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PART II.—LEGAL.

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

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DRAFT ORDINANCES. MINUTE.

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

L. D.—O. 2/43

CF.D. 354/39

An Ordinance to amend section 17 of the Defence Force Ordinance.

Cap. 258.

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

1. This Ordinance may be cited as the Defence Force Amendment Ordinance No. of 1943.

Short title.

2. Section 17 of the Defence Force Ordinance is hereby amended, by the addition at the end of that section, of the following new sub-section:—

Amendment of section 17 of Chapter 258.

“(3) In this section, “family” means any dependent child or children, whether legitimate or illegitimate, and in relation to any officer or soldier who leaves no widow or dependent child, includes any dependent parent, brother or sister of such officer or soldier.”

Objects and Reasons.

Section 17 of the Defence Force Ordinance, *inter alia*, authorises the award of a pension or gratuity to the widow and “family” of an officer or soldier. In the absence of a definition of the word “family”, the section does not enable an award to be made to a dependent parent, brother or sister of an unmarried member of the Defence Force. The object of this Bill is to insert in section 17 a definition of the word “family” in order to enable pensions or gratuities to be paid in cases where an officer or soldier leaves no widow or dependent children.

The conditions and circumstances in which a pension or gratuity may be so awarded will be determined by the Governor under sub-section (2) of section 17.

ROBERT H. DRAYTON,
Chief Secretary.

Colombo, 21st May, 1943.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5.668. In the matter of the insolvency of N. S. Samarawickreme of 29, Canal Row, Fort, Colombo.

WHEREAS N. S. Samarawickreme has filed a declaration of insolvency, and a petition for the sequestration of the estate of his estate has been filed by H. A. Perera of 53, Rodrigo place, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said N. S. Samarawickreme insolvent accordingly; and that two public sittings of the court, to wit, on June 25, 1943, and on July 30, 1943, 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. EMMANUEL,
Secretary.

In the District Court of Kandy.

No. I. 104. In the matter of the insolvency of Navaratna Mudiyanselage Wekumburegedera Mudiansa of Morape in Pallopane korale in Kotmale.

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 16, 1943, to consider the annulment of the adjudication of the above-named insolvent.

May 25, 1943.

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

In the District Court of Jaffna.

Insolvency Jurisdiction. Nos. 196 & 197. In the matter of the insolvency of M. C. Thendanthapany and M. C. Santhirasegaran of Koddady, Jaffna, insolvents.

NOTICE is hereby given that a special sitting will be held on June 9, 1943, at 10 A.M., by this court to enable all creditors to prove their claims.

By order of court, V. KATHIRKAMAPILLAI,
Secretary.
May 17, 1943.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

V. R. S. R. M. Ramasamy Chettiar of 25, Priute street, Pettah, in Colombo Plaintiff.

No. 5,553/S. Vs.

(1) G. C. F. Ratnasokera, (2) Maline Ratnasokera, both of Moira Villa, Hmbntuwolgoda, Koluwaya Defendants.

NOTICE is hereby given that on Monday, June 21, 1943, at 3 P.M., will be sold by public auction at the premises the following property, for the recovery of the sum of Rs. 1,500 '38, with interest on Rs. 1,500 at 15 per cent. per annum from October 2, 1942, till November 30, 1942, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full, less a sum of Rs. 575 since paid by defendants, viz. :—

The right, title, and interest of the defendants in and to the following property subject to the mortgage decree in D. C. C. 302 M.B. and any other encumbrances, if any, viz. :

1. A divided one half share of Godaporagahawatta, situated at Mahara Suripaluwa in the Adikari pattu of Siyano korale in the District of Colombo, Western Province; and bounded on the north by the remaining one half of the land, east by the Dutch Government road, south by Brahmanawatta and by another land, and on the west by the field; containing in extent 8 acres and 2 roods and the boundaries to the said one half portion of Godaporagahawatta as per plan surveyed and made on January 11, 1931, by Mr. A. N. S. Perera, Surveyor, on the north by the land belonging to N. Nona Fernando and others, by the land belonging to H. John Fernandez and by the land belonging to Peter Weerasekera Muhandiram, north-east by a cart road, south-east by the cart road of the Dutch Government now abandoned, south-west by the land belonging to Don Jokim Nanayakkara, by the land belonging to M. Pedro Appu and by the land now belonging to T. R. Fernando, south-east by field and by the land belonging to Peter Weerasekera Muhandiram; containing in extent 9 acres 2 roods and 30 perches, together with the soil and the thatched house standing thereon and everything belonging thereto.

2. All that land called Godaporagahawatta, situated at Mahara Suripaluwa aforesaid; bounded on the north by Millagahawatta presently by cart road, east and south by wall of the land of Halpe Dewage Savariel Fernando, west by the live fence of the land of Halpe Dewage Samel Fernando, containing in extent about 2 acres and of everything standing thereon.

3. All that divided portion of Godaporagahawatta together with the plantations thereon, situated at Mahara Suripaluwa aforesaid; and which divided portion is bounded on the north by the land belonging to the estate of the late Don Simon Joseph Weerasekera Karunaratne, Notary, east by the live fence dividing this portion from another portion of this same land, south by the land of Halpedewage Sawariel Fernando, and west by the land of Ranepuradewage Francina Fernando; containing in extent about one and half acres.

(4) All that portion of Godaporagahawatta, situated at Mahara Suripaluwa aforesaid; and bounded on the north by the boundary of the land of Simon Joseph Weerasekera Karunaratne Ranasinghe, Notary, east by the boundary of the land of Handuwaladewage Babichchi Fernando and others, south by the boundary of the land of Sawariel Perera, and west by the wela; containing within those boundaries about three bushels of paddy sowing; containing in extent with the tiled house therein which two portions of land being contiguous are formed into one property and are described as follows :

All those two contiguous allotments of land called Godaporagahawatta marked B and C with the buildings, trees, and plantations thereon, situated at Mahara Suripaluwa aforesaid; and bounded on the north by the land of D. S. J. Weerasekera, Notary, and lot marked A, east by the land of Unawaladewage Pesona Fernando, south by the land of Sawariel Fernando and another presently of Mr. & Mrs. C. C. S. Ratnasokera Aratchy, and on the west by field; containing in extent 2 acres 2 roods and 23 .25 perches as per plan No. 3,845 dated August 12, 1937, and made by H. G. E. Perera, Licensed Surveyor.

5. All that undivided $\frac{1}{2}$ part or share of that defined portion of Godaporagahawatta, situated at Mahara Suripaluwa aforesaid, and bounded on the north by the boundary of the property belonging to Simon Joseph Weerasekera Karunaratne Ranasinghe, Notary, east by the property belonging to Handuwaladewage Babichchi Fernando and others, south by the boundary of the property belonging to Sawariel Perera, and west by wela, and containing in extent 1 acre sufficient to sow about three bushels paddy which said undivided $\frac{1}{2}$ part or share is now held and possessed as a divided portion.

(6) All that undivided $\frac{1}{2}$ part or share of the land called Godaporagahawatta, situated at Mahara Suripaluwa aforesaid; and bounded on the north by the boundary of the property belonging to Simon Joseph Weerasekera Karunaratne Ranasinghe, Notary, east by the live fence of the property belonging to N. Nona Fernando, south by the land of Halpedewage Sawariel Fernando, and west by a water-course; and containing in extent about $3\frac{1}{2}$ acres and which said undivided $\frac{1}{2}$ part or share is now held and possessed as a divided portion which said several allotments of land are now held

and possessed as one divided allotment and according to plan No. 1,521 dated April 25, 1940, made by W. B. Perera, Licensed Surveyor of Nugegoda described as follows :—

All those several contiguous allotments of land now forming one property called Godaporagahawatta, with the buildings, trees, plantations and everything standing thereon, situated in the village Mahara Suripaluwa in the Adikari pattu of Siyano korale in the District of Colombo, Western Province; and bounded on the north by land formerly of Notary D. S. J. Weerasekera now belonging to Mrs. Piers and lands of N. Nona Fernando and others and H. John Fernando, north-east by approach road 15 feet wide leading from Kandy High road, south-east by an old Dutch road (now abandoned), south-west by lands of Don Jokim Nanayakkara, M. Pedro Appu and land formerly of T. R. Fernando, deceased, now belonging to R. C. Chapman, and north-west by paddy field and a water-course; and containing in extent 16 acres and 22 perches. Prior registration C 191/31. 217/50, 181/24, 178/58, 230/55, C 178/158, 206/141, 235/212.

Fiscal's Office,
Colombo, May 26, 1943.

H. C. WIJESINHA,
Deputy Fiscal.

In the Court of Requests of Colombo.

V. R. K. R. L. Lotchumanan Chettiar of 91, New Moor street in Colombo Plaintiff.

No. 88,107. Vs.

A. S. Fernando of 195/4, Hulftsdorp street in Colombo Defendant.

NOTICE is hereby given that on Friday, June 18, 1943, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following properties, for the recovery of the sum of Rs. 189 63, with interest on Rs. 180 at 18 per cent. per annum from December 1, 1942, till January 29, 1943, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full and costs of suit, to wit, Rs. 20 25 being incurred costs and Rs. 9 50 being prospective costs, viz. :—

1. At 3 p.m.—An undivided $\frac{1}{20}$ part or share of all that allotment of land marked lot B 5, with the buildings thereon formerly bearing assessment No. 115 and presently bearing assessment No. 135, situated at Deans road in Maradana, within the Municipality and District of Colombo, Western Province; bounded on the north by lot marked B 6 of this land, east by Arab lane, south by lots marked B 1 and B 4, and on the west by Deans road; containing in extent about 2 60/100 perches as per figure of survey thereof No. 1,912 dated January 2, 1907, and made by G. P. Weeraratne, Licensed Surveyor, and which said premises is according to a recent survey described as follows :—

All that allotment marked B presently bearing assessment No. 135, situated at Deans road, Maradana aforesaid; bounded on the north by lot A bearing assessment No. 133, east by Arab lane, south by premises bearing assessment No. 137, and on the west by Deans road; containing in extent 2 55/100 perches according to the plan No. 1,657 dated February 23, 1939, made by P. B. Weerasinghe, Licensed Surveyor and Leveller.

2. At 3.30 p.m.—All that lot marked B 6, with the buildings standing thereon formerly bearing assessment No. 113 and presently bearing assessment No. 133, situated at Deans road in Maradana aforesaid, and bounded on the north and north-east by Arab lane, south by lot marked 5, and on the west by Deans road; containing in extent 2 60/100 perches and which said premises according to a recent survey described as follows : All that allotment marked A presently bearing assessment No. 133, situated at Deans road, Maradana, aforesaid; bounded on the north and east by Arab Passage, on the south by lot B bearing assessment No. 135, and on the west by Deans road; containing in extent 2 55 perches according to the aforesaid plan No. 1,657 with the full right to the use of the latrine on premises bearing No. 135 above described.

Prior registration A 206/244, 245.

Fiscal's Office,
Colombo, May 26, 1943.

H. C. WIJESINHA,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

D. H. F. Perera of Kandy Plaintiff.

No. M. S. 798 Vs.

Thosawathie Tilaka Weerasiri of Levelle in Kandy .. Defendant.

NOTICE is hereby given that on Saturday, June 26, 1943, commencing at 10 o'clock in the forenoon, will be sold by public auction at the Jewellery Shop at Queen's Hotel, Kandy, the right, title, and interest of the said defendant in the following property, for the recovery of the sum of Rs. 2,450, with interests on Rs. 2,000 at the rate of 9 per cent. per annum from November 24, 1942, till February 11, 1943, and thereafter legal interest on the aggregate amount till payment in full and a further sum of Rs. 87 45 being the costs of this action and poundage, viz. :—

No 1 Long Show Case.—(1) 1 perahera elephant with silver fittings (image), (2) 1 silver cigarette tin (inferior silver), (3) 1 silver octagonal tray, (4) 1 E. P. N. S. sweets dish, (5) 1 E. P. N. S. cake stand, (6) 1 silver cup (small), (7) 1 silver broad bangle (inferior silver), (8) 1 paper cutter with silver blade, (9) 2 butter knives, silver, (10) 1 jam spoon, (11) 1 tortoise shell pen-holder, (12) 2 tortoise shell brushes, (13) 3 tortoise shell shoe horns, (14) 1 box of semi-precious stones, (15) 3 whalebone elephant bridges, (16) 1 nedun elephant bridge, (17) 1 ivory cigarette holder (imitation), (18) 1 ivory lion, (19) 1 ivory dagoba, (20) 1 sandalwood dagoba, (21) 3 tortoise shell paperweights, (22) 2 imitation bangles, (23) 4 elephant charms, (24) 1 swastika brooch, (25) 7 ebony elephants

No. 2 Flat Show Case.—(26) 54 silver, set with stones, gent's and ladies' rings, (27) 10 silver spoons, (28) 1 lot lac shell, (29) 2 brass and silver inlaid trays, (30) 1 lot Kandyan silver and brass trays

(31) 5 pairs brass vases, (32) 1 Indian brass tray, (33) 2 brass spear heads, (34) 1 brass elephant stand, (35) 2 pairs brass cranes, (36) 1 brass kotha, (37) 2 pairs brass bull heads, (38) 1 brass flower vase, (39) 1 brass Indian cup, (40) 1 Kandyan brass candle stand, (41) 1 brass image (colra), (42) 1 brass bell, (43) 1 brass large cobra, (44) 1 brass statue, (45) 1 brass image of Buddha, (46) 1 brass farmer and plough, (47) 4 brass flower bowls, (48) 11 brass paper-weights, (49) 2 brass bowls.

No. 3 Show Case (Flat).—(50) 1 lot antiques, (51) 18 white gold bracelets with stones, (2 9 ct. gold), (52) 8 pairs white gold eardrops and studs, set with stones, (53) 5 cuff links, white gold, (54) 35 saree pins, set with stones, (55) 9 white gold scarf pins.

No. 4 Show Case (Flat).—(56) old jewellery (lot), (57) 54 necklaces assorted, (58) 23 Kalutara hats, (59) 1 lot Kalutara ladies' hats and bags.

No. 6 Show Case Almirah.—(60) 16 brass trays, large and small, (61) 1 lot ash trays, (62) 1 lot miscellaneous brass trays, small, (63) 10 old plates, (64) 1 lot ola books, (65) 3 brass boxes, (66) 10 brass trays, large and small, (67) 11 large brass trays.

No. 7 Show Case.—(68) 1 lot tortoise shell goods, (69) 1 amethyst necklace, (70) 6 walking sticks, (71) 7 old boxes, (72) 1 lot antiques, (73) 1 office writing table, (74) 4 welcome chairs, (75) 1 old iron safe, (76) 4 large show cases, (77) 3 show cases, (78) 4 glass almirahs, small and large.

Valuation: Rs. 2,511.90.

Fiscal's Office,
Kandy, May 25, 1943.

CHARLES DE SILVA,
Deputy Fiscal.

In the District Court of Kandy.

Dala Enderatonne Godakumburegedera Punchi Appu of Pitakande in Nawalapitiya Plaintiff.
No. 46,750. Vs.

(1) Doenaduragedera Ukkuwa of Ampitiya in Ganga Ihala korale, Udapalata, (2) Gallindewattogedera Salmudu of Ampitiya, Udahentouna in Ganga Ihala korale of Udapalata Defendants.

NOTICE is hereby given that on Saturday, June 19, 1943, commencing at 12 noon, will be sold by public auction at the respective premises the right, title, and interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 729.50, with further interest on Rs. 400 at 12 per cent. per annum from August 3, 1935, till September 16, 1936, and thereafter on the aggregate amount at 9 per cent. per annum till payment in full and costs of suit and poundage, viz. :—

1. The right, title, and interest of the 1st defendant in and to all that land called Panwatta of one pola in paddy sowing extent, situate at Ampitiya in Ganga Ihala korale of Udapalata, in the District of Kandy, Central Province; and which said land is bounded on the east, south, and north by Craghead estate, and west by Mala-ela, without prejudice to the rights of parties in terms of the order of court dated July 13, 1942.

2. All the right, title, and interest of the 1st defendant in and to the land called Kohonliyaddekumbura portion adjoining the high road of 5 lahas in paddy sowing extent, situate at Ampitiya aforesaid; and bounded on the east by high road, south by ela, west by the remaining portion of the said field, and north by Puhndiyawala-ela.

3. All the right, title, and interest of the 1st defendant in and to an undivided 2/9 share of the field called Kohonladde of seven pelas in paddy sowing extent, situate at Ampitiya aforesaid; and bounded on the east by Kohonladde belonging to Ramasamy Kangany, south by oya, west by oya, and north by Puhaliyawala road, without prejudice to the rights of parties in terms of the order of court dated July 13, 1942.

4. An undivided one-fourth share of the land called Gederawatta of about one amunam in paddy sowing extent, situate at Ambalapitiya in Ganga Ihala korale of Udapalata aforesaid; and bounded on the north by the ditch of Panwatta, east by the land called Udawatta belonging to Aruma, south and west by Gedarakumbura.

5. An undivided one-fourth share of the land called Bogahamulahaena of about two pelas in paddy sowing extent, situate at Ambalapitiya aforesaid; and bounded on the north by Mr. Stephen's land, east by Mr. Stephen's land, and south and west by Bogahamuladeniyakumbura and the field called Paragahalle-demya.

Valuation: Rs. 1,850.

Fiscal's Office,
Kandy, May 21, 1943.

CHARLES DE SILVA,
Deputy Fiscal.

North-Western Province.

In the District Court of Kurunegala.

S. T. K. N. S. R. M. Ramanathan Chettiar of Kurunegala Plaintiff.
No. 19,582. Vs.

Herat Mudhyanselage Dingiri Banda, Gan Aratchi of Dummala-suriya in Yagampattu korale Defendant.

NOTICE is hereby given that on Saturday, June 26, 1943, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, mortgaged with the plaintiff by bond No. 1,934 dated May 11, 1928, and attested by O. Simon P. Jayasinghe, Notary Public, and declared specially bound and executable under decree dated March 1, 1939, and ordered to be sold by order of court dated February 24, 1943, for the recovery of the sum of Rs. 4,716.60, with interest thereon at 9 per cent. per annum from March 1, 1939, till payment in full and poundage, viz. :—

1. The land called Nakelegodawatta, situated at Baragedera in Karandapattu korale of Katugampola hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north

by lands belonging to Amangira and others, on the east by Tittaweraluwe Wel-agaro, on the south by the land belonging to Hendappa Voda Mahatmaya, and on the west by the land belonging to the heirs of Joti Vidane; containing in extent about 6 acres.

2. The land called Voralugaharuawatta, situated at Baragedera aforesaid; and bounded on the north by the land belonging to Polerisa and others, on the east by the land belonging to Amangira, on the south by the Gansabhawa road, and on the west by Dewata road, containing in extent about 1 acre and 2 roods, together with the plantation and the soil and everything appertaining to the said two lands.

Fiscal's Office,
Kurunegala, May 25, 1943.

WALTER D. M. PERERA,
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. Don Perter Senaratne Samaranyake, Notary No. 9,626. Public of Welgampitiya in Ragam pattu, deceased.

Don Rufus Conrad Godfrey Senaratne Samaranyake of Nagoda in Ragam pattu aforesaid Petitioner.
Dona Pothensia Samaranyake Hamine of Nagoda .. Respondent.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on March 26, 1943, in the presence of Mr. D. L. Gunasekera, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner above named dated March 22, 1943, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as a son of the deceased above named, to have letters of administration *de bonis non* to the above estate issued to him accordingly, unless the respondent above named or any other person or persons interested shall, on or before June 3, 1943, show sufficient cause to the satisfaction of this court to the contrary.

May 21, 1943.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Lilian Balthazaar of Wellawatta in Colombo, No. 10,413. deceased.

Dr. C. L. Balthazaar of 3, Pennyquack road, Wellawatta Petitioner.

And

(1) Alice Lilian Lemphers of 455/1, Galle road, Wellawatta, (2) Mabel Ellen Bartholomeusz of 3, Pennyquack road, Wellawatta, (3) Edith Noelyn Pietersz of Kesbewa road, Nugegoda, (4) Joan Clarice Balthazaar, (5) James Walter Balthazaar, (6) George Herbert Balthazaar, all of 455/1, Galle road, Wellawatta, (7) Charles Lorenz Bartholomeusz of 3, Pennyquack road, Wellawatta, (8) Frank Morris Lemphers of 455/1, Galle road, Wellawatta, (9) Rosemary Charmaine Pietersz of Kesbewa road, Nugegoda, (10) Clarence Ethelbert Pietersz of Kesbewa road, Nugegoda Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on April 17, 1943, in the presence of Mr. Arthur H. Abeyaratne, Proctor, on the part of the petitioner above named; and the affidavit of (1) the petitioner dated April 11, 1943, (2) the attesting Notary Public and the witnesses dated March 24, 1943, April 11 and April 12, 1943, having been read:

It is ordered that the last will and testament of Lilian Balthazaar, deceased, the original of which he has 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 the respondents above named or any other person or persons interested shall, on or before June 3, 1943, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 10th, 2nd and the 3rd respondents above named be and they are hereby appointed guardian *ad litem* of the minors, 6th, 7th to 8th and 9th respondents, respectively, to represent them for all the purposes of this action.

May 13, 1943.

R. F. DIAS,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Yalagalage Jurisdiction. Cecilia Fernando of Havelock road, Wellawatta, No. 10,416. deceased.

Kumara-ennahelage Harmanis Dias of Wattalpolu in Panadura Petitioner.

(1) Kumara-ennahelage William Solomon Dias of Pallimulla in Panadura, (2) Kumara-ennahelage Edmund Abraham Dias, presently of Ostemburg Camp, C. L. I., Trincomalee Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on April 17, 1943, in the presence of Mr. T. J. C. Ferris, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated March 12, 1943, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as 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 June 3, 1943, show sufficient cause to the satisfaction of this court to the contrary.

April 28, 1943. W. SANSONI,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Walpola Mudalige Don Charles of Kalapaluwawa,
No. 10,424. deceased.

Maya Godago Simoon Perera of Kalapaluwawa Petitioner.

THIS matter coming on for disposal before Waldo Sansoni, Esq., Additional District Judge of Colombo, on April 27, 1943, in the presence of Mr. E. S. Amarasinghe, Proctor, on the part of the petitioner above named; and the affidavit of (1) the petitioner dated April 27, 1943, and (2) the attesting witnesses dated April 23, 1943, having been read:

It is ordered that the last will and testament of Walpola Mudalige Don Charles, deceased, the original of which has been 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 June 10, 1943, show sufficient cause to the satisfaction of this court to the contrary.

May 23, 1943. JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order absolute in the First Instance.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. The late Nolie Blanco de Livera, deceased of
No. 10,433. Horagahlanda estate, Malwathuhiripitiya,
Waturugama in Gampaha.

THIS matter coming on for final determination before Dr. R. F. Dias, District Judge of Colombo, on May 7, 1943, in the presence of Mr. S. H. Dias Abeyasinghe, Proctor, on the part of the petitioner, Ronald Gordon de Livera of Gampaha; and the affidavit of the said petitioner dated May 7, 1943, and of the attesting notary and a witness dated May 1, 1943, having been read:

It is ordered that the last will made by the deceased above named, bearing No. 49 dated August 18, 1924, and now deposited in this court, be declared proved and probate hereof be issued to the said petitioner, as the executor mentioned in the said will on the publication of this order once in the *Ceylon Government Gazette* and twice in the "Ceylon Observer" newspaper, and on his taking the usual oath of office and tendering the security bond.

May 8, 1943. R. F. DIAS,
District Judge.

In the District Court of Colombo.

Testamentary In the Matter of the Last Will and Testament with
Jurisdiction. Two Codicils of Miss Jessie Jane Matland
No. 10,438. Falconer, late of Marigold Cottage, Midlem, by
Selkirk, and of 6 Rosslyn Terrace, Kelvinside,
Glasgow, formerly of 59, York Drive, Hyndland,
Glasgow, Scotland, spinster, 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) Ordinance (Chapter 84) for the sealing of (a) the confirmation of the will and two codicils of Miss Jessie Jane Matland Falconer, late of Marigold Cottage, Midlem, by Selkirk, and of 6 Rosslyn Terrace, Kelvinside, Glasgow, formerly of 59, York Drive, Hyndland, Glasgow, spinster, deceased, granted by the Commissariat Court of Edinburgh on June 11, 1941, and (b) the first eik to the said confirmation extending the confirmation to certain further property granted by the said Commissariat Court on March 19, 1942.

V. GNANARATNAM COOKE,
Proctor for Miss Annie Wood Falconer,
Colombo, May 28, 1943. the sole executrix under the Will.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Wedige
Jurisdiction. Charter Peiris of Nalluruwa in Panadure,
No. 3,081. deceased.

Wedige Simon Peiris of Nalluruwa in Panadure Petitioner.

(1) Wedige Nimal Peiris of Nalluruwa in Panadure, (2) Wedige Lalitha Padma Peiris of Rawatawatta in Moratuwa, (3) Sellapperumage Peter Fernando of Elsie Villa, Rawatawatta, Moratuwa Respondents.

THIS matter coming on for disposal before J. H. V. S. Jayawickrama, Esq., District Judge, Kalutara, on April 7, 1943, in the

presence of Mr. Dunster Perera, Proctor, on the part of the petitioner and the affidavit of the above-mentioned petitioner dated February 24, 1943, having been read.

It is ordered that the said petitioner be and he is hereby declared entitled, as brother of the deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents or any other person or persons interested in the estate shall, on or before May 13, 1943, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said Sellapperumage Peter Fernando, the 3rd respondent, be appointed guardian *ad litem* over the 1st and 2nd respondents, who are minors, unless the respondents or others interested in the estate shall, on or before May 13, 1943, show sufficient cause to the satisfaction of this court to the contrary.

April 7, 1943. V. S. JAYAWICKRAMA,
District Judge.

Order Nisi extended till June 15, 1943.

V. S. JAYAWICKRAMA,
District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved, &c

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Abeydira Wirawarna Patabendige Janis Silva,
No. T. 347. deceased, of Public Market, Kandy.

Abeydira Wirawarna Patabendige Sophi Nona of Dondra South in Wellabodapattu in Matara District Petitioner.

(1) Thonabadige Nancy Nona of Dondra, presently of 13, Katukelle, Kandy, (2) Abeydira Wirawarna Patabendige Piyasana alias Suany Mahatmaya of Dondra West, and presently of 13, Katukelle, Kandy, (3) Abeydira Wirawarna Patabendige Chandralatha of Dondra South. aforesaid, (4) The Secretary of the District Court of Kandy Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge, Kandy, on March 2, 1943, in the presence of Mr. N. Wimalasena, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated February 19, 1943, having been read:

It is ordered that the will of Abeydira Wirawarna Patabendige Janis Silva, deceased, dated January 15, 1943, be and the same is hereby declared proved, unless the respondents or any other person or persons interested shall, on or before April 15, 1943, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 4th respondent be appointed guardian *ad litem* over the 2nd and 3rd respondents and that the said Abeydira Wirawarna Patabendige Sophi Nona, petitioner, is the executor named in the said will and that she is entitled to have probate of the same issued to her accordingly, unless the respondents or others interested shall, on or before April 15, 1943, show sufficient cause to the satisfaction of this court to the contrary.

March 2, 1943. C. NAGALINGAM,
District Judge.

The date for showing cause is extended to June 14, 1943.

C. NAGALINGAM,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Mr. Kandar Aruliah Thambu of Nunavil, deceased.
No. 94.

Violet Sellammah, widow of K. A. Thambu of Nunavil Petitioner.

(1) Muttiah Samuel Thambudura, (2) wife, Annah Arulammah of Nunavil, (3) Thambu Jeevanayagam of Nunavil, presently of 115, Joelan Langar Alor Star, Kodah, (4) Thambumutta David Selvanayagam of C. G. R., Maho, (5) wife Ruthu Rasamam of Nunavil, (6) Thambu Tiruchelvam of Nunavil, presently of 150, San Peng road, Pudu, Kuala Lumpur, (7) Mary Pongodi of Nunavil, (8) Thambu Esanesan of ditto Respondents.

THIS matter of the petition of the above-named petitioner, praying—(a) for an order dispensing with the personal service of processes on the 3rd and 6th respondents; (b) for an Order allowing substituted service of processes on the 3rd and 6th respondents by affixing the same to their last known place of abode, *i.e.*, their house situated at Nunavil called "Thambo Vasa"; (c) for an Order declaring that the 1st respondent be declared guardian *ad litem* over the 8th respondent, who is a minor, for the purpose of enabling the petitioner to obtain letters of administration; (d) for an Order declaring that letters of administration to the Estate of the said deceased be issued to the petitioner above named, as widow of the said deceased coming on for disposal before G. C. Thambayah Esq., District Judge, Jaffna, in the presence of Mr. S. K. Tiravianayagam, Proctor, for petitioner on February 22, 1943, and the affidavit and the petition of the petitioner having been read.

It is ordered that (a) the personal services of the processes on the 3rd and 6th respondents be dispensed with and substituted services of processes on the 3rd and 6th respondents may be had by affixing processes to their last known place of abode that is their house situated at Nunavil called "Thambo Vasa"; (b) that the 1st respondent be and he is hereby appointed guardian *ad litem* over the 8th respondent, minor, (c) that letters of administration to the estate

of the said deceased be issued to the petitioner above named, as widow of the said deceased, unless the above-named respondents shall, appear before this court on or before April 12, 1943, and show sufficient cause to the satisfaction of this court to the contrary.

March 20, 1943.

Extended for May 31, 1943.

G. C. THAMBYAH,
District Judge.

to him, unless the respondent or any other person shall, on or before May 3, 1943, show sufficient cause to the satisfaction of this court to the contrary.

March 23, 1943.

Time for showing cause extended to June 1, 1943.

M. M. I. KARIAPPER,
District Judge.

M. M. I. KARIAPPER,
District Judge.

MISCELLANEOUS.

Estate of the late Joseph Thamoo Veeravagoo.

THE Public Trustee of Ceylon hereby gives notice that he is administering from April 20, 1943, the estate of Joseph Thamoo Veeravagoo, late of Matale, under and by virtue of the letters of administration (with the will annexed) granted in D. C., Kandy, testamentary case No. T 357, and that all persons having claims against the said estate as creditors, next-of-kin, legatees or in any other manner whatsoever and all persons owing moneys to the said estate should send notifications of their claims or debts to reach the said Public Trustee at his office in Negombo, on or before June 16, 1943, after which date he will proceed to make distribution of the assets of the said estate and will recognize in such distribution only such claims as shall have previously been established to his satisfaction.

May 26, 1943.

P. H. DE ZOYSA,
Trust Officer,
for Public Trustee.

In the District Court of Mannar.

Testamentary In the Matter of the Intestate Estate of Uthuma-
Jurisdiction. neina Meeraneina, late of Tharakundu, deceased
No. 677.

Kappaneina Semulabdeen of Tharakundu Petitioner.
Vs.

Asia Umma, widow of Meeraneina of Tharakundu . . . Respondent.

THIS matter of the petition of Kappaneina Semulabdeen, praying for letters of administration to the estate of the above-named deceased, Uthumaneina Meeraneina of Tharakundu, coming on for disposal before M. M. I. Kariapper, Esq., District Judge, Mannar, on March 23, 1943, in the presence of Mr. M. M. Aboothahir, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated March 20, 1943, having been read: It is declared that the petitioner is the nephew of the said intestate and is entitled, to have letters of administration to the estate of the said intestate issued