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PART II.—LEGAL.

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

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PASSED ORDINANCES.

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

No. 6 of 1939.

L. D.—O 110/38

An Ordinance to amend the Companies Ordinance,
No. 51 of 1938.

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 Companies (Amendment) Ordinance, No. 6 of 1939.

Amendment of section 2 of Ordinance No. 51 of 1938.

2 Section 2 of the Companies Ordinance, No. 51 of 1938, (hereinafter referred to as "the principal Ordinance"), is hereby amended by the substitution for the words "by subscribing their names to a memorandum of association", of the words "by subscribing their names to a memorandum of association (which must be printed)".

Amendment of section 34 of the principal Ordinance.

3 Section 34 of the principal Ordinance is hereby amended in sub-section (2) thereof by the substitution for the words "there shall also be annexed to it a translation thereof in English", of the words "there shall also be annexed to it a printed translation thereof in English".

Amendment of section 130 of the principal Ordinance.

4 Section 130 of the principal Ordinance is hereby amended in sub-section (7) thereof by the substitution for the words "Regulations may be made prescribing the procedure for the registration of auditors and the qualifications necessary in order to secure such registration", of the words "Regulations may be made providing for—

- (a) the procedure for the registration of auditors ;
- (b) the qualifications necessary in order to secure such registration ; and
- (c) the fees payable for such registration."

Amendment of section 312 of the principal Ordinance.

5 Section 312 of the principal Ordinance is hereby amended in sub-section (1) of that section as follows :—

- (1) by the re-lettering of paragraphs (a), (b) and (c) as paragraphs (b), (c) and (d), respectively ;
- (2) by the insertion immediately above the re-lettered paragraph (b) of the following paragraph as paragraph (a) of that sub-section :—

"(a) The principal place of business in the Island of an unregistered company shall, for all the purposes of the winding up, be deemed to be the registered office of the company ;"

Amendment of section 318 of the principal Ordinance.

6 Section 318 of the principal Ordinance is hereby amended in sub-section (1) thereof by the substitution for paragraph (d) of that sub-section of the following :—

"(d) a statement containing the full address of—

- (i) the registered or principal office of the company ;
and
- (ii) the principal place of business of the company within the Island :"

Amendment of section 320 of the principal Ordinance.

7 Section 320 of the principal Ordinance is hereby amended by the substitution for paragraph (4) thereof of the following :—

"(4) the address of—

- (a) the registered or principal office of the company ; or
- (b) the principal place of business of the company within the Island ;"

8 Section 356 of the principal Ordinance is hereby amended in sub-section (1) thereof as follows :—

Amendment of section 356 of the principal Ordinance.

(a) by the addition immediately after the definition of "Director" of the following new definition :—

" "Director of Commerce and Industries" means the person for the time being holding the office of Director of Commerce and Industries and includes the Deputy Director of Commerce and Industries and any Assistant Director of Commerce and Industries ;'

(b) by the omission of the following words :—

" "Registrar-General" means the person appointed to be the Registrar-General of Births and Deaths in the Island under the Births and Deaths Registration Ordinance, 1895 ;'.

9 The principal Ordinance is hereby amended by the substitution, for the word "Registrar-General" wherever that word occurs, of the words "Director of Commerce and Industries".

Substitution of Director of Commerce and Industries for Registrar-General in principal Ordinance.

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

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Governor the Seventeenth day of March, 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. 11 of 1939.

L. D.—O 58/38

An Ordinance to amend the Quarantine and Prevention of Diseases Ordinance, 1897.

No. 3 of 1897.

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 Quarantine and Prevention of Diseases (Amendment) Ordinance, No. 11 of 1939.

Short title.

2 Section 3 of the Quarantine and Prevention of Diseases Ordinance, 1897, (hereinafter referred to as "the principal Ordinance"), is hereby amended by the addition, immediately after the definition of "Diseased", of the following new definition :—

Amendment of section 3 of Ordinance No. 3 of 1897.

" "aircraft" includes all balloons, whether fixed or free, kites, gliders, airships, airplanes, and other flying machines.'

3 Section 5 of the principal Ordinance is hereby amended in sub-section (1) thereof by the substitution, for the word "vessels" occurring in each of the paragraphs (a), (b), (c) and (e) of that sub-section, of the words "aircraft, vessels".

Amendment of section 5 of the principal Ordinance.

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

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Governor the Seventeenth day of March, 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. 12 of 1939.

L. D.—O 50/36

No. 17 of 1929.

An Ordinance to amend the Poisons, Opium, and
Dangerous Drugs Ordinance, 1929.

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 Poisons, Opium,
and Dangerous Drugs Amendment Ordinance, No. 12 of
1939.

Amendment of
section 4 of
Ordinance
No. 17 of 1929.

2 Section 4 of the Poisons, Opium, and Dangerous Drugs
Ordinance, 1929, (hereinafter referred to as "the principal
Ordinance"), is hereby amended in sub-section (1) thereof
by the substitution in the definition of "Poison", for the
words and figures "in Parts I and II", of the words and
figures "in Parts I, II, and IIIA".

Substitution of
new section for
section 5 of the
principal Ordinance.

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

Restrictions
on sale and
dispensing
of poisons.

5 (1) No person shall dispense or sell any poison except
as permitted by, or otherwise than in accordance with, the
provisions of this Ordinance.

(2) Where any person, who is permitted by the provisions
of this Ordinance to dispense or sell poisons, ceases at any
time to be entitled or to be qualified in accordance with
those provisions to dispense or sell poisons, all such stock
of poisons as may at that time be in his possession shall be
disposed of by him within such period, in such manner,
and in conformity with such restrictions or conditions,
as may be prescribed by regulations. A sale of a stock of
poisons effected by any person in accordance with such
regulations shall not be deemed to be a contravention
of the provisions of sub-section (1), notwithstanding that
such person may not at the time of the sale be qualified
in accordance with the provisions of this Ordinance to
sell any poison.

Amendment of
section 9 of
the principal
Ordinance.

4 Section 9 of the principal Ordinance is hereby amended
by the repeal of sub-section (1) thereof and the substitution
of the following new sub-section for that sub-section :—

"(1) (a) A person holding a licence from the local
authority to sell specially prepared poisons by retail may
sell such poisons subject to such restrictions or exceptions
as may be prescribed by regulations.

(b) For the purposes of this section "specially prepared
poisons" means poisons designed and intended to be used
exclusively—

- (i) for the purposes of photography ;
- (ii) in agriculture or horticulture ;
- (iii) for the destruction of insects, fungi, bacteria or
weeds ;
- (iv) for the preservation of skins or timber or for such
other industrial purposes as may be prescribed
by regulations ;
- (v) for the veterinary treatment of animals."

Insertion of new
section 17A in the
principal
Ordinance.

5 The following new section is hereby inserted immediately
after section 17, and shall have effect as section 17A, of the
principal Ordinance :—

Sale of
poisons in
Part IIA
of the First
Schedule.

"17A. (1) No person shall sell any poison included in
Part IIA of the First Schedule, except on and in accordance
with a prescription given by a medical practitioner, dentist,
or veterinary surgeon, or by a Government Apothecary
who, under section 43 (1) (a) or (b) of the Medical Ordinance,
1927, is entitled to practise medicine and surgery for gain.

(2) Sub-section (1) shall not apply to a sale of any of the
poisons referred to therein to a pharmacist by a wholesale
druggist in the ordinary course of wholesale dealing.

(3) For the purpose of this section a prescription shall—

- (a) be in writing, dated and signed by the prescriber
with his usual signature, set out his surname and
address, and specify the name and address of the
person for whose use the prescription is given, the
total amount of the poison to be supplied on the
prescription, and the dose to be taken ;

(b) where it is given by a dentist, be marked "For dental treatment only" or, where it is given by a veterinary surgeon, be marked "For animal treatment only";

(4) The person dispensing the prescription shall comply with the following requirements:—

- (a) the prescription must not be dispensed more than once unless the prescriber has stated thereon that it may be dispensed more than once;
- (b) if the prescription contains a direction that it may be dispensed a stated number of times or at stated intervals, it must not be dispensed otherwise than in accordance with such direction;
- (c) at the time of dispensing there must be noted on the prescription, above the signature of the prescriber, the name and address of the person dispensing the prescription and the date on which it is so dispensed.

6 Section 23 of the principal Ordinance is hereby repealed and the following section is substituted therefor:—

23. Regulations may be made for the purposes of this Chapter—

- (a) prescribing the period within which, the manner in which, and the restrictions and conditions in conformity with which, any stock of poisons in the possession of any person referred to in section 5 (2) shall be disposed of by such person;
- (b) imposing the restrictions or exceptions, and prescribing the industrial purposes, referred to in section 9;
- (c) restricting and regulating the possession and transport of poisons by persons who are wholesale druggists or holders of licences to sell specially prepared poisons by retail; and
- (d) prescribing the nature or description and the quantities of the poisons which may be kept for sale and sold by persons who are wholesale druggists or holders of licences to sell specially prepared poisons by retail and the precautions to be taken in relation to such poisons by such persons.

7 Section 29 of the principal Ordinance is hereby amended by the substitution for the words "into rope or cordage," of the words "into rope or cordage, or the transit, in accordance with the provisions of Chapter VI, of any article referred to in sections 26, 27 and 28, through Ceylon or the territorial waters or any port of Ceylon, whether with or without transshipment or unshipment."

8 Section 32 of the principal Ordinance is hereby amended by the substitution, for the words "or in accordance with", of the words "or otherwise than in accordance with".

9 Section 33 of the principal Ordinance is hereby amended by the substitution, for the words "unless permitted by and in accordance with", of the words "except as permitted by, or otherwise than in accordance with,".

10 The following new section shall be inserted immediately after section 45, and shall have effect as section 45A, of the principal Ordinance:—

45A. Nothing in this Chapter shall affect the transit, in accordance with the provisions of Chapter VI, of any raw opium through Ceylon or the territorial waters or any port of Ceylon, whether with or without transshipment or unshipment.

11 Section 49 of the principal Ordinance is hereby amended as follows:—

- (1) in sub-section (1) thereof, by the substitution for all the words from "drugs" to "Schedule", of the following:—
"drugs, substances, articles or preparations, specified for the time being in Groups B and C, and all retail trade in any of the drugs, substances, articles or preparations, specified for the time being in Group B, in Part I of the Third Schedule,";
- (2) in sub-section (2) thereof, by the substitution, for the words "in such wholesale trade", of the words "in the wholesale trade referred to in sub-section (1)"; and

Substitution of new section for section 23 of the principal Ordinance.

Regulations for the purposes of this Chapter.

Amendment of section 29 of the principal Ordinance.

Amendment of section 32 of the principal Ordinance.

Amendment of section 33 of the principal Ordinance.

Insertion of new section 45A in the principal Ordinance.

Savings for raw opium in transit.

Amendment of section 49 of the principal Ordinance.

(3) in sub-section (3) thereof, by the substitution for the words "of this chapter", of the words "of this chapter and such regulations as may be made in that behalf."

Amendment of section 50 of the principal Ordinance.

12 Section 50 of the principal Ordinance is hereby amended in sub-section (1) thereof by the substitution, for the words "unless permitted by and in accordance with", of the words "except as permitted by, or otherwise than in accordance with,".

Amendment of section 52 of the principal Ordinance.

13 Section 52 of the principal Ordinance is hereby amended as follows:—

- (1) by the renumbering thereof as sub-section (1) of section 52;
- (2) by the substitution therein, for all the words from "unless" to "Director." of the words, "except as permitted by, or otherwise than in accordance with, the provisions of this Ordinance and a licence in that behalf from the Director."; and
- (3) by the insertion of the following new sub-section as sub-section (2) of section 52:—

"(2) Where any person, who is permitted by this Ordinance and by a licence from the Director to administer, sell or supply dangerous drugs, ceases at any time to be entitled or to be qualified in accordance with the provisions of this Ordinance to administer, sell or supply dangerous drugs, all such stock of dangerous drugs as may at that time be in his possession shall be disposed of by him within such period, in such manner, and in conformity with such restrictions or conditions, as may be prescribed by regulations. A sale of a stock of dangerous drugs effected by any person in accordance with such regulations shall not be deemed to be a contravention of the provisions of sub-section (1), notwithstanding that such person may not at the time of the sale be qualified in accordance with the provisions of this Ordinance to sell any dangerous drug.

Substitution of new section for section 64B of the principal Ordinance.

14 Section 64B of the principal Ordinance is hereby repealed and the following new section is substituted therefor:—

Regulations.

64B. Regulations may be made—

- (a) for the restriction, control or supervision of the wholesale trade in any of the drugs, substances, articles or preparations, specified for the time being in Groups B and C, and of the retail trade in any of the drugs, substances, articles or preparations, specified for the time being in Group B, in Part I of the Third Schedule;
- (b) for prescribing the manner in which the drugs, substances, articles or preparations, specified for the time being in Part I of the Third Schedule, shall be kept or stored;
- (c) for prescribing the period within which, the manner in which, and the restrictions and conditions in conformity with which, any stock of dangerous drugs in the possession of any person referred to in section 52 (2) shall be disposed of by such person; and
- (d) for exempting any drug, substance, article or preparation from all or any of the provisions of this Chapter, either absolutely or subject to such conditions as may be specified in the regulations.

Amendment of section 71 of the principal Ordinance.

15 Section 71 of the principal Ordinance is hereby amended in sub-section (3) thereof by the substitution, for the words "Regulations may be made", of the words "Regulations may be made prescribing the form of any licence under this Ordinance,".

Amendment of section 72 of the principal Ordinance.

16 Section 72 of the principal Ordinance is hereby amended in sub-section (1) thereof by the substitution, for the words "Any member", of the words "The Director or an officer authorised by him in writing, or any member".

Amendment of the First Schedule to the principal Ordinance.

17 The First Schedule to the principal Ordinance is hereby amended as follows:—

- (1) in Part II thereof, by the omission of—

(a) the item commencing with the words "Diethyl-barbituric acid" and ending with the words "and ureides.";

(b) the item commencing with the word "Sulphonal", and ending with the words "or designation."; and

(2) by the insertion therein, immediately after Part II, of the following new Part as Part IIA thereof :—

PART IIA.

Poisons which may be sold by retail only upon a prescription. (Section 17A).

Amidopyrine ; its salts.
 Barbituric Acid ; its salts ; derivatives of barbituric acid ; their salts ; compounds of barbituric acid, its salts, its derivatives, their salts, with any other substance.
 Dinitrocresols ; dinitronaphthols ; dinitrophenols ; dinitrothymols.
 Phenyleinchroninic acid ; salicyl-cinchoninic acid ; their salts ; their esters.
 Sulphonal ; alkyl sulphonals.

18 The Third Schedule to the principal Ordinance is hereby amended by the repeal of Part I thereof, and by the substitution of the following for that Part :—

Amendment of the Third Schedule to the principal Ordinance.

PART I.

Group A. (Sections 46 and 47 (1)).

Drugs, substances, articles, or preparations, the importation of which is totally prohibited.

1. Any product obtained from any of the phenanthrene alkaloids of opium or from the ecgonine alkaloids of the coca leaf, not being a product which was in use on or before the 13th day of July, 1931, for medicinal or scientific purposes.

Group B. (Sections 46, 47 (2), 48 (2), 49 (1), and 64B).

Drugs, substances, articles, or preparations, to which the provisions as to importation, exportation and wholesale and retail trade apply.

1. Medicinal opium, that is to say, raw opium which has undergone the processes necessary to adapt it for medicinal use in accordance with the requirements of the British Pharmacopoeia, whether it is in the form of powder or is granulated or is in any other form, and whether it is or is not mixed with neutral substances.

2. Any galenical preparation of the hemp plant.

3. Morphine and its salts, and diacetylmorphine (commonly known as diamorphine or heroin) and the other esters of morphine and their respective salts.

4. Cocaine (including synthetic cocaine) and ecgonine and their respective salts, and the esters of ecgonine and their respective salts.

5. Any solution or dilution of morphine or cocaine or their salts in an inert substance whether liquid or solid, containing any proportion of morphine or cocaine, and any preparation, admixture, extract, or other substance (not being such a solution or dilution as aforesaid) containing not less than one-fifth per cent. of morphine or one-tenth per cent. of cocaine or of ecgonine.

6. Any preparation, admixture, extract or other substance containing any proportion of diacetylmorphine.

7. Dihydrohydroxycodone, dihydrocodeinone, dihydromorphinone, acetyldihydrocodeinone, dihydromorphine, their esters and the salts of any of these substances and of their esters, morphine-N-oxide (commonly known as genomorphine), the morphine-N-oxide derivatives, and any other pentavalent nitrogen morphine derivatives.

8. Thebaine and its salts, and (with the exception of methylmorphine, commonly known as codeine, and ethylmorphine, commonly known as dionin, and their respective salts) benzylmorphine and the other ethers of morphine and their respective salts.

9. Any preparation, admixture, extract or other substance containing any proportion of any of the substances mentioned in item (7) or (8) of this Group.

Group C. (Sections 46, 47 (2), 48 (2), 49 (1), and 64B).

Drugs, substances, articles, or preparations, to which the provisions as to importation, exportation and wholesale trade apply.

1. Methylmorphine commonly known as codeine, and its salts.

2. Ethylmorphine commonly known as dionin, and its salts.

3. Any preparation, admixture or other substance (except syrupus Codeinae Phosphatis B.P.C. 1934) containing any proportion of methylmorphine (commonly known as codeine)

or ethylmorphine (commonly known as dionin) associated with any inert substance whether solid or liquid, and to any preparation, admixture or other substance containing more than 2.5 per cent. of methylmorphine or ethylmorphine (calculated as pure drug) associated with any other medicinal substance.

Group D. (Sections 46, 47 (2), 48 (2), and 64A).

Drugs, substances, articles, or preparations, to which only the provisions as to importation and exportation apply.

1. Cereoli Iodoformi et Morphinae, B.P.C.
2. Emp. Opii, B.P. 1898.
3. Lin. Opii, B.P.
4. Lin. Opii Ammon., B.P.C.
5. Pasta Arsenicalis, B.P.C.
6. Pil. Hydrarg. C. Opio, B.P.C.
7. Pil. Ipecac. c. Scilla, B.P.
8. Pil. Plumbi c. Opio B.P.
9. Pil. Digitalis et Opii Co., B.P.C.
10. Pil. Hydrarg. c. Cret. et Opio, B.P.C.
11. Pulv. Cretae Aromat. c. Opio, B.P.
12. Pulv. Ipecac. Co., B.P. (Dover's Powder).
13. Pulv. Kino Co., B.P.
14. Suppos. Plumbi Co., B.P.
15. Tablettae Plumbi c. Opio, B.P.C.
16. Ung. Gallae c. Opio, B.P. (Gall and Opium Ointment).
17. Ung. Gallae Co., B.P.C.

Group E. (Sections 46 and 48 (1)).

Drugs, substances, articles, or preparations, the exportation of which is totally prohibited.

1. Diacetylmorphine, and its salts.
2. Any product obtained from any of the phenanthrene alkaloids of opium or from the ecgonine alkaloids of the coca leaf, not being a product which was in use on or before the 13th day of July, 1931, for medicinal or scientific purposes.

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

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Governor the Seventeenth day of March, 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. 13 of 1939.

L. D.—CF 1/38

CF 193/37

An Ordinance to provide for the total or partial cessation of lighting in Ceylon on occasions of emergency or public danger or by way of experiment or practice for such occasions.

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 Lighting Control Ordinance, No. 13 of 1939.

Power to make regulations.

2 (1) Whenever the Governor considers that an occasion of emergency or public danger has arisen or is likely to arise, he may make such regulations as he may deem desirable providing by express command, for the total or partial cessation of lighting in any area or place in Ceylon specified in such command.

(2) Whenever the Governor considers that it is necessary, by way of experiment or practice for any occasion of emergency or public danger, that there should be a total or partial cessation of lighting, he may make such regulations as he may deem desirable providing, by a request for co-operation, for such cessation of lighting in any area or place in Ceylon specified in such request.

(3) Where the Governor is satisfied that on any occasion in any area or place in Ceylon the response to a request for co-operation made under sub-section (2) has been inadequate or that there has been non-compliance with any regulation made under that sub-section, he may, on any subsequent occasion, make such regulations as he may deem desirable providing, by express command, for the total or partial cessation of lighting in that area or place by way of experiment or practice for any occasion of emergency or public danger.

3 Compliance with any such express command or with any such request for co-operation shall exonerate any person from any liability contractual or otherwise for damage resulting from such compliance, provided that such person has taken all other reasonable measures possible to avoid such damage.

Exoneration from liability of persons complying with regulations.

4 Any person who refuses or fails to comply with any such express command shall be guilty of an offence and shall, on conviction after summary trial before a Police Magistrate, be liable to a fine not exceeding one thousand rupees.

Penalty for refusal or failure to comply with mandatory regulations.

5 (1) Every regulation shall be in force for the prescribed period.

Operation of regulations.

(2) Where any regulation is in conflict with any other written law, the regulation shall prevail and such written law shall be deemed to be modified by the regulation for the prescribed period during which that regulation is in force :

Provided that any such written law which is so deemed to be modified by any regulation shall, upon the expiration of such prescribed period, have the same force and effect as if that regulation had not been made.

6 In this Ordinance, unless the context otherwise requires—

Interpretation.

“prescribed” means prescribed by regulation ;
“regulation” means a regulation made by the Governor under section 2.

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

E. W. KANNANGARA,
Clerk of the Council.

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

E. R. SUDBURY,
Secretary to the Governor.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,197. In the matter of the insolvency of Suduwadewage Inthoris Gunasekera of Walpola, Ragama.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 9, 1939, to consider the grant of a certificate of conformity to the insolvent.

March 14, 1939. By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,245. In the matter of the insolvency of Don Albert Wijemanne of 440, Wadiya road, Dehiwala.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 9, 1939, to consider the grant of a certificate of conformity to the insolvent.

March 14, 1939. By order of court, C. EMMANUEL,
Secretary.

B 2

In the District Court of Colombo.

No. 5,282. In the matter of the insolvency of Alex Edwin Misso of 7, Pennycuick road, Wellawatta.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 9, 1939, to consider the grant of a certificate of conformity to the insolvent.

March 14, 1939. By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,298. In the matter of the insolvency of (1) Valayaparanbil Kuttuny Kochunny, (2) Valayaparanbil Kuttuny Sangaran, both of 13, St. Michael's road, Kollupitiya.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 9, 1939, to consider the grant of a certificate of conformity to the insolvents.

March 14, 1939. By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,341. In the matter of the insolvency of Widanage John Gabriel Fernando of Dehiwala, in the Pallo pattu of Salpiti korale.

WHEREAS the above-named W. J. G. Fernando has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by A. R. B. Jowharsha of 22, First Cross street, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said W. J. G. Fernando insolvent accordingly; and that two public sittings of the court, to wit, on May 9, 1939, and on June 20, 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.
March 15, 1939.

In the District Court of Colombo.

No. 5,342. In the matter of the insolvency of Leander Mathias Noyahr of 255, Mutwal street, Mutwal, Colombo.

WHEREAS the above-named L. M. Noyahr has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by W. M. S. Perera of 123, Elie House road, Mutwal, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said L. M. Noyahr insolvent accordingly; and that two public sittings of the court, to wit, on May 9, 1939, and on June 20, 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. 5,343. In the matter of the insolvency of Lokuhelapitiyage Martin Appuhamy of Walaliyadda in Siyane korale east.

WHEREAS the above-named L. Martin Appuhamy has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by J. K. Abe-singhe of Darnbutuwa, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said L. Martin Appuhamy insolvent accordingly; and that two public sittings of the court, to wit, on May 9, 1939, and on June 20, 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. 5,344. In the matter of the insolvency of Nallen Sambasiva Subramaniam, presently of Temple road, Maradana, Colombo

WHEREAS the above-named N. S. Subramaniam has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by J. A. Perera of Mahawatta road, Mutwal, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said N. S. Subramaniam insolvent accordingly; and that two public sittings of the court, to wit, on May 9, 1939, and on June 20, 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.
March 17, 1939.

In the District Court of Colombo.

No. 5,345. In the matter of the insolvency of Soona Arumugam of 64/151, Green Lodge garden, Kotahena.

WHEREAS the above-named Soona Arumugam has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by A. S. T. Sitham-parapillai of 12, Walfendhall street, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that

the said court has adjudged the said Soona Arumugam insolvent accordingly; and that two public sittings of the court, to wit, on May 9, 1939, and on June 20, 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.
March 17, 1939.

In the District Court of Kandy.

No. I. 3. In the matter of the insolvency of Hubert Arthur Deutrom of Bournbrook estate, Peradeniya.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on April 28, 1939, for the examination of the insolvent.

By order of court, E. J. ZILVA,
Acting Secretary.
March 18, 1939.

In the District Court of Nuwara Eliya.

No. 28. In the matter of the insolvency of Mawalage Don Vincent of Kotmale.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held at a sitting of this court on April 26, 1939, for appointment of an assignee and proof of further claim if any.

By order of court, E. DE. S. GUNewardENE,
Secretary.
March 17, 1939.

NOTICES OF FISCALS' SALES.

Western Province.

In the Court of Requests of Colombo.

Galle Face Hotel Company, Limited, of Colombo. . . Plaintiff.
No. 39,999.

F. R. de Soysa of Skelton Road, Havelock Town, Colombo. Defendant.

NOTICE is hereby given that on Tuesday, April 18, 1939, at 4.45 p.m., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 204.50 with legal interest thereon from February 19, 1938, till payment in full, and incurred costs Rs. 29.75, and prospective costs Rs. 2, viz.:—

An undivided $\frac{1}{2}$ share of the land called Weralugahalanda and of the buildings, trees, and plantations standing thereon, situated at Ragama in the Ragam pattu of Alutkuru korale in the District of Colombo, Western Province; and bounded on the north by Kandy railway line, on the east by the lands belonging to Gunasekera and others, on the south by village limit of Hinnagoda, and on the west by the land belonging to Thomas Silva and others; containing in extent about 50 acres.

Fiscal's Office, B. M. CHRISTOFFELSZ,
Colombo, March 22, 1939. Deputy Fiscal.

In the District Court of Colombo.

P. R. S. P. A. R. Suppramaniam Chettiar of Sea street, in Colombo. Plaintiff.

No. 51,495. Vs.
(3) S. L. M. Abdul Razack of Old Moor street in Colombo, and others. Defendants.

NOTICE is hereby given that on Monday, April 17, 1939, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 3rd defendant in the following property for the recovery of the sum of Rs. 622.66, with interest on Rs. 563 at 21 per cent. per annum from January 19, 1933, till February 20, 1933, and thereafter on the aggregate amount at 9 per cent. per annum, till payment in full, and costs of suit Rs. 267.25, less Rs. 315, viz.:—

The land called Hendala Farm, situated at Hendala in the Ragam pattu of Alutkuru korale in the District of Colombo, Western Province; bounded on the north by a portion of this land belonging to C. S. Anthony, on the east by Hamilton canal and lands belonging to others, on the south by Jawage-ela and lands belonging to others, and on the west by sea and Jawagewatta; containing in extent 20 acres more or less.

Fiscal's Office, B. M. CHRISTOFFELSZ,
Colombo, March 22, 1939. Deputy Fiscal.

Southern Province.

In the Court of Requests of Galle.

K. M. R. M. Ramanathan Chettiar of Galle presently in India by his attorney P. P. Reena Siderambaram Chettiar of Galle Plaintiff.

No. 19,046.

Vs. 39

U. M. Sulaiman of Kaluwella, Galle Defendant.

NOTICE is hereby given that on Monday, April 17, 1939, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

One half part of all the remaining soil and of all the trees together with half part (½) part of the house bearing Municipal assessment new No. 229 and old No. 21 standing thereon (exclusive of the house bearing Municipal assessment Nos. 19, 20, and 21A and the soil covered thereby constructed adjoining to house new No. 229 and old No. 21) of the land called Kaluwellawatta *alias* Mannahettigewattakebella, situated at Kumbalwella within the Four Gravets of the District of Galle; and bounded on the north-east by Galle-Colombo high road, south-east by a portion of Mannahettigewatta, south-west by seashore and north-west by Warawatta and Galketiyyewatta; containing in extent 2 roods and 1.66 perches.

Writ amount Rs. 262.25 with legal interest thereon from July 29, 1938, till payment in full, and Rs. 26.25 for costs, less Rs. 25 paid.

Fiscal's Office,
Galle, March 17, 1939.

T. D. S. DHARMASENA,
Deputy Fiscal.

In the Additional Court of Requests of Matara.

Naidabaduge Hendrick Singho Madalali of Wellamadama Plaintiff.

No. 21,079.

Vs. 39

Carolus Henry Gunawardene of Meddewatta, administrator over the estate of the deceased, Don Carolus Gunawardene, retired Vidana Arachchi, late of Meddewatta in Testamentary Proceedings No. 3,890 of the District Court of Matara Defendant.

NOTICE is hereby given that on Tuesday, April 18, 1939, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, for the recovery of a sum of Rs. 345.32 with legal interest on Rs. 300.79 from July 19, 1938, till payment in full.

All those undivided 5/6 parts of the soil and of trees of the land called Kongahawatta together with all the buildings thereon, situated at Meddewatta within the Urban District Council limits of Matara, Matara District, Southern Province; and bounded on the north by Paranapara, east by a portion of Kongahawatta, south by Araliyewatta, and a portion of Brown's Hill, and on the west by Delgahawatta; and containing in extent one acre three roods and eight perches (1 acre 3 roods and 8 perches).

Deputy Fiscal's Office,
Matara, March 18, 1939.

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

In the Court of Requests of Tangalla.

Don Adiriyana Wanigasekara Mohotti Appuhamy of Talahagama Plaintiff.

No. 14,895.

Vs. 39

(1) Siriwardana Podihamy, (2) Edwin Gunasekara Wellappuli, (3) Don Juwanis Gunasekera Wellappuli, (4) Maggie Gunasekara Wellappuli, and (5) Seelawathie Gunasekera Wellappuli, all of Talahaganwaduwa Substituted defendants.

NOTICE is hereby given that on Saturday, April 22, 1939, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said substituted defendants in the following property for the recovery of Rs. 417.90 together with legal interest on Rs. 275 from September 16, 1938, till payment in full and poundage :—

At Walasmulla.

All that soil and plantations together with the nine cubits tiled house and the seven cubits thatched house standing thereon of the contiguous land called Palugas-kuttiya, and Gurugodella in extent 8 acres 2 roods and 25 perches, situated at Walasmulla in West Giruwa pattu of the Hambantota District; and bounded on the north by the portion of this land sold to Galappattige

Seelawathie, east by lots 167A, 167E, 167F, 167C, 167D, 167H, and 175 in P. P. 163, south by the village limit of Talahaganwaduwa, and west by high road.

Deputy Fiscal's Office,
Tangalla, March 15, 1939.

P. D. WEERAMAN,
Additional Deputy Fiscal.

In the Additional Court of Requests of Matara.

Punchihewage David de Silva of Beliatta Plaintiff.

No. 21,690.

Vs. 39

Weerasin Magan Pattuwe Vidana Aratchige Siyoris Pelis of Dondra, the administrator appointed over the estate of the deceased, W. M. P. W. A. Migel of Dondra, in testamentary case No. 3,997 of the District Court of Matara Defendant.

NOTICE is hereby given that on Saturday, April 22, 1939, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, for the recovery of Rs. 339.05 and poundage, viz. :—

At Nalagama.

All that undivided 7/36 parts of the contiguous field called Godapeta and Berawamulla, situated at Nalagama in West Giruwa pattu of the Hambantota District; and bounded on the north by Kurugewatta *alias* Kongalageatte badawetiya, east by Gampodalanda, south by Ganemahadeire Inniyara, and west by water-course, containing in extent 18 amunams of paddy sowing.

Deputy Fiscal's Office,
Tangalla, March 15, 1939.

P. D. WEERAMAN,
Additional Deputy Fiscal.

North-Western Province.

In the Court of Requests of Dandagama.

S. M. Peris Singho of Dodanpoththa Plaintiff.

No. 3,743.

Vs. 39

M. Podihamy of Narangomuwa Defendant.

NOTICE is hereby given that on Saturday, April 22, 1939, at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, for the recovery of the sum of Rs. 162.25 with interest Rs. 125 at 5 per cent. from October 3, 1935, till payment in full and poundage, viz. :—

All that land called Boghamulahena of about five acres in extent situated at Meddepolah in Medapattu korale east of Katugampola hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by wire fence of the land belonging to Manelhamy and Haramanis, east by wire fence of the land belonging to Dingiri Appuhamy and live fence, south by land of Dingiri Menika at Gammaima, and west by Gansabhawa road with buildings, plantations, and everything standing thereon.

Fiscal's Office,
Kurunegala, March 20, 1939.

CHARLES DE SILVA,
Deputy Fiscal.

In the Court of Requests of Kegalla.

Mutturaman Chettiar by his attorney M. Palaniappa Chettiar of Kegalla Plaintiff.

No. 9,247.

Vs. 39

Sinagankutti Arachchige Mohotti Appuhamy of Polgahawela Defendant.

NOTICE is hereby given that on Thursday, April 20, 1939, commencing from 1st land at 4 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, for the recovery of the sum of Rs. 331.74 with legal interest on Rs. 265.87 from November 19, 1935, till payment in full, less Rs. 40 and poundage, viz. :—

1. The lands called Delgahamulawatta and Patirigewatta of about 2 lahas kurakkan sowing in extent, situated at Epakanda in Udapola Otota korale east of Dambadeni hatpattu in the District of Kurunegala, North-Western Province, which said Delgahamulawatta excluding the said Patirigewatta is of about one laha kurakkan sowing in extent; and bounded on the north by galenda of the garden of Ranmenika, east by the galenda of the garden of Menikralla, south by the Galenda of the garden Mohotti Appuhamy, and on the west by Ela with the plantations, buildings standing thereon.

2. The land called Gamagewatta of about six lahas kurakkan sowing in extent, situated at Epakanda aforesaid; and bounded on the north by galwetiya, east by galwetiya of the land of Menikrala, south by galwetiya of the land of Punchappuhamy, and on the west by the garden of Manelhamy with the plantations, buildings, and everything, standing thereon.

Fiscal's Office, CHARLES DE SILVA,
Kurunegala, March 20, 1939. Deputy Fiscal.

In the District Court of Colombo.

F. A. Obeyesekera of Balcombe House, Cotta road, Colombo, Executor of the last will of Lady Esline Maria Obeyesekera, deceased Plaintiff.

No. 50,514. *92* vs.

(1) Rajapaksemudiyansele Mudiyanse (dead), (2) M. K. Arnolis Wijayasingha, (dead), (3) Rajapakse Mudiyansele Loku Banda Navinna of Navinna in Kurunegala, Administrator of the estate of the 1st defendant, deceased, substituted in his place, (4) Babarebde Kankanamage Karliha Perera Hamine of Kumbalgamuwa in the District of Kurunegala, Administratrix of the estate of 2nd defendant, deceased, substituted in his place Defendants.

NOTICE is hereby given that on Saturday, April 29, 1939, commencing at 2 o'clock in the afternoon, will be sold by public auction, at the respective premises the right, title, and interest of the said 3rd defendant as administrator of the estate of Rajapakse Mudiyansele Mudiyanse of Navinna in the District of Kurunegala, the 1st defendant, deceased, in the following property mortgaged with Lady Ezline Maria Obeyesekera by bond No. 903 dated April 6, 1922, and attested by C. E. A. Samarakkody of Colombo, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated October 24, 1938, for the recovery of the sum of Rs. 1,000 together with interest thereon at the rate of 18 per centum per annum from October 7, 1922, to August 5, 1938, and further interest at 9 per cent. per annum on the aggregate amount from August 5, 1938, till payment in full and costs of suit taxed at Rs. 321.72, and poundage, viz. :-

1. An undivided $\frac{1}{2}$ part or share of all that land called Hitinawatta, situated at Navinna in Dewa Medde korale of Dewamedi hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by the boundary of the land of Kirimenika Mahatmaya, on the east by the liminary dam of the field of Banda Lekam Mahatmaya, on the south by Helambagahamulawatta of Banda Lekam Mahatmaya, and on the west by the chena of Banda Lekam Mahatmaya; containing in extent about 2 lahas of kurakkan sowing.

2. An undivided $\frac{1}{2}$ part or share of all that land called Walauwatta, situated at Navinna aforesaid; and bounded on the north by the liminary dam of the field of Banda Lekam Mahatmaya, east by the land of Kirimenika Mahatmaya, south by Nethullapandura and Lenipandura, and west by the village boundary of Kaluaratchigama; containing in extent about 9 lahas of kurakkan sowing.

3. An undivided $\frac{1}{2}$ part or share of the land called Parana Walauwatta *alias* Walauwatta, situated at Navinna aforesaid; and bounded on the north and west by lands of Banda Lekam Mahatmaya, on the east by lands of Ukku Banda Aratchi and others, and on the south by field of Ukku Banda Aratchi; containing in extent about 8 lahas of kurakkan sowing.

4. An undivided $\frac{2}{11}$ part or share of the field called Akuruwela, situated at Navinna aforesaid; and bounded on the north by Badalgewela and Wedagewela, east by the live fence, south by Medadalupota and field of Banda korala, and west by live fence; containing in extent about 2 amunams and 3 lahas of paddy sowing.

5. An undivided $\frac{1}{4}$ part or share of the field called Badalgewela, situated at Navinna aforesaid; and bounded on the north by the fence of the field, east by Welikumbura and Wedagewela, south by Akuruwela, and west by the live fence of the land called Hitinawatta of Banda Lekam Mahatmaya; containing in extent 1 amunam of paddy sowing.

6. An undivided $\frac{1}{2}$ share of Welikumbura, situated at Navinna aforesaid; and bounded on the north by the fence of the field, east by ela, south by Wedagewela of Banda Lekam Mahatmaya, and west by Badalgewela of Banda Lekam Mahatmaya; containing in extent about 1 amunam of paddy sowing.

And at 5 p.m.

7. All that land called Kandewatta of about 2 pelas of kurakkan sowing, situated at Panagomuwa in Reco pattu korale in Dambadeni hatpattu in the District of Kurunegala,

North-Western Province; and bounded on the east by hill-top, south by lands of Ranmenika and others, west by Mala-ela, and north by chenas of Ausadahamy and others.

8. All that land called Wela-ahabodagederawatta *alias* Badullagahayawatta of about 15 lahas kurakkan sowing, situated at Ahugoda in Reco pattu korale aforesaid; bounded on the east by land of Kiri Banda and others, south by field of Mudiyanse and others, west by fields of Ausadahamy and others, and north by field of Ranamahamy.

Fiscal's Office, CHARLES DE SILVA,
Kurunegala, March 21, 1939. Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

A. C. Attygalle of Ratnapura Plaintiff.

No. 6,539.

M. L. M. Uduman Lebbe of Ratnapura Defendant.

NOTICE is hereby given that on Tuesday, April 18, 1939, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, for the recovery of Rs. 1,145.35 with interest on Rs. 1,050 from November 26, 1937, till January 24, 1938, at 9 per cent. per annum and thereafter legal interest on the aggregate till payment in full and poundage, viz. :-

An undivided 20 acres from and out of the allotment of land called and known as Alahentennehena bearing lot No. 2A, in B. S. P. P. No. 91, situate at Kukula in Palle pattu of Nawadun korale, Ratnapura District, of Province of Sabaragamuwa; and bounded on the north by foot path lots Nos. 10, 12, and 13, east by lot No. 10 and Watupitiya village boundary, south by lot 14, and lot 2, west by lot 2, 2c, 2d, 2b, 7, and 9, containing in extent 40 acres 2 roods and 29 perches.

Fiscal's Office, N. SWAMINATHA IYER,
Ratnapura, March 15, 1939. Additional Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

31 In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late Meenakshi Ammal of Wolfendhal street in Colombo, deceased.

Lakshmi Subramania Mannadiar of 52, Sieman's road, Maradana, in Colombo Petitioner.

And

(1) Sri Devi Subramania Mannadiar of Wolfendhal street in Colombo and (2) Sweeney Nathan Subramania Mannadiar of 52, Sieman's road, Maradana, in Colombo, minor, appearing by his guardian *ad litem* the 1st respondent above named Respondents.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on October 14, 1938, in the presence of Mr. D. R. de S. Abhayanayake, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 3, 1938, having been read:

It is ordered (a) that the 1st respondent be and she is hereby appointed guardian *ad litem* of the minor, the 2nd respondent above named, to represent him for all the purposes of this action, and (b) that the petitioner be and she is hereby declared entitled, as daughter of the above named deceased, to have letters of administration to her estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before March 30, 1939, show sufficient cause to the satisfaction of this court to the contrary.

W. SANSONI,
District Judge.
October 17, 1938.

In the District Court of Colombo.

Order Nisi. 41

Testamentary In the Matter of the Intestate Estate of the late Buthgamu Mudalige William Perera of 190/70, Kolonnawa Road, Dematagoda, deceased.

Piloris Appuhamy Athulathudalige of 190/70, Kolonnawa Road, Dematagoda Petitioner.

And P. 20 29

(1) Athulathudalige Pesona Hamine, widow of the deceased, (2) Buthgamu Mudalige Lawrence Perera, (3) Buthgamu Mudalige Marthina Perera, (4) Buthgamu Mudalige Simon Perera, (5) Buthgamu Mudalige Lily Perera, (6) Buthgamu Mudalige Agnes Perera, (7) Buthgamu Mudalige Catherine Perera, and (8) Buthgamu Mudalige Violet Perera, all of 190/70, Kolonnawa Road, Dematagoda, 4th to 8th respondents are minors appearing by their guardian *ad litem* the 1st respondents above named. Respondents.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on February 24, 1939, in the presence of Mr. P. S. P. Kalpage, Proctor, on the part of the petitioner above named and the affidavit of the said petitioner dated February 24, 1939, having been read :

It is ordered (a) that the 1st respondent be and she is hereby appointed guardian *ad litem* of the minors, the 4th to 8th respondents above named to represent them for all the purposes of this action, and (b) that the petitioner be and he is hereby declared entitled, as brother of the 1st respondent above named to have letters of administration to the above deceased's estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before March 16, 1939, show sufficient cause to the satisfaction of this court to the contrary.

March 9, 1939.

W. SANSONI,
District Judge.

The date for showing cause against the within mentioned Order Nisi is hereby extended to March 30, 1939.

W. SANSONI,
District Judge.

March 20, 1939.

25 In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. M. E. Mohamed Mohideen, late of 79A, No. 8,746. Union Place, Slave Island Colombo, deceased.

Mohideen Batcha Mohamed Sultan of 5, Dam Street, Colombo Petitioner.

And P. 16 29

Ibrahim Umma of Anandhiya Nagarani Sri Vykuntam Taluk, Tinnevely District, South India Respondent.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on March 1, 1939, in the presence of Mr. S. Kandaswamy, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 25, 1939, having been read :

It is ordered that the petitioner be and he is hereby declared entitled, as nephew of the above named deceased to have letters of administration to his estate issued to him, unless the respondent above named or any other person or persons interested shall, on or before March 30, 1939, show sufficient cause to the satisfaction of this court to the contrary.

March 14, 1939.

W. SANSONI,
District Judge.

26 In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Gonaduwege Arnolis Perera of Cross No. 8,751. road, Mount Lavinia, deceased.

Gonaduwege Mendris Perera of Cross road, Mount Lavinia. Petitioner.

And P. 16 29

(1) Gonaduwege Raphael Perera, (2) Gonaduwege Emanis Perera, (3) Gonaduwege Martin Perera, (4) Gonaduwege Morris Perera, (5) Gonaduwege Peter Perera, all of Cross road, Mt. Lavinia. Respondents.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on March 6, 1939, in

the presence of Mr. J. P. Salgadoe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated March 3, 1939, having been read :

It is ordered that the petitioner be and he is hereby entitled, as eldest son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before March 30, 1939, show sufficient cause to the satisfaction of this court to the contrary.

March 16, 1939.

W. SANSONI,
District Judge.

28 In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Emily Charlotte Vaughan No. 8,770. Thompson of Sheen Wood, East Sheen in the County of Surrey, Widow, deceased.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on March 13, 1939, in the presence of Mr. 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 March 10, 1939, a certified copy of probate, a certified copy 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 March 6, 1939, having been read : It is ordered that the will of the said deceased dated July 18, 1930, of which a certified copy 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 March 30, 1939, show sufficient cause to the satisfaction of this court to the contrary.

March 13, 1939.

W. SANSONI,
District Judge.

27 In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Philip Marfleet Battle, late of No. 8,773. Hornegarth Ripley Harrogate in the County of York, deceased.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on March 15, 1939, in the presence of Mr. 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 March 14, 1939, exemplification of probate of the will of the above-named deceased, power of attorney in favour of the petitioner and Supreme Court's Order dated March 7, 1939, having been read : It is ordered that the will of the said deceased dated November 10, 1936, of which an exemplification of probate has been produced and is now deposited in this court be and the same is hereby declared proved, and it is further declared that the said petitioner is one of the attorneys of the executors 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 March 30, 1939, show sufficient cause to the satisfaction of this court to the contrary.

March 15, 1939.

W. SANSONI,
District Judge.

28 In the District Court of Colombo.

Order Absolute in the First Instance.

Testamentary In the Matter of the Last Will and Testament (with a codicil thereto) of Edgar No. 8,776 N.T. Turner of "Kuruman" Walberswick in the County of Suffolk, England, deceased.

THIS matter coming on for disposal before Waldo Sansoni, Esq., District Judge of Colombo, on March 16, 1939, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Sir Thomas Lister Villiers; and (1) the affidavit of the said petitioner dated March 14, 1939, (2) the certificate of death of one of the three executors named in the said last will and testament with codicil, and (3) the order of the Supreme Court dated March 7, 1939, having been read : It is ordered that the said last will and testament with codicil of the said Edgar

Turner, deceased, 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 Sir Thomas Lister Villiers is one of the surviving executors named in the said last will and testament with codicil and that he is entitled, to have probate thereof issued to him accordingly, with power reserved to the remaining surviving executor to come in and obtain at any time hereafter a similar grant.

March 16, 1939.

W. SANSONI,
District Judge.

26 In the District Court of Colombo.
Order Nisi.
Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of the late Cassim Hadjar Safa
No. 8,777. Umma of 89, Dematagoda road, Colombo,
deceased.

Cassim Hadjar Mohamed Sherif of 89, Dematagoda road, Colombo. Petitioner.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on March 16, 1939, in the presence of Mr. A. R. M. Raizen, Proctor, on the part of the petitioner above named; and (1) the affidavits of the said petitioner dated March 18, 1938, and (2) of the attesting notary and one of the witnesses dated March 22, 1938, having been read:

It is ordered that the Last Will of Cassim Hadjar Safa Umma, deceased, of which the original has been produced, and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executor in the said will and that he is entitled to have probate thereof issued to him accordingly, unless any person or persons interested shall, on or before March 30, 1939, show sufficient cause to the satisfaction of this court to the contrary.

March 18, 1939.

W. SANSONI,
District Judge.

29 In the District Court of Colombo.
Order Nisi declaring Will proved.
Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Henry Bartholomew Lowndes
No. 8,778. of Silverton House, Pinte Belgium
deceased.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on March 20, 1939, in the presence of Mr. Victor Ananaynam Cooke, Proctor, on the part of the petitioner Percival Stephen Martensz of Colombo; and (1) the affidavit of the said petitioner dated March 18, 1939, (2) the power of attorney dated February 9 and 13, 1939, and (3) the order of the Supreme Court dated March 15, 1939, having been read: It is ordered that the will of the said Henry Bartholomew Lowndes, deceased dated April 9, 1938, a certified copy of which under the seal of the District Probate Registry at Exeter 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 Percival Stephen Martensz is the attorney in Ceylon of the executors named in the said will, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before March 30, 1939, show sufficient cause to the satisfaction of this court to the contrary.

March 20, 1939.

W. SANSONI,
District Judge.

27 In the District Court of Kandy.
Order Nisi declaring Will proved.
Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Sulaiman Lebbe Abdul Jabbar,
No. T. 89. deceased, of Katugastota Road, Kandy.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge, Kandy, on February 21, 1939, in the presence of Messrs. Marikar and Marikar, Proctors, on the part of the petitioner Sulaiman Lebbe Abdul Gaffoor; and the affidavits of the said petitioner dated February 13, 1939, the attesting Notary dated February 13, 1939, and of the witness dated February 13, 1939, having been read:

It is ordered that the last will of the above-named deceased dated September 13, 1938, and now deposited in this court, be and the same is hereby declared proved, unless

any person or persons interested shall, on or before March 30, 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 21, 1939.

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

In the District Court of Jaffna.
Order Nisi.
Testamentary In the Matter of the Estate of the late
Jurisdiction. Thambiah Kandiah of Kokkuvil west,
No. 647. Jaffna, deceased.
Kartigesu Sinniah of Kokkuvil west Original Petitioner.
Kartigesu Sinniah of Kokkuvil
west Petitioner.

(1) Navaram Chiamalar, daughter of Kandiah of Kopay Boarding, Kopay, (2) Kandiah Masillamany of Kokkuvil west, (3) Anamalar, daughter of Kandiah of ditto, (4) Kandiah Tharasan of ditto, (5) Mahilmalar, daughter of Kandiah of ditto, (6) Chellammah, widow of Veluppillai of Eluthumadduval, and (7) Devasagayam Chelliah of ditto. Respondents.

THIS matter of the petition of the above-named petitioner praying that the above-named 7th respondent be appointed guardian *ad litem* over the minor, the above-named 1st respondent and the 6th respondent be appointed guardian *ad litem* over the minors, the above-named 2nd to 5th respondents, and that letters of administration to the estate of the above-named deceased, be issued to the petitioner, coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on February 27, 1939, in the presence of Mr. C. C. Somasegaram, Proctor, on the part of the petitioner; and on reading the affidavit and petition of the petitioner:

It is ordered that the above-named 7th respondent be appointed guardian *ad litem* over the minors, the above-named 1st respondent, and the 6th respondent be appointed guardian *ad litem* over the minors, the above named 2nd to 5th respondents, and that letters of administration to the estate of the above-named deceased be issued to the petitioner as the maternal uncle of the heirs, unless the above-named respondents appear before this court on March 29, 1939, and show sufficient cause to the satisfaction of this court to the contrary.

March 3, 1939.

C. COOMARASWAMY,
District Judge.

17 In the District Court of Anuradhapura.
Order Absolute in the First Instance.
Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of Ranawelle Liyana Hewage
No. 476. of Hanamalis Appu of Anuradhapura, de-
ceased.

Wengapfifi Arachchige Nannohamy of Anuradhapura Petitioner.

THIS matter coming on for disposal before W. Olagasegaram, Esq., District Judge of Anuradhapura, on August 2, 1938, in the presence of Mr. S. Nataraja, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated February 4, 1938, having been read:

It is ordered that probate of the last will of the said deceased, be issued to the petitioner.

August 2, 1938.

W. OLAGASEGARAM,
District Judge.

29 In the District Court of Badulla.
Order Nisi declaring Will proved.
Testamentary In the Matter of the holograph Last Will
Jurisdiction. and Testament of Gertrude Kellow of
No. B.1,017. Albion, Nuwara Eliya, Lady Superin-
tendent, Wiseman Hospital, Welimade,
in the Island of Ceylon (Spinster),
deceased.

THIS matter coming on for disposal before Robert Ratnayagam Selvadurai Esq., District Judge of Badulla, on March 20, 1939, in the presence of Messrs. Potger & Keyt, Proctors, on the part of the petitioners, Annie Muriel Kellow and Elsie May Kellow, both of Albion, Nuwara

Eliya; and (1) the affidavit of the said petitioners dated March 14, 1939, (2) the affidavit of three of the attesting witnesses of the will dated January 31, 1939, February 3, 1939, and February 12, 1939, having been read: It is ordered that the will of the said Gertrude Kellow, deceased dated November 21, 1928, the original of which has been produced and is now deposited in this court be and the same is hereby declared proved; and it is further declared that the said Annie Muriel Kellow and Elsie May Kellow are the executrices named in the said will, and that they are entitled to have probate thereof issued to them accordingly, unless any person or persons interested shall, on or before March 28, 1939, show sufficient cause to the satisfaction of this court to the contrary.

March 20, 1939.

R. R. SELVADURAI,
District Judge.

36 In the District Court of Badulla.

Order Nisi.

In the Matter of the Last Will and Testament of James Peter Stephens of "Midfield" Badulla, deceased.
No. B/1,016.

- (1) Arthur Thuraisingham Sinnatamby of Badulla,
(2) James Alexander Kadramatamby of Colombo,
(3) Elgin Eglington de Niese of Kalmunai,
..... Executors-Petitioners.
And

- (1) Mrs. Lily Maude Victoria Arasanilai of Batticaloa,
(2) Victor Emmanuel Kadramatamby of Batticaloa,
(3) Norah Blance Kelly of Batticaloa, presently of Snake Lane, Trincomalie, and (4) Hazel Constance de Niese, C/o Excise Inspector of Kalmunai. Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge of Badulla, on March 16, 1939, in the presence of Mr. Francis Sebastian, Proctor, S. C., on the part of the executors-petitioners above-named; and their affidavit dated November 15, 1938, and petition dated December 7, 1938, and the affidavit of the attesting witnesses to the last will of the deceased above-named dated December 6, 1938, having been read:

It is ordered (a) that the last will of James Peter Stephens dated September 13, 1938, bearing No. 745, attested by F. Sebastian, Notary Public, the original of which has been produced and is now deposited in this court be and the same is hereby declared proved (b) that the petitioners above named be and they are hereby appointed joint executors and probate thereof issued to them accordingly, unless the respondents above named or any other persons lawfully interested therein shall, on or before March 28, 1939, show sufficient cause to the satisfaction of the court to the contrary.

March 16, 1939.

R. R. SELVADURAI,
District Judge.

26 In the District Court of Ratnapura.

Order Nisi.

Testamentary In the Matter of the Estate of Harry Jurisdiction. Ellawala of Ellawala, deceased.
No. 1,065.

Harry Hellings William Ellawala of Ellawala. Petitioner.
(1) Yakdehirallaye Ranpoka of Ellawala, (2)
Richard Stephen Ellawala of Walgampola
Estate Petitioner-respondents.

THIS matter coming on for disposal before L. H. de Alwis, Esq., District Judge of Ratnapura, on February 7, 1939, in the presence of Mr. E. J. Dharmaratne on the part of the petitioner above named, of Mr. P. A. Dharmadasa on the part of the 1st petitioner-respondent, of Mr. M. A. W. Goonasekera on the part of the 2nd petitioner-respondent, and on reading the affidavit of the said petitioner dated February 7, 1939:

It is declared that the said petitioner above named is the son of the deceased above named and that he is entitled to have letters of administration, with copies of the will and the codicil annexed, issued to him accordingly, unless the petitioner-respondents or any other person or persons interested shall, on or before March 28, 1939, show sufficient cause to the satisfaction of this court to the contrary.

February 7, 1939.

L. H. DE ALWIS,
District Judge.