

THE

CEYLON GOVERNMENT GAZETTE

No. 8,567 - FRIDAY, JANUARY 12, 1940.

Published by Authority.

PART II.--LEGAL.

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

				PAGE			PAGE
List of Jurors and Asse	essors		٠.	,	District and Minor Courts Notices		8
Passed Ordinances				_	Notices in Insolvency Cases	•. •	8
Governor's Ordinances					Council of Legal Education Notices		
List of Notaries					Notices of Fiscals' Sales	•	. 8
Notifications of Criminal Sessions of the Supreme					Notices in Testamentary Actions		11
Court		••			Miscellaneous	• •	
Supreme Court Notices	i	• •		_	Draft Ordinances		14

DISTRICT AND MINOR COURTS NOTICES.

Return of Testamentary Cases under Official Administration for the Half-Year ended December 31, 1939.

In the District Court of Nuwara Eliya.

VICTOR TAMBINAYAGAM District Court, Nuwara Eliya, January 3, 1940. District Judge.

In the District Court of Trincomalee.

Nil.

District Court. Trincomalee, January 4, 1940. J. WILMOT PERERA, District Judge

In the District Court of Ratnapura.

No. of case: 987-Whose estate: Jayatunga Mudiyanse-

lage Podisingho of Hindurangala.

No. of case: 1,062—Whose estate: Wijetunga Atapattu
Mudiyanse Ralahamillaye Thomas Delgoda Bandara Mahatmaya of Elamalpe. of case: 1,071—Whose

estate: Palansooriya Mohottallaye Jayatuhamy Vidana of Panawenna.

District Court, Ratnapura, January 5, 1940. K. D. DE SILVA, District Judge.

List of Uncertified Insolvents for the Half-Year ended December 31, 1939.

In the District Court of Avissawella.

Insolvency No. 7-Name: Meemanage Gabriel Pieris Residence: Avissawella-Remarks: Protection with-

Insolvency No. 8-Name: Weliwita Vithanage Don Juan Appuhamy—Residence—Kosgàma Ihala—Remarks: Protection withdrawn.

District Court, Avissawella, January 9, 1940.

S. S. J. GOONESEKARA, District Judge.

In the District Court of Nuwara Eliya. Nil.

VICTOR TAMBINAYAGAM. District Court. Nuwara Eliya, January 4, 1940. District Judge.

> In the District Court of Puttalam. Nil.

District Court, H. SHIRLEY AMERASINGHE, Puttalam, January 5, 1940. Additional District Judge.

> In the District Court of Trincomalee. Nil.

District Court. Trincomalee, January 4, 1940. J. WILMOT PERERA District Judge.

In the District Court of Ratnapura.

No.: 66-Date of filing: November 10, 1939-Name of insolvent: Kandubodage Victor Perera of 5, Riverside road, Ratnapura.

District Court. Ratnapura, January 5, 1940. K. D. DE SILVA District Judge.

List of Moneys received and paid on Account of Estates under Official Administration in the District Court of Trincomalee for the Half-Year ended December 31, 1939.

In the District Court of Trincomalee.

District Court, Trincomalee, January 4, 1940.

J. WILMOT PERERA, District Judge.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

In the matter of the insolvency of Mohamed Sally Mohamed Zehir of 271 Remember of Mohamed 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 February 13, 19(1) to tensider the sand of a certificate of conformity to the insolvent.

By order of court, C. EMMANUEL. December 20, 1939. Secretary.

Let the District Court of Colombo.

No. 5,456N In the matter of the insolvency of Mohamed Ibrahim Othman of Mohamed lane, Wellawatta. Ç

WHEREAS the above-named M. I. Othman has filed a declaration of insolvency, and a position for the sequestration of his estate has been filed by M. C. Miskin of 56, St. John's road, Pettah, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said M. I. Othman insolvent accordingly; and that two public sittings of the court, to wit, on February 6, 1940, and on March 5, 1940, 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.

By order of court, C. C. Loos, January 9, 1940. for Secretary.

In the District Court of Kandy. To I. 22 In the matter of the insolvency of Tikiri Banda Wattegama of Aludeniya Walawwa in Udunuwara.

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 February 2, 1940, to consider the granting of a certificate of conformity to the above-named insolvent

By order of court, R. B. RATNAIKE, January 8, 1940.

In the District Count of Nuwara Eliya holden at Hatton. Insolvency of D. A. R. Case No. 36. Ranasinghe of Dikoya, insolvent. Ranasinghe of Dikoya, insolvent.

NOTICE is hereby given that a meeting of the creditors of the above named insolvent will take place at the sitting of this court on February 6, 1940, to consider the grant of a certificate of conformity to the above named insolvent.

order of court, P. Subramaniam, $\mathbf{B}\mathbf{y}$ January 6, 1940. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo. (1) Miss C. L. H. Wijesekera, and (2) C. S. B. Wijesekera, carrying on business under the name, style,

(1) C. W. de Alwis, (2) Mrs. C. W. de Alwis, both of Mount Lavinia ..., Defendants.

NOTICE is hereby given that on Moneay, February 5, 1940, at 4 P.M., will be sold by public action at the premises the right, title, and interest of the said and defendant in the following property. the following property for the recovery of the sum of Rs. 2,000, together with interest thereon at 9 per cent. per annum from August 1, 1938, till date of decree, September 16, 1938, and thereafter with legal interest on the aggregate amount of the decree till payment in full, less the sums of Rs. 700 and Rs. 200, viz. :

All that divided portion marked lot P in plan No. 3,117 dated July 31, 1939, made by James Rodrigo, Licensed Surveyor, from and out f these two contiguous allotments of land called Kelankaduwewatta marked lots C¹ and C⁹ both bearing assessment No. 879/705 being portions of lot C, which said two lots are now forming one property

and bearing assessment No. 15, garden No. 23, situated at 65th lane, Havelock road, Wellawatta, within the Municipality and District of Colombo, Western Province; and which said lot marked P is bounded on the north by 65th lane, east by lot 101 presently belonging to E. C. de Soysa, south by lot A.T., and west by reservation for a road marked lot U; and containing in extent 1 rood and 29:40 perches, together with full right liberty licence to use the road reservation marked U, and appearing in the said plan No. 3117.

Fiscal's Office, Colombo, January 10, 1940. B. M. CHRISTOFFELSZ, Deputy Fiscal.

In the District Court of Colombo.

Denis Anthony Alles of 60 Mayfield road in Colombo Plain
No. 10,614. Vs. Plaintiff.

(1) Karuppen Chettiar son of Letchumanan Chettiar, (2) Karuppen Chettiar son of Karuppen Chettiar,

Weerssinghe, south by the property of Mr. Weerssinghe and land of Saradia and Ukkuwa, and on the west by the land of Kiribandia and others, and by the property of Mr. Mr. Weerasinghe; containing in extent 4 acres 1 rood and 10 perches, according to the plan No. 7,423 dated October 23, 1926, made by Peter de Almeida, Licensed Surveyor, with the buildings and plantations standing thereon.

9. All that allotment of land being the divided 2/36 shares of the land ca led Delgahawatta alias Nugagahawatta, situated at Akaragama aforesaid; bounded on the north by the live fence separating the land of Mangu, east by the live fence separating the land of Karanissa, south by the live fence separating the land of Mango, and west by the live fence separating the portion of this land of Salmalie; containing in extent about 2 roods together with the

buildings and plantations standing thereon.

10. The land called Millagahawatta situa ed at Ihala Madampella in Dunagaha pattu aforesaid; bounded on the north by the land of Ranhotipedige Kiribanda, east by the field of Malinduwa and Kekula Veda, and west by the

land of Menikapedige Jayatuwa; containing in extent about 1 acre and 1 rood together with the buildings thereon.

11. An undivided 4/18 parts or shares of the land called Delgahawatta alias Nugagahawatta, situated at Akaragama aforesaid; the entire land being bounded on the north by the land of Mutugalpedige Hawadiya and others, east by the live fence and the row of jak trees separating the land of Ranhitipedige Subaya and others, and south and west by the garden of the heirs of the late Domingo Fernando Rendarala; containing in extent about 4 acres and 1 rood.

Amount to be levied Rs. 19,067.50 with interest on Rs. 14,500 at 6 per cent. per annum from August 1, 1939, till October 21, 1939, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full.

A. CELESTIN NALLIAH, Deputy Fiscal's Office, Negombo, January 8, 1940. Deputy Fiscal.

In the District Court of Kathetara. Don Baron Goonetilleke of Goodgamuwa Plaintiff.
No. 18,513.

including the rubber plantation thereon of lot E of the land called Paluwatta, situated at Godigamuwa in Kumbuke pattu of Raigam korale in the District of Kalutara, Western

Province; and which said lot E is bounded on the north by the land belonging to M. Cornelis and others, east by lot , south by Kurunduwatta, and on the west by lots B, C, and D; and containing in extent about 2 acres. (Registered No. K 27/324) to be sold at the risk of the 1st purchaser.

2. The soil and everything else standing thereon, including the rubber plantation of an undivided extent of one acre standing on the Western side of lot F of the land called Paluwatta, situated at Godigamuwa aforesaid; and which said lot F is bounded on the north by the land belonging to M. Cornelis and others, east by lot C and Godaporagahawatta, south by Kurunduwatta, and on the west by lot E; and containing in extent 2 acres 1 rood and 32 perches. (Registered No. K 27/323).

An undivided $\frac{1}{2}$ share of the soil and of the trees and plantations thereon, together with the entirety of the two boutique rooms and everything else standing thereon of lot C of the land called Lolugahawatta, situated at Godi-

gamuwa aforesaid; which said lot C is bounded on the north by the cart road, east by lot D, south by the land belonging to K. Podihamy and another, and on the west by lot B; and containing in extent about 35.3 perches.

(Regis ered No. K 50/123).
4. Undivided ½ share of the soil and everything else standing thereon of the field called Godairawella, situated at Godigamuwa aforesaid; and bounded on the north by Meekandewagurekumbura, east by Purana, south by Owita land, and on the west by a portion of the same field; and containing about 6 kurunies of paddy sowing extent. (Registered No. K 22/259).

5. The soil and everything else standing thereon, including the rubber plantation of lot No. 3 of the land called Polkotuwewatta, situated at Godigamuwa aforesaid; and which said lot No. 3 is bounded on the north by the road, east by the road, south by lot No. 5, and on the west by Kurunduwatta; and containing in extent about 32

perches. (Registered No. K 69/144).

6. Undivided half share of the soil, trees, plantations, tiled house, and of everything else standing thereon of Millagahawatta, situated at Godigamuwa aforesaid; and bounded on the north by lot No. A, east by Alubogahawatta, south by Delgahawatta, and on the west by Delgahawatta; and containing in extent 1 acre and 38

perches. (Registered in K 69/150).
7. The soil, plantations, and the buildings and everything else standing thereon of lot No. 4 of the land called Pelakotuwewatta alias Polkotuwewatta, situated at Godigamuwa aforesaid; and which said lot No. 4 is bounded on the north by lot No. 2, east by Millagahawatta, south by the reservation for a footpath, and on the west by the road; and containing in extent 1 acre and 19 and 6/10 perches. (Registered in K 68/239).

Deputy Fiscal's Office, Kalutara, January 3, 1940.

A. W. Rosa, Deputy Fiscal.

Southern Province.

In the District Court of Galle.

In the matter of the estate of the late Nugaduwe

(1) All that undivided I bag paddy sowing extent of the field called Vidanelaikumbura Rituated Andugoda in Talpe pattu, Galle District, Southern Province; bounded on the north by Kadjugahakumbura and Rajahamylaideniya, east by Addarageowita, south by Thehena, west by Gamagaikumbura, in extent 1 amunam of paddy sowing.

(2) All that undivided 5 kurunies paddy sowing extent of the land called Hitigedeniyawatta and owita, situated as aforesaid; and bounded on the north by Hitigewatta, east by Radagedeniya, south by Nakandedeniya, west by Jambugahaowita, in extent about 4 acres.

(3) All that undivided 2½ bags paddy sowing extent of the field called Delgahakumbura, situated as aforesaid; bounded on the north by Nakandedeniya, east by Gamagaikumbura, south by Thehena, west by Ambalamagawahena,

in extent about 1 amunam.

(4) All that undivided 10 kurunies paddy sowing extent of the field called Wellewalakumbura alias Ralahamylaikumbura, situated as aforesaid; bounded on the north by

Pallewalakumbura, east by Disanayakgeowita, south by Vidanelaikumbura, west by Kadjugahakumbura, in extent

(5) All that undivided 8 kurunies paddy sowing extent of the field called Munasinghegekumbura, situated as aforesaid; bounded on the north by Wallagaha adderawatta, east by Alutgederawatta and Kumbura, south by Paragaha-adderakumbura, west by Munasinghagewatta, in extent 4 pelas.

(6) All that undivided 1/5 part of the land called Munasinghagewatta, situated as aforesaid; bounded on the north by Lokugewatta, east by Munasinghagekumbura, south by Munasinghagepittaniya, west by Wattakka-

godagewatta and Kapparagewatta, in extent about 2 acres.
(7) All that undivided 1 bag paddy sowing of the land called Dodangodakumbura, situated at Kodagoda in Talpe pattu aforesaid; bounded on the north by Attanaliadda and Tanipperuwatta, east by Dedarane, south by Dedarane Delkarupawe and Thelpaliya, west by Depala and Pattiniwatta, in extent 6 bags paddy sowing.

Writ amount Rs. 240 20.

Fiscal's Office Galle, January 8, 1940. T. D. S. DHARMASENA. Deputy Fiscal.

In the Court of Requests of Tangalla. Chetwynd Abeysundera Wirasinha of Welipitiya Plaintiff.
No. 15,913.

Vs. 2 No. 15,913. Vs. Q (1) Kalahe Kankanamge Francis de Silva of Walas-

mulla, (2) Dona Merlia Dahaneyake Hamine of ditto Defendants.

NOTICE is hereby given that on Saturdies, February 3, 1940, at 2 o'clock in the afternoon, will be fold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of Rs. 328 52, with legal interest of Rs. 286 46 from October 25, 1939, till payment in full and poundage vir

At Walasmulla.

All that soil and fruit trees of the land called the defined lot C of the contiguous lands called Galgodehena and Galgodedeniya-atmaga, together with all the buildings and everything else appertaining thereto and standing thereon, situated at Walasmulla in West Giruwa pattu of the Hambantota District, Southern Province; and bounded on the north and north-east by lot B of the same land belonging to H. A. Dahanaike, south-east by lots 173c and $167A_2^4$ in P. P. 163, south by a path, and west by a minor road from Beliatta to Walasmulla; containing in extent 2 acres and 34 perches.

Deputy Fiscal's Office, Tangalla, January 5, 1940.

P. D. WEERAMAN, Additional Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

Sianaccuddy Kanapathippillai of Veeman-kamam Plaintiff.

No. 12,859. Vs.

(1) Mailvaganam Seenivasagam and wife (2) Phairalpillai of Veemankamam Plaintiff.

NOTICE is hereby given that on Saturday, February 3, 1940, at 4.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 2nd defendant for the recovery of the sum of Rs. 1,079.50, with interest thereon at 9 per cent. per annum from March 23, 1938, till payment in full and costs Rs. 298.55 and poundage and charges in the following property, viz. :-

An undivided & share with its appurtenances together with & share of the water drawing machine, excluding the hashare of the well lying therein and the right of way and water-course belonging to the western boundary land, out of a piece of land situated at Veemankamam in Tellip-palai parish, Valikamam North Division of the Jaffina District, Northern Province, called Sankarayanthiddy, Thookanankulachchiady, Navalady, and Sankaravaththai in extent 211 lachams varagu culture with stone-built houses, two huts, well, cultivated and spontaneous plantations and palmyras old and young; and bounded on the east by Thaiyalpillai, wife of Seenivasagam and by shareholders, north by Sinnathamby Navaratnam and share-holders, west by Thaiyalpillai, wife of Seenivasagam, and shareholders and by by-lane, and south by Rasammah. wife of Alagasuntharam, sisters and brothers, and Thaiyalpillai, wife of Seenivasagam, and by shareholders.

Fiscal's Office, Jaffna, January 9, 1940, M. SELVADURAI, for Fiscal.

Eastern Province.

In the District Court of Batticaloa.

No. 7,884. 28 No. 7,884. 2 Vs. Ro. 16. OS. Seeniyar Ponnammah of Veddukadu in Batticalca, as

Administratrix of the estate of the late Arumugam Kandiah, Overseer of Pullumalai Defendant.

NOTICE is hereby given that on Saturday, February 3. 1940, at 4 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 575 and costs Rs. 14.40, poundage and other charges, less Rs. 58.41, viz.:-

The land called Karadiyanattupoomy composed of lots Nos. 7475, 7476, and 7477 mentioned in P. plan No. 2,232, situated at Karadiyanaru in Eravur pattu, Batticalca District, Eastern Province; and bounded on the north by the land bearing lot No. 7473 belonging to the deceased A. Kandiah, Overseer, south by Crown land, east by Crown land and the land lot No. 7473 mentioned in plan No. 2,232, west by the land reserved for road and the land lot No. 7473; in extent 18 acres and 3 perches with inlets, outlets, and other rights.

This property is subject to Otty Mortgage as per deed No. 7203 dated April 8, 1937, attested by N. S. Rasiah,

Notary Public.

Fiscal's Office, K. S. CHANDRASEGARAMPILLAI, Batticaloa, January 9, 1940.

In the District Court of Trincomalee. Thamotheram Subramaniam of Point Pedro .. Plaintiff. No. 2,268. 3 2 Vs.

NOTICE is hereby given that on Saturday, February 10, 1940, at 10 o'clock in the forenoon, will be sold by public auction at the spot the following property mortgaged with the plaintiff by bond No. 415/220 dated May 21, 1936, attested by Mr. E. Vilwah of Trincomalee, Notary Public, and declared specially bound and proputable under the decree ente ed in the above case, and ordered to be sold by order of court dated December 8, 1939 for the recovery order of court dated December 8, 1939, for the recovery of the sum of Rs. 4,041, with interest on Rs. 3,000 at the rate of 12 per cent. per annum from June 12, 1939, till July 18, 1939, and thereafter on the aggregate at 9 per cent. per annum, till payment in full and costs Rs. 224 89, Fiscal's fees and charges and poundage, viz.:-

All that allotment of land with the tiled buildings thereon, bearing No. C 22 situated at Division No. 2, Trincomalee town, Eastern Province; bounded on the north by Barber's lane, east by reservation along the Dockyard road, south and west by land belonging to the Roman Catholic Mission, and others; in extent 1 rood and 11 4/100 perches according to survey plan No. 448 delineated by T. Allegakone, Licensed Surveyor, and dated May 18, 1911, is said to contain 1 rood and 33 perches. Registered A 14/151.

B. Vraspillai, Deputy Fiscal's Office, Additional Deputy Fiscal. Trincomalee, January 6, 1940.

North-Western Province.

In the Court of Requests of Colombo. Walker Sons & Company, Limited, of Colombo...Plaintiffs.
No. 51,556.

Vs. Q. 16 - 02

NOTICE is hereby given that on Tuesday, Tebruary 6, 1940, at 3.30 in the afternoon, will be sill by public auction at the premises the right, title, and interest of the said defendant in the following property for the recover of the sum of Rs. 200 85, with legal interest on Rs. 175 60 from February 16, 1939, till payment in full and poundage,

An undivided $\frac{1}{4}$ share of an allotment of land called Kohilagederawatta and Wellangahapitiyewatta, situated at Kohilagedera, Mulagama, and Wattegedera villages in Tiragandahaye korale of Weudawili hatpattu in the District of Kurunegala, North-Western Province; and bounded on by Tikka and others, east by Welangahapitiyawatta claimed by Tikka and others, Gangodageliyaddekumbura claimed by Racel and others, Divelakumbura claimed by Baldiya, T. P. 83,066, Welangahapitiyekanda claimed by Bandiya and others, and Welangahapitiyekandahena claimed by Abadda, south by Welangahapitiyekandahena claimed by Abadda, Kosgamayehena claimed by the owner of Pathragala estate, and Werellagolla claimed by Saviel Gurunnanse, and west by Werellagolla claimed by Saviel Gurunnanse, Bulugahatenna claimed by Sieppuhamy and others, Odangeduawatta claimed by M. Horatalie and Meegahawatta claimed by K. Puncha; containing in extent 33 acres and 35 perches.

Fiscal's Office, Kurunegala, January 9, 1940. CHARLES DE SILVA Deputy Fiscal.

I, Richard Bryant Naish, Fiscal for the Northern Province, do hereby appoint Mr. Arokiam Nicholas, Head Clerk, Deputy Fiscal's Office, Mannar, to be Fiscal's Marshal for the Divisions of Mannar, Mantai, and Musali, under the provisions of Fiscals Ordinance (Cap. 8) and authorize him to perform the duties and exercise the Authority of Fiscal's Marshal, for which this shall be his

This 6th day of January, 1940.

R. B. NAISH, Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Jurisdiction. No. 9.022.

Testamentary In the Matter of the Last Will and Testament of Masillamony Gnanasigamony of 18, Wilson street Colombo, deceased.

THIS matter coming on for disposal before C. Nagalingam. Esq., District Judge of Chlombo, on October 4, 1939, in the presence of Mr. C. Vethelen, Proctor, on the part of the petitioner above named k and (1) the affidavit of the said petitioner dated September 30, 1939, and (2) of the attesting notary also dated September 30, 1939, having been read:

It is ordered that the last will of Masillarony Gnanasigamony, deceased, of which the original has been produced, and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the executrix in the said will and that she

the petitioner is the executrix in the said will and that she is entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before November 9, 1939, show sufficient cause to the satisfaction of this court to the contrary.

December 15, 1939.

C. NAGALINGAM. District Judge.

The date for showing cause against the above-mentioned Order Nisi is hereby extended to December 7, 1939.

December 15, 1939.

C. NAGALINGAM, District Judge.

The date for showing cause against the above-mentioned Order Nisi is extended to January 25, 1940.

> C. NAGALINGAM. District Judge.

In the District Court of Colombo. Order Nisi. 30

In the Matter of the Intestate Estate of the No. 9,080. late Totawattage Don Manuel John de Silva of Maradana, Colombo, deceased.

Evelyn de Silva of 578, Maradana, Colombo Petitioner.

14s. 16.00 And (1) Totawattage Don Lionel de Silva, (2) Totawattage Don Douglas de Silva, (3) Totawattage Dona Emelia de Silva, (4) Totawattage Dona Irene de Silva, all of 5 Maradana, Colombo, (5) Simon Thenuwara of

27, 1939, in the presence of Mr. U. L. Perera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 27, 1939, having been read:

It is ordered (a) that the 5th respondent be and he is hereby appointed guardian ad litem of the minors, the 1st to 4th respondents above named, to represent them for all the purposes of this action; and (b) that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named, or any other person or persons interested shall, on or before January 18, 1949, show sufficient cause to the satisfaction of the court to the contrary.

January 3, 1940.

R. F. DIAS. District Judge.

In the District Court of Colombo. Order Nisi declaring Will proved.

Testamentary Jurisdiction. No. 9,107./

In the Matter of the Last Will and Testament of George Thornton, care of the Chartered Bank of India, Australia, and China of 38 Bishopsgate, London, E. C. 2, England, retired Medical Officer, late of Ceylon Government Medical Service, deceased. Ro. 16.00

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on December 21, 1939, in the presence of Messey F. J. & G. de Saram, Proctors, on the part of the petitioner, James Robert Thorburn of Colombo; and (1) the affidavit of the said petitioner dated December 6, 1939, (2) the affidavit of Mildred Brook Smith and Beatrice Roberts the extention witnesses of the will dated August 29 and 30, 1939, (3) the witnesses of the will dated August 29 and 30, 1939, (3) the affidavit of Harry Knox, a solicitor of the Supreme Court in England, as to due execution of the will deted August 31, 1939, (4) the power of attorney dated September 1, 1939, and (5) the order of the Supreme Court dated December 1, 1939, having been read: It is ordered that the will of the said George Thornton, deceased, dated August 26, 1934, the original of which has been produced, and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said James Robert Thorburn 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 February 15, 1940, show sufficient cause to the satisfaction of this court to the contrary.

December 21, 1939.

C. NAGALINGAM: District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Mapalagama Acharige Cornelis Hamy of Kandy, deceased. No. 3,111.

#dupilamestrige

gombo

Between

And

THIS matter coming on for disposal before T. F. C. Roberts, Esq., District Judge of Negombo, on December

December 15, 1939.

20, 1939, in the presence of Messrs. Pathirathna & Suprayer, Proctors, on the part of the petitioner; and the petition and affidavit of the said petitioner dated December 20, 1939, having been read:

It is ordered (a) that the 3rd respondent above named be and he is hereby appointed guardian ad litem of the 4th respondent above named, who is a minor, to represent her for all the purposes of this action, and (b) that the said petitioner be and he is hereby declared entitled, as the eldest son-in-law 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 erson or persons interested shall, on or before January 22, 1940, show sufficient cause to the satisfaction of this court to the contrary.

> T. F. C. ROBERTS. District Judge.

December 20, 1939.

the District Court of Kalutara. Order Nisi declaring Will proved.

In the Matter of the Estate of the late Dona Testamentary deceased Jurisdiction. Johana Dasanayake, No. 2.859. Molligoda.

Jayatilaka, of Molf Walter Vidvasekara

Don Gilbert Vidyasekara Jayatilaka Respondent

THIS matter coming on for disposal before Waldo Sansoni, Esq., District Judge of Kalutara, on May 4, 1939, in the presence of Mr. C. L. E. Perera, Proctor, on the part of the petitioner, Don Walter Vidyasekara Jayatilaka of Molligoda; and the affidavit of the said petitioner dated May 4, 1939, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as son, to have letters of administration to her estate issued, unless the respondent or any other person or persons interested shall, on or before June 22, 1939, show sufficient cause to the satisfaction of this court to the contrary.

May 4, 1939.

W. SANSONI. District Judge.

This Order Nisi is further extended returnable January

W. Sansoni. District Judge.

n the District Court of Kalutara

Order Nisi.

Testamentary In the Matter of the Estate of the Pate Assana Lebbe Mohammadu Hass deceased, of Maggongs. No. 2,880.

THIS action coming on for disposal before Waldo Sansoni, Esq., District Judge of Kalutara, on September 8 1939, in the presence of Mr. A. D. de Fonseka, Proctor on the part of the petitioner, Sehu Noordeen Rahuma of Maggona; and the affidavit of the said petitioner dated September 8, 1939, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled to, as widow of the said deceased above named, to have letters of administration issued to his estate issued to her, unless respondents (1) Mohammadu Hassan Mohammadu Abdulla, (2) Mohammadu Hassen Mohammadu Mousoon, (3) Mohammadu Hassen Umma Ossila, all of Maggona, minors, by their guardian ad litem the 5th respondent, (4) Meera Lebbe Pathumma, (5) Sehu Noordeen Mohammadu Zain of Maggona, guardian ad litem of the 1st, 2nd, and 3rd respondents, or any other person or persons interested shall, on or before January 16, 1940, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 5th respondent be and he is hereby appointed guardian ad litem of the said 1st, 2nd, and 3rd respondents, who are minors, for all the purposes of this action, unless the respondents shall, on or before January 16, 1940, show sufficient cause to the satisfaction of this court to the contrary.

> W. Sansoni. District Judge.

·In the District Court of Kalutara. Norder Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late Waduge Arthur Paul Charles Fernando Jurisdiction. alias Peiris, deceased of Moratuwa. No. 2,889.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge, Kalutara, on November 23, 1939, in the presence of Messrs. Fernando & Fernando, Proctors, on the part of the petitioner, Paul Edward Peiris of Rawatawatta; and the affidavit of the said petitioned dated October 26, 1939, having been read;

It is ordered that the will of Waduge Arthur Paul Charles

It is ordered that the will of wadde Alack Harch 19, 1939, and Fernando alias Peiris, deceased, dated March 19, 1939, and the Alme is heart now deposited in this court, be and the same is hereby declared proved, unless the respondente or hany person of person interested shall, on or before January 18, 1940, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Paul Edward Peiris is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless the respondents or any person or persons interested shall, on or before January 18, 1940, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that (1) Beatrice Catherine Peiris nee Sudirikku Jayawickrema, 1st respondent, be appointed guardian ad litem over (2) Elsie Beatrice Peiris, and (3) Doris Eileen Peiris, respondents, for all the purposes of this action, unless any person or persons interested shall, on or before January 18, 1940, show sufficient cause to the satisfaction of this court to the contrary.

November 24, 1939.

W. SANSONI. District Judge.

IN Me District Court of Kandy. Order Nisi.

In the Matter of the Estate of the late Totagodawatte Mudiyansela Mudiyanse, deceased, of Yatigammana.

(1) Totagodawatte Mudiyanselage Pallewattegedera Dingiri Banda of Yatigammana Petitioner.

(1) Totagodawatte Mudiyansele Pallewattege Punchi Banda, (2) Totagodawatte Mudiyansele Pal

wattegedera Ran Banda of Yatigammana . . Respondents THIS matter coming on for disposal before Jame Joseph, Esq., District Judge, Kandy, on October 25, 1939 in the presence of Mr. L. B. Kolugala, Proctor, on the preof the petitioner, Totagodawatte Mudiyanselege wattegedera Dingiri Banda; and the affidavit of the said petitioner dated October 24, 1939, having been read:

It is ordered that the petitioner be and he is hereby declared, as the son of the above named deceased, to have the letters of administration to the estate of the deceased Gissued to him, unless the respondents (vide list) or any other person or persons interested shall, on or before ecember 14, 1939, show sufficient cause to the satisfaction of this court to the contrary.

October 25, 1939.

James Joseph. District Judge.

Order Nisi extended to January 18, 1940.

Jamès Joseph, District Judge.

the District Court of Galle, holden at Balapitiya. Order Nisi.

Testamentary In the Matter of the Estate of the late Elayadura Uparis de Silva, deceased, of Jurisdiction. Balapitiya, in Kosgoda, deceased. No. 7,897.

Pin Joslin Silve of Balapitiya . Ks. 20.:00 Petitioner.

Blayadura Nandawathie (2) ditto Ganiel Gauthamadasa, (3) ditto Charlotte Kusumawathie, (4) ditto Nalini Padmawathie, (5) ditto Harischandra Uththamadasa, all of Balaphiya; the 1st to 5th respondents are minors appearing by their guardian ad litem (6) Pettagan Andy Silva Ahungalla (1) Elayadura Respondents.

THIS matter coming on for disposal before Sylvester Sudirikku Jayawickrama, Esq., Additional District Judge

September 8, 1939.

of Galle, on December 14, 1939, in the presence of Mr. A. J. Pandita-Gunewardene, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated June 2, 1939, having been read:

It is ordered that the said 6th respondent Pettagan Andy Silva of Ahungalla be and he is hereby appointed guardian ad litem over the 1st to 5th respondents, Elayadura Nandawathie, Elayadura Graniel Gauthamadasa, Elayadura Charlotte Kusumawathie, Elayadura Nalini Padmawathie, and Elayadura Harischandra Uththamadasa, all of Balapitiya, unless the said respondents or any person interested shall, on or before January 25, 1940, show sufficient cause to the satisfaction of this Court to the contrary.

It is further declared that the said petitioner Pin Joslin Silva of Balapitiya is entitled to have letters of administration issued to her accordingly, as widow, unless the said respondents or any person interested shall, on or before January 25, 1940, show sufficient cause to the satisfaction of this court to the contrary.

> S. S. JAYAWICKRAMA, District Judge.

December 14, 1939.

In the District Court of Tangalla.

In the Matter of the Estate of the late Testamentary Jurisdiction. Don Samel Abeyweera, deceased, of No. 1.309.

Wijesekera Arachchige Arnolisappu of Seeni-

THIS matter coming or for disposal before V. S. Jayawickrama, Esq., on May 20, 1930 in the presence of Mr. C. A. Wickramasuriya, Proctor, on the part of the petitioner; and the affidavit of the petitioner; Wijesekera Arachchige Amolicappu of Seenimodara dated May 20, 1930, having been read; and the affidavit of Mr. H. E. Wickramanayaka, Notary Public, dated November 9, 1939, and the subscribing witness, Kaluwabadu Vidanege Appu of Seenimodara dated November 7, 1939, taken and all parties heard.

It is ordered that the will of Don Samel Abeyweera, deceased, dated March 4, 1924, and now deposited in this court, be and the same is hereby declared proved, unless the respondents shall, on or before December 14, 1939, show sufficient cause to the satisfaction of this court to the contrary. It is further declared that the said Wijesekera Arachchige Arnolisappu of Seenimodara, who is an heir under the said will and he is entitled to administration with a copy of the will annexed unless the respondents shall, on or before December 14, 1939, show sufficient cause to the satisfaction of this court to the contrary.

V. S. JAYAWICKRAMA, District Judge.

Extended to January 29, 1940.

December 14, 1939.

V. S. JAYAWICKRAMA, District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary Jurisdiction. No. 2,245.

In the Matter of the Intestate Estate of the late Marasinghe Mudianselage Piyathilake of Medagoda.

Podihamy alias Piyawathi Hamine Ambalanmulla of Medagoda

Vs. Roll Vs. Mudianselage Kulapali, (6) Marasinghe Mudianselage Goonetilleke, (7) Marasinghe Mudianselage (8) Marasinghe Mudianselage Weerawathie, (9) Marasinghe Mudianselage Hemalatha, all of Medagoda, the 2nd to the 9th by their guardian ad litera (10) P. A. Randeni of Kudawewa Respondents.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Chilaw, on October 19, 1939, in the presence of Mr. C. V. M. Pandittesekere and his assistant, H. G. Pandittesekere, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated October 7, 1939, having been read:

It is hereby ordered that the 10th respondent, be and he is hereby appointed guardian ad litem and guardian of the person of the 2nd to the 9th respondents, who are minors, and the petitioner, as widow of the said deceased, be and she is hereby appointed administratrix of the estate of the said deceased, and that letters of administration do issue to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before January 25, 1940, show sufficient cause to the satisfaction of this court to the contrary.

October 19, 1939.

M. A. SAMARAKOON, District Judge.

In the District Court of Chilaw.

Order Nisi.

In the Matter of the Intestate Estate of Testamentary the late Juwange Jamis Fernando of Jurisdiction. No. 2,247. Walahapitiya, deceased.

Anaththasiya Marasinghe of Walahapitiya Petitioner. Mul Vs.

(1) Juwange Peduru Fernando and, (2) Jayasinha Arabhchige Helena Fernando, both of Walaha-Respond

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Chilard on November 14, 1939, in the presence of Mr. M. L. Manasinghe, Proctor, on the part of the petitioner Land the affidavit of the petitioner dated November 11, 1020 houring hours are supported by the petitioner dated November 11, 1020 houring hours are supported by the petitioner dated November 11, 1020 houring hours are supported by the petitioner dated November 11, 1020 houring hours are supported by the petitioner dated November 11, 1020 houring hours are supported by the petitioner dated November 11, 1020 houring hours are supported by the petitioner dated November 11, 1020 houring hou

dated November 11, 1939, having been read:

It is ordered that letters of administration in respect of the estate of the said deceased be granted to the petitioner, as his widow, unless the above named respondents or any other person or persons shall, on or before December 14, 1939, show sufficient cause to the satisfaction of this court to the contrary.

> M. A. SAMARAKOON, District Judge.

November 14, 1939.

The date for showing cause is extended to January 19,

M. A. SAMABAKOON. December 14, 1939. District Judge.

In the District Court of Badulla.

Order Nisi.

In the Matter of the appointment of a Trustee to The Theivanai Amman Kovil and Other Temples, Shrines, Madams, and Other Properties in deed of Trust No. 2,317 dated March 9, 1898, attested by John Caderamen, Notary No. 6,996. Public of Colombo, in terms of section 76 of Trusts Ordinance, Chapter 72, of

Legislative Enactments. Ro.

THIS matter coming on for disposal before B. Selvadurai, Esq., District Judge of Badulla, on November 22, 1939, in the presence of Mr. K. V. Nadarajah, Proctor, of the part of the petitioners; and their affidavit dated November 1, 1939, and the affidavit of the proposed trustee, Mahanta Swamy Ramgiri Sanyasi, also dated the same day having been read:

It is ordered that the aforesaid Mahanta Swamy Ramgiri Sanyasi be and he is hereby appointed trustee for the aforesaid Theivanai Amman Kovil and Other Temples, Shrines, Madams, and Other Properties in deed of trust No. 2,317 dated March 9, 1898, attested by John Caderamen, Notary Public of Colombo, aforesaid, unless any person or persons lawfully interested therein shall, on or before January 23, 1940, show sufficient cause to the satisfaction of this court to the contrary.

> R. R. SELVADURAI, District Judge.

December 6, 1939.

DRAFT ORDINANCES.

MINUTE..

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

L. D.—CF. 36/39

An Ordinance to amend the Medical Ordinance.

Cap. 90. Vol. III., p. 6.

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 Medical (Amendment) Ordinance, No. of 1940.

Amendment of Chapter 90.

- 2 Section 8 of the Medical Ordinance, (hereinafter referred to as "the principal Ordinance"), is hereby amended, with effect from such date as the Governor may appoint by Proclamation in the Gazette, as follows:-
 - (1) in sub-section (1), by the substitution, for paragraphs (d) to (j) of that sub-section, of the following new paragraphs :-
 - "(d) the person for the time being discharging the duties of Professor of Medicine of the College or such other person as may be nominated by the Governor in place of such Professor under sub-section (1A);
 - (e) the person for the time being discharging the duties of Professor of Surgery of the College or such other person as may be nominated by the Governor in place of such Professor under sub-section (1A);
 - (f) the person for the time being discharging the duties of Professor of Anatomy of the College or such other person as may be nominated by the Governor in place of such Professor under sub-section (1A);
 - (g) the person for the time being discharging the duties of Professor of Physiology of the College or such other person as may be nominated by the Governor in place of such Professor under sub-section (1A);
 - (h) the person for the time being discharging the duties of Professor of Pathology of the College or such other person as may be nominated by the Governor in place of such Professor under sub-section (1A);
 - (i) two lecturers, nominated by the Governor, engaged in delivering lectures to students at the College;
 - (j) a professor or lecturer nominated by the Governor, engaged in delivering lectures to students taking the courses for the Pre-medical Examination at the University College; '
 - (2) by the insertion, immediately after sub-section (1), of the following new sub-section :-
 - (1A) The Governor may at any time nominate any person to be a member of the College Council in place of any Professor referred to in paragraphs (d), (e), (f), (g) and (h) respectively of sub-section (1).

Repeal and replacement of section 12 of the principal Ordinance.

Appointments to be made by Governor.

- 3 Section 12 of the principal Ordinance is hereby repealed and the following section is substituted therefor:-
 - 12. All professors, lecturers, examiners, officers and servants of the College shall be appointed by the Governor who shall, before making any appointment, consult the Executive Committee and the College Council.
- Section 13 of the principal Ordinance is hereby repealed and the following section is substituted therefor:-

13. Every professor, lecturer, examiner, officer or servant of the College shall be deemed to be a public servant within the meaning of section 19 of the Penal Code.

Repeal and replacement of section 13 of the principal Ordinance.

5 Section 14 of the principal Ordinance is hereby amended, in paragraph (b) thereof, by the substitution, for the words "the appointment, suspension, removal, duties, and remuneration", of the words "the duties".

Amendment of section 14 of the principal Ordinance.

6 Section 56 of the principal Ordinance is hereby amended by the omission of the words "at the request of the Medical Council,".

Amendment of section 56 of the principal Ordinance

7 Section 66 of the principal Ordinance is hereby repealed and the following section is substituted therefor:—

Repeal and replacement of section 66 of the principal Ordinance.

66. (1) Subject to the provisions of the following sub-sections, the Executive Committee may make regulations for the purposes specified in sections 14, 22 and 56 and generally for the purpose of giving effect to the principles and provisions of this Ordinance.

Regulations.

- (2) Before making any regulation for any purpose specified in section 14 the Executive Committee shall consult the College Council.
- (3) Before making any regulation for any purpose specified in section 22 or section 56, the Executive Committee shall consult the Medical Council.
- (4) No regulation 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; and upon such publication, the regulation to which the notification relates shall be as valid and effectual as though it were herein enacted.
- 8 Section 68 of the principal Ordinance is hereby amended as follows:—
 - (1) by the insertion, immediately after the definition of "dispensing", of the following:—
 - "Executive Committee" means the Executive Committee of Health;
 - (2) by the insertion, immediately after the definition of "Pharmacy Acts", of the following:—
 - " prescribed means prescribed by regulation;" and
 - (3) by the repeal of the definition of "regulation" and the substitution of the following new definition therefor:—
 - "regulation" means a regulation made by the Executive Committee under this Ordinance;'.
- 9 (1) The re-constitution of the Council of the Ceylon Medical College as provided for in section 2 of this Ordinance shall not affect or be deemed or construed to affect the perpetual succession of that Council as a body corporate; and any nomination authorised or required to be made by the Governor for the purposes of such re-constitution may be made prior to the date appointed by Proclamation under section 2 of this Ordinance, but shall not take effect before that date.
- (2) Notwithstanding anything in any written law other than this Ordinance, every person who holds office as a professor, lecturer, examiner, officer or servant of the Council of the Ceylon Medical College on the date of the commencement of this Ordinance shall be deemed to be a professor, lecturer, examiner, officer or servant, as the case may be, appointed by the Governor under section 12 of the principal Ordinance as amended by section 3 of this Ordinance.

Objects and Reasons.

The object of this Bill is to amend the Medical Ordinance of 1927 so as to bring that Ordinance into conformity with the constitution as set out in the Ceylon (State Council) Order in Council, 1931. Accordingly, the power to make regulations which, under the existing law is vested in the Governor, will be entrusted to the Executive Committee of Health, though no regulation made by that Committee will have effect until it has been approved by the State Council and ratified by the Governor. The Executive Committee is required to consult the Medical College Council before framing regulations under section 14 and to consult the Medical Council before making regulations for the purposes mentioned in sections 22 and 56 (Clause 7).

Amendment of section 68 of the principal Ordinance.

Transitory provisions, &

- 2. The Medical College is maintained out of funds voted for the purpose by the State Council. The various posts of professors, lecturers, &c., of the College are separately shown and provided for in the annual Budget. Clause 4 vests in the Governor the power to make such appointments.
- 3. The powers of the College Council to confer degrees and diplomas and the responsibility of that Council for the general supervision and control of the education and training of future medical practitioners remain unaffected by the amendments introduced in the Bill. The recognition accorded in England to Ceylon medical qualifications necessitates the retention of the power to confer degrees and diplomas in medicine and surgery in a College Council of competent professional men.

Colombo, January 11, 1940.

W. A. DE SILVA, Minister for Health.