



# THE CEYLON GOVERNMENT GAZETTE

No. 8,957 — FRIDAY, JUNE 26, 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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### DRAFT ORDINANCES.

#### MINUTE.

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

L. D.—O 53/38

R.G /99

#### An Ordinance further to amend the Notaries Ordinance.

Chapter 91.  
(Volume III,  
page 33.)

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 Notaries Amendment Ordinance, No. of 1942.

Short title.

2. Section 10 of the Notaries Ordinance (hereinafter referred to as "the principal Ordinance"), is hereby repealed and the following section shall be substituted therefor :—

Replacement of  
section 10 of  
Chapter 91.

10. (1) No notary shall have more than two offices :

Number and  
situation of  
notary's  
offices.

Provided, however, that any notary, not being a proctor, may, if authorised in that behalf in writing under the hand of the Registrar-General, have a third office, which shall be placed in charge of a partner or an assistant who is a notary.

(2) (a) No notary who is a proctor shall, for the purposes of his profession as a notary, have any office at any place other than—

- (i) his residence ; or
- (ii) an office maintained and used by him for the purposes of his profession as a proctor:

(b) Where any notary who is a proctor has two offices for the purposes of his profession as a notary, one of such offices shall be at his residence :

Provided, however, that any such notary may, if authorised in that behalf in writing under the hand of the Registrar-General, have both such offices at places described in paragraph (a) (ii) of this sub-section.

3. The following section shall be inserted immediately after section 10 of the principal Ordinance and shall have effect as section 10A of that Ordinance :—

Insertion of new  
section 10A in the  
principal  
Ordinance.

10A. (1) Where the Registrar-General believes that any notary, for the purpose of notarial business, maintains in any room, building or premises any office, particulars of which are not included in the last declaration delivered by that notary under section 27, the Registrar-General or any officer specially authorised by him in writing may enter and inspect such room, building or premises and examine any documents found therein, in order to ascertain whether or not an office for the purpose of notarial business is being maintained in such room, building or premises.

Inspection  
of offices.

(2) Any person who resists or obstructs the Registrar-General or any officer authorised by him in the exercise of the powers conferred by sub-section (1) shall be guilty of an offence and liable to a fine not exceeding one hundred rupees.

Amendment of section 29 of the principal Ordinance.

4. Section 29 of the principal Ordinance is hereby amended by the substitution; for the word "incur", of the words "be guilty of an offence".

Amendment of section 30 of the principal Ordinance.

5. Section 30 of the principal Ordinance is hereby amended as follows:—

(1) by the substitution, for rule (7) of that section, of the following rule:—

"(7) At the time of the execution or acknowledgment before him of every deed or instrument which is not stamped with an impressed stamp—

(a) the notary shall affix to such deed or instrument and to the duplicate thereof adhesive stamps to the value of the stamp duty, if any, required by law;

(b) the notary shall cause the person first executing or acknowledging such deed or instrument to cancel every such stamp by writing in ink across the stamp his name or initials and the true date of such writing:

Provided, however, that in any case where such person is unable to write, the notary shall cause the impression of the left thumb of that person to be affixed to every such stamp and shall write in ink across every such stamp the true date of the affixing of such impression;

(c) the notary shall write in ink on every such stamp the serial number assigned by him to the deed or instrument."

(2) in rule (20) of that section, by the substitution for the word "thereof";, at the end of paragraph (f), of the words "thereof, and the name of the person by whom such adhesive stamps were cancelled";

(3) in rule (25) of that section, by the addition, at the end thereof, of the following new paragraph:—

"(c) (i) Where any deed or instrument which is to be executed or acknowledged by two or more parties is signed during any month by one or more, as the case may be, of such parties, the notary shall, notwithstanding that the deed or instrument has not been signed by all such parties, include such deed or instrument in the lists required to be delivered or transmitted under paragraph (a), and shall, if called upon so to do by written notice served on him personally or by registered post and signed by the Registrar of Lands of the district in which the notary resides, produce the duplicate of such deed or instrument for inspection at the office of the Registrar on or before such date as may be specified in the notice.

(ii) Where any such deed or instrument is not signed by all the parties thereto before the expiry of a period of three months from the date on which it is first signed by one of such parties, the notary shall, if called upon so to do by written notice served on him personally or by registered post and signed by the Registrar of Lands of the district in which the notary resides, deliver or transmit to the Registrar the duplicate of such deed or instrument; and where any such duplicate has been so delivered or transmitted, the notary shall, at any time during the period of one year succeeding the date of such delivery or transmission, be entitled on demand to the return of the duplicate for the purpose of the completion of the deed or instrument."

(4) by the repeal of all the words from "And if any notary shall act in violation" to the end of that section.

6. The following new sections shall be inserted immediately after section 30 of the principal Ordinance and shall have effect, respectively, as sections 30A and 30B of that Ordinance:—

30A. (1) The provisions of rules (20), (23), (24) and (25) set out in section 30, and of rule (16) as to the statement of the boundaries, shall not apply to any of the following deeds or instruments:—

(i) a power of attorney for use out of Ceylon;

Insertion of new sections 30A and 30B in the principal Ordinance.

Provisions as to application of rules in section 30 in special cases.

- (ii) a deed solely affecting property not situated in Ceylon;
- (iii) a transfer of stock of any Government;
- (iv) a transfer of stock, shares, or debentures of any company or corporation not having its registered office in Ceylon;
- (v) a notice of protest by a ship's officer but not an extended protest.

(2) In the case of any deed or instrument which is to be executed by two or more parties, both or all of whom, as the case may be, do not sign the deed or instrument at the same time and place—

- (i) the deed or instrument shall, for the purposes of the application of rules (6), (7) and (23) set out in section 30, be deemed to be executed or acknowledged at the time when it is first signed by a party, or by two or more parties at the same time and place;
- (ii) the deed or instrument shall, for the purposes of the application of rules (18) and (20) set out in section 30, be deemed to be executed or acknowledged whenever it is signed by a party, or by two or more parties at the same time and place; and
- (iii) the provisions of rule (19) set out in section 30, shall apply after the deed or instrument is first signed by a party, or by two or more parties at the same time and place.

30B. No instrument shall be deemed to be invalid by reason only of the failure of any notary to observe any provision of any rule set out in section 30 in respect of any matter of form:

Instruments not to be invalid for non-compliance with section 30 in any matter of form.

Provided that nothing hereinbefore contained shall be deemed to give validity to any instrument which may be invalid by reason of non-compliance with the provisions of any other written law.

7. Section 31 of the principal Ordinance is hereby repealed and the following section shall be substituted therefor:—

Replacement of section 31 of the principal Ordinance.

31. If any notary acts in violation of or disregards or neglects to observe any of the rules set out in section 30 that are binding upon him, he shall be guilty of an offence, and shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding two hundred rupees, in addition to any civil liability he may incur thereby:

Penalty for breaches of rules in section 30.

Provided, however, that where any notary acts in violation of or disregards or neglects to observe the provisions of rule (25) set out in section 30 the Registrar-General may, by a written notice served on him personally or sent by registered post, call upon such notary to comply with the requirements of the said rule within such further time as he may specify for such purpose, and any notary who fails to comply with the terms of such notice shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding five hundred rupees.

8. The following new section is hereby inserted immediately after section 31 of the principal Ordinance and shall have effect as section 31A of that Ordinance:—

Insertion of new section 31A in the principal Ordinance

31A. (1) In any case where the Registrar-General has reasonable grounds for believing that any notary has committed any offence referred to in section 27 (2), section 29, section 31, section 32 (2), section 33 or section 37, the Registrar-General may, if he thinks fit, instead of instituting criminal proceedings against such notary, accept from him such sum of money as he may consider proper in composition of the offence; and where the Registrar-General has accepted any sum of money from any notary in composition of any alleged offence—

Power to compound offences.

- (i) criminal proceedings shall not be taken, or if already taken shall not be continued in respect of such offence; and
- (ii) such composition shall not have the effect of discharging any surety or sureties from any liability incurred under any bond executed under section 12.

(2) All moneys received by the Registrar-General in composition of any offence shall be paid into the Treasury.

9. Section 38 of the principal Ordinance is hereby amended by the substitution for the words "records of his office.", at the end thereof, of the following:—

Amendment of section 38 of the principal Ordinance.

"records of his office :

Amendment of  
Form E in  
Second Schedule  
to the principal  
Ordinance.

Provided, however, that any document, other than a draft or copy of a will or codicil, which is delivered to the Registrar under the last preceding section, may be destroyed by him at any time after the expiry of a period of two years from the date on which the document was delivered to him."

10. The Second Schedule to the principal Ordinance is hereby amended in Form E set out therein by the substitution, for the words "and the duplicate \_\_\_\_\_ stamps of the value of Rs. \_\_\_\_\_" at the end of that Form, of the following:—

"and the duplicate \_\_\_\_\_ stamps of the value of Rs. \_\_\_\_\_, and that the stamps were cancelled by \_\_\_\_\_ (or that the original of this instrument bears impressed stamps of the value of Rs. \_\_\_\_\_ and the duplicate impressed stamps of the value of Rs. \_\_\_\_\_, as the case may be.)".

*Objects and Reasons.*

Section 10 of the Notaries Ordinance (Chapter 91) restricts the number of offices which a notary may maintain to two or, in special cases, to three. The object of Clause 2 of this Bill is to amend that section so as to provide that in the case of a notary who is a proctor, such offices may ordinarily be maintained at his residence and at an office at which he practises his profession as a proctor.

2. Clause 3 of the Bill will insert in the principal Ordinance a new section 10A, which will enable the Registrar-General or an officer authorised by him to enter and inspect any room, building or premises in which a notarial office is believed to be maintained by a notary, and which has not been declared by the notary to be such an office. This section will confer on the Registrar-General the powers necessary to secure that the provisions of section 10 are not contravened by notaries.

3. Under rule (7) of section 30 of the principal Ordinance, the notary must cancel all adhesive stamps, which are affixed to any deed or instrument, by writing his name or initials across the stamps. It is, however, considered that a provision requiring these stamps to be cancelled by the person who first signs a deed or instrument would be more suitable.

The object of Clause 5 (1) of this Bill is to replace rule (7) by a new rule, under which the stamps must be cancelled by the party who first executes or acknowledges a deed or instrument. The cancellation will be effected by writing upon the stamps in ink or by means of a thumb impression.

Clauses 5(2) and 10 will effect consequential amendments in rule (20) of section 30 and in Form E in the Second Schedule to the Ordinance.

4. Clause 4 will effect a minor drafting amendment in section 29 of the principal Ordinance.

5. Difficulties have been encountered in the application of the rules contained in section 30 to cases where a deed or instrument is not executed or acknowledged on one occasion by all the parties thereto. The object of sub-clause (3) of Clause 5 of this Bill is to make special provision for such cases.

The new paragraph (c) which is to be inserted in rule (25) of section 30 provides that a deed or instrument which is signed during any month by one or more persons, must be included in the monthly lists required to be delivered to the Registrar of Lands, and that the duplicate must be produced, if required, for inspection by the Registrar. In a case where the deed or instrument is not completed within three months of the date on which it is first signed, the duplicate must be delivered to the Registrar if called for; but the notary will be entitled to its return for the purposes of completion, if he makes application in that behalf before the expiry of a period of one year after the date on which it is delivered to the Registrar.

6. The object of Clauses 6, 7 and 8 of this Bill is to rearrange the penal provisions and explanations which are presently set out after the rules in section 30 of the principal Ordinance. In place of those provisions and of the existing section 31 there will be four sections (30A, 30B, 31 and 31A) which substantially reproduce the existing provisions. The new section 30A will contain a sub-section (2) which defines the time at which some of the rules in section 30 will become applicable in a case where a deed or instrument is executed or acknowledged by the parties thereto on different occasions.

7. Clause 9 of the Bill will amend section 38 of the principal Ordinance by the addition of a Proviso which will enable a registrar to destroy any document (other than a draft or copy of a will or codicil), after the expiry of a period of two years from the date of the delivery of the document to him under section 37.

G. C. S. COREA,

Minister for Labour, Industry and Commerce.

Colombo, June 16, 1942.

## 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 or transferred by their owners in satisfaction of mortgage debts, 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 :—

1. This Ordinance may be cited as the Land Redemption Ordinance, No. of 1942, and shall come into operation on such date as the Governor may appoint by Proclamation published in the *Gazette*.

Short title and date of operation.

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.

Administration of Ordinance, appointment of officers, &c.

(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

3. (1) The Land Commissioner is hereby authorised to acquire on behalf of Government the whole or any part of any agricultural land, if the Land Commissioner is satisfied that that land was, at any time before or after the date appointed under section 1, but not earlier than the first day of January, 1929, either—

Acquisition of lands by Land Commissioner.

(a) sold in execution of a mortgage decree, or

(b) transferred by the owner of the land to any other person in satisfaction or part satisfaction of a debt which was due from the owner to such other person and which was, immediately prior to such transfer, secured by a mortgage of the land.

(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.

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

Funds for purposes of Ordinance

(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.

Disposal of  
Lands acquired  
under  
Ordinance.  
Cap. 320.

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.

(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) a person against whom that land was sold in execution of a mortgagedecree 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 transferred the land to any other person in satisfaction or part satisfaction of a debt which was due from him to such other person and which was, immediately prior to such transfer, secured by a mortgage of the land, or, where such transferor is dead, the surviving spouse (if any) or any descendant of such transferor, or

(c) a person who is not the owner of other agricultural land, or

(d) a person who is the owner of other agricultural land of an extent not exceeding such extent as may be prescribed.

Powers of  
entry,  
survey, &c.

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:

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.

Power of Land  
Commissioner  
to call for  
returns.

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

(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.

9. In this Ordinance, unless the context otherwise requires— Interpretation.

“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;

“Assistant Land Commissioner” means any person appointed under section 5 of the Land Development Ordinance to be an Assistant Land Commissioner; Cap. 320.

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

“Land Commissioner” means the officer for the time being appointed to be Land Commissioner under the Land Development Ordinance; Cap. 320.

“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.

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

#### FIRST SCHEDULE.

##### Section 3 (5).

Provision of the Land Acquisition Ordinance (Chapter 203).	Exceptions, modifications or amendments.
Section 2.	<p>(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.”</p> <p>(2) The definition of “Government Agent” shall be omitted.</p> <p>(3) Immediately after the definition of “land” there shall be inserted the following:—</p> <p>“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.”</p>
Sections 3, 4, 5, 12 (2), 12 (3), 12 (4), 20, 39, 46 and 47.	Shall not apply.

Provision of the Land Acquisition Ordinance (Chapter 203)	Exceptions, modifications or amendments.
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".
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.



Provision of the Land Development Ordinance (Chapter 320).	Exceptions, modifications or amendments.
Sections 8 to 19 (inclusive).	Shall not apply.
Section 23.	<p>(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 ———".</p> <p>(2) In sub-section (2), for the words "shall have special regard" there shall be substituted the words "shall, as between persons of the classes specified in paragraphs (c) and (d) of section 5 (3) of the Land Redemption Ordinance, have special regard."</p>
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, &amp;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.	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."
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>

Provision of the Land Development Ordinance (Chapter 320).	Exceptions, modifications or amendments.
Section 35.	For the words "the Government Agent" there shall be substituted the words "the Government Agent or an Assistant Land Commissioner".
Section 38.	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".
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 in execution of mortgage decrees or transferred by the owners in satisfaction of mortgage debts, and for the alienation of such lands to the original owners or to persons who are not the owners of other agricultural land. The application of the Bill will be restricted to lands which have been sold or transferred after January 1, 1929. Investigation has shown that, during times of depression, mortgagees have 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 is 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, June 23, 1942.

### MINUTE.

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

L. D.—O 21/42

#### An Ordinance to amend the Railways Ordinance.

Cap. 153.  
Vol. IV.,  
page 90.

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 Railways Amendment Ordinance, No. of 1942. Short title.

2. The Schedule to the Railways Ordinance is hereby amended by the substitution, for paragraph 1. occurring under the heading "Goods", of the following new paragraph:— Amendment of the Schedule to Chapter 153.

"1. The rates shall not exceed 80 cents a mile for every ton."

#### Objects and Reasons.

The maximum rate that can be levied for the conveyance of goods on the railway has been fixed, by paragraph 1. occurring under the heading "Goods" in the Schedule to the Railways Ordinance, at 59 cents a mile for every ton.

The highest rate prescribed by rules made under the Ordinance and in force at the present time is 58½ cents.

It has been decided that the rates for the conveyance of goods should be increased by twenty per centum. This Bill will accordingly amend the Schedule to the principal Ordinance so as to enable such rates to be increased.

J. L. KOTELAWALA,  
Minister for Communications and Works.

Colombo, June 24, 1942.

### NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Districts of Jaffna, Mannar and Vavuniya will be holden at the Town Hall at Jaffna, on Monday, July 13, 1942, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,  
Jaffna, June 16, 1942.

V. NALLIAH,  
for Fiscal.

### DISTRICT AND MINOR COURTS NOTICES.

#### The Village Communities Ordinance.

IT is hereby notified in terms of section 127 of the Village Communities Ordinance (Cap. 198) that the Village Tribunal established in the Divisional Revenue Officer's Division of Vakkamam North and East has, with the approval of the Government Agent, Northern Province, set apart the building specified below as a Court-house in place of the building mentioned in modification dated August 23, 1937, and published in Gazette No. 8,311 of August 27, 1937.

The Kacheheri,  
Jaffna, June 18, 1942.

M. PRASAD,  
Government Agent, N.P.

Building referred to.

Building belonging to Appacuddy Sabapathy and wife Nagamma of Chunnakam, presently of Klang in the Federated Malay States, and situated in the land called Ulagithoddam Antuchi Kudieruppu, Anthiran Valavu Kudieruppu and Andiran Valavu Kinathadi in Chunnakam, Uduvil parish, in extent 13 lachams; and bounded as follows:—

East by the property of Kuddipillai, wife of Vairamuttu, Sithamparam, wife of Sabapathy, and Maniccam, wife of Murugar.

North by lane.

West by the property of Sunthiram, wife of Vallipuram, and South by the properties of Kandar Eliathamby and Kathirgamar Alagar and wife, Sellammah.

### NOTICES OF INSOLVENCY.

In the District Court of Colombo.

Insolvency  
No. 5,584.

In the matter of the insolvency of (1) Ahamed Lebbe Mohamed Ameen of 67, Dematagoda road, Colombo, and (2) Mohamed Cassim Abul Hassen of 63, Messenger street, Colombo, both carrying on business under the name, style, and firm of Hassen & Ameen at 340, Quarry road junction, Old Moor street, Colombo, insolvents.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvents will be held at this court on July 24, 1942, to consider the grant of a certificate of conformity to the above-named insolvents.

June 24, 1942.

By order of court, C. EMMANUEL,  
Secretary.

In the District Court of Colombo.

No. 5,622.  
Insolvency.

In the matter of the insolvency of Nawalage Jeramias Cooray of 409, Old Moor street, Colombo, insolvent.

Vs.

Arawwala Leanage Don Albert of Vauxhall street, Slave Island, Colombo . . . . . Petitioning Creditor.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held on July 17, 1942, for consideration of the grant of a certificate of conformity to the above-named insolvent.

June 19, 1942.

By order of court, C. EMMANUEL,  
Secretary.

In the District Court of Colombo

No. 5,625. In the matter of the insolvency of Ernest Granville. Insolvency. Augustine of 8/4, Thomas lane, Old Kolonnawa.

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 July 17, 1942, to consider the grant of a certificate of conformity to the above-named insolvent.

June 22, 1942.

By order of court, C. EMMANUEL,  
Secretary.

In the District Court of Colombo.

No. 5,656. In the matter of the insolvency of Lihinkadu Insolvency. Arathige Don Anoris Appuhamy of Galahitiyawa.

WHEREAS L. D. Anoris Appuhamy has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by Wanniaratchige Lawrence Perera of Parakandeniya, under the Ordinance No. 7 of 1853; notice is hereby given that the said court has adjudged the said L. D. Anoris Appuhamy insolvent accordingly; and that two public sittings of the court, to wit, on July 31, 1942, and on August 28, 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.

June 18, 1942.

By order of court, C. EMMANUEL,  
Secretary.

### NOTICES OF FISCALS' SALES.

#### Western Province.

In the District Court of Chilaw.

Seeanna Abubakkar Rawther of Chulaw..... Plaintiff  
No. 11,761. Vs.

Sanmugam Sivasangaran (administrator of the intestate estate of the late Sivasangaran Sanmugam) presently of 55, Kuruppu road, Cotta, Colombo..... Defendant.

NOTICE is hereby given that on Monday, July 20, 1942, at 3.30 p.m., will be sold by public auction at the premises the right, title, and interest of the late Sivasangaran Sanmugam to the following property for the recovery of the sum of Rs. 1,121, with interest thereon at the rate of 9 per cent. per annum from February 25, 1942, till payment in full, viz. :-

The lot C of the land and premises called Lalitha and Sikandagiri, bearing assessment Nos. 117 and 121, situated at Kynsey road, within the Municipality and District of Colombo, Western Province; and bounded on the north by lot B of the same land allotted to S. Thayalanayagi, east by water-course, south by road known as Austin place, and south-west by Kynsey road; containing in extent 1 acre 1 rood and 9.75 perches together with all the plantations and buildings standing thereon Registered in A 255/243.

Fiscal's Office,  
Colombo, June 24, 1942.

H. C. WIJESINHA,  
Deputy Fiscal.

In the District Court of Chilaw.

Seeanna Abubakkar Rawther of Chilaw..... Plaintiff  
No. 11,762. Vs.

Sanmugam Sivasangaram (administrator of the intestate estate of the late Sivasangaran Sanmugam), presently of 55, Kuruppu road, Cotta, Colombo..... Defendant.

NOTICE is hereby given that on Monday, July 20, 1942, at 4 p.m., will be sold by public auction at the premises the following property for the recovery of the sum of Rs. 969.35, with interest thereon at the rate of 9 per cent. per annum from February 25, 1942, till payment in full, viz. :-

The right title and interest of the late Sivasangaran Sanmugam to the following property, viz. :-

The lot C of the land and premises called Lalitha and Sikandagiri, bearing assessment Nos. 117 and 121, situated at Kynsey road, within the Municipality and District of Colombo, Western Province; and bounded on the north by lot B of the same land allotted to S. Thayalanayagi, east by water-course, south by road known as Austin place, and south-west by Kynsey road; containing in extent 1 acre 1 rood and 9.75 perches together with all the plantations and buildings standing thereon Registered in A 255/243

Fiscal's Office,  
Colombo, June 24, 1942.

H. C. WIJESINHA,  
Deputy Fiscal.

In the Court of Requests of Colombo.

(1) A. Muthupalaniappa, Chettiar and (2) A. Ramasamy Chettiar, both carrying on business under the name, style and firm of A. M. R. M. Firm at 184, Sea street in Colombo. Plaintiffs.  
No. 77,211. Vs.

(1) Sangamalam Ponnadurai and (2) Soorier Ponnadurai, both of Waidrya road, Dehvala..... Defendants.

NOTICE is hereby given that on Tuesday, July 21, 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. 4,059, 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 assessment No. 4,060; 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 Kongahawatta, together with the buildings and plantations standing thereon, 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, June 24, 1942.

H. C. WIJESINHA,  
Deputy Fiscal.

#### Central Province.

Testamentary Case No. T. 69. Estate No. ED/B 156.

In the District Court of Kandy.

In the matter of the estate of Kader Ibrahim Kader Bawa, deceased.

The Commissioner of Estate Duty..... Petitioner.

K. M. Ibrahim Saibo of Dayatalawa, attorney of Mohamed Beebi Ammal, executrix of the estate of the above-named deceased..... Respondent.

NOTICE is hereby given that on Saturday, July 25, 1942, at 11 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said deceased, Kader Ibrahim Kader Bawa, in the following property for the recovery of Rs. 19,515.64 together with interest thereon at 4 per centum per annum from August 27, 1938, to date of payment being the estate duty due in respect of the above estate, viz. :-

An undivided one-fourth share of all that allotment of land together with the buildings, plantations, undeveloped lands and other things standing thereon containing in extent about two acres, three roods and twenty eight perches comprising of the assessment Nos: 1-15, New Bazaar street, Nos. 16 and 17, New Bazaar street (Vales Building), Nos. 17-18, Lawson street, Nos. 82, 83, 84, and 85, Badulla road, situated in the Town of Nuwara Eliya, Nuwara Eliya District, Central Province; and bounded on the east by New Bazaar street, south-east by lands and buildings belonging to J. A. de Silva, K. A. Mohideen and Messrs. G. S. V. Pytilaka and Brothers, south-west by Badulla road, north-west by Lawson street.

Deputy Fiscal's Office,  
Nuwara Eliya, June 18, 1942.

G. S. PERRIS,  
Additional Deputy Fiscal.

In the District Court of Kandy.

Ramanjil Amurthamma Vengadasalam, the administratrix of the estate of Sinnasamy Vengadasalam of Matale town, deceased..... Plaintiff

No. M. B. 306. Vs.

Uda Talawinne Yapamudiyanselayegedera Loku Menka of Wariyapola in Medasiyapattu, Matale South..... Defendant.

NOTICE is hereby given that on Friday, July 17, 1942, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property mortgaged with the plaintiff by bond No. 8291 dated December 13, 1930, and attested by Mr. S. W. Wijayatilaka, Notary Public, Matale, 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 August 16, 1940, for the recovery of the sum of Rs. 500.25 together with interest thereon at the rate of 9 per cent. per annum from November 15, 1939, till payment in full and costs Rs. 102.60 and poundage, viz. :-

Undivided 7/16 shares of the land called Watukonawatta containing in extent about twelve nellies kurakkan sowing, situated at Wariyapola in Medasiyapattu, Matale South, in the District of Matale, Central Province; and bounded on the east by Maha-ela, south by agala, west by high road, and on the north by Kiru Duraya's garden together with like shares of the plantations and an undivided 3/4 shares of the tiled house thereon; registered in B 79/74.

Office of the Deputy Fiscal,  
Matale, June 23, 1942.

H. DIAS DESINGHE,  
Deputy Fiscal.

**Southern Province.**

In the District Court of Galle.

The Commissioner of Income Tax . . . . . Petitioner  
No. 362 Special. Vs.Mr. M. S. Ismail of 55, Lighthouse street, Galle . . . . . Respondent  
NOTICE is hereby given that on Monday, July 27, 1942, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said respondent in the following property for the recovery of a sum of Rs 427.25, viz:—

All those premises with plantations and house bearing Municipal assessment old No. 3 and new No. 22, situated at Hospital street, Fort, within the Municipality of Galle, in the Four Gravets of Galle, Galle District, Southern Province, and bounded on the north by premises bearing No. 1, east by Public road, south by premises bearing No. 2, and west by premises bearing No. 1; and containing in extent about 6 perches.

Fiscal's Office,  
Galle, June 22, 1942.W. P. DALUWATTE,  
Deputy Fiscal.

In the District Court of Matara.

R. M. Alles of 40, Botsju avenue, Dehiwala, in Colombo, administrative of the estate of T. A. Alles, deceased . . . . . Plaintiff  
No. 13,614. Vs.

C. A. Ariyaratne of Messrs. C. A. Odris de Silva &amp; Sons, Kadaweediya, Matara . . . . . Defendant.

NOTICE is hereby given that on Saturday, July 25, 1942, commencing 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 a sum of Rs. 1,327.53 together with legal interest on Rs. 1,694.48 from February 19, 1941, till payment in full, less Rs. 150, viz:—

All that undivided 1/5 share of lot A of the land called Handungewatta, situated at Kadaweediya within the Urban Council limits of Matara, Matara District, Southern Province, together with 1/5 share of the Oil Mills, and of factory and of other buildings standing thereon; and which said lot A is bounded on the north by lot B of Handungewatta, east by Uswatta, south by Odewatta, and west by ela; and containing in extent 1 rood 9.61 perches (Registered in A 127/247.)

Deputy Fiscal's Office,  
Matara, June 22, 1942.H. V. F. ABAYAKOON,  
Additional Deputy Fiscal.

In the District Court of Tangalla.

Warnakulasuriya Patabendige Davithsimo of Wellawatta in Colombo . . . . . Plaintiff  
No. 3,816 Vs.

(1A) Andrahennedige Bihnduhamy, (1B) Andrahennedige Odris Appu, (1C) Andrahennedige Heennona, all of Mavella . . . . . Substituted Defendants.

NOTICE is hereby given that on Wednesday, July 22, 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. 5611 dated July 9, 1932, attested by C. P. Wickramasingha, Notary Public, and ordered to be sold by order of court dated May 8, 1942, for the recovery of Rs. 904.83 together with further legal interest on Rs. 614.13 from November 29, 1941, till payment in full, viz:—

(1) All the fruit trees and soil and all the buildings thereon constructed by the 1st defendant of the land called Rattagawakoratuwa alias Rattagahahena, situated at Nakulungunuwa in West Girituwa pattu of the Hanbantota District, Southern Province, and bounded on the north by Kaggugahakoratuwa, east by Karawahahena, south by Bogahahena and Herahiwattahena, and west by Uyangodayagewatta, containing in extent 1 acre 1 rood and 21 perches

(2) An undivided 263/840 shares of the soil and of all the fruit trees and of all the buildings thereon of the land called Mahakowatta Uturudhawekebella, situated at Seenmodara in West Girituwa pattu aforesaid; and bounded on the north by high road from Matara to Tangalla and Godarawatta alias Telambugahawatta, east by Gedarawatta alias Telambugahawatta, south by the southern portion of this land and Aratchipatabendiralagewatta, and west by high road: containing in extent 2 acres and 34 perches.

Deputy Fiscal's Office,  
Tangalla, June 18, 1942.V. ALLIRAJAH,  
Additional Deputy Fiscal.**Northern Province.**

In the District Court of Jaffna held at Point Pedro

Veluppillai Vallipuram of Thumpalai as trustee and Manager of Kanagankardu Madam at Thumpalai . . . . . Plaintiffs  
No. 1,184/P. Vs.

(1) Ramiah Chetty Nagalingam Chetty, (2) Kandasamy Chetty Tharamaraya Chetty, (3) Sinnappu Seeny all of ditto . . . . . Defendants.

NOTICE is hereby given that on Tuesday, July 21, 1942, at 11.30 in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said third defendant in the following property for the recovery of a sum of Rs. 12 per month being damages from June 1, 1940, till February 1, 1942, namely, Rs. 240 from the 2nd and 3rd defendants and costs Rs. 345.09 from the 3rd defendant, and poundage and charges, viz:—

An undivided one-third share of the ground and well within the premises of lot No. 4, together with all those within the boundaries of lot No. 2 (an extent 3 lachams varagu culture and 1 24/32 kulies,

together with coconut trees, palmyras, newly built stone house and huts) in the Survey plan No. 5818 prepared by K. Kanapathippillai, Licensed Surveyor, showing the following shares of lands in extent 9 lachams varagu culture and 14 1/32 kulies, viz:— an extent of 1 lacham varagu culture and 6 kulies on the western side of Vallalala in extent 1 1/2 lachams varagu culture and veedu 1; an extent of 3 lachams varagu culture and 13 kulies in the centre of Vallala in extent 5 1/2 lachams varagu culture. "Vallala" in extent 3 1/2 lachams varagu culture; and 2 lachams varagu culture on the northern side of an extent of 5 lachams varagu culture on the eastern side of Valankerni, in extent 6 1/2 lachams varagu culture; which shares are all in one and the same plot and contain an aggregate extent of 11 lachams varagu culture and are situated at Thumpalai in Point Pedro parish, Vadamarachchi division of the Jaffna District, Northern Province; the said lot No. 2 in extent 3 lachams varagu culture and 1 24/32 kulies, with its appurtenances, is bounded on the east by lot No. 3 in the above-mentioned plan belonging to Sellammah, wife of Thambippillai, north by lot No. 4 containing the well belonging to the said defendant and others and by lane, west by the property of Sellammah, wife of Thambippillai, and south by the property of Punnar Kanapathippillai and others.

Fiscal's Office,  
Jaffna, June 23, 1942.P. THAMBIAH,  
for Fiscal.

In the District Court of Jaffna.

Sinnathamby Subramaniam of Beach road, Jaffna . . . . . Plaintiff  
No. 16,056. Vs.

Thillaiambalam Selvadurai of Vannarponnai West . . . . . Defendant.

NOTICE is hereby given that on Thursday, July 23, 1942, at 1.30 in the afternoon, 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. 533.75 with interest thereon at the rate of 9 per cent. per annum from October 10, 1940, until payment in full and costs of suit being Rs. 85.95 and poundage and charges, viz:—

(1) Lot No. 44 in extent 17 acres situated at 7th channel in Kilinochchi, Paranthan parish, Karaichchi Division of the Jaffna District, Northern Province; and bounded on the east by road, north by the property of the above-named plaintiff, west by the property of Hunt and by Crown land and, south by the property of the above-named defendant.

(2) Lot No. 48 in extent 12 acres situated at 7th channel in Kilinochchi aforesaid; and bounded on the east by road, north by the property of the above-named defendant, west by the property of Hunt, and south by the property of Mortimer.

Fiscal's Office,  
Jaffna, June 23, 1942.P. THAMBIAH,  
for Fiscal.**North-Western Province.**

In the District Court of Kurunegala.

S. K. R. S. K. R. Adappa Chettiar, by his present attorney, A. R. Gnanadithan Chettiar of Madampe . . . . . Plaintiff  
No. 18,635. Vs.

Balanche Maname Carron of Highlands, Queen's road, Colombo . . . . . Added-Defendant.

NOTICE is hereby given that on Saturday, July 18, 1942, at 2.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said added defendant in the following property for the recovery of the sum of Rs. 154.25 and poundage, viz:—

All that lot A, in extent 17 acres 1 rood and 33 perches, from and out of the land called Delgahamulawatta, appearing in plan No. 2227 dated June 15, 1940, made by J. Wright, Licensed Surveyor, and situated at Bampanna in Medapattu korale west of Katugampola halpattu in Kurunegala District, North-Western Province; and which said lot A is bounded on the north by road, east by the estate of Mrs. Carron, south by lot B, and west by road.

Fiscal's Office,  
Kurunegala, June 23, 1942.S. SUBRAMANIAM,  
Additional Deputy Fiscal.**Province of Uva.**

In the District Court of Badulla.

Tuan Noor Jamudeen of Badulla . . . . . Plaintiff  
No. 6,932. Vs.

Messrs. Walker Sons &amp; Company, Limited, of Bandara-wela . . . . . Defendant.

NOTICE is hereby given that on Saturday, July 18, 1942, at 10 o'clock in the forenoon, will be sold by public auction at the Fiscal's Office, Badulla, the right, title, and interest of the said plaintiff in the following property for the recovery of the sum of Rs. 909.36 being costs; mortgaged bond No. 499 dated September 22, 1932, attested by Mr. M. T. Jamudeen, Notary Public, for a sum of Rs. 1,900 effecting the following property, viz:—

All that allotment of land bearing lot No. 48 with the building standing thereon formerly bearing assessment 592 presently No. 35, Bazaar street, situate in the Town and Gravets of Badulla, Yatikanda division in the Badulla District of the Province of Uva; and bounded on the north by the lane 12 feet wide, on the east by the land described in title plan No. 49041, now by house and premises bearing No. 591 of Ana Sana Muna, on the south by Bazaar street, and on the west by land described in title plan No. 49042, now by house and premises bearing assessment No. 546 of Muna Ithana Thana, containing in extent five and eighteen upon one hundred

perches, according to the survey and description thereof bearing No. 50271 authenticated by Captain William Driscoll Gossett, Survey-General, but containing in extent four perches according to the figure of survey thereof bearing No. 97 made by S. J. Vallipuram, Licensed Surveyor.

Fiscal's Office,  
Badulla, June 19, 1942.

P. M. ANDRADO,  
Deputy Fiscal.

In the District Court of Badulla.

M. M. Mohammado Mohideen Marikar by his attorney  
M. M. Mohammado Noohu of Bandarawela ..... Plaintiff.  
No. 7,213. Vs.

(1) Arthur Henry Wijekoon and (2) Somawathie Wijekoon,  
joint administrators of the estate of the deceased, D. D. Abey-  
sekera, both of Uva Dickarawa estate, Bandarawela Defendants.

NOTICE is hereby given that on Saturday, August 1, 1942, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 464 82, with legal interest thereon from February 6, 1941, till payment in full and costs of suit Rs. 136 15 as taxed, viz. :-

All that estate called Uva Dickarawa situated at Udukumbalwela village in Kumbalwela korale in Yatukinda division, Badulla District of the Province of Uva; and containing in extent 341 acres and 2 roods; and bounded on the north by Kudumriswattetenna and Kumbalwela-oya, east by Crown land and Gansabhawa road to Ella, south by Gansabhawa road, and on the west by Crown land and the Bandarawela-Badulla road, according to the survey plan dated September 8, 1924, made by E. F. Ebert, Licensed Surveyor, together with the bungolow, outhouses and tea plantations standing thereon subject to mortgage.

Fiscal's Office,  
Badulla, June 17, 1942.

P. M. ANDRADO  
Deputy Fiscal.

In the Court of Requests of Badulla.

S. A. Talayaratne of Lunugala ..... Plaintiff.  
No. 9,102. Vs.

M. A. Abdul Majeed of Bailey road, Badulla ..... Defendant,  
L. K. Nagalingam of Lunugala ..... Added Defendant.

NOTICE is hereby given that on Saturday, July 25, 1942, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said plaintiff in the following property for the recovery of the sum of Rs. 155 25, viz. :-

All that land called Kendagahakumbura containing in extent 1 see of kurakkan sowing together with the tiled building standing thereon situated at Lunugala town in Pattipola korale in Yatukinda division, Badulla District of the Province of Uva; and bounded on the west by cart road, south by the live fence of the land belonging to Abdul Majeed, east by live fence, and on the north by the wall of the building belonging to Pesona Peiris and live fence.

Fiscal's Office,  
Badulla, June 17, 1942.

P. M. ANDRADO,  
Deputy Fiscal.

## NOTICES OF TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late  
Jurisdiction. Jeman de Alwis Goonatilleka, deceased, of  
No. 9,987. Petyagoda, Kelaniya.

Susan Euriel Goonatillaka of 18, Sedawatta, Wellam-  
pitiya ..... Petitioner.  
Vs.

(1) Sumana Leela Goonatilleka, and (2) Dayananda Karuna-  
pala Goonatilleka, both of 18, Sedawatta, Wellampitiya  
(minors, appearing by their guardian *ad litem*, the 3rd re-  
spondent), (3) Mudaliyar George Jayasinghe of Udaha-  
mulla ..... Respondents.

THIS matter coming on for disposal before James Joseph, Esq.,  
Additional District Judge, Colombo, on March 3, 1942, in the  
presence of Mr. T. Amarasinghe, Proctor, on the part of the petitioner;  
and the affidavit of the above-mentioned petitioner dated March  
3, 1942, having been read.

It is ordered that that said Mudaliyar George Jayasinghe, the  
3rd respondent, be appointed guardian *ad litem* over the 1st and  
2nd minor respondents for all purposes of this action, and that the  
above-named petitioner be and she is hereby declared entitled, as the  
widow of the above-named deceased, to have letters of adminis-  
tration to the above estate issued to her accordingly, unless the  
respondents or any other person or persons interested shall, on or  
before July 2, 1942, show sufficient cause to the satisfaction of this  
court to the contrary.

June 17, 1942.

JAMES JOSEPH,  
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testy. In the Matter of the Intestate Estate of the late  
No. 10,044. Langanage Dona Magline of 23, 67th lane,  
Havelock road, Wellawatta, deceased.

Langanage Dona Nealin of Negombo ..... Petitioner.  
And

(1) Langanage Dona Carlina, (2) Langanage Dona Josino, both  
of Negombo ..... Respondents.

THIS matter coming on for disposal before James Joseph, Esq.,  
Additional District Judge of Colombo, on May 20, 1942, in the  
presence of Messrs. Jayasekera & Jayasekera, Proctors, on the  
part of the petitioner; and the affidavit of the above-named peti-  
tioner dated May 20, 1942, having been read:

It is ordered that the above-named petitioner be and she is hereby  
declared entitled, as a sister of the above-named deceased, to have  
letters of administration to the above estate issued to her accord-  
ingly, unless the respondents or any other person or persons interest-  
ed shall, on or before July 2, 1942, show sufficient cause to the satis-  
faction of this court to the contrary.

June 10, 1942.

JAMES JOSEPH,  
Additional District Judge.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament with  
Jurisdiction. Codicils of Edward Francis Cahill (also known as  
No. 10,059. Edward Cahill) formerly of No. 20, Queen street,  
Mosman and late of Oak Hill, Castle Hill, in the  
State of New South Wales, Australia, deceased

And

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) Ordi-  
nance (Chapter 84) for the sealing of Exemplification of Probate of  
the will and codicils of Edward Francis Cahill also known as Edward  
Cahill formerly of No. 20, Queen street, Mosman and late of Oak  
Hill, Castle Hill, in the State of New South Wales, Australia, deceased,  
granted by the Supreme Court of New South Wales on the twenty-  
sixth day of November One thousand nine hundred and forty-one

F. J. & G. DE SARAM,  
Proctors for the Perpetual Trustee Company (Limited)  
and John Cahill the executors named in the will.  
Colombo, June 26, 1942.

In the District Court of Colombo.

Notice of Application

Testamentary In the Matter of the Last Will and Testament of  
Jurisdiction. Herbert Henry Hiscocks of Bodmin Mental  
No. 10,060. Hospital, Bodmin, in the County of Cornwall  
formerly of Ekkeralle estate, Opanaika, Ceylon,  
deceased.

And in the Matter of the British Courts Probates  
(Re-sealing) Ordinance (Chapter 84).

NOTICE is hereby given that after the expiry of twenty-one 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 certified Copy of Probate  
of the Last Will and Testament of Herbert Henry Hiscocks of  
Bodmin Mental Hospital, Bodmin, in the County of Cornwall,  
formerly of Ekkeralle estate, Opanaika, Ceylon, deceased, granted  
by the Principal Probate Registry of His Majesty's High Court of  
Justice at Llandudno on May 21, 1941.

JULIUS AND CREASY,  
Proctors for John Johnston, French,  
Attorney, for Midland Bank Executor  
and Trustee Company, Limited, the sole  
Executor of the Last Will and Testament  
Colombo, June 11, 1942. of Herbert Henry Hiscocks, deceased.

In the District Court of Colombo.

Order Nisi

Testamentary In the Matter of the Intestate Estate of Gabriel  
Jurisdiction. Perera Jayasekera deceased of Wennawatta.  
No. 10,066.

Kuruppu Aechhige Dona Isabel Gunatilaka ..... Petitioner  
Vs.

(1) Susima Milicent Jayasekera, (2) Malini Dharmawathie  
Jayasekera, (3) Padmini Vinita Jayasekera (minors)  
appearing by their guardian *ad litem* (4) Kuruppu Aechhige  
Don Bujangasena Gunatilaka, all of Wennawatta. Respondents

THIS matter coming on for disposal before James Joseph, Esq.,  
Additional District Judge of Colombo, on June 17, 1942, in the  
presence of Mr. W. P. Jayasekera, Proctor, on the part of the  
petitioner; and the affidavit of the above-mentioned petitioner  
dated June 16, 1942, having been read.

It is ordered that the said Kuruppu Aechhige Don Bujangasena  
Gunatilaka, the 4th respondent, be appointed guardian *ad litem*  
over the 1st, 2nd, and 3rd minor respondents for all the purposes  
of this action and the above-named petitioner be and she is hereby

declared entitled, as widow of the above-named deceased, to have letters of administration to the above estate issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before July 16, 1942, show sufficient cause to the satisfaction of the court to the contrary.

June 18, 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 the late Uyangoda  
Jurisdiction. Piyasena Ekanayaka, deceased, of Wellampitiya  
No. 10,069 in Ambatalen Pahala in Alutkuru korale  
south.

(1) Don Johannes Ekanayaka, (2) Don Babun Ekanayaka, and  
(3) Don Sadms Ekanayaka, all of Cotta road,  
Colombo . . . . . Petitioners.

And

(1) Pathurage Cecihana Perera of Wellampitiya aforesaid,  
(2) Ekanayaka Aratchige Don Pedrick, (3) Ekanayaka  
Aratchige Don Hendrick, and (4) Ekanayaka Aratchige  
Don Cornelis, all of Karagoda Uyangoda in  
Matara . . . . . Respondents

THIS matter coming on for disposal before James Joseph, Esq.,  
Additional District Judge, Colombo, on June 19, 1942, in the presence  
of Mr. D. R. de S. Abhayanayake, on the part of the petitioners,  
and of the affidavits of the above-mentioned petitioners, and of the  
attesting notary both dated June 15, 1942, having been read.

It is ordered that the will of Uyangoda Piyasena Ekanayaka of  
Wellampitiya, deceased, dated June 27, 1938, and numbered  
5,602 and codicil thereto bearing No. 6,352 and dated March 13, 1941,  
and the same are hereby declared proved, unless the respondents  
or any other person or persons interested shall, on or before July 23,  
1942, show sufficient cause to the satisfaction of this court to the  
contrary.

It is further declared that the above named 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 respondents  
or any other person or persons interested shall, on or before  
July 23, 1942, show sufficient cause to the satisfaction of this court  
to the contrary.

June 20, 1942. JAMES JOSEPH,  
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Randeni  
Jurisdiction. Pidumwattage Don Cherris Randeni Senaratne  
No. 3,181. Kaleliya, Udawela, deceased.

Between

Randeni Pidumwattage Don Upaneris Randeni Senaratne of  
Kaleliya, Udawela . . . . . Petitioner.

And

(1) Bulughamulle Patirannehelage PUNCHIHAMY, (2) Randeni  
Pidumwattage Dona PUNCHI Nona Jayawardene HAMME,  
(3) Randeni Pidumwattage Don Stephen Randeni Senaratne,  
all of Kaleliya, Udawela, (4) Randeni Pidumwattage Dona  
Pamonona HAMME of Pasyala . . . . . Respondents.

THIS matter coming on for disposal before A. S. Vanigasooriyer,  
Esq., District Judge of Negombo, on June 10, 1942, in the presence  
of Mr. S. D. C. W. Senaratne, Proctor, on the part of the petitioner,  
and the petition and affidavit of the said petitioner dated April 18,  
1942, and March 28, 1942, respectively, having been read.

It is ordered that the said petitioner be and he is hereby declared  
entitled, as a child of the above-named deceased, to have letters of  
administration to his estate issued to him accordingly, unless the  
respondents above named or any other person or persons interested  
shall, on or before July 3, 1942, show sufficient cause to the satisfaction  
of this court to the contrary.

June 10, 1942. A. S. VANIGASOORIYER,  
District Judge.

In the District Court of Negombo.

Order Nisi declaring Will proved.

No. 3,177/T. In the Matter of the Last Will and Testament of  
Richard Alexander Mendis of Paluwelgala,  
deceased.

U Edwin Silva Mudalali of Raddoluwa' . . . . . Petitioner  
Vs.

(1) Wickrama Aratchige Jamis Fernando, (2) ditto Stephen  
Fernando, (3) ditto Mary Fernando, (4) ditto Baby  
Fernando, all of Raddoluwa, (5) John Perera of Udawala,  
(6) Leila Mildred Aboysinghe nee Rajapakse of Negombo,  
(7) John Eric Percival Rajapakse of Palugahawatta,  
Amandoluwa, (8) R. G. L. de Zoysa of Divulapitiya  
. . . . . Respondents.

THIS matter coming on for disposal before A. S. Vanigasooriyer,  
Esq., District Judge of Negombo, on June 8, 1942, in the presence  
of Mr. F. W. Goneratne, Proctor, on the part of the petitioner;  
and the affidavits of the petitioner dated June 8, 1942, and June 2,  
1942, respectively, and the affidavit of the attesting notary of the  
will and the codicils attached thereto of the above-named deceased  
dated February 18, 1942, having been read.

It is ordered that the last will of the said Richard Alexander  
Mendis, deceased, bearing No. 25481 dated December 16, 1932, and  
the codicils attached thereto No. 26499 dated March 15, 1935,  
No. 29015 dated October 21, 1938, and No. 29579 dated October 12,  
1939, all attested by Peter Wilfred Marasinghe of Nattandiya in  
Chilaw District, Notary Public, the originals of which have been

produced and is now deposited in this court be and the same are  
hereby declared proved, unless the respondents above named or  
any other person or persons interested shall, on or before July 1,  
1942, show sufficient cause to the contrary to the satisfaction of this  
court.

It is further ordered that the said petitioner is the executor  
named in the said codicil No. 29579 dated October 12, 1939, attached  
to the said will and that as such he is entitled to have probate of the  
will issued to him accordingly, unless the said respondents or any  
other person or persons interested shall, on or before July 1, 1942,  
show sufficient cause to the satisfaction of this court to the contrary.

June 8, 1942. A. S. VANIGASOORIYER,  
District Judge.

In the District Court of Kalutara

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the late Meera  
Jurisdiction. Lebbe Marikar Mohamed Saly, deceased, of  
No. 3,023. Katukurunda

Sahibdore Fattumuttu Sohara of 348, Katu-  
kurunda . . . . . Petitioner.

Vs

(1) Mohamed Saly Lyn Nona, (2) ditto Kadja Nona, (3)  
ditto Mohideen, (4) ditto Fathuma Umma, (5) ditto Moha-  
med Idrees, (6) ditto Mohamed Uwaes, (7) ditto Mohamed  
Packer, (8) ditto Furkan, all of 348, Katukurunda, (9)  
Ussof Lebbe Marikar Abdul Majeed of Katu-  
kurunda . . . . . Respondents.

THIS matter coming on for disposal before V. Joseph, Esq.,  
District Judge, Kalutara, on January 29, 1942, in the presence of  
Messrs. Wilmann & Coorey, Proctors, on the part of the  
petitioner, and the affidavit of the above-mentioned petitioner  
dated January 9, 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, to have letters of  
administration issued to her, unless the respondents or any other  
persons interested in the estate shall, on or before March 4, 1942,  
show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 9th respondent be and he is  
hereby appointed guardian *ad litem* over the said 1st to 8th re-  
spondents, who are minors, for all the purposes of this action, unless  
the respondents or others interested in the estate shall, on or before  
March 4, 1942, show sufficient cause to the satisfaction of this court  
to the contrary.

January 29, 1942. V. JOSEPH,  
District Judge.

Date for showing cause extended for July 10, 1942.

February 4, 1942. V. JOSEPH,  
District Judge.

In the District Court of Kalutara.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the late Galhenage  
Jurisdiction. Charles Perera Appuhamy of Batuwita, deceased,  
No. 3,041

(1) Galhenage Arthur Perera of Batuwita . . . . . Petitioner.

Vs.

(1) Mataage Podinona Hamme, (2) Galhenage Caroline Perera,  
both of Batuwita, (3) ditto Leclawathie Perera of Raigama,  
(4) ditto Pemawathie Perera of Kudawadduwa . . . . . Respondents.

THIS matter coming on for disposal before V. Joseph, Esq.,  
District Judge, Kalutara, on June 15, 1942, in the presence of Mr. C.  
L. E. Perera, Proctor, on the part of the petitioner; and the affidavit  
of the above-mentioned petitioner dated May 26, 1942, having been  
read.

It is ordered that the will of Galhenage Charles Perera Appuhamy,  
deceased, dated December 8, 1940, and numbered 529, be and the  
same is hereby declared proved, unless the respondents or any other  
person or persons interested in the estate shall, on or before July 7,  
1942, show sufficient cause to the satisfaction of this court to the  
contrary.

It is further declared that the said Galhenage Arthur Perera,  
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 others interested in the estate shall, on or  
before July 7, 1942, show sufficient cause to the satisfaction of this  
court to the contrary.

June 15, 1942. V. JOSEPH,  
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Ranatunga  
Jurisdiction. Mudianselage Dingiri Amma Warakaula.  
No. T. 285. deceased, of Urulewatta.

THIS matter coming on for disposal before T. F. C. Roberts,  
Esq., Additional District Judge, Kandy, on May 27, 1942, in the  
presence of Mr. M. B. E. Seneviratna, Proctor, on the part of the  
petitioner, Warakaula Herath Mudianselage Medduma Banda  
Warakaula, and the affidavit of the said petitioner dated May 26,  
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 of the deceased issued to him;  
unless the respondents—(1) Warakaula Herath Mudianselage  
Biso Menika Wyekoon, (2) ditto Mahasena Banda Warakaula,  
(3) ditto Jayatissa Banda Warakaula—or any other person or  
persons interested shall, on or before July 13, 1942, show sufficient  
cause to the satisfaction of this court to the contrary.

June 2, 1942. T. F. C. ROBERTS,  
Additional District Judge.



## In the District Court of Matara.

## Order Nisi.

Testamentary In the Matter of the Intestate Estate of Kasturi  
Jurisdiction. Arachchige Jeerisappu of Morawaka, deceased.  
No. 4,146.

Between

Kasturi Arachchige Andrisappu *alias* Don Andris Kasturi  
Arachchi of Morawaka . . . . . Petitioner.

And

(1) Kasturi Arachchige Leelawathie of Palatuwa, (2) ditto  
Sumanawathie of Warakapitiya, (3) ditto Karunadasa, (4)  
ditto Pentis, (5) ditto Dayananda, all of Pettah, (6) ditto  
Alasrhamy of Warakapitiya, (7) ditto Rammiyawathie  
of ditto (minor), (8) ditto Premadasa of ditto . . . . . Respondents.

THIS matter coming on for disposal before V. E. Rajakarier,  
Esq., District Judge of Matara, on May 13, 1942, in the presence of  
Mr. W. Gunasekera, Proctor, on the part of the petitioner above  
named; and the affidavit of the petitioner dated November 19,  
1941, having been read: It is ordered (a) that the 1st respondent  
be and she is hereby appointed guardian *ad litem* over the 7th  
minor respondent to represent her for all purposes of this action, and  
(b) that the petitioner be and he is hereby declared entitled, as brother  
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 June 15,  
1942, show sufficient cause to the satisfaction of this court to the  
contrary.

May 13, 1942.

V. E. RAJAKARIER  
District Judge.

Order Nisi extended to July 20, 1942.

June 15, 1942

V. E. RAJAKARIER,  
District Judge.

## In the District Court of Matara.

## Order Nisi.

Testamentary In the Matter of the Intestate Estate of Don Carolus  
Jurisdiction. Samarasingha Gunasekera of Wenagama, Matara  
No. 4,147. District, deceased.

Between

Don Dionis Samarasingha Gunasekera of Talagahama . . . . . Petitioner

And

(1) Disiana Weerasingha of Wenagama, (2) Dona Christina  
Samarasingha Gunasekera of Diyalape, (3) Hendrick Samara-  
singha Gunasekera of Wenagama, (4) Johana Piyaseeli  
Samarasingha Gunasekera of ditto, (5) Dona Carlina Samara-  
singha Gunasekera of ditto, (6) Don Nikelas Samarasingha  
Gunasekera of ditto . . . . . Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq.,  
District Judge of Matara, on April 28, 1942, in the presence of  
B. E. A. Jayawickreme, Proctor, on the part of the petitioner  
above named; and the affidavit of the petitioner dated April 27,  
1942, having been read: It is ordered 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 June 8, 1942, show sufficient cause to  
the satisfaction of this court to the contrary.

April 28, 1942

V. E. RAJAKARIER,  
District Judge.

Order Nisi extended to July 6, 1942

June 8, 1942

V. E. RAJAKARIER,  
District Judge.

## In the District Court of Tangalla.

## Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of  
Jurisdiction. Jayasekara Liyanage Dingihamy of Panga-  
No. 1,340. wilayaya, deceased.

Don Pedrick Wickramaratne Gunasekera of Horawinna . . . . . Petitioner.  
Vs.

Munasin Aratchige Malhamy of Horawinna . . . . . Respondent.

THIS matter coming on for disposal before T. P. P. Goone-  
teleke, Esq., District Judge of Tangalla, on October 21, 1941, in the  
presence of Mr. F. L. Poulter, Proctor, on the part of the petitioner  
above named; and the affidavit dated October 3, 1940, of the said  
petitioner, and the affidavits of Galappathige Sirisoma, attesting  
notary and Potuwe Aratchige Davith Hamy of Walasmulla, one of  
the attesting witnesses, and dated June 11, 1941 and March 25, 1941,  
respectively, having been read:

It is ordered that the last will of Jayasekara Liyanage Dingihamy  
of Pangawilayaya, deceased, of which the original has been produced  
and is now deposited in this court, be and the same is hereby  
declared proved, unless the respondent above named or any other  
person or persons interested shall, on or before November 26, 1941,  
show sufficient cause to the satisfaction of this court to the contrary.

And it is further ordered and declared that the petitioner is the  
executor named in the said will and that he is entitled to have  
probate thereof issued to him accordingly, unless the respondent

above-named or any other person or persons interested shall, on or  
before November 26, 1941, show sufficient cause to the satisfaction  
of this court to the contrary.

HERBERT S. ROBERTS,  
District Judge.

October 31, 1941.

Extended to December 18, 1941

November 26, 1941.

Extended to January 8, 1942

December 18, 1941

Extended to February 5, 1942.

January 8, 1942.

Extended to March 11, 1942.

February 5, 1942.

Extended to April 8, 1942.

March 11, 1942.

Extended to May 6, 1942.

April 8, 1942

Extended to June 3, 1942.

May 6, 1942.

Extended to July 1, 1942.

June 3, 1942.

## In the District Court of Jaffna

## Order Nisi

Testamentary In the Matter of the Estate of the late Aiyana  
Jurisdiction Punnar of Ittavi, deceased.  
No. 804.

Muttu, Chelliah of Ittavi . . . . . Petitioner  
Vs.

(1) Pandaram Chellathurai of ditto, (2) Veluppillai Veeragathy  
of ditto, (3) wife, Sivakamy of ditto, (4) Vallippillai,  
daughter of Arumugam, (5) Annammah, daughter of Arum-  
gama, (6) Arumugam Nadarajah, all of Ittavi, (7)  
Muttu Kandiah of ditto, (8) Muttu Sinnathamby of ditto,  
(9) Kanapathupillai Kasippillai, and (10) wife, Chellammah  
of ditto, (11) Kandiah Sathasivam of ditto, (12) Kandiah  
Sithamparapillai of ditto, (13) Sunathamby Veluppillai  
of ditto . . . . . Respondents

THIS matter of the above-named petitioner praying that the  
above-named 7th respondent be appointed guardian *ad litem* over  
the minors, the 4th, 5th, and 6th respondents, and the above-named  
13th respondent be appointed guardian *ad litem* over the minors,  
the above-named 11th and 12th respondents, and that letters of  
administration to the estate of the above-named deceased be issued  
to the petitioner, coming on for disposal before C. Coomaraswamy,  
Esq., District Judge, Jaffna, on November 28, 1939, in the presence  
of Mr. V. S. Kartigesoo, Proctor, on the part of the petitioner;  
and on reading the affidavit and petition of the petitioner:

It is ordered that the above-named 7th respondent be appointed  
guardian *ad litem* over the minors; the above-named 4th, 5th, and 6th  
respondents, and the 13th respondent be appointed guardian *ad  
litem* over the minors, the above-named 11th and 12th respondents,  
and the petitioner as one of the heirs of the above-named deceased,  
be declared entitled to have letters of administration to the estate  
of the above-named deceased, and that such letters be issued to the  
petitioner accordingly, unless the above-named respondents appear  
before this court on January 17, 1940, and show sufficient cause  
to the satisfaction of this court to the contrary.

January 10, 1940.

C. COOMARASWAMY,  
District Judge

Order Nisi extended for July 10, 1942.

June 9, 1942.

G. C. THAMBIAH,  
District Judge.

## In the District Court of Jaffna

## Order Nisi.

Testamentary In the Matter of the Estate of the late Kandappat  
Jurisdiction. Ambalavanar of Karaitivu West, deceased  
No. 1,098 T

Kandappat Chelliah of Karaitivu West, presently P. W. D.  
Overseer, Kurunogala . . . . . Petitioner.

Vs.

(1) Ambalavanar Rasaretnam of Karaitivu West, presently  
Sub-Overseer, Kurunogala, (2) Ambalavanar Kopala-  
pillai of Yatiyantota, (3) Ambalavanar Thirunavuk-  
karasu, (4) Sawparkam, daughter of Ambalavanar, (5)  
Saraswathy, daughter of Ambalavanar, all of Karaitivu  
West . . . . . Respondents.

THIS matter of the petition of the above-named petitioner  
coming on for disposal before C. Coomaraswamy, Esq., District  
Judge, Jaffna, on November 24, 1941, in the presence of Messrs.  
Aboobucker & Sultan, Proctors, on the part of the petitioner; and  
the affidavit and petition of the petitioner having been read:



It is ordered that the above-named 1st respondent be and he is hereby appointed guardian *ad litem* over the minors, 2nd to 5th respondents, for the purpose of this testamentary proceedings and that letters of administration to the estate of the above-named deceased be issued to the above-named petitioner, as the brother of the said deceased, unless the respondents shall appear before this court on January 16, 1942, at 10 A.M., and show sufficient cause to the satisfaction of this court to the contrary.

December 19, 1941. C. COOMARASWAMY,  
District Judge.  
Time to show cause extended till February 18, 1942

January 16, 1942. C. COOMARASWAMY,  
District Judge  
Time to show cause extended till March 25, 1942.

February 18, 1942. C. COOMARASWAMY,  
District Judge.  
Time to show cause extended till May 20, 1942.

March 25, 1942. C. COOMARASWAMY,  
District Judge.  
Time to show cause extended till June 3, 1942

May 20, 1942. C. COOMARASWAMY,  
District Judge.  
Time to show cause extended till July 3, 1942.

June 3, 1942. G. C. THAMEYAH,  
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Herath  
Jurisdiction Mudiyanseclage Medduma Banda Herath of  
No 1,654. Lahupono, deceased.

Herath Mudiyanseclage Sad; Banda of Lahupone . . . Petitioner  
Vs.

(1) Alahakoon Mudiyanseclage Ukku Amma of Lahupone, (2) Herath Mudiyanseclage Punchi Nilame of ditto, (3) ditto Podi Menike of Epalatotuwa, (4) ditto Sad; Menike of Lahupone, (5) ditto Abeyaratne of ditto, (6) ditto Biso Menike of ditto, (7) ditto Punchi Menike of ditto, (8) ditto Herath Menike of ditto, (9) ditto Seneviratne of ditto . . . Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge of Kegalla, on May 23, 1942, in the presence of Mr. R. V. Dedigama, Proctor, on the part of the petitioner; and the petition of the petitioner dated May 23, 1942, and the affidavit of the petitioner dated May 11, 1942, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as eldest son of the above-named deceased, to have letters of administration issued to him and the 1st respondent be and she is hereby appointed guardian *ad litem* over the 4th to 9th minor respondents above named, unless the respondents above named or any person or persons interested shall, on or before July 1, 1942, show sufficient cause to the satisfaction of this court to the contrary

May 23, 1942.

R. R. SELVADURAI,  
District Judge.