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PART II.—LEGAL.

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

	PAGE		PAGE
Draft Ordinances	235	District and Minor Courts Notices	—
Passed Ordinances	—	Notices in Insolvency Cases	236
Governor's Ordinances	—	Council of Legal Education Notices	—
List of Notaries	—	Notices of Fiscals' Sales	236
Supreme Court Notices	—	Notices in Testamentary Actions	236
Notifications of Criminal Sessions of the Supreme Court	—	Miscellaneous	240

DRAFT ORDINANCES.

MINUTE.

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

L. D.—O. 15/43

An Ordinance to amend the Railways Ordinance.

Chapter 153.
(Vol. IV., p. 90).

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

1. This Ordinance may be cited as the Railways Amendment Ordinance, No. of 1943.

Short title.

2. Section 7 of the Railways Ordinance is hereby repealed and the following new section substituted therefor:—

Substitution of
new section for
section 7 of
Chapter 153.

7. Any person who—

Penalties
for certain
offences.

(a) travels or attempts to travel upon the railway without having previously paid his fare or with a ticket which is out of date, or rides in or upon a carriage of a higher class than that for which he has paid his fare, or continues his journey in or upon any carriage beyond the station for which he has paid his fare without having previously either paid the fare for the additional distance or obtained the sanction of the guard of the train; or

(b) knowingly and wilfully refuses or neglects, on arriving at the station to which he has paid his fare, to quit the station and the railway premises; or

(c) in any manner whatsoever attempts to evade the payment of his fare,

shall be guilty of an offence, and shall on conviction be liable to a fine not exceeding fifty rupees:

Provided, however, that no prosecution shall be instituted or maintained against any person in respect of any offence under the foregoing paragraph (a) if such person pays to a station master, or to a railway official duly authorised to receive such payments, a penalty of two rupees and fifty cents together with twice his fare or twice the additional or excess fare due from him, as the case may be.

Objects and Reasons.

The object of this Bill is to replace section 7 of the Railways Ordinance (Chapter 153) by a new section which will enable a person who commits the offence of travelling on the railway without paying his fare or in a higher class or for a longer distance than that for which he has paid his fare, to avoid prosecution by paying a penalty of two rupees and fifty cents together with twice the fare or twice the additional or excess fare due from him.

J. L. KOTILAWALA,

Minister for Communications and Works.

Colombo, June 1, 1943.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,543 In the matter of the insolvency of C. Abeyskera of Insolvency: Deans road, Maradana, Colombo.

TAKE notice or notice is hereby given that the sittings of this court for the meeting of the creditors of the above named insolvent is fixed for July 2, 1943, to declare a dividend in terms of the schedule filed of record in the above and to appoint an auditor.

June 4, 1943.

By order of court, C. EMMANUEL,
Secretary.

NOTICES OF FISCAL'S SALES.

Western Province.

In the Court of Requests of Colombo.

Miss M. J. Morcira of 567, Havelock road, Wellawatta . . . Plaintiff.
No. 81,664. Vs.

Dr. Cyrus W. Surendra of 464, Deans road, Maradana, Colombo, also of Barber street, Colombo . . . Defendant.

NOTICE is hereby given that on Friday, July 2, 1943, at 3 p.m., will be sold by public auction at 464, Deans road, Maradana, Colombo, the following movable property, for the recovery of the sum of Rs. 238.50 and damages at Rs. 100 per month from February 1, 1942, till defendant is ejected and costs of suit Rs. 47.25 being incurred costs and Rs. 14.50 being prospective costs, less Rs. 1,200, viz. :—

One empty barrel bearing V 1, 210 gallons; 1 empty barrel bearing V 2, 220 gallons; 1 empty barrel bearing V 3, 210 gallons; 1 empty barrel bearing V 4, 211 gallons; 1 empty barrel bearing V 5, 17 gallons; 1 empty barrel bearing V 6, 8 gallons (indistinct); 1 empty barrel bearing V 7, 8 gallons; 1 empty barrel bearing V 8, 2 gallons; 1 empty barrel bearing S 33.5 V 9, 203 gallons; 1 empty barrel bearing V 10, 204 gallons; 1 empty barrel bearing V 11, 152 gallons; 1 empty barrel bearing V 12, 183 gallons. 1 empty barrel bearing V 13; 1 empty barrel bearing V 14, 1 empty barrel bearing V 15, 159 gallons. 1 empty barrel bearing V 16, 90 gallons. 1 empty barrel bearing V 17, 92 gallons. 1 empty barrel bearing S 26.2 V 18, 54 gallons. 1 empty barrel bearing S 30.5 V 19, 115 gallons; 1 empty barrel bearing S 30.8 V 20, 112 gallons; 1 empty barrel bearing S 32.0 V 21, 111 gallons. 1 empty barrel bearing R 1; 1 empty barrel bearing R 2; 1 high barrel; 12 stands.

Fiscal's Office,
Colombo, June 9, 1943.

H. C. WIJESINHA,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Madawala Muhandiramagedera Habcebu Mohamadu's son
Noor Mohamadu of Arambepola . . . Plaintiff.
M. B. 813. Vs.

Kaluappu Aratchchige Elisa Hamine of Monukhinna . . . Defendant.

NOTICE is hereby given that on Saturday, July 3, 1943, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property mortgaged with the plaintiff by bond No. 10479 dated December 31, 1940, and attested by Mr. P. de S. Jayawardhana, Notary Public, and declared specially bound and executable under the decree dated November 11, 1942, and ordered to be sold by the order of court dated May 14, 1943, for the recovery of the sum of Rs. 680 being the aggregate amount of the principal and interest, with further interest at the rate of nine per cent. per annum from September 3, 1942, till payment in full and costs Rs. 90.60, viz. :—

An undivided one half part or share from and out of all that land called and known as Lohambewatta of about nine lachas kumakkan sowing extent, situate at Udangamuwa in Udasiyupattu of Matalo South, Central Province; and the entirety being bounded on the north by the garden belonging to Punchi Banda Arachchi, east by the road, south by ditch, and west by Muduna, together with a liche here of the tiled house, plantations and everything thereon.

Fiscal's Office,
Matalo, June 7, 1943.

H. DIAS DESINGHE,
Additional Deputy Fiscal.

Southern Province.

In the Court of Requests of Galle.

Violet Mabel Wijesuriya of Dodanduwa . . . Plaintiff.
No. 20,432. Vs.

Dadallego Peter de Silva of Gammeddegoda, Ratgama . . . Defendant.

NOTICE is hereby given that on Saturday, July 3, 1943, commencing at 2 o'clock in the afternoon, will be sold by public auction at respective premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 254.75 with further interest on Rs. 200 at 9 per centum per annum as may accrue between June 5, 1939, and January 29, 1941, and thereafter at the rate of 9 per centum per annum on the aggregate till payment in full and costs Rs. 59.45 less Rs. 125 paid subsequently, viz. :—

1. An undivided $\frac{1}{4}$ part of all the best share trees and soil together with $\frac{1}{4}$ part of the planter's share of the 1st plantation and an undivided $\frac{1}{4}$ part of the planter's share of the 2nd plantation and an undivided $\frac{1}{4}$ part of the planter's share of the 3rd plantation and an undivided $\frac{1}{4}$ part of $\frac{1}{2}$ part of the 17 cubits stone walled tiled house and of the three stone walled tiled houses attached thereto standing on the land called wella-addara Asriyegewatta situated at Gammeddegoda in Ratgama in the Wellaboda pattu of Galle District,

Southern Province, and bounded on the north Wilewatta alias Ikrikatawatta, east by high road, south by the land whereon Thusowwahandi Welum resides, and west by seashore; containing in extent about two acres.

2. An undivided $\frac{1}{4}$ part of the soil and trees of the contiguous lots C, D, E, F, and G of the land called Puchinaiduwa, situated at Mawaduwala in Wellaboda pattu aforesaid; which said contiguous lots are together bounded on the north by lot H of the same land, east by land claimed by natives, south by lot B of this land, and west by land claimed by crown; containing in extent 11 acres 2 roods and 13.34 perches, subject to primary mortgage bond No. 4259 dated May 16, 1836, attested by Sam [E. Wijesuriya, Notary Public.

Fiscal's Office,
Galle, June 4, 1943.

A. H. H. DE SILVA,
Deputy Fiscal.

NOTICES OF TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Lokupathirnehalage Don Abraham Ratnasokera Samarasinghe, late Notary Public of Ranaula, Hanwella, deceased.

Dona Jusim Amarasinghe of Ranaula in the Udugaha pattu of Hewagamu korale Petitioner.

Vs.

(1) Lokupathirnehalage Pathusoma Ratnasokera Samarasinghe of Ranaula in the Udugaha pattu of Hewagamu korale, (2) Lokupathirnehalage Wigalawatha Ratnasokera Samarasinghe, (3) Lokupathirnehalage Srisoma Ratnasokera Samarasinghe, (4) Lokupathirnehalage Wasanawathi Ratnasokera Samarasinghe, (5) Lokupathirnehalage Tomapala Ratnasokera Samarasinghe, (6) Lokupathirnehalage Jayatissa Ratnasokera Samarasinghe, (7) Lokupathirnehalage Nandawathi Ratnasokera Samarasinghe, (8) Lokupathirnehalage Jnyawathi Ratnasokera Samarasinghe, (9) Lokupathirnehalage Don Philip Ratnasokera Samarasinghe of Ranaula in the Udugaha pattu of Hewagamu korale (the 2nd, 3rd, 4th, 5th, 6th, 7th, and 8th respondents are minors appearing by their guardian ad litem the 9th respondent) Respondents.

THIS matter coming on for disposal before Waldo Sansoni, Esq., Additional District Judge, Colombo, on April 27, 1943, in the presence of Mr. D. E. L. Sirimanne, Proctor, on the part of the petitioner, and the affidavit of the above-mentioned petitioner dated April 19, 1943, having been read :

It is ordered that the said Lokupathirnehalage Don Philip Ratnasokera Samarasinghe, the 9th respondent, be appointed guardian ad litem over the 2nd to 8th minor respondents for all purposes of this action, and that the above-named petitioner be and she is hereby declared entitled, as the widow of the above-named deceased, to have letters of administration to the above estate issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before June 24, 1943, show sufficient cause to the satisfaction of this court to the contrary.

May 7, 1943.

R. F. DIAS,
District Judge.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament Jurisdiction. with codicil of Oliver Kinnard York of Aisacre, No. 10,454. Old Bosham, Chichester in the County of Sussex, England, formerly of Barn Cottage, Chiddingfold in the County of Surrey, England, 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 the probate of the will, with codicil of Oliver Kinnard York of Aisacre, Old Bosham, Chichester, in the County of Sussex, England, formerly of Barn Cottage, Chiddingfold, in the County of Surrey, England, granted by the Principal Probate Registry of His Majesty's High Court of Justice in England, on the fourteenth day of May, one thousand nine hundred and forty-two.

F. J. & G. DE SARAM,
Proctors for Edith Ella Maud York, Arthur Dudley Julius and Alfred Julius Stevens, the proving executors.

Colombo, June 11, 1943.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament and Jurisdiction. Codicil of Edward Henry Lawrence of No. 2, Evelyn Gardens, Kensington in the County of Middlesex and care of National Bank of India, Limited, 26, Bishopsgate in the City of London, England, deceased.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Colombo, on June 1, 1943, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Matthew Richard Lothian Lehmann of the National Bank of India, Limited, Colombo; and (1) the affidavit of the said petitioner dated May 28, 1943, (2) the power of attorney dated December 26, 1942

and (3) the order of the Supreme Court dated May 25, 1943, having been read: It is ordered that the will of the said Edward Henry Lawrence, deceased, dated October 31, 1940, with a codicil thereto dated June 18, 1942, a certified copy of which under the Seal of the Probate Division of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; And it is further declared that the said Matthew Richard Lothian Leishman is the attorney in Ceylon of the sole 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 June 24, 1943, show sufficient cause to the satisfaction of this court to the contrary.

JAMES JOSEPH,
Additional District Judge.

June 3, 1943.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Christopher Shaw Sealy, late of Cappamore No. 10,462. Clondilkiln in the County of Dublin, Eire, Tea Plantist (retired) Gentleman, deceased.

THIS matter coming on for disposal before James Joseph, Esq.; Additional District Judge of Colombo, on June 4, 1943, in the presence of Messrs. P. J. & G. de Saum, Proctors, on the part of the petitioner, Matthew Richard Lothian Leishman of the National Bank of India, Limited, Colombo; and (1) the affidavit of the said petitioner dated June 1, 1943, (2) the power of attorney, dated November 16, 1942, and (3) the order of the Supreme Court, dated May 25, 1943, having been read: It is ordered that the will of the said Christopher Shaw Sealy, deceased, dated July 31, 1941, a certified copy of which under the Seal of the Probate Division of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Matthew Richard Lothian Leishman is the attorney in Ceylon of the executors 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 June 24, 1943, show sufficient cause to the satisfaction of this court to the contrary.

JAMES JOSEPH,
Additional District Judge.

June 7, 1943.

In the District Court of Kalutara.

Order Absolute declaring Will proved.

Testamentary In the Matter of the Estate of the late Gardyche- Jurisdiction. vappaththunge Don Darley Simon Jayawickrama No. 3,074. Weerasuriya, deceased, of Panadura.

(1) Kalutaravillage, Elsie Dora de Fonseka, of Panadura. Petitioner.

THIS matter coming on for disposal before V. Joseph, Esq.; District Judge of Kalutara, on February 23, 1943, in the presence of Mr. H. Leo Perera, Proctor, on the part of the petitioner, and the affidavit of the petitioner above mentioned dated February 21, 1943, and last will of deceased dated January 18, 1941, and affidavit of witnesses and notary dated January 31, 1943, having been read and filed of record.

It is ordered that the will of G. Don Darley Simon Jayawickrama Weerasuriya, deceased, dated January 18, 1941, and numbered 1959 be and the same is hereby declared proved, unless the respondents or other interested person or persons shall, on or before April 3, 1943, show sufficient cause to the satisfaction of this court to the contrary.

V. JOSEPH,
District Judge.

February 23, 1943.

The date to show cause has been extended to May 27, 1943.

V. S. JAYAWICKRAMA,
District Judge.

The date to show cause has been extended to June 24, 1943.

V. S. JAYAWICKRAMA,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Nahalla Jurisdiction. Vithanage Don Joseph Appuhamy of Yatiyana. No. 3,080.

Nahalla Vithanage Wijesingha of Yatiyana. Petitioner.

Vs.

(1) Kohlamulle Arachchige Nonohamy of Yatiyana, (2) Nahalla Vithanage Piyadasa of Yatiyana, (3) Nahalla Vithanage Charlotte Nona of Yatiyana, (4) Nahalla Vithanage Suramawathie of Yatiyana, (5) Nahalla Vithanage Piyasera of Yatiyana, (6) Nahalla Vithanage Chandrawathie of Yatiyana, (7) Nahalla Vithanage Nandawathie of Yatiyana; 3rd to 7th respondents are minors. Respondents.

THIS matter coming on for disposal before H. J. V. S. Jayawickrama, Esq., District Judge of Kalutara, on April 8, 1943, in the presence of Mr. D. S. Kulasekera, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated April 1, 1943, having been read:

It is ordered that the petitioner, as the eldest son of the deceased, is entitled to have letters of administration issued to him, unless the respondents or any person or persons interested in the estate shall, on or before May 17, 1943, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 1st respondent, Kohlamulle Arachchige Nonohamy be appointed guardian *ad litem* over the 3rd to 7th respondents, who are minors, for the purpose of this case, unless the respondents or others interested in the said estate shall, on or before May 17, 1943, show sufficient cause to the satisfaction of this court to the contrary.

H. J. V. S. JAYAWICKRAMA,
District Judge.

Date for showing cause extended to June 14, 1943.

H. J. V. S. JAYAWICKRAMA,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Cassim Jurisdiction. Lebbe Marikar Mohamed Ibrahim, deceased, of No. 3,083. Kalutara South

Mohamed Ibrahim Marikar Mohamed Mubarak of Kalutara. Petitioner.

Against

(1) Sheik Lebbe Habeeb Natchia, (2) Ibrahim Lebbo Marikar Beeby Leffia, (3) Ibrahim Marikar Mohamed Safir, (4) Ibrahim Marikar Mohamed Faleh, (5) Samsudeen Marikar Mohamed Zainulabdeen, all of Kalutara South; the 3rd and 4th being minors, by their guardian *ad litem* the 5th respondent. Respondents.

THIS matter coming on for disposal before J. H. V. S. Jayawickrama, Esq., District Judge, Kalutara, on April 19, 1943, in the presence of Mr. A. H. L. A. Saloon, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated August 1, 1941, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the oldest son of the deceased, to have letters of administration issued to him, unless the respondents or other person or persons interested shall, on or before June 18, 1943, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Samsudeen Marikar Mohamed Zainulabdeen, the 5th respondent, be appointed guardian *ad litem* over the 3rd and 4th respondents being minors and that the said M. I. M. Mubarak, the petitioner, is entitled to have letters of administration issued to him accordingly, unless the respondents or other interested person or persons shall, on or before June 18, 1943, show sufficient cause to the satisfaction of this court to the contrary.

J. H. V. S. JAYAWICKRAMA,
District Judge.

April 19, 1943.

In the District Court of Kandy.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Ida Louisa Rosabel Ohlms, of Heerasagalla No. T 359. road, Kandy, deceased, of Heerasagalla road, Kandy.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge, Kandy, on April 21, 1943, in the presence of Mr. V. M. Guruswamy, Proctor, on the part of the petitioner, Sybil Noeline Mary Siebel, wife of Neil Vandenberg Siebel of Heerasagalla road, Kandy; and the affidavit of the said petitioner dated February 1, 1943, and of the attesting notary dated April 19, 1943, having been read:

It is ordered that the last will of the above-named deceased dated February 6, 1943, and now deposited in this court be and the same is hereby declared proved, unless any person or persons interested shall, on or before June 21, 1943, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the executrix named in the said will, and that she is entitled to have letters of administration issued to her accordingly, unless any person or persons interested shall, on or before the said date, show sufficient cause to the satisfaction of this court to the contrary.

C. NAGALINGAM,
District Judge.

April 21, 1943.

In the District Court of Nuwara Eliya holden at Hatton.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects of Jurisdiction. Soosai Arulanandam of Osborne estate, Hatton, No. 222, deceased.

Annappooranam, widow of Soosai Arulanandam of Osborne estate, Hatton. Petitioner.

And

(1) Jaya Pandian, (2) Margaret, (3) Albert Charles, (4) Walter Jayagandi, and (5) Edwin Jayaseelan, Barnabas, all of Mission New street, Tanjore, South India; the 3rd, 4th, and 5th above named minors. (6) Hatton Arulanandam of Osborne estate, Hatton. Respondents.

THIS matter coming on for disposal before T. P. P. Goonetilleke, Esq., District Judge of Nuwara Eliya holden at Hatton, on April 6, 1943, in the presence of Mr. A. V. H. La Brooy, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated April 6, 1943, having been read:

It is ordered (a) that the 6th respondent be and he is hereby appointed guardian *ad litem* of the minors, and (b) that the petitioner be and she is hereby declared entitled, as the widow of the above named deceased, to have

orders of administration to his estate issued to her, unless the respondents above named or any person or persons interested shall, on or before May 26, 1943, show sufficient cause to the satisfaction of this court to the contrary.

April 6, 1943.

T. P. P. GOONETILLEKE,
District Judge.

Time to show cause is extended till June 23, 1943.

May 26, 1943.

T. P. P. GOONETILLEKE,
District Judge.

In the District Court of Galle sitting at Balapitiya.

Order Nisi.

No. E 63 Testy. In the Matter of the Intestate Estate of Gustanawadu Gedrek de Silva Gunasinghe of Kaluwadumulla in Ambalangoda, deceased.

Gustanawadu Rediwe Gunasinghe of Kaluwadumulla in Ambalangoda Petitioner.

Vs.

(1) Manimelwadu Nondhamy, (2) Gustanawadu Daniel Gunasinghe, (3) ditto Charles Gunasinghe, (4) ditto Rajalene Gunasinghe, all of Kaluwadumulla in Ambalangoda Respondents.

THIS matter coming on for disposal before A. Jayaratne, Esq., Additional District Judge of Galle sitting at Balapitiya, on May 11, 1943, in the presence of Mr. H. L. de Silva, Proctor, on the part of the petitioner; and after reading the affidavit of the petitioner above named it is ordered and decreed that the said petitioner, the brother of the deceased above named, be entitled to have letters of administration issued to him accordingly, unless the above-named respondents shall, on or before June 18, 1943, show sufficient cause to the satisfaction of this court to the contrary.

A. S. VANIGASURIYAR,
Additional District Judge.

May 11, 1943.

In the District Court of Galle.

Order Nisi.

No. S. 038. In the Matter of the Intestate Estate of the late Mrs. Hafsa Mohamed Ismail of Fort in Galle, deceased.

Sego Abdul Gader Mohamed Ismail of Eglinton House, Fort, Galle Petitioner.

Vs.

(1) Hamsa Mohamed Ismail, (2) Mrs. Kamy Magdon Ismail, both of the Fort of Galle, (3) Magdon Ismail, presently of Mhal in South India, (4) Zam Magdon Ismail of Fort, Galle Respondents.

THIS action coming on for disposal before M. A. Samarakoon, Esq., District Judge, Galle, on May 8, 1943, in the presence of Mr. M. H. Careem, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated April 20, 1943.

It is ordered that the petitioner above named be and he is hereby declared entitled, as the husband of the deceased, to administer the said estate and that letters of administration be issued to him accordingly and the 4th respondent is appointed guardian *ad litem* over the 1st respondent, unless the respondents above named or any other person or persons interested shall, on or before June 18, 1943, show sufficient cause to the satisfaction of this court to the contrary.

May 8, 1943.

M. A. SAMARAKOON,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Charles Jurisdiction. Dias Weerasinghe Rajapaksa, Village Headman of Gafara.

Between

Caroline Samarawera Sriwardena of Gafara Petitioner.

And

(1) Piyaseela Pathmawathie Weerasinghe Rajapaksa, (2) Banduwathie Weerasinghe Rajapaksa, (3) Amarapala ditto, (4) Dayawathie ditto, (5) Danawathie ditto, (6) Sarah ditto, (7) Sudarmawathie ditto, (8) Mokadurudasa Fernando Weerasinghe Rajapaksa, (9) Sumitha Charlotte Weerasinghe Rajapaksa, all of Gafara, the 3rd to 9th are minors by their proposed guardian *ad litem* 1st respondent Respondents

THIS matter coming on for disposal before S. S. J. Goonasekera, Esq., District Judge of Matara, on April 9, 1943, in the presence of Mr. A. M. Bulhari, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 28, 1942, having been read: It is ordered (a) that the 1st respondent be and she is hereby appointed guardian *ad litem* over the 3rd to 9th minor respondents to represent them for all purposes of this action, and (b) that the petitioner be and she is hereby declared entitled, as widow of the said 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 June 14, 1943, show sufficient cause to the satisfaction of this court to the contrary.

April 9, 1943.

S. S. J. GOONASEKERA,
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. 4.173. Mudaliyar David Martin Samarawera of "Sinnedura Waluwa", Weligama, deceased.

Walter Geoffrey Montague Jayawickrama of "Shalunar", Weligama Petitioner.

THIS matter coming on for disposal before S. S. J. Goonasekera, Esq., District Judge of Matara, on May 31, 1943, in the presence of Mr. G. P. Keenan, Proctor, on the part of the petitioner; and the affidavit (1) of the petitioner dated March 30, 1943 and (2) one of the attesting witnesses dated March 9, 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 one of the executors named in the said last will, to have probate to same issued to him.

May 31, 1943.

S. S. J. GOONASEKERA,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Sivacolanthu Jurisdiction. wife of Vinasanthay Kanagasabai of Maruvanpulo, deceased.

Sangarappillai Kandiah of Maruvanpulo Petitioner.

Vs.

(1) Vinasanthay Kanagasabai, (2) Manjyathkarasi, daughter of Kanagasabai, (3) Kanagasabai Prakashany, (4) Amirthanbiga, daughter of Kandiah, (5) Kandiah Sandeegaram and (6) Thangam, widow of Somasundram, all of Maruvanpulo Respondents.

THIS matter coming on for disposal before G. C. Thambayah, Esq., District Judge, Jaffna, on April 7, 1943, in the presence of Mr. R. Sivaguruathar, Proctor for the petitioner; and an affidavit of the petitioner dated April 5, 1943, having been read:

It is ordered that the above-named 1st respondent be appointed guardian *ad litem* over the minors, the 2nd and 3rd respondents, and the 6th respondent be appointed guardian *ad litem* over the minors, the 4th and 5th respondents, and that the petitioner, as the father of the 4th and 5th respondents, is hereby declared entitled to have letters of administration to the estate of the above-named deceased issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before May 28, 1943, show sufficient cause to the satisfaction of the court to the contrary. It is further ordered that the minors over the age of 12 years should be produced in court on the same date.

G. C. THAMBYAH,
District Judge.

Time to show cause extended for June 25, 1943.

May 28, 1943.

G. C. THAMBYAH,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Rasammah, Jurisdiction. wife of Appuccuddy Nadarajah of Chavakachchori, deceased.

Appuccuddy Nadarajah of Dandegamuwa Petitioner.

Vs.

(1) Saramany, daughter of Nadarajah, and (2) Vyrapipillai Thebarajah of Wellawa in Kurungala, D. R. C Overseas Respondents.

THIS matter coming on for disposal before G. C. Thambayah, Esq., District Judge, Jaffna, on April 7, 1943, in the presence of Mr. J. P. Ponnambalam, Proctor, on the part of the petitioner, and the affidavit and petition of the said petitioner having been read. It is ordered that the above-named 2nd respondent be appointed guardian *ad litem* over the minor 1st respondent for the purposes of watching her interests in these testamentary proceedings and that the petitioner be appointed administrator to the estate of the above-named deceased, as her husband, and that letters of administration be issued to him accordingly, unless the respondents shall appear before this court on May 28, 1943, and show cause to the satisfaction of this court to the contrary.

April 15, 1943.

G. C. THAMBYAH,
District Judge.

Time to show cause extended to June 25, 1943.

May 28, 1943.

G. C. THAMBYAH,
District Judge.

In the District Court of Jaffna.

Testamentary In the Matter of the Estate of the late Arunasalam Jurisdiction. Seenappah of Chunnakam, deceased.

(1) Seenappah Ponnampalam and wife (2) Rasammah, both of Chunnakam Petitioners.

Vs.

Annamiah, widow of Arunasalam Seenappah of Chunnakam Respondent.

THIS matter coming on for disposal before G. C. Thambayah, Esq., District Judge, Jaffna, on May 24, 1943, in the presence of Mr. T. S.

Kanaga Retnam, Proctor, on the part of the petitioners; and on reading the affidavit and petition of the petitioners:

It is ordered that the above-named petitioners be declared entitled to letters of administration to the estate of the above-named deceased, and that the same be issued to them accordingly, unless the respondent above named or any other person shall, on or before June 25, 1943, appear before this court and show sufficient cause to the satisfaction of this court to the contrary

May 24, 1943.

G. C. THAMBYAH,
District Judge.

In the District Court of Jaffna (held at Point Pedro).

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects Jurisdiction. of the late Annappillai alias Seethevanpillai, No. 201 P.T. widow of Subramaniam of Valvettiturai, deceased.

Subramaniam Vengadasalam of Valvettiturai Petitioner.

Vs.

V. Muttusamy Kandasamy of ditto Respondent.

THIS matter coming on for disposal before J. E. A. ALLES, Esq., Additional District Judge, Jaffna, on April 19, 1943, in the presence of Mr. K. Ratnasingham, Proctor, on the part of the petitioner, and the petition and affidavit of the petitioner having been read:

It is ordered that the petitioner, as the sole heir of the deceased, be declared entitled to take out letters of administration to the estate of the deceased and that letters be issued to him accordingly, unless the respondent above named or any other person shall, on or before May 21, 1943, appear and show sufficient cause to the satisfaction of this court to the contrary.

May 6, 1943.

J. E. A. ALLES,
Additional District Judge.

Time extended till June 18, 1943

May 21, 1943.

L. W. DE S,
A. D. J.

In the District Court of Jaffna (held at Point Pedro)

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Meenadchupillai, wife of Arunugam Chelliah of 202/P. T. Varathupalai, deceased.

Murugesu Kanapathipillai of Varathupalai Petitioner.

Vs.

(1) Arunugam Chelliah of Varathupalai, (2) Selvamayangan, daughter of A. Chelliah of ditto, (3) Wallinayaggy, daughter of A. Chelliah of ditto; the 2nd and 3rd respondents are minors by their guardian *ad litem*, the 1st respondent. Respondents.

THIS matter coming on for disposal before L. W. de Silva, Esq., Additional District Judge, Jaffna, on May 21, 1943, in the presence of Mr. A. Nadarajasundram, Proctor, on the part of the petitioner, and the affidavit of the petitioner having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as father of the deceased above named, to take out letters of administration to the estate of the said deceased and that letters of administration be issued to him accordingly, unless the respondents or any other person or persons interested shall, on or before June 18, 1943, show sufficient cause to the satisfaction of this court to the contrary.

May 21, 1943.

L. W. DE SILVA,
Additional District Judge.

In the District Court of Batticaloa.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. the late Charles Eustace Sabanayagam David or Oddaimunai, deceased.

Between

Patrick David of Urban Council, Batticaloa, Petitioner.

And

(1) Victoria David, (2) Elizabeth David, both of Beale street, Batticaloa, (3) Sathurayagam Cyril Jayarajah of Messrs. Leechman & Co., P. O. Box 53, Colombo Respondents.

THIS matter coming on for disposal before V. H. Wijeyaratne, Esq., District Judge of Batticaloa, on March 9, 1943, in the presence of Mr. K. V. M. Subramaniam, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated February 29, 1943, and the petition of the petitioner dated March 9, 1943, and the affidavit of the attesting witnesses who attested the last will dated January 26, 1943, having been read:

It is ordered that the last will of Charles Eustace Sabanayagam David, deceased, dated January 26, 1943, now deposited in this court be and the same is hereby declared proved, unless the respondents above named or any other person or persons interested shall, on or before April 1, 1943, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the executor named in the said will and that he is entitled to have probate of the same issued to him accordingly, unless the respondents above named or

any other person or persons interested shall, on or before April 1, 1943, show sufficient cause to the satisfaction of this court to the contrary.

March 9, 1943.

D. E. WIJAYAWARDENE,
District Judge.

Order Nisi extended to May 4, 1943.

April 1, 1943.

S. N. V.,
D. J.

Order Nisi extended to May 6, 1943.

May 4, 1943.

S. N. V.,
D. J.

Order Nisi extended to June 1, 1943.

May 6, 1943.

S. N. V.,
D. J.

Order Nisi extended to June 29, 1943.

June 1, 1943.

D. E. W.,
D. J.

In the District Court of Batticaloa.

Testamentary In the Matter of the Last Will and Testament Jurisdiction. of the late Muhamadu Ismail Levvai Marakayer Serlatbunmah of Division No. 4, Kattankudy, deceased.

Muhamadu Meerasaibo Marakayer Kalenderlovvai Alim of Division No. 4, Kattankudy Petitioner.

Vs.

(1) Muhamadu Ismail Levvai Marakayer Ahamadu Muhayadeen, (2) Muhamadu Ismail Levvai Marakayer Assanarlevvai, (3) Muhamadu Ismail Levvai Marakayer Muhamadu Murthapa, all of Division 4, Kattankudy Respondents.

THIS matter coming on for disposal before V. H. Wijeyaratne, Esq., District Judge of Batticaloa, on September 30, 1940, in the presence of Mr. K. V. M. Subramaniam, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 26, 1940, having been read:

It is ordered that the said petitioner be and he is hereby declared, as the husband of the above-named deceased, to have probate issued to him, unless the respondents above named or any other person or persons interested shall, on or before October 29, 1940, show sufficient cause to the satisfaction of this court to the contrary.

September 30, 1940.

V. H. WIJAYARATNE,
District Judge.

Order Nisi extended to November 28, 1941.

Order Nisi extended to May 8, 1941.

V. H. W.

Order Nisi extended to May 29, 1941.

V. H. W.

Order Nisi extended to July 27, 1941.

V. H. W.

Order Nisi extended to January 29, 1942.

V. H. W.

Order Nisi extended to February 10, 1942.

V. H. W.

Order Nisi extended to February 26, 1942.

V. H. W.

Order Nisi extended to March 10, 1942.

D. E. W.

Order Nisi extended to March 6, 1942.

V. H. W.

Order Nisi extended to April 16, 1942.

V. H. W.

Order Nisi extended to February 25, 1943.

S. N. V.

Order Nisi extended to March 4, 1943.

V. H. W.

Order Nisi extended to March 18, 1943.

V. H. W.

Order Nisi extended to April 8, 1943.

V. H. W.

Order Nisi extended to May 6, 1943.

V. H. W.

Order Nisi extended to June 1, 1943.

V. H. W.,
D. J.

May 6, 1943.

D. E. W.,
D. J.

Order Nisi extended to June 29, 1943.

D. E. W.,
D. J.

June 1, 1943.

In the District Court of Kurunegala.

Order Nisi.

Testamentary In the Matter of the Estate of the late Mutunayake, Jurisdiction. Dewatapejjalage Abaddalage Bilindi of Gettuwana, deceased.

Dewatapejjalage Kalla (Veda Maha Durayalage) Aruma of Gettuwana in Mahagalboda Megoda Korala Petitioner.

Vs.

(1) Dewatapejjalage Pemaratne, (2) ditto Ganawathie, (3) ditto Seelawathie, (4) ditto Dharmadasa, (5) ditto Kalla-veda Maha Duraya, all of Gettuwana in Mahagalboda Megoda Korala; the 1st to 4th are minors by their guardian *ad litem* 5th Respondents.

THIS matter coming on for disposal before H. A. de Silva, Esq., District Judge of Kurunegala, on May 15, 1942, in the presence of

Messrs. Perera & Perera, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 14, 1942, having been read:

It is ordered that the 5th respondent above named be and he is hereby appointed guardian *ad litem* over 1st to 4th minor respondents, for the purpose of these proceedings, unless the respondents shall, on or before June 23, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is ordered that the said petitioner be and he is hereby declared entitled, as the widower of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents or any other person or persons interested shall, on or before June 23, 1942, show sufficient cause to the satisfaction of this court to the contrary.

May 15, 1942.

H. A. DE SILVA,
District Judge.

This is extended for showing cause for May 31, 1943.

G. M. DE SILVA,
A.D.J.

This is extended and reissued for June 23, 1943.

H. A. DE SILVA,
D.J.

In the District Court of Puttalam.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Mrs. Jane Julie de Zoysa *nee* Mendis, deceased.
No. 767.

Between

Alfred Lionel Gunasekera, Proctor of 706, Kolu-pitiya road,
Colombo Petitioner.

Vs.

(1) Sister Pauline of the Elpitiya Convent, (2) Monica Janet
Garline de Zoysa, presently of 706, Kolu-pitiya road, Kolu-
pitiya, (3) Mrs. Pearl Dorothy Ellen Kanagasundaram of 55,
Sri Wickrema road, Wellawatta Respondents.

THIS matter coming on for disposal before L. S. David, Esq.,
Additional District Judge of Puttalam, on March 24, 1943, on the
motion of Mr. Emmanuel Muttukumaru, Proctor, on the part of the
petitioner and the petition of the petitioner dated March 24, 1943;
and the affidavit dated March 18, 1943, having been read: It is
ordered that the above-named petitioner, Alfred Lionel Gunasekera,
be and he is hereby appointed administrator of the above-named
estate of the deceased, Mrs. Jane Julie de Zoysa *nee* Mendis, and
that letters of administration be accordingly issued to him, unless
the respondents above named or any other person or persons
interested in the matter of this application shall, on or before
May 18, 1943, show sufficient cause to the contrary.

March 24, 1943.

LAZARIN E. DAVID,
District Judge.

April 27, 1943.

Time extended till June 21, 1943.

May 31, 1943.

K. D. DE SILVA,
District Judge.

In the District Court of Badulla.

Order Absolute in the First Instance declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. S. S. Karupenna Pillai of Deemaya Group in
No. B. 1,077. Koslanda, deceased.

Ananda Narayanasamy of Deemaya Group in Koslanda Petitioner.

THIS matter coming on for disposal before Herbert Spencer
Roberts, Esq., District Judge of Badulla, on May 21, 1943, in the

presence of Messrs. H. J. & W. L. Pinto, Proctors, on the part
of the petitioner above named; and his petition dated May 21, 1943,
and affidavit dated May 12, 1943, and the affidavit of the six attesting
witnesses to the last will dated April 26, 1943, having been read:
It is ordered that the last will of S. S. Karupenna Pillai, deceased,
dated December 31, 1942, 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 executor named
in the said will and that he is entitled to have probate of the same
issued to him accordingly.

May 21, 1943.

HERBERT S. ROBERTS,
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Akurange
Jurisdiction. Samuel Gurunnaise of Hewadiwela; deceased.
No. 1,665.

Akurange William Alfred of Hewadiwela Petitioner.

Vs.

(1) Sinhalage Mary of Hewadiwela, (2) Akurange Lilyn Matilda,
(3) ditto Richard Edward, (4) ditto Emalin Margret, (5) ditto
Aster Helmina, (6) ditto Rogahn, (7) ditto Ellen, (8) ditto
Martin Loocher, (9) ditto Ensigna Isabel, (10) ditto Josolin
Margret, all of Hewadiwela, 9th and 10th being minors by
their guardian *ad litem* the 1st respondent Respondents.

THIS action coming on for disposal before R. R. Selvadurai, Esq.,
District Judge of Kegalla, on April 9, 1943, in the presence of
Mr. A. L. de S. Aboyawickrama, Proctor, on the part of the petitioner,
and the petition of the petitioner dated April 9, 1943, and the
affidavit of the petitioner dated April 3, 1943, having been read:

It is ordered that the petitioner be and he is hereby declared, as
eldest son of the deceased, to have letters of administration issued to
him and that the 1st respondent be and she is hereby appointed
guardian *ad litem* over the 9th and 10th minor respondents for the
said purpose, unless the respondents themselves or any person or
persons interested shall, on or before May 11, 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.

April 9, 1943.

R. R. SELVADURAI,
District Judge.

This *Order Nisi* is extended for June 15, 1943.

May 5, 1943.

R. R. SELVADURAI,
District Judge.

MISCELLANEOUS NOTICES.

Estate of the late Edwin Billie Samarakoon Wijesinghe.

THE Public Trustee of Ceylon hereby gives notice that he is
administering from May 21, 1943, the estate of Edwin Billie Samara-
koon Wijesinghe late of Wellawaya under and by virtue of the
letters of administration granted in C. C. Badulla, Testamentary
Case No. B 1,076, 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 July 10, 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.