of section 74 of Ordinance No. 2 of 1932.

2 Section 74 of the Income Tax Ordinance, 1932, is hereby amended as follows :—

(1) in sub-section (2) of that section, by the substitution for the words "the facts and the decision of the Board," of the following :—

"the facts, the decision of the Board, and the amount of the tax in dispute where such amount exceeds five thousand rupees,";

(2) by the insertion immediately after sub-section (2) of the following new sub-section, which shall have effect as sub-section (2A) of that section :—

"(2A) For the purpose of the application of the provisions of the Stamp Ordinance, 1909—

(a) all proceedings before the Supreme Court on any case stated under this section or incidental to the hearing, determination or disposal of any such case, shall be deemed to be civil proceedings before the Supreme Court of the value of five thousand rupees, or of such greater amount as may be set forth by the Board under sub-section (2) as the amount of the tax in dispute ;

(b) every such case stated shall, together with all books, documents and papers annexed thereto by the Board, be deemed to be a single exhibit in civil proceedings before the Supreme Court ; and

(c) the Commissioner, if he is the appellant, shall be deemed to be a Government officer suing, or if he is the respondent to the appeal, a Government officer being sued, in a suit *virtute officii.*" ; and

(3) by the addition at the end of that section of the following new sub-section, which shall have effect as sub-section (7) of that section :—

"(7) For the purpose of enabling the Commissioner or any other party to appeal to His Majesty in Council against any order of the Supreme Court under sub-section (5) and for the purpose of the application of the provisions of the Appeals (Privy Council), Ordinance, 1909—

(a) an order made by the Supreme Court under sub-section (5) shall, together with any order of that Court under sub-section (6), be deemed to be a final judgment of the Supreme Court in a civil action between the Commissioner and such other party ;

(b) the value of the matter in dispute in such civil action shall be deemed to be five thousand rupees ;

Provided that where the Board has, under sub-section (2), set forth a higher amount than five thousand rupees as the amount of the tax in dispute, the value of the matter in dispute in such civil action shall be the higher amount so set forth by the Board ; and

(c) the Commissioner on any appeal to His Majesty in Council, shall not be required to make any deposit or pay any fee or furnish any security prescribed by or under the Appeals (Privy Council) Ordinance, 1909."

No. 31 of 1909.

Objects and Reasons.

The objects of this Bill are—

- (1) to provide that the proceedings in the Supreme Court on a case stated under section 74 of the Income Tax Ordinance, 1932, shall be subject to the same stamp duty as is payable on civil proceedings before that Court in actions of the value of five thousand rupees. In cases where the amount of the tax in dispute exceeds five thousand rupees, stamp duty will be payable on such higher amount which the Board of Review is required to specify in the case stated when it prepares such case for transmission by the appellant to the Supreme Court;
- (2) to enable the Commissioner or any other party aggrieved by the judgment of the Supreme Court on a case stated to that Court for its opinion, to appeal to the Privy Council under the procedure provided in the Appeals (Privy Council) Ordinance, No. 31 of 1909.

Financial Secretary's Office,
Colombo, February 10, 1939.

H. J. HUXHAM,
Financial Secretary.

PASSED ORDINANCES.

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

No. 1 of 1939.

D 14/34

An Ordinance to amend the Destitute Immigrants Regulation Ordinance, 1907.

No. 12 of 1907.

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 Destitute Immigrants Regulation (Amendment) Ordinance, No. 1 of 1939.

Short title.

2 Section 2 of the Destitute Immigrants Regulation Ordinance, 1907, (hereinafter referred to as "the principal Ordinance"), is hereby amended—

Amendment of section 2 of Ordinance No. 12 of 1907.

- (1) in the definition of "Destitute Immigrant", by the omission of the comma occurring after the word "India";
- (2) by the substitution for the definition of "Costs and charges" of the following:—

“Costs and charges” means any money expended out of the public funds of the Island for the departure therefrom of any destitute immigrant or stowaway; and includes—

(i) any money expended out of public funds for his relief, maintenance, care or treatment, and

(ii) the expenses of any such relief, maintenance, care or treatment in any hospital, almshouse or other institution for the relief of sick or destitute persons which is maintained out of public funds or by any charitable institution to the support of which the Government contributes; ;

- (3) by the substitution for the definition of "Vessel" of the following:—

“Vessel” includes anything made for the conveyance, whether by air or by water, of human beings or of property; ; and

- (4) by the insertion immediately after the new definition of "Vessel" of the following:—

“Master”, when used in relation to a vessel, means the person having the charge, command, or control of that vessel.

“Port” includes any place appointed by the Governor under any written or other law to be a customs aerodrome.

“Inspector-General of Police” includes a Deputy Inspector-General of Police.

Amendment of section 3 (1) of the principal Ordinance.

3 Section 3 of the principal Ordinance is hereby amended in sub-section (1) thereof by the substitution, for all the words from "is unable, by reason of physical or mental infirmity" to the end of that sub-section, of the words "is likely, if permitted to land, to become chargeable to the public revenue of the Island because he is unable by reason of physical or mental infirmity to maintain himself, or because he is destitute such visiting officer shall give notice that such person is a destitute immigrant."

Amendment of section 4 of the principal Ordinance.

4 Section 4 of the principal Ordinance is hereby amended—

(1) by the substitution for all the words from "until some person resident" to the end of the section of the following:—

"(a) unless a person resident in Ceylon and approved by the Government Agent of the province or the Assistant Government Agent of the district as sufficient in that behalf, has undertaken in writing to repay to the Financial Secretary any costs and charges, not exceeding the sum of six hundred rupees, which, within one year from the date of the undertaking, may be incurred in respect of such immigrant and unless such resident has, if so required by the Government Agent or the Assistant Government Agent, for the further securing of such repayment, hypothecated immovable property to the satisfaction of the Government Agent or Assistant Government Agent; or

(b) unless some person has deposited with the Government Agent of the province or Assistant Government Agent of the district the sum of six hundred rupees as security for the repayment by him to the Financial Secretary of any costs and charges, not exceeding that sum which within one year from the date of the deposit may be incurred in respect of such immigrant; or

(c) unless such immigrant has deposited with the Inspector-General of Police his ticket to his next destination, together with the amount by which the sum of six hundred rupees exceeds the cost of that ticket:

Provided that in the case of an immigrant who is an Asiatic ordinarily resident in India, Burma, the Straits Settlements, the Federated Malay States, or the Unfederated Malay States, this section shall have effect as if the amount prescribed were one hundred and fifty rupees, in place of the aforesaid sum of six hundred rupees:

Provided further that the Financial Secretary may in his discretion at any time release any person who has given security in accordance with this section from liability, and accept the like security from any other person."

(2) by renumbering as section 4 (1) the section as so amended; and

(3) by the addition at the end of re-numbered section 4 (1) of the five following new sub-sections:—

"(2) Every instrument executed under the provisions of this section shall be free from stamp duty.

(3) Where any person has deposited any sum of money under paragraph (b) of sub-section (1), that sum of money shall, subject to any deduction authorised to be made therefrom under sub-section (5), be returned to that person either—

(a) on the expiry of a period of one year from the date of the deposit, or

(b) at any time before the expiry of such period, upon the immigrant in respect of whom the deposit was made obtaining employment in Ceylon which is, in the opinion of the Government Agent or Assistant Government Agent, suitable and likely to be of a permanent nature, having regard to all the circumstances of the case, or

- (c) where such immigrant leaves Ceylon before the expiry of such period, as soon as may be after his departure.
- (4) Where any destitute immigrant has under paragraph (c) of sub-section (1) deposited his ticket to his next destination, either with or without a sum of money, such ticket and such sum of money (if any) shall, subject to any deduction authorised to be made from such sum under sub-section (5), be returned to that immigrant either—
- (a) on the expiry of a period of one year from the date of the deposit, or
- (b) at any time before the expiry of such period, upon such immigrant obtaining employment in Ceylon which is, in the opinion of the Inspector-General of Police, suitable and likely to be of a permanent nature, having regard to all the circumstances of the case, or
- (c) where such immigrant is about to leave Ceylon on board any vessel before the expiry of such period, as soon as may be after he boards that vessel :
- Provided that in any such case the Inspector-General of Police may, if he thinks fit so to do, return such ticket and such sum of money, if any, at any earlier time.

- (5) Where in the case of any destitute immigrant any sum of money has been deposited under paragraph (b) or paragraph (c) of sub-section (1), any costs and charges, incurred in respect of such immigrant prior to the time at which that sum is returned in accordance with the provisions of sub-section (3) or sub-section (4), shall be deducted from that sum.
- (6) Where any ticket has been returned under paragraph (c) of sub-section (4) to any destitute immigrant who is about to leave Ceylon on board any vessel, such immigrant shall, if he remains in Ceylon after the departure of that vessel from Ceylon, be guilty of an offence and be liable on conviction to the punishment prescribed in section 5.

5 The following new section is hereby inserted immediately after section 4 of the principal Ordinance and shall have effect as section 4A of that Ordinance :—

New section 4A.

“4A Notwithstanding the provisions of section 4, a destitute immigrant may be permitted to land in the Island if a person resident in Ceylon and approved by the Government Agent of the province or the Assistant Government Agent of the district as sufficient in that behalf—

Landing of destitute immigrants in special cases.

- (a) has undertaken in writing to place such immigrant, within a period of one month from the date of the writing, on board a vessel on which a passage has been provided for such immigrant to some place at which he may lawfully be landed, and to repay to the Financial Secretary any costs and charges not exceeding the sum of six hundred rupees which within that period may be incurred in respect of such immigrant, and
- (b) has, if so required by the Government Agent or the Assistant Government Agent, for the further securing of such repayment hypothecated immovable property to the satisfaction of the Government Agent or Assistant Government Agent :

Provided that in the case of an immigrant who is an Asiatic ordinarily resident in India, Burma, the Straits Settlements, the Federated Malay States, or the Unfederated Malay States, this section shall have effect as if the amount prescribed were one hundred and fifty rupees, in place of the aforesaid sum of six hundred rupees.

- (2) If no arrangement for the departure of a destitute immigrant who has been permitted to land under sub-section (1) shall have been made within one month from the date of the undertaking, such arrangement may be made by the Government :

Provided, however, that if before the expiry of the aforesaid period of one month security for the payment of costs and charges in respect of such immigrant is provided in the manner and for the purpose mentioned in paragraph (a) or paragraph (b) of section 4 (1), no arrangement for the departure of such immigrant shall be made under this section by the Government."

Amendment of section 5 of the principal Ordinance.

6 Section 5 of the principal Ordinance is hereby amended by the addition of the following proviso at the end:—

"Provided that in the case of a destitute immigrant who has been convicted under this section, it shall be the duty of the Police Magistrate on being satisfied that a passage has been provided for such immigrant in accordance with section 12 and that the vessel wherein such passage has been provided is ready to proceed, to order such immigrant to be taken from jail and conducted in custody aboard such vessel."

Amendment of section 6 of the principal Ordinance.

7 Section 6 of the principal Ordinance is hereby amended—

- (1) in sub-section (1), by the substitution for the words "any British or foreign sea-going vessel" of the words "any vessel"; and
- (2) in sub-section (2), by the substitution for the words "ready to proceed to sea" of the words "ready to proceed".

Amendment of section 8 of the principal Ordinance.

8 Section 8 of the principal Ordinance is hereby amended by the substitution for the words "police, and the police may apprehend any such stowaway without a warrant." of the word "police."

Repeal of section 12 of the principal Ordinance and enactment of new section 12.

9 Section 12 of the principal Ordinance is hereby repealed and the following section is substituted therefor:—

Liability of Master to repay costs and charges in respect of immigrants unlawfully landed.

"12. (1) In the following cases, that is to say,—

- (a) where any stowaway is landed from any vessel at any place in Ceylon except for the purpose of entering a prosecution against him; and
- (b) where any person, in respect of whom a notice under section 3 has been given, lands in Ceylon from any vessel contrary to the provisions of this Ordinance—

the master of the vessel shall be liable to pay to the Government of Ceylon all costs and charges incurred by the Government in connection with such stowaway or person until he shall have been placed on board a vessel on which a passage has been provided for him to some place at which he may lawfully be landed:

Provided that if no such arrangement for his departure shall have been made by the master, owner, agent, or charterer of the vessel within two months of the landing in Ceylon of any such stowaway or person such arrangement may be made by the Government.

Restriction of liability of master in respect of destitute immigrant.

(2) In the case of a person in respect of whom a notice under section 3 has been given, the master shall incur no liability under sub-section (1) if he proves that such person was at the time of landing under an engagement of service or in possession of not less than six hundred rupees:

Provided that if such person is an Asiatic ordinarily resident in India, Burma, the Straits Settlements, the Federated Malay States, or the Unfederated Malay States, this section shall have effect as if the amount prescribed were one hundred and fifty rupees in place of the aforesaid sum of six hundred rupees."

Repeal of section 15 of the principal Ordinance and enactment of new section 15.

10 Section 15 of the principal Ordinance is hereby repealed and the following new section substituted therefor:—

Person refusing to leave the Island by accommodation provided under section 12.

"15. Where any person for whose departure from the Island arrangements have been made under this Ordinance refuses to leave the Island or to board the vessel on which a passage has been provided for him, it shall be lawful for a police officer specially authorised in writing by the Inspector-General of Police to arrest such person and to conduct him in custody aboard such vessel."

11 The following new section is hereby inserted immediately after section 15 of the principal Ordinance and shall have effect as section 15A of that Ordinance :—

New section 15A.

“15A. No person who lands or is landed from any aircraft at a customs aerodrome shall be deemed to enter Ceylon or to land or be landed in Ceylon within the meaning of this Ordinance until that person leaves such aerodrome otherwise than in an aircraft in respect of which a clearance has been issued for a journey to a place outside Ceylon.”

Entry into Ceylon of persons arriving by aircraft.

12 Section 16 of the principal Ordinance is hereby amended by the substitution, for all the words from “cognizable by a Police Court” to the end of the section, of the following :—

Amendment of section 16 of the principal Ordinance.

“cognizable offences for the purpose of the application of the provisions of the Criminal Procedure Code, 1898, notwithstanding anything contained in the Second Schedule of that Code, and shall be triable summarily by a Magistrate.

Passed in Council the Twenty-fifth day of January, One thousand Nine hundred and Thirty-nine.

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Governor the Eighth day of February, One thousand Nine hundred and Thirty-nine.

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. 2 of 1939.

M. L. A.—B 1587/L.D.—O 32/38

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. 2 of 1939.

Short title.

2 Section 190 of the Municipal Councils Ordinance, 1910, (hereinafter referred to as “the principal Ordinance”); is hereby amended by the substitution for the words “privy or water closet”, wherever they occur collectively in that section, of the words “privy, water closet or bathroom”.

Amendment of section 190 of Ordinance No. 6 of 1910.

3 Section 192D of the principal Ordinance is hereby amended in sub-section (1) by the substitution for the words “water closet” wherever they occur in that sub-section, of the words “bathroom, water closet”.

Amendment of section 192D of the principal Ordinance.

4 Section 197 of the principal Ordinance is hereby amended in the table appearing at the end thereof, by the substitution in column 2 of that table for the reference “Provision of privies or earth closets” of the reference “Provision of privies, water closets or bathrooms”.

Amendment of section 197 of the principal Ordinance.

Passed in Council the Twenty-fifth day of January, One thousand Nine hundred and Thirty-nine.

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Governor the Eighth day of February, One thousand Nine hundred and Thirty-nine.

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. 3 of 1939.

1/7/3 (FSO)

**An Ordinance to amend Ordinance No. 17 of 1869, intituled
“ An Ordinance for the General Regulation of Customs
in the Island of Ceylon ”.**

[Assented to by His Majesty the King: See Proclamation dated
February 14, 1939, published in Government Gazette
No. 8,432 of February 17, 1939.]

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 Customs (Amendment) Ordinance, No. 3 of 1939.

Insertion of new section 1A in Ordinance No. 17 of 1869.

2 The following new section shall be inserted immediately after section 1 of Ordinance No. 17 of 1869, intituled “ An Ordinance for the General Regulation of Customs in the Island of Ceylon ”, (hereinafter referred to as “ the principal Ordinance ”), and shall have effect as section 1A of that Ordinance:—

Short title.

1A. This Ordinance may be cited as the Customs Ordinance, No. 17 of 1869.

Amendment of section 17 of the principal Ordinance.

3 Section 17 of the principal Ordinance is hereby amended in sub-section (1) thereof, by the substitution, for the words “ machinery shall,” in paragraph (b) of the Proviso to that sub-section, of the words “ machinery or of throwing overboard any damaged cargo shall.”

insertion of new Chapter XIA in the principal Ordinance.

4 The following new Chapter shall be inserted immediately after section 56 of the principal Ordinance, and shall have effect as Chapter XIA of that Ordinance:—

XIA.—Regulations for coastal voyages.

Regulations for coastal voyages.

56A. (1) The Financial Secretary may make all such regulations as may appear to him expedient for the purpose of enabling the officers of customs to have full cognizance of the movements of all ships, whether conveying goods or not, which make voyage from any port or place in any revenue district to any port or place situated in any other revenue district.

(2) No regulation made under sub-section (1) 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.

(3) If any ship shall make voyage or convey goods to or touch at any port or place situated in a revenue district other than that in which is situated the port or place where such vessel is ordinarily stationed or based, or change its station or base of operations from one revenue district to another, otherwise than in accordance with regulations made under this section, the master of such ship shall be liable to forfeit a sum not exceeding five hundred rupees.

Amendment of section 65 of the principal Ordinance.

5 Section 65 of the principal Ordinance is hereby amended by the substitution for the words “ shall be deemed guilty of a misdemeanour, and shall upon conviction suffer the punishment by law inflicted in cases of misdemeanour ; ” of the following:—

“ shall be guilty of an offence and be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term not exceeding two years, or to both such fine and imprisonment.”

Insertion of new section 104B in the principal Ordinance.

6 The following new section shall be inserted immediately after section 104A, and shall have effect as section 104B, of the principal Ordinance:—

Forfeited Ships.

104B. (1) Any ship not exceeding 250 tons tonnage, knowingly used in the importation or exportation of any goods prohibited of import or export, or in the importation, exportation or conveyance, or in the attempted importation, exportation or conveyance, of any goods with intent to defraud the revenue, shall be forfeited.

(2) The owner or master of any ship exceeding 250 tons tonnage, which would be liable to forfeiture under this section if the ship were of less than 250 tons tonnage, shall forfeit a sum not exceeding ten thousand rupees, and the ship may be detained on the orders of the Collector until such sum is paid or until security for its payment is given to the satisfaction of the Collector.

7 Section 115 of the principal Ordinance is hereby amended by the repeal of the proviso to that section.

Amendment of section 115 of the principal Ordinance.

8 The following new sections shall be inserted immediately after section 115 of the principal Ordinance, and shall have effect respectively as sections 115A and 115B of that Ordinance:—

Insertion of new sections 115A and 115B in the principal Ordinance.

115A. If any person by reason of any act or omission becomes liable, under the provisions of any section of this Ordinance to forfeit any goods or any sum of money, or to any penalty other than a fine, such person shall, in addition, be guilty of an offence and shall be liable on conviction after summary trial before a Police Magistrate—

Person liable to forfeiture or penalty under any section of the Ordinance to be guilty of an offence.

(a) for a first offence, to a fine not exceeding one thousand rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment;

(b) for a second or subsequent offence, to a fine not exceeding two thousand rupees or to imprisonment of either description for a term not exceeding one year or to both such fine and imprisonment.

Provided, however, that no prosecution shall be instituted against any person under this section, unless the Principal Collector of Customs is of opinion that the forfeiture or penalty, as the case may be, whether imposed or not, cannot or is not likely to be recovered from such person.

115B. (1) Every offence under this Ordinance shall be summarily triable by a Police Magistrate.

Prosecutions for offences and application of fines.

(2) No prosecution for any offence under this Ordinance shall be instituted except by, or with the written sanction of, the Principal Collector of Customs.

(3) The Principal Collector of Customs may at any time compound any offence under this Ordinance:

Provided that where a prosecution has been entered against any person for any offence under this Ordinance, the Principal Collector of Customs may compound such offence at any time before judgment and may withdraw such prosecution.

(4) Notwithstanding the provisions of any written law to the contrary, all fines recovered in respect of offences under this Ordinance shall be paid into the hands of the Collector of Customs at the port or place where or nearest to which the same shall have been recovered, and applied in the manner provided in section 119.

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

E. W. KANNANGARA,
Clerk of the Council.

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a mandate to me directed by the Honourable the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Central Province will be holden at the Court-house at Kandy, on Friday, March 10, 1939, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office,
Kandy, February 10, 1939.

W. L. MURPHY,
Fiscal.

BY virtue of a mandate to me directed by the Honourable the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Anuradhapura will be holden at the Court-house at Kandy, on Friday, March 10, 1939, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office, A. B. KARALLIADDE,
Anuradhapura, February 10, 1939. for Fiscal.

BY virtue of a mandate to me directed by the Honourable the Supreme Court of the Island of Ceylon, I do hereby proclaim that a criminal session of the said court, for the district of Kurunegala, will be holden at the Audience Hall at Kandy, on Friday, March 10, 1939, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office,
Kurunegala, February 9, 1939.

N. E. ERNST,
Fiscal.

BY virtue of a mandate to me directed by the Honourable the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Kegalla will be holden at the Court-house at Kandy, on Friday, March 10, 1939, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office,
Ratnapura, February 10, 1939.

R. M. DAVIES,
Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,176. In the matter of the insolvency of Muthusamy Ananda Raj of 101, Union place, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 28, 1939, for the grant of a certificate of conformity to the insolvent.

February 7, 1939. By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,280. In the matter of the insolvency of Julius Augustus Caderamen of 69, Modera street, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 14, 1939, for the grant of a certificate of conformity to the insolvent.

February 7, 1939. By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,287. In the matter of the insolvency of Kandasamy Pulle Visvanathan of 166, Sea street, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on March 14, 1939, for the grant of a certificate of conformity to the insolvent.

February 7, 1939. By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,320. In the matter of the insolvency of Lena Moona Sahul Hameed of 22, Second Cross street, Pettah

WHEREAS L. M. Sahul Hameed has filed a declaration of insolvency, and a petition for the sequestration of his estate under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said L. M. Sahul Hameed insolvent accordingly; and that two public sittings of the court, to wit, on March 7, 1939, and March 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,
Secretary.

In the District Court of Colombo.

No. 5,327. In the matter of the insolvency of Clifford Van Cuylenburg Ondaatje of St. Michael's Flats, Colpetty, Colombo.

WHEREAS the above-named C. V. C. Ondaatje has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by L. A. B. Pinto of Chatham street, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said C. V. C. Ondaatje insolvent accordingly; and that two public sittings of the court, to wit, on March 14, 1939, and on April 4, 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.

February 8, 1939. By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,328. In the matter of the insolvency of Evan Walter Heriot Deutrom of 24/21, Theatre road, Wellawatta.

WHEREAS E. W. H. Deutrom has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by Donovan Andree of 246, Union place, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said E. W. H. Deutrom insolvent accordingly; and that two public sittings of the court, to wit, on March 14, 1939, and on April 4, 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,
Secretary.

In the District Court of Kandy.

No. I. 30. In the matter of the insolvency of Don Simon Samaradiwakara Wickramasinghe of Morape in Pallepone korale.

WHEREAS Don Simon Samaradiwakara Wickramasinghe has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Dampage Don Jayatileke, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Don Simon Samaradiwakara Wickramasinghe insolvent accordingly; and that two public sittings of the court, to wit, on February 24, 1939, and on March 24, 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.

February 11, 1939. By order of court, E. J. DE ZILVA,
Acting Secretary

In the District Court of Kandy.

No. I. 31. In the matter of the insolvency of Manuel Pillai Bastian Pillai of Frotoft Group, Ramboda, presently of Kandy.

WHEREAS Manuel Pillai Bastian Pillai has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Edward Navaratnam Williams, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Manuel Pillai Bastian Pillai insolvent accordingly; and that two public sittings of the court, to wit, on March 3, 1939, and on March 24, 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.

February 11, 1939. By order of court, E. J. DE ZILVA,
Acting Secretary.

In the District Court of Kandy.

No. I. 32. In the matter of the insolvency of Gnana Maria Dawson Gnanapragasam of Kandy.

WHEREAS Gnana Maria Dawson Gnanapragasam of Kandy, has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Eric Peter Pelpola, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Gnana Maria Dawson Gnanapragasam insolvent accordingly; and that two public sittings of the court, to wit, on March 10, 1939, and on March 31, 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.

February 11, 1939. By order of court, E. J. DE ZILVA,
Acting Secretary.

In the District Court of Nuwara Eliya holden
at Hatton.

No. 31. In the matter of the insolvency of Seena
Mana Dawood Saibo of Maskeliya.

NOTICE is hereby given that a meeting of the creditors
of the above-named insolvent will take place at the sitting
of this court on March 14, 1939, for the grant of a certificate
of conformity to the insolvent.

By order of court, E. DE S. GUNAWARDENE,
February 14, 1939. Secretary.

In the District Court of Nuwara Eliya holden
at Hatton.

No. 32. In the matter of the insolvency of T. S. M.
Sheriff of Agarapatana.

NOTICE is hereby given that a meeting of the creditors
of the above-named insolvent will take place at the sitting
of this court on March 14, 1939, for the grant of a certificate
of conformity to the insolvent.

By order of court, E. DE S. GUNAWARDENE,
February 14, 1939. Secretary.

In the District Court of Nuwara Eliya holden
at Hatton.

No. 33. In the matter of the insolvency of P. L.
V. E. P. L. Palaniappa Chettiar of
Talawakelle.

NOTICE is hereby given that a meeting of the creditors
of the above-named insolvent will take place at the sitting
of this court on March 14, 1939, for the appointment of an
assignee and proving further claims.

By order of court, E. DE S. GUNAWARDENE,
February 14, 1939. Secretary.

In the District Court of Nuwara Eliya holden
at Hatton.

No. 35. In the matter of the insolvency of Sinnasamy
Canagasabai of Rothes estate, Hatton.

WHEREAS the above-named Sinnasamy Canagasabai
has filed a declaration of insolvency, and a petition for the
sequestration of the estate has been filed by K. Veerappa
Thevar of Teldeniya, under the Ordinance No. 7 of 1853 :
Notice is hereby given that the said court has adjudged
him an insolvent accordingly ; and that two public sittings
of the court, to wit, on March 14, 1939, and April 11, 1939,
will take place for the insolvent to surrender and conform
to agreeably to the provisions of the said Ordinance, and
for the taking of the other steps set forth in the said Ordi-
nance, of which creditors are hereby required to take notice.

By order of court, E. DE S. GUNAWARDENE,
February 14, 1939. Secretary.

NOTICES OF FISCALS' SALES.

Western Province. 23

In the District Court of Colombo.

In the matter of the estate of Thambyah Shanmukam,
deceased.

No. A. J. 1,867 Testy. *Rs. 16.00*

Mrs. S. E. Hancox of Palmyrah avenue, Colpetty,
Colombo *Rs. 16.39* Citee.

NOTICE is hereby given that on Friday, March 10,
1939, at 4.30 P.M., will be sold by public auction at the
premises the following property for the recovery of the
sum of Rs. 9 being costs of citation and of writ, together
with a further sum of 84 cents being costs of a notice and
of this writ, viz., the following property belonging to the
estate of Thambyah Shanmukam, deceased, to wit :—

An undivided $\frac{1}{2}$ share of premises bearing assessment
No. 39/41, together with the buildings standing thereon,
situated at Queen street, Fort, within the Municipality
and District of Colombo, Western Province ; and bounded
on the north by premises bearing assessment Nos. 35 and
37, Queen street, on the east by Hospital Cross street, on
the south by premises No. 45, Queen street, and on the
west by Queen street ; containing in extent $9\frac{1}{2}$ perches.

Fiscal's Office,
Colombo, February 15, 1939.

H. E. PERIES,
Deputy Fiscal.

42 In the District Court of Colombo.

Muna Pana Muna Narayanan Chettiyar of 30,
Muhandiram's road, Colpetty, presently of 198,
Galle road, Colpetty in Colombo Plaintiff.

No. 6,411. *Rs. 20* Vs. *39*

(1) Ismail Lebbe Marikar Maimoon Attahia of Denagoda
in Beruwala (deceased), (2) Samsudeen
Marikar Jainudeen Marikar of Rakwana, personally
and as legal representative of the estate of 1st
defendant, deceased, (3) Assen Meera Lebbe Marikar,
Vel-Vidane Ummu Salma Natchia also of Denagoda
in Beruwala, (4) Vengadasalampillai Magan Raja-
yampillai of Muhandiram's road, Colpetty, presently
of 198, Galle road, Colpetty Defendants.

NOTICE is hereby given that on Tuesday, March 14,
1939, at 4.30 P.M., will be sold by public auction at the
premises the following mortgaged property for the recovery
of the sum of Rs. 4,982.59 with interest on Rs. 2,500 at
18 per cent. per annum from January 28, 1937, to November
21, 1938, and thereafter on the aggregate amount of the
decree at 9 per cent. per annum till payment in full due
in respect of mortgage bond No. 193 dated April 21, 1931,
attested by C. T. Navaratnam, Notary Public, and deed
of assignment No. 2,565 dated March 25, 1935, attested
by C. Sivaprakasam, Notary Public, and declared specially
bound and executable under the decree dated November
21, 1938, entered in the above action and ordered to be
sold by the order of court dated January 27/31, 1939,
viz. :—

All that portion of land together with the buildings,
plantations, and trees standing thereon bearing assessment
No. 224, situated at Colpetty, within the Municipality and
in the District of Colombo, Western Province ; bounded
on the north by land belonging to Halpewattege Silvestri
Silva, on the east by the high road, on the south by land
belonging to Uduma Lebbe Bawa Lebbe, and on the west
by seashore ; containing in extent $28\frac{57}{100}$ perches, and
excluding therefrom the strip of land sold to the Ceylon
Government Railway.

Prior registration A 205/281, A 225/122.

Fiscal's Office,
Colombo, February 15, 1939.

H. E. PERIES,
Deputy Fiscal.

36 In the District Court of Colombo.

Mrs. Eliza Helen Nicholas of 32, Peterson lane, Wella-
watta Plaintiff.

No. 8,961. *Rs. 16.00* Vs. *39*

Mahallam Segu Abdul Cader, Lebbe, *16.39*
Alim, Registrar of Births and Deaths, Beru-
wala Defendant.

NOTICE is hereby given that on Monday, March 13,
1939, at 4.30 P.M., will be sold by public auction at the
premises the following property mortgaged with the
plaintiff by bond No. 3,323 dated September 3, 1932, and
attested by M. R. Akbar, 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 December 21, 1938, for the recovery of the
sum of Rs. 429.16, together with interest on Rs. 400 at
15 per cent. per annum from August 27, 1938, up to
October 10, 1938, and thereafter on the aggregate amount
of the decree at 9 per cent. per annum, till payment in full,
and costs of this action, viz. :—

All that divided portion of land and premises thereon
bearing assessment No. 85/9 of Siyambalagahavatta
(presently bearing assessment No. 183/10), situated along
Panchikawatta road in Maradana, within the Municipality
of Colombo, and in the District of Colombo, Western
Province ; and which divided portion is bounded on the
north by the property of N. H. M. Samsudeen bearing
assessment No. 91, on the east by premises bearing assess-
ment Nos. 89 and 85/10, on the south by a passage of this
garden No. 85, and on the west by a portion of the same
land bearing assessment No. 85/8 ; containing in extent
 $84/100$ perches according to plan No. 145/1929 dated
October 15, 1929, made by C. H. Frida, Licensed Surveyor.

Prior registration A 208/208.

Fiscal's Office,
Colombo, February 15, 1939.

H. E. PERIES,
Deputy Fiscal.

In the District Court of Colombo.

Muthiah Chettiar Nadarajan Chettiar of 155, Sea street, in Colombo, carrying on business under the name, style, and firm or vilasam of Moona Ravanna Mana Moona Moona Nana also known as "M. R. M. M. N." Plaintiff.

No. 2,476/S.

Vs.

(1) Nana Kader Meera Rawwuther, son of Nathar Saibo Rawwuther, (2) Thoona Vavenna Kavenna Abdul Rahman Rawwuther, son of Kader Meera Saibo, (3) Thoona Vavenna Kavenna Mohamad Bawa, son of Kader Saibo, (4) Thoona Vavenna Kavenna Mohamad Ibrahim, son of Kader Meera Saibo, (5) Sana Vavenna Peer Mohamad Rawwuther, son of Wappu Rawwuther, and (6) Oona Seyadu Ibrahim, son of Oseen Rawwuther, all of 44, Third Cross street, in Colombo, carrying on business under the name, style, and firm of T. V. K. Kader Meera Saibo & Co. Defendants.

NOTICE is hereby given that on Friday, March 10, 1939, at 3 P.M., will be sold by public auction at the premises for the recovery of the sum of Rs. 23,599.22, with interest on Rs. 15,000 at 13½ per cent. per annum and on Rs. 1,000 at 12 per cent. per annum from March 17, 1938, till May 9, 1938, and thereafter on the aggregate amount at 9 per cent. per annum, till payment in full, viz., the right, title, and interest of the defendants derived through Elizabeth Perera in the following property, to wit:—

All that part or shares in and out of all that land and premises bearing assessment No. 892/38 (1-4) presently bearing assessment Nos. 281, 281/1-5, Grandpass road, situated at Grandpass road in New Bazaar Ward, within the Municipality and District of Colombo, Western Province; bounded on the north by property of Mohamedo Ismail Noor Nasiha, wife of Alis Marikar Mohamed Sheriff and D. Dias bearing assessment Nos. 840/126 and 891/39 presently a wall, on the east by property of D. Dias bearing assessment No. 891/39, presently No. 277, Grandpass road, on the south by the property of Hassenally Ebhramjee bearing assessment Nos. 893/37, 37/128 now Grandpass road, on the west by properties of Hassenally Ebhramjee and I. L. M. Lebbe Marikkar bearing assessment Nos. 893/36, 37/128, and 841/126 presently bearing assessment No. 285; containing in extent 28 85/100 perches.

Fiscal's Office,
Colombo, February 15, 1939.

H. E. PERIES,
Deputy Fiscal.

In the District Court of Colombo.

The Shell Company of Ceylon, Limited, Colombo. . Plaintiffs.

No. 49,739.

M. H. Perera, building contractor, 382, Pita Kotte Defendant.

NOTICE is hereby given that on Saturday, March 11, 1939, at 11 A.M., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the balance sum of Rs. 1,269.81 with legal interest on Rs. 955.47 from September 6, 1936, till payment in full, viz.:—

All that allotment of land called Madatiyagahawatta, situated at Pita Kotte, in the Palle pattu of Salpiti korale, in the District of Colombo, Western Province; bounded on the north by the land of Weerasekera-aratchige Don Paulis and others, east by the field of Pinto Jayawardena, south by the land of Nicholas Perera, and west by the high road from Kotte to Colombo; containing in extent 2 roods and 6 perches, together with all the buildings, trees, and plantations standing thereon according to plan No. 1,884 dated November 27, 1928, made by M. B. de Silva, Licensed Surveyor.

Fiscal's Office,
Colombo, February 15, 1939.

H. E. PERIES,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Warakaulle Herathmudiyanse Ralahamillage Warakaulle Walawwe Kiri Banda of Wattapola (dead) . . Plaintiff.

(1) Rajakaruna Herathmudiyanse Ralahamillage Warakaulle Walawwe Medduma Menike *alias* Medduma Kumarihamy, (2) Rajakaruna Herathmudiyanse Ralahamillage Warakaulle Walawwe Pinchi Mahatmayo, (3) Rajakaruna Herath Mudiyanse Ralahamillage Warakaulle Walawwe Tikiri

Banda Warakaulle, (4) Rajakaruna Herath Mudiyanse Ralahamillage Warakaulle Walawwe Tikiri Kumarihamy, all of Wattapola in Kandupalata of Uduwera Substituted plaintiffs.

No. 44,098.

Dehiwela Liyanage Don Martin de Silva Abeynayake (dead), (2) Margarete de Silva Abeynayake of Getambe in Kandy Defendants.

Margarete de Silva Abeynayake of Getambe in Kandy, personally and as the administratrix of the estate of Dehiwala Liyanage Don Martin de Silva Abeynayake, Colombo, deceased Substituted defendants.

NOTICE is hereby given that on Thursday, March 23, 1939, commencing at the time mentioned below, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 864 dated May 12, 1926, and attested by E. M. B. Benevise, 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 February 13, 1939, for the recovery of the sum of Rs. 29,228.25, with interest on Rs. 25,000, at the rate of 9 per centum per annum, from August 7, 1933, till date of decree, and thereafter legal interest on the aggregate amount from November 7, 1933, till payment in full (less Rs. 4,200 paid by the defendant) and poundage, viz.:—

Thursday, March 23, 1939, at 2 p.m.

1. All that allotment of land called Kukulalawatta together with the buildings thereon, bearing assessment Nos. 7 and 8, situate at Yatiwawala, within the town, Municipality and District of Kandy, Central Province; bounded on the east by the drains running alongside the road leading from Kurunegala to Matale (formerly referred to as the Government road), south by the road leading to the bungalow formerly owned by Mr. Bawa and now by Mr. Jansze, west by the limit of the allotment of land called Kukulalawatta of 3 roods 32 47/100 perches, and north by house No. 6 standing on the said allotment of land of 3 roods 32 47/100 perches in extent, containing about 32 feet in length and 30 feet in breadth or 2 53/100 perches, according to the survey plan dated August 9, 1912, and made by S. A. Soysa, Surveyor, which said allotment of land was formerly described as being about 30 feet in length and breadth and as containing 7 78/100 perches in extent.

2. All that allotment of land called Kukulalawatta, together with the buildings standing thereon and bearing assessment Nos. 2, 3, 4, 5, and 6 and situated at Yatiwawala, within the town, Municipality and District of Kandy aforesaid; bounded on the north and north-east by the live fence of Sinnatamby Muhandiram's property, east by the same live fence and by the ella or bank of the land said to belong to the Crown (on which stands the buildings formerly used as toll station), south-east by the high road leading to Kurunegala, south by the house and premises bearing assessment No. 7 standing on the allotment of land called Kukulalawatta hereinbefore described, south-west by the road leading to the bungalow formerly owned by Mr. Bawa and now by Mr. Jansze and by limit of the land formerly owned by Mr. Marikar and now by K. Pitche, north-west by the limit of Mr. Jansze's property; and containing in extent 3 roods 32 47/100 perches according to the aforesaid survey plan which said allotment was formerly described as containing in extent 3 roods and 33 perches, which said two allotments of land above described adjoin each other and form one property and from their situation as respect each other can be included in one survey; bounded on the north and north-east by the live fence of Sinnatamby Mohandiram's property, east by the bank of the land said to belong to the Toll Station, south-east by the high road leading to Kurunegala, south by the same high road and the road leading to the bungalow formerly owned by Mr. Bawa and now by Mr. Jansze, south-west by the road leading to Mr. Jansze's bungalow, west by the same road and the limit of K. Pitche's land and north-west by the limit of Mr. Jansze's property; containing in extent 3 roods and 35 perches according to the aforesaid plan of survey. A 51/207.

3. All that allotment of land called Kukulalawatta, bearing assessment No. 76, together with the buildings thereon and bearing assessment Nos. 76A and B (and cattle shed), situate within the Municipality limits of Kandy at Yatiwawala aforesaid; bounded on the east by Mahaweliganga, south by a wire fence, west also by a wire fence, and north by the high road leading to Kurunegala and by a footpath; containing in extent 1 acre 1 rood and 19 perches according to the aforesaid plan of survey formerly described as containing 1 acre and 35 perches in extent. A 51/219.

Thursday, March 23, 1939, at 3.30 p.m.

4. All that allotment of land called Ukkuwagewatta together with the buildings thereon, and bearing assessment Nos. 714 and 715, situate at Peradeniya road at Welata, within the town, Municipality and District of Kandy aforesaid; and bounded on the east by the garden belonging to Ranahettige Carlina and formerly owned by Dines Gurunanse, south by Peradeniya road, west by the garden of Gange Duraya, and north by the Circular road or road belonging to Primrose estate; and containing in extent 3 pelas in paddy sowing. A 51/208 and all the right, title, interest, and claim whatsoever of the said defendants in, to, upon, or out of the said several premises mortgaged by the defendants.

Fiscal's Office,
Kandy, February 14, 1939.

H. C. WIJESINHA,
Deputy Fiscal.

Southern Province.

In the District Court of Galle.

P. R. S. P. Supparamaniam Chettiar of Galle, presently in India, by his attorney V. R. Duraisami Pillai of Galle Plaintiff.
No. 36,703. Vs. 39

K. S. Tilakaratne of Ratgama, and another Defendants.

NOTICE is hereby given that on Friday, March 24, 1939, commencing at 3 o'clock in the afternoon, will be sold by public auction, at the premises the right, title, and interest of the said 2nd defendant in the following property, viz.:—

An undivided 1/5 of $\frac{3}{4}$ part of all the soil and soil share trees of the land called Punchinaiduwa and of the houses standing thereon built by Don James de Silva Tillakaratna, deceased, situated at Ratgama, in the Wellaboda pattu of the Galle District, Southern Province; and bounded on the north by the land claimed by natives, east by Panwilakumbura, south by land belonging to Dadallege Aronlis, and west by Banduramullakumbura; containing in extent 56 acres and 17.33 perches.

Writ amount Rs. 731.56, with further interest on Rs. 700 at 18 per cent. per annum from March 25, 1938, to April 27, 1938, and on the aggregate at 9 per cent. per annum, till payment in full, and Rs. 58.92 for costs.

Fiscal's Office,
Galle, February 14, 1939.

T. D. S. DHARMASENA,
Deputy Fiscal.

In the District Court of Matara.

Dona Johana Abeywardene Ranasinghe Ratnayaka Hamine of Ranchagoda Executrix.
No. 3,811 Testy. Vs.

(1) Francis Wimalagunaratne of Pallegama, (4) Rajasinghe Wimalagunaratne of Ranchagoda, (7) Situge Dona Carlina of Ranchagoda Respondents.

NOTICE is hereby given that on the following days and hours specified below will be sold by public auction at the respective premises the right, title, and interest of the said 1st, 4th, and 7th respondents, in the following property for the recovery of a sum of Rs. 756.63, on Monday, March 27, 1939, commencing at 2.30 P.M., viz.:—

Property of the 1st Respondent.

1. The unexpired term of lease on Indenture of Lease No. 5287 of September 25, 1933, of an undivided $\frac{1}{2}$ share of the land called Miriswattekele *alias* Radawawilakele, situated at Meepawita in Kandaboda pattu of Matara District, Southern Province; and bounded on the north by lots 36, 29A, 29, and 30 in plan No. 240216 and lots Nos. 9 and 8 in plan No. 94, east by Crown jungle, south by lots Nos. 8, 12, and 23 in plan No. 94 and lands appearing in plans Nos. 237180, 237182, and 237181, and on the west by lot No. 23 in plan No. 94, and lots Nos. 49 and 36 in plan No. 97; and containing in extent 76 acres 3 roods and 14 perches, save and except an extent of 3 acres.

Property of the 4th Respondent.

2. An undivided 43/48 share of the land called Kanattewatta *alias* Danketimullewatta, situated at Ranchagoda aforesaid; and bounded on the north by Bedda *alias* Kindaliyehena, east by Bedda *alias* Kirindegewatta, south by Bedda *alias* Hena, and on the west by Kopiwatta; and containing in extent about 8 acres.

3. All that allotment of land called Kosgahahena, situated at Ranchagoda aforesaid; and bounded on the

north by T. P. 278,619, and lots 157 and 36, east by lot 36, south and west by lot 143; and containing in extent 8 acres 3 roods and 8 perches.

Property of the 7th Respondent.

4. An undivided 1/12 share of the field called Alubokumulla, situated at Parapamulla in Kandaboda pattu aforesaid; and bounded on the north by Godelleliyadda, east by Bedda, south by Dharande, and on the west by Maduwalagewatta; and containing in extent 1 amunam of paddy sowing.

5. An undivided 1/5 share of the land called Imbugaha-okanda, situated at Ranchagoda aforesaid; and bounded on the north by Godellewatta, east by Udahikkota, south by Kendaketiya, and on the west by Baduwatta; and containing in extent about 1 kurunie, of kurakkan sowing.

6. An undivided 2/15 share of the land called Baduwatta, situated at Ranchagoda aforesaid; and bounded on the north, south, and west by Kirama-ara, east by Godella and Imbugaha-okanda; and containing in extent 9 kurunies of kurukkan sowing.

7. An undivided 1/10 share of the land called Galamedio-kanda, situated at Ranchagoda aforesaid; and bounded on the north by Hapumanigewattapitakoratuwa, east by Hapumanigewatta, south by ganga, and on the west by Agalagahakella; and containing in extent 4 seers of kurakkan sowing.

8. An undivided 1/60 share of the land called Tibbotukanda, situated at Ranchagoda aforesaid; and bounded on the north and east by river, south by Egodahakumbura, and on the west by Getagahawatta; and containing in extent 6 kurunies of kurakkan sowing.

9. An undivided 1/40 share of the field called Pratapageikumbura, situated at Ranchagoda aforesaid; and bounded on the north by Matarageikumbura, east by river, south by Paluhikkotawatta, and on the west by main road; and containing in extent 40 kurunies of paddy sowing.

On Tuesday, March 28, 1939, commencing at 2.30 P.M.

10. An undivided 11/192 parts of the soil and an undivided $\frac{1}{2}$ share of the planter's share of the plantations of the land called Kalatuwagodawatta, situated at Ranchagoda aforesaid; and bounded on the north by Hikkotawatta, east by river, south by Deweddenigewatta, and on the west by Bedda; and containing in extent about 8 acres.

11. An undivided 7/64 share of the land called Deweddenigewatta, situated at Ranchagoda aforesaid; and bounded on the north by Rocor, east by Hikkotawatta, south by Bedda, and on the west by Kalatuwagodawatta; and containing in extent about 2 acres.

12. An undivided 4 kurunies and 11 $\frac{3}{4}$ quarts of paddy sowing extent of the field called Pallehikkotakumbura, situated at Ranchagoda aforesaid; and bounded on the north by Mahappugeliyadda, east by Matarageideniya, south by Muhenekanatta, and on the west by Mirinbigewatta; and containing in extent 40 kurunies of paddy sowing.

13. An undivided 5/144 share of the land called Paluhikkotawatta, situated at Ranchagoda aforesaid; and bounded on the north by Huralupaiyakumbura, east by ganga, south by Kalatuwagoda, and on the west by main road; and containing in extent 9 kurunies kurakkan sowing, together with half share of the 7-cubit tiled house standing thereon.

14. An undivided 1/16 share of the field called Muttettuwa, situated at Mudalagedera in Kandaboda pattu aforesaid; and bounded on the north by Kahatagaha-okanda, east by Maddumageikella, south by Jasingeikella, and on the west by Muttettuwe-ihalakella; and containing in extent 13 kurunies of paddy sowing.

15. An undivided 7/192 share of the field called Pangodakumbura, situated at Mudalagedera aforesaid; and bounded on the north by Kahatagaha-okanda, east by Balahamulla, south by Jasingeiwatta, and on the west by Muttettuwa; and containing in extent 2 bags of paddy sowing.

16. An undivided 1/28 share of the land called Tikkamigewatta, situated at Ranchagoda aforesaid; and bounded on the north by Hapumanigewatta and Pratapageikokanda, east by Merenbigewatta and Maddumageikanatta, south by river, and on the west by Kebellaketiye-okanda; and containing in extent 5 seers of kurakkan sowing.

17. An undivided 1/10 share of the land called Gorogahawatta, situated at Ranchagoda aforesaid; and bounded on the north by Batalahena and Malwatta, east by Paragahanatta, south by Patalatota, and on the west by Gonnegakanatta and Sapumanigewatta; and containing in extent 6 kurunies of kurakkan sowing.

18. An undivided $\frac{1}{2}$ share of the land called Bovitiyadola, situated at Ranchagoda aforesaid; and bounded on the south by lot No. 29 and on all other sides by lot No. 29A; and containing in extent 5 perches.

19. An undivided 1/2 share of the land called Talgasdeniya situated at Ranchagoda aforesaid; and bounded on the north, east, and south by lot No. 10 in P. P. 97 and on the west by lot No. 18 in P. P. 97; and containing in extent about 1 rood and 17 perches.

Deputy Fiscal's Office, H. V. F. ABAYAKOON, Matara, February 10, 1939. Additional Deputy Fiscal.

In the District Court of Matara.

Alfred Mahavidane Kulatilleke of Kottagoda . . . Plaintiff. No. 8,512. Vs.

John George Abeydeera of Sirikandura estate, Dodanduwa . . . Defendant.

NOTICE is hereby given that on Monday, March 13, 1939, commencing at 2.30 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 a sum of Rs. 6,000.71, with legal interest on Rs. 5,540.09 from December 26, 1938, till payment in full, viz. :-

The undivided half share of all the buildings standing thereon of the divided lot C of the land called Bandarapela-watta, situated at Kottagoda, in Wellaboda pattu of Matara District, Southern Province; and bounded on the north by lot B of the same land, east by Galwetiya-watta, south by dewata, and on the west by high road; and containing in extent 3 roods and 13 perches.

Deputy Fiscal's Office, H. V. F. ABAYAKOON, Matara, February 10, 1939. Additional Deputy Fiscal.

In the District Court of Matara.

Ransigoda Chandajoti Terunnanse of Rajamaha Vihara, Bamunugama . . . Plaintiff. No. 9,169. Vs.

(1) V. G. Punchiharny of Ellewela, and others. Defendants.

NOTICE is hereby given that on Wednesday, March 15, 1939, commencing at 2.30 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 a sum of Rs. 796.53, viz. :-

1. Property of 1st Defendant.—All that the divided and separated lot No. 2 of the land called Dunumadalagahawatta and Kapuhena, situated at Ellewela in Kandaboda pattu of Matara District, Southern Province; and bounded on the north by Borellegederawatta, east by Dunumadalagahawatta, and lot No. 3, south by lot No. 1 of the said land, and on the west by Baduwatta, together with the buildings standing thereon; and containing in extent 2 acres 3 roods and 23.75 perches, subject to mortgage bond No. 15,168 in favour of Madihe Soyza Rajapaksa Agirisappu.

2. Property of 2nd Defendant.—All that the divided and separated lot No. 3 of the land called Dunumadalagahawatta and Kapuhena, situated at Ellewela aforesaid; and bounded on the north by Dunumadalagahawatta, east by lot No. 4 of the said land, south by land belonging to J. P. Gunatilleke, and on the west by lots Nos. 1 and 2 of the said land; and containing in extent 2 roods and 26 perches subject to the above bond.

3. Property of 3rd Defendant.—All that the divided and separated lot No. 4 of the land called Dunumadalagahawatta and Kapuhena, situated at Ellewela aforesaid; and bounded on the north by Dunumadalagahawatta, east by Kurunduwatta, south by land belonging to J. P. Gunatilleke, and on the west by lot No. 3 of the same land; and containing in extent 2 roods and 12.75 perches.

Deputy Fiscal Office, H. V. F. ABAYAKOON, Matara, February 10, 1939. Additional Deputy Fiscal.

In the District Court of Matara.

Kankanam Gamage John Weerasinghe of Wehelgoda . . . Plaintiff. No. 10,278. Vs.

(2) James Adolphus Gunatilleke of Hikkaduwa, guardian ad litem over the minor, 7th defendant, and others. Defendants.

NOTICE is hereby given that on Friday, March 17, 1939, commencing at 2.30 in the afternoon, will be sold by

public auction at the respective premises the right, title, and interest of the said 2nd, 3rd, 6th, and 7th defendants in the following property for the recovery of a sum of Rs. 531.32, viz. :-

1. Property of the 2nd Defendant.—All that defined lot No. 3 of the field called Tikkanagodawila, situated at Uduwe Bajjama in Gangaboda pattu of Matara District, Southern Province; and which said lot No. 3 is bounded on the north by lot No. 2 of the same field, east by Dangahakumbura and Higgahagodawatta, south by lot No. 4 of the same field, and on the west by Karagahakumbura; and containing in extent 2 acres 3 roods and 22 perches.

2. Property of the 3rd Defendant.—All that defined lot No. 1 of the field called Tikkanagodawila, situated at Uduwe Bajjama aforesaid; and which said lot No. 1 is bounded on the north by Pandithagegedarawatta, east by Geethegekumbura, south by lot No. 2 of the same field, and on the west by Karagahakumbura; and containing in extent 1 acre 1 rood and 31 perches.

3. Property of the 6th Defendant.—All that defined lot No. 4 of the field called Tikkanagodawila, situated at Uduwe Bajjama aforesaid; and which said lot No. 4 is bounded on the north by lot No. 3 of the same field, east by Higgahagodawatta and Nugahakoratuwa, south by lot No. 5 of the same field, and on the west by Aliyatolleliyadda; and containing in extent 2 acres 3 roods and 22 perches.

4. Property of the 7th Defendant.—All that defined lot No. 5 of the field called Tikkanagodawatta, situated at Uduwe Bajjama aforesaid; and which said lot No. 5 is bounded on the north by lot No. 4 of the same field, east by Tikiyaliyadda, south by lot No. 6 of the same field, and on the west by Aliyatolleliyadda; and containing in extent 1 acre 1 rood and 31 perches.

Deputy Fiscal's Office, H. V. F. ABAYAKOON, Matara, February 10, 1939. Additional Deputy Fiscal.

In the District Court of Galle.

S. A. Hammad of Kaluwella, Galle . . . Plaintiff. No. 36,872. Vs.

R. S. Gunasekera, Secretary, District Court, Matara, Executor de son tort of the estate of the late D. D. Serasinghe of Akuressa, deceased . . . Defendant.

NOTICE is hereby given that on Tuesday, March 14, 1939, commencing at 2.30 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 a sum of Rs. 600.10, together with legal interest thereon till payment in full, and costs of suit, taxed Rs. 72.98.

All that the undivided 1/16 share of the soil and trees of the land called Ganga Addara Watta alias Totupalagawawatta alias Tekawatta together with a similar share of all the buildings thereon (except the building 58 ft. in length and 40 ft. in breadth and the soil covered by the said building) situated at Bamunawita in Gangaboda pattu of the Matara District, Southern Province; and bounded on the north by Warakapitiyegewatta, east by market place and road to Wilpita, south by Tekawatta and Wattedgewatta, and on the west by the river; and containing in extent 2 acres 3 roods and 6 perches, subject to mortgage bond No. 21687 of January 5, 1937, attested by J. P. Seneviratne, Notary Public, Matara.

Deputy Fiscal's Office, H. V. F. ABAYAKOON, Matara, February 10, 1939. Additional Deputy Fiscal.

In the District Court of Tangalla.

Galappatti Arachchige David de Silva Jayasuriya of Walasmulla . . . Plaintiff.

No. 4,008. Vs. Don Willam Jayasuriya of Ethpitiya . . . Defendant.

NOTICE is hereby given that on Saturday, March 11, 1939, commencing at 2 o'clock in the afternoon, will be sold by public auction at the Fiscal's Office, Tangalla, the right, title, and interest of the said defendant in the following mortgaged property, for the recovery of Rs. 1,624.47, together with further legal interest on Rs. 1,609.59 from October 25, 1938, till payment in full, and poundage, viz. :-

At Ethpitiya and Yahammulla.

(1) All the soil and plantations and buildings thereon of the divided off lot B of the land called Moragahamada and Pamanwala, situated at Ethpitiya in West Giruwa pattu of the Hambantota District; and bounded on the

north by lot A of this land, east by road and lots D and J south by lot J, and west by lots C and H; containing in extent 15 acres 1 rood and 27½ perches.

(2) All that allotment of land called Gangodayaye Jambugashena and Putukakulehena depicted in T. P. 207,267, situated at Yahalmulla in West Giruwa pattu aforesaid; and bounded on the north by land claimed by natives and reservation along Piutukakule-ela, east by reservations along Kirama-oya and Heen-ela, south by reservation along the Heen-ela, and west by lots 15526 and 15525 in P. P. 6,045 and a path; containing in extent 8 acres and 12 perches (exclusive of the path passing through the land).

Deputy Fiscal's Office, P. D. WEERAMAN,
Tangalla, February 11, 1939. Additional Deputy Fiscal.

³² In the District Court of Tangalla.

K. P. E. Jayasekera, executor over the estate of the deceased, Don Mathes Daluwatta, late of Tangalla Plaintiff.

No. 3,406.

Vs.

Masha Umma Singhawansa of Hambantota Defendant.

NOTICE is hereby given that on Saturday, March 11, 1939, at the time and place specified below, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following mortgaged property for the recovery of Rs. 3,551.55 together with legal interest on Rs. 2,118.28 from April 30, 1938, and poundage, viz. :—

1. At Hambantota, at 10 o'clock in the forenoon.—The allotment of land called Kuitamby Abdupadinehivasiyawa, together with the soil and the tiled building standing thereon, bearing assessment No. 458, situate at Jail street in Hambantota town in Magam pattu; bounded on the north by high road, east by high road, south by the fence of Tanayanwatta, and west by Kuitamby Cassinge Idama; containing in extent about 10 perches.

2. At Magama, at 3 o'clock in the afternoon.—All that remaining undivided half share of lot No. 12,218; containing in extent 15 acres 2 roods and 15 perches, situate at Magama in Magam pattu; bounded on the north by land belonging to Abeysin Liyana Arachchige Yakoris, east by Parana Magam-ela, south by the land belonging to Mudaliar B. J. Bahar, and west by the land belonging to Diogu Badaturuge Don Carolis de Silva Arachchi.

Valuation : (1) Rs. 2,000, (2) Rs. 1,500.

Deputy Fiscal's Office, V. L. WIRASINGHE,
Hambantota, February 10, 1939. Additional Deputy Fiscal.

²⁶ Northern Province.

In the Court of Requests of Chavakachcheri.

Vinasithamby Kandiah of Meesalai South Plaintiff.

No. 27,648.

Vs.

Varithamby Vairamuttu of Chavakachcheri, Shunter, Port Swettenham Railway Station, F.M.S. Railway Defendant.

NOTICE is hereby given that on Tuesday, March 14, 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, for the recovery of a sum of Rs. 245.19, with interest thereon at the rate of 9 per cent. per annum from September 4, 1931, until payment in full and costs of suit Rs. 31.08 and poundage and charges in the following property, viz. :—

A piece of land situated at Chavakachcheri in Chavakachcheri parish, Thenmaradchi Division of the Jaffna District, Northern Province, called Kaddukkani in extent 10 lms. v.c. and 15kls. Of this 9 lms. v.c. and 15 kls. on the southern side is bounded on the east by Rail road, north by the defendant Varithamby Vairamuttu and share, west by road and, on the south by the property belonging to Veluppillai Aiyathurai and shareholders. The whole hereof.

This land is said to be under mortgage.

Fiscal Office,
Jaffna, February 14, 1939.

M. SELVADURAI,
for Fiscal.

In the Court of Requests of Mullaittivu.

Meera Mohideen Sahul Hameedu of Vavuniya .. Plaintiff.

No. 8,504.

Vs.

Annapillai, widow of Thambiah Ramalingam and executrix-de-son-tort of the estate of the said Ramalingam of Maraiadiththakulam Defendant.

NOTICE is hereby given that on Wednesday, March 29, 1939, from 3 o'clock in the afternoon, will be sold by public auction at the spots the right, title, and interest of the said Thambiah Ramalingam in the possession of the defendant in the following property, viz. :—

1. The land called Netpulangam, situated at Maraiadiththakulam in Kilakkumoolai North division in Vavuniya South, Tamil Division in Mullaittivu District, Northern Province, in extent 40 bushels sowing; and bounded on the north, east, and south by Crown land, and west by the property of Sithamparapillai Udayar Vanniasingam and others.

(This land was mortgaged by deed No. 2,524 to the plaintiff who has assigned the said deed to C. A. Sellathurai of Vavuniya for Rs. 800 by deed No. 1,734 of June 25, 1936.)

2. The land called Maruthadikamam, situated at Senkar-Aaththimodda in ditto, in extent 15 bushels sowing; and bounded on the east by the property of Paramu Kanthyah and others, north by the property of Sivaguru Vinasithamby and others, west by Nagamany Velupillai and minor children, and south by Marisaveli. The whole of this.

Amount to be recovered: Rs. 327.25 with legal interest on Rs. 300 from November 21, 1935, till payment in full, seizure fees, advertisement charges, and poundage.

Deputy Fiscal's Office, C. SHIVASUBRAHMANYAN,
Vavuniya, February 13, 1939. Additional Deputy Fiscal.

⁵⁸ North-Western Province.

In the District Court of Negombo.

Seena Thana Kana Nana Sana Rawanna Mana Ramaden Chettiyar of Main street, Negombo Plaintiff.

No. 6,575.

Vs.

(1) Welikada Weerasinghe Mudiyansele Punchi Mahatmaya Weerasinghe of Bogamwella (dead), (2) Lelawathie Weerasinghe, (3) Victor Lionel Weerasinghe, both of Ruywanwella Defendants.

NOTICE is hereby given that on Saturday, March 11, 1939, commencing at 3 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 the sum of Rs. 1,101.09 (less Rs. 200,) paid on August 3, 1938, with interest on Rs. 900 at 9 per cent. per annum from September 11, 1933, till payment in full and poundage, viz. :—

1. An undivided ¼ share of the land called Nikapottegalagawakumbura, situated at Egoda Kulipitiya in Udapola Otota korale east of Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north, east, and south by lands of Kaluhamy, and west by ela; containing in extent 12 lahas of paddy sowing ground together with the buildings and plantations standing thereon; and registered under F 300/148.

2. An undivided ½ share of the land called Kohilapitiyewatta comprising the following allotments of land called Kohilapitiyahena, Baliyadda, Bogahamulakumbura, Ritigahamulawatta, Kohilapitiya Rukkathangahamulahena, Gorogahamulawatta and Gorogahamulawatta, situated at Egoda Kulipitiya aforesaid; and bounded on the north-west by Kaluhamy's field, Ukku Menika's field and field of Kaluhamy, north-east by Crown forest and land of Kiri Menika, east by Kiri Banda's garden, south and south-east by ela and pillawa, and south-west by lands of Rankira, Kapuruhamy and others; containing in extent 18 acres 3 roods and 10 perches, together with the buildings and plantations standing thereon; and registered under F 299/172.

3. The undivided ½ share of the field called Udabaddagekumbura of 2 pelas paddy sowing extent and Udabaddage-watta of 6 seers kurakkan sowing extent, situated at Kulipitiya aforesaid; and bounded on the north by Dingiri Appu's chena, east by Kaluhamy's garden, south by Humbaspela of Ukkuraja's chena, and west by ela, together with the buildings and plantations thereon; and registered under F 325/123.

4. The field called Asseddumekumbura, Bogahamula-kumbura, Buliyadda, Wagalakumbura and Pillewa now garden, situated at Tempana-Kulipitiya aforesaid; and bounded on the north and north-east by Ukkurala's field, ela and Podi Nona's field, south by land belonging to Railway road, south-west by Kuda-oya, and west by Ukkurala's field and ela; containing in extent 11 acres and 18 perches, together with the buildings and plantations standing thereon; and registered under F 260/137.

Fiscal's Office, CHARLES DE SILVA,
Kurunegala, February 13, 1939. Deputy Fiscal.

40 In the District Court of Kurunegala.

Pathirennehelago Punchappuhamy of Werellagama in Dambadeni Uducaha korale south. . . Substituted-Plaintiff.
No. 17,994. Vs.

(1) Pathirennehelago Elisabethy, (2) Liyana Lekamalage Punchi Banda, (3) *40* Otto Dingiri Banda, (4) ditto Saiman Singho, (5) ditto Kiri Mudiyanse, all of Humbuluwa in Dambadeni Uducaha Korale east. . . Defendants.

NOTICE is hereby given that on Saturday, March 18, 1939, commencing at 3 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 the sum of Rs. 890 being the amount due for unexpired period of the lease and damages and Rs. 11.70 being stamps for writ and decree, and poundage, viz:—

1. All those contiguous allotments of land called Bogahamulahena, Arambehena, Gorogghamulahena and Galgegawahena, situated at Humbuluwa in Dambadeni Uducaha korale south of Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by Galgegawahena of Dingiri Banda and others and Veddapudanagala, east by ela, south by Gansabhawa road, and west by Galenda; containing in extent about 15 lahas kurrakkan sowing.

2. The land called Innawatta situated at Humbuluwa aforesaid; and bounded on the north by dewata, east by dewata, south by Migahamulawatta of Hapu and others, and west by garden of Girigoris Appuhamy and others; containing in extent about one laha kurrakkan sowing, together with the house standing thereon.

3. The field called Puranekumbura, situated at Humbuluwa aforesaid; and bounded on the north by Puranekumbura formerly of the late Simon Singho, east by high land belonging to Girigoris Appuhamy and others, south by Puranekumbura of Peter Singho and others, and west by the field of Unga and others; containing in extent 30 lahas of paddy sowing.

Fiscal's Office, CHARLES DE SILVA,
Kurunegala, February 13, 1939. Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Ponniah Pillai, son of Avadainayagam Pillai, also known as Nana Pona Ponniah Pillai of Devanallur, Nanguneri Taluk, Tinnevely District, in South India.
No. 8,580.

38 Between Maragathammal, widow of Ponniah Pillai, by her attorney, Supramania Pillai, son of Avadainayagam Pillai, presently of 13 and 15, St. John's road, Colombo Petitioner.

And (1) Subbiah Pillai, (2) Lakshmana Pillai, both minors of the ages of 11 and 24 years, respectively, both of Devanallur aforesaid, and (3) Arumugam Pillai of 13 and 15, St. John's road, Colombo Respondents.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on February 10, 1939, in the presence of Mr. S. A. Seyed Hamid, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 31, 1939, (2) two Supreme Court orders dated September 15, 1938, and January 27, 1939, (3) and the power of attorney dated August 8, 1938, having been read:

It is ordered (a) that the 3rd respondent be and he is hereby appointed guardian *ad litem* of the minors, the

1st and 2nd respondents above named, representing them for all the purposes of this action, (b) that the petitioner be and he is hereby declared entitled, as attorney of the widow of the above-named deceased, to have letters of administration to his estate issued to him, unless respondents above named or any other person or persons interested shall, on or before February 23, 1939, show sufficient cause to the satisfaction of this court to the contrary.

February 13, 1939. W. SANSONI,
District Judge.

32 In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of the late Horathalpedige Manikkuwa of Hiripitiya in the Meda pattu of Siyane korale, deceased.
Jurisdiction. No. 8,685.

Horathalpedige Sada *alias* Rajapakse Hewage Sadiris of Wattaddara Petitioner.

And (1) Horathalpedige Mohotti Sivarajana, (2) Horathalpedige Pahuli, (3) Horathalpedige Sedu, (4) Horathalpedige Subie, (5) Horathalpedige Ukku, and (6) Horathalpedige Sanchi, all of Hiripitiya aforesaid Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on January 13, 1939, in the presence of Mr. D. R. de S. Abhayanayake, Proctor, on the part of the petitioner above named; and (1) the affidavits of the said petitioner dated January 9, 1939, and (2) of the attesting Notary dated December 23, 1938, having been read:

It is ordered that the last will of Horathalpedige Manikkuwa, deceased, of which the original has been produced and is now deposited in this court, be and the same hereby declared proved; and it is further declared that the petitioner is the executor in the said last will and that he is entitled to have probate thereof issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before February 23, 1939, show sufficient cause to the satisfaction of this court to the contrary.

January 31, 1939. W. SANSONI,
District Judge.

38 In the District Court of Colombo.

Order Nisi.

Testamentary In the matter of the Last Will and Testament of the late Edwin Francis Attygale Abayaratne, Native Doctor of Boralessgomuwa, in the Palle pattu of Salpiti korale, deceased.
Jurisdiction. No. 8,705.

(1) Kusumawathie Abayaratne, (2) Alice Gertrude Attygale Abayaratne, and (3) Victor Jayasinghe, all of Boralessgomuwa aforesaid Petitioners.

And

(1) Donald Abayaratne, (2) Mrs. Mary Jane Ratnayake *nee* Abayaratne, both of Boralessgomuwa aforesaid, (3) Mrs. Cecilia Caroline Fonseka Abeykoon *nee* Abayaratne of Bandaragama, (4) Mrs. Catherine Margaret Jayasinghe *nee* Abayaratne of Kadawata, (5) Mrs. Martha Susana Wijemana *nee* Abayaratne of Bandaragama, and (6) Mrs. Emily Mannamperuma *nee* Abayaratne of Bandaragama aforesaid. . Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on January 25, 1939, in the presence of Mr. D. R. de S. Abhayanayake, Proctor, on the part of the petitioner above named; and (1) the affidavits of the said petitioners dated January 16, 1939, and (2) of the attesting Notary dated January 16, 1939, having been read:

It is ordered that the last will of Edwin Francis Attygale Abayaratne, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioners are the executors in the said will and that they are entitled to have probate thereof issued to them

accordingly, unless the respondents above named or any other person or persons interested shall, on or before March 2, 1939, show sufficient cause to the satisfaction of this court to the contrary.

January 31, 1939.

W. SANSONI,
District Judge.

In the District Court of Colombo.

Order Nisi. *28*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Mary Alexander Webster, late of 9, Ridgway Gardens, Wimbledon, in the County of Surrey, spinster, deceased. No. 8,713.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on February 6, 1939, in the presence of Patrick Merle Duggan of Colombo, Proctor, on the part of the petitioner, Oscar Percy Mount of Colombo; and the affidavit of the said petitioner dated February 2, 1939, exemplification of letters of administration of the will of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated January 24, 1939, having been read: It is ordered that the will of the said deceased dated August 15, 1932, of which an exemplification of letters of administration 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 English administrators and two of the residuary legatees of the said will, and that he is entitled to have letters of administration with a copy of the said will annexed issued to him accordingly, unless any person or persons interested shall, on or before February 23, 1939, show sufficient cause to the satisfaction of this court to the contrary.

February 4, 1939.

W. SANSONI,
District Judge.

27 In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Henrietta Catherine Gyles Carew Smyth, late of 38, Leeson Park, Dublin, spinster, deceased. No. 8,714.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on February 4, 1939, in the presence of Patrick Merle Duggan of Colombo, Proctor, on the part of the petitioner, Oscar Percy Mount of Colombo; and the affidavit of the said petitioner dated February 2, 1939, a certified copy of probate of the last will and testament of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated January 24, 1939, having been read: It is ordered that the will of the said deceased dated July 14, 1938, of which a certified copy 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 named in the said will and that he is entitled to have letters of administration with a copy of the said will annexed issued to him accordingly, unless any person or persons interested shall, on or before February 23, 1939, show sufficient cause to the satisfaction of this court to the contrary.

February 4 1939.

W. SANSONI,
District Judge.

30 In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament (with codicil) of James Geldart Riadore of Clax West Lane, East Grinstead in the County of Sussex, England, deceased. No. 8,716 N.T.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on February 6, 1939, in the presence of Messrs F. J. & G. de Saram, Proctors, on the part of the petitioner, Morton Ledger Hopkins of Colombo; and (1) the affidavit of the said petitioner dated February 1, 1939, (2) the power of attorney dated December 1, 1938, and (3) the order of the Supreme Court dated January 27, 1939, having been read: It is ordered that the will of the said James Geldart Riadore, deceased, dated

December 7, 1936, (and a codicil thereto dated October 25, 1937), 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 Morton Ledger Hopkins is the attorney in Ceylon of the executors named in the said will, and that he is entitled to have letters of administration (with will and codicil annexed) issued to him accordingly, unless any person or persons interested shall, on or before February 23, 1939, show sufficient cause to the satisfaction of this court to the contrary.

February 6, 1939.

W. SANSONI,
District Judge.

In the District Court of Colombo.

33 Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Margaret Mackintosh Smith, formerly of 23, Cornwall Gardens, Kensington in the County of Middlesex, England, but late of 68, Ennismore Gardens, Kensington, afore-said widow, deceased. No. 8,721.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on February 8, 1939, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Daniel Cottier Wilson of Colombo; and (1) the affidavit of the said petitioner dated February 4, 1939, (2) the power of attorney dated January 2, 1939, and (3) the order of the Supreme Court dated January 31, 1939, having been read: It is ordered that the will of the said Margaret Mackintosh Smith, deceased, dated March 28, 1929, and two codicils thereto dated October 12, 1931, and February 13, 1934, respectively, an exemplification 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 Daniel Cottier Wilson is the attorney in Ceylon of the executors named in the said will, and that he is entitled to have letters of administration (with will and codicils annexed) issued to him accordingly, unless any person or persons interested shall, on or before March 9, 1939, show sufficient cause to the satisfaction of this court to the contrary.

February 8, 1939.

W. SANSONI,
District Judge.

In the District Court of Negombo.

27 Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Haputhantrige Migel Fernando of Dandugama, deceased. No. 3,091.

Between Maharaja Ana Fernando of Dandugama.....Petitioner.

And (1) Haputhantrige Philip Laura Fernando, (2) Haputhantrige Maria Fernando, (3) Haputhantrige Silvester Fernando Siriwardene, all of Dandugama Respondents.

THIS matter coming on for disposal before S. S. Jayawickrama, Esq., District Judge of Negombo, on January 31, 1939, in the presence of Mr. A. V. Pereira, Proctor, on the part of the petitioner; and the petition and the affidavit of the said petitioner dated January 31, 1939, and January 28, 1939, respectively, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before February 24, 1939, show sufficient cause to the satisfaction of this court to the contrary.

January 31, 1939.

S. S. JAYAWICKRAMA,
District Judge.

20

In the District Court of Kalutara.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late Jurisdiction. Mohamed Mathani Mohamed Cassim, No. 2,351. deceased, of Deenagoda in Beruwala.

THIS matter coming on for disposal before E. O. C. Vander Gert, Esq., District Judge of Kalutara, on January 13, 1939, in the presence of Mr. D. M. L. Mendis, Proctor, on the part of the petitioner, Mahideen Pitche Mohamed Mathani de Silva Lane, Beruwala; and the affidavit of the said petitioner dated January 13, 1939, having been read :

It is ordered that the petitioner above named be and is hereby declared entitled, as father of the deceased above named, to have letters of administration to his estate issued to him, unless any persons or person interested shall, on or before February 21, 1939, show sufficient cause to the satisfaction of this court to the contrary.

January 13, 1939. E. O. C. VANDER GERT, District Judge.

33

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Selvadurai Edwards of Ambegamuwa No. T 79. street, Gampola, in Kandy District, deceased.

Susan Parimalam Edwards of Ambegamuwa street, Gampola Petitioner.

And

(1) Victor Kumarakulasingam Edwards, (2) Pearl Anamalar Edwards, (3) Margarat Jayamala Edwards, (4) Christina Jayarama Edwards, and (5) A. G. Gunaratnam of Keel & Waldoek, Colombo, and the 5th respondent was appointed guardian ad litem over the 1st, 2nd, 3rd, and 4th respondents who are minors Respondents.

IN the matter of the estate of the late Sella Dore Edwards, deceased, of Ambegamuwa street, Gampola.

This matter coming on for disposal before George Crossette Thambyah, Esq., District Judge, Kandy, on January 29, 1939, in the presence of Mr. S. B. Yatawara, Proctor, S. C., on the part of the petitioner, Susan Parimalam Edwards, and the affidavit of the said petitioner, dated October 31, 1938, having been read :

It is ordered that the petitioner be and she is hereby declared entitled, as the widow of the deceased, to have letters of administration to the estate of the deceased issued to her, unless the respondents (vide list) or any other person or persons interested shall, on or before March 9, 1939, show sufficient cause to the satisfaction of this court to the contrary.

January 26, 1939. G. C. THAMBYAH, District Judge.

33

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Ekanayake Dunukara Mudiyanselege No. T 81. Pothu Banda Pethiyagoda, deceased, of Kandy.

THIS matter coming on for disposal before George Crossette Thambyah, Esq., District Judge, Kandy, on January 16, 1939, in the presence of Messrs Abeykoon & Dias Desinghe, Proctors, on the part of the petitioner, Abeykoon Mudiyanselege Loku Menike Pethiyagoda; and the affidavit of the said petitioner dated January 13, 1939, having been read :

It is ordered that the petitioner be and he 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) Abeykoon Ekanayake Dunukara Mudiyanselege Loku Banda Pethiyagoda, presently of Colombo, (2) Abeykoon Ekanayake Dunukara Mudiyanselege Senchelatha Pethiyagoda, (3) Abeykoon Ekanayake Dunukara Mudiyanselege Hemawathie Pethiyagoda, (4) Abeykoon Ekanayake Dunukara Mudiyanselege Wimalawathie Pethiyagoda,

(5) Abeykoon Ekanayake Dunukara Mudiyanselege Cuda Banda Pethiyagoda, and (6) Abeykoon Ekanayake Dunukara Mudiyanselege Nandawathy Pethiyagoda, all presently of Kandy, the 2nd to 6th respondents appearing by their duly appointed guardian ad litem the 1st respondent or any other person or persons interested shall, on or before February 27, 1939, show sufficient cause to the satisfaction of this court to the contrary.

January 16, 1939. G. C. THAMBYAH, District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Karunatileke Rajapaksa Wasala Mudiyanselege Kiri Banda of Koshinna, No. T 82. deceased.

Karunatileke Rajapaksa Wasala Mudiyanselege Loku Banda of Koshinna in Gandahaya korale of Pata Hewaheta. Petitioner.

And

(1) Karunatileke Rajapaksa Wasala Mudiyanselege Puchi Banda, (2) ditto Ram Menika, and (3) ditto Tikiri Banda all of Koshinna aforesaid . . . Respondents.

IN the matter of the estate of the late Karunatileke Rajapaksa Wasala Mudiyanselege Kiri Banda, deceased, of Koshinna in Gandahaya korale of Pata Hewaheta.

This matter coming on for disposal before George Crossette Thambyah, Esq., District Judge, Kandy, on January 27, 1939, in the presence of Mr. Seneviratna Banda Yatawara, Proctor, on the part of the petitioner K. R. W. M. Loku Banda; and the affidavit of the said petitioner dated December 22, 1938, having been read :

It is ordered that the petitioner be and he is hereby declared entitled, as the son of the above-named deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents (vide list) or any other person or persons interested shall, on or before March 6, 1939, show sufficient cause to the satisfaction of this court to the contrary.

January 26, 1939. M. W. H. DE SILVA, District Judge.

In the District Court of Kandy.

Order " Nisi " Declaring Will proved, &c.

Testamentary In the Matter of the Last Will and Testament Jurisdiction of Kana Runa Kana Runa Karuppaiah also known as Karuppaiah Karuppaiah or KR. KR. Karuppaiah deceased, of Balapokuna Estate, Kandy.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Kandy, on February 6, 1939, in the presence of Messrs Liesching & Lee, Proctors, on the part of the petitioner, Suna Arumugam; and the affidavits of the said petitioner dated February 6, 1939, and of the attesting Notary dated February 6, 1939, having been read :

It is ordered that the last will of the above-named deceased, dated May 2, 1932, 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 23, 1939, show sufficient cause to the satisfaction of this court to the contrary.

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

February 6, 1939. M. W. H. DE SILVA, District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Jane Nona Senaratna, deceased, of
No. 4,004. Mirissa.

Polwatte Gallege Edwin of Mirissa Petitioner.

Against

(1) Polwatte Gallege Piyadasu, (2) Polwatte Gallege
Nandawathie, (3) Polwatte Gallege Sumanawathie,
(4) Polwatte Gallege Penawathie, (5) Polwatte
Gallege Ariyawathie, (6) Polwatte Gallege Soma-
wathie, all of Mirissa, minors, by their guardian *ad*
litem (7) Saidias de Silva Jayasinghe of
Mirissa Respondents.

THIS matter coming on for disposal before James
Joseph, Esq., District Judge of Matara, on June 28, 1938,
in the presence of Messrs. Balasubramanian Daluwatte, Proctors,
on the part of the petitioner, Polwatte Gallege Edwin of
Mirissa, and the affidavit of the said petitioner dated
March 7, 1938, having been read :

It is ordered that the said petitioner be and he is hereby
declared entitled, as husband, to have letters of adminis-
tration to her estate issued to him, unless the respondents or
any other person or persons interested shall, on or before
August 22, 1938, show sufficient cause to the satisfaction
of this court to the contrary.

It is further declared that the said 7th respondent be and
he is hereby appointed guardian *ad litem* over the 1st to 6th
respondents or any other person or persons interested shall,
on or before August 22, 1938, show sufficient cause to the
satisfaction of this court to the contrary.

June 28, 1938. J. JOSEPH,
D. J.

The above Order Nisi is extended till October 31, 1938.

J. JOSEPH,
D. J.

The above Order Nisi is extended till December 19, 1938.

J. JOSEPH,
D. J.

October 31, 1938.

The above Order Nisi is extended till February 20, 1939.

JAMES JOSEPH,
D. J.

December 19, 1938.

37 In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of the late Visuvanather, Eragup-
No. 693. pillai of Mallakam, deceased.

Mailvaganam Selvadurai of Mallakam Petitioner.

(1) Ponnupillai, widow of Visuvanather Eragupillai,
(2) Eragupillai Gnanasundaram, (3) Gnanaswary,
daughter of Eragupillai, (4) Eragupillai Vaitilingam,
(5) Thankachippillai, widow of Sivasambu, all of
Mallakam Respondents.

THIS matter coming on for disposal before C. Coomara-
swamy, Esq., District Judge, Jaffna, on January 23, 1939,
in the presence of Mr. T. Kanagaretnam, Proctor, on
the part of petitioner ; and the affidavit and petition of the
petitioners dated January 17, 1939, and January 23, 1939,
respectively, and the affidavit dated January 7, 1939, of
M. S. Subramaniam and M. O. Chacko, the attesting notary
and one of the attesting witnesses, respectively, having
been read :

It is ordered that the above-named 5th respondent be
appointed guardian *ad litem* over the minors, the above
named 2nd, 3rd, and 4th respondents, for the purpose of
representing them in this case and that the will of the late
Visuvanather Eragupillai dated November 6, 1938, and now
deposited in this court be and the same is hereby declared
proved, unless the above-named respondents shall, on or
before February 22, 1939, show sufficient cause to the
satisfaction of this court to the contrary.

It is further ordered that the above-named petitioner
be and he is hereby declared entitled, as executor named in the
said last will, to have probate of the same issued to him,
accordingly, unless the above-named respondents shall,
on or before February 22, 1939, show sufficient cause to
the satisfaction of this court to the contrary.

January 24, 1939. C. COOMARASWAMY,
District Judge.

In the District Court of Jaffna.

Order Nisi.

No. T/701. In the Matter of the Intestate Estate of
Naganather Thambiah of Kondavil,
deceased.

Thambiah Elankainathan of Kondavil Petitioner.

THIS matter coming on for disposal before C. Coomara-
swamy, Esq., District Judge of Jaffna, on February 7,
1939, in the presence of Mr. V. Navaretna Rajah, Proctor,
on the part of the petitioner, and the affidavit of the
petitioner dated February 2, 1939, having been read.

It is ordered that the petitioner be and is hereby declared
entitled, to have letters of administration to the estate
of the above-named deceased, as his only son, unless any
person or persons interested shall appear before this court
on or before February 27, 1939, and state objection or
show cause to the contrary.

February 13, 1939. C. COOMARASWAMY,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Kasiayer Sayampaiyer of Omanthai,
No. 8,142. Mullaitivu District, deceased.

Ramalinga Aiyar Kanapathy Aiyar *alias* Kandiah
Aiyar of Thunhalai North Petitioner.

Chinnammah, daughter of Kanapathy Aiyar of
Thunhalai Respondent.

THIS matter of the petition of the above-named peti-
tioner praying that that letters of administration to the
estate of the above-named deceased be issued to him, coming
on for disposal before C. Coomaraswamy, Esq., District
Judge of Jaffna, on April 7, 1938, in the presence of Mr.
V. S. Karthigesu, Proctor, on the part of the petitioner ;
and on reading the affidavit and petition of the petitioner :

It is ordered that letters of administration to the estate
of the above-named deceased be issued to the petitioner,
as one of the heirs of the said deceased, unless the above-
named respondent appear before this court on September
19, 1938, and show sufficient cause to the satisfaction of
this court to the contrary.

September 7, 1938. C. COOMARASWAMY,
District Judge.

Time extended till February 20, 1939.

In the District Court of Puttalam.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
No. 735. ment of Ibrahim Naina Muhammad
Lebbai of Puttalam, deceased.

Between

Seeni Meera Saibu Pathu Muttu appearing herein by her
attorney Seni Meera Saibu Idroos Marikar of Putta-
lam Petitioner.

Vs.

(1) Ibrahim Ahiamadu Meera Levvai, (2) Asiya Umma,
wife of A. M. Ibrahim, Gravets Udayar, (3) Verusai
Ibrahim Natchiya, minor, appearing by her proposed
guardian *ad litem*, (4) M. I. M. Siddiq, (5) Muhammad,
Kany, (6) Packeer Muhammad Haniffa, a minor,
appearing by his proposed guardian *ad litem* (7) Mohi-
deen Packeer, (8) Abdul Hameed Issadeen, (9) Abdul
Hameed Seyadu Ibrahim, (10) Abdul Hameed Amir,
(11) Abdul Hameed Abdul Wahab ; the 8th, 9th, 10th,
and 11th respondents-minors appearing by their pro-
posed guardian *ad litem* (12) Muhammad Ismail
Hajara Umma, widow of Ibrahim Abdul Hameed,
all of Puttalam Respondents.

THIS matter coming on for disposal before M. L. D.
Caspersz, Esq., Additional District Judge of Puttalam,

on January 31, 1939, on the motion of Mr. H. S. Ismail, Proctor, on the part of the petitioner; and the petition of the petitioner dated January 30, 1939, and the affidavit of the attorney of the petitioner; and the affidavit of the witnesses to the last will both dated January 30, 1939, having been read:

It is ordered that the will of Ibrahim Naina Muhammad Lebbai, deceased, dated November 10, 1938, and now deposited in this court be and the same is hereby declared proved:

It is further declared that the petitioner above-named is the executrix named therein and that she is entitled to have probate of the same issued to her accordingly, and that the

4th respondent be and he is hereby appointed guardian *ad litem* of the 3rd respondent and the 7th respondent be and he is hereby appointed guardian *ad litem* of the 6th respondent and the 12th respondent be and she is hereby appointed guardian *ad litem* of the 8th, 9th, 10th, and 11th respondents above named, unless the respondents above named or any other person or persons interested in the matter of this application shall, on or before February 21, 1939, show sufficient cause to the contrary.

January 31, 1939:

M. L. D. CASPERSZ,
Additional District Judge.