



THE
**CEYLON GOVERNMENT
 GAZETTE**

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PART II.—LEGAL.

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

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DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to incorporate the Society of the Ceylonese Brothers of St. Joseph.

Preamble.

WHEREAS a Society, styled and known as the Society of the Ceylonese Brothers of St. Joseph has heretofore been established at Jaffna, and is functioning in Jaffna District, Mannar, Batticaloa, Kalmunai and Hatton in Ceylon, and in Rangoon in Burma for the purpose of effectually carrying out and transacting all matters connected with the said Society.

And whereas the said Society has applied to be incorporated and it will be for the public advantage to grant the application :

Be it therefore 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 Ceylonese Brothers of St. Joseph Incorporation Ordinance No. of 1942.

Incorporation of the Society of the Ceylonese Brothers of St. Joseph.

2. From and after the passing of this Ordinance, the Director-General, his four Councillors, the Bursar-General for the time being of the said Ceylonese Brothers of St. Joseph, as hereinafter constituted, and such and so many persons as now are or shall hereafter be admitted as members of the Society of the Ceylonese Brothers of St. Joseph, shall be a Corporation, hereinafter called "the Society" and shall have the name of "the Society of the Ceylonese Brothers of St. Joseph", and in that name shall have perpetual succession and shall and may sue and be sued in all Courts in Ceylon, and may have and use a common seal and alter the same at their pleasure.

General Objects of the Society.

3. The general objects for which the Society is constituted are hereby declared to be :—

- (1) to carry on educational work among the masses in all branches of knowledge ;
- (2) to establish, maintain and otherwise assist schools, orphanages, farms and similar educational and charitable institutions ; and
- (3) to undertake and carry on all such work as may appear necessary to attain the aims and objects of the Society.

Governing Body.

4. (a) The affairs of the Society shall, subject to any rules made under this Ordinance be administered by a Governing Body consisting of the Director-General, his four Councillors and Bursar-General who shall be elected once every six years at the General Chapter of the Society which shall be composed of the following members :—The Director-General, his four Councillors, the Bursar-General, the Master of Novices, the Local Directors of each House, and one member elected by each of the existing House of the Society.

The affairs of each House shall be administered by the Local Director and his two Assessors or Assessor appointed by the Director-General with the consent of his Councillors.

(b) The first members of the Governing Body shall be :—

- (1) Rev. Brother E. I. Chrysostom, Director-General.
- (2) Rev. Brother S. M. Benjamin, First Councillor.
- (3) Rev. Brother P. Anthonipillai, Second Councillor.
- (4) Rev. Brother A. K. Joseph Mary, Third Councillor.
- (5) Rev. Brother N. Gnanathickam, Fourth Councillor.
- (6) Rev. Brother S. Aseervatham, Bursar-General.
- (7) Rev. Brother P. Ignatius, Novice-Master.

Rules.

5. (1) It shall be lawful for the General Chapter or an extraordinary General Chapter at any of its meetings hold after due notice by a majority of votes of the members present and voting at such meetings to make rules, not inconsistent with the code of the Roman Catholic Church Canon Law :—

- (a) for the admission, withdrawal or expulsion of members ;
- (b) for the conduct of the duties of the Governing Body and of the administration of the various Houses, Office-bearers and other members of the Society ;
- (c) for the procedure in the transaction of business ;
- (d) for the nomination of the local Directors and other officers of the various Houses ; and
- (e) otherwise generally for the management of the affairs of the Society and the accomplishment of its objects.

72.00
64.00
136.00

(2) Any changes, additions or alterations in the rules made by the Governing Body will be effective only till the next General Chapter which shall either ratify or rescind such changes alterations or additions

(3) All members of the Society shall be subject to all rules made under this Ordinance

6. On the coming into operation of the Ordinance, all and every property belonging to the Society of the Ceylonese Brothers of St. Joseph, or in the name or names of any person or persons in trust for the Society, and shall be held by the Society in its corporate name, and the same together with all property hereafter to be acquired by the Society, both movable and immovable and all contributions, donations, amounts of loans, and advances received or to be received, shall be held by the Society for the purpose of this Ordinance, subject to the rules made under this Ordinance and subject to any trusts under which such property may have been received.

Property vested in the Society.

7. All debts and liabilities of the said Society of the Ceylonese Brothers of St. Joseph which were in existence before the coming into operation of this Ordinance, shall be paid by the Society, and all debts due to and contributions payable to the said Society of the Ceylonese Brothers of St. Joseph shall be paid to the Society for the purposes of this Ordinance.

Debts, &c., due by and payable to the Society.

8. The seal of the Society shall not be affixed to any instrument whatsoever, except in the presence of three members of the Governing Body of the Society, of whom one shall be the Director-General, who shall sign their names to the instrument in token of their presence, and such signature shall be independent of the signing of any person as a witness.

Seal.

9. The Society shall be able and capable in law to take and hold any property, which may become vested in it by virtue of any purchase, grant gift, testamentary disposition or otherwise, and all such property shall be held by the Society for the purpose of this Ordinance and subject to any rules made thereunder with full power to sell, mortgage, lease exchange or otherwise dispose of the same.

Society may hold Property movable and immovable.

10. The income and property of the Society whencesoever derived shall be applied solely towards the promotion of the objects of the Society as set forth in this Ordinance.

Application of the Funds of the Society

11. Except so far as is provided in this Ordinance or in any rules made thereunder, any dispute or doubt as to any matter or question affecting or relating to the principles or policy of the Society shall be referred to the Governing Body of the Society whose decision thereon shall be final.

Decision of disputes, &c., as to principles or policy.

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

Saving of rights of the Crown and other rights.

Objects and Reasons.

The Society of the Ceylonese Brothers has been carrying on for several years the work of Education in certain parts of Ceylon by building and conducting schools, establishing Orphanages, opening Farms.

2. The object of this Bill is to constitute the Society into a Corporate Body, so that the Society may be enabled to carry out its functions more efficiently.

3. Section 3 of the Bill provides for the constitution of the Society.

4. By Section 5 (1) the Society is empowered to make rules for the conduct of the business of the Society, such rules not being inconsistent with the Code of the Roman Catholic Church Canon Law.

E. R. TAMBIMUTTU,
Mover of the Bill.

February 2, 1942.

DISTRICT AND MINOR COURTS NOTICES.

List of uncertified Insolvents for the Half-Year ended December 31, 1941.

In the District Court of Nuwara Eliya.
Nil.

Nuwara Eliya, January 15, 1942.

W. OLEGASAGREM,
District Judge.

Uncertified Insolvents.

In the District Court of Kegalla.
Nil.

Kegalla, January 2, 1942.

R. R. SELVADURAI,
District Judge.

Statement of uncertificated Insolvents in the Circuit District Court of Balapitiya for the Half-Year ended December, 1941.

In the Circuit District Court of Balapitiya.
0 Nil.

Balapitiya, January 8, 1942.

S. RAJARATNAM,
Additional District Judge.

NOTICES OF INSOLVENCY.

In the District Court of Kandy.

No. I. 67. In the matter of the insolvency of Edward Samarantunga of Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on April 24, 1942, to declare a dividend in the above insolvency case.

March 11, 1942.

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

In the District Court of Jaffna.
No. 190/I. In the matter of the insolvency of Arulappu Anthoni-
pillai Thevasagayam of 21, Convent South Rail road,
Jaffna, insolvent.

NOTICE is hereby given that a meeting of the creditors of the
above named insolvent will take place at the sitting of this court
on April 20, 1942, for the examination of the insolvent.

By order of court, P. GNANAPIRAGASAM,
Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Veyna Soona Pana Suppramaniam Chettiar of 355, Grandpass
road, Colombo Plaintiff.
No. 104/M. B. Vs.

(1) Don Carols Ranasinghe, (2) M. Kusumawathie de Costa,
both of Jambugahawatta, Kohlawatta Defendants.

NOTICE is hereby given that on Friday, April 17, 1942,
will be sold by public auction at the respective premises the following
properties mortgaged with the plaintiff by bond No. 1,873 dated
January 16, 1940, and attested by C. Perumalpillai, 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 April 29, 1941, for the recovery of the sum of Rs. 1,770,
together with interest on the principal sum of Rs. 1,500 at the rate
of 24 per cent. per annum from January 16, 1941, to date of decree
February 15, 1941, and thereafter at the rate of 9 per cent. per
annum on the aggregate amount of the decree till payment in full
and costs of suit which has been taxed at Rs. 97 42 incurred, and
Rs. 155 42 prospective, less Rs. 100, viz. :—

(1) At 2.15 p.m.—All that undivided $\frac{1}{2}$ part or share of the
defined portion of the land called Jambugahawatta, together with
the life interest of the first named obligor in and to the remaining
undivided $\frac{1}{2}$ part or share, situated at Kohlawatta in the Ragam
pattu of Alutkuru korale in Ambatalenpahala, now Colombo
Mudaliyar's division in the District of Colombo, Western Province;
which said defined portion is bounded on the north by the land
called Hoyantuduawatta of Adicarge Adonis Perera, now by a
footpath, on the east by a portion of the same land of Weerawathage
Jeeris Perera, on the south by Gopala of Weerawathage Jeeris
Perera, on the west by the land of Amarasinghage Davith Singho
Appuhamy and the land called Welliowitawatta, now by a footpath
passing between these lands; containing in extent 2 roods and 33
perches, together with the entirety of the new tiled house standing
thereon according to plan No. 1982 dated November 25, 1921,
made by J. H. W. Smith, Fiscal's Licensed Surveyor, held and
possessed by the second-named obligor by deed No. 720 dated
October 24, 1935, and attested by J. A. Wijeykoon of Colombo,
Notary Public, and by the second-named obligor by virtue of
inheritance.

(2) At 3.15 p.m.—All that divided portion marked lot C in
plan No. 3,693 dated November 10, 1934, and made by H. G. S.
Perera, Licensed Surveyor and Leveller, from and out of the land
called Attikkagahawatta, situated at Smharamulla in the Adikari
pattu of Siyane korale in the District of Colombo, Western Province;
which said lot C is bounded on the north by land of Nicholas Dias
and others, north-east by lot B, south-east by Lekanagewatta
belonging to Makawitige Pedro Perera Appuhamy, south-west by
bund, north-west by land of Batalamullagamage Insia Perera;
containing in extent 1 rood and 36 25 perches, held under partition
decree in No. 36,447, D. C., Colombo.

(3) At 3.30 p.m.—All that land called Attikkagahawatteowita,
situated at Sinharamulla aforesaid; and bounded on the north
by wella, east by Gangabodaowita of Amaratunga Aratchige
Nicholas Dias and others, south by Kelani-ganga, west by owita of
A. Nicholas Dias and others; containing in extent 2 roods and 16
perches.

(4) At 2.45 p.m.—The right, title, and interest of the obligors in
and to an undivided $\frac{1}{2}$ part or share of all that land called Kongaha-
watta Gangabodatheruwa, situated at Kohlawatta aforesaid; and
bounded on the north by Kelani-ganga, east by the land belonging
to Kottivilla Kankanamalage Jorns Perera, south by the road, and
west by the cemetery; containing in extent about 1 rood and 10
perches, held and possessed by the first-named obligor under and
by virtue of paternal inheritance.

(5) At 3.45 p.m.—All that portion of Ambagahawatta, situated at
Sinharamulla in the Adikari pattu aforesaid; and which portion of
Ambagahawatta is bounded on the north by dewata, now by
Dombagahawatta of A. Marku Dias and others, east by the property
of Makawitige Pedru Perera, south by portion of the property of
Baron Kunna, and on the west by Batalaowita; containing in
extent land sufficient to sow two seers of paddy and referred to as
lot B in plan No. 4,102 dated May 4, 1939, filed of record in C. R.,
Colombo, case No. 46,014.

(6) At 4 p.m.—An undivided 11/18 of the 1/5 part of Dodangaha-
watta, more correctly Donbagahawatta, situated at Sinharamulla
aforesaid; and which said 1/5 part is bounded on the north by
dewata, east by the other five portions, and on the south and west
by the two portions of the land belonging to Hohana Kuna; con-
taining in extent land sufficient to sow 2 bushels of paddy and
referred to as lot A in plan No. 4,102 dated May 4, 1939, filed of
record in C. R., Colombo, case No. 46,014.

Prior registration B 341/240, C 226/186, 234/55, B 341/241,
C 234/54, 198/73.

Fiscal's Office,
Colombo, March 17, 1942.

H. C. WIJESINHA,
Deputy Fiscal.

In the Court of Requests of Colombo.

(1) A. Muthupalaniappa Chettiar and (2) A. Ramasahy
Chettiar, both carrying on business under the name, style, and
firm of A. M. R. M. Firm at 184, Sep street in Colombo. Plaintiffs.

No. 77,211. No. 20 39 39
(1) Sangamalam Ponnadurai and (2) Soofel Ponnadurai, both
of Waidiya road, Deliwala Defendants.

NOTICE is hereby given that on Monday, April 20, 1942, will
be sold by public auction at the respective premises the right, title,
and interest of the said 1st and 2nd defendants in the following
properties for the recovery of the sum of Rs. 135 08 with interest
thereon at 15 per cent. per annum from July 14, 1941, to August 7,
1941, and thereafter legal interest on the aggregate amount till
payment in full and costs of suit, incurred costs Rs. 26 25 and
prospective costs Rs. 8, less Rs. 30, viz. :—

1. At 3 p.m.—All that defined portion of land marked lot A
out of an allotment of land called Kongahawatta, together with the
buildings and plantations standing thereon, presently bearing
assessment No. 299, Mutwal street, situated at Modera, within the
Municipality and District of Colombo, Western Province; bounded
on the north-east by property of estate of late Girigoris Mendis
bearing assessment No. 4059, south-east by lot B, part of the same
land of the estate of Attanayake Miguel Fernando, south-west by
the property of G. V. Perera bearing No. 4,063, and north-west by
the other part of the same land of W. Kaduruvelu bearing assess-
ment No. 4060; containing in extent 3 40/100 perches.

2. At 3.30 p.m.—All that defined portion of land marked lot B
out of an allotment of land called Kongahawatta, together with
the buildings and plantations standing thereon, presently bearing
assessment No. 299, Mutwal street, situated at Modera aforesaid;
and bounded on the north-east by the land now of W. G. Mendis,
south-east by the minor road to Modera street and land of Mikayel
Fernando, south-west by the land of Clara Soysa, and on the
north-west by the land of D. J. Arsekularatne; containing in
extent 7 34 perches.

3. At 3 45 p.m.—All that allotment of land called Kongaha-
watta, together with the buildings and plantations standing there-
on, formerly bearing assessment No. 115/125 and presently
bearing assessment No. 293, Mutwal street, situated at Modera
aforesaid; and bounded on the north-east by the other half portion
of this land and house, south-east by the high road, south-west
by the land of Migel Fernando, and north-west by the land of Silvesty
Silva and George de Silva; containing in extent 14 4/100 perches.

Fiscal's Office,
Colombo, March 18, 1942.

H. C. WIJESINHA,
Deputy Fiscal.

Southern Province.

In the District Court of Galle.

P. L. Suppiah Plaintiff-Creditor.
No. 37,801. Vs.

(1) Kulawathee Tillakaratne and husband, (2) Koranelus
Silva Tillakaratne, both of Ratgama Defendant-Debtors.

NOTICE is hereby given that on Monday, April 20, 1942, at
2 p.m. in the afternoon, will be sold by public auction at the
premises the following property mortgaged by deed No. 3,429 dated
November 29, 1933, attested by Mr. A. E. P. Jayatilaka, Notary
Public, for the recovery of the sum of Rs. 1,946 87, with interest
on Rs. 1,750 at 18 per cent. from September 15, 1939, to October 28,
1939, and on the aggregate at 9 per cent. per annum till payment
in full, and costs of this action, Rs. 160 92, viz. :—

All that defined lot No. 3, together with soil share trees and all
the buildings standing thereon of the land called Heddanawatta,
in extent 24 perches, situated at Randombe in Wellaboda pattu
of Galle District, Southern Province; and bounded on the north
by lot No. 2, east by road, south by lots Nos. 4 and 5, and on the
west by Wedagewatta, Arambewatta, and Gampolagewatta.

Deputy Fiscal's Office,
Balapitiya, March 16, 1942.

SAM RANASOORIYA,
Additional Deputy Fiscal.

In the District Court of Matara.

Jayasekera Vithanage Don Dines of Midigama Plaintiff.
No. 9,733. Vs.

Kadawala Aratchige Podappuhamy of Kohunu-
gamuwa Defendant.

NOTICE is hereby given that on Friday, April 17, 1942, com-
mencing at 3 o'clock in the afternoon, will be sold by public auction
at premises the right, title, and interest of the said defendant
in the following mortgaged property for the recovery of a sum of
Rs. 1,062 66, with legal interest on Rs. 599 37 from September 7,
1941, till payment in full.

1. All that undivided one half share of soil and fruit trees and
the planter's half share of the 2nd plantation of the land called
Dolagawawatta, situated at Kohunugamuwa in Weligam korale
of Matara District, Southern Province; and bounded on the north
by Kurunduhena, east by Kandambigewatta, south by Gonatippala
and Usgodahena, and on the west by Kurunduheneagala; and
containing in extent about 3 acres.

2. All that the undivided half share of the soil and fruit trees
and the planter's half share of the 2nd plantation of the land called
Kandambigewatta, situated at Kohunugamuwa aforesaid, and
bounded on the north by Wattakgodahena, east by Gorakagaha-
denyaya alias Unagadenyaya, south by Gona Tippala, and on the west
by Dolagawawatta and Dolagawadenyaya; and containing in extent
about 8 acres

Deputy Fiscal's Office,
Matara, March 11, 1942.

H. V. F. ABAYAKOON,
Additional Deputy Fiscal.

39 In the District Court of Galle.
T. Sadrís Fernando of Kumbalwella, Galle Plaintiff.
No. 37,396. Vs. 39 39
K. Salman Serasundera of Kumbalwella, Galle Defendant.

NOTICE is hereby given that on Tuesday, April 21, 1942, commencing at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said plaintiff in the following property for the recovery of a sum of Rs. 715.62 being D. C. taxed costs and Rs. 16.07 writ costs, viz. —

1. All that land called Thaladeniyawatta, situated at Weligama in Weligam korale of the District of Matara, Southern Province, and bounded (as per T. P. No. 330,400) on the west and north by land in T. P. No. 330,002, east by lands in T. P. Nos. 305,026 and 305,027, and south by Thaladeniyawatta claimed by K. K. Charis Appu and others; containing in extent 1 acre 1 rood and 9 perches; and registered in D 276/20.

2. (a) All that one twenty-fourth of undivided planter's one half share of the first plantation on, and (b) all that undivided one-sixth part of the paraveni trees and soil, together with the entirety of the five cubits cadjan house standing thereon of the land called Henewatta, situated at Walana in Weligam korale aforesaid; and bounded on the north by Paranawatta alias Mestri Padunchiwatta, east by Munamalgahakumbura, south by Pettajakumbura, and west by Kandabadakumburahena alias Batawalakanda; containing in extent about 3 acres; and registered in D 297/45

3. All that undivided one twenty-fourth part of the soil and trees of the land called Thaladeniyawatta (exclusive of the undivided planter's one half share of the plantation thereon) situated at Walana aforesaid; and bounded on the north by Weligam korale Mudugamuwe Gamma, east by Kodyabendahena, south by Mahagalahena, and west by Damaniyagahahena; containing in extent about 12 acres; and registered in D 297/46

The aforesaid properties to be sold under the writ subject to the condition appearing on deed No. 990 dated February 1, 1937, attested by Mr. D. A. Wickremasinghe, N. P. of Galle (That is, to retransfer the properties within 5 years from the date of deed, on payment of the principal sum with interest thereon).

Deputy Fiscal's Office,
Matara, March 11, 1942.

H. V. F. ABAYAKOON,
Additional Deputy Fiscal.

26 In the District Court of Tangalla.
Hennedi Gamage Pedrishamy of Kiula Plaintiff.
No. 4,503. Vs. 39 39
Hennedi Gamage Dionis of Kiula Defendant.

NOTICE is hereby given that on Thursday, April 16, 1942, commencing 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 Rs. 3,589.72, viz. —

At Minnetiliya and Kiula.

(1) Undivided half share of the western portion of the land called Dahanahalakumbura alias Welipanguwe Landekumbura, bearing lots Nos. 10646 and 10648 in P. P. 4,122, situated at Minnetiliya in East Giruwa pattu of the Hambantota District; and bounded on the north by T. P. 196,095, east by Gansabapara, south by T. P. 227,061, and west by lot 10645 in P. P. 4,122, containing in extent 6 acres and 1 rood

(2) Undivided half share of the soil and of the plantations of the land called Siyarabalagahawatta, together with all the buildings standing thereon and possessed by the judgment-debtor, situated at Kiula in East Giruwa pattu aforesaid, and bounded on the north by T. P. 254,737 and lot 7A in P. P. 459, east by lot 1 in P. P. 459, south by reservation along the road, and west by lot 1 in P. P. 459, containing in extent 3 roods and 31 perches

Deputy Fiscal's Office,
Tangalla, March 14, 1942.

V. ALLIRAJAH,
Additional Deputy Fiscal

37 Northeth Province.
In the District Court of Jaffna.
Parupathiachchy, wife of V. S. Ramanathan of Vannarponnai
East Plaintiff
No. 15 Divorce. Vs. 20 20
V. Sivasubramaniam Ramanathan of Nayanmarkadu,
Jaffna Defendant.

NOTICE is hereby given that on Thursday, April 16, 1942, 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 for the recovery of the sum of Rs. 1,000 (value of jewels) and costs Rs. 874.81, and poundage and charges. —

All that piece of land situated at Nallur in Nallur Parish, Jaffna Division of the Jaffna District, Northern Province, called "Nayanmarkulam vadakku", in extent 2 lachams varagu culture and 9½ kullies; and bounded on the east by lane, north by Ambalavanar Elathamby and shareholders, west and south by bye-lane.

2. All that piece of land situated at Nallur aforesaid, called "Nayanmarkulam vadakku", in extent 3 lachams varagu culture and 11½ kullies; and bounded on the east by lane, north by Ambalavanar Kandah and others, west by V. S. Ramanathan and others, and south by V. S. Ramanathan and others

3. A piece of land situated at Nallur aforesaid, called "Pallavayal", in extent 30 lachams P. C.; and bounded on the east by Vettivelu Sivasambu (present boundary), north by sand road, west by Ramanathan, and south by tank and others

4. A piece of land situated at Chiviatheru in Chundikkuly Parish, Jaffna Division of the Jaffna District, Northern Province.

called "Kanthan valavu", in extent 7 lachams varagu culture with cultivated and spontaneous plantations; and bounded on the east by Kanagar Suntharam, north by road, west by Kannammah, wife of Vairamuttu, and south by Kantham Elaiyavan and others. The whole of the lands Nos. 1-3 and half share of the fourth land are subject to the life interest of Visaladchippillar, widow of Subramaniam.

Fiscal's Office,
Jaffna, March 17, 1942.

P. THAMBIAH,
for Fiscal.

NOTICES IN TESTAMENTARY ACTIONS

In the District Court of Colombo.

30 Order Nisi
Testamentary In the Matter of the Intestate Estate of Pagoda
Jurisdiction. Aratchige Martin Perera of Model Farm road in
No. 9,950. Colombo deceased

Pagoda Aratchige Charles Perera of Model Farm road, Colombo Petitioner.

(1) Pagoda Aratchige Nono Perera of Panupitiya, (2) Pagoda Aratchige Ethal Perera of Panupitiya, Colombo, (3) Pagoda Aratchige Ango Perera of Udahamulla, (4) ditto Juwanis Perera, presently in Singapore, (5) ditto Christian Perera of Model Farm road, Colombo, (6) Pagoda Aratchige Somawathie Perera of Jambugasmulla, Nugegoda Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Colombo, on February 11, 1942, in the presence of Mr. David de Silva, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated January 28, 1942, having been read.

It is ordered that the said petitioner be and he is hereby declared entitled, as a brother of the deceased above named, to have letters of administration issued to him accordingly, unless the respondents or some other person or persons interested shall, on or before March 12, 1942, show sufficient cause to the satisfaction of this court to the contrary.

February 11, 1942

JAMES JOSEPH,
District Judge.

The date for showing cause against the above Order Nisi is hereby extended to March 26, 1942

March 5, 1942.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo

25 Order Nisi.
Testamentary In the Matter of the Intestate Estate of Embul-
Jurisdiction. denyago Don Podisinghe of Udahamulla in the
No. 9,951. Palle pattu of Salpiti korale, deceased.

Leonora Joris Edirisinghe of Udahamulla Petitioner.

Embuldenyago Dona Alice, also of Udahamulla aforesaid Respondent.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Colombo, on February 11, 1942, in the presence of Mr. David de Silva, Proctor, on the part of the petitioner, and the affidavit of the above-mentioned petitioner dated January 10, 1942, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as the widow of the deceased above named, to have letters of administration to the above-estate issued to her accordingly, unless the respondent above named or some other person or persons interested shall, on or before March 12, 1942, show sufficient cause to the satisfaction of this court to the contrary

February 11, 1942.

JAMES JOSEPH,
District Judge.

The date for showing cause against the above Order Nisi is hereby extended to March 26, 1942.

March 5, 1942

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

20 Order Absolute.
Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Kathleen Dunphy of Colombo in the Island of
No 9,972. Ceylon, widow, deceased

THIS matter coming on for final determination before James Joseph, Esq., District Judge of Colombo, on February 26, 1942, in the presence of Julius & Creasy, of Colombo, Proctors, on the part of the petitioner, Kathleen Pura Dunphy of Colombo, and the affidavit of the said petitioner dated February 21, 1942, an affidavit as to the due execution of the original and original will of the above-named deceased, having been read. It is ordered that the will of the said deceased dated June 21, 1940, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the said petitioner is the sole executrix named in the said will and that she is entitled to have probate of the said will issued to her on her paying estate duty and taking oath of office

February 26, 1942

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Timbiri-polage Gustina Peiris of Saranath, Rupesinghe avenue, Nedimala in Dehiwala, deceased. No. 9,975. Weeratnemmullagamage Don Themis Weeratne of Saranath, Rupesinghe avenue, Nedimala, Dehiwala Petitioner.

(1) Weeratnemmullagamage Don Wimaladasa Weeratne of Pel-madulla Group, Kakkawatta, (2) Mrs Emily Perera Wickramasinghe, wife of Mr. W. S. Wickramasinghe of Saranath, Rupesinghe avenue, Nedimala, Dehiwala, (3) Mrs Chandrawathie Senanayake, wife of Don Piyadasa Senanayake of the Bomiriya Bilingual School, Kaduwela Respondents

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on February 27, 1942, in the presence of Mr C R. de Alwis, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated February 24, 1942, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as a son of the deceased above named, to have letters of administration to the above estate issued to him accordingly, unless the respondents above named or some other person or persons interested shall, on or before May 7, 1942, show sufficient cause to the satisfaction of this court to the contrary.

March 9, 1942. JAMES JOSEPH, Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Walter Guy Molesworth of Kenwith, Guildford road, Fleet in the County of Hants, and care of Grundlay and Company, Limited of 54, Parliament street, in the City of Westminster, deceased. No. 9,985.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on March 3, 1942, in the presence of Beram Kakkushroo Billmoria of Colombo, Proctor, on the part of the petitioner, Oscar Percy Mount of Colombo, and the affidavit of the said petitioner dated February 27, 1942, a certified copy of probate, a certified copy of the last will and testament of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated February 12, 1942, having been read: It is ordered that the will of the said deceased dated July 20, 1933, of which a certified copy 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 petitioner is one of the attorneys of the sole executor named in the said will and that he is entitled to have letters of administration with a copy of the said will annexed issued to him accordingly, unless any person or persons interested shall, on or before March 26, 1942, show sufficient cause to the satisfaction of this court to the contrary.

March 4, 1942. JAMES JOSEPH, Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament and Codicil of Alice Rachel Rees of Pendarren Park near Crickhowell in the County of Brecknock, widow, deceased. No. 9,991.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on March 6, 1942, in the presence of Beram Kakkushroo Billmoria, Proctor, on the part of the petitioner, Oscar Percy Mount of Colombo; and the affidavit of the said petitioner dated March 4, 1942, a certified copy of probate, a certified copy of the last will and testament and codicil of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated February 20, 1942, having been read: It is ordered that the will of the said deceased dated June 14, 1938, and a codicil thereto dated February, 1939, of which a certified copy 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 petitioner is one of the attorneys of the executors named in the said will and that he is entitled to have letters of administration with a copy of the said will and codicil annexed issued to him accordingly, unless any person or persons interested shall, on or before March 26, 1942, show sufficient cause to the satisfaction of this court to the contrary.

March 6, 1942. JAMES JOSEPH, Additional District Judge.

In the District Court of Kalutara

Order Nisi declaring Will proved, &c

Testamentary Jurisdiction. In the Matter of the Estate of the late Gamage No 2,996 Andy Singho, deceased, of Kudella.

(1) Gamage Mousa Nona of Kudella, Petitioner

(1) Gamage Ida Nona of Tesuwana, (2) ditto Missie Nona, (3) ditto Sriyawathie, (4) ditto Nathaneeris, (5) ditto Hemawathie, all of Kudella, and 5th appearing by their guardian ad litem the respondent. Respondents.

THIS matter coming on for disposal before V. Joseph, Esq., District Judge, Kalutara, on August 20, 1941, in the presence of Messrs. Obeyesekere & de Silva, Proctors, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated August 20, 1941, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as widow of the deceased, to have letter of administration, unless, the respondents or anyone else interested shall, on or before September 25, 1941, show sufficient cause to the satisfaction of this court to the contrary.

V. JOSEPH, District Judge.

Time for showing cause against this Order Nisi is extended till March 25, 1942.

V. JOSEPH, District Judge.

In the District Court of Negombo.

Order Absolute in the First Instance declaring Will proved.

Testamentary Jurisdiction. Rankothpedige Baiya of Mugurugampala, No. 3,174, deceased.

Rankothpedige Malindawa of Mugurugampala Petitioner. THIS matter coming on for disposal before V. E. Rajakarier, Esq., District Judge of Negombo, on February 11, 1942, in the presence of Mr. S. D. C. W. Senarathne, Proctor, on the part of the petitioner; and the petitioner's petition dated February 11, 1942, and the affidavit of the petitioner; and the affidavit of the attesting notary and the attesting witnesses, both dated February 10, 1942, having been read:

It is ordered that the last will and testament of the above-named deceased No. 13,050 dated July 31, 1940, attested by H. S. T. Senanayaka of Mingama, Notary Public, the original of which has now been deposited in this court, be and the same is hereby declared proved.

It is further ordered that the petitioner be and he is hereby declared entitled, as executor named in the said last will, to have probate to same issued to him.

February 11, 1942. V. E. RAJAKARIER, District Judge.

In the District Court of Nuwara Eliya.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Lilia Mary Stapleton Neale of Chappelton estate, No. 348, Bogawantalawa, in the Island of Ceylon, deceased.

John Rupert Neale of Chappelton estate, Bogawantalawa, in the Island of Ceylon Petitioner.

(1) George Rupert Neale of Colombo, (2) Lilia Evelyn Roberts of Eltofts estate, Bogawantalawa, (3) Helen Mary Moberly of Rakwana Respondents.

THIS matter coming on for disposal before Walter Olegasagaram, Esq., District Judge of Nuwara Eliya, on March 4, 1942, in the presence of Mr. V. C. Modder, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 18, 1942, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the husband of the above-named deceased, to have letters of administration to the estate in Ceylon of the said deceased issued to him, unless the respondents above named or any other person or persons interested shall, on or before March 27, 1942, show sufficient cause to the satisfaction of this court to the contrary.

March 4, 1942. W. OLEGASAGARAM, District Judge.

In the District Court of Nuwara Eliya.

Order Absolute.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Emily Susan Benham of Nuwara Eliya, No. 349, deceased.

Charles Philip Benham of Galapitakanda, Namunukula Petitioner.

THIS matter coming on for disposal before Walter Olegasagaram, Esq., District Judge of Nuwara Eliya, on March 6, 1942, in the presence of Mr. V. C. Modder, Proctor, on the part of the petitioner, Charles Philip Benham of Galapitakanda, Namunukula, and the affidavit of the said petitioner dated February 24, 1942, and the affidavit of the attesting notary of the said last will dated June 28, 1934, having been read:

It is ordered and decreed that the last will of the said Emily Susan Benham, deceased, bearing No. 1,053 dated June 28, 1934, attested by Vivian Carl Modder of Nuwara Eliya, Notary Public, the original of which is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Charles Philip Benham is the executor named in the said last will and that probate of the said last will be issued to him accordingly.

March 6, 1942. W. OLEGASAGARAM, District Judge.

In the District Court of Gallo.

Order Absolute in the First Instance

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of the late Thuppathi Owms de Silva of Demmugoda in Ratgama, deceased. No. 7,995.

Thuppathi Austin Alfred de Silva of Demmugoda in Ratgama Petitioner

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Gallo, on March 5, 1942, in the presence of Mr. Donald de Silva, Proctor, on the part of the petitioner above named; and the affidavit (a) of the said petitioner, (b) of the attesting notary and the witnesses, all dated March 4, 1942, having been read:

It is ordered that the last will made by the deceased above named bearing No. 4,171 dated January 16, 1942, and now deposited in the court, be declared proved and probate thereof be issued to the petitioner aforesaid as the executor therein mentioned.

March 5, 1942. N. M. BHARUCHA, District Judge.

In the District Court of Matara.
Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Arnolis Samaraweera of Walpola, deceased. No. 4,129.

Between Hubert Samaraweera of Walpola, Matara Petitioner. And

- (1) Simon Samaraweera. (2) Gunadasa Samaraweera (3) Dayawathie Samaraweera. (4) Wimalawathie Samaraweera, (5) Pamaratho Samaraweera. (6) Sumanawathie Samaraweera, (7) Guanawathie Samaraweera (minor) by her proposed guardian *ad litem*, (8) Emanis Samaraweera. (9) Saunus Samaraweera. (10) William Samaraweera (minor) by his guardian *ad litem*, (11) Laworns Samaraweera, all of Walpola, Matara, (12) Meda Uyangoda Sri Sumangala, the High Priest of the Sri Mangala Pirivena at Walpola in Matara, (13) The District Medical Officer of the Civil Hospital, Matara Respondents.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Matara, on August 1, 1941, in the presence of Mr. W. J. Serasingha, Proctor, on the part of the petitioner above named; and (1) the affidavit of the petitioner dated July 30, 1941, and (2) of the attesting witnesses notary dated July 17, 1941, having been read:

It is ordered that the last will of Don Arnolis Samaraweera, deceased, of which the original has been produced, and is now deposited in this court, be and the same is hereby declared proved: and it is further declared that the petitioner is the executor in the said last will and that he is entitled to have probate issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before September 15, 1941, show sufficient cause to the satisfaction of this court to the contrary. It is further ordered that the 8th respondent be and he is hereby appointed guardian *ad litem* over the 7th minor respondent and 11th respondent be and he is hereby appointed guardian *ad litem* over the 10th minor respondent above named, to represent them for all the purposes of this action.

August 1, 1941. T. P. P. GUNATILLEKA, District Judge.
Date extended till March 23, 1942.
February 9, 1942. M. A. SAMARAKOON, District Judge.

In the District Court of Jaffna.
Order Nisi.

Testy. In the Matter of the Estate of the late Ponnampalam Nagalingam of Vamarponnai, deceased. Nagalingam Amirthalingam of ditto Petitioner.

- (1) Nagalingam Saumugalingam. (2) Sambanthar Namasivayam, and (3) Ponnampalam Solvadurai, all of ditto, the 1st respondent is a minor by his guardian *ad litem*, the 2nd respondent Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, on November 19, 1941 and March 16, 1942, in the presence of Mr. V. S. Nadarajah, Proctor, on the part of the petitioner, and the affidavit of the petitioner having been read: It is ordered that the above-named 2nd respondent be appointed guardian *ad litem* over the minor, the 1st respondent, and that the petitioner be declared entitled to have letters of administration to the estate of the said intestate as one of his heirs and one of his sons, unless the respondents or any person or persons interested shall appear before this court on or before March 25, 1942, and state objection or show sufficient cause to the contrary.

March 16, 1942. C. COOMARASWAMY, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Robert Jurisdiction. Vallipurathan Naganathan, Chief Clerk, Court No. 1,104 of Requests, Mallakam, deceased.

Kuncherampilla, Widow of R. V. Naganathan of Mallakam Petitioner. Vs.

- (1) Sarasvathy, daughter of K. V. Naganathan, (2) Saundaravathy, daughter of K. V. Naganathan, (3) Sinnathambyar Ponniah, all of Mallakam Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on December 15, 1941, in the presence of Mr. S. T. Rajaratnam, Proctor, on the part of the petitioner; and on reading the affidavit and petition of the petitioner:

It is ordered that the above named 3rd respondent be appointed guardian *ad litem* over the minors, the above-named 1st and 2nd respondents for the purpose of representing them in this case and that the petitioner be declared entitled to letters of administration to the estate of the above-named deceased, and that the same be issued to her accordingly, unless the above-named respondents or any other person shall, on or before March 13, 1942, appear before this court and show sufficient cause to the satisfaction of this court to the contrary.

February 27, 1942. C. COOMARASWAMY, District Judge.

Order Nisi extended for March 27, 1942.

C. COOMARASWAMY, District Judge.

In the District Court of Badulla.

Order Nisi.

Testamentary In the Matter of the Estate of Senoviratno Mudi- No. B. 1,056. yanselago Albert Rambukpota of Rambukpota in Badulla, deceased.

Bandarawayako Hoat Mugiyanselago Samawathie Katugaha Rambukpota Kumaramy of Rambukpota in Badulla Petitioner.

And Senoviratno Mugiyanselago Samawathie Rambukpota of Rambukpota in Badulla Respondent.

THIS matter coming on for disposal before A. S. Vanigasuriar, Esq., District Judge of Badulla, on November 5, 1941, in the presence of Messrs. H. J. & W. L. Pinto, Proctors, on the part of the petitioner above named and her petition dated November 4, 1941, and affidavit dated October 27, 1941, having been read: It is ordered that the petitioner, as lawful widow of the intestate, be and she is hereby declared entitled to administer the estate of the deceased above named and to have letters of administration issued to her accordingly, unless the respondent above named or any persons lawfully interested therein shall, on or before December 9, 1941, show sufficient cause to the satisfaction of this court to the contrary.

November 10, 1941. A. S. VANIGASURIAR, District Judge.

Time for showing cause is extended till January 27, 1942.

December 9, 1941. A. S. VANIGASURIAR, District Judge.

Time for showing cause is extended till February 24, 1942.

January 27, 1942. A. S. VANIGASURIAR, District Judge.

Time for showing cause is extended till March 31, 1942.

February 24, 1942. A. S. VANIGASURIAR, District Judge.