



THE CEYLON GOVERNMENT GAZETTE

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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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NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Central Province, will be holden at the Court-house at Kandy, on Monday, August 3, 1942, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Kandy, July 4, 1942.

E. T. DYSON,
Fiscal.

In the District Court of Colombo.

No. 5,652. In the matter of the insolvency of Allanson Peter Charles Weeresinghe of 7, Turret road, Colpetty, Colombo, insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held at the sitting of this court, on July 31, 1942, to consider the grant of a certificate of conformity to the above-named insolvent.

July 7, 1942.

By order of court, C. EMMANUEL,
Secretary.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the 2nd Eastern Circuit, 1942, will be holden at the District Court-house at Batticaloa on Monday, July 27, 1942, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Batticaloa, July 3, 1942.

E. J. RAJARATNAM,
for Fiscal.

In the District Court of Colombo.

No. 5,654. In the matter of the insolvency of Daniel Henry Peiris of Pelawatta road, Nugegoda.

NOTICE is hereby given that the above-named Daniel Henry Peiris of Pelawatta road, Nugegoda, has been adjudicated insolvent in the above-named proceedings.

July 8, 1942

By order of court, C. EMMANUEL,
Secretary.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Kegalla, will be holden at the Court-house at Kandy on Monday, August 3, 1942, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Ratnapura, July 1, 1942.

R. M. DAVIES,
Fiscal.

In the District Court of Kandy.

No. I. 98. In the matter of the insolvency of William Francis Ratnapala of Poradeniya road, Kandy.

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 31, 1942, to consider the granting of a certificate of conformity to the above-named insolvent.

July 7, 1942.

By order of Court, R. B. RATNAIKA,
Secretary.

DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that, three months hence, the valueless records of this court will be destroyed subject to the provisions in Chapter 336, Volume 6 of Legislative Enactments.

Any person interested in any record may personally, by Proctor, or by duly authenticated petition, claim, upon good cause shown, that such record may not be destroyed.

District Court,
Tangalla, June 30, 1942.

M. C. SANSONI,
District Judge.

NOTICES OF FISCALS' SALES.

Western Province.

In the Court of Requests of Gampaha.

Amarasinghe Aratchigo Seeladasa, presently of Dada-gamuwa Plaintiff.

No. 454. Vs.

Don J. Samaradiwakara of Dadagamuwa Defendant.

NOTICE is hereby given that on Friday, July 31, 1942, at 3.30 p.m. will be sold by public auction at the premises the following property for the recovery of the sum of Rs. 232.04 and costs of action Rs. 92.05 less Rs. 10.17, viz.:

All the right, title, and interest of the defendant in and to the allotments of land called *Kahatagahawatta alias Kahatagahalanda* and *Deniyakumbura*, situated at Dadagamuwa in Medapattu of Siyane korale, in the District of Colombo, Western Province; bounded on the north by the land of Nadinsa and others, and a portion of Kahatagahalanda belonging to Andriisa, east by the land of Samaratunga Randunu and others, south by the portion of Kahatagahalanda, belonging to Hendrick and others, west by the land of Suman Appu and others in extent within these boundaries about 8 acres and 37½ perches, and in lieu of the defendant's right title, and interest in and to the said land, the defendant has amicably divided and separated a portion of the said land and the said portion is bounded on the north-east by the Village Committee road leading to Naiwela, south-east by the water-course separating the

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,591. In the matter of the insolvency of Thomas Fernando of 27/1, Mosque lane, Colpetty, insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held in the above court on July 31, 1942, to consider the grant of a certificate of conformity to the above-named insolvent.

July 1, 1942.

By order of court, C. EMMANUEL,
Secretary.

land of Hassim and Kuruppu Appuhamillago Don Hondrick, south-west by the field of William Samaradiwakara, north-west by the portions of this land belonging to D. A. Samaradiwakara and D. M. Wijesinghe and the land of A. A. Samel Appuhamy, in extent 2 acres 1 rood and 27 perches, together with all the buildings, outhouses, and Mills thereto belonging and the trees, plantations, &c., standing on the said portion of land, which portion of land and everything thereto belonging, the defendant has mortgaged to one Charles Moses de Alwis Senoviratno of Kandy for Rs. 1,000

Fiscal's Office,
Colombo, July 7, 1942.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Colombo.

In the Matter of the Estate of Mrs. Devunigo Caroline Fernando Deceased
The Commissioner of Estate Duty Potitioner.
No. A. J. 3,816 Testy. Vs.

N. Sampson Wijayasekera of Fairlea, Kynsey road, Colombo, being the executor of the estate of the above-named deceased Respondent.

NOTICE is hereby given that on Monday, August 3, 1942, at 4 p.m., will be sold by public auction at the premises the following property, for the recovery of the sum of Rs. 114,353.82 with interest thereon at 4 per cent. per annum from July 19, 1940, to date of payment being estate duty due in respect of the estate of the above-named deceased, viz. :—

The right, title, and interest of the deceased above named to the following property, to wit :—

All those premises called and known as Shrubbery Gardens, formerly bearing assessment Nos. 136, 13, 10, 12, 14 and 6 and now bearing assessment Nos. 158, 168, 32, 34, 35, 36 and 38, situated at 15th lane, Galle road, Bambalapitiya, within the Municipality and District of Colombo, Western Province, together with all the buildings, trees, and plantations standing thereon; and bounded on the north by premises bearing assessment No. 154, Galle road, Bambalapitiya, and properties situated along 13th lane, Bambalapitiya, owned by several others, east by the high road from Colombo to Galle, south by premises bearing assessment No. 184, Galle road, Bambalapitiya and properties situated along Retreat road, Bambalapitiya, owned by several others, and west by the Railway line; containing in extent 8 acres more or less.

Fiscal's Office,
Colombo, July 8, 1942.

H. C. WIJESINHA,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Utpotapitiye Muhandiramalagedera Mohamadu Lebbo's son Habeebu Mohamadu of Galhuna in Pallegampaha of Hara-siya pattu Plaintiff.
No. MR 850. Vs.

(1) Idangodora Tikiri Kolla, (2) Gurulawalagedera Samadareo, both of Neluwakanda in Udasiya pattu of Matale, District Defendants.

NOTICE is hereby given that on Friday, July 31, 1942, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 821.40, with legal interest on Rs. 650 from February 10, 1942, full payment in full and poundage, viz. :—

1. Undivided five-twelfth shares (5/12) of and in all that land called and known as Mudumehona of about 12 nollis kurakkan sowing extent, situated at Neluwakanda in Udasiya pattu of Matale South, in the district of Matale, Central Province; bounded on the east by the limit of Dambalagawatta, south by mala-ola near the ulpota (spring) on Abusaleo's land, west by the Belungala stone on Kuru Duraya's garden, and north by the limit of Dambalagawatta, together with a like share of everything thereon.

2. All that lot bearing "D" in extent 1 acre 1 rood and 13 15/18 perches according to plan of survey No. 1851 dated November 3, 1927, made by J. R. Holloway, Licensed Surveyor, from and out of all that land called Belungalehena in extent 5 acres 1 rood and 30 perches, situated at Neluwakanda aforesaid, and which said lot "D" is bounded on the east by the stone fence of Kiri Duraya's hena, north by lot "C" and the stone fence of Kiri Duraya's garden (a portion of this same land), south by lot "E" of this same land belonging to Samadareo, west by the limit of Apullanagewatta, together with the zinc-roofed and tiled house thereon.

3. All that lot marked "E" in extent 3 roods and 32 14/18 perches, according to aforesaid plan No. 1851 from and out of all that land called Belungalehena, situated at Neluwakanda aforesaid; and which said lot "E" is bounded on the north by lot "B" of this same land belonging to Kiri Duraya and others, east by stone fence of Kiri Duraya's hena, south by Aluambegawahena belonging to Setuwa, and west by also by Aluambegawahena belonging to Setuwa, together with everything thereon.

4. All that land called Uguressagahamulahena of 3 roods and 22 perches or about 1 acre in extent, situated at Neluwakanda aforesaid; and bounded on the north by limit of Uguressagahamulahena claimed by Tikiri Kolla, east by Hapugollehena claimed by Ukku, west by lot 4 of P. P. No. 847 called Uguressagahamulahena belonging to Crown, and south by also lot 4 of P. P. No. 847 called Uguressagahamulahena belonging to the Crown, together with everything thereon.

5. All that land called Bogahapitiyehena of four lahas kurakkan sowing or about 4 acres in extent, situated at Neluwakanda aforesaid; and bounded on the east by Alawattehena belonging to

Samadara Kamatweilla and Tiruwanagala, south by agala separating Samadara's garden, west by field belonging to Mutuwa and another, and north by the garden of Kumudu and Samadara, together with everything thereon.

6. All that Hapugollewatta alias Ulpotagawahena and its adjoining Hapugollehena in extent six lahas kurakkan sowing or about 3 acres on the whole, situated at Neluwakanda aforesaid; and bounded on the east by limit of Neluwanakanda estate and limit of Kandawatte Mahatmaya's estate, south by limit of Hapugollehena of Dantu, presently of Enamis Baas, west by limit of Banduwa Duraya's garden (hena), and north by Mala-ola separating Kuru Duraya's garden, together with everything thereon.

7. Undivided 7/12 parts or shares of and in all that land called Kahawatta of about two lahas kurakkan sowing extent, situated at Neluwakanda aforesaid; and bounded on the east by Aluambomulahena of Enamis Baas, south by Thalagederawatta of Enamis Baas, west by limit of Dingiriya's garden, and north by Liyangahamulawatta of Apullanna, together with a like share of everything thereon.

These lands will be sold subject to Mortgage Bond No. 9,789, dated April 28, 1940, attested by E. de S. Jayawardhana, Notary Public, for Rs. 950, with interest at 15 cents per Rs. 10 per month and also subject to the Lease Bond No. 9,790 dated April 28, 1940, attested by the said P. de S. Jayawardhana, Notary Public, for a period of three years and eight months from the date of deed.

Deputy Fiscal's Office,
Matale, July 6, 1942.

H. DIAS DESINGHE,
Additional Deputy Fiscal.

Southern Province.

In the District Court of Matara.

Liyanage Wilson de Silva and another, both of Matara, the duly appointed administrators over the estate of late L. N. de Silva Plaintiffs.
No. 11,196 Vs.

(2) B. G. S. Piyasena, (4) Palawinnege Srisena Mutucumarana, the administrators of the estate of the 3rd defendant, all of Dikwella Defendants.

NOTICE is hereby given that on Wednesday, August 12, 1942 commencing at 3.30 in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said 2nd and 4th defendants in the following property, for the recovery of a sum of Rs. 721.22 viz. :—

1. All that undivided 1/2 share of the soil and fruit trees of lots A and B and buildings bearing Nos. 3 and 4 on the land called Joolgahakoratuwewatta, situated at Dikwella aforesaid; and bounded on the north by Mawattakumburawela, east by Joolgahakoratuwewatta alias Rathambegewatta alias Pinwatta, south and west by road from Dodampahala to Belatta; and containing in extent 20 perches.

2. All that divided and separated lot B of the land called Palawinnege-maha-gamagehena alias Dangahawatta and its adjoining portion C situated at Hingurana in Dikwella aforesaid; and bounded on the north by lot A of the same land, east by Nuga-gahahena and Galmangodagewatta, south by Dangahahena and deniya, and west by high road; and containing in extent 2 acres 2 roods and 12 perches.

3. All that lots B and E of the land called Nugehena, situated at Dikwella in the Wellaboda pattu of Matara District, Southern Province, and bounded on the north by lot A of this land, east by garden whereon Baleappu resides and deniya, south by Handapan-golohena Galmangodagewatta and lots D and C of this land, west by Palawinnege Dangahahena and lot D of this land; and containing in extent 2 acres 2 roods and 17.30 perches.

Deputy Fiscal's Office,
Matara, July 4, 1942.

H. V. F. ABAYAKOON,
Additional Deputy Fiscal.

In the District Court of Galle, sitting at Balapitiya.

Amarawansa Srisena de Silva of Heenatiya in Balapitiya Plaintiff-Creditor.
No. 37,380. Vs.

(3) Hilda Muriel de Silva of Heenatiya and 5th to 12th Defendants-Debtors.

NOTICE is hereby given that on Wednesday, August 5, 1942, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rupees 7/12 of (Rs. 2,424.10 less Rs. 1,000) and Rs. 23.87½ writ costs, viz. :—

The soil, plantations, and the buildings standing thereon of the land called lot A of Thuniyaduwa, situated at Madugangameddawa in Bentota-Wallawiti korale of Galle District, Southern Province; and bounded on the north by lot B of the same land, east and south by lot C of the same land, and on the west by Maduganga; and containing in extent 2 roods 6 36 perches only.

Deputy Fiscal's Office,
Balapitiya, July 6, 1942.

SAM RANASOORIYA,
Additional Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

Amptiyewatte Maddumaya of Massenna Plaintiff.
No. 6,881. Vs.

(1) Liyanasuriya Aratchigo Albert Perera, (2) Amarsinghe Aratchige Lenohamie, both of Udumulle u Balangoda, (3) Amptiyewatte Babanis of Massenna Defendants.

NOTICE is hereby given that on Tuesday, August 4, 1942, at 10 o'clock in the forenoon, will be sold by public auction at the

premises the right, title, and interest of the said defendants in the following property, for the recovery of Rs. 1,023.75, with interest on Rs. 700, at 15 per cent. per annum from August 6, 1940, till December 17, 1940, and thereafter legal interest on the aggregate till payment in full and costs Rs. 114.45 viz. —

All that allotment of land called Neandagalawatta comprised of lots 14 and 15, in B. S. P. P. No. 472, situate at Udumulla village in the Helauda palata of Meda korale in the District of Ratnapura of the Province of Sabaragamuwa; and bounded on the north by lot 1, east by lot 3, south by lot 19, west by lots 19 and 18; and containing in extent 5 acres 1 rood and 15 perches, and registered in E 73/161 of the Ratnapura Land Registry, and also registered; in the Tea Controller's Office under number S. Y. 348

Fiscal's Office, A. B. KAPALIADDA,
Ratnapura, June 29, 1942. Additional 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. Johannes Fernando Solomon Fernando, de-
No. 10,056. ceased, of Colombo.

Karunaratne Mohandiramago Elizabeth Adelme Fernando
of Church road, Mattacooliya, Colombo Petitioner.
Vs.

(1) Solomon Merrill Fernando, (2) Denzil Rexie Fernando
(minors), by their guardian *ad litem* (3) Johannes Fernan-
dago Albert Fernando, all of Colombo Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge, Colombo, on June 5, 1942, in the presence of Mr. E. L. Gomes, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated May 28, 1942, having been read:

It is ordered that the said Johannes Fernando Albert Fernando, the 3rd respondent, be appointed guardian *ad litem* over the 1st and 2nd minor respondents for all purposes of this action and that the above-named petitioner be and she is hereby declared entitled, as the widow of the above-named deceased, to have letters of administration to the above estate issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before July 16, 1942, show sufficient cause to the satisfaction of this court to the contrary.

JAMES JOSEPH,
July 4, 1942. Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Dore-Lebbe
Jurisdiction. Abdul Aziss of 89/1, St. Mary's road, Mattak-
No. 10,063. kuliya, Colombo, deceased.

Ahamadu Lebbe Kawla Umma of 89/1, St. Mary's road, Mattak-
kuliya, Colombo Petitioner.

And

(1) Abdul Aziss Ummama Umma and (2) Abdul Aziss Noorul
Naema, both of 89/1, St. Mary's road, Mattakuliyala,
Colombo Respondents

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge, Colombo, on June 16, 1942, in the presence of Mr. M. M. A. Raheem, Proctor, on the part of the petitioner, and the affidavit of the above-named petitioner dated June 15, 1942, having been read:

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

JAMES JOSEPH,
June 24, 1942. Additional District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the late Godwin
Jurisdiction. Jacob de Fonseka of "Springfield Walauwa,"
No. 10,064. Dickman's road, Colombo, deceased.

(1) Alexander Richard Neville de Fonseka, (2) Lionel Adrian
Dennis de Fonseka, both of "Springfield Walauwa,"
Dickman's road, Colombo Petitioners.

Vs

(1) Godwin Joseph Nicholas de Fonseka of "Springfield
Walauwa," Dickman's road, and presently of Kuala Lumpur,
F. M. S., (2) Joseph Victor Terrence de Fonseka, (3) Yvonne
Hermine Miriam de Fonseka, both of "Springfield Walauwa,"
Dickman's road, Colombo, (4) Louisa Mary Perera, wife of
Valentine S. Perera of Hultsdorp, Colombo, (5) Sylvie Irene
Teresa Goonewardene, wife of Dr. P. S. Goonewardene of
Kurunegala Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge, Colombo, on June 17, 1942, in the presence of Mr. M. P. P. Samarasinghe, Proctor, on the part of the petitioners; and the affidavits of the above-mentioned petitioners dated June 5 and 8, 1942 and of the attesting notary dated June 16, 1942, having been read:

It is ordered that the will of Godwin Jacob de Fonseka, deceased, dated September 22, 1939, and numbered 74, be and the same is hereby declared proved, unless the respondents or any other person or persons interested shall, on or before July 23, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is ordered that the above-named petitioners are the executor's named in the said will and that they are entitled to have probate, of the same issued to them accordingly, unless the respondents or any other person or persons interested shall, on or before July 23, 1942, show sufficient cause to the satisfaction of this court to the contrary.

JAMES JOSEPH,
Additional District Judge.

July 6, 1942.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the late Kodituwak-
Jurisdiction. kuaratchige Marku Appuhamy, deceased, of 22,
No. 10,067. Sea Beach lane, Colombo.

Kulatunga Aratchige Senawathie Hamme, widow, of 22, Sea
Beach lane, Pettah, Colombo, presently of Radhawana.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge, Colombo, on June 17, 1942, in the presence of Mr. S. Kanagarajah, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner, dated May 27, 1942, and witnesses dated May 26, 1942, having been read:

It is ordered that the will of Kodituwakkuaratchige Marku Appuhamy, deceased, dated October 12, 1933, numbered 186, and attested by C. H. Gomes of Colombo, Notary Public, be and the same is hereby declared proved, unless any person or persons interested shall on or before July 23, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the above-named petitioner is the executrix named in the said will and that she is entitled to have a probate of the same issued to her accordingly, unless any person or persons interested shall, on or before July 23, 1942, show sufficient cause to the satisfaction of this court to the contrary.

JAMES JOSEPH,
June 29, 1942. 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 Doctor Hans Martinus Peries of De
No. 10,073. Saram place, Colombo, deceased.

Evangelino Louise Peries of De Saram place, Colombo. Petitioner.
Vs.

(1) Sylvia Louise Fernando *nee* Peries of De Saram place, and
(2) Herman Eric Peries of Sea View avenue, Colpetty, both
in Colombo Respondents

THIS matter coming on for final disposal before James Joseph, Esq., Additional District Judge of Colombo, on June 26, 1942, in the presence of Mr. A. H. Abeyaratne, Proctor, on the part of the petitioner; and the affidavits (a) of the above-mentioned petitioner dated June 8, 1942, and (b) of the attesting notary and a witness dated June 22, 1942, having been read:

It is ordered of consent that the will of Doctor Hans Martinus Peries, deceased, dated May 18, 1935, numbered 668 and now deposited in this court, be and the same is hereby declared proved: and that the said petitioner is the executrix named in the said will and that probate of the same be issued to her accordingly on her tendering the usual oath and bond.

JAMES JOSEPH,
June 29, 1942. Additional District Judge.

In the District Court of Colombo.

Order Absolute in the First Instance.

Testy. In the Matter of the Last Will and Testament of the
Jurisdiction. late Sirwardene Mudalige James Lawrence de
No. 10,074. Alwis of St. Joseph's, Vanderwert place, Dehiwala,
deceased.

THIS matter coming on for final determination before James Joseph, Esq., Additional District Judge of Colombo, on June 26, 1942, in the presence of Mr. H. A. Abeyewardene, Proctor, on the part of the petitioner, Mary Margaret Josephine de Alwis *nee* Jayawardene of St. Joseph's, Vanderwert place, Dehiwala, and the affidavits (a) of the said petitioner dated June 13, 1942, and (b) of the attesting Notary and one of the witnesses dated June 22, 1942, having been read:

It is ordered that the last will made by the deceased above named bearing No. 2,285, dated November 26, 1936, and now deposited in this court be declared proved, and probate hereof be issued to the petitioner aforesaid, as the executrix therein mentioned, on her tendering the usual oath and bond.

JAMES JOSEPH,
June 26, 1942. Additional District Judge.

In the District Court of Avissawella.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Welagederawatte Acharige Gunaseela, deceased.
No. 308.

(1) W. A. Manuel and (2) W. Podi Nona of Bulugaha-
pitiya Petitioners.

Vs.

(1) Welagederawatte Acharige Enjohamy of Lellapitiya, (2) The
Trustee of the Sri Sumana Vidyalaya Temple of Ratnapura,
(3) Welagederawatte Acharige Sellappu, (4) Manaratnaje
Misohamy, (5) Welagederawatte Acharige Odirshamy, all of
Bulugahapitiya Respondents.

THIS matter coming on for disposal before K. D. de Silva, Esq., District Judge of Avissawella, on May 20, 1942, in the presence of

Mr. N. de Jacolyn Seneviratne, Proctor, on the part of the petitioners above named; and the affidavits of the petitioners and the notary dated January 30, 1942, and of the witnesses dated January 6, 1942, having been read:

It is ordered that the will of Welagederawatte Acharige Gunaseela, deceased, dated November 4, 1941, 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 23, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioners are the executors named in the said will, and that they are entitled to have probate of the same issued to them accordingly.

May 20, 1942. K. D. DE SILVA,
District Judge.

This *Order Nisi* is extended till July 7, 1942.

June 23, 1942. K. D. DE SILVA,
D. J.

This *Order Nisi* is extended till July 21, 1942.

July 7, 1942. K. D. DE SILVA,
D. J.

In the District Court of Kalutara.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the late Mahadurage
Jurisdiction. Simion Raymond Perera Gunatillaka, deceased,
No. 3,043. of Katukurunda, Kalutara.

Mrs. Elena Mary de Zoysa, Station road Junction, Katukurunda, Kalutara Petitioner.

THIS matter coming on for disposal before V. Joseph, Esq., District Judge, Kalutara, on June 17, 1942, in the presence of Messrs. Wijemanne & Coorey, Proctors, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated June 2, 1942, having been read:

It is ordered that the will of Mahadurage Simion Raymond Perera Gunatillaka, deceased, dated October 27, 1937, and numbered 2,124, be and the same is hereby declared proved, unless any person or persons interested in the estate shall, on or before July 21, 1942, show sufficient cause to the satisfaction of this Court to the contrary.

It is further declared that the said Elena Mary de Zoysa, petitioner is the executrix named in the said will and that she is entitled to have probate of the same issued to her accordingly, unless any person or persons interested in the estate shall, on or before July 21, 1942, show sufficient cause to the satisfaction of this court to the contrary.

June 17, 1942. V. JOSEPH,
District Judge.

In the District Court of Nuwara Eliya.

Testamentary In the Matter of the Intestate Estate of Muthu-
Jurisdiction. vayirupillai's son Veeriahpillai of Paravayal
No. 351. Jeyankondan, Puduval Post, Ramanad Dis-
trict, in South India, deceased

Vadukapillai's son Suppiahpillai of Ragalla Bazaar, Hal-
granoya Petitioner.

And

(1) Alamelu Ammal of Paravayal Jeyankondan, Puduval Post, Ramanad District, in South India (widow of the deceased), (2) V. R. Balasubramaniam of Paravayal Jeyankondan aforesaid, (3) V. R. Veerayya of Paravayal Jeyankondan aforesaid, (4) V. R. Muthuvayiru ditto, (5) V. R. Sethuraman ditto, (6) Vena Shanmugampillai of Ragalla Bazaar, Halgranoya Respondents.

THIS matter coming on for disposal before Tudor Philip Peris Goonatilleke, Esq., District Judge, Nuwara Eliya, on June 24, 1942, in the presence of Mr. S. K. Sivalingam, Proctor, on the part of the petitioner, Vadukapillai's son, Suppiahpillai; and the affidavit dated June 17, 1942, and petition dated June 24, 1942, of the said petitioner and the motion of Mr. S. K. Sivalingam, Proctor for the petitioner having been read: It is ordered (a) that the petitioner above named be and is hereby declared and appointed to be the attorney of the 1st respondent to administer the estate and effects of the deceased, Muthuvayirupillai's son, Veeriahpillai, and to do all things necessary therefor, and (b) that the petitioner above named be and he is hereby declared entitled to obtain letters of administration in respect of the estate and effects of the deceased above named as the attorney of the 1st respondent above named, and (c) that the 6th respondent above named be and he is hereby appointed guardian *ad litem* to represent in these proceedings the 2nd, 3rd, 4th, and 5th respondents above named, who are minors, of the ages of 15, 12, 10, and 7 years, respectively, unless the respondents above named or any person or persons interested shall, on or before July 17, 1942, show sufficient cause to the satisfaction of this court to the contrary.

June 24, 1942. T. P. P. GOONATILLEKE,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effect
Jurisdiction. of Weerawardene Nallaperuma Dissanayake
No. 7,988. Charlotte Kumarihamy of Kōlonne, Ratnapura;
deceased.

Vs.

Kuttikande Mudiyansele Piyadasa Wickremaratne of Kōlonne,
Ratnapura Petitioner

THIS action coming on for disposal before N. M. Bharucha, Esq., District Judge of Galle, on January 16, 1942, in the presence of Ivan Jayasekera, Proctor, on the part of the petitioner:

It is ordered and declared that the petitioner is entitled to have letters of administration issued to him, unless any person or persons interested shall, on February 27, 1942, show sufficient cause to the satisfaction of this court to the contrary.

January 16, 1942. N. M. BHARUCHA,
District Judge.

Extended for April 24, 1942.

Extended for May 22, 1942. N. M. BHARUCHA,
District Judge.

April 27, 1942. M. A. SAMARAKOON,
District Judge.

Extended for June 19, 1942.

Extended for July 17, 1942. M. A. SAMARAKOON,
District Judge.

June 19, 1942. M. A. SAMARAKOON,
District Judge.

In the District Court of Galle.

Order Nisi.

No. 8,001. In the Matter of the Estate of the late Dona Marana
Testy. Weerasinghe nee Senoviratne, deceased, of Hik-
kaduwa.

Nanayakkara Francis de Silva Urugoda of Kalegana,
Galle Petitioner.

Vs.

(1) Lena Dorothea Weerasinghe of Kalegana, Galle, (2) Dr. Oswin Gerald Weerasinghe of General Hospital, Colombo, (3) Elsie Laura Weerasinghe, wife of (4) Cyril Saxton Dias Abeygunawardena, both of Kalegana, Galle. Respondents.

THIS action coming on for disposal before M. A. Samarakoon, Esq., District Judge, Galle, on April 28, 1942, and June 12, 1942, in the presence of Mr. A. E. P. Jayatilaka, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated April 22, 1942, having been read:

It is declared that the petitioner is entitled to have the letters of administration, unless the respondents above named shall, on or before July 10, 1942, show sufficient cause to the satisfaction of this court to the contrary.

June 12, 1942. M. A. SAMARAKOON,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Julian
Jurisdiction. Wewala Panditha, late of Talgaswela, deceased.
No. 8,007.

Between

Ahangama Nanayakkara Gamage Malana Nandawathie of Aluth
Thanayangoda pahala in Mapalagama Petitioner.

And

(1) Karunawathie Wewala Panditha, (2) Kamalawathie Wewala Panditha, (3) Kalyanawathie Wewala Panditha, (4) Nandawathie Wewala Panditha, (5) Hemendra Mahendrasinghe Wewala Panditha, (6) Chandarawathie Wewala Panditha, (7) Peemarata Rajasinghe Wewala Panditha, (8) Mahanada Indrasinghe Wewala Panditha, (9) Bandhusena Surasinghe Wewala Panditha, all being minors appearing by their guardian *ad litem*, (10) Francis Panditha, all of Aluth Thanayangoda pahala in Mapalagama Respondents.

THIS matter coming on for disposal before Martin Alwis Smarakoon, Esq., District Judge of Galle, on June 10, 1942, in the presence of Mr. K. T. E. de Silva, practising under the name of Messrs. de Silva & Silva, Proctors, on the part of the petitioner; and the affidavit of the above-named petitioner dated June 8, 1942, having been read:

It is ordered that the said Francis Panditha, the 10th respondent above-named, be appointed guardian *ad litem* over the 1st to 9th minor respondents above named for all the purposes of this action and the above-named petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to the above estate issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before July 31, 1942, show sufficient cause to the satisfaction of the court to the contrary.

June 10, 1942. M. A. SAMARAKOON,
District Judge.

In the District Court of Tangalla.

Order Nisi.

Testamentary In the Matter of the Estate of the deceased, Nau-
Jurisdiction. runnage Endoris Appu, late of Palatupana,
No. 1,357. deceased.

Sunnadeniyegge Samadis Singho of Ranakeliya North in Tissamaharama Petitioner.

Vs.

(1) Ramasundera Hettige Podinona, (2) Naurunnage Bais Appu, (3) Naurunnage Ovishamy, all of Ranakeliya North in Tissamaharama Respondents.

THIS matter coming on for disposal before M. C. Sansoni, Esq., District Judge of Tangalla, on June 22, 1942, in the presence of Mr. F. L. Poulter, Proctor, on the part of the petitioner; and the affidavit dated June 19, 1942, having been read:

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

June 22, 1942.

M. C. SANSONI,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Thambiah Jurisdiction. Mailvaganam of Vaddukoddai East who died at No. 1,120. Badulla.

Subramaniam Saravanamuttu of Vaddukoddai West. Petitioner.
Vs.

(1) Mailvaganam Tharmaretnam of Vaddukoddai East, (2) Mailvaganam Suntharalingam of ditto, (3) Theivanappillai, daughter of Mailvaganam of ditto, (4) Mailvaganam Thambiah of ditto, (5) Vairamuttu Ambalavanar of ditto (dead) Respondents.

Subramaniam Saravanamuttu of Vaddukoddai West. Petitioner.
Vs.

(1) Mailvaganam Tharmaretnam, (2) Mailvaganam Suntharalingam, (3) Theivanappillai, daughter of Mailvaganam of ditto, (4) Mailvaganam Thambiah of ditto, (5) Ambalavanar Subramaniam, all of Vaddukoddai East. Respondents.

THIS action coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on May 19, 1942, in the presence of Mr. A. Coomaraswamy, Proctor, on the part of the petitioner; and the affidavit of the petitioner having been read:

It is ordered that the above-named 5th respondent Ambalavanar Subramaniam be appointed guardian *ad litem* over the said minors, 1st to 4th respondents, for the purpose of protecting their interest and of representing them in this case, and that the petitioner be declared entitled, to have letters of administration to the estate of the said intestate, as cousin of the said deceased, unless the said respondents or any other person shall appear before this court on June 10, 1942, and show sufficient cause to the satisfaction of this court to the contrary.

June 3, 1942.

G. C. THAMBYAH,
District Judge.

Order Nisi extended for July 22, 1942.

In the District Court of Jaffna.

Order Nisi.

Testamentary. In the Matter of the Estate of the late Antoniapillai, wife of Antonipillai Swampillai of Karampian, deceased.

Antonipillai Swampillai of ditto Petitioner.
Vs.

(1) Cyril Francis, (2) Alice Sarojini, (3) Joseph Kingsley, all children of Swampillai of ditto, (4) Rosamuttu, widow of Pedrupillai Manovelpillai of ditto Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, on March 14, 1942, in the presence of Mr. A. Kanagasabai, Proctor, on the part of the petitioner, and the affidavit of the petitioner having been read: It is ordered that the 4th respondent be appointed guardian *ad litem* over the minors, 1st, 2nd, and 3rd respondents, and the petitioner be declared entitled to have letters of administration to the estate of the said intestate, as husband, unless the respondents shall appear before this court on April 29, 1942, and state objection or show cause to the satisfaction of this court to the contrary.

March 12, 1942.

C. COOMARASWAMY,
District Judge.

Time to show cause extended to July 15, 1942.

G. C. T.,
D.J.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Sellamuttu, Jurisdiction. widow of Ampalavanamudaliar Kandiah of No. 1,136. Vaddukoddai East, deceased.

Kandiah Ampalavanar of Vaddukoddai East. Petitioner.
Vs.

(1) Kandiah Coomaraswamy, (2) Kandiah Subramaniam and (3) Kandiah Nagalingam, all of Vaddukoddai East Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on May 11, 1942, in the presence of Mr. V. S. Nathan, Proctor for petitioner; and the affidavit and petition of the petitioner having been read:

It is ordered that the above-named petitioner, as an heir of the said deceased, be declared entitled to the grant of letters of administration to the estate of the said deceased and that he be granted such letters of administration unless the above-named respondents

or any other person shall, on or before June 26, 1942, appear before this court and show sufficient cause to the satisfaction of this court to the contrary.

June 8, 1942.

G. C. THAMBYAH,
District Judge.

Order Nisi extended for July 13, 1942.

G. C. THAMBYAH,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late N. Arumugam Jurisdiction. Sinniahpillai of Suthumalai, deceased.

No. 1,155.

Sinnathankam, widow of Sinniahpillai of Suthumalai. Petitioner
(1) Sothimaniammah *alias* Parameshwary, daughter of Sinniahpillai of Suthumalai, minor, appearing by her guardian *ad litem*, (2) Subramaniam Arudpragasam of Suthumalai Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge, Jaffna, on June 8, 1942, in the presence of Mr. M. R. Karalasingham, Proctor, on the part of the petitioner; and an affidavit of the petitioner dated on June 8, 1942, having been read:

It is ordered that the 2nd respondent be appointed guardian *ad litem* over the minor, the 1st respondent, and that letters of administration to the estate of the above-named deceased be issued to the petitioner accordingly, as she is the widow of the deceased, unless the respondents above named or any other person or persons interested shall appear in person before this court on or before July 22, 1942, and show sufficient cause to the satisfaction of this court to the contrary.

June 19, 1942.

G. C. THAMBYAH,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Vyramuthuppillai wife of Kathiresu Kandiah No. 1,157. of Changanai East, deceased.

Kathiresu Kandiah of Changanai East Petitioner.

And

(1) Murugesu Ponniah and wife, (2) Manonmani both of Changanai East Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge of Jaffna, on June 12, 1942, in the presence of Mr. M. K. Subramaniam, Proctor, on the part of the petitioner, and the affidavit of the petitioner, dated June 5, 1942, having been read:

It is ordered that the above-named petitioner be and he is hereby declared entitled, as the husband of the above-named deceased, to have letters of administration to the above estate issued to him accordingly, unless any person or persons interested shall, on or before July 15, 1942, show sufficient cause to the satisfaction of this court to the contrary.

June 22, 1942.

G. C. THAMBYAH,
District Judge.

In the District Court of Kurunegala.

Order Nisi.

Testamentary In the Matter of the Estate of the late Suddha- Jurisdiction. nada Panikkiyalage Malliya of Pallewela in No. 4,442. Meddeketiye korale, deceased.

Nipunachchari Ganitayalage Sauwatthe of Pallewela. Petitioner.
Vs.

(1) Suddhanada Panikkiyalage Ensa, (2) ditto Dhanoris (minor), by guardian *ad litem*, (3) Nipunachchari Ganitayalage Siriya, (4) Suddhanada Panikkiyalage Siriya, (5) ditto Punchathie, (6) ditto Nandawatthe (minors), by their guardian *ad litem*, (7) Nipunachchari Ganitayalage Baiyathie, all of Pallewela Respondents.

THIS matter coming on for disposal before H. A. de Silva, Esq., District Judge of Kurunegala, on June 1, 1942, in the presence of Mr. P. M. P. Ratnayake, Proctor for the petitioner above named; and the affidavit of the said petitioner dated June 1, 1942, having been read:

It is ordered that the 3rd and 7th respondents be and they are hereby appointed guardian *ad litem* over the 2nd and 4th, 5th, 6th, minor respondents, respectively, for the purpose of these proceedings, unless the respondents shall, on or before July 1, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is ordered that the said petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents or any other person or persons interested shall, on or before July 1, 1942, show sufficient cause to the satisfaction of this court to the contrary.

June 1, 1942.

H. A. DE SILVA,
District Judge.

This is extended and re-issued for showing cause on July 17, 1942.

July 2, 1942.

H. A. DE SILVA,
District Judge.

In the District Court of Puttalam.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Adampillai Thamby Pillai of Viruthodai in Puttalam District, deceased.

- Between
(1) Hadjara Umma of Viruthodai assisted by her husband,
(2) Cadarsa Maraikar Mohamedo Sariffudeen of Viruthodai Petitioners.
And
(1) Mymoon Natchiya, daughter of Sinnethamby and widow of the deceased above named, (2) Meera Umma, wife of Sego Sickander of Viruthodai Respondents.

THIS matter coming on for disposal before N. Sinnatamby, Esq., District Judge of Puttalam, on May 18, 1942, in the presence of Mr. Lazarin E. David, Proctor, on the part of the petitioners; and their affidavit dated April 27, 1942, and petition dated this day respectively having been duly read:

It is ordered that the above-named petitioners be and they are hereby declared and appointed administrators of the estate of the above-named deceased, unless the above-named respondents or any other person or persons interested in the matter of the application shall appear and show sufficient cause to the satisfaction of this court to the contrary on June 8, 1942, at 10 o'clock in the forenoon.

May 18, 1942.

Time extended for showing cause of the above *Order Nisi* is for July 13, 1942.

N. SINNETAMBY,
District Judge.

N. SINNETAMBY,
District Judge.

In the District Court of Chilaw.

Order Nisi.

No. 2,282T. In the Matter of the Last Will and Testament of Muthuporuthotage Miguel Perera of Aluthwatta, Chilaw.

- Mihindukulasuriya Santahne Fernando of Chilaw Petitioner.
And
(1) Muthuporuthotage Xavier Didacus Perera of Chilaw,
(2) Mihindukulasuriya Juan Benedict Fernando of Aluthwatta, Chilaw, Respondents.

THIS matter coming on for disposal before N. Sinnatamby, Esq., District Judge of Chilaw, on May 22, 1942, in the presence of

Mr. H. G. Pandittesekere, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated May 5, 1942, and the affidavit of the notary and of the attesting witnesses dated May 8, 1942, having been read: It is ordered that the last will No. 304 dated December 31, 1940, now deposited in this court, be and the same is hereby declared proved, and the 2nd respondent above named be and he is hereby appointed guardian *ad litem* over the 1st respondent, who is a minor, and that letters of administration *cum testamento annexo* be issued to the petitioner, unless the respondents above named or any other person interested shall, on or before June 19, 1942, show sufficient cause to the satisfaction of this court to the contrary.

May 22, 1942.

N. SINNETAMBY,
District Judge.

The date for showing cause has been extended to July 17, 1942.

N. SINNETAMBY,
District Judge.

In the District Court of Chilaw.

Order Absolute in the First Instance declaring Will proved.

No 2,277 In the Matter of the Joint Last Will and Testament of Warnakulasuriya Peduru Fernando, deceased, and his wife Warnakulasuriya Mikelia Kurera, both of Bolawatta.

Warnakulasuriya Mikelia Kurera of Bolawatta Petitioner.

THIS matter coming on for disposal before N. Sinnatamby, Esq., District Judge of Chilaw, on January 6, 1942, in the presence of Mr. Basil E. Pinto, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 8, 1941, and the affidavit of the notary dated December 2, 1941 (both witnesses to the will being dead) having been read:

It is ordered that the last will made by the deceased above named bearing No. 3,174 dated April 17, 1920, the original copy whereof is now deposited in this court be declared proved and that probate hereof be issued to the petitioner aforesaid as the executrix named therein.

January 6, 1942.

N. SINNETAMBY,
District Judge.

DRAFT ORDINANCES. MINUTE.

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

L D—O 19/36

An Ordinance to amend the Loan Board Ordinance.

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 Loan Board (Amendment) Ordinance, No. of 1942

2. Section 12 of the Loan Board Ordinance, (hereinafter referred to as "the principal Ordinance"), is hereby amended as follows:—

- (1) by the re-numbering thereof as sub-section (1) of section 12; and
(2) by the addition of the following new sub-section, which shall have effect as sub-section (2) of section 12.—

"(2) When the Commissioners receive payment of the whole or any part of the amount due in respect of any loan granted by them on the security of a mortgage of any property, the writing or instrument for effecting, as the case may be, the discharge of the mortgage bond or the release of any part of the property from any liability under that bond, may, notwithstanding anything contained in section 8, be executed either by the Chief Commissioner and one other of the Commissioners or by the Chief Commissioner and the person for the time being holding the office of Secretary of the Loan Board; and every writing or instrument so executed shall be as valid and effectual for all purposes as if it had been executed by each and every one of the Commissioners."

3. Section 18 of the principal Ordinance is hereby amended by the substitution, for the words "of all interest accruing from the investments made by the Loan Board", of the words "of the aggregate interest actually received by the Board from the investments made under section 12".

Cap. 280
(Vol. VI.,
p. 245).

Short title.

Amendment of
section 12 of
Chapter 280.

Amendment of
section 18
of the
principal
Ordinance.

Objects and Reasons.

The object of this Bill is to make certain amendments which have been found to be necessary in the Loan Board Ordinance (Chapter 280).

2. The provisions of section 17 of the Ordinance, which enable the Chief Commissioner together with one other Commissioner or the Secretary of the Loan Board to execute conveyances, leases, agreements and other instruments relating to property, do not apply to the case of documents like the discharge of a mortgage bond or the release of a property which is subject to a mortgage; and, in the absence of express provision in that behalf, such documents have hitherto had to be executed by each and every one of the Commissioners. This defect has to be remedied, and accordingly, it is proposed in the amendments set out in Clause 2 to make provision for the execution of these documents in the same manner as the instruments referred to in section 17.

3. The contribution payable to the Government by the Commissioners towards the expenses of the establishment of the Board has been fixed by section 18 of the Ordinance as one-fifth share of all interest accruing from the investments made by the Board. The words "all interest accruing" have, in the past, been interpreted by the Board to mean interest actually received, and, in the computation of the contribution to be made, unrecovered interest has always been excluded, although the legal position was not quite clear. In order to place the matter beyond all doubt, section 18 is now to be suitably amended. (Clause 3).

Financial Secretary's Office,
Colombo, July 9, 1942.

H. J. HUXHAM,
Financial Secretary.