



THE

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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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DRAFT ORDINANCES.

MINUTE.

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

L D — O 29/40

An Ordinance to make provision for the acquisition by the Crown of certain lands sold in execution of mortgage decrees, for the alienation of such lands by the Crown and for matters connected with or incidental to 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
and date of
operation

1. This Ordinance may be cited as the Land Redemption Ordinance, No. of 1941, and shall come into operation on such date as the Governor may appoint by Proclamation published in the *Gazette*

Administration
of Ordinance,
appointment
of officers, &c

2. (1) The Land Commissioner shall be the officer of Government responsible for and charged with the administration of this Ordinance and shall in the exercise, performance or discharge of any power, duty or function conferred or imposed upon or assigned to him by or under this Ordinance, be subject to the general direction and control of the Executive Committee of Agriculture and Lands

(2) Subject to any general or special directions of the Land Commissioner, any Assistant Land Commissioner may exercise, perform or discharge any power, duty or function conferred or imposed upon or assigned to the Land Commissioner by or under this Ordinance

(3) The Land Commissioner may either generally or specially authorise any Government Agent or Assistant Government Agent to exercise, perform or discharge any power, duty or function conferred or imposed upon or assigned to the Land Commissioner by or under this Ordinance

(4) The Governor may appoint such other officers and servants as may from time to time be required for the purposes of this Ordinance

(5) All officers and servants appointed for the purposes of this Ordinance shall be public servants within the meaning of the Penal Code.

Cap 15

Acquisition
of lands
by Land
Commissioner

3. (1) The Land Commissioner is hereby authorised to acquire on behalf of Government the whole or any part of any agricultural land which was sold in execution of a mortgage decree at any time within the period which commenced on the first day of January, 1929, and ended on the thirty-first day of December, 1940, both days inclusive

(2) Every acquisition of land under sub-section (1) shall be effected in accordance with the provisions of sub-section (5) and shall be paid for out of funds provided for the purposes of this Ordinance under section 4

(3) No land shall be acquired under sub-section (1) until the funds necessary for the purpose of such acquisition have been provided under section 4

(4) The question whether any land which the Land Commissioner is authorised to acquire under sub-section (1) should or should not be acquired shall, subject to any regulations made in that behalf, be determined by the Land Commissioner in the exercise of his individual judgment, and every such determination of the Land Commissioner shall be final.

(5) Where the Land Commissioner has determined that any land shall be acquired for the purposes of this Ordinance, the provisions of the Land Acquisition Ordinance, subject to the exceptions, modifications and amendments set out in the First Schedule, shall apply for the purposes of the acquisition of that land, and any sum of money which may, under such provisions be required to be paid or deposited by the Land Commissioner or by Government by way of compensation, costs or otherwise, shall be paid out of funds provided for the purposes of this Ordinance under section 4

Cap 203

Funds for
purposes of
Ordinance

4. (1) The funds necessary for the purposes of this Ordinance may be provided out of—

(a) moneys voted for such purposes by the State Council out of general revenue,

(b) moneys raised for such purposes by way of loan in accordance with the provisions of sub-section (2), or

(c) such other moneys at the disposal of the Land Commissioner as may have been received for such purposes by way of bequest, donation or otherwise

(2) The Governor is hereby authorised, upon resolution in that behalf passed by the State Council on motion made by

the Minister for Agriculture and Lands, to raise from time to time by way of loan for the purposes of this Ordinance such sum or sums of money as may be specified in the resolution.

5. (1) Any land acquired under this Ordinance, or any part of any such land may be alienated by grant as a protected holding, or on a permit, under the Land Development Ordinance; and the provisions of that Ordinance, subject to the exceptions, modifications and amendments set out in the Second Schedule, shall apply accordingly.

Disposal of
Lands acquired
under
Ordinance
Cap 320

(2) In the interval between the date on which the Land Commissioner enters into possession of any land for the purpose of acquiring that land and the date on which that land is alienated as hereinbefore provided, the Land Commissioner shall be responsible for the custody, management and protection of the land for the disposal of the produce thereof, and, for the purposes of the preceding provisions of this sub-section, the Land Commissioner is hereby authorised to expend such moneys and to take all such measures as he may deem necessary, subject to such conditions and restrictions as may be prescribed.

(3) No land acquired under the provisions of this Ordinance shall be alienated as hereinbefore provided to any person, unless that person is a Ceylonese and is—

- (a) a person against whom that land was sold in execution of a mortgage decree entered by any court or, where such person is dead, the surviving spouse (if any) or any descendant of such person, or
- (b) a person who is not the owner of other agricultural land, or
- (c) a person who is the owner of other agricultural land of an extent not exceeding such extent as may be prescribed.

6. Where the Land Commissioner considers it necessary that an inspection, examination or survey should be made of any agricultural land which he is authorised by this Ordinance to acquire, it shall be lawful for the Land Commissioner, or any person acting under the written authority of the Land Commissioner, together with such servants and workmen as may be necessary, to enter upon and to survey and take levels of that land or of any land in the same locality, to mark the levels and boundaries of that land, and to do all such other acts as may be necessary for the purposes of such inspection, examination or survey.

Powers of
entry,
survey, &c

Provided, however, that no person shall enter or do any act upon any land in pursuance of the powers conferred by the preceding provisions of this section except with the consent of the owner or occupier of that land, or after giving to such owner or occupier, in the prescribed manner, not less than seven days' notice of his intention to enter that land or to do such act thereon.

7. (1) The Land Commissioner may at any time direct any person to furnish to him before a specified date—

Power of Land
Commissioner
to call for
returns

- (a) a return in the prescribed form containing the prescribed particulars relating to any such land as is referred to in section 3 of which that person is, or was at any time, the owner,
- (b) such information or explanation as the Land Commissioner may require in respect of any particulars stated in any return furnished by that person,
- (c) such documentary or other evidence as the Land Commissioner may require for the purpose of verifying any particulars stated in any return or any information furnished by that person.

(2) Any person who, when required to furnish a return, or any information or explanation, or any evidence under sub-section (1) fails or refuses to furnish such return, information, explanation or evidence, or knowingly furnishes a return containing any particulars which are false or any information or explanation which is false, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one hundred rupees.

8. (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 any or all of the following matters—

- (a) all matters stated or required by this Ordinance to be prescribed,
 - (b) the amendment or modification of any provision of the First Schedule or Second Schedule.
- (3) Every regulation made by the Executive Committee shall be brought before the State Council by a motion that

such regulation shall be approved and, if so approved, shall be submitted to the Governor for ratification. No regulation made by the Executive Committee shall have effect until it has been approved by the State Council and ratified by the Governor. Notification of such approval and ratification shall be published in the *Gazette*.

(4) A regulation made by the Executive Committee when approved by the State Council and ratified by the Governor shall, upon notification of such approval and ratification in the *Gazette*, be as valid and effectual as if it were herein enacted.

Interpretation.

9. In this Ordinance unless the context otherwise requires—

“agricultural land” means any land which is used or capable of being used wholly or mainly for the purposes of agriculture or horticulture or for any purpose of husbandry including the keeping or breeding of live-stock, poultry or bees and the cultivation of fruits, vegetables and the like,

Cap. 320

“Assistant Land Commissioner” means any person appointed under section 5 of the Land Development Ordinance to be an Assistant Land Commissioner,

Cap. 320.

“Ceylonese” has the same meaning as in the Land Development Ordinance.

“Executive Committee” means the Executive Committee of Agriculture and Lands

Cap. 320

“Land Commissioner” means the officer for the time being appointed to be Land Commissioner under the Land Development Ordinance,

“mortgage decree” means a decree entered by a court in an action to enforce payment of a mortgage by a judicial sale of the mortgaged property

“prescribed” means prescribed by regulation

“regulation” means a regulation made by the Executive Committee under this Ordinance

Effect of Ordinance

10. Where the provisions of this Ordinance are inconsistent or in conflict with any other law, the provisions of this Ordinance shall prevail

FIRST SCHEDULE

Section 3 (5)

Provision of the Land Acquisition Ordinance (Chapter 203)	Exceptions, modifications or amendments
Section 2.	(1) In the definition of “District Judge” and “District Court” for the words “such land” there shall be substituted the words “the land proposed to be acquired” (2) The definition of “Government Agent” shall be omitted (3) Immediately after the definition of “land” there shall be inserted the following.— “Land Commissioner” means the officer for the time being appointed to be Land Commissioner under the Land Development Ordinance, and includes an Assistant Land Commissioner appointed under that Ordinance
Sections 3, 4, 5, 12 (2), 12 (3), 12 (4), 20, 39, 46 and 47	Shall not apply
Section 6.	(1) For the words “The Government Agent shall thereupon cause” there shall be substituted the words “Where the Land Commissioner determines that any land shall be acquired for the purposes of the Land Redemption Ordinance, he shall cause” (2) For the words “Government Agent” wherever those words occur collectively there shall be substituted the words “Land Commissioner”
Sections 7, 8, 9, 10, 11, 14, 23, 26, 30, 34, 36 and 41.	For the words “Government Agent” wherever those words occur collectively, there shall be substituted the words “Land Commissioner”.

Provision of the Land Acquisition Ordinance (Chapter 203)	Exceptions, modifications or amendments
Section 12 (1)	(1) For the words "Government Agent" there shall be substituted the words "Land Commissioner" (2) For the words "and has notified the same to the Governor, it shall be lawful for the Governor to direct" there shall be substituted the words "the Land Commissioner may direct"
Section 13.	(1) For the words "Government Agent" wherever those words occur collectively there shall be substituted the words "Land Commissioner" (2) In paragraph (c), the words "the amount awarded for damages under section 4," shall be omitted
Section 38	(1) For all the words from the commencement of the section to "When the amount of such compensation", there shall be substituted the words "When the amount of the compensation" (2) For the words "Government Agent" wherever those words occur collectively, there shall be substituted the words "Land Commissioner" (3) The words "and the said percentage" shall be omitted (4) The words "and percentage", wherever those words occur collectively, shall be omitted (5) The words "or the percentage" shall be omitted (6) The words "Percentage on market value to be allowed," in the marginal note shall be omitted
Section 42	For the words "If the surveyor or any of his assistants or any person acting under his or their orders" there shall be substituted the words "If the Land Commissioner or any person acting under his authority"
Schedule	In the Form A, for the words "the Land Acquisition Ordinance" of _____, entitled _____, there shall be substituted the words "the Land Acquisition Ordinance and the Land Redemption Ordinance"

SECOND SCHEDULE

Section 5 (1)

Provision of the Land Development Ordinance (Chapter 320)	Exceptions, modifications or amendments
Section 2	The definitions of "mapping out", "middle-class Ceylonese" and "unprotected holding" shall not apply
Sections 8 to 19 (inclusive)	Shall not apply
Section 23	(1) In sub-section (1), for the words "may in his discretion" there shall be substituted the words "may, subject to the provisions of section 5 (3) of the Land Redemption Ordinance in his discretion" (2) In sub-section (2), for the words "shall have special regard" there shall be substituted the words "shall, as between Ceylonese of the classes specified in paragraphs (b) and (c) of section 5 (3) of the Land Redemption Ordinance, have special regard"

Provision of the Land Development Ordinance (Chapter 320)	Exceptions, modifications or amendments
Chapter III	<p>Immediately after section 24 there shall be inserted the following new section which shall have effect as section 24A in Chapter III —</p> <p>Powers, &c of Assistant Land Commissioners under this Chapter</p> <p>24A Any Assistant Land Commissioner may exercise, perform or discharge any power, duty or function conferred or imposed upon or assigned to the Government Agent under this Chapter, and any reference to the Government Agent in this Chapter shall be deemed to include a reference to an Assistant Land Commissioner</p>
Section 29	<p>In sub-section (1), for the words "the Government Agent" there shall be substituted the words "the Government Agent or of an Assistant Land Commissioner"</p>
Section 33	<p>The section shall be omitted and the following new section shall be substituted therefor —</p> <p>Payment to Crown in respect of lands alienated on grants and permits</p> <p>33. (1) There shall be paid to the Crown in respect of every land alienated on a grant either—</p> <p>(a) an annual payment of an amount specified in the grant; or</p> <p>(b) a fixed amount, specified in the grant, payable by instalments of such amount, at such intervals, and during such period (not exceeding twenty-five years) as may be specified in the grant.</p> <p>(2) There shall be paid to the Crown in respect of every land alienated on a permit an annual payment of an amount specified in the permit</p>
Section 34	<p>(1) For the words "First or Second Schedules" there shall be substituted the words "First Schedule"</p> <p>(2) For the words "either Schedule" there shall be substituted the words "that Schedule."</p> <p>(3) For the words "First and Second Schedules" there shall be substituted the words "that Schedule"</p>
Section 35	<p>For the words "the Government Agent" there shall be substituted the words "the Government Agent or an Assistant Land Commissioner"</p>
Section 38	<p>For the words "The amount to be paid annually to the Crown in respect of any land alienated under a grant or permit" there shall be substituted the words "Where any land is alienated under a grant or a permit on condition that an annual payment as provided in paragraph (a) of sub-section (1) of section 33, or, as the case may be, in sub-section (2) of that section, shall be made to the Crown, the amount to be so paid".</p>

Provision of the Land Development Ordinance (Chapter 320)	Exceptions, modifications or amendments
Sections 145 to 151 (inclusive)	Shall not apply
Section 156	Paragraphs (b) and (g) shall not apply
Sections 159 and 164	Shall not apply
Section 168.	In sub-section (1)— (1) in paragraph (a), for the words "any Crown land which has been mapped out," there shall be substituted the words "any land acquired under the Land Redemption Ordinance in respect of which a grant or permit issued under this Ordinance is not in force," (2) for all the words, from "one hundred rupees" to the end of the sub-section, there shall be substituted the words "one hundred rupees"
Section 171	Shall not apply
First Schedule	(1) For paragraph 6 of the Essential Conditions there shall be substituted the following — " 6 No disposition of the holding shall be made except with the prior permission in writing of the Government Agent" (2) Immediately after new paragraph 6 of the Essential Conditions there shall be inserted the following — " 7 (Either) (a) The sum specified in the grant shall be paid annually to the Crown (Or) (b) The sum specified in the grant shall be paid to the Crown in respect of the holding, by instalments of such amount, payable at such intervals and during such number of years as may be specified in the grant"
Second Schedule.	Shall not apply

Objects and Reasons

The object of this Bill is to make provision for the acquisition by Government of lands sold between January 1, 1929, and December 31, 1940, (both days inclusive), in execution of mortgage decrees, and for the alienation of such lands to the original owners or to Ceylonese who are not the owners of other agricultural land. Investigation has shown that, during the years of depression, mortgagees instituted actions for the recovery of debts secured by mortgage of agricultural property and themselves purchased such property in execution of the decrees entered in such actions. It is considered desirable, in the interests of agriculturists that the Government should acquire such lands out of public funds and alienate the lands so acquired by grants as "protected holdings", or on permits, under the Land Development Ordinance. Payment will be made by the person to whom the land is given, either by annual payments in accordance with the existing practice under the Land Development Ordinance, or by payment of a fixed sum in yearly or half-yearly instalments over a fixed period of years not exceeding twenty-five in any case. As it is essential that the Government should secure indefeasible title to the lands prior to their re-alienation, the provisions of the Land Acquisition Ordinance will subject to necessary exceptions and modifications, be applied for the purpose of acquiring the lands.

2 The new law will be administered by the Land Commissioner, who in charge of the administration of all Crown lands, and in the acquisition of lands for the purposes of the new law, the Land Commissioner will have all the powers, duties and functions assigned to a Government Agent under the Land Acquisition Ordinance.

D S SENANAYAKE,

Minister for Agriculture and Lands,

Colombo, August 20, 1941

DISTRICT AND MINOR COURTS NOTICES.

List of Uncertified Insolvents for the Half Year ended June 30, 1941.

In the District Court of Nuwara Eliya

Nil

HERBERT S. ROBERTS,
District Judge

Nuwara Eliya, July 7, 1941

List of Uncertified Insolvents for the Half Year ended June 30, 1941.

In the District Court of Puttalam

Nil

J. L. E. FERNANDO
Additional District JudgeNo 193,
District Court,
Puttalam, July 4, 1941

NOTICES OF INSOLVENCY.

In the District Court of Colombo

No 5,195 In the matter of the insolvency of Wellawattage
Insolvency Wilfred Peiris of 11 18th lane Bambalapitiya

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at a sitting of this court fixed for September 23 1941 to approve conditions of sale of the immovable properties of the insolvent above named

August 21 1941

By order of court, C. C. LOOS
for Secretary

In the District Court of Colombo

Insolvency In the matter of the insolvency of Thambu Subra-
Jurisdiction maniam of Jampettah street, Colombo
No 5,523

TAKE notice that a meeting of the creditors of the above-named insolvent will be held on September 23, 1941, in this court for the purpose of considering the grant of a certificate of conformity to the insolvent above named

August 27 1941

By order of court, C. EMMANUEL
Secretary

In the District Court of Colombo

Insolvency In the matter of the insolvency of Samuel Stanley
No 5 525 Tambimuttu of Galle road Mount Lavina

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at a sitting of this court on September 23 1941 to consider the grant of a certificate of conformity to the above-named insolvent

August 27, 1941

By order of court, C. EMMANUEL,
Secretary

In the District Court of Colombo

No 5,563 In the Matter of the insolvency of Hamilton Tham-
Insolvency byasiah Lymann of 69, Modera street, Mutwal, in
Jurisdiction 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 September 23, 1941 to consider the grant of a certificate of conformity to the above-named insolvent.

August 12 1941

By order of court, T. THILAGA RAJAH
Acting Secretary

In the District Court of Kandy

I 97 In the matter of the insolvency of Yemanade,
Suppamamun Nadar's son Maraperumal Nadar,
of Galaha in Gandahaye korale of Lower Hewahota

WHEREAS Y. S. N. Maraperumal Nadar has filed a declaration of insolvency and a petition for the sequestration of his estate has also been filed by V. Vaidhalingam Pillai under the Ordinance No 7 of 1853 Notice is hereby given that the said court has adjudged the said Y. S. N. Maraperumal Nadar insolvent accordingly, and that two public sittings of the court, to wit, on September 26 1941 and on October 24 1941 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

August 26, 1941

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

In the District Court of Kandy

I 98 In the matter of the insolvency of William Francis
Ratnapala of Kandy

WHEREAS William Francis Ratnapala has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by V. A. Suanis of Kandy under the Ordinance No 7 of 1853 Notice is hereby given that the said court has adjudged the said William Francis Ratnapala insolvent accordingly, and that two public sittings of the court, to wit, on September 26, 1941, and on October 24 1941, 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.

August 26, 1941

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

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo

(1) Assala Aratchige Dona Rosaline de Silva, wife of (2) Dehu-
wala Liyanage Edward de Silva both of Kalubowila Plaintiffs
No 1,392/L Vs(1) Malala Bandarage Misilme Peiris. (2) Don Abraham Weera-
sekera, both of Kalubowila Defendants

NOTICE is hereby given that on Monday, September 22, 1941, will be sold by public auction at the respective premises the right, title and interest of the said defendants in the following properties for the recovery of the sum of Rs 1,228 75 incurred costs and Rs 38 20 prospective costs, viz —

At 3 30 p.m. — (1) All that allotment of land called Badullagaha watta marked lot A in plan No 135 dated March 3, 1935, made by I. W. W. Indatissa Licensed Surveyor together with all the buildings trees and plantations standing thereon, situated at Kalubowila in the Palle pattu of Salpiti korale in the District of Colombo Western Province and bounded on the north by grass land belonging to T. Weeraratne, east by lot B, south by Parakrama avenue and on the west by the lands belonging to D. M. Weerasekera W. Don Pablis, D. E. de Silva and the termination of the road called Edward place, containing in extent 2 roods and 20 perches (A. O. R. 2 P. 20). Registered in M 407/288

At 3 45 p.m. — (2) All that allotment of land called Badullagaha watta marked lot P in plan No 238 dated April 6, 1923, made by H. D. David, Licensed Surveyor, together with all the buildings trees and plantations standing thereon, situated at Kalubowila aforesaid, and bounded on the north by a portion of the same land marked lot K, east by the garden of Mr. Weerasekera, south by the main road from Kalubowila to Nugegoda, and on the west also by a portion of the same land marked lot O, containing in extent 31 74/100 perches (A. O. R. 0 P. 31 74/100) Registered in M 240/157

At 4 p.m. — (3) All that defined portion of the land called and known as Badullagahawatta marked lot K2 in plan No 375 dated June 24, 1924 made by H. D. David, Licensed Surveyor together with all the trees and plantations standing thereon, situated at Kalubowila aforesaid and which said defined portion is bounded on the north by a half share of the same land marked lot K1 on the east by the garden of Mr. Weerasekera, on the south by a portion of the same land marked lot P and on the west by a portion of the same land marked lot J, containing in extent 16 71/100 perches (A. O. R. 0 P. 16 71/100) Registered in 250/122 less an extent of 11 51/100 perches already sold marked K3 and registered in M 380/79

Note — The sale of the 2nd land is subject to the mortgage created by bond No 250 of March 20, 1936, attested by J. S. de Saram Notary Public in favour of the Loan Board

Fiscal's Office,
Colombo August 27 1941H. C. WIJESINHA
Deputy Fiscal

In the Court of Requests of Colombo

K. N. M. Nadarajan of Sea street, Colombo Plaintiff
No 74,293 Vs

Arthur C. Wirasekera, 51, Fernando road, Wellawatta Defendant

NOTICE is hereby given that on Monday, September 22, 1941 at 10 A.M., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, for the recovery of the sum of Rs 250 with interest thereon at 18 per cent per annum from March 21, 1941, to date of decree (June 30 1941) and thereafter legal interest on the aggregate amount till payment in full and costs of suit—incurred Rs 41 75 and prospective costs Rs 11 50, viz —

An undivided half part or share of all these premises called and known as "Pretoria Villa" lot No 5, presently bearing assessment No 140, situated at Stafford place in Maradana, within the Municipality and District of Colombo, Western Province; and bounded on the north by lot No 3, on the east by lot No 6 being premises known as Ryladen, on the south by lot No 7, and on the west by road now called Stafford place; containing in extent 2 roods and 11 perches and now bounded as follows — on the north by premises No 136 called Fairhurst, on the south by premises No 144 called Dunstan, on the east by Stafford place, and on the west by boundary wall

Fiscal's Office
Colombo, August 27, 1941H. C. WIJESINHA,
Deputy Fiscal

In the Court of Requests of Colombo

S. Dorasamy of 42, Staco road, Grandpass Plaintiff
No 76,053 Vs(1) W. D. Thomas of 378, Pita Kotte in Kotte
and another Defendants

NOTICE is hereby given that on Saturday, September 20, 1941 at 10 A.M. will be sold by public auction at the premises the right title and interest of the said 1st defendant in the following property for the recovery of the sum of Rs 86 30 with legal interest thereon from June 6 1941, till payment in full and costs of suit—Rs 17 25 being incurred costs and Rs 8 50 prospective costs, viz —

An allotment of land called Kongahawatta, together with the buildings standing thereon bearing Urban Council assessment No 378, situated at Pitakotte in Kotte in the Pallepattu of Salpiti korale in the District of Colombo, Western Province, bounded on the north by a portion of this land of G. M. P. Senewiratne east by high road to Colombo, south by a portion of this land, and west by a portion of this land of G. M. P. Senewiratne, containing in extent 9 perches. Prior registration M 398/209

Fiscal's Office,
Colombo, August 27, 1941H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Colombo

Seyed E. R. Mohamed Bhai of Slave Island, Colombo Plaintiff
No 4,178/S. Vs.

Mrs L. Fernando, of Uruwela road, Panadura Defendant

NOTICE is hereby given that on Saturday, September 27, 1941, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 153 69, viz:—

All that allotment of land called Dombagahawatta, together with the tiled houses standing thereon bearing assessment No 672, situated at Pattiya in Panadura Badda, within the Urban Council limits of Panadura, in Kalutara District, Western Province, and bounded on the north by the land of Henedige Simon Soysa, formerly of B. Francisco Peris and others, east by the road or path leading to Uruwela and the present new road, south by the land acquired by the Crown for the widening of the road and the land which belonged to B. Francisco and others, formerly of Telege Andris Peris, and west by Dombagahawatta (Sunnycroft premises) which belonged to Harminus Fernando Wangesekera Goonawardena and others at present bearing Nos 672 and 674, containing in extent 30 perches, and registered in B96/80, 279/92, and 303/59.

Deputy Fiscal's Office, P. D. WEERAMAN,
Kalutara, August 21, 1941. Deputy Fiscal.

Central Province.

In the District Court of Kandy

In the matter of the estate of A. R. L. Arunasalam Chettiar of Dewakotte in South India Deceased.

No T 5,355. Vs.
Meeyama Sanmugam Pulle of Trincomalee street, Kandy Original Petitioner

NOTICE is hereby given that on Saturday, September 20, 1941, at 2 30 P.M., will be sold by public auction at the premises the right, title, and interest of the said deceased in the following property for the recovery of the sum of Rs 1,581.90, stamp duty, viz:—

An undivided $\frac{1}{2}$ share out of Bolagolle estate, situate at Dehudenya in Udapalata korale of Tumpane in the District of Kandy, Central Province, containing in extent 406 acres and 5 perches on the whole and the entirety is bounded on the north by lands claimed by Kudarala, Dingirala, Helapuragama Appu, lands claimed by villagers and lands appearing in plan No 51,198, land reserved for path, east by land claimed by villagers and road, Sakkaraduraya's land appearing in plan No 64,602, south by land appearing in plan No 42,360 57,707, 57,907, 59,679, 59,677, and 59,684 also land claimed by villagers, Appuhamy and Ukurula, west by land said to belong to the Crown and Welakikande irrigation estate.
Fiscal's Valuation: Rs 75,000.

Fiscal's Office, CHARLES DE SILVA,
Kandy, August 26, 1941. Deputy Fiscal.

In the District Court of Kandy

Kuna Hamidu presently called Kuna Ena Hamedu of Dodanwela in Gangawata korale of Yatnuwera Plaintiff
No 44,217 Vs.

Amunugama Piyaratana Unnanse of Degaldoruwa in Udagampaha of Pata Dumbara Defendant

NOTICE is hereby given that on Saturday, September 27, 1941, at 2 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property mortgaged with the plaintiff and declared bound and executable under the decree in the above case for the recovery of the sum of Rs 2,000, with legal interest thereon from October 23, 1933, till payment in full and costs of this action as taxed by the officer of the court, viz:—

All those contiguous lands called Wetakedeniyewatta of 1 amunam paddy sowing extent and Wetakedeniyekumbura of 2 pelas and 5 lahass in paddy sowing extent, situate at Amunugama in Udagampaha of Pata Dumbara in the District of Kandy, Central Province, and bounded on the east by the land of Beersundera, the manyara of Carols Appu's field, the fence of the land of Bodiya and sapu tree, south by the fence of Mecgankattagedera Kirihamy's land and sapu tree, and west and north by Gansabhawa road, together with everything thereon, and registered in E 178/156 and all the right, title, interest, and claim whatsoever of the said defendant in, to, upon, or out of the said several premises mortgaged by the defendant
Fiscal's valuation Rs 2,500

Fiscal's Office, CHARLES DE SILVA,
Kandy, August 26, 1941. Deputy Fiscal.

Northern Province.

In the District Court of Jaffna

Valhammai, widow of Sellappah of Siruppiddy Plaintiff
No 14,598 Vs.

(1) Kathiresar Ambakar and wife, (2) Sethupillai, both of Nervevely Defendants

NOTICE is hereby given that on Saturday, September 20, 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 defendants for the recovery of the sum of Rs 749.60, with further interest on Rs 600 at 12 per cent per annum from August 3, 1939, till payment in full and poundage and charges, in the following property:—

1 All that piece of land with its appurtenances, situated at Nervevely, in Kopai Parish, Vahkammam East Division of the

Jaffna District, Northern Province, called "Kiluvampattai", in extent 18 lachams varagu culture and 9 21/32 kules with well, cultivated and spontaneous plantations and houses, and bounded on the east by Sinnachchy, widow of Suppiah, and Kathirgamar Vaithilingam, north by lane, west by Sethupillai, wife of Ambakar, and south by lane and by Sethupillai, wife of Ambakar.

2 All that piece of land with its appurtenances, situated at Nervevely, as aforesaid, called "Thananthavollai", in extent 15 $\frac{1}{2}$ lachams varagu culture with well and cultivated plantations, and bounded on the east by the heirs of Veluppillai Kulanthaivelu, and Thankachchippillai, wife of Suppiah, north by Sethupillai, wife of Ambakar, west by lane, and by Varavan Kanapathy and others, and south by Poothathamby Sunathamby

These lands are said to be under mortgage, and have also been seized under writ No 12,520, D C, Jaffna

Fiscal's Office, P. THAMBIAH,
Jaffna, August 26, 1941. for Fiscal

In the District Court of Jaffna

Arumugam Ponnampalam of Karunkaly in Karaitivu West Plaintiff
No 14,685 Vs.

(1) Theivanai, widow of Veluppillai of Karunkaly, (2) Sinnathamby Kandiah of ditto and two others Defendants

NOTICE is hereby given that on Saturday, September 27, 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 plaintiff for the recovery of the sum of Rs 209 75, and poundage and charges, in the following property:—

1 All that piece of land situated at Thankodal, in Karaitivu West, Karaitivu Parish, Islands Division of the Jaffna District, Northern Province, called Saththavayal, in extent about 11 $\frac{1}{2}$ lachams P. C., and bounded on the east by Thillaiyampalam Murugesu and others, north by Thankamuttu, wife of Umapathy, west by Yogam, wife of Kanapathupillai, and others, and south by Kander Nagamuttu and others

2 All that piece of land situated at Kalapoomy Valanthala, as aforesaid called Neetkanavai, in extent about 3 $\frac{1}{2}$ lachams varagu culture with palmyras; and bounded on the east by Yogam, wife of Kanapathupillai, and others, north and south by Arunasalam Thillaiyampalam, and west by Walliammai, wife of Kulanthaivelu and others

3. All that piece of land situated at Valanthala Thankodal Kalapoomy as aforesaid, called Kokaiyappulam, in extent about 7 lachams varagu culture and 2 kules with palmyras and houses, and bounded on the east by Kanthapper Ponnampalam and others, north by Somanather Arumugam, shareholders, and others, west by Thankammah, wife of Navaretnam, and others, and south by lane.

These lands are said to be under mortgage

Fiscal's Office, P. THAMBIAH,
Jaffna, August 26, 1941. for Fiscal

North-Western Province.

In the District Court of Kurunegala

Veyanna Kasivisvanathan Chettyar of Kurunegala Plaintiff
No 91 Vs.

Helamba Arachchige Don Pieris Ranasinghe of Godawela in Udapola Otota korale, administrator of the intestate estate of the deceased defendant K. Yohana Hamme in D. C. Testy. Case No 4,362 Defendant.

NOTICE is hereby given that on Saturday, September 20, 1941, 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 for the recovery of the sum of Rs. 136 72 and poundage, viz:—

All that land called and known as Maragahamulawatta alias Hitinawatta of 3 lahass kurakkan sowing or 2 acres and 30 perches in extent, together with the buildings, houses, plantations and everything standing thereon, situated at Delgolla in Udapola Otota korale of Dambadeni Hatpatu, in the Kurunegala District, North-Western Province, and bounded on the north by field, east by hena of Appuhamy, south by garden of Kirihamy, and west by ditch and registered in F 364/7

Fiscal's Office, S. SUBRAMANIAM,
Kurunegala, August 22, 1941. Deputy Fiscal

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Kalubuth Albert de Silva of Kosgoda, No. 9,458 deceased.

Kalubuth Romans de Silva of Kosgoda Petitioner.
Vs.

(1) Dewarahandi Leism Silva of Urubokka, Matara, (2) Kalubuth Samarasi Silva, (3) Kalubuth Wimala Priyawathe, both of Kosgoda (minors) by their guardian *ad litem*, (4) Elaboda Kankanange Baby Nona of Kosgoda, (5) Kalubuth Radin Silva of Kosgoda, (6) Kalubuth Arin Silva of Kosgoda, (7) Kalubuth Alladin Silva of Kosgoda, (8) Kalubuth Alice Silva of Kosgoda, (9) Elaboda Kankanange Irnelis Fernando, and (10) Elaboda Kankanange Emis Fernando, both of Kosgoda Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on May 22, 1941, in the presence of Mr. David de Silva, Proctor, on the part of the petitioner above named,

and the affidavit of (a) the petitioner dated October 25, 1940, and (b) the attesting witnesses dated October 23, 1940, having been read

It is ordered that the last will and testament of Kalubuth Albert de Silva, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved, and that the 4th respondent above named be and she is hereby appointed guardian *ad litem* of the minors, the 2nd and 3rd respondents, to represent them for all the purposes of this action, and it is further ordered that the petitioner be and he is hereby declared entitled to have letters of administration with the will annexed to the above estate issued to him accordingly, unless the respondents above named or some person or persons interested shall, on or before July 3, 1941, show sufficient cause to the satisfaction of this court to the contrary

May 26, 1941

C NAGALINGAM,
District Judge

The date for the parties interested to show sufficient cause to the satisfaction of this court to the contrary has been extended till September 4, 1941

Colombo, July 3, 1941

JAMES JOSEPH,
District Judge

In the District Court of Colombo
Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction Maria Sebastianal Fernando of Church street, No 9,732 Manapad, India, deceased

J. D Miranda of Mayfield road, Kotahena, Colombo Petitioner

(1) Joseph Anthony Leo Miranda, (2) Philomina Miranda, (3) Vincent de Paul Miranda, (4) Theresa Costa, (5) Sebastian Costa, (6) Anthony Viagulam Costa, (7) Francisca Costa, (8) Stanislaus Costa, (9) Augustine Paiva, (10) Francis Paiva, (11) Dorothy Paiva, (12) Bertula Paiva, (13) Bernard Paiva, (14) Heliodore Paiva of Mayfield road, Kotahena, Colombo Respondents

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Colombo, on August 5, 1941, in the presence of Mr S. Kanagarajah, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated December 2, 1940, the affidavit of the witnesses dated January 27, 1941, and the order of the Supreme Court dated October 24, 1940, having been read

It is ordered that the last will and testament of Maria Sebastianal Fernando, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved, and that the petitioner be and he is hereby declared entitled, as the eldest son of the deceased, to have letters of administration with the will annexed issued to him accordingly, unless the respondents above named or some other person or persons interested shall, on or before September 25, 1941, show sufficient cause to the satisfaction of this court to the contrary

And it is further ordered that the 14th respondent above named, be and he is hereby appointed guardian *ad litem* of the minors, the 9th, 10th, 11th, 12th, and the 13th respondent, to represent them for all the purposes of this action

August 12, 1941

JAMES JOSEPH,
District Judge

In the District Court of Colombo
Order Nisi

Testamentary In the Matter of the Last Will and Testament of Jurisdiction of Austin William Ohlmus of High street, Wellawatta, Colombo, deceased

Isa Louisa Rosabel Ohlmus of High street, Wellawatta Petitioner

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Colombo, on July 14, 1941, in the presence of Mr J S Paranavittana, Proctor, on the part of the petitioner above named, and the affidavits of (a) the petitioner dated July 12, 1941, and (b) the attesting notary and the witnesses dated July 12, 1941, having been read

It is ordered that the last will and testament of Austin William Ohlmus, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved, and that the petitioner is the executrix named in the said will and she is hereby declared entitled, to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before August 21, 1941, show sufficient cause to the satisfaction of this court to the contrary

July 29, 1941

JAMES JOSEPH,
District Judge

The above *Order Nisi* is hereby extended to September 11, 1941

July 29, 1941

JAMES JOSEPH,
District Judge

In the District Court of Colombo
Order Nisi

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Hugh Cecil Wirasekera of Colombo, deceased No 9,743

(1) Rosslyn Koch of Glenrose, Havelock road, Colombo, (2) Cyril E S. Perera of Madampitiya road, Mutwal, two of the Directors of the Ceylon Insurance Company, Ltd. Petitioners

(1) Violet Estelle Mary Wirasekera of Charlemont road, Wellawatta, (2) Roland Wirasekera of Station road, Kandana, (3) Mary Imelda Wirasekera, Whist Bungalow, Mutwal, (4) Congenge Seraphine Anthony (C S Anthony) J P of Whist Bungalow, Mutwal Respondents

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Colombo, on July 21, 1941, in the presence of

Mr. M N M Salahudeen, Proctor, on the part of the petitioners above named, and the affidavits of (a) the petitioner dated July 11, 1941, (b) the attesting notary dated July 11, 1941, and (c) the witnesses dated June 11, 1941 having been read

It is ordered that the last will and testament of Hugh Cecil Wirasekera, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved, and that the petitioners above named are the executors named in the said will and they are hereby declared entitled, to have probate thereof issued to them accordingly, unless the respondents above named or some other person or persons interested shall, on or before September 11, 1941, show sufficient cause to the satisfaction of this court to the contrary

It is further ordered that the 4th respondent above named be and he is hereby appointed guardian *ad litem* of the minor, the 3rd respondent, to represent her for all the purposes of this action

August 22, 1941.

JAMES JOSEPH,
District Judge.

In the District Court of Colombo
Order Nisi

Testy Juris No 9,756

In the Matter of the Last Will and Testament of Walawwewatte Liyanage Sarawis Sriwardena of Kaluwelgoda, in Dasiya pattu of Alutkuru korale, deceased

Wickremesunderamahamuhandiramge Dona Rejona Hamine, of Kaluwelgoda, aforesaid Petitioner

And

(1) Walawwewatte Liyanage Johana Sriwardena, (2) ditto Sebi Sriwardena, (3) ditto Milie Sriwardena, (4) ditto Simsoma Sriwardena, (5) ditto Selly Sriwardena, (6) ditto Gunaratne Sriwardena, (7) ditto Nandasena Sriwardena, all of Kaluwelgoda aforesaid, (8) Wellagey Belm Silva of Gmtota in Galle Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Colombo, on July 31, 1941, in the presence of Mr E L Gomos, Proctor, on the part of the petitioner above named, and the affidavit of (a) the petitioner dated July 30, 1941, and (b) the attesting notary and the witnesses dated July 19, 1941, having been read

It is ordered that the last will and testament of Walawwewatte Liyanage Sarawis Sriwardena, deceased, of which the original has been produced and is now deposited in this court be and the same is hereby declared proved, and that the petitioner is the executrix named in the said will and she is hereby declared entitled to have probate thereof issued to her accordingly unless the respondents above named or some other person or persons, interested shall, on or before September 18, 1941, show sufficient cause to the satisfaction of this court to the contrary And it is further ordered that the 8th respondent above named, be and is hereby appointed guardian *ad litem* of the minors 1st, 2nd, 3rd, 4th, 5th 6th, and 7th respondents to represent them for all the purposes of this action.

August 12, 1941

JAMES JOSEPH,
District Judge

In the District Court of Colombo
Order Absolute in the First Instance

Testamentary In the Matter of the Last Will and Testament of Jurisdiction of the late Victor Bertram Van Dort. Gower street, Colombo, deceased

THIS matter coming on for final determination before James Joseph, Esq., District Judge of Colombo, on August 1, 1941, in the presence of Mr P S de Kretser, Proctor, on the part of the petitioner, Mrs Edith Lucille van Dort of Buller's road, Bambala pitiya Colombo, and the affidavits (1) of the said petitioner dated July 17, 1941, and (2) of the witnesses dated July 24, 1941, having been read

It is ordered that the last will made by the deceased above named dated March 9, 1941, and now deposited in this court, be declared proved, and that probate hereof be issued to the petitioner aforesaid, as the executrix therein mentioned, on her tendering the usual oath and bond

August 21, 1941

JAMES JOSEPH,
District Judge

In the District Court of Avissawella
Order Nisi

Testamentary In the Matter of the Intestate Estate of Levathamby Jurisdiction Mohammadu Lebbe of Napawala, deceased No 300

Between
Mohammed Lebbe Aboo Haniffa of Napawala Petitioner
Vs

(1) Usubu Lebbe Zaiduth Umma of Napawala, (2) Mohammed Lebbe Ahamadu Malik of Napawala, (3) Mohammedu Zohara Umma of Napawala, the 2nd and 3rd respondents being minors by their guardian *ad litem* the 1st respondent Respondents

THIS matter coming on for disposal before K D de Silva, Esq., District Judge of Avissawella, on August 7, 1941, in the presence of Messrs de Silva and de Silva, Proctors, on the part of the petitioner above named, and the affidavit of the said petitioner dated August 6, 1941, having been read

It is ordered (a) that the petitioner be and he is hereby declared entitled, as the only child of the deceased by the first bed, to have letters of administration to his estate issued to him, and (b) that the 1st respondent above named be and she is hereby appointed

guardian *ad litem* over the minors, the 2nd and 3rd respondents above named for the purpose of this action, unless the respondents above named or any other person or persons interested shall on or before September 2, 1941, show sufficient cause to the satisfaction of this court to the contrary

August 7, 1941

K D DE SILVA,
District Judge

In the District Court of Negombo

Order Nisi

Testamentary In the Matter of the Intestate Estate of Pangnga-
Jurisdiction sekera Lionel Senanayake of Nawaneliya
No 3,153 Walawwa, Ambepussa, deceased

Between

Mrs Regina Senanayake of Nawaneliya Walawwa, Ambe-
pussa Petitioner

And

(1) Miss Regina Kalyanawathie Senanayake, (2) Miss Rohini
Swarnawathie Senanayake, both of Nawaneliya Walawwa,
Ambepussa Respondents

THIS matter coming on for disposal before V E Rajakarier,
Esq., District Judge of Negombo, on July 16, 1941, in the presence
of Mr H de Z Sriwardane, Proctor, on the part of the petitioner,
and the petition and affidavit of the said petitioner dated June 19,
1941, and June 12, 1941, respectively, having been read

It is ordered that the said petitioner be and she is hereby declared
entitled, as mother of the above-named deceased, to have letters of
administration to his estate issued to her accordingly, unless the
respondents above named or any other person or persons interested
shall, on or before August 6, 1941, show sufficient cause to the
satisfaction of this court to the contrary

July 16, 1941

V E RAJAKARIER,
District Judge

Time to show cause against this *Order Nisi* is extended
to September 3, 1941

August 6, 1941

V E RAJAKARIER,
District Judge

In the District Court of Kandy

Order Nisi

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction Don Arthur Narangoda of Ambalangoda, late
No T 226 of Madugoda in Kandy District, deceased

Dona Lalitha Narangoda of 933, Third Division,
Maradana Petitioner

(1) Dona Nalini Dharmalatha Narangoda and seven
others Respondents

THIS matter coming on for disposal before Chellappa Nagalingam
Esq., District Judge of Kandy, on July 8, 1941, in the presence
of Mr W B Imbuldeniya, Proctor, Supreme Court, on the part
of the petitioner, Dona Lalitha Narangoda, and the affidavit of
the said petitioner dated May 30, 1941, having been read

It is ordered that the petitioner be and she is hereby declared
entitled, as the widow of the above-named deceased, to have
letters of administration issued to her, unless the respondents
or any other person shall, on or before September 8, 1941, show
sufficient cause to the satisfaction of this court

July 28, 1941

C NAGALINGAM,
District Judge

In the District Court of Kandy

Order Nisi

Testamentary In the Matter of the Estate and Effects of Velu's
Jurisdiction daughter Muniamma of Kandy, deceased
No 3,079

Velu's son Aiyamperumal of Kandy Administrator
V Kanthymathy's son, Kandiah of Castle Hill street,
Kandy Petitioner

(1) Velu's son Ramiah, (2) Velu's son Letchchumiah, both of
Pickering's road, Kotahena, Colombo, (3) Kanthymathy's
daughter Parvathy, and (4) Kanthymathy's son Saba-
ratnam, both of Castle Hill street, Kandy Respondents

THIS matter coming on for disposal before Chellappa Nagalingam,
Esq., District Judge, Kandy, on July 28, 1941, in the presence
of Mr M B E Seneviratne, Proctor, Supreme Court
on the part of the petitioner. V Kanthymathy's son Kandiah, and
the affidavit of the said petitioner dated July 24, 1941, having
been read

Whereas the administrator, Velu's son Aiyamperumal died
It is ordered that the petitioner be and he is hereby declared
entitled, as the nephew of the above-named deceased, to have
letters of administration *De bonis non*, to the estate of the deceased
issued to him, unless the respondents above named or any other
person or persons interested shall, on or before August 21, 1941,
show sufficient cause to the satisfaction of this court to the contrary

July 28, 1941.

C NAGALINGAM,
District Judge

The date for showing cause is extended for September 11, 1941

August 21, 1941

C NAGALINGAM,
District Judge

In the District Court of Matara

Order Nisi

Testamentary In the Matter of the Intestate Estate of Dionysias
Jurisdiction de Silva Gunawardena, V C Chairman, late of
No 4,128 Talalla, deceased

John de Silva Gunawardena, Registrar of Marriages,
Talalla Petitioner.

And

(1) Clara de Silva Gunawardena of Talalla, (2) Pieris, ditto, (3)
Josslin, ditto, (4) Millie, ditto, (5) Richard, ditto, (6) Fred
ditto, all of ditto, (7) Francis, ditto of Government Graving
Dock, Harbour Engineer's Department, Colombo Respondents.

THIS matter coming on for disposal before M A Samarakoon,
Esq., District Judge of Matara, on July 22, 1941, in the presence of
Mr G E Dantaniyana, Proctor, on the part of the petitioner
above named, and the affidavit of the said petitioner dated July 22,
1941, having been read

It is ordered (a) that the petitioner be and he is hereby declared
entitled, as son of the above-named deceased, to have letters of
administration to his estate issued to him, unless the respondents
above named or any other person or persons interested shall, on or
before September 8, 1941, show sufficient cause to the satisfaction
of this court to the contrary

July 22, 1941

T P P GOONATILLEKE,
District Judge

In the District Court of Tangalla

Order Nisi

Testamentary In the Matter of the Intestate Estate of Edward
Jurisdiction William Seneviratne, late of Hambantota,
No 1,348 deceased

Douglas Wilham Seneviratne of Hambantota Petitioner.

Vs

(1) Elizabeth Belle Seneviratne, (2) Oswald Leonard Senevi-
ratne, (3) Vincent Henry Seneviratne, (4) Rita Henrietta
Seneviratne, (5) Pincy Hyacinth Seneviratne, (6) Eva
Alexandrine Seneviratne, all of Hambantota Respondents.

THIS matter coming on for disposal before W Olegasegram,
Esq., District Judge of Tangalla on July 3, 1941, in the presence of
Mr F L Pouher, Proctor, on the part of the petitioner above named
and the affidavit of the petitioner above named dated June 17,
1941, having been read

It is ordered that the petitioner be and he is hereby declared
entitled as the eldest son of the deceased, to have letters of admini-
stration of his estate issued to him unless any person or persons
interested shall, on or before August 7, 1941, show sufficient cause
to the satisfaction of this court to the contrary

It is further ordered that the 1st respondent be appointed
guardian *ad litem* over the 3rd, 4th, 5th, and 6th minor respondents,
unless any person or persons interested shall, show sufficient cause
to the satisfaction of this court to the contrary.

July 3, 1941

W OLEGASEGRAM,
District Judge.

Extended and issued for September 8, 1941

August 7, 1941

H S ROBERTS,
District Judge.

In the District Court of Kurunegala

Order Nisi declaring Will proved

Testamentary In the Matter of the Estate of the late Frederick
Jurisdiction Nell Daniels of Kurunegala, deceased.
No 4 421

Arthur Eric Christoffelsz of The Residency, Anuradha-
pura Petitioner

And

(1) Miss Edith Muiel Clance Christoffelsz of The Residency,
Anuradhapura, (2) Jennie Daniels, (3) Ella Auwaidt, both
of Colombo road, Kurunegala (4) Trustees, Christ Church,
Kurunegala Respondents

THIS matter coming on for disposal before V Joseph, Esq.,
District Judge of Kurunegala, on June 7, 1941, in the presence
of Mr Frank Maikus, Proctor on the part of the petitioner,
Mr Arthur Eric Christoffelsz of The Residency, Anuradhapura, and
the affidavit of the said petitioner of the two attesting witnesses,
and of the notary public, all four affidavits dated May 1, 1941,
having been read

It is ordered that the will of Fredrick Nell Daniels, deceased,
dated April 10 1933, which is now deposited in this court, be and
the same is hereby declared proved, unless the respondents or any
person or persons interested shall, on or before July 28, 1941, show
sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Mr Arthur Eric Christoffelsz
of The Residency, Anuradhapura is the executor named in the
said will and that he is entitled to have probate of the same issued
to him accordingly, unless the respondents or any person or persons
interested shall, on or before July 28, 1941, show sufficient cause
to the satisfaction of this court to the contrary

June 7 1941

V JOSEPH,
District Judge

This *Order Nisi* is extended and reissued returnable August 13,
1941 to show cause against it, if any

July 28 1941

G M DE SILVA,
Acting District Judge

This *Order Nisi* is extended and reissued returnable September 3,
1941, to show cause against it, if any

August 13, 1941

H A DE SILVA,
District Judge