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

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DRAFT ORDINANCES.

MINUTE.

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

L. D.—O 60/38

An Ordinance to provide for the registration and licensing of industries and for purposes connected with the matters aforesaid.

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An Ordinance to provide for the registration and licensing of industries and for purposes connected with the matters aforesaid.

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 Industrial Licensing Ordinance, No. of 1939.

Registration of Industries.

2 The Director may from time to time compile and maintain registers in connection with any industry or industries for the time being carried on in Ceylon.

Returns, &c.

3 (1) For the purpose of compiling or maintaining a register in connection with any industry, the Director may from time to time, by notice served in the prescribed manner, call upon any person who is or is believed to be engaged in the industry to furnish a return in the prescribed form containing the particulars required to be set out in that form.

(2) Every return furnished under this section shall be verified by a declaration that the particulars contained therein are true and accurate ; every such declaration shall be free of stamp duty.

Cap. 119.

(3) The provisions of this section shall be in addition to and not in substitution of the provisions of the Statistics Ordinance.

Licences to carry on proclaimed industries.

4 (1) The Governor may by Proclamation published in the Gazette declare that any industry specified in the Proclamation shall not, on and after such date as may be appointed by the Proclamation, be carried on except under the authority of a licence issued by the Director under the provisions of this Ordinance.

(2) The date appointed in any Proclamation under subsection (1) shall, in so far as the Proclamation relates to persons engaged in an industry at the time of the publication thereof, be not earlier than six months after the date of such publication.

(3) Every industry in respect of which a Proclamation under this section is for the time being in force is hereinafter referred to as a " proclaimed industry ".

Applications to be made to Director.

5 (1) Every application for a licence shall be made to the Director in the prescribed form and shall contain the particulars required to be set out in that form.

(2) Every applicant for a licence shall furnish to the Director all such information as the Director may require relating to the subject-matter of the application.

6 In the consideration of any application for a licence, the Director shall have regard to the following matters :—

Matters to be considered by Director.

- (a) the quantity of indigenous raw materials likely to be used for the purposes of the industry proposed to be carried on by the applicant ;
- (b) the amount of money which has been or will be contributed by persons domiciled in Ceylon towards the capital sum employed or to be employed in the industry proposed to be carried on by the applicant ;
- (c) the extent to which employment is likely, in or for the purposes of the industry proposed to be carried on by the applicant, to be given to persons domiciled in Ceylon ; and
- (d) such other matters as may be prescribed.

7 (1) The Director may, in such circumstances or upon such grounds as may be prescribed, make order refusing to issue a licence to any person who makes application therefor. The Director shall specify in every such order the reasons for such refusal.

Issue and refusal of licences.

(2) The Director shall not issue a licence to any person except upon payment of the prescribed fee.

(3) Every licence shall be in the prescribed form, shall set out the conditions subject to which the licence is issued and shall be in force for the period specified therein.

(4) The Director shall specify in every licence the premises in which the proclaimed industry to which the licence relates may be carried on.

8 Where any person who is the holder of a licence contravenes any condition subject to which the licence was issued, the Director may, after notice to such person and after inquiry held in such manner as may be prescribed, make order revoking the licence. The Director shall specify in every such order the reasons for such revocation.

Revocation of licences.

9 Any person who is aggrieved by any order made by the Director refusing or revoking any licence may, upon payment of the prescribed fee, and in such manner and subject to such conditions as may be prescribed, appeal to the Minister against such order ; and the decision of the Minister upon any such appeal shall be final and conclusive.

Appeals from Director's decisions.

10 The Director or any person authorised by him in writing may, at any reasonable time during the day, enter any factory, store, shop, godown, shed, land or premises in which any proclaimed industry is or is suspected to be carried on and may—

Powers of entry and inspection.

- (a) make such inspection or examination as he may consider necessary, of any plant, machinery, raw materials, or industrial products, or of any books or documents, found therein ; and
- (b) make such inquiries as he may consider necessary in relation to the number and personnel of the labourers employed therein.

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

Regulations.

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

- (a) all matters stated or required in this Ordinance to be prescribed ;
- (b) the service of notices, and the form of returns to be furnished under section 3 ;
- (c) the form of applications for licences and the matters to be considered by the Director upon such applications ;
- (d) the form of licences, the fees or scales of fees payable therefor, and the period during which such licences shall be in force ;
- (e) the conditions subject to which licences may be issued ;
- (f) the circumstances in which or the grounds upon which the Director may refuse to issue any licence ;
- (g) inquiries and appeals under this Ordinance, including the fees payable for such appeals and the time within which such appeals must be preferred ;
- (h) the amendment of the Schedule to this Ordinance by the addition thereto of any industry not specified therein, or by the omission therefrom of any industry so specified, or otherwise ;

- (i) the registers and books to be kept for the purposes of this Ordinance and the particulars to be entered therein ;
- (j) all matters incidental to or connected with the matters specifically referred to in this sub-section.

(3) No regulation shall have effect unless it is approved by the State Council and ratified by the Governor. Notification of such approval and ratification shall be published in the Gazette.

(4) Every regulation which is approved by the State Council and ratified by the Governor shall, upon the notification in the Gazette of such approval and ratification, be as valid and effectual as though it were herein enacted.

Offences and penalties.

12 (1) Any person who omits or refuses to furnish a return when required by notice under section 3 to furnish such return shall be guilty of an offence and be liable to a fine not exceeding one hundred rupees, and in the case of a continuing offence to a further fine of twenty-five rupees in respect of each day on which such offence is continued.

(2) Any person who makes in any return furnished under section 3 any statement which he knows to be false, or withholds any information relating to any material particular, shall be guilty of an offence and shall be liable to a fine not exceeding five hundred rupees.

(3) Any person who—

- (a) carries on any proclaimed industry in contravention of any Proclamation under section 4, or
- (b) being the holder of a licence issued under this Ordinance, contravenes any condition subject to which the licence is issued, or
- (c) resists or obstructs the Director or any other person in the exercise of the powers conferred by or under this Ordinance on the Director or such other person, as the case may be,

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

Cancellation of licences.

13 Where the holder of a licence is convicted of any offence under this Ordinance, the court may, in addition to any other punishment which it may impose for that offence, make order cancelling the licence.

Prosecutions for offences.

14 No prosecution for any offence under this Ordinance shall be instituted except by the Director or by some officer or person acting with the written authority of the Director.

Summary trial of offences.

15 Every offence under this Ordinance shall be summarily triable by a Magistrate who may impose any penalty prescribed in this Ordinance for such offence, notwithstanding that such penalty may not be within the ordinary jurisdiction of a Magistrate.

Moneys recovered under the Ordinance to be credited to general revenue.

16 All moneys paid or recovered by way of fees charged or imposed under this Ordinance shall be credited to general revenue.

Interpretation.

17 In this Ordinance, unless the context otherwise requires—

- “ Director ” means the Director of Commerce and Industries and includes the Deputy Director of Commerce and Industries ;
- “ Executive Committee ” means the Executive Committee of Labour, Industry and Commerce ;
- “ industry ” means any undertaking which is carried on for the purpose of manufacturing, altering, repairing, or finishing any article or substance, and for the purposes of which ten or more persons are employed ;
- “ licence ” means a licence issued by the Director under section 7 ;
- “ Minister ” means the Minister for Labour, Industry and Commerce ;
- “ prescribed ” means prescribed by this Ordinance or by any regulation ;
- “ regulation ” means a regulation made by the Executive Committee under this Ordinance.

18 (1) (a) Nothing in this Ordinance shall apply in the case of any industry for the time being specified in the Schedule to this Ordinance.

Application of Ordinance.

(b) The Schedule to this Ordinance may from time to time be added to or otherwise amended by regulation.

(2) The provisions of this Ordinance or of any regulation relating to any industry shall be in addition to and not in substitution or derogation of the provisions of any other written law which relates to that industry or to the manufacture, sale or exportation of any product of such industry, or which prohibits, regulates or controls the carrying on of that industry or the manufacture or sale of that product.

SCHEDULE.

(Section 18 (1).)

Industries excluded from the operation of the Ordinance.

1. The manufacture of any excisable article within the meaning of the Excise Ordinance (Chapter 42).
2. The business of a miller within the meaning of the Coconut Products Ordinance (Chapter 129).
3. The Manufacture of matches, splints, veneers or boxes as defined in the Manufacture of Matches (Regulation) Ordinance (Chapter 131).
4. The production or manufacture of tea or rubber.
5. Any industry carried on by or on behalf of the Crown or by any Department of Government.

Objects and Reasons.

The object of this Bill is to make provision for the registration and licensing of industries carried on for the purpose of manufacturing any article or substance and for the purposes of which ten or more persons are employed.

2. The Director of Commerce and Industries will have the power to call for returns and information for the purpose of compiling or maintaining a register relating to any industry. (Clause 3.)

3. The Governor will be empowered under Clause 4 by Proclamation published in the Gazette to prohibit the carrying on of any industry except under the authority of a licence issued by the Director. In the consideration of an application for a licence, the Director will be required by Clause 6 to have regard to the quantity of indigenous raw materials, which are likely to be used for the purposes of the proposed industry, the extent to which employment will be given to local labour and the amount of capital which has been or will be contributed by persons domiciled in Ceylon. Regulations will specify the circumstances in which or the grounds upon which a licence may be refused, and any such refusal of the Director will be subject to an appeal to the Minister whose decision will be final. The Director will also be empowered, subject to a right of appeal to the Minister, to revoke a licence in any case where the holder contravenes any condition of the licence. Clause 10 will confer on the Director the power to enter and inspect the premises in which a proclaimed industry is being carried on.

4. The Executive Committee of Labour, Industry and Commerce will be given the power to make regulations for the purposes of the Ordinance. The conditions to be inserted in licences, the fees payable therefor and the period of the duration of licences will, *inter alia*, be prescribed by regulation (Clause 11.)

5. Clauses 12 to 15 deal with offences under the Ordinance. A person who carries on a proclaimed industry in contravention of a Proclamation of the Governor under Clause 4 or who contravenes a condition of any licence issued to him will be liable to a fine not exceeding 1,000 rupees or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

6. The new law will not apply to any of the industries specified in the Schedule; it is considered that existing legislation contains sufficient provision for the control of these industries. Power is taken to amend the Schedule from time to time by regulation.

G. C. S. COREA,

Minister for Labour, Industry and Commerce.

Colombo, November 15, 1939.

MINUTE.

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

An Ordinance to amend the Cathedral Church (Colombo) Ordinance, 1911, and for other purposes connected therewith.

Short title.

1 This Ordinance may be cited as the Cathedral Church (Amendment) Ordinance, No. of 19

Repeal of section 4 of the principal Ordinance and substitution of new section.

2 The following section shall be substituted for section 4 of the Cathedral Church (Colombo) Ordinance, 1911, hereinafter referred to as the principal Ordinance—

Application of the proceeds of sale to building of Cathedral Church or maintaining, &c., of such Church.

4. Upon such sale the trustees of the said grant shall forthwith pay the net proceeds of the sale, after payment of the expenses thereof, to the Incorporated Trustees of the Church of England in Ceylon, and the said Incorporated Trustees shall stand possessed of such moneys in trust to apply such moneys and any income which may arise from the investment thereof—

(a) in and towards the erection, upon the sites mentioned in sections 5 and 6 or upon any other land which may lawfully be exchanged for the said sites, of a Cathedral Church and such other buildings as in the opinion of the Bishop of Colombo should be erected in connection with or for the service of such Cathedral Church; or

(b) if, at the date of such sale, a Cathedral Church shall have been erected upon the said sites or upon any other land which may lawfully be exchanged for the said sites, in and towards additions, improvements, maintenance, decoration or equipment of such Cathedral Church and of other buildings erected in connection with or for the service of such Cathedral Church.

Amendment of section 5 of principal Ordinance.

3 Section 5 of the principal Ordinance is hereby amended as follows—

(1) by the substitution for the words "any subsidiary buildings which may be erected in connection with or for the service of such Cathedral Church" of the words "any other buildings which in the opinion of the Bishop of Colombo should be erected in connection with or for the service of such Cathedral Church"; and

(2) by the substitution for the words "of any subsidiary buildings erected in connection with or for the service of the Cathedral Church", of the words "of any other buildings erected in connection with or for the service of the Cathedral Church."

Addition of new sections.

4 The following new sections shall be inserted immediately after section 5 and shall have effect as sections 6, 7, 8 and 9 of the principal Ordinance—

Crown Grant of 20th March, 1925, rendered void, and land comprised in the grant vested in the Incorporated Trustees.

6. (1) The Crown Grant bearing date the 27th day of March, 1925, whereby the allotment of land described in the schedule hereto was granted and assigned unto the Incorporated Trustees of the Church of England in Ceylon, is hereby made and declared to be henceforth null and void.

(2) The allotment of land mentioned in sub-section (1) and described in the schedule hereto shall, after the commencement of this Ordinance, be vested in the Incorporated Trustees of the Church of England in Ceylon and the said Incorporated Trustees shall hold the said allotment of land subject to the same trusts, terms and conditions under which the said Trustees now hold the two allotments of land mentioned in section 5.

Power of Governor to acquire lands mentioned in sections 5 and 6.

Cap. 181.
Cap. 203.

7. (1) Notwithstanding anything in the Cemeteries and Burials Ordinance or in any other written law, it shall be lawful for the Governor to acquire the allotments of land mentioned in sections 5 and 6 under the Land Acquisition Ordinance upon such conditions as may be agreed upon between the Governor and the Incorporated Trustees of the Church of England in Ceylon.

(2) If and when proceedings are taken to acquire the said allotments of land under sub-section (1), it shall be lawful for the Incorporated Trustees of the Church of England in Ceylon to agree as to the compensation which may be allowed therefor and to sign any agreement connected therewith.

(3) If the said allotments of land are acquired under sub-section (1), the said allotments of land shall vest absolutely in His Majesty free and discharged from all the trusts, conditions and provisions concerning the same enacted by sections 5 and 6 and of all other incumbrances whatsoever; and in the event of the consideration for the said acquisition being exchange of other land the property of the Crown instead of pecuniary compensation, the said Crown land so given in exchange shall be subject to the same trusts, terms and conditions as are contained in sections 5 and 6, so far as the same are capable of taking effect, as though the said Crown land were the allotments referred to in sections 5 and 6.

8. Notwithstanding anything in the Cemeteries and Burials Ordinance, the Incorporated Trustees of the Church of England in Ceylon may cause to be removed any tombstones, monuments or human remains in the allotments of land referred to in section 5:

Provided that all human remains so removed shall be re-interred in consecrated ground.

9. Nothing in this Ordinance contained shall prejudice or affect the rights of His Majesty the King, His Heirs and Successors or of any body politic or corporate or of any other persons except such as are mentioned in this Ordinance and those claiming by from or under them.

5 (1) Section 6 of the principal Ordinance is hereby repealed.

(2) Section 7 of the principal Ordinance is hereby renumbered as section 10.

6 The following Schedule shall be added immediately after section 7 (renumbered as section 10) to the principal Ordinance and shall have effect as Schedule to that Ordinance—

SCHEDULE.

Section 6.

All that allotment of land in Galle Face, Ward No. 1, within the Municipality of Colombo, Colombo District, Western Province, bounded on the North by Military Land, East by Military Land and land claimed on T. Ps. 39868½ and 20551, South by Military Land and Galle Face Lake Road, West by Galle Face Central Road, Reservation along the Galle Face Central Road and Military Land; containing in extent, One Acre, three roods, and ten perches and seventy five hundredths of a perch, (A1. R3. P10.75), according to the survey and description thereof authenticated by W. C. S. Ingles, Surveyor-General, bearing date the 14th day of July, 1923, and Number 355314.

Statement of Objects and Reasons.

The object of this Bill is to enable the Incorporated Trustees of the Church of England in Ceylon, in whom are vested the two allotments of land referred to in section 5 of the Cathedral Church (Colombo) Ordinance, 1911, and the allotment described in the Schedule to the Bill, to exchange the said allotments of land for other land, the property of the Crown, in the event of the Crown's taking action, under the Land Acquisition Ordinance, to acquire the said allotments for any public purpose.

2. The Bill provides that, in the event of such acquisition, the land given by the Crown in exchange shall be vested in the Incorporated Trustees of the Church of England in Ceylon upon trust to be used as a site for a Cathedral Church and other buildings necessary for or in connection with the Cathedral Church.

3. Sub-clause 8 under clause 4 of the Bill empowers the Incorporated Trustees to cause to be removed any human remains in the allotments of land referred to in section 5 of the Cathedral Church (Colombo) Ordinance, 1911, and re-inter them in consecrated ground.

4. The Bill also authorizes the Incorporated Trustees to utilize the proceeds of sale of St. Peter's Church, Colombo, in the event of its being sold as provided under the Cathedral Church (Colombo) Ordinance, 1911, in and towards the erection of the Cathedral Church and other buildings upon the land given in exchange or, if at the date of such sale such Cathedral Church shall have been already erected, in and towards additions, improvements, maintenance, decoration, or equipment of such Cathedral Church and other buildings.

Power of the Incorporated Trustees to remove any human remains on the land mentioned in section 5.

Cap. 181.

Saving of the rights of His Majesty, &c.

Repeal of section 6 and renumbering of section 7 of principal Ordinance.

Insertion of Schedule to the principal Ordinance.

Cap. 203.

G. C. S. COREA,
Mover of Bill.

Colombo, 15 November, 1939.

DISTRICT AND MINOR COURTS NOTICES.

The Village Communities Ordinance (Chapter 198.)

NOTICE is hereby given, in terms of Rule 4 of the Rules for the Destruction of Old Village Tribunal Records in Chapter 198 of the Subsidiary Legislation, that the records of criminal and civil money cases of the Village Tribunals of the Galle District decided within the period from January 1 to December 31, 1938, will be destroyed on January 6, 1940, at the Galle Kachcheri and that any person may apply to me for any document filed in evidence in any such case before that date.

The Kachcheri,
Galle, November 14, 1939.

A. MUTTUTAMBY,
for Government Agent.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,283. In the Matter of the Insolvency of Manasse George William Silva of 76, Pansala road, Kotabena, 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 December 19, 1939, to consider the grant of a certificate of conformity to the above-named insolvent.

By order of court, C. EMMANUEL,
October 27, 1939. Secretary.

In the District Court of Colombo.

No. 5,368. In the matter of the insolvency of Walter Henry de Silva Suria-artachi of Talangama.

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 December 19, 1939, to consider the grant of the certificate of conformity to the insolvent.

By order of court, C. EMMANUEL,
November 17, 1939. Secretary.

In the District Court of Colombo.

No. 5,440. In the matter of the insolvency of Allesup, Sillai Santhiapillai of 1, St. Michael's road, Colpetty.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held on December 5, 1939, at 11 o'clock in the forenoon for approval of conditions of sale of the insolvent's shop goods.

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

In the District Court of Colombo.

No. 5,444. In the matter of the insolvency of Don David Abeyaweera of 111/1, Paranawadiya road, Colombo.

WHEREAS the above named D. D. Abeyaweera has filed a declaration of insolvency, and a petition for the sequestration of the estate has been filed by D. W. Silva of Norris road, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said D. D. Abeyaweera insolvent accordingly; and that two public sittings of the court, to wit, on December 12, 1939, and on January 16, 1940, 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,
November 17, 1939. Secretary.

In the District Court of Colombo.

No. 5,445. In the matter of the insolvency of Adambarage Salmon Alwis of Pattiya, Peliyagoda.

WHEREAS the above-named A. S. Alwis has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by P. A. Hameedu of

220, Watarappola, Mount Lavinia, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. S. Alwis insolvent accordingly; and that two public sittings of the court, to wit, on December 12, 1939, and on January 16, 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,
November 17, 1939. Secretary.

In the District Court of Kandy.

No. I. 6. In the matter of the insolvency of Danuwattege Don Paul of 62, Colombo street, 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 December 15, 1939, to consider the granting of a certificate of conformity to the above-named insolvent.

By order of court, R. B. RATNAIKE,
November 18, 1939. Secretary.

In the District Court of Kandy.

No. I. 47. In the matter of the insolvency of S. T. Gunasekera of Waragalanda estate, Madulkelle, in Panwila.

WHEREAS S. T. Gunasekera has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by G. A. Jayawardana of St. John's Hill, Madulkelle, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said S. T. Gunasekera insolvent accordingly; and that two public sittings of the court, to wit, on December 15, 1939, and on January 13, 1940, 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, R. B. RATNAIKE,
November 21, 1939. Secretary.

In the District Court of Kandy.

No. 2,107. In the matter of the insolvency of Christopal William Peter Perera of 3, Railway Approach road, in Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on December 8, 1939, to appoint an assignee.

By order of court, R. B. RATNAIKE,
November 18, 1939. Secretary.

In the District Court of Ratnapura.

No. 66. In the matter of the insolvency of Kandubodage Victor Perera of 5, Reverside road, Ratnapura.

WHEREAS the above-named Kandubodage Victor Perera, has filed a declaration of insolvency, and a petition for the sequestration as insolvent of his own estate has been filed by Kaluaratchige Shelton de Silva of Ratnapura, under Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged him an insolvent accordingly, and that two public sittings of the court, to wit, on November 30, 1939, and January 9, 1940, will take place for the insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, C. H. DE ZILWA,
November 14, 1939. Secretary.

In the District Court of Kegalla.

Insolvency In the matter of the insolvency of Delpa-Jurisdiction chitracharige Don William Waidyasekera No. 75. of Kegalla.

NOTICE is hereby given that a sitting of this court on the above matter will be held on December 13, 1939, for the allowance of the certificate of conformity to the insolvent.

By order of court, M. G. ARIYASENA,
November 17, 1939. Secretary.

NOTICES OF FISCALS' SALES.**Western Province.**

In the District Court of Colombo.

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

No. S/2,806. Vs.

(1) M. A. Razak of Avington, Bullers road, in Colombo, (2) Nagoor Meera Mohamed Haniffa of 50, Baillie street in Colombo, carrying on business under the name, style, and firm of A. M. Nagoor Meera Sons & Co. Defendants.

NOTICE is hereby given that on Tuesday, December 19, 1939, commencing at 2 P.M., will be sold by public auction at the respective premises the right, title, and interest of the said 2nd defendant in the following property for the recovery of the sum of Rs. 561-22, with interest thereon at 15 per cent. per annum from July 19, 1938, till payment in full, less a sum of Rs. 180, viz. :—

(1) The land and the buildings formerly bearing assessment No. 95 and presently bearing assessment Nos. 1, 3, 5, 7 (now Nos. 5, 7, 9, 11, Reservoir road) formerly Dematagoda, situated at Ketawalamulla or Maligakanda, within the Municipality and in the District of Colombo, Western Province, and described in the title deeds thereof as all that one-third part of the western half of the remaining part of the garden called Maligakanda, situated at Ketawalamulla or Maligakanda aforesaid; bounded on the north by the road leading to Dematagoda, on the east by the garden of Muttachy Umma, on the south by the garden of Samsy Lebbe Mohammado Cassim, and on the west by the garden of Tay Marikkar Ahamado Lebbe Marikar containing in extent 5 $\frac{53}{100}$ perches. Registered in A 85/204 in the Colombo District Land Registry.

(2) All those two allotments of land adjoining each other and forming one property with thirteen houses constructed thereon formerly bearing assessment No. 94 and presently bearing Nos. 9, 11, 13 and (now Nos. 15, 17, 19), Reservoir road formerly Dematagoda, situated to the east by Reservoir road within the Municipal limits of Colombo aforesaid; bounded on the north by the property of R. P. Perera and Ismail Lebbe Marikar, on the east by the property of Oduma Lebbe Marikar, on the south by the property of Colenda Marikar, and on the west by the road to the reservoir; containing in extent 20 perches and $\frac{49}{100}$ of a perch according to the plan and survey thereof bearing date October 25, 1902, made by Charles Schwallie, Surveyor. Registered in A 85/148 in the Colombo District Land Registry.

(3) The land and buildings formerly bearing Municipal assessment No. 96 and presently bearing Nos. 182, 184, 186, 188 (now Nos. 314, 316, 318, and 320), Reservoir road, formerly Dematagoda, situated at Ketawalamulla or Maligakanda aforesaid, and described in title deed thereof as follows:—All that one-third part of the western half part of the remaining part of the garden called Maligakanda with the buildings standing thereon, situated at Ketawalamulla or Maligakanda aforesaid; bounded on the north by the road leading to Dematagoda, on the east by the garden of Meera Lebbe Marikar, on the south by the other part of Samsy Lebbe Mohammado Cassim, and on the west by the road leading to Maligakanda; containing in extent 5 $\frac{53}{100}$ perches. Registered in A 172/232 in the Colombo District Land Registry.

(4) All that portion of land marked letter A now bearing assessment Nos. 19, 19 (1) and 19 (2-6), School lane, with the buildings thereon from and out of the land bearing assessment No. 176A, situated at Dematagoda, within the Municipality of Colombo aforesaid; which said portion marked A is bounded on the north by the property of Martha Fernando, wife of H. Pedige Singho Fernando, on the east by the road to Maligawatta, on the south by the remaining part of the same land marked letter B belonging to Muttachy Umma, and on west by the property of Assen Alliar Nagoor Meera; containing in extent 12 $\frac{1}{2}$ perches according to the figure of survey dated April 28, 1906, made by Juan de Silva, Licensed Surveyor. Registered in A 172/227 in the Colombo District Land Registry.

(5) All those two contiguous allotments of land now forming one property called Ketawellwatta, with the buildings standing thereon formerly bearing assessment Nos. 177 and 179 and presently bearing Nos. 19 (7-12), 19 (25-30), School lane, situated at Dematagoda aforesaid; bounded on the north by a field belonging to the Crown and presently occupied by the Ceylon Government Railway, on the east by the property formerly of Sinne Marikar and Ahamado Lebbe Marikar Meera Lebbe Marikar, and presently belonging to Jayalathpularadage Sinna and

Mohammado Alliar Assen Lebbe, on the south by the property formerly of Sinne Marikar and the properties of Meera Lebbe Samsy, B. S. Cooray, Sinna Tamby Baas and Miss M. Holmes and now bearing assessment Nos. 185, 186, 187, 188, and 189 and belonging respectively, to Sinna Tamby, B. S. Cooray Appuhamy, Miss Holmes, J. R. Fernando and Kapadia Assena Meera Lebbe, and on the west by the property formerly of Sekka Lebbe and of Ibrahim Lebbe Slema Lebbe presently of Jayanambu Natchia, and Umina Umma alias Umina Himma as per figure of survey dated February 15, 1902, made by T. H. Krickenbeck, Surveyor; containing in extent 1 rood and 18 perches and $\frac{41}{100}$ of a perch. Registered in A 172/228 in the Colombo District Land Registry.

(6) All that portion of land from and out of the strip of garden called Gonawala Etambagahawatta formerly bearing assessment No. 190 and presently bearing Nos. 19, 19 (1), 19 (2-6), School lane, situated at Dematagoda aforesaid; which said portion is bounded on the north-east by the garden formerly of Mamoo Naina Pulle Marikar Sinne Tamby presently of Assen Alliar Nagoor Meera, on the south-east by the remaining portion of the same land belonging to Kappa Odayar Lebbe Hassen Meera Lebbe, on the south-west by the other portion of the same land belonging to the said Assena Alliar Nagoor Meera and others, and on the north-west by the garden formerly of Sekana Lebbe Marikar presently of the said Assen Alliar Nagoor Meera; containing in extent 3 $\frac{7}{100}$ perches according to the plan dated April 26, 1906, made by J. D. A. Dissanayake, Registered Land Surveyor, and registered in A 172/229 in the Colombo District Land Registry.

(7) All that allotment of land with the buildings thereon being part of the premises bearing assessment No. 197B and now bearing Nos. 19 (13-17), 19 (18-24), School lane, situated at Dematagoda aforesaid; bounded on the north by the property of M. Mohammado bearing assessment No. 218, on the east by the property of G. Fernando, bearing assessment No. 188, on the south by the property of Mohammado Deen Tailor bearing assessment No. 189, and on the west by a part of the same land belonging to C. L. Hassen Meera Lebbe; containing in extent 3 perches and $\frac{39}{100}$ of a perch inclusive of the passage. Registered in A 172/230 in the Colombo District Land Registry; which said four allotments of land Nos. 4 to 7 adjoin each other and now form one property and is described in the figure of survey No. 340 dated July 5, 1907, made by Mr. A. E. Van Rooyen, Fiscal's Registered Surveyor, as follows, to wit:—

All those four contiguous allotments of land bearing assessment Nos. 176A, 177 and 179, 190 and 197B, situated at Dematagoda in Ward No. 7 of the Municipality of Colombo aforesaid; bounded on the north by the property of the Ceylon Government Railway and property of M. Fernando, on the east by the property of Martha Fernando and Muttadi Umma and road to Maligawatta, on the south by premises bearing assessment Nos. 185, 186, 187, 188, and 189, and on the west by the premises belonging to Sinne Lebbe Marikar Ummama Umma Idroos and A. A. Nagoor Meera; containing in extent 1 rood and 35 $\frac{24}{100}$ perches according to the survey.

(8) All that portion of land towards the north marked letter B in the plan bearing assessment Nos. 19, 19/1, 19/2-6, School lane, from and out of the aforesaid part of the land bearing assessment No. 176A, situated at Dematagoda aforesaid; which said portion of land marked letter B is bounded on the north by the portion of the same land sold to the said Assen Alliar Nagoor Meera, on the east by the road to Maligawatta, on the south by the remaining portion of the same land marked letter C belonging to the said Muttachchi Umma and Mohammadu Alliar Assena Lebbe, and on the west by the property of the said Assen Alliar Nagoor Meera; containing in extent 1 $\frac{61}{100}$ perches according to the plan dated September 25, 1907, made by J. de A. Dissanayake, Registered Land Surveyor. Registered in A 172/231 in the Colombo District Land Registry; which said allotment of land adjoin the allotments of land Nos. 4 to 7 above described and together now form one property and is described in the figure of survey No. 1,521 dated January 19, 1914, made by the said H. G. Dias, to wit:—All that allotment of land with the buildings thereon bearing assessment Nos. 176B (1-6), 177 (1-6), 179 (1-6) and 197 (11-12), situated at School lane in Dematagoda aforesaid; bounded on the north by land appertaining to the railway premises bearing assessment No. 176B of H. Sinnoni Fernando, on the east by premises bearing assessment No. 176B 1 of H. Sinnoni Fernando, the School lane premises bearing assessment No. 176 of M. L. M. Sheriff, and premises bearing assessment No. 189 of W. B. de Fry, on the south by the premises bearing assessment No. 176 of M. L. M. Sheriff, Nos. 185, 186 of Mrs. Cooray, No. 188 of Mrs. Fernando, No. 189 of W. B. de Fry, and No. 190 of Ana Pitche, and on the west by premises bearing assessment No. 197B of A. A. Nagoor Meera, of 197 of Mana Umma and No. 197 of H. M. Abdul Carim; containing in extent

2 roods and $\frac{25}{100}$ perches according to the said figure of survey No. 1,521. The above-mentioned 4, 5, 6, 7 and 8 pieces of lands now form one property bearing assessment Nos. 29, 29/2-32, situated at School lane, Dematagoda, in Colombo, Western Province; and bounded on the north by the property of Ceylon Government Railway, on the east by School lane, on the south by the property of Dr. Goonesekera and others, and on the west by the property of Mammado Cassim; containing in extent 1 acre 1 rood and $\frac{29}{100}$ perches.

(9) All that part or portions of the garden called Moona-malgahawatta formerly bearing assessment No. 162 and presently bearing assessment Nos. 267, 269, 271, 273, 275, 277, 279 and (now Nos. 427, 429, 431, 433, 435, 437, 439), situated at Dematagoda aforesaid; and bounded or reputed to be bounded on the north by the property formerly of Ounchiappy and now belonging to Williarage Don Carolis, on the east by the other part of the same land now belonging to Williarage Don Carolis, on the south by the Dematagoda road, and on the north-west by the road leading to Cinnamon Gardens; containing in extent 1 rood and $\frac{28}{100}$ perches according to the figure of survey thereof dated December 6, 1879, made by Mr. F. Bartholomeusz, Land Surveyor. Registered in A 172/226 in the Colombo District Land Registry; which said allotment of land according to the recent survey made by H. G. Dias, Registered Licensed Surveyor, bearing No. 1,522, and dated January 24, 1914, is described as follows:—All that allotment of land with the buildings thereon bearing assessment No. 162 (1-7), situated at Dematagoda aforesaid; and bounded on the north by premises bearing assessment No. 163 of W. F. Holmes, on the east by premises bearing assessment No. 161 of W. J. Dias, on the south by Dematagoda road, and on the north-west by land containing in extent 1 rood and $\frac{23}{100}$ perches according to the said survey.

(10) All that garden with the buildings thereon formerly bearing assessment Nos. 1,442 to 1,445/97 and presently bearing Nos. 190, 192, 192 (1-3), 194 (now Nos. 322, 324, 324/1, 324/2, 324/3 and 326), situated at Dematagoda aforesaid; bounded on the north by the road to Dematagoda, on the east by the garden of Ama Lebbe, on the south by the property of Mohammado Lebbe, and on the west by the property of Mamedar Meedin; containing in extent 13 $\frac{61}{100}$ perches. Registered in A 96/181 in the Colombo District Land Registry.

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

36/ In the District Court of Colombo.

R. M. M. Ramasamy Chettiar of 212, Séa street,
Colombo Plaintiff.

No. 3,366/S. Vs.

(2) Mrs. N. Weerasingham of 21, Frederica road, Wellawatta, Colombo Defendant.

NOTICE is hereby given that on Monday, December 18, 1939, will be sold by public auction at the respective premises the right, title, and interest of the said 2nd defendant in the following property for the recovery of the sum of Rs. 500, with interest thereon at 9 per cent. per annum from March 30, 1939, till payment in full and costs of suit, less a sum of Rs. 41.62, viz. :—

1. At 3 p.m.—An allotment of land forming part of T. P. No. 158,879 with the buildings thereon, formerly bearing assessment No. 42 and presently bearing assessment No. 44, situated at Elibank road and Dawson road, Bambalapitiya, within the Municipality and District of Colombo, Western Province; and bounded on the north by the part of the same land, on the south by Dawson road, on the east by Elibank road, and on the west by the part of the same land; and containing in extent 30.65 perches; and registered under title A 247/95.

2. At 3.30 p.m.—All that land called Ambagahawatta described in registration plan No. 2 being allotment No. H 2 with the buildings thereon, and presently bearing assessment No. 21, situated at Frederica road, Wellawatta, within the Municipality and District of Colombo, Western Province; and bounded on the north by lot No. 6, south by reservation 30 ft. wide now by lot 8, east by lots Nos. 39 I and J, and on the west by lot No. 1; and containing in extent 23 $\frac{20}{100}$ perches, together with the right of way upon strip of land or road indicated in plan.

Registered Well. 34/82.

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

37/ In the District Court of Colombo.
P. D. Joseph of Kuruppu road, Colombo... Plaintiff.
No. 10,652/M. Vs.

Mrs. Linda May de Vos, as executrix of the last will and testament of Clarence de Vos of 10th lane, Bambalapitiya Defendant.

NOTICE is hereby given that on Thursday, December 21, 1939, commencing at 3 P.M., will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following properties for the recovery of the sum of Rs. 21,555.82, with interest at 18 per cent. per annum from August 7, 1939, till September 29, 1939, on Rs. 19,314.60 and thereafter on the aggregate at 9 per cent. per annum till payment in full and a further sum of Rs. 800, viz. :—

(1) All that allotment of land called Negenairakele, situated at Dedigomuwa in the Palle pattu of Hewagam korale in the District of Colombo, Western Province; and bounded on the north by lands described in plans Nos. 132,456 and 159,385 and Ganawillakumbura claimed by R. Pinappu and others, on the east by land described in plan No. 159,385, on the south by land described in plan No. 51,893, on the west by a water-course, Crown land called Negenairakele and Mahawatta claimed by R. Pinappu; containing in extent 24 acres and 20 perches, together with the plantations and buildings standing thereon. Registered under G. 60/170.

(2) All those undivided 35/192 parts or shares of and in the land called and known as Diyaladeniya abias Digaladeniya, situated at Dedigomuwa aforesaid; and bounded on the north by land of Dambarage Daniel Appu, and on the east, south, and west by high road; containing in extent 11 acres 3 roods and 7 perches, together with the bungalows, smoke house and other buildings and plantations standing thereon.

Registered under G 92/61.

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

25/ In the District Court of Colombo.

P. D. Joseph of Kuruppu road..... Plaintiff.
No. 10,652/M. Vs.

Mrs. Linda May de Vos, executrix of the last will and testament of Clarence de Vos of 10th lane, Bambalapitiya Defendant.

NOTICE is hereby given that on Wednesday, December 20, 1939, at 10 a.m. will be sold by public auction at the Watareka mines, Watareka, the following movable property for the recovery of the sum of Rs. 21,555.82 with interest at 18 per cent. per annum from August 7, 1939, till September 29, 1939, on Rs. 19,314.60 and thereafter on the aggregate at 9 per cent. per annum till payment in full and a further sum of Rs. 800, viz. :—

One old steam pump (about 4 inches thick), 1 three inch steam pump, 2 one and half inch steam pumps (old) 3 old steam pumps, 2 steam winches, 1 winch, 1 trolley (old), 1 trolley, 1 chain block, 1 Marshall & Son steam engine, 1 Ruston Proctor engine, 1 tube (14 x 4), 1 Marshall boiler, 1 boiler with Badcock anvil ejector, 1 pipe with chain, 1 anvil, 1 lot iron articles and pulleys, 1 switchboard with wires, 1 office and store, 1 shed, 2 sheds, 1 steam pipe about 180 feet long.

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

32/ In the Court of Requests of Colombo.

S. K. A. R. K. Somasunderam Chettiar of 202, Sea street, Colombo Plaintiff.
No. 48,152. Vs.

(2) S. Agnes Perera of 344/15, Jampettah street, Colombo Defendant.

NOTICE is hereby given that on Friday, December 15, 1939, at 4 p.m. will be sold by public auction at the premises the right, title, and interest of the said 2nd defendant in the following property for the recovery of the sum of Rs. 290.13, with interest on Rs. 285 at 18 per centum per annum from October 27, 1938, to January 17, 1939, and thereafter legal interest on the aggregate amount till payment in full and costs of suit Rs. 27.25 as incurred costs, and Rs. 15 as prospective costs, viz. :—

All that portion coloured pink in the plan thereof forming part of premises bearing assessment No. 65 and presently bearing assessment No. 126, situated at Santiago street,

out of an allotment of land with the buildings standing thereon, situated at Santiago road, in Kotahena, within the Municipality and District of Colombo, Western Province; and bounded on the north by part of the same property bearing assessment No. 65 and the property of Migelhandi Jasibel Fernando, bearing No. 63, on the east by the property of Migelhandi Jasibel Fernando, bearing assessment No. 63, on the south by the property of S. M. C. C. Casie Chetty, bearing assessment No. 91, and on the west by Santiago road, containing in extent 4 43/100 perches as per plan No. 232 dated March 22, 1906, made by H. G. Dias, Licensed Surveyor.

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

Central Province.

In the District Court of Colombo.

Messrs. S. T. R. Salay Mohamed & Co. of 245, Main street, Pettah, Colombo. Plaintiffs.

No. M/10,645. Vs.

K. V. G. de Silva, merchant of Trincomalee street, Kandy. Defendant.

NOTICE is hereby given that on Tuesday, December 19, 1939, and Wednesday, December 20, 1939, commencing at 9 A.M. each day, will be sold by public auction at the shop No. 404, Trincomalee street, Kandy, the stock-in-trade belonging to the defendant for the recovery of the sum of Rs. 620.55, with interest thereon at 9 per cent. per annum from August 7, 1939, till payment in full and poundage, viz. :—

(1) 7 celluloid dolls; (2) 1 ditto article; (3) 3 sets of cups and saucers; (4) 1 small toy machine; (5) 1 ditto; (6) 20 yards cretonne, 5 pieces; (7) 38 small silk gowns; (8) 3 sailor suits; (9) 10 wool caps; (10) 6 silk hats; (11) 4 woollen vests; (12) 2 silk suspenders; (13) 6 cotton suspenders; (14) 6 woollen sweaters; (15) 12 cotton sweaters; (16) 9 small suits; (17) 2 handkerchiefs; (18) 10 yards cotton lace curtains 3; (19) 30 yards 4 pieces of poplin; (20) 5 yards cretonne pieces 2; (21) 50 yards yellow clothes 2; (22) 17 yards mosquito nets 4 pieces; (23) 6 yards canvas chair cloth 1 piece; (24) 6 yards oliver melange silk 3 pieces; (25) 2 yards flowered georgette 1 piece; (26) about 40 yards 4 pieces of casement; (27) 15 yards pyjama crepe silk 2 pieces; (28) 12 yards pyjama cloth 2 pieces; (29) 25 yards English fabric 3 pieces; (30) 10 yards tennis fabric 1 piece; (31) about 30 yards pique voile 3 pieces; (32) 12 yards plain poplin 3 pieces; (33) 50 napkins; (34) about 5 yards 1 piece of baby flannel; (35) 20 yards silk lamerie 2 pieces; (36) 20 yards voile 3 pieces; (37) about 12 yards flowered voile 4 pieces; (38) 15 yards nainsook 1 piece; (39) 5 yards cotton pyjama piece; (40) 19 huckaback towels; (41) 12 cotton sweaters; (42) 6 yards satin embossed silk piece; (43) 2 yards flowered georgette 1 piece; (44) 9 yards bordered melange 3 pieces; (45) 18 yards oliver melange 4 pieces; (46) 20 yards bordered spun silk 3 pieces; (47) 7 yards flowered georgette 1 piece; (48) 10 yards melange silk 3 pieces; (49) 2 yards plain georgette 1 piece; (50) 4 yards striped melange piece 1; (51) 6 yards striped voile piece 1; (52) 2 yards flowered georgette 1 piece; (53) 15 yards Ceylon fabric 4 pieces; (54) 8 yards charmeuse 4 pieces; (55) 2 ladies' jackets; (56) 20 yards 7 silk nett pieces; (57) 6 yards flowered taffeta 1 piece; (58) 3 yards velvet 2 pieces; (59) 10 yards plain organdie 4 pieces; (60) 12 yards coloured nainsook 4 pieces; (61) 4 yards white madaplan 2 pieces; (62) 17 yards bordered voile 5 pieces; (63) 8 yards plain voile 1 piece; (64) 8 yards bordered net 2 pieces; (65) 6 yards plain net pieces 3; (66) 7 yards dotted net 3 pieces; (67) 2 Balaclava caps; (68) 38 pairs of small socks; (69) 6 feeding bottles; (70) 10 pieces assorted cloth pieces; (71) 20 gauze banians; (72) 2 silk banians; (73) 2 shirts; (74) 3 trousers; (75) 2 small trousers; (76) 4 waist coats; (77) 150 envelopes; (78) about 8 yards flowered satin pieces 2; (79) about 5 yards printed georgette; (80) 3 ladies' underwear; (81) 1 knickers; (82) about 5 yards 1 piece black crepe; (83) 86 assorted clothes; (84) 4 silk kimonas; (85) 5 small kimonas; (87) 1 silk shawl; (88) 1 rain coat; (89) 10 yards sheeting piece 1; (90) 1 1/2 yards grey flannel piece 1; (91) 8 small towels; (92) 5 boxes of bridal veils; (93) 1 diadems; (94) 1 lot trimmings and ribbons; (95) 2 bottles—wool; (96) 1 lot toys; (97) 1 lot exercise books and pencils; (98) 6 tins Ironcote polish; (99) 1 plug spanner; (100) 1 tin emery paste; (101) 1 lodge plug; (102) 1 tin of castroline; (103) 1 radiator flap; (104) 1 box Lux soap; (105) 5 assorted plugs; (106) 3 flat pieces; (107) 1 tin of radiator cement; (108) 1 oil can; (109) 10 bolts; (110)

3 shackle pins; (111) 6 brake springs; (112) 3 battery terminals; (113) 1 fan; (114) 2 solution packets; (115) 1 lot electric bulbs; (116) 2 car paint bottles; (117) 2 rolls celluloid; (118) 1 bicycle mudguard; (119) rubber tyre framing piece; (120) 18 felt hats; (121) 50 yards tweed pieces 5; (122) 65 yards satin pieces 9; (123) 25 assorted shirts; (124) 15 vests; (125) 3 bedsheets; (126) 2 woollen shawls; (127) about 120 yards white cloth pieces 10; (128) 10 yards pepperell drill pieces 3; (129) 4 yards English drill piece 1; (130) 4 yards khaki piece 1; (131) 8 leather belts; (132) 10 yards blazer cloth 2 pieces; (133) 5 yards palm beach 1 piece; (134) 20 yards palm beach 3 pieces; (135) 8 yards silk tussore 1 piece; (136) 6 yards China silk 2 pieces; (137) 10 silk camboys; (138) 10 assorted cotton camboys; (139) 7 Palayakat sarongs; (140) 10 short trousers; (141) 5 ready made coats; (142) 12 gauze banians; (143) 33 pairs of assorted socks; (144) 30 assorted ties; (145) 60 small handkerchiefs; (146) 2 tie sets; (147) 8 silk banians; (148) 4 small banians; (149) 3 gauze banians; (150) 6 felt hats; (151) 3 ladies' handkerchief sets; (152) 1 sleeping suit; (153) 2 canvas tapes; (154) 7 small gauze banians; (155) 13 stiff collars; (156) 3 whalebones; (157) 4 thread tapes; (158) 20 yards single palm beach pieces 5; (159) 8 yards of double tussore 2 pieces; (160) 5 yards palm beach 1 piece; (161) 5 electric light shades; (162) 1 shade with stand; (163) 40 assorted canvas shoes; (164) 40 assorted ladies' shoes; (166) 10 men's shoes; (167) 2 broken watches; (168) 1 lot torch bulbs; (169) 5 King liquid tins; (170) 106 assorted ladies' hats; (171) 1 piece of cretonne; (172) 2 boys' suits; (173) 2 small gowns; (174) 2 shawls; (175) 2 sweaters; (176) 10 yards of flowered voile pieces; (177) 10 yards of satin 1 piece; (178) 2 kimonas; (179) 5 sarongs; (180) 1 silk shirt; (181) 1 small kimona; (182) 1 pyjama shirt; (183) 3 yards palace silk piece 1; (184) 8 yards cotton fabric 1 piece; (185) 10 yards pyjama 1 piece; (186) 1 wool shawl; (187) 5 yards Fuji silk piece 1; (188) one artificial flower box; (189) 2 small boys' hats; (190) 1 pair of slippers; (191) about 15 yards crepe silk 3 pieces; (192) 4 small suit cases; (193) 1 lot tiepins, necklaces, &c.; (194) 5 torches, Japanese; (195) 4 fountain pens; (196) 3 sets stationery; (197) 2 small watches; (198) 3 set shaving mirror; (199) 5 pipes; (200) 1 timepiece; (201) 2 soap boxes; (202) 1 powder box; (203) 1 small mirror; (204) 1 shaving brush; (205) 36 wool in balls and skeins; (206) 7 powder tins; (207) 5 elastic cards; (208) 4 boot polish tins; (209) 7 boxes of mosquito coil; (210) 1 lot buttons; (211) 1 lot assorted coat buttons; (212) 1 lot silk thread; (213) 1 lot assorted thread; (214) 1 lot D. M. C. thread; (215) 1 lot ladies' gown buttons; (216) 4 sets of toilet; (217) 3 ladies' hand bags; (218) 3 sets garters; (219) 2 small mirrors; (220) 3 small bottles with beads; (221) 1 glazed bottle; (222) 1 small timepiece; (223) 4 small powder boxes; (224) 2 razors; (225) 2 phial aspirin tablets; (226) 3 packets electric balm; (227) 4 tins Amurthanjan; (228) 2 English balm tins; (229) 1 phial smelling salt; (230) 14 mantles; (231) 15 assorted ink powder; (232) 7 mouth-organs; (233) 4 packets dental cream; (234) 1 lot elastic; (235) 1 brush; (236) 1 lot paper; (237) 1 lot foolscap; (238) 2 tennis rackets; (239) 3 pairs wickets; (240) 2 football bladders; (241) 1 piece stiffening; (242) 1 wadding piece; (243) 2 stands; (244) 2 small show cases; (245) 2 large show cases; (246) 2 glazed boxes; (247) 2 show cases; (248) 4 counters; (249) 1 table; (250) 9 large almirahs; (251) 2 small almirahs; (252) 1 cloak; (253) 3 chairs; (254) 1 hat stand; (255) 4 glass bottles; (256) 1 ladder; (257) 1 flower vase.

Fiscal's Office,
Kandy, November 22, 1939.

H. C. WIJESINHA,
Deputy Fiscal.

Southern Province.

In the District Court Colombo.

W. M. Hassim, 232, Main street, Colombo. Plaintiff.
No. 2,984/S. Vs.

M. H. Abdul Rahaman, Main street, Galle. Defendant.

NOTICE is hereby given that on Friday, December 15, 1939, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right title, and interest of the said defendant in the following property, viz. :—

(1) The defined lot No. 12 (a portion) of Dangahawatta, lot 2, situate at Galupiadde within the Four Gravets of Galle, Southern Province; bounded on the north and west by a portion of this land, east by lot 2, a portion described in plan No. 1910, and south by Pelaketiyewatta, in extent 7 69/100 perches; and registered in A 165/163 and 220/283.

(2) Lot No. 1 of the land called Dangahawatta, situate at Galupiadda aforesaid, together with the building bearing Municipal assessment No. 777, standing thereon; bounded on the north by Daluwatta, east by a road, south by a road and Pelaketiya, and west by Kamarankagahawatta *alias* Daluwatta, in extent 22 $\frac{14}{100}$ perches. Registered in A 170/242.

Writ amount Rs. 180.60, to wit:—Rs. 133 being incurred costs and Rs. 47.60 being prospective costs, less Rs. 27.87 $\frac{1}{2}$.

Fiscal's Office,
Galle, November 16, 1939.

T. D. S. DHARMA SEN A,
Deputy Fiscal.

38

Eastern Province.

In the District Court of Trincomalee.

(1) Velupillai Sivasubramaniam, and (2) Sellamuttu, widow of Velupillai of Division No. 1, Trincomalee Plaintiffs.

No. 2,173.

Vs. 39

Gunasekera Balasuriya of Nilaveli Defendant.

NOTICE is hereby given that on Saturday, December 16, 1939, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following properties mortgaged with the plaintiffs by bond No. 5,700 dated March 2, 1932, attested by Mr. M. M. Subramaniam of Trincomalee, Notary Public, and declared specially bound and executable under the decree entered in the above case and ordered to be sold by order of court dated September 20, 1939, for the recovery of the sum of Rs. 2,140 with interest on Rs. 2,000, at 12 per cent. per annum from February 12, 1938, till March 8, 1938, and thereafter on the aggregate amount at 9 per cent. per annum deducting a sum of Rs. 200, Fiscal's fees and charges and poundage, viz.—

1.
2. All that piece of land in Division No. 10, Trincomalee town, Trincomalee District, Eastern Province, bearing assessment No. 100 with all rights relating thereto; bounded on the north-east by seashore, south-east by lane, south-west by the land of S. Ponnuswamy and others, and on the north-west by the land of Velayuthar Chinnatambiy; in extent 15.5 perches. Registered A 9/18.

3. An undivided $\frac{1}{4}$ share of a piece of land bearing assessment No. 197 and all other rights relating thereto, situated at Division No. 10, Trincomalee aforesaid; bounded on its entirety on the north-east and south-east by lanes, north-west by land of Ponnambalam Sellappa and others, and on the south-west by the house and ground of Arunasalam Thambiah; in extent 2 $\frac{30}{100}$ square perches. Registered A 7/357.

B. VRASPELLAI,
Deputy Fiscal's Office, Trincomalee, November 15, 1939. Additional Deputy Fiscal.

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North-Western Province.

In the District Court of Colombo.

M. D. G. Karunaratne of 65/15, Dematagoda, Colombo Plaintiff.
No. 3,368/S.

(1) B. M. Perera and (2) Rom Perera, both of 13, Gower street, presently of Mukalanhena estate, Mukalanhena, Kurunegala Defendants.

NOTICE is hereby given that on Thursday, December 21, 1939, at 2.30 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 567, together with interest on Rs. 500 at 18 per cent. per annum from March 21, 1939, to July 10, 1939, and thereafter on the aggregate amount at 9 per cent. per annum, till payment in full and poundage, viz.—

A defined portion of all that property called and known as Mukalanhena estate, situated at Mukalanhena in Kinnyama korale of Katugampola hatpattu in the District of Kurunegala, North-Western Province, according to plan No. 111 dated April 30, 1938, made by J. L. Salgado, Licensed Surveyor; bounded on the north by ela, lots 1A and 30, reservations along Kolamunu oya and ela, east by ela, and lots 8AH and 11C in F. V. P. 1,442 and lot 5J in F. V. P. 1,442, south by lot 8 G2 in F. V. P. 1,442, high road leading from Chilaw to Kurunegala, portions of lots 8AN, and 8G in F. V. P. 1,442, T. P. 321,841, bund of Halmillawewa, lots 15, 17, 8B, and 8BP in F. V. P. 1,442, T. P. 321,851, and lots 8BN, 7 called Sanny Ebba, 3, 6,

10 and 5Q in F. V. P. 1,442, and limit of Bingiriya and west by the village limit of Godawela, containing in extent 205 acres 1 rood and 28 perches, exclusive of the lots 8AA, 8BK, the roads, reservations along roads and streams.

Fiscal's Office,
Kurunegala, November 21, 1939.

CHARLES DE SILVA,
Deputy Fiscal.

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In the District Court of Colombo.

In the matter of the Certificate of the Commissioner of Income Tax in default (section 79 (3) of the Income Tax Ordinance) Plaintiff.
The Commissioner of Income Tax Petitioner.
No. 13/A1-4,096. Vs.

Messrs. U. G. and S. Moosbhoy and Mrs. Gulam-hussein Moosbhoy, all care of Messrs. M. S. H. Abdullaly of 4th Cross street, Colombo ... Respondents.

NOTICE is hereby given that on Monday, December 18, 1939, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said respondents in the following property for the recovery of the sum of Rs. 2,140.62 and poundage, viz.—

All that land called and known as Hayatt Group *alias* Kankaniyamullawatta of 865 acres in extent, situated at Kankaniyamulla in Katugampola Medapattu korale west of Katugampola hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by Walakumburumullawatta, village boundary of Weralugama, and Pitadeniye Mukalana belonging to the Crown, east by Crown forests, south by Gansabhawa road and village boundary of Welauda, west by Pannala-Dandagamuwa road and village boundary of Iriyagolla, together with everything thereon.

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

CHARLES DE SILVA,
Deputy Fiscal.

In the District Court of Kurunegala.

K. M. P. R. Kumarappa Chettiar and K. M. P. R. Periya Caruppen Chettiar by their attorney K. M. P. R. Meiappa Chettiar of Kurunegala ... Plaintiffs.
No. 17,614. Vs.

Veeyanna Rana Suna Pana Ana Weerappa Chettiar of Narammala in Dambadeni Udukaha korale north Defendant.

NOTICE is hereby given that on Wednesday, December 20, 1939, commencing from the 1st land at 9 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 sum of Rs. 5,794.60, with interest thereon at the rate of 9 per cent. per annum from September 24, 1935, till payment in full and Rs. 75 as costs, less a sum of Rs. 2,800 paid to plaintiffs by the defendant and poundage, viz.—

1. An undivided $\frac{1}{6}$ share of Webadekumbura of 12 lahas paddy sowing extent, situated at Kottapitiya in Dambadeni Udukaha korale north of Dambadeni hatpattu in the District of Kurunegala, North-Western Province; and bounded on the east, south, and west by the field of Menika and Sethuwa, and north by the field of Menika and others. Registered in F 239/101.

2. An undivided $\frac{1}{6}$ share of Dambekumbura of 2 pelas and 5 lahas paddy sowing extent, situated at Kottapitiya aforesaid; and bounded on the east by the field of Menika and Setuwa, south and north by the field of Hapuwa *ex-Duraya* and others, and west by field of Kiriya and others. Registered in F 239/102.

3. An undivided $\frac{1}{6}$ share of Kongahamulakumbura of 3 pelas and 5 lahas paddy sowing extent, situated at Kottapitiya aforesaid; and bounded on the east by the field of Hapuwa *ex-Duraya*, south by the field of Menika and Ukkuwa, west by the field of Hapuwa *ex-Duraya* and others, and north by the field of Lapaya and others. Registered in F 239/103.

4. An undivided $\frac{1}{6}$ share of Kebellagahakumbura of 15 lahas paddy sowing extent, situated at Kottapitiya aforesaid; and bounded on the east by the field of Martin Appu and others, south by the field of Setuwa and others, west by the field of Menika, and north by the field of Hapuwa *ex-Duraya* and others. Registered in F 239/104.

5. An undivided $\frac{1}{6}$ share of Nariyagalawatta and Kahatagahamulawatta, both of about 15 lahas kurakkan sowing extent, together with the plantations and everything thereon, situated at Kottapitiya aforesaid; and

bounded on the east by fence of the garden of Hapuwa *ex-Duraya*, south by the fence of the garden of Kalu Ranhamy and others, west by Dematawewa and Purana, and north by Purana and Pahalabuweva. Registered in F 239/105.

6. Hitinawatta of 10 seers kurakkan sowing extent, together with the plantations and everything thereon, situated at Kottapitiya aforesaid; and bounded on the north by the garden of Horatala and Kiriya, east by the fence of the garden Kiriya, south by the fence of the garden of Kiriya, and west by Kudambewela. Registered in F 274/101.

7. An undivided 1/12 share of Nugagaha Inna-watta of about 1 timba kurakkan sowing extent, together with the plantations and everything thereon, situated at Kottapitiya aforesaid; and bounded on the north by the garden of Hapu, east by the fence of the garden of Menika and others, south by the fence of the chena and field of Menika and others, and west by the field of Setuwa, and Pinkumbura. Registered in F 238/13.

8. An undivided 1/6 share of Hitinawatta of 3 lahas kurakkan sowing extent, together with the plantations and everything thereon, situated at Kottapitiya aforesaid; and bounded on the north by the fence of the garden of Menika and others, east by the fence of the garden of Kiriya and others, south by the garden of Menika and Setuwa, and west by the fence of the garden of Bandiya and others. Registered in F 274/102.

9. Boowewakumbura of 2 pelas paddy sowing extent and its adjoining 2 pilawas now garden of 1 laha kurakkan sowing extent, both forming one property together with the plantations and everything thereon, situated at Kottapitiya aforesaid; and bounded on the north by the limit of the field of Pentenigoda Unnanse and the bush, east by the chena of Hapuwa Duraya, south by the chena of Bali, and west by the limit of the pilawa of Ukkuwa. Registered in F 335/73.

10. An undivided 1/3 share of the field called Galahitiyawa of 2 pelas paddy sowing extent, situated at Meewewa in Dambadeni Udukaha korale aforesaid; and bounded on the north by field of Ranhamy and others, east and south by field of Bandirala, and on the west another 15 lahas paddy sowing extent of this field of Ukku Menika. Registered in F 335/71.

11. An undivided 1/3 share of the field called Bulatgamayakotuwa of 2 pelas and 5 lahas paddy sowing extent, situated at Meewewa aforesaid; and bounded on the north and east by field of Menikhamy *ex-Arachchi*, west by Weuliyadda and another 15 lahas paddy sowing extent of this field, and south by Innawatta. Registered in F 317/92.

12. An undivided 1/3 share of Bulatgamayakotuwa pilawa now garden of about 1 1/2 seers kurakkan sowing extent, situated at Meewewa aforesaid; and bounded on the north by field of Kiriya and others, east and south by fields of Menikhamy *ex-Arachchi* and others, west by field of Mitiya and chena of Ranhamy. Registered in F 318/31.

13. An undivided 1/3 share of Innawatta of about 6 seers kurakkan sowing extent, together with the buildings, plantations, and everything thereon, situated at Meewewa aforesaid; and bounded on the north by field of Menikhamy *ex-Arachchi* and owita of Ranhamy, east by garden of Menikhamy *ex-Arachchi* and others, south by garden of Bandirala, and west by land of Menikhamy *ex-Arachchi*. Registered in F 318/32.

14. An undivided 1/3 share of the western 1/3 share of about 5 1/2 seers kurakkan sowing extent of land called Siyambalagahamulawatta, situated at Torapitiya in Dambadeni Udukaha korale north aforesaid; and bounded on the north by field of Ranhamy and others, east by the remaining 2/3 share of this land belonging to Ranhamy and others, south by garden of Bandirala, and west by garden of Menikhamy *ex-Arachchi*. Registered in F 318/30.

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

CHARLES DE SILVA,
Deputy Fiscal.

Province of Uva.

In the District Court of Badulla.

Don Nathaniel Amarasekera of Badulla Plaintiff.
No. 6,872. Vs.

(1) Somawathie Wijekoon and (2) Arthur Henry Wijekoon, both of Dickarawa estate, Bandarawela, being Administratrix and Administrator of the estate of D. D. Abeyssekera of Bandarawela Defendants.

NOTICE is hereby given that on Saturday, December 16, 1939, at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery

of the sum of Rs. 420, with interest thereon, at the rate of 9 per cent. per annum from February 17, 1939, till payment in full and costs of this action Rs. 125.75, viz. :—

All that land called Wetahirewatta *alias* Sapumaltenne-watta, together with the tea plantation and the zinc and mana thatched buildings and everything standing thereon; containing in extent 5 acres 369 perches, situated at Pattiye-kumburegaha in Ella in Kumbalwela korale in Yati-kinda Division, Badulla District of the Province of Uva; and bounded on the north by road and Crown land, east by Crown land, south by Beemellekandura, and on the west by Crown land. Subject to the Mortgage Bond No. 5,339 attested by K. P. E. E. Kodagoda, Notary Public, for Rs. 4,000.

Fiscal's Office,
Badulla, November 20, 1939.

T. J. MENDIS,
Deputy Fiscal

In the District Court of Badulla.

Esmailjee Karimbhoy of Bazaar street, Badulla Plaintiff.
No. 6,968. Vs.

J. B. M. Bandaranayake of Lower street,
Badulla Defendant.

NOTICE is hereby given that on Monday, December 18, 1939, at 4 o'clock in the afternoon will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, for the recovery of the sum of Rs. 368.40, with interest at 18 per cent. per annum on Rs. 342.71, from September 9, 1939, till September 27, 1939, and thereafter with legal interest on the aggregate amount till payment in full and costs of suit Rs. 101.85, viz. :—

All that field called Nilakudapathirajakumbura, bearing assessment No. 1,332; containing 10 pelas of paddy sowing extent, situated at Pitawelagama in the town and gravets of Badulla in the District of Badulla, Province of Uva; and bounded on the north by Hewaliya, east by imaniyara of Galpothekumbura, south by liminary ridge of Mahapathirajakumbura, and on the west by tree and the field called Kahatagaha Arawa.

Fiscal's Office,
Badulla, November 20, 1939.

T. J. MENDIS,
Deputy Fiscal.

Province of Sabaragamuwa.

In the Court of Requests of Colombo.

C. E. Jayanayake of Dam street, Colombo Plaintiff.
No. 33,242. Vs.

Erathnawalli Emaline Weerawardene of Galle road,
Randombe, in Ambalangoda Defendant.

NOTICE is hereby given that on Saturday, December 16, 1939, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant, in the following property, viz. :—

All that land called Orakagasketiye-Henyaya, situated at Dodampe in the Uda patty in Kuruwiti korale in Ratnapura District, Province of Sabaragamuwa; and bounded on the north by lots Nos. 461 and 354 in block survey plan No. 258, on the east by lots Nos. 459, 472 and 594 and 595 in block survey plan No. 258, on the south by Gedarawattehena, and Lindagawahena, and on the west by lots Nos. 596 and 461 in block survey plan No. 258, and containing in extent about 16 acres.

For the recovery of the sum of Rs. 300, with legal interest thereon from June 21, 1937, till payment in full and costs of suit, to wit, Rs. 25.25 incurred costs, and Rs. 10.50 prospective costs.

Fiscal's Office,
Ratnapura, November 21, 1939.

J. A. F. SIRIWARDENE,
Additional Deputy Fiscal.

In the District Court of Colombo.

The Bank of Chettinad Limited of Colombo Plaintiff.
No. 41,004. Vs.

E. C. de Fonseka (Junior) of Havelock road,
Colombo Defendant.

NOTICE is hereby given that on Tuesday, December 19, 1939, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

All that allotment of land called and known as Clovally estate, situate in the villages of Dannoruwa and Humbas-walana in the Dehigampal korale of the three korales in

the District of Kegalla, Province of Sabaragamuwa; and bounded on the north by lands belonging to A. Sara and others, D. D. Thelenis and others, and D. D. Suwaris and others, east by land belonging to A. G. Wijehamy and others, Kremie-ela and land belonging to A. G. Dingiri Menika and others and paddy fields of W. Bastian and others, south by land belonging to Habitha and others and E. Pilla and others, west by land belonging to D. D. Suwaris and others, A. Haramanis and others, and A. Unga and others; containing in extent 171 acres 2 roods and 13 perches, according to the figure of survey thereof bearing No. 2/36 dated August 10, 1936, made by S. R. de La Harpe, Licensed Surveyor, together with the plantations, buildings, machinery, outhouses, labour lines, and everything else standing thereon, and registered under title D 97/279 in the Kegalla District Land Registry and registered under the Rubber Control Ordinance Assessment No. 100 E4 Kg. 11.

For the recovery of the sum of Rs. 43,115.80, with interest on Rs. 39,750 at the rate of 13½ per cent. per annum from October 15, 1930, till date of decree and thereafter on the aggregate amount of the decree at 12 per cent. per annum till payment in full, less a sum of Rs. 13,800 paid by the defendant.

Deputy Fiscal's Office; N. SWAMINATHA IYER, Additional Deputy Fiscal.
Kegalla, November 22, 1939.

NOTICES IN TESTAMENTARY ACTIONS.

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

Testamentary In the Matter of the Intestate Estate of Jurisdiction. the late Stephen Bernard Perera Ranasinghe of Dematagoda, deceased.
No. 9,056.

Adeline Elizabeth Ranasinghe of 451, Dematagoda, Colombo Petitioner.

- Rs. 16.00 29 And
(1) Violet Ada Silva, wife of Thomas de Silva, 350, Dematagoda, Colombo, (2) Gertrude Maud Samarasinghe, wife of R. Samarasinghe of Wijeratne Town, Colombo, (3) Brenda Juliet Ranasinghe of 451, Dematagoda, Colombo Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on October 31, 1939, in the presence of Messrs. Jayasekera & Jayasekera, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 31, 1939, having been read:

It is ordered 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 December 7, 1939, show sufficient cause to the satisfaction of this court to the contrary.

November 18, 1939. C. NAGALINGAM, 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 Vairavanather Sundram, late of Barnes Cottage, Barnes place, Colombo, deceased.
No. 9,061.

THIS matter coming on for final determination before C. Nagalingam, Esq., District Judge, Colombo, on November 7, 1939, in the presence of Mr. D. E. Weerasooria, Proctor, on the part of the petitioners, (1) Sabapathy Dharmaratnam of Nugegoda, in Colombo District and (2) Sundram Padmanathan of Barnes Cottage, Barnes place, Colombo, and the affidavits of the said petitioners dated November 3, 1939, and of the attesting notary and witness dated November 7, 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) Sabapathy Dharmaratnam and (2) Sundram Padmanathan accordingly.

November 16, 1939. C. NAGALINGAM, District Judge.

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

Testamentary In the Matter of the Last Will and Testament of Charles Robert Sydenham No. 9,068. of Warnicombe House, Tiverton, in the County of Devon, England, deceased.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on November 14, 1939, in the presence of Mr. Victor Gnanaratnam Cooke, Proctor, on the part of the petitioner, Stanley Frederick de Saram of Colombo; and (1) the Affidavit of the said petitioner dated November 10, 1939, (2) the power of attorney dated June 30 and July 20, 1939, and (3) the order of the Supreme Court dated November 1, 1939, having been read: It is ordered that the will of the said Charles Robert Sydenham Carew, deceased, dated March 22, 1939, a certified copy of which under the seal of the District Probate Registry at Exeter of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Stanley Frederick de Saram is the attorney in Ceylon of the executors named in the said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before November 30, 1939, show sufficient cause to the satisfaction of this court to the contrary.

November 14, 1939. C. NAGALINGAM, District Judge.

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

Testamentary In the Matter of the Last Will and Testament of Barnard Ormiston Dickinson No. 9,070. of Pharos Burnhami in the County of Somerset, formerly of Beech Hill, Newport, in the County of Salop, England, deceased.

Rs. 16.00 29 THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on November 16, 1939, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Cecil Grandison Colquhoun Kerr of Colombo; and (1) the affidavit of the said petitioner dated November 15, 1939, (2) the power of attorney dated September 1, 1939, and (3) the order of the Supreme Court dated November 10, 1939, having been read: It is ordered that the will of the said Barnard Ormiston Dickinson, deceased, dated February 26, 1921, a certified copy of which under the seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Cecil Grandison Colquhoun Kerr is the attorney in Ceylon of the surviving executor named in the said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before November 30, 1939, show sufficient cause to the satisfaction of this court to the contrary.

November 16, 1939. C. NAGALINGAM, District Judge.

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

Testamentary In the Matter of the Last Will and Testament of Gladys Arabella Vaughan No. 9,074. (with codicil) of 93, Overcliff Drive, Southbourne, in the County of Hants, England, formerly of Hotel Minerva Merano, Italy, Spinster, deceased.

Rs. 16.00 29 THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on November 20, 1939, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Cecil Grandison Colquhoun Kerr and (1) the affidavit of the said petitioner dated November 17, 1939, (2) the power of attorney dated August 18 and 21, 1939, and (3) the order of the Supreme Court dated November 10, 1939, having been read: It is ordered that the will of the said Gladys Arabella Vaughan, deceased, dated April 28, 1937 (with codicil dated February 26, 1939), a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby

declared proved; And it is further declared that the said Cecil Grandison Colquhoun Kerr is the attorney in Ceylon of the executors named in the said will with codicil and that he is entitled to have letters of administration (with will and codicil annexed) issued to him accordingly, unless any person or persons interested shall, on or before December 7, 1939, show sufficient cause to the satisfaction of this court to the contrary.

November 20, 1939. C. NAGALINGAM,
District Judge.

In the District Court of Negombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Joint Last Will and Jurisdiction. Testament of Mihidukulasuriya Aratchige Diagu Peduru Fernando Muppurala of Duwa, in Negombo, deceased, and Mihidukulasuriya Lorensu Maria Madalena Perera of Duwa.

Mihidukulasuriya Lorensu Maria Madalena Perera of Duwa Petitioner.

(1) Mihidukulasuriya Aratchige Peduru Manuel Fernando, (2) Mihidukulasuriya Aratchige Juwakinu James Fernando, both of Duwa, and (3) His Grace The Most Rev. Dr. J. M. Masson O.M.I., Archbishop of Colombo Respondents.

THIS matter coming for disposal before T. Weeraratne, Esq., District Judge of Negombo, on August 29, 1939, in the presence of Messrs. Fernando & Tissera, Proctors, on the part of the petitioner and the affidavit dated August 29, 1939, and July 29, 1939, respectively, of the petitioner and the affidavit dated August 8, 1939 of the attesting witnesses and notary having been read:

It is ordered that the joint last will and testament of the above-named deceased, No. 8,427, dated June 13, 1921, attested by D. J. Jayawardena, Notary Public, and now deposited in this court, be and the same is hereby declared proved, unless any person or persons interested shall, on or before September 22, 1939, show sufficient cause to the contrary to the satisfaction of this court.

It is further ordered that the petitioner is the executrix named in the said will and that she is entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before September 22, 1939, show sufficient cause to the satisfaction of this court to the contrary.

August 29, 1939. T. WEERARATNE,
District Judge.

Time for showing cause against this *Order Nisi* is extended till October 27, 1939.

September 22, 1939. T. WEERARATNE,
District Judge.

Time for showing cause against this *Order Nisi* is extended till November 27, 1939.

T. WEERARATNE,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late No. 2,886. Pinterumahawaduge Joronis Fernando, deceased, of Kalutara North.

THIS matter coming for disposal before Waldo Sansoni, Esq., District Judge of Kalutara, on October 23, 1939, in the presence of Mr. A. D. de Fonseka, Proctor, on the part of the petitioner, Wannasuriapatabendige Margaret Fonseka, of Pessara Kalutara, and the affidavit of the said petitioner dated June 14, 1939, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as widow of the deceased, to have letters of administration issued to her, unless the respondents—(1) P. Jacolyne Edwin Fernando, (2) P. Justin Fernando, both of Kalutara North, (3) W. Theodore Fonseka of ditto, guardian over the 1st and 2nd respondents—or any other person or persons interested shall, on or before November 27, 1939, show sufficient cause to the satisfaction of his court to the contrary. It is further declared that the said 3rd respondent be and she is hereby appointed guardian *ad litem* over the said 1st and 2nd respondents, who are minors, for all the purposes of this action, unless the respondents or any other person or

persons interested shall, on or before November 27, 1939, show sufficient cause to the satisfaction of this court to the contrary.

October 23, 1939. W. SANSONI,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Lunugama Multengedera Ekanayake No. T. 75. Appuhamy, deceased, of Pussellawa.

T. M. Kiribanda Eragoda of Elkaduwa Petitioner.
Vs.

(1) Wimala Leelawathie, (2) Dharmasoma, (3) Soma-wathie, (4) Karna-wathie, (5) Yasowathie, (6) Loku Menika, (7) Bala Menika, the 1st to 8th by their guardian *ad litem* (8) Abeykoon Mudiyansele Mudali-hamy of Kalugamuwa in Kandukarapahala korale, Udapalata Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge, Kandy, on October 23, 1939, in the presence of Mr. P. B. Panabokke, Proctor, on the part of the petitioner, Talpathawadana Mudiyansele Kiri Banda Eragoda, and the affidavit of the said petitioner dated October 12, 1939, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the son-in-law of the above-named deceased, to have letters of administration of the estate of the deceased issued to him, unless the respondents or any other person or persons interested shall, on or before December 11, 1939, show sufficient cause to the satisfaction of this court to the contrary.

October 23, 1939. JAMES JOSEPH,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Ramaperumal Kanakapulle's son Rengasam Pulle, deceased, of Pinnagolle estate, Talatuoya.

THIS matter coming on for disposal before James Joseph, Esq., District Judge, Kandy, on October 26, 1939, in the presence of Messrs. Coomaraswamy & Vijayaratham, on the part of the petitioner, Ramasamy Narayannasamy; and the affidavit of the said petitioner dated October 26, 1939, having been read: It is ordered that the petitioner be and he is hereby declared to have letters of administration issued to him, unless the respondents—(1) R. Kamatchi Ammal, (2) R. Govindasamy, (3) R. Nallakannu Ammal, (4) R. Perumal, (5) R. Rangammal; the 3rd, 4th, and 5th by their guardian *ad litem* the 1st respondent—or any other person or persons interested shall, on or before December 21, 1939, show sufficient cause to the satisfaction of this court to the contrary.

October 26, 1939. JAMES JOSEPH,
District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved in the First Instance.

Testamentary In the matter of the Last Will and Testament of Ana Meeyana Mohideen Meera No. T. 127. Saibo Sahul Hameed, deceased, of 72, Brownrigg street, Kandy.

THIS matter coming on for disposal before James Joseph, Esq., District Judge, Kandy, on October 26, 1939, in the presence of Messrs. Coomaraswamy & Vijayaratham, on the part of the petitioner, Nana Mana Magudu Meera Saibo of 72, Brownrigg street, Kandy, and the affidavit of the said petitioner, dated October 22, 1939, and of the attesting notary dated October 23, 1939, having been read:

It is ordered that the last will of the above-named deceased dated June 26, 1937, and now deposited in this court, is hereby declared proved. And it appearing to the court that the petitioner Nana Mana Magudu Meera Saibo has established his right to have probate of the same to him: It is further ordered that probate be issued to the said petitioner.

October 26, 1939. JAMES JOSEPH,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction Margaret Black of Strathisla estate, No. T. 130. Matala, deceased.

THIS matter coming on for disposal before James Joseph Esq., District Judge, Kandy, on November 15, 1939, in the presence of Messrs. Liesching & Lee, Proctors, on the part of the petitioner, George Black, and the affidavit of the said petitioner dated November 9, 1939, having been read :

It is ordered that the petitioner be and he is hereby declared entitled, as the husband of the above-named deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents—(1) William H. Steele, A.B.E. of No. 7, Naochang road, Tien-stin, 1st special area, Chungking, (2) Jean Howard of 60, Nanking road, Shanghai, China, (3) Mary Graham of 18, Earl street, Scotstown, Glasgow, Scotland, (4) Walter S. Steele of 56, Ashley Terrace, Edinburgh, Scotland, (5) Grizle H. Bisset of Rexden Primrose Gardens, Peradeniya road, Kandy, (6) Netta Taylor of 6, Market Place, Cirencester, Gloucestershire, England, (7) Ethel Steele, C/o Walter S. Steele of 56, Ashley Terrace, Edinburgh, Scotland, (8) James Norman Hunter Steele of 19, Cobie Hill Avenue, Davidsons Mains, Edinburgh, Scotland, (9) Isabel Mitchell Brown Steele of St. Andrews, Glasgow road, Corstorphine, Edinburgh, Scotland, (10) Dorothy Mary Hunter Steele of 4, Cammo Gardens, Edinburgh, Scotland, (11) Janet Mitchell Steel of 4, Cammo Gardens, Edinburgh, Scotland, (12) Mungo John Steele of 4, Cammo Gardens, Edinburgh Scotland, (13) James Hunter Steele of New Zealand, (14) Mary Steele of New Zealand, (15) Margaret Steele of New Zealand (16) Ethel Jean Steele of New Zealand, (17) Norman Hunter Steele of New Zealand, (18) Elizabeth Cassels Steele of New Zealand, (19) Louisa Joan Steele of New Zealand, and (20) John Alexander Murray of 24, Cross street, St. Nicholas, Carlisle, England; (18th and 19th respondents by their guardian ad litem the 5th respondent above named)—or any other person or persons interested shall, on or before January 18, 1940, show sufficient cause to the satisfaction of this court to the contrary

JAMES JOSEPH, District Judge.

November 15, 1939.

In the District Court of Galle; Order Absoluta.

Testamentary In the Matter of Last Will Testament Jurisdiction. of William Abraham Kodippily of Gonapinuwala, deceased. No. 7,885.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Galle, on July 31, 1939, in the presence of Mr. S. S. Weerasinghe, Proctor, on the part of the petitioner, Martha Catherine Kodippily of Gonapinuwala, and the last will of the aforesaid deceased, bearing No. 1,381, dated January 23, 1939, and the affidavit of the attesting notary and witnesses having been read : it is ordered that the said petitioner is entitled to have probate of the said will issued to her accordingly unless sufficient cause to the contrary be shown on or before November 10, 1939.

N. M. BHARUCHA, District Judge.

This order is extended to December 1, 1939.

November 10, 1939. N. M. BHARUCHA, District Judge.

In the District Court of Galle. Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Wehelle Acharige Fronis de Silva Wimalasundera of Minuwangoda, Galle, deceased. No. 7,899.

Between Meemeduma Ewaduge Lorrie Noná of Minuwangoda, Galle Petitioner.

And (1) Piyathika de Silva Wimalasundera, (2) Mallika de Silva Wimalasundera, (3) Jayatileka de Silva Wimalasundera, (4) Karunawathie Teeta de Silva Wimalasundera, all of Minuwangoda in Galle, (5) Meemeduma Ewaduge Wijewardena of Bataduwa in Galle Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Galle, on October 19, 1939, in the presence of Mr. Edwin Wijesurendra, Proctor, on the

part of the petitioner above named; and the affidavit of the said petitioner, dated October 18, 1939; having been read :

It is hereby ordered (a) that the 5th respondent above-named be and he is hereby appointed guardian ad litem over the 2nd, 3rd, and 4th minor respondents above named, to represent them for all purposes of these proceedings, (b) that the said petitioner, as widow of the deceased above named, is entitled to letters of administration to the estate of the said deceased, and that letters of administration be issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before December 1, 1939, show sufficient cause to the satisfaction of this court to the contrary.

N. M. BHARUCHA, District Judge.

October 19, 1939.

In the District Court of Matara. Order Nisi.

Testamentary. In the Matter of the Estate of the late Jurisdiction. Pakir Mohammad Mohammadu Subair, No. 4,041. deceased, of Kadeweediya, in Matara.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Matara, on June 14, 1939, in the presence of Mr. J. P. Gunewardana, Proctor, on the part of the petitioner, Mohammadu Lebbe Hajiar Mohammado Sheikh Kadeweediya, and the affidavit of the said petitioner, dated June 14, 1939, having been read : It is ordered that the said petitioner be and he is hereby declared entitled, as brother-in-law, to have letters of administration to his estate issued to him, unless the respondents,—(1) Abdul Hamid Aisha Bahiah of Kadeweediya in Matara; (2) Setti Nawariya of ditto, (3) Setti Savurie of ditto, minors by their guardian ad litem, the 1st respondent—or any other person or persons interested shall, on or before August 21, 1939, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 1st respondent be and she is hereby appointed guardian ad litem over the 2nd and 3rd minor respondents for all the purposes of this action, unless the said respondents or any other person or persons interested shall, on or before August 21, 1939, show sufficient cause to the satisfaction of this court to the contrary.

K. D. DE SILVA, District Judge.

June 14, 1939.

The foregoing Order Nisi is extended for November 20 1939.

In the District Court of Tangalla. Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Don Theodoris Jayawickrama of Middeniya, deceased. D. C. T. No. 1,318.

Don Nikulas Weerasekera of Middeniya Petitioner. Vs.

(1) Jasiri Arachchige Sanchohamine, (2) Don Mowlis Jayawickrama, (3) Don Andreas Jayawickrama, (4) Don Simon Jayawickrama, (5) Saundias Jayawickrama, (6) Donna Charlina Jayawickrama, all of Middeniya Respondents.

THIS matter coming on for disposal before V. S. Jayawickrama, Esq., District Judge of Tangalla, on September 18, 1939, in the presence of Messrs. H. E. Wickramanayake & S. W. Edirisooriya, Proctors, on the part of the petitioner above named; and the affidavit of the above-named petitioner, dated September 11, 1939; having been read :

It is ordered and adjudged that the petitioner is entitled, as son-in-law of the deceased, to letters of administration of the said estate issued to him, unless the respondents or any person or persons interested shall, on or before November 6, 1939, show sufficient cause to the contrary.

It is further ordered and adjudged that the 6th respondent be appointed guardian ad litem over the 3rd, 4th, and 5th respondents who are minors, unless any person or persons interested shall, on or before November 6, 1939, show sufficient cause to the contrary.

September 18, 1939. V. S. JAYAWICKRAMA, District Judge.

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

V. S. JAYAWICKRAMA, District Judge.

²⁶ In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction Arunasalam Muttiah of Navatkuly
No. 783. deceased.

Nallammah, widow of Arunasalam Muttiah of
Navatkuly Petitioner.

(1) Arunasalam Arumugam of Achehelu, presently
Sundry Shopkeeper, Sungai Beri Selangore, F.M.S.,
(2) Karthikesa Mambiah of Sirupiddy, presently
Teacher, Tirunelvely, Jaffna Respondents.

THIS matter coming on for disposal before C. Coomaswamy, Esq., District Judge, Jaffna, on November 2, 1939, in the presence of Mr. R. Sivagurunather, Proctor, for the petitioner; and an affidavit of the petitioner dated October 28, 1939, having been read:

It is ordered that the petitioner, as the widow of the deceased, is hereby declared entitled to have letters of administration to the estate of the said deceased issued to her accordingly, unless the respondents or any other person interested shall appear before this court on or before November 29, 1939, at 10 A.M., and show cause if any to the satisfaction of the court to the contrary.

November 2, 1939. C. COOMARASWAMY,
District Judge.

In the District Court of Kurunegala.

³³ *Order Nisi.*

Testamentary In the Matter of the Estate of the late
Jurisdiction Senarat Pathirennhelage Jinadasa
No. 4,372 Senarat of Rammutugala, deceased.

Mahipala Mudalige Esdi Mahipala of Rammutu-
gala Petitioner.

(1) Senarat Pathirennhelage Esasili Senarat, (2)
ditto, Edward Senarat both of Rammutugala by
their guardian *ad litem* (3) Abeysekere Wannaku
Aratchige Don Carttias Abeysekere of Bala-
galla Respondents.

THIS matter coming on for disposal before V. Joseph, Esq., District Judge of Kurunegala, on November 6, 1939, in the presence of Mr. A. B. C. de Soysa, Proctor, for the petitioner above named; and the affidavit of the said petitioner dated November 6, 1939, having been read:

It is ordered that the 3rd respondent be and he is hereby appointed guardian *ad litem* over the 1st and 2nd minor respondents for the purpose of these proceedings, unless the respondents shall, on or before December 6, 1939, show sufficient cause to the satisfaction of this court to the contrary.

It is ordered that the said petitioner be and she is hereby declared entitled, as the widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents or any other person or persons interested shall, on or before December 6, 1939, show sufficient cause to the satisfaction of this court to the contrary.

November 6, 1939. V. JOSEPH,
District Judge.

³⁰ In the District Court of Puttalam.

Order Absolute in the First Instance.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction Avenna Vina Pana Lana Sina Thana
No. 743. Sidamberam Chettiar, late of Karaikudy
in Raman District, South India,
deceased.

Ramanathan Chettiar, son of Avenna Vina Pana Lana
Sina Thana Sidamberam Chettiar of Karaikudy by
his attorney Lechumanan Chettiar, son of Meiyappa
Chettiar of Karaikudy, presently of Sembattai, in
Puttalam District Petitioner.

THIS matter coming on for disposal before H. S. Amerasinghe, Esq., Additional District Judge of Puttalam, on

October 26, 1939, on the motion of Mr. V. M. Anthonipillai, Proctor, on the part of the petitioner, and the petitioner's petition dated October 24, 1939, and affidavit of Letchumanan Chettiar, son of Meiyappa Chettiar, dated October 17, 1939, and the order of the Supreme Court directing and appointing this court to have and to exercise sole and exclusive testamentary jurisdiction in respect of the property and effects of the said Avenna Vina Pana Lana Sina Thana Sidamberam Chettiar, deceased, having been duly read:

It is ordered that the petitioner, as the only son and sole heir of the deceased, be and he is hereby declared entitled to administer the estate of the said intestate and that letters of administration of the said estate be issued to him accordingly.

October 26, 1939. H. S. AMERASINGHE,
Additional District Judge.

³⁵ In the District Court of Ratnapura.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction ment of Amarakoon Mohottalage Babun
No. 1,081. Appuhamy of Kella in Kolonna korle,
deceased.

Weerasinghe Mudiyansele Tillakarathne Banda of
Welanga Petitioner.

And
Weerasinghe Mudiyansele Gunatilaka Kumarihamy
of Welanga presently of Kella Respondent.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., District Judge of Ratnapura, on October 5, 1939, in the presence of Mr. E. J. Dharmaratne, Proctor, on the part of the petitioner above named; and affidavits of (1) the petitioner above named dated August 6, 1939, (2) of the attesting notary dated August 7, 1939, and (3) of the attesting witnesses dated August 10, 1939, having been read:

It is ordered that the last will of Amarakoon Mohottalage Babun Appuhamy, deceased, which 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 named in the said will, and that he is entitled to have probate thereof issued to him accordingly, unless the respondent above named or any other person or persons interested shall, on or before November 7, 1939, show sufficient cause to the satisfaction of this court to the contrary.

October 5, 1939. V. E. RAJAKARIER,
District Judge.

The foregoing *Order Nisi* is hereby extended for December 5, 1939.

November 7, 1939. V. E. RAJAKARIER,
District Judge.

In the District Court of Ratnapura.

²¹ *Order Nisi.*

Testamentary In the Matter of the Intestate Estate of
Jurisdiction Millawitiye Acharige Piyadasa of Milla-
No. 1,083. witiya, deceased.

Hatan Naidelaye Podihant of Millawitiya. Petitioner.

THIS matter coming on for disposal before Victor E. Rajakarier Esq., District Judge, Ratnapura, on October 20, 1939, in the presence of Messrs. A. & E. Wijetilaka, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 10, 1939, having been read:

It is ordered that the petitioner above named is the mother of the deceased above named, and that she is entitled to have letters of administration to the estate of the said deceased issued to her accordingly, unless any person or persons interested shall, on or before November 28, 1939, show sufficient cause to the satisfaction of this court to the contrary.

October 20, 1939. V. E. RAJAKARIER,
District Judge.