

THE

CEYLON GOVERNMENT GAZETTE

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PART II.--LEGAL.

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

				PAGE			PAGE
List of Jurors and Assessors			District and Minor Courts Notices	 ••			
Passed Ordinances		• •		1004	Notices in Insolvency Cases	 	1006
Governor's Ordinances		• •			Council of Legal Education Notices	 	_
List of Notaries					Notices of Fiscals' Sales	 	1006
Notifications of Criminal Sessions of the Supreme				Notices in Testamentary Actions	 • (1011	
Court	• •	••	•••		Draft Ordinances	 	1015
Supreme Court Notices		• •	• •	_	Miscellaneous	 	

PASSED ORDINANCES.

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

No. 44 of 1939.

An Ordinance to make provision for the Public and Railway Services and the Electrical Undertakings for the financial year 1939-40, to authorise the payment by way of advance out of Revenue of moneys required during that financial year for specified purposes, and to provide for the refund of such moneys to Revenue.

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 Appropriation Ordinance, No. 44 of 1939.

Appropriation for financial year 1939-40.

2 Without prejudice to any other law authorising any expenditure, sums not exceeding one hundred and four million two hundred and seventeen thousand two hundred and seventeen rupees, nineteen million four hundred and twenty-three thousand four hundred and thirty rupees, three million two hundred and eighty-two thousand five hundred and ninety-two rupees and eight hundred and eighty-three thousand five hundred rupees, are hereby declared to be payable out of the revenue and other funds of the Island, the Ceylon Government Railway, and the Electrical Undertakings, respectively, for the service of the financial year beginning on October 1, 1939, and ending on September 30, 1940; and the said sums may be expended as specified in the First, Second, Third, and Fourth Schedules, respectively.

Schedules I., III., and IV.

Payment from and refund to revenue of advances for purposes specified in Schedule V.

- 3 (1) In addition to the sums mentioned in section 2, sums not exceeding six million one hundred and seventy-nine thousand four hundred and eighty-five rupees in the aggregate are hereby declared to be payable by way of advance out of the revenue and other funds of the Island, during the financial year referred to in that section, for the purposes enumerated in the Fifth Schedule.
- (2) Where the total sum paid under sub-section (1) by way of advance during the financial year beginning on October 1, 1939, and ending on September 30, 1940, has not been refunded to revenue out of the proceeds of any loan authorised to be raised under any written law, that sum or so much thereof as has not been so refunded shall be, and is hereby declared to be, payable out of the revenue and other funds of the Island for the service of the financial year beginning on October 1, 1944, and ending on September 30, 1945, in addition to any other sums that may by law be payable, or may by any written law hereafter enacted be declared to be payable, for the service of that financial year.

SCHEDULE I.

Sums payable out of the Revenue of the Island.

				Rs.
1.	His Excellency the Govern	or		163,183
2.	Supreme Court			467,623
3.	State Council			480,696
4.	Audit Office			538,185
5.	Chief Secretary			233,765
6.	Civil Service			463,702
7.	Clerical Service			51,000
8.	Ceylon Naval Volunteer Fo	orce		102,162
9.	Ceylon Defence Force			1,302,828
10.	Other Defence Expenditure	3		569,350
11.	Coast Lights			29,187
17.	Legal Secretary			102,174
18.	Attorney-General			261,017
19.	Legal Draftsman			96,784
20.	Public Trustee			123,116
21.	District Courts			830,330
22.	Courts of Requests and Ma	gistrates' Court	s	497,592
23.	Village Tribunals	·		316,998
24.	Fiscals			871,054
30.	Financial Secretary			23,993
31.	Treasury			398,564
32.	Public Ďebt		• •	29,200
33.	Pensions			1,793,250
34.	Widows' & Orphans' Pensi	ion Office		25,010
35.	Exchange			100,000
36.	Currency			320,650
37.				11,852
38.	Government Stores	• •		270,288
39.	Government Press	• •		657,514

		Rs.
4 0.	Department of Income Tax, Estate Duty and	460 405
41.	Stamps	460,485 801,180
42.	Miscellaneous Services	954,750
48.	Minister of Home Affairs	50,810
49.	Provincial Administration	3,642,359
50.	Excise Department	1,503,568
51.	Police	3,770,661
52.	Prisons	892,583
53.	Government Analyst	82,388
54.	Zoological Gardens	42,419
60.	Minister of Agriculture and Lands	48,819
61.	Commissioner for Development of Agricul-	
	tural Marketing	135,470
62.	Appeal Board (Land Settlement Ordinance)	580
63.	Land Commissioner	582,975
64.	Land Settlement Department	435,293
65. 66.	Survey Department Department of Agriculture	3,029,962 $1,741,491$
67.	Forest Department	653,597
68.	Registrar of Co-operative Societies	221,104
69.	Irrigation Department	1,161,028
70.	Irrigation Annually Recurrent	401,000
71.	Irrigation Extraordinary	436,642
77.	Minister of Local Administration	26,035
7 8.	Commissioner of Local Government	2,815,033
79.	Valuation Department	72,398
80.	Commissioner of Motor Transport	153,025
81.	Salt Department	532,247
82.	Department of Mineralogy	48,656
83.	Department of Fisheries	75,493
84.	Schemes assisted by the Colonial Develop-	00.099
00	ment Fund	20,033
90. 91.	Minister of Health	30,970 346,961
92	Quarantine Medical and Sanitary Services	12,893,591
93.	Medical College	225,944
94.	Ayurvedic Medicine	62,500
100.	Minister of Labour, Industry and Commerce	46,919
101.	Registrar-General	842,437
102.	Director, Tourist Bureau	88,307
103.	Director of Commerce and Industries	728,703
104.	Controller of Labour	915,405
110.	Minister of Education	41,030
111.	Education	19,593,645
112.	University College	647,471
113.	Archæological Department	132,552
114.	Colombo Museum	119,358
120. 121.	Minister of Communications and Works Colombo Port Commission	49,540
121.	Ports other than Colombo	2,824,542 $51,681$
123.	Post Office and Telegraphs	7,372,378
124.	Public Works Department	1,860,154
125.	Public Works Annually Recurrent	4,659,936
126.	Public Works Extraordinary	2,348,784
127.	Civil Aviation	53,701
128.	Railway Department	2,923,430
129.	Electrical Installations in Government	2 20 NO CIS
	buildings	434,127
	<u> </u>	· '
	m c . a	95,217,217
135.	Transfer to General Reserve and Special	, ,,, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
	Contribution to Sinking Fund	9,000,000
	•	104 917 917
		104,217,217
	Schedule II.	· · · · · · · · · · · · · · · · · · ·
	Sums payable out of the Revenue of the C	eylon
	Government Railway.	
		Rs.
1.	Ordinary working expenditure of the Railway	19,423,430
2.	Interest payable to the Revenue of the Island	
	on advances	
3.	Annuities payable to the Revenue of the	
	Island on Loans	
	-	10 402 420
	Å 111 -	19,423,430
	SCHEDULE III.	
	Sums payable out of the Revenue of the Ele	ctrical
	Undertakings.	
1	Ordinary working expenditure of the Electri-	Rs.
1.	cal Undertakings	2,008,096
2.	Interest payable to the Revenue of the Island	_,,000
	on advances	15,000
3.	Annuities payable to the Revenue of the	,
	Island on Loans	685,711
4.	Transfer to Reserve, Extensions and Renewals	
	Fund	573,785
	-	0.000
	•	3,282,592
	-	

SCHEDULE IV.

Sums payable out of the Reserve, Extensions and Renewals Fund of the Electrical Undertakings.

Rs.

Renewals Fund
Reserve, Extensions and 883,500

SCHEDULE V.

Sums payable by way of advance out of the Revenue of the Island.

Rs.

1. Loan Fund Expenditure .. 6,179,485
6,179,485

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

E. W. KANNANGARA, Clerk of the Council.

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

> E. R. SUDBURY, Secretary to the Governor.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

Insolvency In the matter of the insolvency of D. A. B. No. 5,150. Rajapalse of Pugoda, insolvent.

NOTICE is hereby given that a meeting of creditors of the above named insolvent will take place at the sitting of this point on Ortober 12, 1950 to approve the conditions of the above case.

Solvent of fourt, A. Waldyaratne,

October 2, 1939. Secretary.

In the District Course Colombo.

No. 5,202. In the Letter of the insolvency of G.
Ben fain Perera, of Lewrence Perera and Company, Dean's road, Colombo, Insolvent.

NOTICE is hereby given that meeting of the creditors of the above named insolvent will take place at a sitting of this court fixed for October 14, 1939, to approve the conditions of sale.

By order of court, C. EMMINUEL, September 28, 1939.

In the District Court of Kandy.

No. 1,913. In the matter of the insolvency of D. A. L. Ratwette, of Pale Mahaiyaya, Kandy (insolvent dead.)

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 October 13, 1939, for the approval of the conditions of sale filed in this case.

By order of court, E. J. DE ZILVA, October 2, 1939.

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

In the District Court of Galle.

No. 718. In the matter of the insolvency of Abdul Cader Mohamed Ismail of Fort, Galle.

WHEREAS Abdul Cader Mohamed Ismail has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by W. D. Subaseris of Dangedera, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Abdul Cader Mohamed Ismail insolvent accordingly; and that two public sittings of the court, to wit, on October 27, 1939, and on December 1, 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, M. N. Peiris, September 28, 1939. Secretary.

In the District Court of Kurunegala.

No. 122. In the matter of the insolvency of J. H. E. Amerasekera of Hilton estate, Hapugastenna and Maynor, Puttalam road, Kurunegala.

WHEREAS a petition for the sequestration of the estate of J. H. E. Amerasekera has been filed by Messrs. Cargills Limited, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said J. H. E. Amerasekera of Hilton estate, Hapugastenna and Maynor, Puttalam road, Kurunegala, insolvent accordingly; and that two public sittings of the court, to wit, on November 8, 1939, and on November 22, 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, T. J. M. FERNANDO, September 27, 1939. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Avissawella.

Gamage Mensohamy of Puwakpitiya, administratrix of the estate of the late Don Abraham Rupasinghe of Puwakpitiya Defendant

NOTICE is hereby given that on Tuesday, October 31, 1939, at 4 P.M., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 4,761 dated May 23, 1932, and attested by J. de Jacolyn, 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 August 29, 1939, for the recovery of the sum of Rs. 4,807 50, with interest on Rs. 4,500 at 15 per cent. per annum from

January 27, 1939, till April 18, 1939, and thereafter at 9 per cent. per annum of the aggregate amount till payment in full and codes of suit Rs. 200 98½, viz.:—

All that allotment of land called and known as Dangaha.

All that allotment of land called and known as Dangahawatta alias Dambulugahawatta, bearing Sanitary Board assessment No. 268, together with all those the boutique bearing Sanitary Board assessment Nos. 264, 265, 266, 267 and the garage bearing oblitary Bard assessment No. 268 and the outhouses and Mother Buildings standing thereon, situated in the views Puwakpitive in Udugaha pattu of Hewagam korale in the District & Colombo, Western Province; and bounded on the northly portion of this land belonging to Bilindo not be northly portion of this land belonging to Bilindo not be onging to Cirigoris Pieris, on the east by the main road leading from Colombo to Avissawella, on the south by the ditch of the portion of this land belonging to Subea now belonging to V. P. C. Perera and others, and on the west by the portion of this land belonging to Asson Writer now by Railway line; and containing in extent within these boundaries about 3 bushels of paddy sowing and all the right, title, interest, 3 bushels of paddy sowing and all the right, title, interest, and claim whatsoever of the said defendant in, to, upon, or out of the said several premises.

Prior registration K 45/90.

Fiscal's Office, Colombo, October 4, 1939.

B. M. Christoffelsz, Deputy Fiscal.

In the District Court of Colombo.

G. T. T. de Silva of Greenpath in Colpetty, Colombo Plai No. 5,828/M. Vs. A..... Plaintiff.

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

NOTICE is hereby given that on Saturday, November 4, 1939, at 11 A.M., will be sold by public auction at 36,

4, 1939, at 11 a.m., will be sold by public auction at 36, Greenpath, Colpetty, Colombo, the following movable property for the recovery of the son of Rs. 1,860, viz.:—

4 nadun loungers, 4 leakwood long thairs, 1 small chairs, 3 teakwood round teappoys, 1 ditto stant, 1 porcelain flower vase, 2 teakwood dishioned settees, 2 ditto cushioned arm-chairs, 2 ditto cushioned dearns, 1 teakwood corner whatnots, 4 aluminium flower vases, 1 teakwood corner whatnots, 4 aluminium flower vases, 1 teakwood cushioned couch, 4 teakwood cushioned chairs, 1 ditto teappoy, 1 teakwood arm-chair, 1 teakwood writing table, 1 ditto glass almirah, 1 ditto box, 1 ditto screen, 1 ditto cushioned settee, 2 ditto corner chairs, 1 oyal teappy, 1 show case (black); 1 gramocorner chairs, I oval teapoy, I show case (black); I gramocorner chairs, i even teappy, I snow case (black); I gramophone with cabinet, I nadun cabinet, I wall clock, I Galle Gynkhana cup, I Abeysundera cup, I flower pot stand (silver colour), I dish (silver colour), 8 small flower vases (silver colour), 4 nadun chairs, I jak almirah, I jak toilet table, 2 teakwood loungers, I ditto round lounger, I ditto almirah fixed with mirror, I ditto table, I ditto sideboard fixed with mirror, I disto table, I ditto achieved fixed with mirror, 1 teakwood glass almirah, 1 ditto cabinet, 1 jak stand, 1 teakwood dining table, 2 ditto arm chairs, 6 ditto chairs, 1 jak ice box, 1 teakwood whatnot with marble top, 1 ditto table with marble top, 1 ditto almirah fixed with mirror, 1 ditto writing table, 1 jak almirah fixed with mirror, 1 iron safe, 10 teakwood flower pots, 6 flower pot stands (marble), 15 pots with flower plants.

Fiscal's Office, Colombo, October 4, 1939.

B. M. Christoffelsz, Deputy Fiscal.

In the District Court of Colombo.

(1) Haji Abdul Gany Giga and (2) Esmail Giga, both carrying on business under the name, firm, and style of Haji Abdul Gany Giga & Co. at Main street in Colombo Plaintiffs. No. 10,572.

Hesam of 257, Main street, Tayoob Haji in Colombo Defendant.

NOTICE is hereby given that on Tiday, October 27, 1939, commencing at 10 A.M. will be fold by public auction at 257, Main street, the following moveld properties for the recovery of the sun (2) ks. 1,026 14 together with further interest on ks. 769 63 at 12 per cent for annum from July 24, 1939, illimate of decree (September 26, 1939), and thereafter on the aggregate amount of the decree at 9 per cent. per annum til payment in 1811, vices of recovery (Lorenze 26, 1939), and thereafter on the aggregate amount of the decree at 9 per cent. per annum til payment in 1811, vices of recovery (Lorenze 26, 1939), and chocked the control of the control

771 pieces of remnants (Japanese control cloths), 90 pieces canvas, 34 pieces single tafeta, 98 pieces grey cloth, 70 pieces long cloth, 65 pieces Indian ticking, 57 pieces drill, 5 pieces table cloth, 25 handkerchiefs, 19 pieces cotton net, 48 pieces cotton-voil, 53 woollen shawls, 5 blankets, 2 cotton shawls, 40 blankets, 10 pieces cotton voil, 25 pieces stripe

tafeta, 102 Indian bed sheets, 64 art silk bed sheets, 38 silk sarees, 64 pieces cotton voil, 9 India drill, 33 creton, 21 pieces check voil, 12 pieces stripe, 14 pieces tweed, 18 pieces poplin, 4 pieces crape, 1 piece India long cloth, 1 lot remnant, 211 pieces Indian reska, 14 pieces velvet, 25 pieces silk gorget, 14 pieces blue drill, 35 bed sheets, 119 pieces Japanese chint cloth, 28 pieces cannanore, 40 single potas, 30 pieces flannel, 18 pieces tricolian, 23 pieces net, 274 cambrick (Japan), 192 pieces Indian crepe, 22 pieces khaki, 140 pieces madapolan chint (Japanese), 56 pieces nainsook, 68 pieces cotton fuji stripe, 31 pieces casement cloth, 30 pieces canvass, 8 pieces drill, 29 pieces boarder voil, 5 pieces pachvadan, 10 pieces velvet, 27 pieces fabrick, 28 dozen banians, 4 dozens socks, 11 dozen handkerchiefs (white), 10 khimonas, 20 children's hats, 2 dozen Japanese shirts, 45 tafeta handkerchiefs, 66 black handkerchiefs, 106 sarongs, 15 pieces door curtain cloths, 25 pieces coloured organdi, 16 pieces malange silk, 12 pieces malange silk, 9 carpets, 18 bed sheets, 42 bed sheets (white), 19 dozens towels, 10 dozens coloured handkerchiefs, 61 pieces voil, 32 pieces casement, 190 pieces single tafeta, 33 pieces double tafeta, 43 pieces poplin, 55 pieces coloured poplin, 132 pieces Indian tussore, 198 pieces stripe shiftings, 24 trunks, 14 mattresses, 5 pillows, 141 tafeta handkerchiefs, 198 pieces stripe shiftings, 24 trunks, 14 mattresses, 5 pillows, 141 tafeta handkerchiefs, 198 pieces stripe shiftings, 24 trunks, 14 mattresses, 5 pillows, 141 tafeta handkerchiefs, 198 pieces stripe shiftings, 24 trunks, 14 mattresses, 5 pillows, 141 tafeta handkerchiefs, 198 pieces stripe shiftings, 24 trunks, 14 mattresses, 5 pillows, 141 tafeta handkerchiefs, 198 pieces stripe shiftings, 24 trunks, 198 pieces stripe shiftings, 25 pieces stripe shiftings 108 shirts, 45 pieces malange gorgette, 2 pieces cambrick, 3 pieces nainsook, 1 lot socks, 7 shawls, 39 jackets, 261 handkerchiefs, 296 coloured handkerchiefs, 1 clock, 1 iron safe, I writing table, 2 glass almirahs, 3 bentwood chairs, 12 racks, 4 benches, 5 tapes, 2 pairs of scissors, 1 ladder, 3 iron clubs, 1 cash box, blot surgifies.

Fiscal's Office, Colombo, October 4, 1939.

B. M. CERISTOFFELSZ, Deputy Fiscal.

In the Court of Requests of Colombo.

Kankana Reage Carolis Appuhamy of Plaintiff. Yakkala No. 53,065. Vs.

R. M. Edmund Singho of Wanathamulla, Welikada Defendant.

NOTICE is hereby given that on Monday, October 30, 1939, at 4 P.M., will be sold by public auction at the premises

1939, at 4 r.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 resovery of the sum of Rs. 100 and costs of suit Rs. 20 25 and prospective costs Rs. 6, viz.:—

An undivided ½ part a share of all that southern, ½ partfrom a portion of the garder called calpottewatta marked letter B shaded pink in the plan with the tiled house and plantation standing thereon bearing is sessment Nos. 28/21 and 28/22, situated at Nalmata place in Colombo, within the Municipality and District of Colombo, Western Province; which entire southern ½ is bounded on the north by the other ½ part of the same garden belonging Province; which entire southern is bounded on the north by the other is part of the same garden belonging to Migel Vasan Misoris Vedarala and his daughter, Migel Vasan Carlina, on the east and south by the properties claimed by Migel Vasan Misoris Vederala, and on the west by dewata road and by the portion of the same garden belonging to Girigoris Peeris; containing in extent 34 40/100 square perclies as per figure of survey thereof dated July 30, 1885, made by J. de A. Dassanayake, Land Surveyor.

Fiscal's Office, Colombo, October 4, 1939. B. M. CHRISTOFFELSZ, Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Isabel Margaret Beven of Carringa, Malabar street,

premises the following property mortgaged with the plaintiff by bond No. 2227 dated November 30, 1934, and attested by Mr. Walter Beven, Notary Public, of Kandy, and de-clared specially bound and executable under the decree entered in the above action, and ordered to be sold by the order of court dated August 26, 1939, for the recovery of the sum of Rs. 5,375, with further interest on Rs. 5,000 at 10 per cent. per annum from March 1, 1939, till June 5

1939, and thereafter with interest on the aggregate amount at 9 per cent. per annum till payment in full and poundage, viz.:

From and out of all that land called and known as Peradeniya Copiwatta all that divided allotment of land with the building standing thereon and described as lot No. 559 in plan dated March 27, 1903, of Survey by W. Rutherford, Esq., Assistant Surveyor, of the Estate of 7 acres and 10 perches, situate at Peradeniya in Gangapalata korale of Yatinuwara in the District of Kandy, Central Province; and bounded on the east and north by land appertaining to the Railway, south by Nanu-oya, and west by lot No. 559B, and land appearing in P.P. V1514/129 and registered in B74/249 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, October 3, 1939. H. C. WIJESINHA, Deputy Fiscal.

In the District Court of Kandy. Wakkupburegedera Girigoris of Gampola....Plaintiff. No. M.B.314.

NOTICE is hereby given that a Saturday, November 4, 1939, at 12 roon, will be said by public auction at the premises the following property mortgaged with the plaintiff by bond No 3,49 dated January 25, 1937, and attested by M. W. R. de Sirve, Notary Public, of Kandy, and declared speakly board and executable, under the decree entered in the above action and ordered to be sold by the order of court dated September 5, 1939, for the recovery of the sum of Re. 543 with further intereous Res. 400 at: 18 per cent, per annum from May 26, 1939. on Rs. 400 at 18 per cent. per annum from May 26, 1939, up to July 19, 1939, and thereafter with interest on the aggregate amount at 9 per cent. per annum till payment in full and poundage, viz. :-

All that undivided three acres in extent in and out of all that land called and known as Moragolla of about six acres in extent in the whole, situate at Uda Legundeniya in Kandukarapahala korale of Udapalata, Kandy District, Central Province; and which said entire land is bounded on the east by the limit of the remaining portion, south by the limit of the remaining portion, west and north by the cart road leading to Gampola, together with everything thereon and registered in D 112/228, 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, October 3, 1939.

H. C. WIJESINHA, Deputy Fiscal.

In the District Court of Kandy. In the Matter of the Estate of Ali Pulle's son Meera Saibo of King street, Kandy, deceased. No. 5,064.

No. 5,064.

No. 5,064.

Nona Kitchil of 64, Kap street Kandy.....Petitioner.

NOTICE is hereby given that or Murday, November 18, 1939, at 2 r.m., vil be sold by public auction at the premises for the receivery of the stan of Rs. 68 as deficiency of estate stamp duty and poundage, the following property, viv.—

House and premises bearing assessment Nos. 314 and 315, Peradeniya road, Kandy, within the town and Municipality of Kandy, Central Province; and bounded on the north by Peradeniya road, east by premises No. 313, south by premises No. 14 slaughter house road, west by the foot path leading to premises No. 14; containing in extent about 100 feet in length and about 27 feet in breadth.

Fiscal's Office, Kandy, September 28, 1939. H. C. WIJESINHA, Deputy Fiscal.

Southern Province.

In the District Court of Galle.

·Sandramarakkala Nadoris of Peraliya Plaintiff. Vs. No. 29,268.

Hinni Appu (7) Walakadagamage and others Defendants.

NOTICE is hereby given that on Monday, October 30, 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 defendants (for the recovery of plaintiff's costs) in the following property, viz.

Against the 7th defendant: (Writ amount Rs. 67.38.)

(1) All that defined lot No. 3 of the land called Pettatantriambiliwatta, situated at Metiwala in Wellaboda pattu of Galle District, Southern Province; and bounded on the north by Udamewangodayelakadawatta, east by on the north by Udamuwangouavenacuawave, cost 2, lots 4B, 4, and 3 of this land, south by lot 5, and west by lot 6, and road; containing in extent 2 roads and 7.13 perches.

Against 8th or 9th defendant: (Writ amount Rs. 12.)

(2) All that defined lot No. 4 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by lot 48, east by Medakumbura, south by lot 3, and west by footpath; containing in extent 20.87 perches.

Against 43rd defendant: (Writ amount Rs. 43.98.)

(3) All that defined lot No. 5 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by lot 3, east by Medakumbura, south and south-west by lots 11, 8 and 6; containing in extent 1 rood and $0\cdot 1$ perch.

> Against 83rd, 84th, and 85th defendants: (Writ amount Rs. 3.)

(4) All that defined lot No. 7 of the land called Petta-tantriambiliwatta, situated at Methwala aforesaid; and bounded on the north by lot 6, east by footpath and lot 5, south by lot No. 2, and west by road; and containing in extent 5.88 perches.

Against 44th defendant: (Writ amount Rs. 6·64.)

(5) All that defined lot 9 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by lot 8, eastfly lot 11, south by lot 10, and west by path; containing in extent 2·33 perches.

Against 12th defendant: (Writ amount Rs. 65·24.)

(6) All that defined lot No. 13. The last called Pettatantriambiliwatta, situated at Metiwals aforesaid; and bounded on the north by lot 2, east by path and road, south by lot 16, and west by lot No. 1; and containing in extent 1 rood and 3 perches.

(7) All that defined lot No. 14 of the land called Pettatantriambiliwatta, situated at Metiwals aforesaid; and bounded on the north by lot 15, east by Milakumbura, south by by 4, and west by lot 19; and containing in extent 8·21 perches.

Against 49th and 75th defendant.

Against 49th and 75th defendants: (Writ amount Rs. 43.63.)

(8) All that defined lot No. 19 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by road, east by lots 15, 14, and 47, south by lot 18, and west by road; and containing in extent 30.14 perches.

Against 50th defendant: (Writ amount Rs. 23.51.)

(9) All that defined lot No. 20 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by lot 18, east by lot 47, south by lots 46 and 21, and west by lot 21 and road; and containing in extent 19.41 perches.

Against 58th defendant: (Writ amount Rs. 9.48.)

(10) All that defined lot No. 22 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by road and fot 21, east by lot 23, south by lot 23, and west by lot 17, containing in extent 10.06 perches.

Against 22nd, 23rd, 24th, and 47th defendants: (Writ amount Rs. 114.56.)

(11) All that defined lot No. 24 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by lot 17, east by lot 23, south by path, and west by road; and containing in extent I rood and 24.49 perches.)

Against 29th and 87th defendants: (Writ amount Rs. 18.96.)

(12) All that defined lot No. 25 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by road, east by road, south by lot 27, and west by Diwelwatta; in extent 18.61 perches.

Against 56th, 64th, 65th, and 68th defendants: (Writ amount Rs. 180.41.)

(13) All that defined lot No. 29 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by Diwelwatta and lot 27, east by road, south by lot No. 30, and west by Sekkeranchywatta; containing in extent 2 roods and 11.01 perches.

Against 25th, 26th, and 27th defendants: (Writ amount Rs. 7.97.)

(14) All that defined lot No. 33 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by lot 32, east, south, and west by lot 32; containing in extent 4.8 perches.

Against 71st and 72nd defendants: (Writ amount Rs. 20.67.)

(15) All that defined lot No. 34 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by path and lot No. 23, east by Medakumbura, south by lot 35, and west by lot 32; in extent 15.34 perches.

Against 10th defendant: (Writ amount Rs. 29.88.)

(16) All that defined lot No. 37 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by lot No. 28, east by road, south by lot 42, and west by Metiwalawela; in axtent 37.16 perches.

Against 74th defendant: (Whit amount Rs. 25.63.)

(17) All that defined lot No. 38 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by lot 36, east by Linda-adderakumbura, south by lot 39, and west by road; and containing in extent 33.45 perches.

Against 77th defendant: (Writ amount Rs. 8.40.)

(18) All that defined lot No. 40 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by lot No. 39, east by Linda-adderakumbura, south by lot 41, and west by road; in extent 13 perches.

Against 30th defendant: (Writ amount Re. 1.25.)

(19) All that defined lot No. 44 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by lot No. 43, east by road, souttly by lot 45, and west by ferry; in extent 2.43 perches.

Against 32nd defendant: (Writ amount Re. 1.25.)

(20) All that defined lot No. 45 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by lot 44, east by road, south and west by ela; in extent 2.43 perches.

Against 51st and 86th defendants: (Weit amount Rs. 6 64.)

- (21) All that defined lot No. 46 of the land called Petta-tantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by lot 20, east by lot 47 Meda-kumbura, south by lot 23, and west by lot 21; in extent 10:21 parchase. 10.21 perches.
- (22) All that defined lot No. 47 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by lot 14, east by Medakumbura, south by Linda-addarakumbura, and west by lots 20, 18, and 19; containing in extent about 10 perches.
- (23) All that defined lot No. 48 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by Udamuwangodawalakadawatta, east by Medakumbura, south by lot 4, and west by path; in extent about 10 perches.
- (24) All that defined lot No. 49 of the land called Pettatantriambiliwatta, situated at Metiwala aforesaid; and bounded on the north by lot 45, east by road, south and west by ela; containing in extent about 10 perches.

Writ costs Rs. 23.

Deputy Fiscal's Office, · Sam. Ranasooriya, Balapitiya, September 30, 1939. Additional Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

In the matter of the estate of the late Tiravilangam Elaiyathamby of Chandiruppai 6.0..... Deceased.

No. 7,265 Testy.

NOTICE is hereby given that on Saturday, October 28, 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 deceased, for the recovery of the sum of Rs. 163.60 and poundage and charges, in the following property,

All that piece of land situated at Chandisappai in Manipai parish, Valikamam West division of the Jaffna District, Northern Province, called Koddukkinaru in extent 2 lachams varagu culture with stone built house, cultivated and spontaneous plantations and share belonging thereto of the well lying in the eastern boundary land together with the right of way; and bounded on the east by Nagaretnam daughter of Elaiyateamby, north and west by road and on the south by water channel west by road, and on the south by water-channel.

Fiscal's Office, Jaffna, October 2, 1939.

S. TURAIYAPPAH, Additional Deputy Fiscal.

In the Court of Requests of Jaffna. Karthikesu Thuraiappah of Nallur, Jaffna...Plaintiff. No. 12,333/A. Vs.

Nællur......Defendant. Saravanai Ramalingam of

NOTICE is hereby given that on Friday, October 27, 1939, commencing at 10 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the sold defendant for the recovery of the sum of Rs 27 25 with interest on Rs. 250 at 12 per cent. per annual from November 24, 1937, till payment in full and costs Rs. 27.33 and poundage and charges, in the following property: in the following property:-

All that piece of land with its appurtenances, situated at Chundiculi in Chundiculi Parish, Jaffna Division of the Jaffna District, Northern Province, called Kilavitharai, in extent 10 lachams varagu culture, with huts and cultivated and spontaneous plantations; and bounded on the east by Thamber Rasa, north by rail road, west by Saravanai Ramalingam, and south by V. Sirinivasagam.

2. All that piece of land with its appurtenances, situated at Chundiculi in ditto called Kerlitharai, in extent 8 lachams varagu culture with house and cultivated and spontaneous plantations; and bounded on the east by Saravanai Ramalingam, north by Visuvahether Richard Sinniah, west by P. Balasundaram and others, and south by V. Sirinivasagam.

The lands are said to be under mortgage!

Fiscal's Office. Jaffna, October 3, 1939.

SATURAIYAPPAH. Additional Deputy Fiscal.

3 5 In the District Court of Jaffna.

Sinnaecuddy Kanapathipillai of Veemankamam. Plaintiff.

auction at the premises the right, title, and interest of the said 2nd defendant for the recovery of the sum of Rs. 1,079 50, with interest thereon at 9 per cent. per annum from March 23, 1938, till payment in full and costs Rs. 298 55 and poundage and charges, in the following property, viz. :-

An undivided half share with its appurtenances together with one-fourth share of the water drawing machine, excluding the half share of the well lying therein and the right of way and water-course belonging to the western boundary land, out of a piece of land situated at Veeman-kamam in Tellippalai Parish, Valikamam North Division of the Jaffna District, Northern Province, called Sankara: yanthiddy, Thookanankkulachchiady, Navalady and San-karavaththai, in extent 21½ lachams varagu culture, with

stone-built houses, two huts, well, cultivated and spontaneous plantations and palmyras old and 'young; and neous plantations and palmyras old and 'young; and bounded on the east by Thaiyalpillai, wife of Seenivasagam, and by shareholders, north by Sinnathamby Naveratnam and shareholders, wast by Thaiyalpillai, wife of Seenivasagam, and shareholders and by by-lane, and south by Rasammah, wife of Alagasuntharam, sisters and brothers, and Thaiyalpillai, wife of Seenivasagam and by shareholders.

Fiscal's Office, Jaffna, October 3, 1939.

S. TURATYAPPAH, Additional Deputy Fiscal.

Eastern Province.

In the District Court of Batticaloa:

..... Plaintiff. 10. Vs. No. 7,884.

Seeniyar Ponnamuah & Veddukaadu in Batticaloa as administratrix of the estate of the late Arumugam Kandiah, Overseer of Pullumalai Defendant.

NOTICE is hereby given that on Saturday, October 28, 1939, at 4 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 575 and costs Rs. 14 40, poundage and other charges. Less Rs. 50.38, viz.:-

The land called Karadiyanattupoomey composed of lots Nos. 7,475, 7,476, and 7,477 mentioned in P. plan No. 2,232, situated at Karadiyanaru, in Eravur pattu, Batticaloa District, Eastern Province; and bounded on the north by land bearing lot No. 7,473, belonging to the deceased, A. Kandiah, Overseer, south by Crown land, east by Crown land and the land lot No. 7,473 mentioned in plan No. 2,232, west by land reserved for road and the land lot No. 7,473; in extent 18 acres and 3 perches with inlate a sixtlets and other rights. inlets, outlets and other rights.

This property is subject to Otty Mortgage as per deed No. 7,203 dated April 8, 1937, attested by N. S. Rasiah,

Notary Public.

Fiscal's Office. K. S. CHANDRASEGARAMPILLAI, Batticaloa, September 28, 1939. for Fiscal.

In the District Court of Trincomalee.

(1) V. K. Chinniah and wife (2) Kasiranjitham of Division No. 8, Trincomalee Plaintiffs. Vs. No. 1.403.

No. 1,403.

(1) Sabapaty Subramaniam and wife (2) Rasanachiar, personally and as legal representative of the estate of Marimuttu, widow Thamu of Division No. 7, Trincomalee The Communication of Saturday, October 28, 1939, commencing at 11 o'clerk in the foremoon, will be sold by public auction at the premises the following properties mortgaged with the plaintiffs by bond No. 556 dated May 16, 1927, attested by Mr. D. Rajaratnam of Trincomalee, Notary Public and declared poecially bound and executable under the decree entered in the above case and ordered to be sold by order of court dated September 11, 1939, for the recovery of the sum of Rs. 3,175, with interest on Rs. 2,500 at 12 per cent. per annum from August 21, 1929, till September 25, 1929, and thereafter at 9 per cent. per annum on the aggregate amount till at 9 per cent. per annum on the aggregate amount till payment in full and costs Rs. 186 40, Fiscal's fees and charges and poundage, viz. :-

1. An undivided $\frac{1}{2}$ share of a land bearing assessment No. 104, together with a tiled house of two rooms standing thereon and all other rights relating thereto, situate at Division No. 10, Trincomalee, Eastern Province; boundaries of the whole land are on the north by the land of Kaddubawa Cassim, east by lanes, south by the land of the heirs of the late Canagaretna Mudaliyar and now belonging

to Marimutti, and on the west by the land of Kanapathi-pillai Arunasalam, in extent 4 52/100 sq. perches.

2. A piece of land bearing assessment No. 142, situate at Division No. 7, Trincomalee aforesaid, together with a bankshall room and share in the well on the land which belonged to Marimuttu Vythipillai, and the right of way to go to and from the said well; bounded on the north by road, east by land of Sinnamma, wife of Gregorypillai, road, east by land of Kattamuttu Kidnapillai, and on the west by the land of Canagamma, widow of Venkadasalam, in extent eastern and western sides 18½ fathoms on the northern side 3 3/8 fathoms, and on the southern side 3 1/8 fathoms.

3. A piece of land bearing assessment No. 105, and the newly built bankshall and kitchen thereon standing at Division No. 10, Trincomalee aforesaid, and all other rights relating thereto; bounded north-east by the land of Nagamuttu Kattamuttu, south-east by bankshall and ground of V. Sinnathamby, north-west by premises which belonged to Thanganachchiar, daughter of Duraiappah Vanniah, and others, and on the south-west by road, in extent 18 fethoms in length 2 1/1 fethoms in breadth in extent 18 fathoms in length, 3 1/4 fathoms in breadth. Subject to a mortgage of an undivided half share under bond No. 433 dated May 6, 1926, and attested by Mr. M. Somanathapillai of Trincomalee, Notary Public, and subject to security of the undivided half share in D. C. Testamentary case No. 107, Trincomalee.

B. VRASPILLAL, Additional Deputy Fiscal. Deputy Fiscal's Office, Trincomalee, September 27, 1939.

North-Western Province.

In the District Court of Kurunegala.

K. M. P. R. Kumarappa Chettiar, (2) ditto Periya Karuppen Chettiar, by their attorney V. R. Bala-krishna Rawuth of Kurunegala Plaintiffs.

No. 15.628. Vs.

G. D. John Fernando P Ilukwehera in Hetahaye

korale Defendant.

NOTICE is hereby given has or Saturday, November 4, 1939, at 3 of oak in the afterioon, will be sold by public auction at the premises the fight title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 3,050 04 with interest on balance principal Rs. 843 30 at 9 per cent. per annum from September 1, 1939, till payment in full and poundage, viz. —

An undivided 1 shows of Turkers have been been at the contract of the contract o

An undivided ½ share of Ilukweherakumbura, situate at Ilukwehera in Hetahaye korale of Hiriyala hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by Kumbukgaha on the limit of Thahanamgahawela-oya and Migaha, east by lands of Punchirala, Ranhamy, Tikka, Moliotta, Kudaya, Dingiriya, and Baiya of Pahalawewa and lands claimed by villagers, south by land claimed by villagers, west by Migaha of the land of Kirihamy, ela of the land of the villagers and land of Pedrick Mendis; containing in extent 33 acres and 26 perches, together with the buildings and plantations thereon. Registered under B 182/113.

Fiscal's Office, Kurunegala, October 3, 1939. CHARLES DE SILVA, Deputy Fiscal.

In the Court Requests of Chilaw.

Savanna Thana Seena Wana Siwaraman Chettiyar in South India, by his attorney Sana Karmegam Pulle of Negombo ...

No. 27,687. v_{s} .

Rampatadewage Siyadoris of Kahatawila, and others Defendants.

NOTICE is hereby given that on Friday, October 27, 1939, commencing from the lat land at 3 o'clock in the afternoon will be sold by public auction at the premises the right the, and interest of the said defendants in the following property, viz.

1. An undivided 4/5 of defended \(\frac{1}{3}\) share of the eastern parties of the defendance lands called

- portion of land comprising of 3 contiguous lands called Kongahawatta, Kajugahawatta, and Kahatagahawatta, Kongahawatta, situate at Kahatawila in Otara Palata, Pitigal korale south, Chilaw District, North-Western Province; and which south, or western Fromine; and which said divided \(\frac{1}{3} \) share is bounded as follows:—north by field belonging to Mudalihamy Appuhamy and others, east by garden belonging to Velun Appu and others, south by land belonging to Mr. N. D. S. Silva and others, and west by the remaining portion of the entire land belonging to Lucy and Selenchiya, and containing in extent 250 coconut plants plantable soil, together with trees, plantations, and all other things standing thereon. Registered B 61/186.
- 2. An undivided 4/5 of divided \(\frac{1}{3}\) share of the northern portion of the land called Delgahagodella, situate at Kahatawila aforesaid; and which said divided \(\frac{1}{3}\) share is bounded as follows:—north by ditch separating the garden belong that the Microsian cost by land belonging to Thomas and as follows:—north by ditch separating the garden belonging to Miguel Appu, east by land belonging to Lucy and Selenchiya, south by a portion of the entire land-belonging to Lucy, west by land belonging to Mr. Mel; and containing in extent about one acre, together with trees, plantations, and all other things standing thereon. Registered B 67/187.

3. An undivided 16/105 share of land called Boldhawatta, situate at Kahatawila aforesaid; and bounded on the north by garden belonging to Samel Appu and others, east by garden belonging to Davith Singho Gamarla and others, south by garden belonging to Pelis Appu and others, west by garden belonging to Pelis Appu and others, west by garden belonging to Pelis Appu and others, and containing in extent about 1½ acres, together with trees, plantations, and all other things. Registered 74/279. All lands subject to mortgage bond No. 7707 dated February 1, 1928, attested by M. B. W. Japasekera, Notary Public. 3. An undivided 16/105 share of land called Bossha-

Notary Public.

Amount to be recovered. Rs. 340 98, with interest on Rs. 294 at 30 per cent. per annum from August 16, 1936, up to date of decree, and thereafter with legal interest on the aggregate amount till payment in full (less a sum of Rs. 121) and poundage.

Fiscal's Office, Chilaw, October 3, 1939.

I. L. M. SHERIFF, Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Jurisdiction. No. 8,827.

Testamentary In the Matter of the Intestate Estate of Dona Somalatha Weerasinghe of Gam-

paha, deseased.
Weerasinghe of 1 Don Amanis Gampaha

(1) Dona Harawary Weerasingh (2) Dona Mabel Weerasinghe (3) Don Simarala Weerasinghe, all of 153, Queen Mary's foat Gampaha; 1st to 3rd respondents are minors appearing by their guardian ad litem (4) Pelakotuwage Samarasena of 57, Temple avenue, Colombo. Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on May 18, 1939, in the presence of Mr. V. C. C. Devapuratne, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 27, 1939, having been read:

It is endowed (a) that the 4th respondent be and he is

It is ordered (a) that the 4th respondent be and he is hereby appointed guardian ad litem of the minors 1st to ard respondents above named to represent them for all the purposes of this action and, (4) that the petitioner be and he is hereby declared entitled, as withover of the abovenamed deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before June 15, 1939, show sufficient cause to the satisfaction of this court to the contrary.

May 18, 1939.

C. NAGALINGAM, District Judge.

The date for showing cause against the within mentioned Order Nisi is hereby extended to September 7, 1939.

August 23, 1939.

District Judge.

The date for showing cause is extended to October 12, 1939.

C. NAGALINGAM, District Judge.

In the District Court of Colombo.

Order Nisi.

In the Matter of the Intestate Estate and Testamentary Effects of Sobhraj Jhamatmal alias Sobhrajmal Jhamatmal of Colombo, Ceylon, and of Hyderabad, Sind, in India, Jurisdiction. No. 8,953. deceased.

Tikamdas Sobhraj of Colombo Petitioner.

And

(1) Rukmani Bai of Hyderabad, Sind, India, (2) Hassaram of Colombo, (3) Mohandas of Hyderabad, Sind, India, (4) Ishwaribai of Hyderabad, Sind, India, (5) Bhagwantibai of Hyderabad, Sind, India, (6) Tarabai of Hyderabad, Sind, India, (7) Radhkabai of Hyderabad, Sind India, (8) Jaikishindas of Hyderabad, Sind India, (8) Jaikishindas of Hyderabad, Sind, India, (9) Koshilabai of Hyderabad, Sind, India; 2nd to 9th respondents are minors appearing by their guardian ad litem (10) Kodoomal Tulsidas of Fort, Colombo Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on August 4,

1939, in the restrictioner above named; and the affidavit of the said petitioner dated July 20, 1939, and (2) of the Supreme Court order dated February 10, 1939, having been read:

It is ordered (a) that the 10th respondent be and he is hereby appointed that the little post the minors, 2nd to 9th respondents above since to represent them for all the purposes of this action, and (b) the the petitioner be and he is hereby declared entitled as elder, 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 or any other person or persons interested shall, on or before September 14, 1939, shows afficient cause to the outstand of this court to the contrary.

August 29, 1939.

C. NAGALINGAM, District Judge.

The date for showing cause against the within mentioned Order Nisi is hereby extended to October 12, 1939.

October 3, 1939.

C. NAGALINGAM, District Judge.

In the District Court of Colombo.

Order Absolute at the First Instance declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of George Atheling Atkinson of Langley House Hotel, Hove, in the Jurisdiction. No. 8,954.

No. 8,954. Langley House Hotel, Hove, in the Country of Sussex, deceased.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of dolombo, on September 21, 1939, in the presence of Messrs Wilson & Kadirgamar, Proctors, on the part of the petitioner, Stewart Kirk; and (1) affidavit. The said petitioner dated September 16, 1939, (2) power of attention dated A 11 26, 1939, and (3) order of the Supreme Court dated June 26, 1939, having been read:

It is ordered that the last will and testament made by the above named deceased, bearing No. 1,284 dated May 20, 1932, attested by Sam. J. C. Kadirgamar of Colombo, Notary Public, a certified copy of which under the Seal of the District Probate Registry of His Majesty's High Court of Justice at Liverpool and now deposited in this court, be and the same is hereby declared proved; and that letters of administration (with will annexed) to the estate in Ceylon of the above-named deceased, be issued to the said Stewart Kirk as attorney of the executrix of the said last will and testament.

September 28, 1939.

C. NAGALINGAM, District Judgo.

In the District Court of Colombos

No. 8,984.

Testamentary In the Matter of the Intestate Estate Jurisdiction. and Effects of Adicari Arachchige Don Siyadoris Appuhamy of Biyagama, deceased.

Adicari Arachchige Don Punchappuhamy of Biyagama Petitic Petitioner.

And . Arachchigo Nono Hamy of Bamunu

gama Respondent.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on September 1, 1939, in the presence of Mr. D. E. Wanigesooria, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated August 5, 1939, having

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 respondent above named, or any other person or persons interested shall, on or before October 12, 1939, show sufficient cause to the satisfaction of this court to the contrary.

> C. NAGALINGAM. District Judge.

In the District Court of Colombo.

Order Nisi.

Testame tary
Jurisdiction.
No. 8,989.
In the Matter of the Last Will and Testament of Akmimana Mudalige Josline
Hamine nee Josline Ranatunga of
Hendala in Ragain pattu of Aluthkuru korale, deceased.

Kuruppu Achchigo Dan Michael Francis Basnayake of Retreat, Mahawatta, Colombo Petitioner. Vs.

20 (1) Mature Arateliige May Bancis de Silva of 201, Waland, Paliadure, (2) Eugine Clementina Guna-sekera of Stisiri Niusa, Wolfattiya, Panadure, (3) Mary Catherine Ranatungs of Galle, (4) Gurunnan-selage Dona Roslin Cornella of Grandpass, Colombo, (5) Mary Margaret Satarasinghe of Nugegoda, (6) Don Charles Ranatunga of Hendala, (7) Matara Aratchige Gabriel de Silva of Church View, Kadapola, (8) Ranasinghe Aratchige Maggie of Hen-

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on September 7, 1939, in the presence of Mr. U. L. Perera, Proctor, on the part of the petitioner above named; and (1) the affidavits of the said petitioner dated September 2, 1939, and (2) of the attesting witnesses dated August 28, 1939, having of the attesting witnesses dated August 28, 1939, having been read:

It is ordered that the last will of Akmimana Mudalige Josline Hamine, 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 the respondents above named or any other person or persons interested shall, on or before October 12, 1939, show sufficient cause to the satisfaction, of this court to the contrary.

September 15, 1939.

C. NAGALINGAM, District Judge.

In the District Court of Colombo.

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Order Nisi.

Testamentary Jurisdiction. No. 8,990.

In the Matter of the Intestate Estate of the late Robert Adolphus Illangakoon Ekanayaka of Church street, Kalubowila in the Palle pattu of Salpiti korale, decemed.

Leslie Aubrey Dallas Illangakoon Ekanayaka of Church street in Kalubovila aforesaid Petitioner. Vs.

(1) Mrs. Ekith, Frances Gertrude/Illangakoon Ekanayaka, (2) Mrth Valerie Illangakoon Ekanayaka, (3) Robert Eustace Connot Illangakoon Ekanayaka, (4) Derek Ashley Terence Illangakoon Ekanayaka, (5) Bona Nedelca Illangakoon Illangakoon Illangakoon Illangakoon Illangakoon Illangakoon Ekanayaka, (5) Bona Nedelca Illangakoon Ekanayaka, (6) Bryan Iver Damian Illangakoon

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on September 7, 1939, in the presence of Mr. D. R. de S. Abhanayake, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 6, 1939, having been read:

It is ordered (a) that the 1st respondent be and she is hereby appointed guardian ad litem of the minors 4th to 6th 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 eldest son of the abovenamed 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 October 12, 1939, show sufficient cause to the satisfaction of this court to the contrary.

> C. NAGALINGAM, District Judge.

34 In the District Court of Colombo. Order Nisi.

Testamentary Jurisdiction. No. 8,991.

In the Matter of the Last Will and Testament of Vidanelage Stephen de Mel Appuhamy of Laxapathiya in Moratuwa, deceased.

Vidanelage Calvin Stochen de Mel of Laxapathiya in Moratuwa Petitic Petitioner.

(1) Richard Stephen de Mei, (2) Edmund Stephen de Mei, (3) Miotar Benjamin-Saphen de Mei, (4) Sally Sophia de Mei, (5) Heddie Lauisa de Mei, (6) Agnes Elsie de Mei, (7) Muriel Mitta de Mei, (8) Trixie Silta de Mei, [all of Laxapathiya in Moratuwa Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on September 7, 1939, in the presence of Messrs. Perera & Fernando, Proctors, on the part of the petitioner above named; and (1) the affidavits of the said petitioner dated August 27, 1939, and (2) of the attesting witnesses dated August 27. 1939, and (2) of the attesting witnesses dated August 27, 1939, having been read:

It is ordered that the last will of Vidanelage Stephen de Mel Appuhamy, 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 the respondents above named or any other person or persons interested shall, on or before October 12, 1939, show sufficient cause to the satisfaction of this court to the contrary!

September 15, 1939.

C. NaCalingam, District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate Jurisdiction. and Effects of Haji Suliman Ismail, late Keyzer street, in Colombo, No. 9,001. of 127, deceased.

Haji Abdul Latiff Abdulla of 127, Keyzer street, Colombo Petitioner. 24 And

part of the presence of Mr. John Whison, Froctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 11, 1939, and the power of attorney dated July 27, 1939, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as attorney of the 1st respondent abovenamed, to have letters of administration to the abovenamed deceased's estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before October 19, 1939, show sufficient cause to the satisfaction of this court to the contrary.

September 26, 1939.

C. NAGALINGAM, District Judge.

In the District Court of Colombo. Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects of the late Wakwellagamage Charles de Silva of 119, Castle street, Jurisdiction. No. 9,005. Borella in Colombo, deceased.

Nancy Phillipa de Silva of 119, Castle street, Borella in Colombo Petitioner.

Vs.

(1) Wakwellagamage Sujatha de Silva, (2) Wakwellagamage Luxmi de Silva, (3) Wakwellagamage Swarna de Silva, 1st to 3rd respondents are minors, appearing by their guardian ad litem (the 4th respondent), all of aforesaid, (4) Percy Kulatunga, presently of M. O. H. Office, Ratnapura Respondents.

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

It is ordered (a) that the 4th respondent be and he is hereby appointed guardian ad litter of the minors, the list to 3rd respondents aboved named to represent them for all the purposes of this action, and (b) has the petitioner be and she is hereby declared entitled as yidow of the above-named declared entitled as yidow of the above-named declared to her unless the respondents above named or any other person or person interested shall, on or before October 12, 1939, show sufficient cause to the satisfaction of this court to the contrary. satisfaction of this court to the contrary.

September 25, 1939.

C. NAGALINGAM, District Judge.

30 In the District Court of Colombo. $Order\ Nisi.$

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Victor Thomas John Jebaweera Rutnam, No. 9,012. deceased.

Rasamalar Rutnam of Mutwal Petitioner.

Vs.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on September 22, 1939, in the presence of Mr. H. V. Ram Iswera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 21, 1939, having been read:

It is ordered (a) that the 3rd respondent be and he is hereby appointed guardian ad litem of the minors, 1st and and respondents above named, to represent them for all the purposes of this action, and (b) that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before October 12, 1939, show sufficient cause to the satisfaction of this court to the contrary.

September 23, 1939.

C. Nagalingam, District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Kachchakaduge Dias Peiris, deceased, of

Jurisdiction. Kachchakaduge Dias Peiris, deceased, of No. T. 118. Koluwela.

THIS matter coming on for disposal before James Joseph, Esq., District Lidge, Hand, on September 14, 1939, in the presence of Mr. V. R. Wickramatilleke, Proctor, on the part of the petitioner, Kachchakaduge Rosalin Peiris; and the affidavit of the said petitioner dated September 14, 1939 lawing been said petitioner dated September 14, 1939 lawing been said petitioner dated declared entitled, as the daughter of the above-named deceased, to have letters of administration to the estate of the deceased issued to her, unless the respondents (1)

deceased, to have letters of administration to the estate of the deceased issued to her, unless the respondents (1) Kachchakaduge William Peiris, (2) Kachchakaduge Mencho Peiris, (3) Kachchakaduge Simcn Peiris, (4) Kachchakaduge Alice Peiris, (5) Kachchakaduge Jane Peiris, (6) Kachchakaduge Jane Peiris, (6) Kachchakaduge Agness Peiris, (7) Kachchakaduge Marathelis Peiris, (8) Kachchakaduge John Peiris, (9) Kachchakaduge Jessy Nona Peiris, (10) Kachchakaduge Punchi Singho Peiris, and (11) Kachchakaduge Jan Peiris, or any other person or persons interested shall, on or before October 19, 1939, show sufficient cause to the satisfaction of this court to the contrary. satisfaction of this court to the contrary.

September 14, 1939.

JAMES JOSEPH, District Judge.

In the District Court of Galle. Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late Jurisdiction. Ranasinghe Muhandiram Endiris de Silva, deceased, of Ambalangoda. No. 7,834.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge, Galle, on August 4, 1938, in the presence of Mr. K. T. E. de Silva, Proctor, on the part of the petitioner, Manimelwadu Rajalias de Silva of Ambalangoda; and the affidavit of the said petitioner and of the attesting notary, both dated July 25, 1938, having been read:

having been read:

It is ordered that the will at Ranasinghe Muhandiram Endiris de Silva of Egodahawatta, Ambalangoda, deceased, dated March 31, 1938, and now deposited in this court, be and the same is hartily declared groved, unless the respondents (1) Manimelwadu Nandawathi, (2) ditto Jinawathic Hemelatha, (3) ditto Prementida Sumanasiri, all of Patabendimulla shall, on on before September 30, 1938, show sufficient cause to the satisfaction of this court to the contrary. to the contrary.

It is further declared that the said petitioner, Manimelwadu Rajalias de Silva of Ambalangoda is the executor named in the said will and that he is entitled to have probate of the same issued to him accordingly, unless the said respondents or any person or persons interested shall, on or before September 30, 1938, show sufficient cause to the satisfaction of this court to the contrary.

63 August 4, 1938.

S. S. JAYAWICKRAMA, District Judge.

Time for showing cause is extended for November 4, 38.

N. M. BHARUCHA, District Judge.

Time for showing cause is 38. uiso is attended to December 15,

November 4, 1938.

N. M. BHARUCHA, District Judge.

Time for showing cause is extended to January 31, 1939.

December 15, 1938.

N. M. BHARUCHA District Judge.

Time for showing cause is extended to February 28, 1939.

January 31, 1939.

N. M. BHARUCHA, District Judge.

Time for showing cause is extended to April 4, 1939.

February 28, 1939.

N.M. BHARUCHA, District Judge.

Time for showing cause is extended to May 31, 1939.

Æ

April 4, 1939.

N. M. BHARUCHA, District Judge.

Time for showing cause is extended to July 6, 1939.

N. M. BHARUCHA,

May 31, 1939. July 6, 1939, Not called.

District Judge.

Time for showing cause is extended for September 28,

September 11, 1939.

S. S. JAYAWICKRAMA. Additional District Judge.

Time for showing cause is extended for October 12, 1939. ·

S. S. JAYAWICKRAMA. District Judge.

September 28, 1939.

In the District Court of Galle. Order Nisi.

Testamentary
Jurisdiction.
No. 7,882.
In the Matter of the Intestate Estate of
Tanaturu Sumathipala Gurusinhe of Woodlands, Galle, deceased. 1 -19

Between (1) Rachel Sophia Gurusinhe, (2) Gilbert Sumathipala Gurusinhe, both of Woodlands, Galle Petitioners.

And (1) Owen Sumathipala) Owen Sumathipala Gurusinhe, (2) Reginald Sumathipala Gurusinhe, (3) Mrs. W. E. P. Wijesinghe Reginald nee Rachel Constance Gurusinhe, (4) Norah Beatrice Gurusinhe, (5) Daisy Malicent Gurusinhe, (6) Leslie Sumathipala Gurusinhe, (7) Newton Sumathipala Gurusinhe, all of Woodlands, Galle, (8) D. Gurusinhe of Elliott road, Galle Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Galle, on July 17, 1939, in the

presence of Mr. A. E. P. Jayatilaka, Proctor, on the part of the said patitioners; and the affidavit of the said 2nd named petitioner lated July 12, 1939, having been read:

It is ordered that the 8th espondent be and he is hereby appointed guardian ad tiem over the said 6th and 7th respondents, unless the above samed respondents or any person or persons herested shall one r before September 15, 1939, show sufficient cause to the satisfaction of this court to the addrary.

It is further declared that the said petitioners, as widow and eldest son respectively of the said deceased, are entitled to have letters of administration usued to them accordingly, unless the above-named respondents or any other person or persons interested shall, on or before September 15,

or persons interested shall, on or before September 15, 1939, show sufficient cause to the satisfaction of this court to the contrary.

July 17, 1939.

N. M. BHARUCHA. District Judge. Q.

The foregoing Order Nisi is extended to October 6, 1939.

September 15, 1939.

N. M. BHARUCHA, District Judge.

In the District Court of Galle.

Order Nisi.

Jurisdiction. No. 7,891.

Testamentary In the Matter of the Intestate Estate of the late P. L: Buddhadasa of Elliott road, Madapatala in Galle, deceased.

(1) L. W. Bachchohamy of Elliott road, Madapatala within the Four Gravets of Galle Petitioner

-And

🚁 . . Respondents.

THIS matter timing the ford spose before N. M. Bharucha, Esq., District Juge of Gatle, in September 12, 1939, in the presence of Mr. A. E. P. Jayatilaka, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated September 9, 1939, having been read:

It is declared that the said petitioner, as mother of the deceased, is entitled to have letters of administration to the estate of the said deceased issued to her accordingly, unless the above named respondents or any person or persons interested shall, on or before October 13, 1939, show sufficient cause to the satisfaction of this court to the contrary.

September 12, 1939.

N. M. BHARUCHA, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary No. 590.

In the Matter of the Estate of the late Antonipillai Bastiampillai of Mathagal,, deceased.

Antonipillai Soosaipillai of Mathagal..... Petitioner.

(1) Bastiampilla France 1 (2) Marianma, daughter Redruyilai Manavetpillai of Bastiampilla of Mathagal Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on April 26, 1938, in the presence of Mr. C. L. Selvaratnam, Proctor, on the part of the petitioner; and the affidavit of the petitioner having been read: It is ordered that the above-named 3rd respondent be appointed guardian ad litem over the minors Ist and 2nd respondents, and that the petitioner be declared entitled to have letters of administration to the estate of the above-named deceased, as brother-in-law, unless the

respondents or any other person or persons interested shall appear before this court on June 1, 1938, and state objection or show sufficient cause to the contrary.

C. COOMARASWAMY, District Judge.

Extended to October 11, 1939.

C. COOMARASWAMY, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of No. 699. the late Nagapoosaniamma, wife of Suppiah Arunasalam of Karamban, de-

Suppiah Arunasalam of Suruvil, Kayts, Petitioner.

Naganathapillai, wie w of Murugesu, (2) Murugesu Naganathapillai, (3) Murugesu Sinniah, (4) Murugesu Nagaraja, (5) Tillaiyamma, widow of Thamothapamphai, (6) Aprugesu Kumaraswamy, (7) Meenkishy Ammal, caughter of Murugesu, (8) and Murugesu Manikkavasaga, all of ditto; the 7th and 8th respondents are minors by their guardian ad litem the 1st espondents. Respondents O.C. (1) SeRespondents

1st respondent be appointed guardian ad litem over the minors, the 7th and 8th respondents, and that the petitioner de declared entitled to have letters of administration to the estate of the above-named deceased, as her husband, unless the respondents or any other person or persons interested shall appear before this court on March 22, 1939. and state objection or show sufficient cause to the contrary.

February 24, 1939.

C. COOMARASWAMY. District Judge.

The above Order Nisi is extended to May 17, 1939.

March 22, 1939.

C. COOMARASWAMY, District Judge.

The above Order Nisi is extended to June 21, 1939.

May 17, 1939.

C. COOMARASWAMY · District Judge.

do Nisi is extended to July 12, 1939. The above Order

C. COOMARASWAMY,

June 21, 1939.

District Judge.

The above Order Nisi is extended to August 30, 1939.

July 12, 1939.

C. COOMARASWAMY, District Judge.

The above Order Nisi is extended to October 11, 1939.

C. COOMARASWAMY, District Judge.

August 30, 1939.

Order Nisi.

In the District Court of Jaffna.

In the Matter of the Estate of the late Testamentary Ambalavanar Marimuttu of Koddadey, Jurisdiction. No. 784. Jaffna, deceased.

THIS matter of the affidavit and petition of the petitioner Rasammah, widow of Ampalavanar of Koddadey, coming on for disposal before C. Coomarasamy, Esq., District Judge, Jaffna in the presence of Mr. C. R. Tambiah, Proctor.

Proctor.

It is befored that the 1st espondent be appointed guardian ad liter, over the 6th to 10th respondents and letters of administration by granted to the petitioner, unless the respondents show cause to the contrary on Otober 25, 1939.

C. COOMARASWAMY. District Judge.

October 3, 1939.

DRAFT ORDINANCES.

MINUTE.

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

L. D.-O 78/39

An Ordinance to amend the Payment of Fines (Courts of Summary Jurisdiction) Ordinance, No. 49 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 Payment of Fines (Courts of Summary Jurisdiction) (Amendment) Ordinance, No. of 1939.

Short title.

2 Section 6 of the Payment of Fines (Courts of Summary Jurisdiction) Ordinance, No. 49 of 1938, (hereinafter referred to as "the principal Ordinance"), is repealed and the following section is hereby substituted therefor:—

Replacement of section 6 of Ordinance No. 49 of 1938.

6. A court of summary jurisdiction may, in any circumstances in which the court has, or if this Ordinance had not been enacted would have had, power to issue a warrant of commitment to prison in respect of the non-payment of a fine, in lieu of issuing such a warrant, order that the offender be detained in the precincts of the court until such hour on the day on which the order is made, not being later than 8 P.M., as the court may specify in the order.

Detention in precincts of court in lieu of imprisonment.

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

Amendment of section 11 of the principal Ordinance.

- (1) by the omission of paragraph (c) thereof;
- (2) by the re-lettering of paragraphs (d), (e) and (f) as paragraphs (c), (d) and (e), respectively; and
- (3) in the re-lettered paragraph (e) thereof, by the substitution, for the words "court or in a Fiscal's cell under section 6.", of the words "court under section 6."
- ${\bf 4}$. The Schedule to the principal Ordinance is hereby repealed.

Repeal of Schedule to the principal Ordinance.

Objects and Reasons.

The object of this Bill is to amend section 6 of the Payment of Fines (Courts of Summary Jurisdiction) Ordinance, No. 49 of 1938, by the omission from that section of the provisions which confer on a court of summary jurisdiction the power to order the detention of an offender in a Fiscal's cell. As a measure of economy, it has been decided that a court of summary jurisdiction should be empowered to order an offender to be detained in the precincts of the court until 8 P.M. on the day on which the order of detention is made, in lieu of directing his detention in a Fiscal's cell.

2. The amendment of section 11 of the Ordinance and the repeal of the Schedule to the Ordinance are of a consequential nature.

Colombo, October 4, 1939.

J. C. Howard, Legal Secretary.

MINUTE.

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

L. D.— O 78/39 🌤

An Ordinance to amend the Criminal Procedure Code (Amendment) Ordinance, No. 47 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 Criminal Procedure S Code (Further Amendment) Ordinance, No. of 1939.

Short title.

Amendment of section 2 of Ordinance No. 47 of 1938. 2 Section 2 of the Criminal Procedure Code (Amendment) Ordinance, No. 47 of 1938, (hereinafter referred to as "the principal Ordinance"), is hereby amended by the substitution, in the new section 15B set out therein, for all the words from "order that the offender be detained" to the end of that new section, of the following:—

"order that the offender be detained in the precincts of the court until such hour on the day on which the order is made, not being later than 8 P.M., as the court may specify in the order.".

Repeal of section 5 of the principal Ordinance.

3 Section 5 of the principal Ordinance is hereby repealed.

Objects and Reasons.

Section 2 of the Criminal Procedure Code (Amendment) Ordinance, No. 47 of 1938, which has not yet come into operation, provides for the insertion in the Code of a new section 15B under which a court will be enabled, in lieu of sentencing an offender to imprisonment, to order him to be detained in the precincts of the court or in a Fiscal's cell.

- 2. The new section 15B corresponds to section 6 of the Payment of Fines (Courts of Summary Jurisdiction) Ordinance, No. 49 of 1938, and a Bill to amend that Ordinance by the omission of the provisions relating to detention in a Fiscal's cell will be introduced simultaneously with this Bill.
- 3. The object of this Bill is to effect consequential amendments in Ordinance No. 47 of 1938.

Colombo, October 4, 1939.

J. C. Howard, Legal Secretary.

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