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PART II.—LEGAL.

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

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PASSED ORDINANCES.

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

No. 32 of 1942.

L. D.—O 57/40

An Ordinance to make such special provision with respect to Patents, Registered Designs, Copyright and Trade Marks as is expedient to meet any Emergency which may arise as a result of War.

A. CALDECOTT.

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

1. (1) This Ordinance may be cited as the Patents, Designs, Copyright and Trade Marks (Emergency) Ordinance, No. 32 of 1942.

Short title and date of operation.

(2) This Ordinance shall be deemed to have come into operation on the third day of September, 1939.

2. (1) A licence under a patent or for the application of a registered design or granting an interest in a copyright, being a licence which would have been in force in favour of a person resident in Ceylon if neither the proprietor of the patent or registered design, or the owner of the copyright, as the case may be, nor any person otherwise interested therein, had been an enemy, shall not be invalid by reason of the fact that the proprietor or owner or any person otherwise interested therein is an enemy, nor shall any contract, in so far as it relates to any such licence as aforesaid, be invalid by reason of the fact that any party to the contract is an enemy:

Provisions as to existing licences under patents, designs and copyright of enemies and enemy subjects, and as to contracts relating thereto,

Provided that nothing in this section shall—

- (a) render valid a grant or an assignment of any such licence as aforesaid, or any contract relating to any such licence, if that grant, assignment or contract is made during the existence of a state of war and is unlawful by virtue of any provision of the law relating to trading with the enemy, or
- (b) authorise the performance of any contract relating to any such licence as aforesaid in a manner inconsistent with any of the provisions of the law relating to trading with the enemy, or to the rights or capacity of enemies.

(2) In the case of any such licence as aforesaid, where an enemy or an enemy subject is, or has at any time since the beginning of the third day of September, 1939, been, whether alone or jointly with any other person, the proprietor of the patent or registered design, or the owner of the copyright, as the case may be, or entitled to any other interest therein

(not being merely the interest of a licensee), the Registrar may, on the application of the licensee or any other person interested in the patent, registered design or copyright, by order—

- (a) revoke the licence ;
- (b) revoke or vary any conditions subject to which the licence has effect ; or
- (c) revoke or vary any of the provisions of a contract relating to the licence in so far as they relate thereto.

An order for a variation made under this sub-section may be revoked or varied by a subsequent order made thereunder.

Power of Registrar to grant licences under patents, designs or copyright of enemies and enemy subjects.

3. (1) Where—

- (a) an enemy or an enemy subject is, or has at any time since the beginning of the third day of September, 1939, been, whether alone or jointly with any other person, the proprietor of a patent or registered design or the owner of a copyright, or entitled to any other interest in a patent, registered design or copyright (not being merely the interest of a licensee), and
- (b) the Registrar is satisfied that it is in the interest of all or any of His Majesty's subjects that the rights conferred by the patent should be exercised, or that the design should be applied or the copyright exercised, as the case may be, and that a person who is not an enemy or an enemy subject desires to exercise the said rights or apply the said design or exercise the said copyright and is in a position so to do,

the Registrar may, on the application of that person, make an order granting to him a licence under the patent or for the application of the design or granting an interest in the copyright, as the case may be, either for the whole of the residue of the term of the patent, registration or copyright, or for such less period as the Registrar thinks fit.

(2) The power of the Registrar under this section to make an order granting a licence shall include the power—

- (a) to make an order granting an exclusive licence ;
- (b) to make an order granting a licence in relation to a patent, registered design or copyright, notwithstanding that a licence, whether exclusive or otherwise (not being an exclusive licence granted by virtue of the powers conferred by this section), is in force in relation thereto ;
- (c) to make an order granting a licence on any terms that the Registrar may think expedient, and
- (d) to make an order granting a licence with retroactive effect from such date, not earlier than the third day of September, 1939, as may be specified therein.

(3) Where, under the power conferred by this section, the Registrar makes an order granting a licence in relation to a patent, registered design, or copyright in relation to which any other licence has been granted otherwise than by an order made under this section, the Registrar may, in relation to that other licence, make any order which the Registrar would have had power to make on an application under sub-section (2) of the last foregoing section, and which appears to him to be expedient having regard to the order made under this section.

(4) An order granting a licence under this section, shall, without prejudice to any other method of enforcement, operate as if it were embodied in a deed granting the licence which the patentee, the proprietor of the registered design, or the owner of the copyright, as the case may be, and all other parties having any interest therein, had executed with full capacity so to do, and the order shall accordingly operate to take away from any such party any right in relation thereto the exercise whereof would be inconsistent with the exercise of the licence in accordance with and subject to the terms on which it is granted.

(5) A licensee under a licence granted under this section may institute proceedings for infringement in his own name as though he were the patentee, the proprietor of the registered design or the owner of the copyright, as the case may be, so, however, that any person other than an enemy who, whether alone or jointly with any other person, is the patentee, the registered proprietor of the registered design, or the owner of the copyright, as the case may be, shall, unless the court in which the proceedings are taken thinks fit to direct otherwise, be made a party to the proceedings either—

- (a) if he consents in writing thereto, as a plaintiff, or
- (b) if he does not so consent, as a defendant.

Where any person is made defendant to any proceedings by virtue of this sub-section, he shall not be liable for any costs unless he enters an appearance and takes part in the proceedings.

(6) An order granting a licence under this section shall give directions as to the person to whom or the manner in which the licensee is to pay or deal with any royalties or other payments to be paid in respect of the licence. In framing any such directions, the Registrar shall have regard to the purposes of the law relating to trading with the enemy.

(7) An order under this section and a licence granted by such an order may be varied by a subsequent order made by the Registrar either—

- (a) where the licensee makes application to the Registrar for the variation thereof, or
- (b) where the Registrar is of opinion that circumstances have arisen which make it just and equitable, or that the public interest requires, that it should be varied.

(8) An order under this section and a licence granted by such an order may be revoked by a subsequent order made by the Registrar in any of the following cases, that is to say:—

- (a) where the licensee makes application to the Registrar for the revocation thereof ;
- (b) where it appears to the Registrar that it was obtained by any misrepresentation, whether intentional or not, or was made or granted without the Registrar's having full knowledge of the material facts ;
- (c) where the licensee has failed to comply with any term on which the licence was granted or with a direction given under sub-section (6) of this section, or has failed to exercise the licence in such a manner as to satisfy the reasonable requirements of the public in relation to the invention, registered design or work in which copyright subsists, as the case may be, or has charged unreasonable or excessive prices in respect of anything made or done in the exercise of the licence ; or
- (d) where the Registrar is of opinion that circumstances have arisen which make it just and equitable, or that the public interest requires, that it should be revoked.

4. Where—

- (a) an enemy or an enemy subject is, or has at any time since the beginning of the third day of September, 1939, been, whether alone or jointly with any other person, the proprietor of a patent or of a registered design or the owner of copyright in any work ; and
- (b) with the intention of introducing into the market or trade in Ceylon a substitute for the invention, or any article produced by the use of the invention, protected by such patent, or for any article to which such registered design is applied, or for any work in which such copyright subsists, any person who is not an enemy or an enemy subject sells or makes available for sale to the public in the course of trade or uses for purposes of trade or business or with a view to profit, at any time during the continuance of any war in which His Majesty may be engaged, any article manufactured, produced or adapted, or any work prepared by such person or any other such person,

the rights in such patent or the copyright in such registered design or such work shall not be deemed to have been infringed by either of such persons, and no action, claim or other proceedings for any alleged infringement thereof shall be instituted or maintained against either of them in any court in Ceylon.

5. (1) Where it is made to appear to the Registrar that it is difficult or impracticable to describe or refer to an article or substance without the use of a trade mark registered in respect of that article or substance, being a trade mark which is, or has at any time since the beginning of the third day of September, 1939, been, registered in the name of an enemy or an enemy subject, whether alone or jointly with another, or which is, or has at any such time as aforesaid been, in the proprietorship of an enemy or an enemy subject, whether alone or jointly with another, the following provisions of this section shall have effect.

(2) On the application of any person who proposes to deal in the course of trade in Ceylon in an article or substance which is or is intended to be the same as, or equivalent to or a substitute for, the article or substance in respect of which

Indemnity for
sale or use of
substitutes for
articles
protected by
patent or
copyright
owned by
enemy or
enemy subject.

Power of
Registrar to
suspend trade
mark rights
of an enemy or
an enemy
subject.

the trade mark is registered, the Registrar may order that the right to the use of the trade mark given by the registration thereof shall be suspended—

- (a) so far as regards use thereof by the applicant and any such use thereof by any other person in relation to goods connected in the course of trade with the applicant as would not be an infringement of the said right if the applicant were the proprietor of the trade mark,
- (b) to such extent and for such period as the Registrar may consider necessary for enabling the applicant to render well-known and established some description of, or means of reference to, the article or substance in which he proposes to deal in the course of trade, being a description or means of reference which does not involve the use of the trade mark.

(3) Where an order has been made under the last foregoing sub-section, no action for passing off shall lie on the part of any person interested in the trade mark in respect of any use thereof which, by virtue of the order, is not an infringement of the right to the use thereof given by the registration thereof.

(4) An order under this section may be varied or revoked by a subsequent order made by the Registrar.

Effect of war on grant of patents and registration of designs and trade marks.

Cap. 123.

Cap. 124.

Cap. 121.

6. (1) It shall be lawful, subject to the provisions of this Ordinance—

- (a) for a patent to be granted under the Patents Ordinance,
- (b) for a design to be registered under the Designs Ordinance or
- (c) for a trade mark to be registered under the Trade Marks Ordinance ;

on the application of an enemy :

Provided that, where such a grant or registration as aforesaid is effected on the application of an enemy—

- (i.) the grantee or person registered shall not be entitled to require the delivery of the patent or the grant or issue of the certificates of registration, as the case may be ; and
- (ii.) the patent, or the rights conferred by the registration, as the case may be, shall be subject to any relevant provisions of any law for the time being in force relating to the custody and disposal of the property of an enemy.

(2) The Registrar may, in any case in which in his opinion it is desirable in the public interest so to do, refuse to take, or suspend the taking of, any proceedings on or in relation to an application of an enemy for a patent or for the registration of a design or of a trade mark.

(3) References in this section to an application of an enemy shall be construed as including references to an application of an enemy jointly with any other person, whether an enemy or not, and, in the case of an application for a patent, to an application made in respect of an invention communicated by an enemy.

Copyright owned by enemy.

2 & 3 Geo. VI. c. 107.

1 & 2 Geo. 5. c. 46.

7. Where an enemy, whether alone or jointly with any other person, is the owner of copyright which, notwithstanding the state of war, is deemed by virtue of the provisions of the Patents, Designs, Copyright and Trade Marks (Emergency) Act, 1939, to subsist under the Copyright Act, 1911, the law relating to trading with the enemy and to the rights or capacity of enemies shall, as respects that enemy, have effect in relation to such copyright.

Power of Registrar to extend time limits having regard to war circumstances.

8. (1) The Registrar may, subject to such conditions, if any, as he thinks fit to impose, extend the time limited by or under the Patents Ordinance, the Designs Ordinance, the Trade Marks Ordinance or this Ordinance, for doing any act, where he is satisfied—

- (a) that the doing of the act within the time so limited was prevented by a person's being on active service or by any other circumstances arising from the existence of a state of war which, in the opinion of the Registrar, justify an extension of the time so limited, or
- (b) that, by reason of circumstances arising from the existence of a state of war, the doing of the act within the time so limited would have been or would be injurious to the rights or interests of the person by or on whose behalf the act is or was to be done or to the public interest.

(2) An extension under this section of the time for doing any act—

- (a) may be for any period that the Registrar thinks fit notwithstanding that by or under any of the provisions of the Ordinances referred to in subsection (1) or of this Ordinance power is conferred to extend the time for doing that act for a specified period only; and
- (b) may be granted notwithstanding that that time expired before any application or request for extension was made, or that, by reason of that act not having been done within that time, the relevant application, patent, registration or proceeding has ceased or expired, or become void or invalid, or been treated as abandoned.

(3) The powers conferred by this section may be exercised notwithstanding that the exercise thereof benefits, whether directly or indirectly, an enemy or an enemy subject.

9. (1) For the purposes of this Ordinance—

- (a) the fact that the address of any person registered in any register kept under the Patents Ordinance or under the Designs Ordinance or under the Trade Marks Ordinance is an address in enemy territory within the meaning of the law relating to trading with the enemy shall be *prima facie* evidence that that person is resident in that territory, and
- (b) the fact that in any such register a person is stated to be of a particular nationality shall be *prima facie* evidence that he is of that nationality.

Evidence relating to nationality and place of residence, and decisions relating to enemy character.

(2) No order made by the Registrar under this Ordinance shall be held to be invalid by reason only that any decision made for the purposes of the order, on the question whether a particular person is an enemy or an enemy subject, is wrong.

10. Before deciding as to the making of any order under this Ordinance, the Registrar shall, unless having regard to the circumstances he considers it inexpedient or impossible so to do, give to any person who appears to the Registrar to be interested such opportunity of being heard as appears to the Registrar to be just.

Persons to be heard before making of orders.

11. There shall be paid in respect of applications and other matters under this Ordinance, such fees as may from time to time be prescribed.

Fees.

12. (1) The Executive Committee may make rules for regulating the practice and prescribing the fees payable under this Ordinance, including rules providing for oppositions and rules regulating the service of documents and the time within which any act authorised or required by this Ordinance or the rules may or must be done.

Rules.

(2) No rule made by the Executive Committee shall have effect until it has been approved by the State Council and ratified by the Governor and notification of such approval and ratification is published in the *Gazette*. Every rule shall upon such notification of such approval and ratification be as valid and effectual as if it were herein enacted.

13. (1) In this Ordinance, unless the context otherwise requires—

Interpretation.

“copyright” has the meaning assigned to it by the Copyright Act, 1911;

1 & 2 Geo. V.
c. 46.

“design” has the meaning assigned to it by the Designs Ordinance;

Cap. 124.

“enemy” has the meaning assigned to it by the Defence (Trading with the Enemy) Regulations, 1939, and includes a person deemed to be an enemy for the purposes of those Regulations by virtue of any order for the time being in force thereunder;

“enemy subject” has the meaning assigned to it by the Defence (Trading with the Enemy) Regulations, 1939;

“Executive Committee” means the Executive Committee of Labour, Industry and Commerce;

“law relating to trading with the enemy” includes the Defence (Trading with the Enemy) Regulations, 1939, the Orders in force thereunder, and any other law applied or extended to or in operation in Ceylon relating to intercourse or dealings with or for the benefit of enemies or the custody and disposal of enemy property;

“patent” has the meaning assigned to it by the Patents Ordinance;

Cap. 123.

“prescribed” means prescribed by rule made under this Ordinance;

- “Registrar” (a) in any context relating to copyright, means the Registrar-General;
- (b) in any context relating to designs, means the Registrar of Designs under the Designs Ordinance;
- Cap. 124.
- (c) in any context relating to patents, means the Registrar of Patents under the Patents Ordinance; and
- Cap. 123.
- (d) in any context relating to trade marks, means the Registrar of Trade Marks under the Trade Marks Ordinance;
- Cap. 121.
- Cap. 121. “trade mark” has the meaning assigned to it by the Trade Marks Ordinance.

(2) Where a patent has been granted to any person in respect of an invention communicated to him by some other person, that other person shall, for the purposes of this Ordinance, be deemed to have an interest in the patent unless the contrary is proved.

(3) References in this Ordinance to any written law shall be construed as references to that written law as amended by any subsequent written law, including, except where the context otherwise requires, this Ordinance.

Passed in Council the Fourteenth day of August, One thousand Nine hundred and Forty-two.

D. C. R. GUNAWARDANA,
Clerk of the Council.

Assented to by His Excellency the Governor the Second day of September, One thousand Nine hundred and Forty-two.

C. H. HARTWELL,
Secretary to the Governor.

DISTRICT AND MINOR COURTS NOTICES.

Statement of Uncertificated Insolvents in the Circuit District Court of Balapitiya for the Half Year ended June 1, 1942.

Nil.
N. DE ALWIS,
Acting Additional District Judge.
July 9, 1942.

List of Uncertificated Insolvents for the Half Year ended June 30, 1942.

Nil.
T. P. P. GOONETILLEKE,
District Judge.
Nuwara Eliya, July 9, 1942.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,584. In the matter of the insolvency of (1) A. L. M. Ameen, and (2) M. C. A. Hassen, both who carried on business under the name, style, and firm of “Hassen and Ameen” at 340, Quarry road, Colombo, Insolvents.

NOTICE is hereby given that a meeting of creditors of the above-named insolvents will take place at a sitting of this court fixed for October 2, 1942, to declare a dividend and to appoint an auditor in this case.

By order of court, C. EMMANUEL,
Secretary.
September 7, 1942.

In the District Court of Colombo.

No. 5,607. In the matter of the insolvency of Henry Alexander Peiris carrying on business under the name, style, and firm of “Peiris and Fonseka”, 43, Ward place, Colombo.

Brown & Co., Ltd., Colombo Petitioning-Creditor.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held on October 2, 1942, to consider the grant of a certificate of conformity to the above-named insolvent.

By order of court, C. EMMANUEL,
Secretary.
September 2, 1942.

In the District Court of Colombo.

No. 5,607. In the matter of the insolvency of Henry Alexander Peiris trading under the name, style, and firm of Peiris and Fonseka, Insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held on October 2, 1942, to consider the grant of a certificate of conformity to the above-named insolvent.

By order of court, C. EMMANUEL,
Secretary.
September 2, 1942.

In the District Court of Colombo.

No. 5,611. In the matter of the insolvency of Pichey Suniah Insolvency. Selvadurai of 100/12, Ingram street, Slave Island.

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 October 2, 1942, to consider the grant of a certificate of conformity to the above-named insolvent.

By order of court, C. EMMANUEL,
Secretary.
September 9, 1942.

In the District Court of Colombo.

No. 5,648. In the matter of the insolvency of Gerald Pereira Insolvency of Wellawatta.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held at a sitting of this court on October 2, 1942, to consider the grant of a certificate of conformity to the above-named insolvent.

By order of court, C. EMMANUEL,
Secretary.
September 7, 1942.

In the District Court of Colombo.

No. 5,660. In the matter of the insolvency of Amarasinghe Wijeratne of 21, Chapel road, Nugegoda.

WHEREAS the above-named Amarasinghe Wijeratne has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by C. Sewardene of Anhetigama, Deraniyagala, under the Ordinance No. 1 of 1853: Notice is hereby given that the said court has adjudged the said A. Wijeratne insolvent accordingly; and that two public sittings of the court, to wit, on October 2, 1942, and on November 27, 1942, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, C. EMMANUEL,
Secretary.
September 2, 1942.

In the District Court of Galle.

No. 722. In the matter of the insolvency of P. Clement Dias of Mulwella, Galle.

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 September 25, 1942, to appoint an auditor.

By order of court, M. N. PEIRIS,
Secretary.
September 2, 1942.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Transport and General Finance Company, Ltd. of
Colombo Plaintiff.

No. 12,610/M. 24 Vs.

(1) D. Welaratne, Proctor, Kaluwela, Induruwa, (2) Y. D.
Victor of Church street, Nugegoda Defendants.

NOTICE is hereby given that on Saturday, October 3, 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 1st defendant in the following property for the recovery of Rs. 103 57, with interest thereon at 9 per cent. per annum from December 12, 1941, till payment in full, viz. —

An undivided half share of the rubber land called and known as Kosgahlanda alias watta marked letter "B", situated at Hirana in Panadure badda, in the District of Kalutara, Western Province; and bounded as follows: — On the north by the property called Elhenheduwawatta and cart road, east by lots D and E separated from this land, south by the property belonging to the estate of late Dr. C. P. de Fonseka, and on the west by a portion of this property belonging to the heirs of Don Marthelis Abeyaratne; and containing in extent of about 6 acres 2 roods and 10 perches.

Deputy Fiscal's Office,
Kalutara, August 25, 1942.P. D. WEERAMAN,
Deputy Fiscal.

Southern Province.

In the District Court of Galle sitting at Balapitiya.

W. Jerry Amarasingha of Ambalangoda Plaintiff-creditor.
No. B-636. 27 Vs.

Jinadasa Rajapaksa of Alutwala Defendant-debtor.

NOTICE is hereby given that on Wednesday, October 7, 1942, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, subject to deed of lease No. 438 of June 4, 1939, for a period of 5 years, for the recovery of the sum of Rs. 599 04 together with interest thereon at the rate of 9 per cent. per annum from March 19, 1942; till payment in full and costs, to wit: —

1. An undivided $\frac{1}{2}$ part of the soil and of the plantations, buildings, &c., of the land called Katukendewalakada alias Angankanda and Angankandewatta, bearing T. P. 337,902, situated at Alutwala in Wellaboda pattu of Galle, Galle District, Southern Province; and bounded on the north by T. P. 132,421, east by T. Ps 289,868 and 292,777, south by T. Ps 248,545 and 248,546, and on the west by reservation for a road; and containing in extent 4 acres 3 roods and 8 perches and registered in the Galle Land Registry, No. C 301/290.

2. An undivided $\frac{1}{2}$ part of the soil and of the plantations and buildings, &c., standing thereon, of the land called Angankanda, situated at Alutwala aforesaid; and bounded on the north by lands appearing in plan Nos. 174,508 and 132,421, east by land appearing in plan No. 132,421 and Crown land, and on the south and west by reservation for a road; and containing in extent 5 acres 1 rood and 25 perches; and registered in the Galle Land Registry, No. C 301/291.

3. An undivided $\frac{1}{2}$ part of the soil and of the plantations and buildings, &c., standing thereon of the land called Angankanda, situated at Alutwala aforesaid, and bounded on the north by T. P. 248,547, east by reservation for a road, south by T. P. 248,551, and on the west by land claimed by natives; and containing in extent 7 acres 2 roods and 13 perches; and registered in Galle Land Registry, No. C 301/292.

4. An undivided $\frac{1}{2}$ part of the soil and of the plantations and of the buildings, &c., standing thereon of the allotment of land called Angankanda, situated at Alutwala aforesaid; and bounded on the north and west by reservation along the road, east by land in plan No. 192,870 and lot C 80 in P. P. 1643, and on the south by land in plan No. 248,550; and containing in extent 7 acres and 24 perches, and registered in Galle Land Registry, No. C 301/293.

5. An undivided $\frac{1}{2}$ part of the soil and of the plantations and of the buildings, &c., standing thereon of the allotment of land called Angankanda, situated at Alutwala aforesaid; and bounded on the north by reservation for a road, east by Crown land and land in plan No. 174,509, south by land in plans Nos. 174,512 and 176,322, and on the west by land in plan No. 176,322; and containing in extent 3 acres 1 rood and 20 perches; and registered in Galle Land Registry, No. C 307/73.

6. An undivided $\frac{1}{2}$ part of the soil and of the plantations and buildings, &c., standing thereon of the allotment of land called Angankanda bearing T. P. No. 248,547, situated at Alutwala aforesaid; and bounded on the north and west by land claimed by natives, east by lot 23,820 in P. P. 8,159 and reservation for a road, and on the south by T. P. 24,858; and containing in extent 3 acres 2 roods and 16 perches; and registered in Galle Land Registry, No. C 307/74.

7. An undivided $\frac{1}{2}$ part of the soil and of the plantations and of the buildings, &c., standing thereon of the allotment of land called Angankanda bearing T. P. 248,551, situated at Alutwala aforesaid; and bounded on the north by T. P. 248,548, east by reservation for a road, and T. P. 248,550, and on the south and west by land claimed by the natives; and containing in extent 10 acres and 34 perches; and registered in Galle Land Registry, No. C 307/75.

8. An undivided $\frac{1}{2}$ part of the soil and of the plantations and of the buildings, &c., standing thereon of the allotment of land called Angankanda, situated at Alutwala aforesaid; and bounded on the north by lots 4A, 2A and 3A in P. P. 12,720, land claimed in T. P. 190,576, and Katukurunduwilakada claimed by N. C. PUNCHINONA, east by T. Ps. 174,508, 248,546, and 337,902, south by T. Ps. 248,545

and 176,322, reservation for a road and lot 9 in P. P. 12,720, and on the west by T. Ps. 248,548 and 248,547; and containing in extent 7 acres 1 rood and 39 perches; and registered in Galle Land Registry, No. C 307/76.

Deputy Fiscal's Office,
Balapitiya, September 7, 1942.SAM RANASOORIYA,
Additional Deputy Fiscal.

In the District Court of Tangalla.

Dickwella Vidanage David Sinno of Tangalla Plaintiff.

No. 3,481. 24 Vs.

Amadoru Galappattige David de Silva of Eth-
pitaya Substituted Defendant.

NOTICE is hereby given that on Friday, October 9, 1942, commencing at 3 P.M. will be sold by public auction at the premises the right, title, and interest of the said substituted defendant in the following property for the recovery of Rs. 698.12 with further legal interest of Rs. 306.13 from July 13, 1942, till payment in full, viz. —

(1) The land called Kalotuwawehena depicted in T. P. 269,752, in extent 13 acres 3 roods and 27 perches, situated at Agalaboda in West Giruwa pattu of the Hambantota District, Southern Province; and bounded on the north by lots 4 and 7c in P. P. 155 and T. P. 263,343, east by lot 44 in P. P. 159, south by lot 44 in P. P. 159 and lots 72 and 8 in P. P. 155 and T. P. 251,633, and west by lots 3, 7, and 4 in P. P. 155, and a footpath

(2) The land called Kanuketiyeekumbura, in extent 3 pelus of paddy, situated at Welandagoda in West Giruwa pattu aforesaid; and bounded on the north by Kotagahawattagawadeniya, east and west by Bedwetiya, and south by Depawella.

Deputy Fiscal's Office,
Tangalla, September 3, 1942.N. G. DE SILVA,
Additional Deputy Fiscal.

In the District Court of Tangalla.

Kaluhennedige Nandias Silva of Tangalla Plaintiff.
No. 4,760. 31 Vs.

Hennedigamage Don Dias of Kiula Defendant.

NOTICE is hereby given that on Monday, October 5, 1942, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following mortgaged property, for the recovery of Rs. 2,382.15 together with further legal interest on Rs. 2,226.25 from June 16, 1942, till payment in full, at Kiula and Minieliya, viz. —

(1) All that undivided half share of the soil and of the plantations of the land called Siyabalagahawatta bearing T. P. 283,201, together with all the buildings standing thereon, including the 13 cubits tiled house, situated at Kiula in East Giruwa pattu of the Hambantota District, Southern Province, and bounded on the north by land bearing T. P. No. 254,757 and lot No. 7A of P. P. 459, east by lot No. 1v of P. P. 459, south by the strip of land reserved as a road reservation, and west by lot No. 1 of P. P. 459; containing in extent 3 roods and 31 perches.

(2) Undivided half share of the paddy field in extent about 6 acres and 1 rood, together with everything appertaining thereto; and bounded on the north by land bearing T. P. 196,095, east by the Village Committee road, south by the land bearing T. P. 227,061, and west by lot No. 10645 in P. P. 4,122 which forms the divided and separated western lot of the paddy field called Dahanalakumbura which is in extent 19 acres and 6 perches consisting of lots Nos. 10646 and 10648, situated at Minieliya in East Giruwa pattu aforesaid.

Deputy Fiscal's Office,
Tangalla, September 3, 1942.N. G. DE SILVA,
Additional Deputy Fiscal.

NOTICES OF TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

No. 10,115. In the Matter of the Intestate Estate of the late
Testamentary 32 Nanayakkarawasan Godakandage Daniel
Ernest de Silva Goonaratne of 35, Cotta
Road, Boreale, in Colombo, deceased.

Wickrama Aratchige Constance de Silva of Wellampitiya in
Colombo Petitioner.

(1) Nanayakkarawasan Godakandage Enetia Sylvia Goona-
ratne, (2) Nanayakkarawasan Godakandage Evelyn
Percia Goonaratne. (3) Nanayakkarawasan Godakandage
Mercy Rose Goonaratne of Wellampitiya; the 2nd and 3rd
respondents are minors appearing by their guardian *ad litem*
(4) Wickrama Aratchige Wilfred de Silva of Ketawallamulla
in Colombo Respondents.

THIS matter coming on for disposal before James Joseph, Esq.,
Additional District Judge of Colombo, on July 30, 1942, in the
presence of Mr. D. R. de S. Abhayanayake, Proctor, on the part of
petitioner above named; and the affidavit of the petitioner dated
July 22, 1942, having been read:

It is ordered that the 4th respondent above named be and he is
hereby appointed guardian *ad litem* of the minors, the 2nd and 3rd
respondents, to represent them for all the purposes of this action
and that the petitioner above named be and she is hereby declared
entitled, as the widow of the deceased above named, to have letters
of administration to the estate issued to her accordingly, unless the
respondents or some other person or persons interested shall, on or
before September 17, 1942, show sufficient cause to the satisfaction
of this court to the contrary.

August 17, 1942.

S. C. SWAN,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Soosamaria Jesudasan, P. W. D. Overseer, No. 10,114, of Wattala, in Ragam pattu of Alutkuru korale, deceased.

Mary Bernardine Jesudasan of Wattala aforesaid Petitioner.

(1) Herina Joseph, (2) Lucy Matilda, (3) Mary Pauline Puspan, (4) Paul Raja, (5) Benedict Cheliah, all of Wattala, all of whom are minors of Wattala, aforesaid, appearing by their guardian *ad item* (6) Sinuasamy Aiyadurai of Mirihana, Nugegoda Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on September 1, 1942, in the presence of Mr. D. L. Gunasekera, Proctor, on the part of the petitioner above named; and (1) the affidavit of the petitioner dated July 21, 1942, and (2) the amended petition dated August 31, 1942, having been read:

It is ordered that the 6th respondent above named be and he is hereby appointed guardian *ad item* of the minors, the 1st, 2nd, 3rd, 4th, and 5th respondents, to represent them for all the purposes of this action, and that the petitioner above named be and she is hereby declared entitled, as the widow of the deceased above named, to have letters of administration to the above estate issued to her accordingly, unless the respondents above named or some other person or persons interested shall, on or before September 17, 1942, show sufficient cause to the satisfaction of this court to the contrary.

September 4, 1942.

V. L. ST. CLAIR SWAN,
Additional District Judge.

In the District Court of Colombo.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Dr. Charles Gomis Abeysinghe Wickremaratne No. 10,135, Jayawardene of St. Gertrude's, Minuwangoda, deceased.

Very Rev. Father Julian James, O.M.I., Procurator-General of the Archdiocese of Colombo Petitioner.

(1) His Grace the Most Reverend John Mary Masson, O.M.I., Archbishop of Colombo, (2) Mrs. L. E. Weerasinghe of Wattala Defendants.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on August 15, 1942, in the presence of Mr. R. A. Perera, Proctor, on the part of the petitioner; and the affidavit of (1) the petitioner dated August 8, 1942, and (2) the affidavit of the notary and the attesting witnesses dated August 20, 1942, having been read:

It is ordered that the last will and testament of Dr. Charles Gomis Abeysinghe Wickremaratne Jayawardene, deceased, the original of which has been produced and is now deposited in this court be and the same is hereby declared proved; and that the petitioner above named is the executor named in the said last will and he is hereby declared entitled to have probate thereof issued to him accordingly, unless the respondents above named or some other person or persons interested shall, on or before September 24, 1942, show sufficient cause to the satisfaction of this court to the contrary.

August 25, 1942.

V. L. ST. CLAIR SWAN,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Mamujee Jurisdiction. Mamujee, late of Bambalapitiya, Colombo, No. 10,139, deceased.

Adrnally Mamujee of Mamujee Villa, 10th lane, Bambalapitiya, Colombo Petitioner.

(1) Akbarali Mamujee, (2) Asrarali Mamujee, (3) Rambibai Mamujee, (4) Joharabai Mamujee, all of Bambalapitiya, Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on August 18, 1942, in the presence of Mr. S. R. Amerasekera, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated August 14, 1942, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the son of the deceased above named, to have letters of administration to the above estate issued to him accordingly, unless the respondents above named or some other person or persons interested shall, on or before September 24, 1942, show sufficient cause to the satisfaction of this court to the contrary.

August 31, 1942.

ST. C. SWAN,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Kate Rube of "Ravenhurst", St. Johns road, No. 10,150, Eastbourne in the County of Sussex, widow, deceased.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on August 28, 1942, in the presence of Beram Kaikhusroo Billimoria of Colombo,

Proctor, on the part of petitioner, Oscar Percy Mount of Colombo; and the affidavit of the said petitioner dated August 22, 1942, a certified copy of the grant of letters of administration, a certified copy of the last will and testament of the above-named deceased, power of attorney in favour of the petitioner and Supreme Court's Order dated August 17, 1942, having been read: It is ordered that the will of the said deceased dated May 2, 1932, of which a certified copy 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 petitioner is one of the attorneys of Caroline Grace Elizabeth Gillman, the English Administratrix, and that he is entitled to have letters of administration with a copy of the said will annexed issued to him accordingly, unless any person or persons interested shall, on or before September 17, 1942, show sufficient cause to the satisfaction of this court to the contrary.

August 28, 1942.

V. L. ST. CLAIR SWAN,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Sakalawalli Acharige Lucia Natchire *alias* Lucia No. 10,143, Heenatigala, late of 61, Galpotta street, Kotahena, Colombo, deceased.

(1) Wilson Heenetigala of Siyambalape and (2) Eliza de Silva, (wife of Victor de Silva) of Embaralawa Petitioners.

(1) Dona Cecilia Heenetigala, widow of the late Joseph Heenetigala of Siyambalape, (2) Edna Heenetigala of Siyambalape (daughter of the above-named Dona Cecilia Heenetigala and of Joseph Heenetigala late of Siyambalape), (3) Henry Heenetigala also of Siyambalape, (4) Agnes Perera, widow of the late Heenetigala Acharige Lawrence Perera, (5) Lilian Heenetigala, (6) Ronalds Perera, both of Siyambalape, (7) Asline Keerthirane of Jampitah street, Kotahena, Colombo, (8) Sakalawalli Acharige Edward Perera of 261, Skanners road, Colombo Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on August 19, 1942, in the presence of Mr. S. E. A. Perera, Proctor, on the part of the petitioners above named; and affidavits of (1) petitioners dated August 14, 1942, (2) the attesting notary dated August 10, 1942, (3) the attesting witnesses dated August 10, 1942, August 7, 1942, having been read:

It is ordered that the last will and testament of Sakalawalli Acharige Lucia Natchire *alias* Lucia Heenetigala deceased, and the original of which has been produced and is now deposited in this court be and the same is hereby declared proved; and that the petitioners above named are the executors named in the said will and they are hereby declared entitled to have probate thereof issued to them accordingly, unless the respondents above named or some other person or persons interested shall, on or before September 24, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 8th respondent above named be and he is hereby appointed guardian *ad item* of the minor, the 6th respondent, to represent him for all the purposes of this action.

August 28, 1941.

S. C. SWAN,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Kannangara Jurisdiction. Appuhamilage Don Wijayis Kannangara of No. 10,151, Veyangoda, deceased.

Kannangara Appuhamilage Dharmasena Kannangara of Thirivanagama, Veyangoda Petitioner.

(1) Nissangabamunuchchige Lolamona, (2) Kannangara Appuhamilage Pemawathie Kannangara, (3) Kannangara Appuhamilage Dayawathie Kannangara, (4) Kannangara Appuhamilage Dharmawathie Kannangara, (5) Kannangara Appuhamilage Munilasa Chandrasena Kannangara; the 2nd, 3rd, 4th, and 5th respondents being minors appearing by their guardian *ad item* (6) Kannangara Appuhamilage Dharmawathie Emaliya Kannangara, all of Thirivanagama, Veyangoda Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on August 28, 1942, in the presence of Mr. D. P. Samarajewa, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated August 27, 1942, having been read:

It is ordered that the 6th respondent above named be and she is hereby appointed guardian *ad item* of the minors, the 2nd, 3rd, 4th, and 5th respondents, to represent them for all the purposes of this action and that the petitioner be and he is hereby declared entitled, as the eldest son of the deceased above named, to have letters of administration to the above estate issued to him accordingly, unless the respondents above named or some other person or persons interested shall, on or before October 8, 1942, show sufficient cause to the satisfaction of this court to the contrary.

September 3, 1942.

V. L. ST. CLAIR SWAN,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Piramanayagam Muthugumarasampillai of Ayyasingampatty, Ayyasamuthuram Taluk, Tinnevely District, South India, deceased.
No. 10,153.

M. Visvanathan of 17/4, 63rd Lane, Wellawatta Petitioner.
M. Santanam of 17/4, 63rd Lane, Wellawatta Respondent.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on August 29, 1942, in the presence of Mr. P. A. Mahipala, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated August 28, 1942, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the son of the deceased above named, to have letters of administration to the above estate issued to him accordingly, unless the respondent above named or some other person or persons interested shall on or before September 17, 1942, show sufficient cause to the satisfaction of this court to the contrary.

August 31, 1942. St. C. SWAN, Additional District Judge.

In the District Court of Colombo.

Notice of Application.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament and Codicil of William Reginald Davies, late of Heatherbank, Church Hill, Camberley, in the County of Surrey, deceased.
No. 10,162.

And in the matter of the British Courts Probates (Re-sealing) Ordinance (Chapter 84).

NOTICE is hereby given that after the expiry of twenty-one days from the date hereof, application will be made to the District Court of Colombo under the British Courts Probates (Re-sealing) Ordinance (Chapter 84) for the Sealing of an Exemplification of Probate of the last will and testament and codicil of William Reginald Davies, late of Heatherbank, Church Hill, Camberley, in the County of Surrey, deceased, granted by the Principal Probate Registry of His Majesty's High Court of Justice in England on April 7, 1942.

Colombo August 31, 1942. G. T. HALE, Attorney for Robert Jackson Davies and William Helm Hadfield, the Executors of the Last Will and Testament and Codicil of William Reginald Davies, deceased.

In the District Court of Kalutara.

Order Nisi, declaring Will proved, &c.

Testamentary Jurisdiction. In the Matter of the Estate of the late Emis Tissera Seneviratne, Notary, deceased, of No. 3,049, Mawanella.

(1) Dona Gimara Abeyawickrama Gunasekera Hamine of Habaraduwa, Galle Petitioner.

(1) Jinayadasa Tissera Sendanayake Seneviratne, (2) Dhana-pala Tissera Sendanayake Seneviratne, (3) Sugiwaras Tissera Sendanayake Seneviratne, all of Habaraduwa, minors, by their guardian *ad litem*, (4) Mrs. Tiny Emalawathie Weerasinghe of Ratnapura Respondents.

(1) The Chief Priest of Parwathanodaya Pirivena, Molligoda Legatee.

THIS matter coming on for disposal before V. Joseph, Esq., District Judge of Kalutara, on August 5, 1942, in the presence of Messrs. Fernando & Goonetilleke, Proctors, on the part of the petitioner, and the affidavit of the above-named petitioner dated July 24, 1942, having been read:

It is ordered that the will of Emis Tissera Sendanayake Seneviratne, deceased, dated May 3, 1938, be and the same is hereby declared proved, unless the respondents or any other person or persons interested in the estate shall, on or before September 16, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Tiny Emalawathie Weerasinghe, 4th respondent, be appointed guardian *ad litem* over the 1st to 3rd respondents and that the said Dona Gimara Abeyawickrama Gunasekera petitioner above named, be and she is hereby declared entitled to have letters of administration issued to her accordingly, unless the respondents or others interested in the estate shall, on or before September 16, 1942, show sufficient cause to the satisfaction of this court to the contrary.

August 5, 1942. C. X. MARTYN, District Judge.

In the District Court of Avisawella.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Don Daniel Waryapperuma of Atigala, in the Keddipattu of Hewanagama Korale, Colombo District, deceased.
No. 313.

Henry William de Silva of Atigala, presently of Thimbrigasyaya road, Havelock Town Petitioner.

(1) Claribel Gertrude de Silva, (2) Leonora Peterbella de Silva, (3) Pearl Olivia de Silva, (4) Henry Lionel de Silva, and (5) William George de Silva, all of Atigala, aforesaid, and presently of Thimbrigasyaya road, Havelock Town, (6) David Amarasekera of Atigala Respondents.

THIS matter coming on for disposal before K. D. de Silva, Esq., District Judge of Avisawella, on August 25, 1942, in the presence of

Mr. J. H. M. Fernando, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated August 24, 1942, having been read:

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

It is further ordered that David Amarasekera, the 6th respondent, be appointed guardian *ad litem* over the minor (the 5th respondent); unless the respondents or any others interested in the estate shall, on or before September 15, 1942, show sufficient cause to the satisfaction of this court to the contrary.

August 25, 1942. K. D. DE SILVA, District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Stanley Hillman, deceased of Bogasheina No. T. 301, estate, Tumpane.

THIS matter coming on for disposal before T. F. C. Roberts, Esq., Additional District Judge, Kandy, on August 27, 1942, in the presence of Messrs. Liesching and Lee, Proctors, on the part of the petitioners (1) Cecil Peet, (2) Beltram Joseph Aloysius Hillman; and the affidavit of the said petitioners dated August 19, 1942, and of the attesting witnesses dated August 16, 1942, having been read:

It is ordered that the last will of the above-named deceased dated December 1, 1939, and now deposited in this court be and the same is hereby declared proved, unless any other person or persons interested shall, on or before October 15, 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 with copy of the will annexed issued to them accordingly, unless any other person or persons interested shall, on or before the said date, show sufficient cause to the satisfaction of this court to the contrary.

August 31, 1942. T. F. C. ROBERTS, District Judge.

In the District Court of Nuwara Eliya holden at Hatton.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Margaret Mary Sugirthamanie Benedict, deceased.
No. 219.

A. S. J. Benedict of Post Office, Hatton Petitioner.

(1) Maria Assunta Manohary Benedict, (2) Ariyanayagam Joseph Manoharan Benedict, minor, by their guardian *ad litem*, (3) S. M. Mahesan, all of Upcott, Maskeliya Respondents.

THIS matter coming on for disposal before T. P. P. Goonetilleke, Esq., District Judge of Nuwara Eliya-Hatton, on August 18, 1942, in the presence of Mr. Victor Tambinayagam, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated August 17, 1942, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as husband of the said deceased, to have letters of administration to the estate of the said deceased issued to him and the 3rd respondent above named be and he is hereby appointed guardian *ad litem* over the 1st and 2nd respondents above named, unless the respondents above named or any other person or persons interested shall, on or before September 15, 1942, show sufficient cause to the satisfaction of this Court to the contrary.

Hatton, August 18, 1942. T. P. P. GOONETILLEKE, District Judge.

In the District Court of Jaffna.

Testamentary Jurisdiction. In the Matter of the Estate of the late Muttukumaru Sinnappah alias M. S. Shaw of Mallekham, deceased.
No. 25.

Sinnappah Sivasubramaniam of Mallekham Petitioner.

Thankamuttupillai, widow of Muttukumaru Sinnappah alias M. S. Shaw of Mallekham Respondent.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge, Jaffna, on August 24, 1942, in the presence of Mr. T. Kumaraswamy, Proctor, on the part of the petitioner and on reading the affidavit and petition of the petitioner:

It is ordered that the above-named petitioner be deputed to letters of administration to the estate of the above-named respondent or any other person shall, on or before September 15, 1942, appear before this court and show sufficient cause to the satisfaction of this court to the contrary.

August 8, 1942.

In the District Court of Jaffna held at Point Pedro.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Parupatham, wife of Vaithilingam of Karaveddi No. 178/PT north, deceased.

K. Murugar Vaithilingam of Karaveddi north Petitioner.

Vs.

(1) Vaithilingam Sivasubramaniam, (2) Vaithilingam Kanagarajah, (3) Sinnappalai, widow of Kandavanam, all of Karaveddi north Respondents.

THIS matter coming on for disposal before Z. W. de Silva, Esq., Additional District Judge, Jaffna, on July 15, 1942, in the presence of Mr. M. Esurapadham, Proctor, on the part of the petitioner; and on reading the petition and affidavit of the petitioner;

and on reading the petition and affidavit of the petitioner; It is ordered that the 3rd respondent be appointed guardian *ad litem* over the minors, the 1st and 2nd respondents, for the purpose of representing and defending them in the testamentary proceedings in this case, that the petitioner, as husband of the deceased, be declared entitled to take out letters of administration to the estate of the above-named deceased and that letters of administration thereto be issued to the petitioner accordingly, unless the respondents or any other person interested therein shall appear before July 30, 1942, and show sufficient cause to the satisfaction of this court to the contrary.

July 15, 1942.

Extended and re-issued for September 17, 1942.

July 30, 1942.

L. W. DE SILVA,
Additional District Judge.L. W. DE SILVA,
Additional District Judge.

In the District Court of Anuradhapura.

Order Nisi.

Testamentary In the Matter of the Joint Last Will and Jurisdiction. Testament of the late Sandrasegaram No. 493/N.T. 10,012. Nadarajah Sittampalam of Anuradhapura, deceased.

Sittampalam Thankaratnam of Anuradhapura Petitioner.

(1) Sinnathankam, wife of Kanapathipillai Sethar of Thumpalai in Point Pedro in Jaffna District, and (2) Kanapathipillai Sethar of Anuradhapura Respondents.

THIS matter of the petition of Sittampalam Thankaratnam of Anuradhapura, coming on for disposal before E. V. R. Samarawickreme, Esq., District Judge, on August 21, 1942, in the presence of Messrs. Ramaswamy & Paramakuru, Proctors, on the part of the petitioner; and affidavit of the petitioner dated March 23, 1942, having been read; It is ordered that the joint last will of the above-named deceased and the petitioner dated October 21, 1940, and now deposited in this court be and the same is hereby declared proved.

And it is further declared that the said 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 the respondents or any other person shall, on or before September 21, 1942, show sufficient cause to the satisfaction of this court to the contrary.

August 21, 1942.

E. V. R. SAMARAWICKREME,
District Judge.