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PART II.—LEGAL.

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

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PASSED ORDINANCES.

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

No. 30 of 1940.

L. D.—O 25/40

Chapter 303.
Volume VI.,
page 450.

An Ordinance to amend the Coconut Research Ordinance.

G. R. WOODMAN.

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 Coconut Research Amendment Ordinance, No. 30 of 1940.

Amendment of
section 6 of
Chapter 303.

2. Section 6 of the Coconut Research Ordinance is hereby amended as follows:—

(1) in paragraph (b) of sub-section (1) by the substitution, for the words "for a period of twelve years", of the following:—

"until such date as may be specified by the Governor under sub-section (3)"; and

(2) by the addition, immediately after sub-section (2), of the following new sub-section (3):—

"(3) The Governor may by Proclamation published in the *Gazette* direct that on and after such date as may be specified in the Proclamation, no further payments under sub-section (1) (b) shall be made by the Financial Secretary to the Board."

Passed in Council the Twenty-ninth day of November, One thousand Nine hundred and Forty.

D. C. R. GUNAWARDANA,
Clerk of the Council.

Assented to by His Excellency the Officer Administering the Government the Fourteenth day of December, One thousand Nine hundred and Forty.

E. R. SUDBURY,
Secretary to the Governor.

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Kurunegala will be holden at the Emergency Court-house at Kurunegala, on Monday, February 3, 1941, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Kurunegala, January 7, 1941.

N. E. ERNST,
Fiscal.

In the District Court of Kandy.

No. 155. In the matter of the insolvency of J. P. Samsudeen of Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 17, 1941, for the examination of the above-named insolvent.

January 4, 1941.

By order of court, R. B. RATNAIKA,
Secretary.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 4,268. In the matter of the insolvency of A. L. L. de Jong of Insolvency. Colombo.

NOTICE is hereby given that the meeting of the creditors of the above-named insolvent will take place at a sitting of this court fixed for February 4, 1941, to declare a dividend and to appoint an auditor in this case.

December 20, 1940.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

Insolvency Jurisdiction. In the matter of the insolvency of A. M. S. Abdul Cader who carried on business under the name, style, and firm of "A. M. S. Abdul Cader & Co." at Old Moor street in Colombo, insolvent.

NOTICE is hereby given that a public sitting will be held in this court on February 4, 1941, at 10.45 in the forenoon for the proof of the claim of M. R. M. M. N. Nadarajan Chettiar against the estate of the above-named insolvent.

November 19, 1940.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,257. In the matter of the insolvency of Henry Gilbert Insolvency Jurisdiction. Aponso of Maratuwa.

TAKE notice that a special sitting of this court will be held on January 28, 1941, at 10 A.M., for the proof of the claim of the firm of V. T. S. Villavarayer of 163, Barkhall street, Colombo.

December 20, 1940.

By order of court, C. EMMANUEL,
Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

No. 4,502/S. Vs. (1) Noor Rafiya, and (2) A. H. M. Rashid, wife and husband, both of 64, Cotta road, Colombo. Defendants.

NOTICE is hereby given that on Friday, February 7, 1941, at 3 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. 278, with interest on Rs. 425 at 15 per cent. per annum and on Rs. 453 at 12 per cent. per annum from August 29, 1940, up to the date of decree (October 7, 1940) and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, viz.:—

All that allotment of land bearing assessment No. 2068/D/4 (4) presently bearing No. 5, Bawa place, with the buildings standing thereon, situated at Cotta road in Welikada, now called Bawa place, within the Municipality and District of Colombo, Western Province; and bounded on the north by premises bearing assessment No. 2068C/4 (3) of M. S. Marikar Bawa, on the south by premises bearing assessment No. 2068E/4 (5) of M. S. Marikar Bawa, on the east by the property of G. C. Nanayakkara and brothers, and on the west by Bawa lane; containing in extent 16.45 perches.

Prior registration A200/273.

Fiscal's Office,
Colombo, January 8, 1941.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Colombo.

Nicholas Wilfred Morgappah (Jnr.) of 6, Pereira lane, Wellawatta Plaintiff.

No. 11,354/31 Vs.

(1) Samaratunga Randunu Appuhamillage Don Thomas Samaratinga of Magalegoda, (2) Dona Libertina Samaratinga Randunu of Magalegoda aforesaid, (3) Dissanayake Pathirrennehelage Don William Assanayake of Watadara Defendants.

NOTICE is hereby given that on Monday, February 10, 1941, at 3 p.m., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 4 dated July 27, 1927, and attested by M. St. S. Cassie Chetty of Colombo, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated November 6, 1940, for the recovery of the sum of Rs. 1,680, with interest on Rs. 1,600 at 15 per cent. per annum from November 16, 1939, to April 29, 1940, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit, Rs. 213.07, to wit:—Rs. 164.50 being costs incurred and Rs. 48.57 being prospective costs, viz. :—

All that defined portion of land called Pinwattihena and marked B in the plan hereinafter referred to and the tiled house standing thereon, situated in the village of Heendeniya in the Meda pattu of Siyane korale in the District of Colombo, Western Province; and which portion marked letter B is bounded on the north by T. P. 54,389, on the east by lot marked C allotted to Samaratinga Randunu Appuhamillage Don Hendrick, notary, on the south by a portion of this land sold to the Crown for a tank, and on the west by lot A allotted to Samaratinga Randunu Don Andiris Appuhamy; containing in extent 10 acres 3 roods and 15 perches, as per figure of survey No. 1006c dated November 12, 1912, and made by A. S. Kirthisinghe, Licensed Surveyor.

Prior registration E 282/220.

Fiscal's Office,
Colombo, January 8, 1941.

H. C. WILLESINHA,
Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

Elizabeth Annappillai, widow of Sabapathippillai, of Vannarpomai East, Jaffna Plaintiff.

No. 12,842. Vs.

(1) Kander Selvadurai, and his wife (2) Thaiyalmuthammal, both of Vannarpomai East, Jaffna. Defendants.

NOTICE is hereby given that on Monday, February 17, 1941, at 10 o'clock in the forenoon, 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. 5,985.50, with interest on Rs. 4,000 at the rate of 10 per cent. per annum from March 18, 1938, until payment in full, and poundage and charges, less Rs. 4,300 already recovered, viz. :—

All that piece of land situated at Urumpirai in Kopai parish, Valikamam East division of the Jaffna District, Northern Province, called Nunkaiyappulam in extent 12½ lachams varagu culture, with cultivated and spontaneous plantations; and bounded on the east by lane, north by Sinnappu Sellappah, west by Kander Thambapillai and others, and south by lane.

Fiscal's Office,
Jaffna, January 6, 1941.

A. C. NALLIAH,
for Fiscal.

North-Western Province.

In the District Court of Kurunegala.

K. M. P. R. Kumarappa Chettiar and K. M. P. R. Periya Carupen Chettiar by their attorney K. M. P. R. Meieppa Chettiar of Kurunegala Plaintiffs.

No. 17,614. Vs.

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

NOTICE is hereby given that on Saturday, February 8, 1941, commencing at 10 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the 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, 1936, till payment in full, and Rs. 75 as costs, less Rs. 2,900 and Rs. 817, and poundage, viz. :—

1. An undivided $\frac{1}{2}$ share of Webadekumbura of 12 lahass 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 $\frac{1}{2}$ share of Dambekumbura of 2 pelass and 5 lahass 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 the field of Kiriya and others. Registered in F 239/102.

3. An undivided $\frac{1}{2}$ share of Naryagalawatta and Kahatagahamulawatta, both of about 15 lahass 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 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.

4. 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 of Kiriya, south by the fence of the garden of Kiriya, and west by Kudambewela. Registered in F 274/101.

5. Boowewakumbura of 2 pelass paddy sowing extent and its adjoining 2 pilless 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 Umnanse and the bush, east by the chena of Hapuwa Duraya, south by the chena of Bali, and west by the limit of the pilless of Ukkuwa. Registered in F 335/73.

6. The land called Galkandehena and Kandehena, situated at Ranawatta in Dambadeni Udukaha korale north aforesaid; and bounded on the north by lot 2 in P. P. 6,316 and land in T. P. 393,878, east by Rattawatta claimed by Ukku Banda and Bogahamulawatta claimed by Veerappa Chetty and another, south by Bogahamulawatta claimed by Veerappa Chetty and others, and west by land in T. P. 397,524, Kandewatta claimed by P. Menika and another and Madugahamulahanawatta claimed by Veerappa Chetty and others and Pinhena claimed by the Trustees of Kalundawa Pansala; containing in extent 3 acres and 15 perches. Registered in F 301/244.

7. The high and low lands called Pahalamanadalupathakumbura of 1 amunam paddy sowing and its adjoining pilless of 3 lahass kurakkan sowing extent, situated at Ranawatta aforesaid; and bounded on the north by garden of Hapuwa and others, east by chena of Kira and others and field, south by chena of Baiya and others, west by chena and field of Peruma and others. Registered in F 138/40.

8. All that land called Delane Timbirigahamulahena of 1 timba kurakkan sowing extent, situated at Ranawatta aforesaid; and bounded on the north by field of Hapuwa and others, east by garden of Tikiri, south by garden of Veerappa Chetty, and west by chena of Hapuwa. Registered in F 138/42.

9. All that land called Galwalagawahena of about 1 timba kurakkan sowing extent, situated at Ranawatta aforesaid; and bounded on the north and south by land of Veerappa Chetty, east by Pinhena, and west by chena of Tikiri. Registered in F 138/43.

Fiscal's Office,
Kurunegala, January 7, 1941.

S. SUBRAMANIAM,
Deputy Fiscal.

In the District Court of Colombo.

The Public Trustee in his capacity as the administrator with a copy of the will annexed of the estate of Thomas Michael Walker, deceased Plaintiff.

No. 48,800. Vs.

Jerome William Charles de Soysa of The Walcotts, Moratuwa Defendant.

NOTICE is hereby given that on Saturday, February 15, 1941, commencing at 10.30 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 mortgaged with the plaintiff by bond No. 4,933 dated April 27, 1925, attested by W. A. S. de Vos of Colombo, Notary Public, and declared specially bound and executable under decree dated December 21, 1932, and ordered to be sold by order of court dated 23/11, day of October/November, 1940, for the recovery of the sum of Rs. 34,664.23 with interest thereon at the rate of 9 per cent. per annum from December 21, 1932, till payment in full and costs of suit and poundage, viz. :—

(a) The estate plantations and premises called and known as Elwalapitiya estate in the First Schedule fully described below, and (b) all the defendant's leasehold estate, right, title, and interest, in and to all that and those estate plantations and premises called and known as Dolutenne estate in the second schedule fully described below and all benefits and advantages and compensations whatsoever accruing or to accrue to the defendant under by virtue or in respect of the Indenture of Lease bearing No. 176 of July 20, 1907, attested by F. L. Goonawardena, Notary Public, for and during the residue and remainder yet unexpired of the term created by the said Indenture of Lease together with all the bungalows, stores and other buildings standing on all the above estates, lands, and premises and all the machinery, fixtures, furniture, tools, implements, cattle, and other the dead and the live stock in and upon the said several estates, plantations and premises or thereto belonging or in anywise appertaining or used or employed therewith or reputed or known as part thereof and all the crops, produce, and appurtenances thereof and all the estate, right, title, interest, claim, and demand whatsoever of the defendant into, out of, or upon all the above estates, plantations and premises mortgaged and hypothecated to and with the said Thomas Michael Walker as and by way of a fifth mortgage subject to :

(i) the primary mortgage for Rs. 100,000 and interest created by bond No. 4,367 dated April 7, 1925, attested by W. A. S. de Vos, Notary Public, of Colombo.

(ii) the secondary mortgage for Rs. 15,000 and interest created by bond No. 4,434 dated August 13, 1925, attested by the said W. A. S. de Vos, Notary Public.

(iii) the tertiary mortgage for Rs. 15,000 and interest created by bond No. 4,667 dated December 13, 1926, attested by W. A. S. de Vos, Notary Public, and

(iv) the fourth mortgage for Rs. 20,000 and interest created by bond No. 4,835 dated September 22, 1927, attested by the said W. A. S. de Vos, Notary Public.

(b) The estate plantations and premises called and known as Sir Visto estate in the third schedule fully described below, together with all the bungalows, stores, and other buildings standing thereon

and all the machinery, fixtures, furniture, tools, implements, cattle, and other dead and the live stock in and upon to the said estate, plantations and premises or thereto belonging or in any manner appertaining and all the crops and produce and appurtenances thereof and all the estate, right, title and interest, claim and demand whatsoever of the defendant into, upon, or out of the said estate, plantations, and premises mortgaged and hypothecated to and with the said Thomas Michael Walker, deceased, as and by way of a sixth mortgage subject to:

(i.) the primary mortgage for Rs. 150,000 and interest created by bond No. 4,048 dated June 14, 1923, attested by W. A. S. de Vos, Notary Public.

(ii.) the secondary mortgage for Rs. 100,000 and interest created by the above-mentioned bond No. 4,367 dated April 7, 1925, attested by the said W. A. S. de Vos, Notary Public.

(iii.) the tertiary mortgage for Rs. 15,000 and interest created by bond No. 4,434 dated August 13, 1925, attested by the said W. A. S. de Vos, Notary Public.

(iv.) the fourth mortgage for Rs. 15,000 and interest created by bond No. 4,667 dated December 13, 1925, attested by the said W. A. S. de Vos, Notary Public, and

(v.) the fifth mortgage for Rs. 20,000 and interest created by bond No. 4,835 dated September 22, 1927, attested by W. A. S. de Vos, Notary Public, and all the right, title, and interest of the defendant in all or anyone or more of them.

SCHEDULES REFERRED TO ABOVE.

The First Schedule.

All that coconut estate plantation and premises called and known as Elwalapitiya estate, situated at Elwalapitiyakorossa and Kongolla in Ihawalasideke korale of Hiriyala hatpattu in the District of Kurunegala, North-Western Province, of the Island of Ceylon; bounded on the north by Kuda-oya, and Kethakumbura of Korossa temple; on the north-east by the road from Talgodapitiya to Matala; on the east by the lands of Jeronis Mudalali, Bathaiya, Pina, Warisa, and Arasa and Narangaha-ela; on the south by Narangaha-ela; and on the west by Crown land; containing in extent 234 acres 1 rood and 34 perches according to plan No. 4,208 dated April, 1920, made by George P. Weeraratne, Surveyor.

The Second Schedule.

All that and those the estate plantations and premises called and known as Dolutenne estate, situated in the village Aturukultenne in the Mahagalboda korale of Hiriyala hatpattu in the District of Kurunegala aforesaid; which said estate is according to the title deeds thereof described as follows, to wit:—

All that specific portion out of and from all that tract of land called Aturukultenna also called Dolutenna, situated at Aturukultenna aforesaid; and which said specific portion of land is bounded on the north, east, south, and west by the remaining portion of the same land and contains in extent 402 acres 1 rood and 13 perches as per plan thereof dated July 9, 1907, made by Mr. G. P. Weeraratne, Licensed Surveyor.

The Third Schedule.

All that and those the estate plantations, and premises called and known as Sir Vistò estate, situated in the villages Udawalpola, Udathapola, Maduragoda, Elwalapitiya in the District of Kurunegala, North-Western Province, comprising the following allotments of land which adjoin each other and form one property and from their situation as respects each other can be included in one survey, to wit:—

1. An allotment of land called Nargollamukalana, situated in the village Udawalpola in Ihawalasideke korale of Weudawili hatpattu aforesaid; and bounded on the north by land said to belong to the Crown, north-east by land claimed by Hiralis Fernando Duraya and on all other sides by Kuda-oya, containing in extent 128 acres and 1 rood.

2. All those thirty allotments of land called Udathapolakanda and Maduragodakanda, situated in the villages Udathapola and Maduragoda in the aforesaid korale; and bounded on the north by Temapitiyehena claimed by Puncha and lands described in plans Nos. 83,382 and 83,383, north-east by land described in plan No. 85,208, Kongahamulahena claimed by A. Appuwa and Millagahamulahena claimed by H. Fernando Dewaya, east by Madurapitiyehena claimed by Tikira, Tennapitiyehena claimed by Puncha and lands described in plan Nos. 83,380, 83,381, 85,208, 83,382, and 83,383, south-east by lands described in plans Nos. 85,208 and 127,376 and reservation for a road, south by land described in plan No. 83,381, south-west by Bogahamulahena claimed by Kiri Banda, Imbulamulahena claimed by Kiriya and reservation for a road, west by reservation for a road, and on the north-west by reservation for a road and crown land called Udathapolakanda; containing in extent exclusive of the path and reservation along it and reservation for roads 30 links wide passing through the land 163 acres 3 roods and 12 perches.

3. All that land called Ketagawabogahamulawatta, situated at Elwalapitiya in aforesaid korale; and bounded on the north by fence of Kehta, on the east by oya, on the south by Wagaha and oya, and on the west by the high road; containing in extent about 3 seers of kurakkan sowing soil.

4. All that portion marked A of an allotment of land called Imbulamulahena, situated in the village Udattapola in aforesaid korale; and bounded on the north by T. P. No. 142,709, on the east by a path and T. P. No. 142,709, on the south by T. P. No. 127,376, and on the west by reservation along the Kuda-oya and the remaining part of the same land, containing in extent 6 acres and 32 perches according to plan No. 961 dated April 12, 1900, made by Geo. P. Weeraratne, Surveyor and Leveller.

Fiscal's Office,
Kurunegala, January 7, 1941.

S. SUBRAMANIAM,
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

33
Testamentary In the Matter of the Intestate Estate of Wickramage Jurisdiction. Don Sarnelis Appuhamy of Alutgama in No. 9,468. Bandaragama, deceased.

Between

Ranasinghege Alice Nona Silva of Alutgama in Bandara-gama Petitioner.

And

(1) Wickramage Dona Helen Homawathie Wickrama, (2) Wickramage Dona Mary Nona Wickrama, (3) Wickramage Don Jayatileko, (4) Wickramage Dona Seelawathie, (5) Wickramage Don Gunawardane, (6) Wickramage Don Wijesena, (7) Wickramage Dona Somawathie, all of Alutgama in Bandaragama; the 3rd to 7th respondents are minors appearing by their guardian *ad litem* the 8th, (8) Albert Silva Ranasinghe Senaratne of Wetara Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on November 5, 1940, in the presence of Mr. S. Wickremesinghe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 30, 1940, having been read:

It is ordered (a) that the 5th respondent be and he is hereby appointed guardian *ad litem* of the minors, 3rd to 7th respondents above named, to represent them for all the purposes of this action, and (b) that the petitioner be and she is hereby declared, entitled as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before January, 23, 1941, show sufficient cause to the satisfaction of this court to the contrary.

November 11, 1940.

C. NAGALINGAM,
District Judge.

20
In the District Court of Colombo.

Order Absolute in the First Instance declaring Will proved, &c.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Basil Benjamin Pereira, deceased, of 68th lane, No. 9,473. Havelock Road, Pamankala, in Colombo.

THIS matter coming on for determination before C. Nagalingam, Esq., District Judge, Colombo, on November 8, 1940, in the presence of Mr. G. A. H. Wille, Proctor, on the part of the petitioner Frances May Pereira; and the affidavits of (1) the said petitioner dated November 7, 1940, (2) of the attesting notary as to the due execution of the will dated November 8, 1940, (3) original will having been read:

It is ordered that the will of the said deceased dated February 24, 1928, of which the original has been produced and is now deposited in this court be and the same is hereby proved; and it is further declared that the said petitioner is the executrix named in the said will and that she is entitled to have probate of the said will issued to her on her tendering the usual oath and bond.

November 21, 1940.

C. NAGALINGAM,
District Judge.

25
In the District Court of Kalutara.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late Colombo Jurisdiction. Dona Mensonona Hamine, deceased, of Palannoruwa. No. 2,957.

(1) Jayakodiatchige Don Simon of Palannoruwa Petitioner.

(1) Jayakodiatchige Don Nomis, (2) Jayakodiatchige Don Robo Singho, both of Palannoruwa, (3) ditto Dona Rosalin Nona Hamine of Maduluwawa, (4) ditto Don Charles, (5) ditto Piyadasa, (6) ditto Piyawathie, (7) ditto Nandawathie, (8) Walpolage Yasohamy Perera of Palannoruwa, (9) Jayakodiatchige Peter Singho, (10) ditto Assilin Nona, (11) ditto Gunawathie, (12) ditto Sriisena, (13) ditto Nandawathie Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Kalutara, on November 26, 1940, in the presence of Messrs. Tirimanne & Meegama, Proctors, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated November 22, 1940, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as son of the deceased above named, to have letters of administration issued to him, unless the respondents or any other person interested in the estate shall, on or before January 30, 1941, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 8th respondent be and she is hereby appointed guardian *ad litem* over the 5th to 6th and 7th respondents and that the 9th respondent be appointed guardian *ad litem* over the 10th, 11th, 12th, and 13th respondents, who are minors, for all the purposes of this action, interested in the estate shall, on or before January 30, 1941, show sufficient cause to the satisfaction of this court to the contrary.

November 26, 1940.

JAMES JOSEPH,
District Judge.

25 In the District Court of Kalutara.
Order Nisi declaring Will proved, &c.
 Testamentary Jurisdiction. In the Matter of the Estate of the late Undugodage Sarnelis Rodrigo, deceased, of Paragastota. No. 2,958.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Kalutara, on December 3, 1940, in the presence of Messrs. Tirimanne & Meegama, Proctors, on the part of the petitioner; and the affidavit of Imiyago Dona Missiliana Jayasekara of Paragastota dated October 25, 1940, having been read:
 It is ordered that the will of Undugodage Sarnelis Rodrigo of Paragastota, deceased, dated August 1, 1936, bearing No. 512 and now deposited in this court, be and the same is hereby declared proved, unless any person or persons interested in the said estate shall, on or before January 30, 1941, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Imiyago Dona Missiliana Jayasekara of Paragastota is the executrix named in the said will, and that she is entitled to have probate of the same issued to her accordingly, unless any person or persons interested in the said estate shall, on or before January 30, 1941, show sufficient cause to the satisfaction of this court to the contrary.

December 3, 1940. JAMES JOSEPH, District Judge.

27 In the District Court of Kalutara.
Order Nisi.
 Testamentary Jurisdiction. No. 2,962. In the Matter of the Intestate Estate of the late Ponnenbaduge Stephen Perera, deceased, of Maggona.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Kalutara, on December 10, 1940, in the presence of Mr. F. J. C. Perera, Proctor, on the part of the petitioner, Rosaline Victoria Perera; and her affidavit dated December 4, 1940, 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 (1) Ponnenbaduge Peter Perera, (2) ditto Marshall Perera, (3) ditto Julie Perera, (4) ditto Robert Perera, (5) ditto Margaret Perera, (6) ditto Joseph Felix Perera, (7) ditto Ellen Nethline Perera, (8) ditto Lawrence Boniface Perera, (9) ditto Francis Reginald Perera or any other person interested in the said estate shall, on or before January 15, 1941, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 1st respondent be and he is hereby appointed guardian *ad litem* over the 7th to 9th respondents, who are minors, for all purposes of this action, unless the respondents or others interested in the said estate shall, on or before January 15, 1941, show sufficient cause to the satisfaction of this court to the contrary.

December 10, 1940. JAMES JOSEPH, District Judge.

29 In the District Court of Kalutara.
Order Nisi declaring Will proved, &c.
 Testamentary Jurisdiction. No. 2,963. In the Matter of the Estate of the late Caluwadewage Velis Fernando, deceased, of Uggalboda, Kalutara North.

Nayage Paules Fernando of Campbell Avenue, Colombo. Petitioner.

(1) Caluwadewage Voilin Fernando, (2) Caluwadewage Morson Brisena Fernando, (3) Caluwadewage Deesin Piyasena Fernando, (4) Caluwadewage Bisowathie alias Anula Fernando, all of Uggalboda, Kalutara North. Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge, Kalutara, on December 16, 1940, in the presence of Messrs. De Abrew & Fernando, Proctors, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated October 24, 1940, having been read:

It is ordered that petitioner above named be and he is hereby declared entitled to have letters of administration issued to him, unless the respondents or any other person interested in the said estate shall, on or before January 27, 1941, 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, 3rd, and 4th respondents, who are minors, for all the purposes of this action, unless the respondents or others interested in the said estate shall, on or before January 27, 1941, show sufficient cause to the satisfaction of this court to the contrary.

December 16, 1940. JAMES JOSEPH, District Judge.

24 In the District Court of Kandy.
Order Absolute in the First Instance declaring Will proved.
 Testamentary Jurisdiction. No. P. 175. In the Matter of the Estate of the late Mahmood Mudaliyar Hasena Ummal, deceased, of Trincomalee street, Kandy.

THIS matter coming on for final determination before Waldo Sansoni, Esq., District Judge, Kandy, on October 7, 1940, in the presence of the Proctor for the petitioner, Abdul Rahiman Cassie Lebbe of Trincomalee street, Kandy, and the affidavits of the petitioner, the attesting notary and 2 witnesses dated September 5, 1940, having been read:

And it appearing to this court that the said petitioner has established his right thereto, it is ordered that probate be issued to the said Abdul Rahiman Cassie Lebbe accordingly.

November 18, 1940.

W. SANSONI, District Judge.

The date for showing cause against this *Order Nisi* is extended to December 19, 1940.

December 19, 1940.

W. SANSONI, District Judge.

The date for showing cause against this *Order Nisi* is extended to January 30, 1941.

W. SANSONI, District Judge.

30 In the District Court of Kandy.
Order Nisi.
 Testamentary Jurisdiction. No. T 182. In the Matter of the Estate of the late Kehelle Herath Mudiyansele Thomas, deceased, of Gonawatta.

Kehelle Herath Mudiyansele Ukkurala of Kongaspitiya in Ampitiya. Petitioner.

(1) Kehelle Herath Mudiyansele Appuhamy, (2) ditto Kawrala, (3) ditto Kalubanda, (4) ditto Kalmenika, (5) ditto Palingumenika, (6) ditto Koinmenika, (7) ditto Ramumenika, (8) ditto Bisomenika, (9) ditto Gunaratnamenika, (10) ditto Yasomenika, (11) ditto Wijerata, (12) ditto Bisomenika, (13) ditto Karunaratna; the 9th to 13th respondents by their guardian, the 1st respondent, all of Kongaspitiya in Ampitiya. Respondents.

THIS matter coming on for disposal before Waldo Sansoni, Esq., District Judge, Kandy, on November 25, 1940, in the presence of Mr. S. M. Musthapha, Proctor, on the part of the petitioner, Kehelle Herath Mudiyansele Ukkurala; and the affidavit of the said petitioner dated November 21, 1940, having been read: It is ordered that the petitioner be and he is hereby declared entitled, as the brother of the above-named deceased, to have letters of administration to the estate of the deceased issued to him, unless respondents above named or any other person or persons interested shall, on or before December 19, 1940, show sufficient cause to the satisfaction of this court to the contrary.

November 25, 1940.

W. SANSONI, District Judge.

Date of showing cause is extended to February 5, 1941.

December 19, 1940.

W. SANSONI, District Judge.

27 In the District Court of Kandy.
Order Nisi declaring Will proved.
 Testamentary Jurisdiction. No. T. 184. In the Matter of the Last Will and Testament of Awanna Veena Rawanna Mana Suna Paria Ramasamy Chettyar, deceased, of K/Muttu Pattanam in Karaikudi of Ramnad District, South India.

THIS matter coming on for disposal before Waldo Sansoni, Esq., District Judge, Kandy, on November 27, 1940, in the presence of Messrs. Bevan & Bevan, Proctors, on the part of the petitioner, Muna Rawanna Mana Subramania Pillai of No. 3 of Ambagamuwa road, Gampola, attorney of Alamelu Achy, executrix; and the affidavits of the said petitioner dated November 25, 1940, and of the attesting witnesses dated October 26, 1940, having been read:

It is ordered that the last will of the above-named deceased dated August 5, 1940, and now deposited in this court, be and the same is hereby declared proved, unless any person or persons interested shall, on or before January 16, 1941, show sufficient cause to the satisfaction of this court to the contrary.

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

November 27, 1940.

W. SANSONI, District Judge.

26 In the District Court of Jaffna.
Order Nisi.
 Testamentary Jurisdiction. No. 941. In the Matter of the Intestate Estate of the late Canagammah, wife of Ponnampalam Thurairasa of Thavady, deceased.

V. Seeniar Nagalingam of Thavady. Petitioner.

(1) Kamaladevi, daughter of Ponnampalam Thurairasa of Thavady, minor, and (2) Ponnampalam Thurairasa of ditto, now P. W. D. overseer, Elpitiya. Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on October 22, 1940, in the presence of Mr. P. K. Somasundram, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October 7, 1940, having been read:

It is ordered that the above named 2nd respondent be appointed guardian *ad litem* over the minor; the 1st respondent, for the purpose of representing them and to act on their behalf in the proceedings

of this testamentary action and that letters of administration to the estate of the above-named deceased be issued to the petitioner, unless the respondents or any other person shall appear before this court on November 22, 1940, and show sufficient cause to the satisfaction of this court to the contrary.

October 22, 1940.

C. COOMARASWAMY,
District Judge.

Order Nisi extended till January 15, 1941.

C. COOMARASWAMY,
District Judge.

In the District Court of Batticaloa.

Order Nisi declaring Will proved.

27
Testamentary
Jurisdiction.
No. 492.

In the Matter of the Last Will and Testament of Sydney Keppel Wickwar of Kalkudah estate, Kalkudah, in the Island of Ceylon, planter, deceased.

THIS matter coming on for disposal before V. H. Wijeyaratne, Esq., District Judge of Batticaloa, on December 12, 1940, in the presence of Mr. Kasinather Vaitilingam, Marcandari Subramaniam, Proctor, on the part of the petitioners, Sarah Ellen Wickwar of Kandy and Stanley Frederick de Saram of Colombo; and (1) the affidavit of the said petitioners dated December 4 and 6, 1940, (2) the Deed of Renunciation dated September 28, 1940, and (3) the affidavit of Ali, Shai Cather of Colombo, one of the attesting witnesses of the hereinafter mentioned last will and testament, having been read: It is ordered that the will of the said Sydney Keppel Wickwar, deceased, dated January 6, 1931, and attested by Joshua Thambippillai Tambyrajah, Notary Public, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Sarah Ellen Wickwar and Stanley Frederick de Saram are the proving executors of the said will and that they are entitled

to have probate thereof issued to them accordingly, unless any person or persons interested shall, on or before January 28, 1941, show sufficient cause to the satisfaction of this court to the contrary.

December 12, 1940.

V. H. WIJAYARATNE,
District Judge.

In the District Court of Ratnapura.

Order Nisi.

24
Testamentary In the Matter of the Intestate Estate of Jayamanna Jurisdiction. Mohottalalaye Tikiri Bandara of Denawaka, No. 1,102. Patakada, deceased.

Dissanayake Mudiyanseye Dassanayake of Denawaka Patakada Petitioner.

(1) Jayamanna Mohottalalaye Anulawathie, (2) ditto Wimalawathie, (3) ditto Lasawathie, all of Denawaka Patakada, minors, by their guardian *ad litem* Jayamanna Mohottalalaye Madduma Bandara of Denawaka Patakada; Respondents.

THIS matter coming on for disposal before D. A. Leanage, Esq., Additional District Judge, Ratnapura, on December 19, 1940, in the presence of Messers. Gunasekera & Gunasekera, Proctors, on the part of the petitioner above named, and the affidavit of the said petitioner dated December 19, 1940, having been read:

It is declared that the said petitioner above named is the son-in-law of the deceased above named and that he is entitled to have letters of administration to the estate of the said deceased issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before January 23, 1941, show sufficient cause to the satisfaction of this court to the contrary.

December 19, 1940.

D. A. LEANAGE,
District Judge.