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PART II — LEGAL.

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

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PASSED ORDINANCES

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

No. 18 of 1943.

L D—O 29/43 M L A—B 1775e

An Ordinance to make special provision as to the date of commencement of the preparation under the Urban Councils Ordinance, No 61 of 1939, of the voters' lists for the purposes of the general elections of certain Urban Councils in the year 1943

A CALDECOTT

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

1 This Ordinance may be cited as the Urban Councils Voters' Lists (Special Provisions) Ordinance, No 18 of 1943

2 The preparation of the lists of voters under the Urban Councils Ordinance, No 61 of 1939, for the purposes of the general elections to be held in the year 1943 for the Negombo Urban Council, the Ratnapura Urban Council, the Dehiwala-Mount Lavinia Urban Council, the Panadura Urban Council and the Kalutara Urban Council shall be deemed for all purposes to have commenced on the first day of May, 1943, notwithstanding that the preparation of the lists aforesaid was actually commenced prior to that day

Passed in Council the Twenty-fourth day of June, One thousand Nine hundred and Forty-three

D C R GUNAWARDANA,
Clerk of the Council

Assented to by His Excellency the Governor the Twentieth day of June, One thousand Nine hundred and Forty-three

H A C DOBBS,
Acting Secretary to the Governor

Short title

Declaration of date of commencement of the preparation of voters' lists in 1943 in the case of certain Urban Councils

DRAFT ORDINANCES

MINUTE

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

L D—O 10/43

An Ordinance to amend the Excise Ordinance.

Chapter 42
(Vol I, p 687)

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 Excise (Amendment) Ordinance, No of 1943

Short title

Amendment of
section 21 of
Chapter 42

2. Section 21 of the Excise Ordinance (hereinafter referred to as "the principal Ordinance"), is hereby amended as follows —

- (1) by the re-numbering of that section as sub section (1) of section 21, and
- (2) by the insertion, immediately after the re-numbered sub-section (1), of the following new sub section, which shall have effect as sub section (2) of that section —

"(2) The power conferred by sub section (1) to impose by a resolution a duty on any excisable article referred to therein shall include the power—

- (a) by the same or a subsequent resolution to grant any exemption from the duty and to specify the circumstances in which, and the conditions subject to which, the exemption is granted,
- (b) by a subsequent resolution to amend any earlier resolution so as to increase or reduce the duty or vary the description of the article or the scope of any exemption granted to any class or description of the article or include within or exclude from the scope of the earlier resolution any class or description of such article, and
- (c) by a subsequent resolution to rescind any earlier resolution so as to abolish any duty or withdraw any exemption"

Amendments
made by
section 2
to have
retrospective
effect

3 The amendments made in section 21 of the principal Ordinance by section 2 of this Ordinance shall be deemed for all purposes to have had effect on the date on which the principal Ordinance came into operation

Objects and Reasons

The object of this Bill is to extend the scope of section 21 of the Excise Ordinance (Chapter 42) so as to enable the State Council, in imposing a duty on an excisable article, to grant any exemption from that duty to any class or description of that article and to alter or abolish any duty so imposed or any exemption so granted (Clause 2)

2 It is proposed in Clause 3 that the amendments set out in Clause 2 should have retrospective effect

A MAHADEVA,
Minister for Home Affairs

Colombo, 24th June, 1943

MINUTE

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

Chapter 173
(Vol IV, p
397)

An Ordinance to amend the Quarantine and Prevention of Diseases Ordinance

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

Short title

1. This Ordinance may be cited as the Quarantine and Prevention of Diseases (Amendment) Ordinance, No. of 1943

Insertion of
new section
9A in Chapter
173

2. The following new section is hereby inserted immediately after section 9 of the Quarantine and Prevention of Diseases Ordinance and shall have effect as section 9A of that Ordinance —

Removal of
person
refusing to
leave the
Island by
accommoda-
tion provided
under
section 9

9A Where any person for whose departure from the Island arrangements have been made under section 9 refuses to leave the Island or to board the aircraft or vessel on which a passage has been provided for him, it shall be lawful for a police officer specially authorised in writing by the Inspector-General of Police to arrest such person and to conduct him in custody aboard such aircraft or vessel

Objects and Reasons

The object of this Bill is to insert in the Quarantine and Prevention of Diseases Ordinance (Chapter 173) a new section 9A, whereby power will be granted to a police officer specially authorised in writing by the Inspector-General of Police to arrest and take on board an aircraft or vessel any person who refuses to leave the Island after arrangements under section 9 of the principal Ordinance have been made for his departure. The new section is based on section 15 of the Destitute Immigrants Ordinance (Chapter 249)

GEO E DE SILVA,
Minister for Health

Colombo, June 30, 1943

NOTIFICATIONS OF CRIMINAL SESSIONS

BY virtue of a mandate to me directed by the Honourable the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the 2nd Eastern Circuit, 1943, will be held at the District Court house at Batticaloa on Monday, July 19, 1943, at eleven 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 thence without leave asked and granted.

Fiscal's Office,
Batticaloa, June 28, 1943

N J L JANSZ,
for Fiscal

NOTICES OF INSOLVENCY

In the District Court of Colombo

Insolvency In the matter of the insolvency of A R Candappa of No 5 657 Waragoda, Kelniya, insolvent

TAKE notice that the meeting of the creditors of the insolvent for the purpose of issuing a certificate of conformity to the insolvent in the above case is fixed for July 30, 1943

June 29, 1943

By order of court, C EMMANUEL,
Secretary

NOTICES OF FISCALS' SALES

Western Province

In the District Court of Colombo

Madanayakage Jayasena of Jayaniwasa, Pehyagoda, Plaintiff
Kelaniya

No 5,579/S

Vs

(1) Don Francis Basnayake, (2) Don Abraham Basnayake, both of Pehyagoda, Kelaniya Defendants

NOTICE is hereby given that on Friday, July 23, 1943, at 3 P M, will be sold by public auction at 261, Negombo road, Pehyagoda, the following movable property for the recovery of the sum of Rs 3,855 75 together with further interest on Rs 2,910 at 18 per cent per annum from October 21, 1942, till date of decree and thereafter legal interest on the aggregate amount of the decree till payment in full and costs of suit less Rs 125 75 recovered by sale, viz —

Omnibus No X 7532 bearing chassis No 46 H E 210 with parts of engine, without wheels, but seized as Bus No X 6993

Fiscal's Office,
Colombo, June 29, 1943

H C WILKESINHA,
Deputy Fiscal

In the Court of Requests of Colombo

V Nadrajan Chettiar and another carrying on business under the name and style and firm of V S P and Co Plaintiffs
No 89,029 Vs

(1) M Mohamed Ali, (2) S Paethe, both of 322, Grandpass road, Colombo, (3) S S P Suppiah Konar of 639, Baseline road, Colombo Defendants

NOTICE is hereby given that on Saturday, July 24, 1943, will be sold by public auction the following movable property, belonging to the 3rd defendant for the recovery of the sum of Rs 200 25 with interest on Rs 200 at 18 per cent per annum from February 3, 1943, to March 9, 1943, and thereafter legal interest till payment in full and costs incurred Rs 26 25 and prospective costs Rs 9 50, viz —

At 11 a.m., at 654, Baseline road, Colombo — One milking country she buffalo (brand marks indistinct), 1 milking she buffalo with crooked horns and white spots on tail (Thorati), 1 Baroda milking she buffalo with long horns, 2 Baroda milking she buffaloes (brand marks indistinct), 1 Cape milking cow with stripes, 10 wooden tubs, 2 iron tubs, 6 buckets (tin)

At 12 noon at 639, Baseline road, Colombo — Two loungees, 7 bentwood chairs, 1 chair, 2 long benches, 1 sideboard, 2 cellarettes, 3 pictures, 1 Seth Thomas wall clock, 1 wall mirror, 1 copper pan, 2 copper vessels, 1 brass table lamp, 1 hurricane lamp, 2 tables

Fiscal's Office
Colombo, June 29, 1943

H C WILKESINHA,
Deputy Fiscal

In the District Court of Kalutara

Agnes Maria de Saram of Mt Lavinia, administratrix of the estate of the late P T de Saram, now of Panadure Plaintiff
No 21,327 Vs

Idroos Lebbe Ahamed Ismail of Atulugama, and (2) Mohamedally Adnanjee of the Mosque, Bulagam, street, Bambalapitiya Defendants

NOTICE is hereby given that on Saturday, July 24, 1943, at 2 30 in the afternoon, will be sold by public auction at the premises, the right, title, and interest of the said defendants for the recovery of the sum of Rs 700 and costs Rs 170 40, the following property mortgaged to with the plaintiff by the defendants and declared bound and executable and decreed to be sold by the decree entered in the said case —

(1) All that the soil, trees, and plantations and the buildings standing thereon of the land called Delgahawatta, situated at Atulugama in Adhara pattu of Ragam korale in the District of Kalutara, Western Province, and bounded on the north by Delgahawatta belonging to Kasi Marikkar and Pissukandagehena, east by Delgahawatta belonging to Sunna Marikkar Arisi Marikkar and Village Committee road south by Kahatagihawatta belonging

to Ridage Singa, and west by Nalawekumbura of Packir Tamby Lebbe Picha Lebbe, containing in extent 111 yards in length and 30 yards in breadth Registered in G 38/94

Deputy Fiscal's Office,
Kalutara, June 23, 1943

P D WEERAMAN,
Deputy Fiscal

Southern Province

In the District Court of Tangalla

Wijesuniya Patabendige Sinno Appu of Hambantota Plaintiff
Don Peneis de Silva Jayasuriya of Walasmulla Substituted Plaintiff

No 4,538

Vs

Mutumala Patabendige Nonahamy of Debarawewa in Tissa, legal representative of the estate of the deceased L A Diyons Appu Defendant

NOTICE is hereby given that on Saturday, July 24, 1943, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of Rs 1,447 58 together with further legal interest on Rs 1,341 32 from April 3, 1943, till payment in full and pounce, viz —

At Debarawewa

(1) All that undivided half share of the soil and of plantations of the land called Neralugasyayawatta, situated at Debarawewa, and bounded on the north by reservation along the bund east by lots 22 and 26, south by lot 26, and west by T P 329 790, in extent 4 acres and 16 perches

(2) All that undivided one fourth share of the soil and of everything of the tract of land bearing No 3706 called Debarawewa Neralugasyaya, in extent 6 acres and 25 perches, situated at Tissa maharama, and bounded on the north by land No 3707 in P P 9,850, east and south by Debarawewa-Neralugasyaya belonging to Crown, and west by Debarawewamukalana belonging to Crown

Deputy Fiscal's Office,
Hambantota, June 24, 1943

J D ABEYAWIRA,
Additional Deputy Fiscal

NOTICES OF TESTAMENTARY ACTIONS

In the District Court of Colombo

Order Nisi

Testamentary In the Matter of the Last Will and Testament of Jurisdiction Kankange David Gunatilleke of Udumulla, No 10,233 Padukka, deceased

Weerakoon Achchige Aron Singho of Dambara, Horana, in the Udugaha pattu Petitioner

(1) Kankange Esan Appu of Arukwatta, Padukka, (2) ditto Seth in Singho of Udumulla, Padukka, (3) ditto Mary Nona, wife of Weerakoon Achchige Aron Singho of Dambara, Horana, (4) ditto Thomas Singho of Udumulla aforesaid, (5) ditto Peras Singho alias K P Seneviratne of Watara, Padukka, (6) ditto Davith Singho of Udumulla, Padukka, (7) ditto Alpona, wife of Don Sethan Weerakoon of Dambara, Horana Respondents

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on June 16, 1943, in the presence of Mr B J St V Perera, Proctor, on the part of the petitioner above named, and the motion dated June 14, 1943, having been read

It is ordered, that the Secretary of the District Court of Colombo, be and he is hereby declared entitled as the official administrator to have letters of administration to the above estate with the will annexed issued to him accordingly, unless the petitioner and the respondents above named or any other person or persons interested shall, on or before July 15, 1943, show sufficient cause to the satisfaction of this court to the contrary

June 23, 1943

JAMES JOSEPH,
Additional District Judge

In the District Court of Colombo

Order Nisi

Testamentary In the Matter of the Intestate Estate of Robelge Jurisdiction David, Lenora Appuhamy of Wataddera, No 10,368 deceased

Dodangodige Dona Baby Nona Wickremaratne of Haburugala in Bentota Petitioner

And

(1) Robelge Somawathie Lenora Hamane, (2) Robelge Piyaseeh Lenora Hamane, (3) Robelge Kaiunawathie Lenora Hamane, (4) Dodangodige Don Andrus Wickremaratne, all of Haburugala aforesaid Respondents

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on May 26, 1943, in the presence of Mr E O F de Silva, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated November 24, 1942, having been read

It is ordered that the 4th respondent above named be and he is hereby appointed guardian ad litem of the minors, the 1st, 2nd, and 3rd respondents, to represent them for all the purposes of this action, and that the petitioner above named be and she is hereby declared entitled, as the widow of the deceased above named, to have letters of administration to the above estate issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before July 3, 1943, show sufficient cause to the satisfaction of this court to the contrary

June 8, 1943

JAMES JOSEPH,
Additional District Judge

In the District Court of Colombo

Order Nisi

Testamentary Jurisdiction No 10,459 In the Matter of the Intestate Estate of late Balapu waduge Peter Calvin Martinus Mendis of Homeleigh, Uyana road, Lunawa, in Moaiatiwa, deceased

Balapuwaduge Peter Florizel Stanley Mendis of Homeleigh, Uyana road, Lunawa Petitioner

(1) Balapuwaduge Ellen Rose Virginia Mendis nee Gunasekera, (2) Balapuwaduge Peter Neville Leslie Mendis, (3) Balapu waduge Helen Clotilda Mildred Perera nee Mendis, (4) Balapuwaduge Peter Elmore Granville Mendis, (5) Balapu waduge Yvonne Lucilla Gwendoline Mendis, (6) Balapuwaduge Peterella Christabelle Marini Mendis, all of Homeleigh, Uyana road, Lunawa Respondents

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on June 1, 1943, in the presence of Mr C R de Alwis, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated May 28, 1943, having been read

It is ordered that the 2nd respondent above named be and he is hereby appointed guardian *ad litem* of the minors, the 5th and the 6th respondents, to represent them for all the purposes of this action and that the petitioner above named be and he is hereby declared entitled, as the eldest son of the deceased above named, to have letters of administration to the above estate issued to him accordingly, unless the respondents above named or any other person or persons interested shall on or before July 15, 1943, show sufficient cause to the satisfaction of this court to the contrary

June 8, 1943

JAMES JOSEPH,
Additional District Judge

In the District Court of Colombo

Order Nisi

Testamentary Jurisdiction No 10,461 In the Matter of the Intestate Estate of Harry William De Alwis Samarakoon, Mudaliyar, Siyane Kotale east of Nittambuwa, deceased

Simon de Alwis Samarakoon of Kolumambolle Petitioner

And

(1) Edwin Richard de Alwis Samarakoon, Gate Mhandram of 46, Perera lane, Wellawatta, (2) Martin de Alwis Samarakoon of Galle, (3) Annie Mary Kulatunga, wife of Charles Alwis Kulatunga of Demaladuwa, Kesbawa, (4) Ada Louisa Senarathna, wife of Simon Adrian Senarathne of Panapitiya in the Kalutara District, (5) Bertram Clarence de Alwis Samarakoon of Galagedera, Padukka, (6) Mary Agnes Jayasuriya Gunawardane, wife of Don Yehonis Jayasuriya Gunawardane, both of Galagedera, Padukka, (7) Albert Wilson de Alwis Samarakoon of Halpe estate, Padukka Respondents

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on June 3, 1943, in the presence of Mr F J Botetue, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated June 1, 1943, having been read

It is ordered that the petitioner above named be and he is hereby declared entitled, as a brother and an heir of the deceased above named, to have letters of administration to the above estate issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before July 15, 1943, show sufficient cause to the satisfaction of this court to the contrary

June 8, 1943

JAMES JOSEPH,
Additional District Judge

In the District Court of Colombo

Order Nisi

Testamentary Jurisdiction No 10,468 In the Matter of the Last Will and Testament of Rajasooriyage Pablima Fernando of Carmel road, Kollupitiya, in Colombo, deceased

Maggonage Srinana Fernando of Hudson road, Kollupitiya, in Colombo Petitioner

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on June 8, 1943, in the presence of Mr S R Amerasekera, Proctor, on the part of the petitioner above named, and the affidavit of (1) the petitioner dated May 28, 1943, and (2) the attesting Notary public and the witness dated June 4, 1943, having been read

It is ordered that the last will and testament of Rajasooriyage Pablima Fernando, deceased, the original of which is produced, and is now deposited in this court, be and the same is hereby declared proved and that the petitioner above named is the executor named in the said will and he is hereby declared entitled to have probate thereof issued to him accordingly, unless any person or persons interested shall, on or before July 8, 1943, show sufficient cause to the satisfaction of this court to the contrary

March 23, 1943

JAMES JOSEPH,
Additional District Judge

In the District Court of Colombo

Notice of Application

Testamentary Jurisdiction No 10,479 In the Matter of the Last Will and Testament of Euphemia Philbrick of Summerfield Southcote road, Reading, in the County of Berks, widow, 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 a Certified Copy of Probate of the Last Will and Testament of Euphemia Philbrick of Summerfield Southcote road, Reading, in the County of Berks, widow, deceased, granted by the District Probate Registry of His Majesty's High Court of Justice at Oxford on March 30, 1942

JUTTIUS & CREASY,

Proctors for William Watt Addison Phillips, Attorney for Alan Nelson Philbrick and Helen Margaret Rowland, the executors of the Last Will and Testament of Euphemia Philbrick deceased

Colombo, June 17, 1943

In the District Court of Colombo

Order Nisi declaring Will proved

Testamentary Jurisdiction No 10,485 In the Matter of the Last Will and Testament of Henry Wallace, Retired Tea Planter sometime of the Island of Ceylon and afterwards of Sixteen, Cameron street, Dunfermline, Scotland, deceased

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on June 23, 1943, in the presence of Messrs J & G de Saram, Proctors on the part of the petitioner Philip Edmonds Pitcher of the Imperial Bank of India, Colombo, and (1) the affidavit of the said petitioner dated June 10, 1943, (2) the power of attorney dated November 27, 1942, and (3) the order of the Supreme Court dated June 11, 1943, having been read. It is ordered that the will of the said Henry Wallace, deceased, dated September 1, 1937, a certified copy of which under the Seal of the Keeper of the Registers and Records of Scotland 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 Philip Edmonds Pitcher is the attorney in Ceylon of the surviving executrix 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 July 8, 1943, show sufficient cause to the satisfaction of this court to the contrary

June 24, 1943

JAMES JOSEPH,
Additional District Judge

In the District Court of Kalutara

Order Nisi

Testamentary Jurisdiction No 3,093 In the Matter of the Intestate Estate of the late Sirikkatuge Peter Soloran Fernando, deceased, of Wekada, Panadure

Balage Celia Fernando nee de Silva of 'Sudaisana', Wekada, Panadure Petitioner.

Vs.

(1) Sirikkatuge Lalanu Somalatha Fernando, (2) Sirikkatuge Amaa Indram Fernando, (3) Sirikkatuge Sumanathu Asoka mala Fernando, minors, by their guardian *ad litem*, Sirikkatuge Edwin William Fernando, all of Wekada, Panadure Respondents

THIS matter coming on for disposal before J H V S Jayawickrama, Esq., District Judge, Kalutara on June 14, 1943, in the presence of Mr B Walter de Silva, Proctor, on the part of the petitioner, and the affidavit of the above mentioned petitioner dated April 11, 1943, having been read

It is ordered that the petitioner is hereby declared, as widow of the deceased, to have letters of administration issued to her, unless the respondents or other person or persons interested in the estate shall, on or before July 9, 1943, show sufficient cause to the satisfaction of this court to the contrary

It is further declared that the said 4th above named respondent be appointed guardian *ad litem* over the 1st to 3rd respondents, who are minors for the purpose of this case, unless the respondents or other person or persons interested in the estate shall, on or before July 9, 1943, show sufficient cause to the satisfaction of this court to the contrary

June 11, 1943

V S JAYAWICKREMA,
District Judge

In the District Court of Nuwara Eliya

Order Absolute in the First Instance

Testamentary Jurisdiction No 361 In the Matter of the Last Will and Testament of Edith Mary Michels of Kowlahena estate, Lindula, in the Island of Ceylon, deceased

Hallam Tennyson Randall Ford of Kowlahena estate, Lindula Petitioner.

THIS matter coming on for disposal before T P P Goonetilleke, Esq., District Judge of Nuwara Eliya on June 10, 1943, in the presence of Mr V C Modder, Proctor, on the part of the petitioner above named, and (1) the affidavit of the petitioner dated June 3, 1943, (2) the affidavit of the attesting notary to the last will and (3) the last will and testament dated January 21, 1932, having been read

It is ordered that the last will of the said Edith Mary Michels, deceased, dated January 21, 1932, 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 petitioner is one of the executors named in the said will and that probate thereof be issued to him on his taking the oath and furnishing security (power being reserved to William Coombe, the other executor named in the said will, to at any time come in and obtain a similar grant)

June 16, 1943

T P P GOONETILLEKE,
District Judge

In the District Court of Galle

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction Mary Anne Aldersay Dias Abeygunawardene of
No 8,009 Mahamodera, Galle, deceased

Don Martyn Dias Abeygunawardene of Kumbalwella,
Galle Petitioner

Samuel Fredrick Dias Abeygunawardene of Mahamodera,
Galle (dead) Respondent

(1) L D Abeygunawardene of Waduvelwitiya, (2) J M D Abeygunawardene, (3) A D Abeygunawardene, (4) K D Abeygunawardene, (5) M D Abeygunawardene, all of 273, First Div Maradana, (6) E Triniana, (7) A D Abeygunawardene, (8) Emd Triniana, (9) E Amarasinghe, (10) R D Abeygunawardene, (11) Rev G. Saddananda, (12) Roslin D Abeygunawardene, (13) Beta de Silva, (14) M D Abeygunawardene, all of Kumbalwella, (15) B D Abeygunawardene of Bope, (16) A D Abeygunawardene, (17) L E Amarasingha, (18) E Amarasingha, all of Kumbalwella, (19) E Amarasingha of Middle East, (20) M T Rupasingha of Eppitiya, (21) E C D Abeygunawardene, (22) A G Wiyewardene, both of Unawatuna, (23) E C Abeygunawardene of Hikkaduwa, (24) W H D Abeygunawardene of 523, Buller's road, Colombo, (25) D M D Abeygunawardene, (26) L M Samara nayake, (27) S H D Abeygunawardene, all of Kumbalwella. Added Respondents

THIS matter coming on for disposal before A S Wanigasuriyar Esq., Additional District Judge of Galle, on September 18, 1942, in the petitioner appearing in person and the affidavit of the above named petitioner dated September 17, 1942, and of the attesting notary and witnesses dated September 16, 1942, having been read

It is ordered that the last will and testament of Mary Anne Aldersay Dias Abeygunawardene, deceased dated May 19, 1942, bearing No 724 and attested by C E Abeywardene, Notary Public, be and the same is hereby declared proved unless the respondents or any person or persons interested shall, on or before December 11, 1942, show sufficient cause to the satisfaction of this court to the contrary

It is further ordered that the above named petitioner be and he is hereby declared entitled, as executor of the above named deceased, to have letters of administration to the above estate, the same be issued to him accordingly, unless the respondents or any person or persons interested shall, on or before December 11, 1942, show sufficient cause to the satisfaction of this court to the contrary

November 13, 1942 A S WANIGASURIYAR,
Additional District Judge

Date for showing cause is extended to July 9, 1943

June 24, 1943 A S WANIGASURIYAR,
Additional District Judge

In the District Court of Galle

Order Nisi

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction Sirkkaduwa Lyanage Janohamy de Silva of Gona
No 8,041 pinuwela in Hikkaduwa, deceased

Between

Galle Victor de Silva of Gonapinuwela in Hikkaduwa and
presently of Paragoda Petitioner

And

(1) Galle Walter de Silva, (2) ditto Adelme de Silva, (3) ditto Irene Millicent de Silva, (4) ditto Roger de Silva, (5) ditto Hector de Silva, (6) ditto Letitia de Silva, (7) ditto Molly Tilda de Silva, (8) ditto Daisy de Silva, (9) ditto Violet Henrietta de Silva, all of Gonapinuwela Respondents

THIS matter coming on for disposal before M A Samarakoon, Esq., District Judge of Galle, on May 27, 1943, in the presence of Mr L C G Silva, Proctor, on the part of the petitioner above named, and the affidavits of the said petitioner and the attesting witnesses thereto dated May 3, 1943, and May 13, 1943, respectively, having been read

It is ordered that the last will and testament dated December 31, 1942, of Sirkkaduwa Lyanage Janohamy de Silva, deceased, now deposited in the Court be and the same is hereby declared proved and the said petitioner is the executor named in the said last will and that he is entitled to have probate of the same issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before July 19, 1943, show sufficient cause to the contrary

June 7, 1943 M A SAMARAKOON,
District Judge

In the District Court of Galle

Order Absolute in the First Instance declaring Will proved

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction the late Uduma Lebbe Marikar Kadiya Umma
No 8,042 of Light House street, Fort, Galle, deceased

Mohamed Ossen Mohamed Samsudeen of Fort, Galle Petitioner

THIS matter coming on for disposal before M A Samarakoon, Esq., District Judge of Galle, on May 27, 1943, in the presence of Messrs Saheed & Thahir, Proctors, on the part of the petitioner, and the petition and affidavit of the petitioner dated April 22, 1943, affidavit of the attesting witnesses dated April 13, 1943, and the affidavit of the notary dated March 15, 1943, having been read

It is ordered that the last will and testament of the late Uduma Lebbe Marikar Kadiya Umma, deceased, bearing No. 1187 dated

B 2

March 20, 1941, attested by Mr Ahamed M Ismail, Notary Public, be and the same is hereby declared proved and the probate thereof be issued to the petitioner as executor named in the said will

May 27, 1943

M A SAMARAKOON,
District Judge

In the District Court of Matara

Order Absolute in the First Instance declaring Will proved

Testamentary In the Matter of the Last Will and Testament of
No 4,176 Mudahyar John Clement Deweendre of Pallimulla, deceased

Benethot Augustus Deweendre of Pallimulla, Matara Petitioner.

And

(1) Theresa Deweendre, (2) Margaret Deweendre, both of Pallimulla, Matara. Respondents

THIS matter coming on for disposal before S S J Gunasekera, Esq., District Judge of Matara, on May 28, 1943, in the presence of Mr G E Dantanarayana, Proctor, on the part of the petitioner, and the affidavit (1) of the petitioner dated May 26, 1943, and (2) of the attesting notary and two witnesses dated May 24, 1943, having been read

It is ordered that the last will and testament of the above named deceased, the original of which has been deposited in this court, be and the same is hereby declared proved.

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

May 28, 1943

S S J GUNASEKERA,
District Judge

In the District Court of Chilaw

Order Nisi

No 2,299 T In the Matter of the Intestate Estate of the late
M. Robert Emmanuel Fernando of Chilaw, deceased

M Mary Rita Matilda Fernando of Chilaw Petitioner

Vs

(1) M Helen Mavis Sabina Manel Fernando, (2) M Ranjan Emmanuel Joseph Fernando, (3) M Romauld Peter Sasantha Fernando, all of Chilaw Respondents

THIS matter coming on for disposal before K D de Silva, Esq., District Judge of Chilaw, on June 10, 1943, in the presence of Mr W S Maharajah Vanderkoen, Proctor, on the part of the petitioner above named, and the affidavit of the said petitioner dated April 11, 1943, having been read.

It is ordered that the petitioner be and she is hereby declared entitled, as the wife of the deceased, to administer the estate of the 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 July 9, 1943, show sufficient cause to the satisfaction of this court to the contrary

And it is further ordered that M William James Fernando of Chilaw be and he is hereby appointed guardian *ad litem* over the respondents for all purposes of this action, unless the respondents above named or any other person or persons interested shall, on or before July 9, 1943, show sufficient cause to the satisfaction of this court to the contrary.

June 10, 1943

K D DE SILVA,
District Judge

In the District Court of Ratnapura

Order Nisi

Testamentary In the Matter of the Intestate Estate of Weeraddana
No 1,136 Davith Silva of Wiyalagoda, deceased

Munangala Arachchige Gunasekera of Wiyalagoda Petitioner

Between

(1) Munangala Arachchige Serahamy, (2) ditto Poduappuhamy, (3) ditto Peter Singho, (4) ditto Wimalasena, (5) ditto Jane Nona alias Gnanawathie, (6) ditto Podimshatmaya, (7) ditto Podimenuke, (8) ditto Pemawathie by their guardian *ad litem*, (9) Weeraddana Chandradasa, all of Wiyalagoda Respondents

THIS matter coming on for disposal before V E Rajakarier, Esq., District Judge, Ratnapura, on May 15, 1943, in the presence of Mr P Marapana, Proctor, on the part of the petitioner, and the petition and affidavit of Munangala Arachchige Gunasekera of Wiyalagoda, the petitioner above named, dated May 13, 1943, having been read It is ordered that the said petitioner above named is the son of the deceased above named and that he is entitled to have letters of administration to the estate of the said deceased issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before June 15, 1943, show sufficient cause to the satisfaction of this court to the contrary

It is further ordered that Weeraddana Chandradasa of Wiyalagoda, the 9th respondent above named, be and he is hereby appointed guardian *ad litem* over the 1st to 8th respondents above named, unless the respondents above named or any person or persons interested shall, on or before June 15, 1943, show sufficient cause to the satisfaction of this court to the contrary

May 15, 1943

V E. RAJAKARIER,
District Judge

Extended till July 13, 1943.

June 15, 1943

V E RAJAKARIER,
District Judge

In the District Court of Kegalla,

Order Nisi

Testamentary Jurisdiction No 1,669 In the Matter of the Intestate Estate of Wahala Tantarige Don Bertram, Kegalla, deceased

Isidore Stella Bertram nee Sooray of Kegalla Petitioner

And

(1) Wahala Tantarige Dona Maureen, (2) ditto Dona Joyce, (3) ditto Dona Regina Alexia Bertram, (4) ditto Simon Tiberius Bertram, (5) ditto Annasley Michel Lloyd, 1st to 5th being minors by their guardian *ad litem*, (6) Wahala Tantarige Don Jerome of Kegalla Respondents

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge of Kegalla, on May 28, 1943, in the presence of

Mr A I Abeywickrama, Proctor, on the part of the petitioner, and the petition of the petitioner dated May 28, 1943, and the affidavit of the petitioner dated May 21, 1943, having been read

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the deceased, to have letters of administration issued to her, and that the 6th respondent be and she is hereby appointed guardian *ad litem* over 1st to 5th minor respondents for the said purpose, unless the respondents or any person or persons interested shall, on or before July 13, 1943, show sufficient cause to the satisfaction of this court to the contrary

And it is further ordered that the minors be produced in court on that date

May 28, 1943

R R SELVADURAI,
District Judge

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PUBLISHED EVERY FRIDAY

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