



THE CEYLON GOVERNMENT GAZETTE

No. 8,932 — FRIDAY, MAY 22, 1942.

Published by Authority.

PART II.—LEGAL.

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

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PASSED ORDINANCES.

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

No. 22 of 1942.

L. D.—O 51/40

An Ordinance to amend the Defence Force Ordinance.

Cap. 258.
Vol. VI., p. 66.

[Assented to by His Majesty the King : See Proclamation dated May 14, 1942, published in Government Gazette No. 8,932 of May 22, 1942.]

A. CALDECOTT.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows :—

1. This Ordinance may be cited as the Defence Force (Amendment) Ordinance, No. 22 of 1942. Short title.

2. Section 27 of the Defence Force Ordinance is hereby amended as follows :— Amendment of section 27 of Chapter 258.

- (1) by the substitution, for the words "to pay to the Commanding Officer of every Defence Force Corps for the purposes of the Corps", of the words "to pay to the Commandant for regimental purposes";
- (2) by the substitution, for the words "annual returns of a corps," of the words "annual returns of the several corps";
- (3) by the substitution, for the words "certified by the Commanding Officer", of the words "certified by the respective Commanding Officers of such corps";
- (4) by the substitution, for the words "fixed by the Governor", where those words occur collectively for the second time, of the words "fixed by the Governor"; and
- (5) by the addition, at the end of that section, of the following :—

'In this section, "regimental purposes" means the allocation or grant of money to a corps or to a detachment for general or incidental expenses or for recreational training, and includes any purpose certified by the Commandant to be a regimental purpose.'

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

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

DRAFT ORDINANCES.

MINUTE.

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

L. D.—O 2/39

A 9/39

Chapter 111,
(Volume III.,
page 329).

An Ordinance to amend the Indian Immigrant Labour Ordinance.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows :—

Short title.

1. This Ordinance may be cited as the Indian Immigrant Labour (Amendment) Ordinance, No. of 1942.

Amendment of
section 13 of
Chapter 111.

2. Section 13 of the Indian Immigrant Labour Ordinance, (hereinafter referred to as "the principal Ordinance"), is hereby amended as follows :—

(1) in sub-section (1), by the substitution, for the words "recruitment of such labourers." at the end of that sub-section, of the following :—

"recruitment of such labourers ;

(i) the payment of gratuities to persons who are proved to the satisfaction of the Controller to have received salaries from the Tin Ticket Fund during any period preceding the eleventh day of April, 1923, and to have been employed in the service of the Government of Ceylon during any period commencing on that day." ;

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

"(3) Nothing in paragraph (i) of sub-section (1) shall be deemed to authorise the payment of a gratuity to any person except upon his retirement from the service of the Government of Ceylon and except in respect of the period during which he is proved to the satisfaction of the Controller to have been paid a salary from the Tin Ticket Fund.

In every case where a gratuity is to be paid to any person under paragraph (i) of sub-section (1); the amount of the gratuity shall be fixed by the Governor."

Retrospective
effect of
amendment of
section 13 (1)
of the principal
Ordinance.

3. Sub-section (1) of section 13 of the principal Ordinance shall, from the eleventh day of April, 1923, (being the date of the commencement of the principal Ordinance), have effect and be deemed to have had effect as though the new paragraph (i) which is inserted by this Ordinance in that sub-section had been inserted therein on that date.

Objects and Reasons.

In accordance with the provisions of section 12 of the Indian Immigrant Labour Ordinance, the balance in the Tin Ticket Fund at the date of the commencement of the Ordinance was paid into the Immigration Fund. Some of the persons who had previously been paid salaries from the Tin Ticket Fund were transferred to the Government service after the enactment of that Ordinance ; and, upon the retirement of such persons from the Government service, gratuities were paid to them out of the Immigration Fund in respect of the period of their employment under the Tin Ticket Fund.

Sub-section (1) of section 13 of the principal Ordinance does not, however, contain provision for the payment of gratuities to such persons, and the object of clause 2 (1) of this Bill is to amend that section by the addition of a new paragraph which will authorise the payment of such gratuities out of the Immigration Fund. The gratuity paid out of that Fund to any person will be in respect only of the period during which he was paid salary out of the Tin Ticket Fund, and the amount of the gratuity will be fixed in each case by the Governor.

In order to validate the payment of gratuities in the past, the amendment to sub-section (1) of section 13 will take effect retrospectively from the date of the commencement of the principal Ordinance (clause 3).

Colombo, January 22, 1942.

G. S. WODEMAN,
Chief Secretary.

MINUTE.

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

M. L. A.—B 1953/L. D.—O 6/42

An Ordinance to enable the term of office of members of Municipal Councils, Urban Councils and Village Committees to be extended during the continuance of the present emergency.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows :—

1. This Ordinance may be cited as the Local Authorities (Postponement of Elections) Ordinance, No. of 1942.

Short title.

2. The Governor may from time to time, by Order published in the *Gazette*, extend the term of office of any Municipal Council or of the members of any Urban Council or Village Committee to such date as may be specified in the Order :

Power to extend term of office of members of Municipal Councils, Urban Councils and Village Committees.

Provided, however, that no such Order shall be made after the date on which the Emergency Powers (Colonial Defence) Order in Council, 1939, ceases to be in force.

3. So long as an Order made in respect of any Municipal Council, Urban Council or Village Committee under section 2 is in force, the term of office of that Municipal Council or of the members of that Urban Council or Village Committee, as the case may be, shall, for the purposes of the general election to be held next after the date on which this Ordinance comes into operation, be deemed to be extended to, and to expire on, the date specified in the Order.

Effect of Order under section 2.

4. Nothing in section 3 shall be deemed to affect any of the provisions of the Colombo Municipal Council (Constitution) Ordinance, the Urban Councils Ordinance or the Village Communities Ordinance other than the provisions as to the expiry of the term of office of a Municipal Council or of the members of an Urban Council or a Village Committee, as the case may be, and the determination of the date of the general election to be held thereupon.

Savings.
Cap. 194.
No. 61 of 1939.
Cap. 198.

Objects and Reasons.

The object of this Bill is to take power to extend, if the necessity arises, the term of office of Municipal Councils and of the members of Urban Councils and Village Committees. Such extension is to be effected by an Order of the Governor under Clause 2.

2. The power will be exercisable only so long as the Emergency Powers (Colonial Defence) Order in Council, 1939, continues in force ; and none of the provisions of the Colombo Municipal Council (Constitution) Ordinance (Chapter 194), of the Urban Councils Ordinance, No. 61 of 1939, or of the Village Communities Ordinance (Chapter 198) will be affected by any Order under the proposed law except those relating to the expiry of the term of office of existing Municipal Councils and members of Urban Councils and Village Committees now in office and to the determination of the date of the next general election of members to succeed them in office.

S. W. R. D. BANDARANAIKE,
Minister for Local Administration.

Colombo, May 14, 1942.

DISTRICT AND MINOR COURTS NOTICES.

PA 1457

The Village Communities Ordinance (Chapter 198).

IT is hereby notified in terms of section 127 of the Village Communities Ordinance (Chapter 198) that from and after May 1, 1942, the under-mentioned building has, with the approval of the Government Agent, Southern Province, been set apart for the Village Tribunal of Elpitiya and Weyihena areas in the Chief Headman's division of Bentota-Walallawiti korale of the Galle District, Southern Province.

The Kachcheri,
Galle, May 19, 1942.

E. V. ABAYAGOONERATNE,
for Government Agent, S. P.

Description of Building.

The building standing on the land called Alutduwewatta, situated at Igala, in Bentota-Walallawiti korale, Galle District, Southern Province, in extent about 2 acres and 14 perches; bounded on the north by land resided on by Ponnampuruma Arachchuge Davithsingho; east by high road to Pitigala; south by high road to Pitigala; west by land belonging to Wijesinghe, School Master, and Galwala-kumbura.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,544. In the matter of the insolvency of Nagoor Meera Mohamed Ishak, carrying on business under the name, style, and firm of A. M. Nagoor Meera & Sons, at 228, Gasworks street in the Pettah of 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 June 5, 1942, to consider the grant of a certificate of conformity to the above-named insolvent.

May 11, 1942.

By order of court, C. EMMANUEL,
Secretary.

No. 5,554. In the matter of the insolvency of W. D. G. Samara Insolvency. *alias* W. D. Girigoris.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the second sitting of this court, on June 11, 1942, for the examination of the above-named insolvent.

May 15, 1942.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,569. In the matter of the insolvency of D. A. J. Tudugalla Insolvency. of Sedawatta in Colombo.

WHEREAS a petition for the sequestration of the estate of D. A. J. Tudugalla has been filed by A. K. A. Kalyanasunderam Chettiar of Sea street, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said D. A. J. Tudugalla insolvent accordingly; and that two public sittings of the court, to wit, on June 19, 1942, and on July 17, 1942, 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.

May 19, 1942.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,607. In the matter of the insolvency of Henry Alexander Peiris, trading under the name, style, and firm of Peiris & Fonseka, insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held at the second sitting of this court on June 12, 1942, for the examination of the above-named insolvent.

May 18, 1942.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,611. In the matter of the insolvency of Pothay Sinniah Selvadurai of 100/12, Ingram street, Slave Island, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the second sitting of this court on June 19, 1942, for the examination of the above-named insolvent.

May 19, 1942.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,629. In the matter of the insolvency of Jayasekera Hottiarachige Paul Tissera of Gullford, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held at the second sitting of this court on June 12, 1942, for the examination of the above-named insolvent.

May 19, 1942.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

Insolvency. In the matter of the insolvency of Shelton Emil Jurisdiction. Bakodan of 133/4, Annour street in Colombo, insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the second sitting of this court on June 5, 1942, for the examination of the above-named insolvent.

May 14, 1942

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

Insolvency. In the matter of the insolvency of Osmund Tanval Jurisdiction. Motay of Wattala in Ingram pastu of Alutikuru No. 5,631. kotte in the District of Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held at the second sitting of this court on June 19, 1942, for the examination of the above-named insolvent.

May 19, 1942.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo

No. 5,639. In the matter of the insolvency of Dedigamadawage Insolvency. Emalia Chandrawathie of Wijaya Villa, Wana-wawala, Kelaniya, and also a Lorenz College, Skinner's road south, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the second sitting of this court on June 5, 1942, for the examination of the above-named insolvent.

May 19, 1942.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,640. In the matter of the insolvency of William Gerald Gray of 48N, Albert place, Dehiwala.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the second sitting of this court on June 5, 1942, for the examination of the above-named insolvent.

May 18, 1942.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

Insolvency. In the matter of the insolvency of Damodaran Jurisdiction. Pounna of 11, 11th lane, Kotahena, Colombo, No. 5,643. insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held at the second sittings of this court on June 12, 1942, for the examination of the above-named insolvent.

May 13, 1942.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,654. In the matter of the insolvency of Daniel Henry Insolvency. Peiris of 23/1, Pelawatta road, Nugogoda.

WHEREAS Daniel Henry Peiris has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by Dodampe Gamage Marshall Perera of 1st Maligakanda lane, Maradana, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Daniel Henry Peiris insolvent accordingly, and that two public sittings of the court, to wit, on June 12, 1942, and on July 10, 1942, 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.

May 13, 1942.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Kandy.

No. I 70. In the matter of the insolvency of G. B. M. Hay 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 June 5, 1942, for the claims of Mr. V. Kumarasamy, Mr. R. Dharmalingampillay, Dr. S. Somasundaram, and Mr. B. A. Wimaladharmas.

May 19, 1942.

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

In the District Court of Nuwara Eliya, holden at Hatton.

Insolvency. In the matter of the insolvency of Muttusamy Thiru-malai of Upper Cruden estate, Upcot.

WHEREAS Muttusamy Thrumalai of Upper Cruden estate, Upcot, has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by A. Mohamed Cassim of Gampola, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Muttusamy Thrumalai of Upper Cruden estate, Upcot, insolvent accordingly; and that two public sittings of the court, to wit, on July 14, 1942, and on August 18, 1942, 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.

May 16, 1942.

By order of court, S. K. SADASHIVAM,
Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Kader Saibo Seneviratne of 19, Kuruwe street, Colombo Plaintiff.
No. 12,678/M.

Jameela Umma of 149/19, Modera street, Mutwal, Colombo Defendant.

NOTICE is hereby given that on Monday, June 15, 1942, at 3.45 p.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. 750 and costs, viz. :-

All that part of garden called and known as Siyambalagahawatta alias Walmillagahawatta, together with the buildings standing thereon bearing assessment No. 302, situated at Modera street, within the Municipality and in the District of Colombo, Western Province; and bounded on the north-east by property bearing assessment No. 298/2, on the south-east by property bearing assessment No. 306, on the south-west by a footpath, and on the north-west by high road; containing in extent 4 40/100 perches.

Fiscal's Office,
Colombo, May 19, 1942

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Colombo.

Tana Mohammado Kaula Umma of 244, New Moor street in Colombo Plaintiff.
No. 12,679/M.

Jameela Umma of 149/19, Modera street, Mutwal, Colombo Defendant.

NOTICE is hereby given that on Monday, June 15, 1942, at 3 p.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. 1,000 and costs, viz. :-

All that block of land together with the buildings standing thereon bearing assessment Nos. 149, 149/7, 149/8, 149/9, 149/10, 149/11, 149/12, 149/14, 149/15, 149/16, 149/17, 149/18, 149/19, 149/20, 149/21,

149/22, 149/41, 149/42, 149/43, 149/44, 149/45, 149/46, 149/47, 149/49, 149/50, 149/51, 149/52, 149/53, 149/54, and 149/55, situated at Modera street, within the Municipality and in the District of Colombo, Western Province; the entire property is bounded on the north-east by property bearing assessment No. 143, south-east by Modera street, south-west by property bearing assessment No. 153, and on the north-west by Kelani river; containing in extent 1 rood and 9 50/100 perches.

Fiscal's Office,
Colombo, May 19, 1942.

H. C. WIJESINHA,
Deputy Fiscal.

Southern Province.

In the Additional Court of Requests of Matara.

Don Siyadoris Samarasinghe Gunasekera, Veda Arachchi of Wepotaira Plaintiff
No. 22,539. Vs.

(1) Eli Weerabaddana Dissanayaka *alias* Alice Weerabaddana Dissanayake Haimine and husband, both of Puhulwella Defendants

NOTICE is hereby given that on Tuesday, June 23, 1942, commencing at 3.30 in the afternoon, will be sold by public auction at the premises the right, title and interest of the said defendants in the following mortgaged property for the recovery of a sum of Rs. 252.60, viz.:

All that undivided $\frac{1}{2}$ part of an undivided portion in extent 30 acres and of the citronella and of rubber standing thereon of the divided and separated lot A of the land called Kalugala Mahahena *alias* Wijagoda Appuhamigehena divided as per partition case No. 8,828, D. C., Matara, situate at Panditaporuwa in Kandaboda pattu of Matara District, Southern Province; and which said lot is bounded on the north by Kalugalahena, east by lot B of the same land, south by road, and west by the village of Neralamptiya Kalugaladeniya and Maduwela; and containing in extent 46 acres 3 roods and 4 perches. (Registered in E 142/261).

Deputy Fiscal's Office,
Matara, May 14, 1942.

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

In the District Court of Tangalla.

Nelson Senaratna of Galle, presently of Anuradhapura . . . Plaintiff
No. 4,708. Vs.

(1) Kudagama Liyanage Sedarahamy, (2) Yatiyana Vidana Arachchige Don Juliyas, Police Officer, both of Dedduwawala Defendants

NOTICE is hereby given that on Wednesday, June 17, 1942, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 14,675 dated September 22, 1935, attested by D. M. Wijesuriya, Notary Public, and ordered to be sold by order of court dated March 18, 1942, for the recovery of Rs. 862.65, with further legal interest on Rs. 763.80 from March 17, 1942, till payment in full, viz.:

At Dedduwawala.

(1) All that soil and plantations of the land called Sakaragewewu-watta together with the 15 cubits tiled house thereon, situated at Dedduwawala in West Guruwa pattu of the Hambantota District, Southern Province; and bounded on the north by Dangaha, the boundary of Arehena and Mahagala, east by Millagahawatteweta, south by Mahasuriyagaha on the boundary fence of Wickramagewawatta, and west by Dangahawatta-agala; containing in extent 6 kurumes of kurakkan sowing.

(2) All that the soil and plantations of the land called Samaraweeragewatta lot B situated at Dedduwawala aforesaid; and bounded on the north by Radagewatta, east by the portion of the same land lot A, south by the main road and Nikagahawatta, and west by lot C a portion of the same land, containing in extent 18.7 perches

(3) All that soil and plantations of the land called Samaraweeragewatta lot C situated at Dedduwawala aforesaid; and bounded on the north by Radagewatta, east by Sittaragedeniya and Sittaragewatta, south by Nikagahawatta, and west by Samaraweeragewatta lot B; containing in extent 1 rood and 35 perches.

(4) Undivided $\frac{1}{2}$ share of the soil and plantations of the land called Samaraweeragewatta lot A (excluding the 13 cubits thatched house and the soil that has been covered by the said house standing on the southern portion) of the same land, situated at Dedduwawala aforesaid; and bounded on the north by Radagewatta, east by lot B a portion of the same land, south by Sittaragewatta and Nikagahawatta, and west by Nikagahawatta and Jambughawatta, containing in extent 1 acre and 27 perches.

Deputy Fiscal's Office,
Tangalla, May 16, 1942.

V ALLIRAJAH,
Additional Deputy Fiscal

NOTICES OF TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Naga-
Jurisdiction ratnam Rasiah of 91, Barber street in
No. 10,011. Colombo, deceased

Murugesu Rasiah of 91, Barber street, now of New Chetty street in Colombo Petitioner.

(1) Rajarajeswari, Mahaswami Vallammai Sivapira-gasam, all of New Chetty street, Colombo Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on March 25, 1942, in the

presence of Mr. S. Vallipuram, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated March 20, 1942, having been read:

It is ordered that the 3rd respondent above named be and she is hereby appointed guardian *ad litem* of the minors, the 1st and 2nd respondents, to represent them for all the purposes of this action, and that the petitioner above named be and he is hereby declared entitled, as the husband 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 23, 1942, show sufficient cause to the satisfaction of this court to the contrary.

April 20, 1942.

W. SANSONI,
Additional 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 the late Matarago Don Noris of Pitipana in the
No. 10,022. Palle pattu of Howagam korala, deceased.

THIS matter coming on for final determination before W. Sansoni, Esq., Additional District Judge, of Colombo, on April 1, 1942, in the presence of Mr. H. A. Abeywardeno, Proctor, on the part of the petitioners (1) Matarago Don Emanis of Pitipana aforesaid, and (2) Don Charles Samarasinghe Amarasekera of Kottawa in the Palle pattu aforesaid; and the affidavits (a) of the said petitioners dated April 1, 1942, and (b) of the attesting notary and one of the attesting witnesses dated March 31, 1942, having been read:

It is ordered that the last will made by the deceased above named bearing No. 1916 dated March 9, 1940, and now deposited in this court be declared proved, and probate hereof be issued to the petitioners aforesaid, as the executors thereon mentioned, on their tendering the usual oath and bond.

April 29, 1942.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of Panadura
Jurisdiction Acharige Baron Perera, deceased, 34, New
No. 10,031. Chetty street in Colombo.

Panadura Acharige Paul Perera of Dalugama Petitioner.

(1) Panadura Acharige Louis Perera of Galpotta street, Kottahena, Colombo, (2) Panadura Acharige Eliza Nona of Barber street, Kottahena, Colombo Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge, Colombo, on May 2, 1942, in the presence of Mr. C. B. Kumarakulasinghe, Proctor, on the part of the petitioner, and the affidavits—(1) of the above-mentioned petitioner dated April 29, 1942, (2) of the attesting notary dated March 20, 1942, and (3) of one of the witnesses dated May 2, 1942, having been read:

It is ordered that the will of Panadura Acharige Baron Perera dated May 21, 1930, and numbered 338 be and the same is hereby declared proved, and the respondents or any other person or persons interested shall, on or before June 1, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said petitioner 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 other person or persons interested shall, on or before June 18, 1942, show sufficient cause to the satisfaction of this court to the contrary.

May 8, 1942.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction Mary Quarry Webb of The Byron Hotel, Exmouth,
No. 10,035. in the County of Devon, England, formerly of Hindugalla estate, Peradeniya, in the Island of Ceylon, wife of Edward Webb, deceased.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on May 12, 1942, in the presence of Messrs. F. P. S. Saram, Proctors, on the part of the petitioner, Clarence Charles Missalbrook of Colombo; and (1) the affidavit of the said petitioner dated May 9, 1942, (2) the power of attorney dated November 3, 1941, and (3) the order of the Supreme Court dated April 28, 1942, having been read: It is ordered that the will of the said Mary Quarry Webb, deceased, dated October 15, 1927, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Clarence Charles Missalbrook is the attorney in Ceylon of the executor named in the said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before May 28, 1942, show sufficient cause to the satisfaction of this court to the contrary.

May 12, 1942.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Notice of Application.

Testamentary Jurisdiction. No. 10,036. In the Matter of the Trust Disposition and Settlement or Last Will and Testament and Codicils of Mrs. Agness (otherwise Agnes) Martha Hood or Forbes, c/o J. K. & W. P. Lindsay, Writers to the Signet, 16, Queen street, Edinburgh, formerly c/o Dalgety & Co., Limited, 96, Bishopsgate, London, E.C., thereafter of 126, Queen's Gate, London, S.W., Elphinstone House, North Berwick, 50 Manor Place, Edinburgh, and Greenway Court, Hollingbourne, Kent, widow, deceased.

In the matter of the British Courts Probates (Re-sealing) Ordinance (Chapter 84).

NOTICE is hereby given that after the expiry of fourteen days from the date hereof, application will be made to the District Court of Colombo under the British Courts Probates (Re-sealing) Ordinance (Chapter 84) for the sealing of the confirmation of the trust disposition and settlement or last will and testament with 8 codicils of Mrs Agness (otherwise Agnes) Martha Hood or Forbes, c/o J. K. & W. P. Lindsay, Writers to the Signet, 16 Queen street, Edinburgh, formerly c/o Dalgety & Co., Limited, 96, Bishopsgate, London, E. C., thereafter of 126, Queen's Gate, London, S.W., Elphinstone House, North Berwick, 50 Manor place, Edinburgh, and Greenway Court, Hollingbourne, Kent, widow, deceased, granted by the Commissariat Court of the Sheriff of the Lothians and Peebles at Edinburgh, on the Twenty-seventh day of December One thousand nine hundred and forty-one.

V. GNANARATNAM COOKE, Proctor for Miss Lily Denham Forbes, Robert Strathern Lindsay and Horace Bonar Forbes, the executors.

May 22, 1942

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. No. 10,037. In the Matter of the Last Will and Testament of Margaret Eugenia Bird of 7, Cambridge road, Bourne-mouth in the County of Hants, England, deceased.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo on May 18, 1942, in the presence of Messrs. J. de Saubin, Proctors, on the part of the petitioner, Charles William Walker of Colombo; and (1) the affidavit of the said petitioner dated May 11, 1942, (2) the power of attorney dated December 5, 1941, and (3) the order of the Supreme Court dated April 29, 1942, having been read. It is ordered that the will of the said Margaret Eugenia Bird, deceased dated February 4, 1941, a true copy of which contained in an exemplification of the relative letters of administration (with will annexed) under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the said Charles William Walker is the attorney in Ceylon of the residuary legatee and devisee and administratrix (with will annexed) of the estate of the said Margaret Eugenia Bird, deceased, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before May 28, 1942, show sufficient cause to the satisfaction of this court to the contrary.

May 18, 1942. JAMES JOSEPH, Additional District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. No. T. 281. In the Matter of the Last Will and Testament of Deo Saranya Perera, deceased, of 88, Trincomalee street, Kandy

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge, Kandy, on May 6, 1942, in the presence of Mr. Alfred Fernando, Proctor, on the part of the petitioners, D. V. Premachandre and V. Karunadasa; and the affidavits of the said petitioners dated March 25, 1942, and of the witnesses dated April 20, 1942, having been read:

It is ordered that the last will of the above-named deceased dated June 15, 1940, and now deposited in this court be and the same is hereby declared proved, unless the respondents (1) M. Ukku Amma, (2) H. R. P. Premaratne and (3) H. R. U. Premachandra or any other person or persons interested shall, on or before June 18, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioners are the executors named in the said will and that they are entitled to have probate of the same issued to them accordingly, unless the said respondents or any other person or persons interested shall, on or before the said date, show sufficient cause to the satisfaction of this court to the contrary.

May 7, 1942. C. NAGALINGAM, District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction. No. 7,999. Class. Rs. 2,599-09. In the Matter of the application for Letters of Administration with the will annexed in respect of the Last Will and Testament of Hewawasan Gurukandage Deons Silva, late of Kataluwa, deceased.

Balage Podmona of Kataluwa Petitioner. Vs

(1) Hewawasan Gurukandage Baranappu, (2) ditto Porolu de Silva, (3) ditto Sanku Nona, (4) ditto Selina alias Joslin, (5) ditto Edward de Silva, (6) ditto Henry de Silva, (7) Balage Don Simon Appu, all of Kataluwa Respondents.

THIS action coming on for disposal before N. M. Bharucha, Esq., District Judge of Galle, on March 24, 1942, in the presence of Mr. W. M. Kulatileke, Proctor, on the part of the petitioner, Balage Podmona, and the last will of the deceased, the affidavit of the said petitioner dated November 24, 1941, and the affidavit of notary and the attesting witnesses dated March 17, 1942, having been read:

It is hereby declared that the said petitioner be and she is declared entitled to have letters of administration with the will annexed issued to her accordingly, unless the respondents above named shall, on or before May 29, 1942, show sufficient cause to the satisfaction of the court to the contrary.

March 24, 1942. M. A. SAMARAKOON, District Judge.

In the District Court of Galle.

Order Nisi.

No. 8,004. In the Matter of the Last Will and Testament and Codicil of John William Erskine, late of 12, Broadwater Down Tunbridge Wells in the County of Kent, deceased.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Galle, on May 11, 1942, in the presence of Messrs. C. P. & M. L. N. Wickremasinghe, Proctors, on the part of the petitioner, B. de Q. Penny of Galle, and the affidavit of the said petitioner dated May 6, 1942, an exemplification of probate of the will and Codicil issued by the Principal Probate Registry of His Majesty's High Court at Lincoln, and containing copies of the last will and testament and of the Codicil of the above-named deceased, power of attorney in favour of the petitioner and the order of the Supreme Court dated April 29, 1942, of which a certified copy has been produced and is now deposited in this court having been read. It is ordered that the will of the said deceased dated February 14, 1935, and the Codicil dated July 7, 1941, copies of which have been produced and are now deposited in this court and the same are hereby declared proved; and it is further ordered that the said petitioner is one of the attorneys of the executors named in the said will and that as such he is entitled to have letters of administration with a copy of the said will and of the Codicil annexed issued to him accordingly, unless any person or persons interested shall, on or before June 12, 1942, show sufficient cause to the satisfaction of this court to the contrary.

May 11, 1942. M. A. SAMARAKOON, District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. No. 1,110. In the Matter of the Estate of the late Muttu Coomaraswamy Chellappapillai of Kaithady-Navatkuly, deceased.

Manickam widow of Ranaalingam Veluppillai of Kaithady-Navatkuly Petitioner.

Ragunather Muttu Coomaraswamy of Vannarponnai East, Jaffna Respondent.

THIS matter of the petition of the above-named petitioner praying for letters of administration to the estate of the above-named deceased, Muttu Coomaraswamy Chellappapillai, coming on for disposal before C. Coomaraswamy, Esq., District Judge, on January 21, 1942, in the presence of Mr. R. Sivagurunather, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated January 17, 1942, having been read: It is declared that the petitioner is the maternal grandmother of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondent or any other person shall, on or before February 27, 1942, show sufficient cause to the satisfaction of this court to the contrary.

January 21, 1942. C. COOMARASWAMY, District Judge.

Time to show cause extended for April 1, 1942.

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

Time to show cause extended for May 27, 1942.

April 1, 1942. C. COOMARASWAMY, District Judge.

In the District Court of Jaffna.

26 Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Vairamuttu Nagalingam of Punnalaikkadduvan, deceased No. 1,061.

Kanagammah, widow of Vairamuttu Nagalingam of Punnalaikkadduvan Petitioner.

P.O. 16 31 Vs.

- (1) Manbayatkarasu, daughter of Vairamuttu Nagalingam, (2) Nagalingam Kathiraman, (3) Parameswary, daughter of Nagalingam, (4) ~~Aruljothay~~ ^{Aruljothay}, daughter of Nagalingam, (5) Sannakkuddy Veerappu, all of Punnalaikkadduvan; the 1st to 4th respondents are minors Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on March 23, 1942, in the presence of Mr. P. K. Somasundram, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner having been read.

It is ordered that the above-named 5th respondent be appointed guardian *ad litem* over the minors, the 1st to 4th respondents, to represent them and to act on their behalf in the proceedings of this testamentary case and that letters of administration to the estate of the above-named deceased be issued to the petitioner, unless the respondents shall appear before this court on May 27, 1942, and show sufficient cause to the satisfaction of this court to the contrary.

March 23, 1942.

C. COOMARASWAMY,
District Judge.

31 In the District Court of Batticaloa.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate and Effects of the late Robert James Daniel Casnader of Batticaloa, deceased. No. 510.

Between

Jemima Muriel Aruljothay Casnader of Batticaloa Petitioner.

And

- (1) Terence Parameswary Casnader, (2) Joyce Selvamalar Casnader, (3) ~~Aruljothay~~ ^{Aruljothay} Casnader, (4) Irene Pooranmalar Casnader, (5) ~~Aruljothay~~ ^{Aruljothay} Casnader, (6) A. M. G. Kirshnapillai, all of Batticaloa Respondents.

THIS matter coming on for disposal before V. H. Wijeyaratne Esq., District Judge of Batticaloa, on April 22, 1942, in the presence of Mr. N. S. Rasiyah, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner dated April 21 and 22, 1942, respectively, having been read.

It is ordered that the 6th respondent above named be and he is hereby appointed guardian *ad litem* of the minors, the 1st to 5th respondents above named, unless the respondents above named or any other person or persons interested shall, on or before May 28, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the petitioner be and she is hereby declared entitled to letters of administration to the estate of the deceased above named and that letters of administration be issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before May 28, 1942, show sufficient cause to the satisfaction of this court to the contrary.

April 22, 1942.

V. H. WIJEYARATNE,
District Judge.