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DRAFT ORDINANCES.

MINUTE.

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

L. D.—O 64/38

An Ordinance to amend the Savings Certificates Ordinance, No. 11 of 1938.

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

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| Short title. | <p>1 This Ordinance may be cited as the Savings Certificates Amendment Ordinance, No. of 1939.</p> |
| Amendment of section 20 of Ordinance No. 11 of 1938. | <p>2 Section 20 of the Savings Certificates Ordinance, No. 11 of 1938, (hereinafter referred to as "the principal Ordinance"), is hereby amended in sub-section (2) thereof, by the substitution for the words "creditor to the purchaser as debtor", of the words "debtor to the purchaser as creditor".</p> |
| Amendment of section 21 of the principal Ordinance. | <p>3 Section 21 of the principal Ordinance is hereby amended as follows :—</p> <p>(a) in sub-section (1) thereof, by the substitution for the words "savings certificate", of the words "savings certificate, other than a savings certificate in respect of which a prohibitory notice has been served on the Postmaster-General under section 229 of the Civil Procedure Code, 1889,"; and</p> <p>(b) by the insertion, immediately after sub-section (2) of the following new sub-sections (3) and (4) :—</p> <p style="padding-left: 20px;">" (3) Every purchaser who knowingly obtains or attempts to obtain the surrender value of any savings certificate in respect of which a prohibitory notice has been served on him under section 229 of the Civil Procedure Code, 1889, shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate be liable to a fine not exceeding five hundred rupees or to imprisonment for a term not exceeding one year or to both such fine and imprisonment; and where any court convicts any person of the offence of having knowingly obtained the surrender value of any savings certificate under this sub-section, the court shall, in addition to any other punishment which it may impose for that offence, order a sum equal to the amount of the surrender value so obtained to be recovered from that person as though it were a fine imposed by the court; and any such sum may be recovered notwithstanding that it may exceed the amount of the fine which the court may in the exercise of its ordinary jurisdiction impose. Every such sum when recovered by the court, shall be remitted to the Postmaster-General and shall be paid by him into the Fund.</p> <p style="padding-left: 20px;">(4) Any person who is dissatisfied with any order made under sub-section (3) may, if he appeals against the conviction in consequence of which the order was made, appeal against the order to the Supreme Court and the provisions of sections 338 to 352 of the Criminal Procedure Code, 1898, shall apply to such appeal."</p> |
| Insertion of new section 22A in the principal Ordinance. | <p>4 The following new section shall be inserted immediately after section 22 of the principal Ordinance, and shall have effect as section 22A :—</p> <p style="padding-left: 20px;">22A. Any receipt given in respect of the payment of the surrender value of a savings certificate, any power of attorney or other document which relates solely to the payment or receipt of such surrender value, and any document or instrument whatsoever made or executed under the provisions of this Ordinance or of any regulation shall be free from stamp duty, anything in any other written law to the contrary notwithstanding.</p> |
| Exemption from stamp duty. | |
| Insertion of new section 23A in the principal Ordinance. | <p>5 The following new section shall be inserted immediately after section 23 of the principal Ordinance and shall have effect as section 23A :—</p> <p style="padding-left: 20px;">23A. No liability shall be incurred by the Government, or by the Postmaster-General, or by any other officer acting under the authority of the Postmaster-General, in respect of any payment <i>bona fide</i> made or any act <i>bona fide</i></p> |
| Protection of Postmaster-General, &c. | |

done by the Postmaster-General, or by any such officer in pursuance or supposed pursuance of the powers conferred by this Ordinance or by any regulation :

Provided, however, that nothing herein contained shall affect or prejudice or be deemed to affect or prejudice the right of any person to recover from any other person any money erroneously paid to such other person by or under the authority of the Postmaster-General.

6 The new sections 22A and 23A inserted in the principal Ordinance by sections 4 and 5 of this Ordinance shall be deemed to have come into operation on the first day of June, 1938, being the date on which the principal Ordinance was brought into operation by Proclamation of the Governor under section 1 of that Ordinance.

New sections
22A and 23A to
have retrospec-
tive effect.

Objects and Reasons.

The object of this Bill is to amend the Savings Certificates Ordinance, No. 11 of 1938, so as to remove certain difficulties which have arisen in the administration of that Ordinance.

2. Under section 21 (1) of the principal Ordinance, the purchaser of a savings certificate is entitled, on surrendering the certificate, to receive the surrender value of that certificate as at the time of such surrender. It is necessary to exclude from the operation of this section, the purchaser of a savings certificate in respect of which a prohibitory notice under section 229 of the Civil Procedure Code, 1889, has been issued. After the Postmaster-General has paid into court the surrender value of a savings certificate referred to in section 20 (2) of the Ordinance, it may still be possible for a purchaser to obtain the surrender value of that savings certificate at a Post Office. Clause 3 of the Bill makes the necessary amendments in section 21 of the principal Ordinance and provides a penalty for any purchaser who obtains or attempts to obtain the surrender value of any savings certificate in respect of which a prohibitory notice has been served on him under section 229 of the Civil Procedure Code, 1889.

3. It is also necessary to make provision in the principal Ordinance exempting from stamp duty all receipts and other documents executed under the provisions of the Ordinance or any regulation made thereunder. Clause 4 of the Bill makes the necessary provision by adding a new section 22A to the Ordinance.

4. Clause 5 of the Bill adds to the Ordinance a new section 23A which, while saving the rights of third parties, protects the Government of Ceylon, the Postmaster-General and any person acting under his authority from liability in respect of any payment made or act done by the Postmaster-General or such person in accordance with the Ordinance or any regulation. Clause 6 gives the new sections 22A and 23A retrospective effect.

5. Clause 2 rectifies an error in the text of section 20 of the principal Ordinance.

J. L. KOTELAWALA,

Minister for Communications and Works.

Colombo, February 27, 1939.

(Continued on page 167.)

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Western Circuit will be holden at the Court-house at Hulftsdorp, on Monday, March 20, 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,
Colombo, February 27, 1939.

H. E. PERIES,
for Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,333. In the matter of the insolvency of Abdul Cader Mohamed Sheriff of Layards Broadway, Colombo.

WHEREAS A. C. M. Sheriff has filed a declaration of insolvency, and a petition for the sequestration of the estate of A. C. M. Sheriff has been filed by K. T. Abdul

Caffoor of Galle, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said A. C. M. Sheriff insolvent accordingly ; and that two public sittings of the court, to wit, on March 28 and on May 9, 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,
February 23, 1939. Secretary.

In the District Court of Colombo.

No. 4,775. In the matter of the insolvency of N. M. Coomaraswamy of 57, Kolonnawa, 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, to consider the grant of a certificate of conformity to the insolvent.

By order of court, C. EMMANUEL,
February, 21, 1939. Secretary.

In the District Court of Colombo.

No. 5,263. In the matter of the insolvency of Mataramba Kannattagamage Jackson de Silva of 14, Skinner's road south, 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, to consider the grant of a certificate of conformity to the insolvent.

By order of court, C. EMMANUEL,
February 21, 1939. Secretary.

In the District Court of Colombo.

No. 5,285. In the matter of the insolvency of Erwin Fredrick Kelaart of 364, Galle road, Wellawatta, 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, consider the grant of a certificate of conformity to the insolvent.

By order of court, C. EMMANUEL,
February 21, 1939. Secretary.

In the District Court of Colombo.

No. 5,286. In the matter of the insolvency of John Gabriel Perera of 161, Timbirigasyaya road, 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, to consider the grant of a certificate of conformity to the insolvent.

By order of court, C. EMMANUEL,
February 21, 1939. Secretary.

In the District Court of Colombo.

No. 5,290. In the matter of the insolvency of Pachilaseri Soopy of 10, Front 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 28, 1939, to consider the grant of a certificate of conformity to the insolvent.

By order of court, C. EMMANUEL,
February 21, 1939. Secretary.

In the District Court of Colombo.

No. 5,291. In the matter of the insolvency of (1) Mohamed Fareed Mohamed Buhary, and (2) Mohamed Fareed Mohamed Shouket, carrying on business in partnership under the name of Fareed & Sons at 361, 2nd Division, Maradana, Colombo.

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

By order of court, C. EMMANUEL,
February 21, 1939. Secretary.

In the District Court of Colombo.

No. 5,334. In the matter of the insolvency of Charles Lentey Jayasinghe of Peliyagoda, Wattala.

WHEREAS C. L. Jayasinghe has filed a declaration of insolvency, and a petition for the sequestration of the estate of C. L. Jayasinghe has been filed by K. R. Perera of Peliyagoda, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said C. L. Jayasinghe insolvent accordingly, and that two public sittings of the court, to wit, on March 28 and on May 9, 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,
February 23, 1939. Secretary.

In the District Court of Kandy.

No. I. 4. In the matter of the insolvency of Don P. Weerasiri of Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on April 21, 1939, for the examination of the insolvent.

By order of court, E. J. DE ZILVA,
February 28, 1939. Acting Secretary.

In the District Court of Kandy.

No. I,901. In the matter of the insolvency of Ihala Walawwe Loku Banda Kobbekaduwa of Kobbekaduwa.

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 24, 1939, for the examination of the insolvent.

By order of court, E. J. DE ZILVA,
February 28, 1939. Acting Secretary.

In the District Court of Nuwara Eliya holden at Hatton.

No. 30. In the matter of the insolvency of Kana Runa Muthucaruppen Kangany of Coreen Estate, Talawakelle.

NOTICE is hereby given that at the sitting of this court held on February 28, 1939, for the grant of a certificate of conformity to the above-mentioned insolvent, the said insolvent was granted a certificate of conformity as of the first class.

By order of court, E. DE. S. GUNAWARDENE,
February 28, 1939. Secretary.

In the District Court of Jaffna.

Insolvency In the matter of the insolvency of Mohamed Jurisdiction Cassim Sultan Mohideen of Moor street. No. 177. Jaffna, insolvent.

Arumugam Ratnam of Vannarponnai. Petitioning-creditor.

WHEREAS the above-named Mohamed Cassim Sultan Mohideen has filed a declaration of insolvency and a petition for the sequestration of his estate has been filed by the above-named creditor, under the Ordinance No. 7 of 1853:

Notice is hereby given that the said court has adjudged the said Mohamed Cassim Sultan Mohideen as an insolvent accordingly, and that two public sittings of this court, to wit, on March 28, 1939, and on April 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, J. N. CULANTHAIVALU,
February 24, 1939. Secretary.

In the District Court of Badulla.

No. 34. In the matter of the insolvency of Simon de Silva de Silva Stores, 107, Bandara-wela.

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 21, 1939, to appoint an assignee.

By order of court, A. K. ALVAPILLAI,
Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Tabet Suly of 68, Second Cross street, Colombo Plaintiff.

No. 970/S. Vs.

(1) Shafeek El Dakkak, (2) Fathimah El Dakkak, both of Rosecott, Mirihana, Nugegoda, presently of Wattala. Defendants.

NOTICE is hereby given that on Monday, March 27, 1939, commencing at 4 P.M., will be sold by public auction at the respective premises in their respective order the right, title, and interest of the said defendants in the following

property for the recovery of the sum of Rs. 1,312.54, with legal interest thereon from April 22, 1936, till payment in full, and costs Rs. 898.62 less Rs. 500, viz. :—

1. All the right, title, and interest of the defendants in and to all those premises bearing assessment Nos. 18¹ to 18², 19 and 3c¹ and 3c² (presently Nos. 37/1-12 and 37/14, 37/18-27, 39, 41, 43, and 47) and Ward No. 2114 with the buildings thereon situated along Symonds' road within the Municipality and District of Colombo, Western Province; bounded on the north by the property presently of Mr. T. A. G. Noorbhai bearing assessment No. 17 and Ward No. 2113 formerly of Abubacker Mooram Pillai and Colombo Municipality, east by a divided portion of this land marked A presently bearing assessment No. 19 to 23 facing Second Division, Maradana, south by property of S. L. Abdul Carim and premises Nos. 4¹ and 4² and Ward No. 2124 of S. L. Mohamed Abdul Cader, and west by Symonds' road; and containing in extent 1 rood and 7 82/100 perches, as per plan 8/1923 dated February 16, 1923, made by C. H. Frida, Licensed Surveyor (save and except however therefrom a portion of land in length 59 feet and 6 inches and breadth 16 feet and 2 inches together with a new upstairs building bearing assessment No. 19 now No. 35 and all that allotment of land bearing assessment No. 41, Symonds' road in Second Division, Maradana, aforesaid, in extent 5 perches); registered under title A. 160/269.

2. All the right, title, and interest of the defendants in and to all that portion of land in length 59 feet and 6 inches and in breadth 16 feet and 2 inches together with the new upstairs building bearing assessment No. 19 now (No. 35), Symonds' road aforesaid; and bounded on the north by premises No. 18, south by a passage, west by Symonds' road, and east by the other portion of the same land together with the electric and other fittings thereon and which said premises is a portion of all those premises bearing assessment Nos. 18¹ to 18², 19 and 3c¹ and 3c² and Ward No. 2114 to 2123 with the buildings thereon situated along Symonds' road aforesaid; and containing in extent 1 rood and 7 2/100 perches; and registered under title A 160/269.

3. All the right, title, and interest of the defendants in and to all that allotment of land bearing assessment No. 41, Symonds' road aforesaid; and bounded on the north by a passage, on the east by a part of the same land bearing assessment Nos. 37/1-27 (now Nos. 37/1-12 and 37/14, 37/18-27), on the south by a part of the same land bearing assessment No. 47, and on the west by Symonds' road; containing in extent 5 perches; and registered under title Colombo A 247/287. The said premises is a portion of all those premises bearing assessment No. 18 (1) to 18 (21), 19 and 3c¹ and Ward Nos. 2114 to 2123 with the buildings thereon, situated along Symonds' road aforesaid; containing in extent 1 rood and 78 82/100 perches; and registered under title Colombo A 160/269.

Fiscal's Office,
Colombo, March 1, 1939.

H. E. PERIES,
Deputy Fiscal.

In the District Court of Colombo.

Matota-aratchige Charlotte Perera Weeraseskera of Siri Mangala, Udahamulla, in the Palle pattu of Salpiti korale Substituted plaintiff.
No. 42,964. Vs.

K. G. Silva of 246, Tichborne road, 2nd Division, Maradana in Colombo Defendant.

NOTICE is hereby given that on Friday, March 24, 1939, at 4.30 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. 900, with interest thereon at 9 per cent. per annum from February 24, 1931, till payment in full, and costs of this action Rs. 331.38, less a sum of Rs. 150, viz. :—

All that land formerly bearing assessment Nos. 86A, 120, 122, 124, 126, 128, 132, 132-1-5 at Deans road, Colombo, now described as follows :—

An allotment of land bearing assessment Nos. 2346/613 now Nos. 244/1-50, 246, 248, 250, 258, and 260, situated at Deans road, Maradana, in Colombo, within the Municipality of Colombo, in the District of Colombo, Western Province; bounded on the north by the property of A. A. D. M. Perera Jayawardene bearing assessment No. 2177/42 and M. D. M. Haniffa bearing assessment No. 2190H-2183/4, on the east by canal, on the south by the property of J. C. Caldera bearing assessment No. 2345/61, and on the west by the property of C. H. de Silva bearing assessment No. 2198/5 and the property of Albina Umma bearing assessment No. 2199/30 and the property bearing assessment No. 2204/4A; containing in extent 3 acres and 32 50/100

perches as per plan No. 3860 dated March 6, 1937, made by M. B. de Silva, Licensed Surveyor, which said land prior to the making of the said plan is described as follows :—

All those four northern portions of land adjoining each other and forming one property bearing assessment 61A, with the buildings, trees and grass plantations standing thereon, situated at Deans road, Maradana, in Colombo, within the Municipality and in the District of Colombo, Western Province; and bounded on the north by the canal and by the property of Sadin Marikar, on the east by high road and canal, on the south by the two portions of the same land belonging to Francis Caldera, and on the west by the property of Pitche Thamby Saibo and others; containing in extent about 3 acres 3 roods and 6 perches.

Registered in A. 85/221.

Fiscal's Office,
Colombo, March 1, 1939.

H. E. PERIES,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

(1) Rev. James Gregory Newsam Seneviratne,
(2) Oliver Shelton Agar, and (3) Ernest Gholdstein Jonklaas, all of Gampola, Trustees of St. Andrew's Church Building Fund Plaintiffs.
No. 41,978. Vs.

(1) Mohamado Lebbe Hadjiar Badoordani, (2) Mohamado Lebbe Hadjiar Habeb, (3) A. R. P. R. Arumugam Pillai, (4) R. R. M. A. Dorasamy Pillai, and M. P. M. Mittu Chettiyar, all of Gampola Defendants.

(1) M. P. M. Ramasamy Chettiyar and M. P. M. Narayanan Chettiyar, both of Gampola. Substituted defendants.

NOTICE is hereby given that on Thursday, March 30, 1939, commencing at 12 noon, will be sold by public auction at the respective premises the following property mortgaged with the plaintiffs by bond No. 16 dated March 23, 1924, and attested by Mr. G. V. Schokman, Notary Public, of Gampola, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated March 9, 1938, for the recovery of a balance sum of Rs. 8,837.25, with further interest on the said sum at and after the rate of 6 per cent. per annum from October 1, 1935, till payment in full and costs and poundage, less a sum of Rs. 750, viz. :—

All those lands and premises, plantations with the buildings, factories, machinery, and all live and dead stock thereon which said several lands, premises, plantations adjoin each other and form one property called and known as Rosehill estate and are situated and bounded as follows; and registered in D 95/193 in the Kandy District Land Registry Office.

1. All that allotment of land called Mahawelikanda formerly known as Kudawelikanda and called and described as such in Crown Grants, situate at Niyangama in Kandukarapahala korale, Udapalata, Kandy District, Central Province; and bounded on the north by the property of Kudaladeniya Suduhakurugedera and others, east by the property of Wadugederahena Inguruwatte Waduwa and others, south by the property of Ratnayake Mudiyanselege Ranhamy and others, and west by the water-course, Galkotuwe-ella; containing in extent 12 acres 3 roods and 31 perches.

2. All that piece of land called Welikandehena, situate at Niyangama aforesaid; bounded on the north by Yatchigedera Upasekeya's hena, east by Bohappe paddy field, south by Wadugedera Menika's hena, and west by Welikandehena; containing in extent 3 acres 1 rood and 21 perches.

3. All that piece of land called Welikandehena, situate at Niyangama aforesaid; bounded on the east by demada or boundary drain and Yatchigedera Upaseke's hena, south by Bohappekumbure-ella, west by Sirimala's and north by Oliyannullegedera Gunamala's hena; containing in extent 3 acres and 20 perches.

4. All that land called Galkotuwehena of about 3 amunams paddy-sowing extent, situate at Niyangama aforesaid; and bounded on the east ella or stream of Welikandewatta, south by ella or stream of Meragahadeniyewatta, west by a water-course, and north by Heenihulaha or rising ground; containing in extent 3 acres 2 roods and 33 perches.

5. All that land called Welikandehena *alias* Hawadiyadeniya, situate at Wewatenna in Kandukarapahala aforesaid; bounded on the east by Gangiriyahena, south by an ela or stream, west by Kande Duraya's chena, and north by limit of Welikandewatta, in extent 1 acre 3 roods and 32 perches.

6. All that piece of chena land called Bohappewadugederahena, situate at Niyangama aforesaid; bounded on the north by Welikandehena, east by Bohappe-ella, south by Bohappe Hablagederahena, and west by Welikande Palukopiewatta, in extent 1 acre and 23 perches.

7. All that piece of land called Bohappehalugederahena, situate at Niyangama aforesaid; bounded on the north by Bohappewadugederahena, east by Bohappe-ella, and west by Welitrandetennehena, in extent 2 acres 3 roods and 26 perches.

8. All that piece of chena land called Galkotuwa, situate at Niyangama aforesaid; bounded on the north by Kukulandeniya-ela, south by Moragahadeniyewatta, east by Moragahadeniyewatte-ella, and west by Kuda Moragahadeniye-ela, in extent 1 acre and 28 perches.

9. All that piece of land called Welikandehena, situate at Niyangama aforesaid; bounded on the north by Kandedgerahena, east by Welikande abandoned coffee estate, south by Welikandettenehena, and west by Waduwadugederahena, in extent 1 acre 2 roods and 28 perches.

10. All that piece of chena land called Galkotuwehena, situate at Niyangama aforesaid; bounded on the north by Kuda Moragahadeniya, east by Galkotuwehena and Mahamoragahadeniye-ela, south by Kuda Moragahadeniya, and west by Moragahadeniya-ela, in extent 1 acre 2 roods and 10 perches.

11. All that land called Welikandehena, situate at Niyangama aforesaid; and bounded on the north-east by Oliyammullehena, south-east by Appallagodahena, south-west by an abandoned coffee estate, and north-west by Udawelagederahena alias Ganniyarahena, in extent 1 acre and 12 perches.

12. An undivided 1/5th part or share of Welikandehena of 3 amunams paddy sowing in extent, situate at Inguruwatta in Kandukarapahala korale aforesaid; and bounded on the north and east by Dampelagederahena, south by Yakdehigederahena and Orion estate, and west by Pallepitiyehena.

13. An undivided 1/5th share or part of Baduwetiya Arambehena of 1 amunam and 2 pelas paddy sowing extent, situate at Inguruwatta aforesaid; and bounded on the north by Muduncheeriya, east by Dampelagederahena, south by Kandura, and west by Meewaturagederahena.

14. An undivided 1/5th part or share of all that land called Wewekandehena, situate at Inguruwatta aforesaid, in extent 1 acre and 20 perches; bounded on the east by Thampelegederahena and ant-hill, south by Bohappe estate, west by Pilapitiyehena, and north by Ukkuwage Thampelehena.

15. All that land called Welikandehena of one and half amunams paddy sowing extent, situate at Inguruwatta aforesaid; and bounded on the north by Udagedera Welikandehena belonging to Murugesu, east by Bohappekumbura, south by Orion estate, and west by Dampelagederahena. (b) All that land called Kadimullehena of one and half amunams paddy sowing, situate at Inguruwatta aforesaid; and bounded on the north by Meewaturegederahena and Puruwayawatta, east by a large rock, south by Orion estate, and west by Meewaturegederahena.

16. The south-eastern moiety of 2½ acres in extent of all that land called Bohappehena, situate at Inguruwatta aforesaid; and bounded on the north and west by the remaining portion of the land which belongs to Kitulpedigedera Dantuwa and sold by heirs to Murugahadeniya Kaluwa, south by Naranwita Welela, and east by Elakandura.

17. All that land called Hompalapitiyehena, situate at Wewetenna aforesaid; bounded on the east by the tree on the ant-hill standing on the property of Pinaduraya, south by ditch, west by Kirihenaya's land and water-course, in extent 2 acres 1 rood and 2 perches.

18. All that land called Welikandehena of about 4 acres in extent, situate at Inguruwatta aforesaid; and bounded on the north by Dampelagederahena, east by Bohappe-ella, south by land belonging to Murugesu Mudalai, and west by Muduncheeriya.

19. All that field called Bohappekumbura of 6 lahas in extent, situate at Inguruwatta aforesaid; and bounded on the north by Rosehill estate, east by Muttetuwa-ela, south by Pilimullehena and Meewaturegedera Bohappehena, and west by Eriyaghamulahena.

20. All that land called Kandegederahena, situate at Inguruwatta aforesaid; bounded on the north and east by Dampelagederahena, south by Rosehill estate, and west by Gangehena, in extent 2 roods and 32 perches.

21. All that land called Pansaledeniye-hena of 2 pelas in extent, situate at Niyangama aforesaid; and bounded on the east by the boundary of Uguressa tree of Crown land, south by ela, and west by the demada of Niyangama Durayalegederahena, and north by Pansaledeniya-kumbura.

22. (a) All that land called Attossehena of about ¾ acre in extent, situate at Niyangama aforesaid; and

bounded on the east by Rosehill estate, south by Kandedgerahena, west by Tisnakahena, and north by a kandura. (b) All that land called Kiriwanehena of about 1 acre in extent, situate at Niyangama aforesaid; and bounded on the north by Pallepelegederahena, east by hena belonging to Naida Duraya, west by deniya, and south by land belonging to Maduwegedera Handuwa.

23. All that land called Bodegiriye-hena of about 1 amunam paddy sowing extent, situate at Naranwita in Kandukarapahala korale aforesaid; and bounded on the east by Kodige, south by Thellepelegedera land, west by Crown land, and north by a water-course.

24. All that land called Badawature Ambehena of about 1 amunam paddy sowing in extent, situate at Inguruwatta aforesaid; and bounded on the north and east by Meewaturehena, south by the property of Leon de Espagnac, and west by a ditch.

25. (a) All that land called Kalugohatennehena of 1 pela in extent, situate at Niyangama aforesaid; and bounded north by a demada, east by Tosnakawehena, south by Dilavuhena, and west by a demada and Pallepelegederahena and (b) all that land called Katukitulgodahena of 1 amunam paddy sowing, situate at Niyangama aforesaid; and bounded on the north and east by the demada, south by Ambalapitiyehena and a ridge of rocks, and west by Deltotagedera Upasakehena.

26. All that land called Badawetiya-arambehena, situate at Inguruwatta aforesaid; and bounded on the north by the chena belonging to Oliyamura Gunamala, east by Rosehill estate, south by Niyangahahena, and west by Kandupitiyehena, in extent 1 acre 2 roods and 39 perches.

27. (a) The garden called Baddewatta of about 12 lahas in extent in the whole; bounded on the east by stone fence and south-west and north by the ditch, and (b) the field called Kukulandeniye-kumbura of 7 lahas in extent; and bounded on the east by Kandedgerahena, south by the paddy field of Kiriwatuwa, and west and north by the ela, both the said garden and the said field within the said boundaries situate at Niyangama aforesaid.

28. All that land called Ganimahena of about 5 amunams in extent situate at Inguruwatta aforesaid; and bounded on the north by the demada of and ditch of Meewaturegederahena, east by the Demada Kandedgerahena, south by the land belonging to Leon De Espagnac, and west by gan ima and land belonging to Leon De Espagnac.

29. All that land called Badawature Ambehena of about 5 amunams in extent, situate at Inguruwatta aforesaid; bounded on the north by an ela, east by Dampelagederahena, south by Kandedgerahena and Pallepitiyehena, and west by Heenhulaha of Kandedgerahena.

30. All that land called Henegederatte Watagodahena, in extent 2 pelas of paddy sowing, situate at Niyangama aforesaid; and bounded on the east by the limit of the hena belonging to Suduhakurugedera Sirimalie, south by Kitulgammuna, west by Bogete-ela, and north by the ditch of the chena of Kirimahaduraya.

31. All that divided portion of the high land in extent 5 lahas paddy sowing out of all that land called Kukulandeniye-kumbura, situate at Niyangama aforesaid; and which said divided portion is bounded on the east by Welikande Kopiewatta, south and west by ela, and north by the remaining portion of this field.

32. All that land called Kukulandeniye-hena of 1 amunam paddy sowing extent, situate at Niyangama aforesaid; and bounded on the east by the limit of Meewaturegederahena, west by Kukulandeniye-kumbura, and north by the ridge of Lamorakpuliya-hena.

33. All that divided northern portion of 5 lahas paddy sowing in extent out of all that land called Kukulandeniye-kumbura of 1 pela paddy sowing extent, situate at Niyangama aforesaid; and which said northern portion is bounded on the east by Kandedgerahena, south by tea estate and by the remaining portion, west by Pihilladeniye-ela, and north by land called Kukulandeniye-kumbura belonging to Leon de Espagnac.

34. All that divided southern portion in extent 1 pela paddy sowing out of all that land called Badawature Arambehena, in extent 1½ acres, situate at Inguruwatta in Kandukarapahala korale aforesaid; which said southern portion is bounded on the north by the remaining portion, east by ella and Badawaturambekumbura, south by the limit of the chena belonging to Badawaturambe Gunamala, and west by village boundary.

35. All that divided northern portion in extent 1 pela paddy sowing or ¾ an acre in extent out of all that land called Badawattiya-arambehena of 1½ acres in extent, situate at Inguruwatta aforesaid; and which said northern portion is bounded on the north by the chena belonging to Kitulpedigedera Dingiri, east by ella of Badawetiya-arambekumbura south by the remaining portion of this land

belonging to Lean De Espagnac, and west by the village boundary and all the right, title, interest, and claim whatsoever of the 1st and 2nd defendants in, to, upon, or out of the said several premises mortgaged by the 1st and 2nd defendants.

Fiscal's Office,
Kandy, February 28, 1939.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Kandy.

Veena Muniandy of Gonawela, Teldeniya Plaintiff.

Dr. A. Rajasingham of Edelweiss, Colpetty, Colombo Substituted plaintiff.

No. 44,969. Vs.

(1) Kana Kathai, (2) Seena Meiyappen, both of Aspokunne estate, Gonawela, near Teldeniya Defendants.

(1) Kana Kathai, (2) K. Karuppiam, (3) K. Palani, (4) K. Vadivail, (5) Muthammal, (6) Karuppiam, and (7) Letchimai, all of Gonawela Substituted defendants.

NOTICE is hereby given that on Wednesday, March 29, 1939, commencing at 2 P.M., will be sold by public auction at the respective premises the right, title, and interest of the 1st defendant and substituted defendants for the recovery of the sum of Rs. 1,630, with legal interest thereon from March 13, 1934, till payment in full and costs and poundage, in and to the following property, viz. :—

1. The western $\frac{1}{2}$ part or share being 15 lahas paddy sowing in extent of and in all that land called Weralugastennewatta of about 3 pelas paddy sowing in extent in the whole, situate at Gonawela in Pallispattu of Pata Dumbara in the District of Kandy, Central Province; and which said western $\frac{1}{2}$ part or share being bounded on the east by the remaining portion of this land, south by the limit of the Crown land, west by the limit of Wedalatgedera Thenuwa Vedaralagewatta, and north by Elkandura.

2. An undivided $\frac{1}{4}$ part or share of and in the middle 7 acres in extent out of all that land called Weralugastennewatta, situate at Gonawela aforesaid; and which said middle 7 acres in extent is bounded on the east by water-course and endaru fence, south by the fence of Assen Seyadugewatta, west by the limit of Assena Cadergewatta, and north by the fence of Thenuwarahamy Vedaralagewatta, together with a like share of the buildings, plantations, and everything thereon.

3. An undivided $\frac{1}{4}$ part or share of and in the western $\frac{1}{2}$ part or share being 6 pelas paddy sowing in extent out of all that land called Weralugastennehena of three amunams paddy sowing in extent in the whole, situate at Gonawela aforesaid; which said western $\frac{1}{2}$ part or share is bounded on the east by the remaining portion of this land, south by the limit of the Crown land, west by makul tree on village limit and north by Mala-ela.

4. One undivided $\frac{1}{12}$ part or share of and in all that land called Weralugastennewatta of about 6 acres in extent in the whole, situate at Gonawela aforesaid; and bounded on the north by the limit of Wallipuram Shroff's garden, east and west by the limit of Seena Meiyappenge-watta, and south by the drain of Assenakkara Mudaligewatta, together with a like of the houses, plantations, and everything thereon.

5. An undivided $\frac{1}{4}$ part or share of and in an undivided 1 acre 2 roods and $4\frac{1}{2}$ perches in extent towards the east and west of stone fence out of Weralugastenne Ambagahamulahena of 6 acres and 18 perches in extent in the whole, situate at Gonawela aforesaid; and bounded on the north by water-course, on the north-east by lands belonging to Wadugedera Ukku Naide and another, south by the property of Vedalathgedera Kannuppugammaha and lands described in plans No. 99,477 and No. 52,959, and west by land described in plan No. 99,443.

6. The eastern $\frac{1}{4}$ part or share being 1 amunam paddy sowing in extent lying this side of damunu lununida trees and ant-hill and katu imbul stump out of Weralugastennehena of 2 amunams paddy sowing extent in the whole, situate at Gonawela aforesaid; and which said eastern $\frac{1}{4}$ share being bounded on the east by Manigewatta, south by the limit of Crown land, west by the limit of the remaining portion of this land, and north by the Galheeriya of Vedaralagehena and Moragaha.

7. All that land called Weralugastennewatta of about 2 pelas paddy sowing in extent, situate at Gonawela aforesaid; and bounded on the east by Galheeriya, south by the limit of Crown land, and north and west by the fence of Selambamegewatta.

8. Aspokunewatta of 2 acres 1 rood and 32 perches, situate at Gonawela aforesaid; and bounded on the east by Weralugastenne belonging to Sena Meiyappen and Wadugedera Ranagewatta, south by Aspokunne estate belonging to Mr. Wallipuram, west by Sena Meiyappagewatta, north by Aniakaragewatta.

Fiscal's Office,
Kandy, March 1, 1939.

H. C. WIJESINHA,
Deputy Fiscal.

52/ In the District Court of Kandy.

Ambahera Sri Narayana Tennekoon Rajapaksa Wasala Mudiyanseelage Kalu Banda Ambahera of Pethiyagoda in Gangapalata of Udumwera Plaintiff.

No. 48,632. Vs.

Patabandigedara Punchi Etana of Kawadupitiya in Kandukarapahala Korale of Udapalata Defendant.

NOTICE is hereby given that on Saturday, March 25, 1939, commencing at 12 noon, will be sold by public auction at the respective premises the following property mortgaged with the plaintiff by bond No. 6,004 dated March 2, 1934, and attested by P. B. Elangasinha, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated November 9, 1938, for the recovery of the sum of Rs. 548-21 $\frac{1}{2}$, with legal interest on Rs. 438-26 $\frac{1}{2}$ at 9 per cent. per annum from September 26, 1938, till payment in full and poundage, viz. :—

(1) Undivided $\frac{3}{7}$ shares (towards the east that has to be possessed by Patabandigedara Punchi Etana) from and out of all that field called Ranwatta of 15 lahas paddy sowing in extent, situate at Kawadupitiya in Kandukarapahala korale of Udapalata, in the Kandy District, Central Province; and bounded on the north by the Mahaweli-ganga, east and south by the bank of the Warussakumbura, and west by Ranwatekumbura owned by Uve Vidanelage Appu, and registered in D 136/177 Kandy.

(2) Undivided $\frac{2}{5}$ shares out of undivided $\frac{13}{14}$ shares (towards the west that has to be possessed by Patabandigedara Punchi Etana) from and out of all that land called Kapugedarawatta of 1 acre and 3 roods in extent, situate at Kawadupitiya aforesaid; and bounded on the north and west by the field, south by the hena near Udahentennekapugedarawatta, and east by Uvevidanegehena, and the ela together with an undivided one half share towards the west out of the buildings thereon, and registered in D 136/178 Kandy, and

(3) Undivided $\frac{2}{5}$ shares out of undivided $\frac{13}{14}$ shares (towards the west that has to be possessed by Patabandigedara Punchi Etana) from and out of all that land called Udahentennekapugedarawattagawahena presently garden of 2 acres and 4 perches in extent, situate at Kawadupitiya aforesaid; and bounded on the north by Kapugedarawatta, east by Uvevidanegehena, south by the allotment containing 7 acres and 4 perches in extent, and west by Gorakgahadeniyekumbura, and registered in D 136/67 Kandy, and all the right, title, interest, and claim whatsoever of the said defendant in, to, upon or out of the said several premises mortgaged by the defendant.

Fiscal's Office,
Kandy, February 25, 1939.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Kandy.

The Public Trustee of Ceylon, as Trustee of the Gotlier Trust Plaintiff.

No. 48,907. Vs.

(1) The Public Trustee of Ceylon as administrator of the estate of Nagoor Abdul Cader, (2) Nawanna Abdul Cader's son Seyado, (3) Peer Madar's daughter Mohideen Pathumma, (4) N. A. Uduma Lebbe, (5) N. A. Hameedo, (6) Alimma Umma, (7) Kadija Umma, (8) Cader Umma, and (9) Ibrahim Umma, all of Kandy Defendants.

NOTICE is hereby given that on Saturday, April 22, 1939, commencing at 2 P.M., will be sold by public auction at the respective premises the following properties mortgaged by bond No. 15,160 dated September 6, 1922, and attested by E. M. B. Seneviratne, Notary Public of Kandy, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated November 7, 1938, for the

recovery of the sum of Rs. 3,686.01, and interest thereon at the rate of 15 per centum per annum from October 9, 1936 till December 1, 1937, and thereafter legal interest on the aggregate amount till payment in full and poundage, and costs of action taxed at Rs. 179.69, viz. :—

(1) All that western portion of 7½ lahans in paddy sowing extent out of the land called Badlapothemedabitterapela, situate at Deiyannawela within the Town Municipality, and District of Kandy, Central Province; which said western portion is bounded on the east by the remaining portion of this land owned by Mawanna Abdul Cader, south by Meda, west by the property of the Pettan Kangany now belonging to Veaiden and Pitche Mudalali, and north by road; and containing in extent 36 perches according to the figure of survey thereof dated May 20, 1921, and made by O. V. Bartholomeusz, Licensed Surveyor, together with the buildings standing thereon bearing assessment Nos. 18, 18A, 17, and 17A and four buildings newly erected and not numbered.

(2) All that allotment of land called Kossinekumbura (now high land) of 5 lahans in paddy sowing extent, together with the buildings bearing assessment Nos. 16A to 16G, and all the plantations and everything standing thereon, situate at Deiyannawela aforesaid; and bounded on the east by the Imaweilla of Panikkiya's field, south by the Imaweilla of Allis Appu Kangany's field, west by the Imaweilla of Damillangkumbura and Pethan Kangany's brick kiln, and north by the drain of the rail road, and registered in A 52/159 and 46/73 and all the right, title, interest, and claim whatsoever of the 1st, 2nd, and 3rd defendants in, to, upon or out of the said several premises mortgaged by the said bond No. 15,160.

Fiscal's Office, H. C. WIJESINHA,
Kandy, February 27, 1939. Deputy Fiscal.

32/ In the District Court of Kandy.

S. T. S. Waliappa Chettiar of Matale Plaintiff.
No. 48,911. Vs.

M. Muttu Alagu of Pappatwala in Matale Defendant.

NOTICE is hereby given that on Friday, March 24, 1939, commencing from 10 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the balance sum of Rs. 402.50, with legal interest on Rs. 302.50 from October 11, 1937, till payment in full, costs, and poundage, viz. :—

1. The boutique built with a titled roof with the land appertaining thereto bearing assessment No. 230, formerly 252, situated at Gongawela Bazaar in Trincomalee street, Matale, in the district of Matale, Central Province, in extent 4 $\frac{23}{100}$ perches bounded on the east by Delhipitalawelawatta, south by boutique belonging to Muttu Kana Pana Lana Kannappa Chettiar, now the property of J. Costa, west by high road leading to Trincomalee, and north by boutique belonging to Peena Nawanna Kana Nana Sidambaram Chettiar now property of N. W. Nonis Silva.

2. Sinnalebbegeewatta situated at Pamunuwa in Asgiri Udasiya pattu of Matale South in the District of Matale aforesaid; and bounded on the east by Crown land and land claimed by natives, south by land and forest claimed by natives, west by land claimed by natives, and north by fence of the remaining portion of Sinnalebbegeewatta; containing in extent 48 acres 3 roods, and 5 perches or 43 acres 3 roods and 24 perches.

Deputy Fiscal's Office, IAN M. DE SILVA,
Matale, February 22, 1939. Additional Deputy Fiscal.

33/ Southern Province.

In the District Court of Matara.

D. D. Samarasinghe of Kapugama Plaintiff.
No. 12,060. Vs.

L. G. Podiappu of Gandara Defendant.

NOTICE is hereby given that on Thursday, March 30, 1939, commencing at 3.30 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 a sum of Rs. 371.45 with legal interest on Rs. 263.21 from December 2, 1938, till payment in full, viz. :—

1. All that the soil and fruit trees of the land called Napegehena, situated at Kapugama in the Wellaboda pattu of Matara District, Southern Province; and bounded

on the north by aramba, east by Adikarangewatta, south by high road, and on the west by Kapukanatta; and containing in extent 5 acres.

2. All that the field called Bibulekumbura, situated at Kapugama aforesaid; and bounded on the north by Hittatiyakumbura, east by Bappuwannewatta, Kalukapugewatta, and Pinwatta, south by Liyanagekumbura, and on the west by Pahalagewatta, Owitewatta, Rawatta, Liyanagewatta, and Medakapugewatta; and containing in extent 2 amunams of paddy sowing.

3. All that the soil and fruit trees of the land called Porapolaahakoratuwa, situated at Gandara in the Wellaboda pattu aforesaid; and bounded on the north by Wela and Pahalakoratuwa, east by Galwetagawawatta, south by road and Galwetagawawatta, and on the west by road; and containing in extent 2 acres, together with the buildings standing thereon.

Deputy Fiscal's Office, H. V. F. ABAYAKOON,
Matara, February 21, 1939. Additional Deputy Fiscal.

34/ Province of Sabaragamuwa.

In the District Court of Kegalla.

A. E. Carthigesu of Hingula Plaintiff (dead).

(1) Meenanma and 6 others; 2nd to 6th being minors by next friend 7th substituted plaintiff. Substituted plaintiffs in place of original plaintiff.

Warakapitiye Mediyanselage Kiri Mudiyanse, Fiscal's Officer of Mihilla Substituted plaintiff in place of substituted plaintiffs.

No. 10,097. Vs.

(1) L. B. Hanthilaka of Hanguranketa in Kandy District, (2) M. B. Rankoddiwala (dead), administrator of the estate of P. B. Rankoddiwala, deceased, (3) Loku Banda Giragama administrator of the estate of P. B. Rankoddiwala, deceased, at Rankoddiwala Defendants.

NOTICE is hereby given that on Wednesday, March 29, 1939, at 3 o'clock in the afternoon, will be sold by public auction at Attalegedera Hitinawatta at Daswatta the right, title, and interest of the said 1st and 3rd defendants in the following property, viz. :—

The elephant called and known as Dodantale Horatala about 50 years old and about eleven feet in height which belonged to Rankoddiwala President, deceased, for the recovery of the sum of Rs. 1,000, with legal interest from January 25, 1931, to date of payment from 1st defendant, Rs. 521.64½ from 1st and 3rd defendants jointly and severally, Rs. 87.62½ from the 3rd defendant alone.

Deputy Fiscal's Office, J. A. F. SIRWARDENE,
Kegalla, February 25, 1939. Additional Deputy Fiscal.

In the District Court of Kegalla.

N. R. M. P. R. R. M. Ramanathan Chettiar and others of Kegalla Plaintiffs.

No. 10,527 Vs.

Sena Awana Abdul Majeedu of Hingula (dead) Defendant.

Ahanadu Lebbe Marikar Mari Muttu Nacciya of Hingula, Administratrix of the estate of defendant deceased Substituted defendant.

NOTICE is hereby given that on March 31, 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 defendant in the following property, viz. :—

Sale on March 31, 1939, at 3 o'clock in the afternoon.

1. An undivided 13/24 share of Delangewatta, portion towards the west of 32 feet in length and 75 feet in breadth along the southern boundary from the western boundary towards the north, situated at Mawanella in Tanipperu pattu of Galboda korale in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the east by limit of the remaining portion of this land, south by high road from Colombo to Kandy, west by fence of Hadjar's garden, and north by ela, registered in C 164/187.

Sale on March 31, 1939, at 4 o'clock in the afternoon.

2. An undivided 31/120 share of Dompitigodahenewatta and Yatipolamullehenewatta of 3 pelas and 3 lahans of paddy sowing in extent, situated at Mederigama in Meda pattu of Galboda korale as aforesaid; and bounded on the east by endaru fence of Ruppegewatta, south and west by endaru fence of land belonging to Mamangawehenyaya, north by Hingul-oya registered in C 169/226.

Sale on March 31, 1939, commencing at 4.45 p.m.

3. An undivided 31/120 share of the western room of the tiled upstairs house which is below the high road, in Hondeniyewatta of one chundu kurakkan sowing in extent, situated at Hingula in Meda pattu of Galboda korale as aforesaid; and bounded on the east by wall of the middle room, south by high road, west by thatched house, and north by Hingul-oya, registered in C 161/223.

4. An undivided 31/320 share of Thimbrigahadeniya of 4 acres 1 rood and 24 perches in extent, situated at Hingula aforesaid; and bounded on the east by road leading to Attapitiya, Godadeniyewatta and Thimbrigadeniya, south by land of K. B. Seneviratna, west by field of Seneviratna and Alagallagewatta, and north by Hingul-oya, registered in C 56/245.

5. An undivided 31/120 share of Avissiriyewatta (lying on either side of the high road) of 3 lahas of paddy sowing in extent, situated at Hingula aforesaid; and bounded on the east by Galekona and Eura, south by Eura, west by limit of the land of Idampitiye Muhandiramale and road leading to oya, and north by oya registered C51/169.

6. An undivided 31/120 share of Avissiriyewatta of 3 acres in extent, situated at Hingula aforesaid; and bounded on the east by fence of Meedenigewatta, south and west by limit of the land purchased by Idampitiye Notary, and north by ela, registered in C51/168.

For the recovery of the sum of Rs. 787.21 with interest on Rs. 1,000 and Rs. 250, at 15 and 18 per cent. respectively per annum from November 23, 1933, till date of decree (June 13, 1934) and thereafter with legal interest on the aggregate amount till payment in full.

Deputy Fiscal's Office, J. A. F. SIRIWARDENE,
Kegalla, February 25, 1939. Additional Deputy Fiscal.

In the District Court of Kandy.

Suna Pana Rawanna Mana Mena Meiyappa Chettiar of
Brownrigg street, Kandy.....Plaintiff
No. 43,766. Vs.

Juwan Achige Fredrick de Silva of Elliot road in
Galle.....Defendant.

NOTICE is hereby given that on March 27, 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 defendant in the following property, viz. :—

1. All that land called and known as Nagahamankadehena and Ritigahapitiyehena; containing in extent 7 pelas paddy sowing, situated at Rankothdiwela in Tanipperu pattu of Galboda korale of the District of Kegalla, Province of Sabaragamuwa of the Island of Ceylon; and bounded on the east by the village limit of Murutawala and road to Rambukkana, south by the limit of the land of Master and a line from karanda tree to the fence of Appuwa's land, west by Arambedeniyekumbura, and on the north by Maha-oya (excluding therefrom an undivided portion of 2 pelas paddy sowing extent out of the land called Nagahamankadahena and an undivided portion of 12 lahas paddy sowing out of the land called Ritigahapitiyehena) with everything thereon.

2. All that divided portion of land marked lot B; containing in extent 2 acres 1 rood and 12 perches from and out of the land called Warakamedillehena, situated at Danagama in Tanipperu pattu aforesaid; which said divided portion is bounded on the east and south by Nikalagollehena, west by land of Isubu Lebbe, and on the north by the limit of the portion divided off from this land depicted as lot 2 in the plan filed of record in District Court, Kegalla, case No. 2,582.

3. All that divided portion of land marked lot B from and out of the land called Nikalagollehena and depicted as lot 1 in plan filed of record in the said case No. 2,582; which said divided portion is bounded on the west by Warakamedillehena, north by the divided portion of this land marked A of the same land, east by the land claimed by Adam Lebbe and by paddy fields, south by land claimed by Adam Lebbe; containing in extent 3 roods and 14.5 perches, situated at Danagama aforesaid.

4. All that allotment of land called Ratmalagollehena, in extent 5 pelas paddy sowing, situated at Danagama aforesaid; and bounded on the east and north by the limit of Dissawe Hangidiya's hena, south by Ratmalagodehena-iura, and on the west by field.

5. All that allotment of land called Halgahagodahena in extent 3 roods and 3 perches, situated at Danagama aforesaid; and bounded on the north-east and south-east by land claimed by Appunaide, south-west by land claimed by Kiri Naide, and on the north-west by lands claimed by Kiri Naide and Appu Naide.

6. Undivided $\frac{1}{2}$ part or share of and in all that allotment of land called Bulugollehena *alias* Iyagollehena in extent 2 pelas paddy sowing, situated at Danagama aforesaid; and bounded on the north by iura and Iyagollekumbura, east by the limit of Kuda Hangidigehena and Gansabhawa road, south by Bulugollewatta and agala, and on the west by the limit of Loku Hangidigehena.

Which said premises adjoin each other and form one property known as Waraliyadde Estate; containing in extent of about 25 acres, together with the plantations, newly built bungalow, boutiques, buildings, machinery, fixtures and everything thereon.

7. All the right, title, and interest in and to all that land called Bulugollehena, situated at Danagama aforesaid; and bounded on the east by the limit of Kuda Hangidigehena and Gansabhawa road, south by Bulugollewatta and ditch, west by the limit of Loku Hangidigehena, and on the north by iura and Iyagolle paddy field; containing in extent 2 pelas of paddy sowing which said premises described according to plan No. 1,454 dated August 10, 1928, made by Lionel E. Markus, Licensed Surveyor, is as follows :—

An allotment of land called Bulugollehena, together with the rubber and other plantations standing thereon, situated at Danagama aforesaid; and bounded on the north-west by Iyagalakumbura, east and south by Gansabhawa path, and on the west by ditch; containing in extent 1 acre 2 roods and 19 perches according to the said plan.

Sale on March 27, 1939, at 4 p.m. at the spot.

8. An undivided one-twelfth part or share of and in all that land called Ritigahapitiyehena now garden of 16 lahas in paddy sowing extent in the whole, situated at Nungomuwa in Tanipperu pattu aforesaid; the entirety being bounded on the north by the limit of Aratchillagehena and from bulu tree to Agalkotuwa, east by the limit of Walawehena, south by the limit of Appuhamigehena, and on the west by agala, together with a like share of everything thereon; and registered in C 146/198, 141/120, 121, 144/270, 141/122, 160/59 and C 130/32 and 146/199.

For the recovery of the sum of Rs. 5,882.91, with legal interest on Rs. 5,079.17 from November 13, 1934, till payment in full, less a sum of Rs. 100.

Deputy Fiscal's Office, J. A. F. SIRIWARDENE,
Kegalla, February 25, 1939. Additional Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Ahamado Lebbe Abdul Rahman, late of No. 8,697. 74, St. Joseph's street, Colombo, deceased.

Abdul Rahman Mohamed Saly of 74, St. Joseph's street, aforesaid.....Petitioner.

And

(1) Abdul Rahman Latiffa Umma, and (2) Abdul Rahman Zainambu Lebbe, both of St. Joseph's street, aforesaid.....Respondents.

THIS matter coming on for disposal before C. Nagingam, Esq., District Judge of Colombo, on January 19, 1939, in the presence of Mr. M. N. M. Salahudeen, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 18, 1939, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as 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 16, 1939, show sufficient cause to the satisfaction of this court to the contrary.

February 20, 1939.

W. SANSONI,
District Judge.

In the District Court of Colombo.

Order Absolute in the First Instance.

Testamentary In the Matter of the Last Will and Testament of the late J. S. de S. Jayawardene, deceased, of Dickman's road. No. 8,708.

THIS matter coming on for final determination before W. Sansoni, Esq., District Judge of Colombo, on January 30, 1939, in the presence of Mr. H. Rajanathan, Proctor, on the part of the petitioners (1) Alfred Henry Walter Mendis of Moratuwa, (2) Mark S. Gooneratne, Proctor

21/ and W. N. Goonewardena of Matugama; and the affidavits of the said petitioners dated January 23, 1939, and of the attesting notary and witnesses dated January 25, 1939, having been read and it appearing to this court that the said petitioners have established their right thereto, it is ordered that probate of the will of the said deceased be issued to (1) Alfred Henry Walter Mendis, (2) Mark S. Goonewardena and (3) W. N. Goonewardena accordingly.

February 20, 1939.

W. SANSONI,
District Judge.

22/ In the District Court of Colombo.
Order Absolute in the First Instance.

Testamentary In the Matter of the Last Will and Testament of the late Albert Edward Rode, late of 120, New Buller's road, Colombo, deceased.

THIS matter coming on for final determination before W. Sansoni, Esq., District Judge, Colombo, on February 7, 1939, in the presence of Mr. M. A. Van Rooyen, Proctor, on the part of the petitioners (1) Basil Aldon Rode of Lorenz road, Bambalapitiya, Colombo, and (2) Cecil Francis Fernando of New Buller's road, Bambalapitiya, Colombo; and the affidavits of the said petitioners dated January 24, 1939, and of the attesting notary dated February 6, 1939, having been read:

And it appearing to this court that the said petitioners have established their right thereto, it is ordered that probate of the will of the said deceased be issued to (1) Basil Aldon Rode, and (2) Cecil Francis Fernando accordingly.

February 21, 1939.

W. SANSONI,
District Judge.

25/ In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Last Will and Testament of the late Hewagamage Menchinona Cooray of Meetotamulla, Kolonnawa, in Colombo, deceased.

Hewagamage Deont Cooray of 188/7, Skimmers road south in Colombo Petitioner.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on February 9, 1939, in the presence of Mr. D. F. J. Perera, Proctor, on the part of the petitioner above named; and (1) the affidavit of the said petitioner dated February 3, 1939, and (2) of the attesting witnesses dated January 31, 1939, having been read:

It is ordered that the last will of Hewagamage Menchinona Cooray, 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 9, 1939, show sufficient cause to the satisfaction of this court to the contrary.

February 9, 1939.

W. SANSONI,
District Judge.

30/ In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Intestate Estate and Jurisdiction. Effects of Imbulane Badalge Don Juwan Naide of Embaraluwa, deceased.

Imbulane Badalge Velu Naide of Embaraluwa Petitioner.

- And
- (1) Imbulanabadalge Nonabandana Nachchira, (2) Imbulanabadalge Siman Naide, both of Imbulgoda, (3) Imbulanabadalge Christian Naide of Etikehelgolla, (4) Imbulanabadalge Luv Naide of Embaraluwa, (5) Imbulanabadalge Kovis Naide of Embaraluwa, (6) Imbulanabadalge Sadiris Naide, (7) Imbulanabadalge Davith Naide, both of Embaraluwa Respondents.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on February 9, 1939, in the presence of Messrs. Moonasinghe & Jayamaha, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 9, 1939, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as eldest child 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 9, 1939, show sufficient cause to the satisfaction of this court to the contrary.

February 13, 1939.

W. SANSONI,
District Judge.

24/ In the District Court of Avissawella.
Order Absolute.

Testamentary In the Matter of the Last Will and Testament of John Charles Lambert Brereton of Penrith Estate, Puwakpitiya, in the Island of Ceylon, deceased.

Geoffrey Thomas Hale of Colombo Petitioner.

THIS matter coming on for disposal before S. S. J. Goonesekera, Esq., District Judge of Avissawella, on February 15, 1939, in the presence of Mr. V. C. Kelaart, Proctor, on the part of the petitioner above named; and the affidavits (1) of the petitioner above named, one of the executors under the will of the above-named deceased dated February 9, 1939, (2) and one of the attesting witnesses dated February 2, 1939, having been read:

It is ordered that the last will of John Charles Lambert Brereton of Penrith Estate, Puwakpitiya, 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 one of the executors named in the said will and that he is entitled to have probate thereof issued to him accordingly.

February 15, 1939.

S. S. J. GOONESEKARA,
District Judge.

24/ In the District Court of Kandy.
Order Nisi.

Testamentary In the Matter of the Estate of the late Anurajasingha Mudianselage Loku Banda, deceased, of Polgolla in Weudawilli hathpattu of Kurunegala.

THIS matter coming on for disposal before George Crossette Thambayah, Esq., District Judge, Kandy, on January 12, 1939, in the presence of Messrs. Beven & Beven, Proctors, on the part of the petitioner, Herath Mudianselage Rangiri Kumarasingha; and the affidavit of the said petitioner dated October 17, 1938, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as the widow of the above-named deceased, to have letters of administration to the estate of the deceased issued to her, unless the respondents—(1) Bhatiya Bandara and (2) Herath Mudianselage Mudiyansa, both of No. 5, Lady Mac Carthy's road, Kandy—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 12, 1939.

G. C. THAMBYAH,
District Judge.

24/ In the District Court of Jaffna.
Order Nisi.

Testamentary In the Matter of the Intestate Estate and Jurisdiction. Effects of the late Ampalavanar Murugasoe of Karaitivoe East, deceased.

Meenadchippillai, widow of Murugasoe of Karaitivoe East Petitioner.

- (1) Murugasoe Ampalavanar, (2) K. Kandiah Supramaniam, (3) Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on February 21, 1939, in the presence of Mr. P. Sabaratnam, Proctor, on the part of the petitioner; and the affidavit of the petitioner having been read:

It is ordered that the petitioner be declared the administratrix of the estate of the deceased, and that letters of administration be issued to her accordingly, unless the respondents or any other person shall, on or before March 13, 1939, show sufficient cause to the satisfaction of this court to the contrary.

February 21, 1939.

C. COOMARASWAMY,
District Judge.

In the District Court of Chilaw. **30**
Order Nisi.

Testamentary In the Matter of the Intestate Estate of
 Jurisdiction. the late Randeni Aratchige Don Simp-
 No. 2,230. linu Appuhamy of Nathandiya, de-
 ceased.

Gurunanselage Dona Juliana Hamine (widow) of
 Thabowa, in Chilaw District Petitioner.

And

(1) Randeni Aratchige Dona Enid Amara Thabowa,
 minor, appearing by her guardian *ad litem* (2)
 Randeni Aratchige Don Henry of Nathandiya
 Respondents.

THIS matter coming on for disposal before M. A. Samara-
 koon, Esq., District Judge of Chilaw, on February 14.

1939, in the presence of Mr. Albert F. Peries, Proctor, on
 the part of the petitioner; and the affidavit of the said
 petitioner dated November 30, 1938, having been read:

It is ordered that the 2nd respondent above named be
 and he is hereby appointed guardian *ad litem* over the 1st
 respondent above named, to represent her for all purposes
 of this action and that the petitioner be and she is hereby
 declared entitled, as widow of the said deceased, to have
 letters of administration to his estate issued to her accord-
 ingly, unless the respondents above named or any other
 person or persons interested shall, on or before March 7,
 1939, show sufficient cause to the satisfaction of this court
 to the contrary.

M. A. SAMARAKOON,
 District Judge.

February 14, 1939.

DRAFT ORDINANCES.

(Continued from page 159.)

MINUTE.

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

L. D.—O 97/38

An Ordinance to amend the Tea Control Ordinance, No. 12 of 1938.

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 Tea Control
 (Amendment) Ordinance, No. . . . of 1939.

Short title.

2 Section 25 of the Tea Control Ordinance, No. 12 of
 1938, (hereinafter referred to as "the principal Ordinance"),
 is hereby amended, in the Proviso thereto, as follows:—

Amendment of
 section 25 of
 Ordinance No. 12
 of 1938.

(1) by the substitution for paragraph (a) of the following:—

"(a) the export from Ceylon by post of made tea
 in any package not exceeding one pound in
 weight;";

(2) in paragraph (b), by the substitution for the words
 "imported into Ceylon." of the words "imported
 into Ceylon, or"; and

(3) by the addition of the following as paragraph (c):—

"(c) the export from Ceylon of any quantity of
 made tea, not exceeding the maximum
 quantity prescribed, shipped as stores on
 board any vessel or aircraft."

3 Section 42 of the principal Ordinance is hereby amended
 in sub-section (3) thereof, by the omission of the words
 "under this section".

Amendment of
 section 42 of the
 principal
 Ordinance.

Objects and Reasons.

Under section 25 of the Tea Control Ordinance, No. 12 of
 1938, no licence is required to authorise the export of samples
 of tea in packages not exceeding eight ounces in weight.
 In India, no licence is required for the exportation *by post*
 of tea in packages not exceeding one pound in weight. India
 also allows tea shipped as stores on board any vessel to be
 exported without licence up to a limit considered reasonable,
 having regard to the number of passengers and crew, &c.

2. In point of fact, the provisions of the Indian Act are
 at variance with the terms of the International Agreement
 and the exemption from the necessity for obtaining a licence
 in the case of ships' stores has attracted to Indian ports
 custom which Ceylon may otherwise have obtained. The
 International Tea Committee was therefore informed that
 steps would be taken to amend the Ceylon law so as to permit
 facilities to be granted in Ceylon similar to those afforded
 under the Indian law. The purpose of the amendments of
 section 25 proposed in Clause 2 is to authorise the export
 from Ceylon by post of packages not exceeding one pound in
 weight and the export as stores of quantities of tea not
 exceeding a maximum which will be prescribed by regulation.

3. The object of Clause 3 is to amend section 42 (3) of
 the principal Ordinance so as to make it clear that *all*
 regulations made under the Ordinance have to be published
 in the Gazette and come into operation upon such publication.

D. S. SENANAYAKE,

Minister for Agriculture and Lands.

Colombo, March 1, 1939.

MINUTE.

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

L. D.—O 110/38

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

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 Companies (Amendment) Ordinance, No. of 1939.
- 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)".
- 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".
- 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."
- 5** Section 282 of the principal Ordinance is hereby repealed and the following section is substituted therefor :—
- 282.** (1) The Executive Committee may, subject to the prior approval of the Chief Justice, and with the concurrence of the Treasury make rules for—
- (a) the carrying into effect of the objects of this Ordinance, so far as relates to the winding up of companies ;
 - (b) the fees to be paid in respect of proceedings under this Ordinance in relation to the winding up of companies.
- (2) Until rules are made under subsection (1) the practice as to the winding up of companies, followed in proceedings for winding up under the Joint Stock Companies' Ordinance, 1861, shall, so far as the same is applicable to and not inconsistent with this Ordinance, apply to all proceedings for winding up a company under this Ordinance.
- 6** 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 ;"
- 7** 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 :"

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

Amendment of section 320 of the principal Ordinance.

“(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 ;”.

9 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 ; ’.

10 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.

Objects and Reasons.

The object of this Bill is to effect certain amendments in the Companies Ordinance, No. 51 of 1938 (hereinafter referred to as “ the Ordinance ”).

2. It is desirable that the memorandum of association of a company should be printed. The Ordinance does not require the memorandum to be printed. The object of clause 2 is to amend section 2 of the Ordinance so as to make it obligatory that the memorandum of association of a company should be printed.

3. Section 34 of the Ordinance does not provide that the English translation accompanying any documents in a language other than English delivered to the Registrar should be printed. The object of clause 3 is to impose this requirement.

4. Section 130 (7) of the Ordinance provides for the making of regulations prescribing the procedure for the registration of auditors, &c., but does not contain authority to make regulations for charging fees for such registration. It is considered necessary that there should be power to charge fees. Clause 4 seeks to effect the amendments necessary to achieve this object.

5. Section 282 (1) provides for the making of rules relating to the winding-up of companies by the Judges of the Supreme Court, while sub-section (2) of that section vests the power of making regulations fixing the fees to be paid in winding-up proceedings in the Executive Committee. It is considered desirable that the functions under both sub-sections should be in the same authority. Clause 5 is designed to achieve this object. It provides that the Executive Committee may, with the approval of the Chief Justice and the concurrence of the Treasury, make all regulations in respect of winding up including the fees payable on winding-up proceedings. As it will take some time to make the winding-up regulations under the Ordinance clause 5 makes provision for carrying on winding-up proceedings under the old procedure till regulations are made.

6. Section 161 provides that the District Court of the district in which the registered office of a company is situate shall have jurisdiction to wind up a company. Unregistered companies have no registered office in Ceylon and it is necessary that provision should be made for determining the court which shall have jurisdiction to wind up such companies. The object of clause 6 is to make provision in this behalf. It amends section 312 (1) by adding a new paragraph which prescribes the court by which an unregistered company may be wound up. Clauses 7 and 8 effect amendments in sections 318 and 320 to ensure that every unregistered company will

have a declared principal place of business in the Island. This requirement will make it possible to determine readily the court by which an unregistered company may be wound up.

7. The Ordinance vests certain functions under it in the Registrar-General. It is considered that it would be more appropriate to vest these functions in the Director of Commerce and Industries. Clauses 9 and 10 effect amendments necessary to achieve this object.

G. C. S. COREA,
Minister for Labour, Industry and Commerce,

Colombo, March 1, 1939.