



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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DRAFT ORDINANCES

MINUTE

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

L. D.—O 37/41

An Ordinance to amend the Bank of Ceylon Ordinance, No 53 of 1938

1941 Supplement, Volume II, p 480

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 Bank of Ceylon (Amendment) Ordinance, No of 1943

Short title

2 Section 25 of the Bank of Ceylon Ordinance, No 53 of 1938 (hereinafter referred to as "the principal Ordinance"), is hereby amended in sub-section (2) of that section by the substitution for the words "ordinary meeting" of the words "ordinary meeting, and shall then be eligible for re election"

Amendment of section 25 (2) of Ordinance No 53 of 1938

3 Section 28 of the principal Ordinance is hereby amended in sub section (1) by the addition, at the end of that sub-section, of the following —

Amendment of section 28 (1) of the principal Ordinance

" Provided, further, that the exercise by the Board of the power conferred by this sub-section shall be subject to any right of nominating a director or directors which may for the time being be vested in the Governor under any other provision of this Ordinance "

4 Section 29 of the principal Ordinance is hereby amended in sub-section (1) by the addition, at the end of that sub-section, of the following —

Amendment of section 29 of the principal Ordinance

" Any director so nominated shall be subject to retirement at the same time as the director in whose place he has been nominated would have retired had he remained in office "

5 Section 30 of the principal Ordinance is hereby amended by the substitution for the words "in his stead" of the words "in his stead, and such person shall be subject to retirement at the same time as if he had become a director on the day on which the director in whose place he is elected was last elected a director "

Amendment of section 30 of the principal Ordinance

6 The following new sections are hereby inserted immediately after section 32 of the principal Ordinance and shall have effect as sections 32A and 32B, respectively, of that Ordinance —

Insertion of new sections 32A and 32B in the principal Ordinance

32A (1) The Board shall, out of the profits available for payment of dividend and before any dividend is declared, set aside a sum equivalent to twenty per centum of such profits to the credit of a fund called the permanent reserve fund of the bank and shall also, subject to the provisions of section 33, carry to the credit of such permanent reserve

Permanent Reserve Fund

- fund any premiums received on the issue of shares, until such permanent reserve fund is equivalent to one-half of the paid up capital of the bank for the time being, and shall thereafter and from time to time carry to such permanent reserve fund out of profits such further sums as shall be necessary to maintain such permanent reserve fund at all times at a sum equivalent to one half of the paid up capital of the bank
- (2) The permanent reserve fund shall be shown separately in the balance sheet of the bank
- Contingency Fund**
- 32B (1) In addition to the permanent reserve fund the Board shall create a fund called the contingency fund of the bank and shall carry to that fund—
- (a) all premiums received on the issue of shares which are not carried to the permanent reserve fund, and
- (b) such sums out of the profits of the bank as the Board think proper
- (2) The contingency fund may be applied from time to time in such manner as the Board shall determine—
- (a) for meeting depreciation and losses,
- (b) for equalizing dividends,
- (c) for repairing, improving or maintaining any of the property of the bank,
- (d) for any other purposes which the Board may think proper
- (3) The Board may divide the contingency fund into such special funds as they think fit, and may consolidate into one fund any special funds or any parts of any special funds into which the contingency fund may have been divided as they think fit, with full power to employ the whole or any part of the assets constituting the contingency fund in the business of the bank without being under any obligation to keep the same separate from the other assets of the Bank. The Board may also, (subject to the provisions of this Ordinance), without placing the same to reserve, carry over any profits which they may think it not prudent to divide
- (4) It shall not be necessary to show the contingency fund separately in the balance sheet of the bank
- Amendment of section 33 of the principal Ordinance**
- 7 Section 33 of the principal Ordinance is hereby amended—
- (a) in paragraph (a), by the substitution for the words "a fund called the permanent published reserve fund" of the words "the permanent reserve fund", and
- (b) in paragraph (b), by the substitution for the words "a fund called the contingency fund" of the words "the contingency fund of the bank"
- Amendment of section 34 of the principal Ordinance**
- 8 Section 34 of the principal Ordinance is hereby amended—
- (a) in sub-section (1), by the substitution for the words "rank for payment" of the words "rank for dividend", and
- (b) in sub-section (2), by the substitution for the words "in excess of the nominal value" of the words "in excess of the capital paid thereon"
- Amendment of section 35 (1) of the principal Ordinance**
9. Section 35 of the principal Ordinance is hereby amended in sub-section (1) by the substitution for the words "a dividend or dividends amounting in all in any one year to not less than six per centum have been declared" of the words "a dividend of not less than six per centum, or dividends amounting in all in any one year to not less than six per centum, has or have been declared"
- Amendment of section 36 of the principal Ordinance**
- 10 Section 36 of the principal Ordinance is hereby amended by the substitution, for the words "the share or reduced amount is derived" occurring at the end of the Proviso to that section, of the words "the share of reduced amount is derived"
- Amendment of section 37 of the principal Ordinance**
11. Section 37 of the principal Ordinance is hereby amended—
- (a) in sub section (2), by the substitution for the words "as shall be previously approved in writing by the Minister" of the words "as the Board may decide, but due regard shall be given to the provisions of section 35", and
- (b) by the substitution for sub-section (3) of the following —
- "(3) The allotment of shares issued or created under this section shall be in the discretion of the Board"
- Amendment of section 38 of the principal Ordinance**
12. Section 38 of the principal Ordinance is hereby amended by the substitution for the words "a shareholder" of the words "the shareholders"

- 13 Section 39 of the principal Ordinance is hereby amended in sub-section (1)—
- (a) in paragraph (b) of that sub-section—
- (i) by the substitution for the words "which is by law required" of the words "is by law required",
- (ii) by the substitution for the words "by any person acting under its authority, express or implied," of the words "by any person or persons duly authorised thereto as hereinafter provided,"
- (b) in paragraph (c) of that sub-section, by the substitution for the words "by any person acting under its authority, express or implied" of the words "by any person or persons duly authorised thereto as hereinafter provided"
- 14 Section 40 of the principal Ordinance is hereby amended by the substitution for the words "by any person acting under its authority" of the words "by any person or persons duly authorised thereto as hereinafter provided"
15. The following new section is hereby inserted immediately after section 40 of the principal Ordinance and shall have effect as section 40A of that Ordinance —
- 40A No person other than the directors and persons thereunto expressly authorised by the Board and acting within the limits of the authority so conferred on them shall have any authority to make, draw, accept or endorse any promissory note, bill of exchange, cheque or order for the payment of money in the name or on behalf of the bank, or to enter into any contract so as to impose thereby any liability on the bank or otherwise to pledge the credit of the bank
- 16 Section 48 of the principal Ordinance is hereby amended, in the Proviso to that section, by the substitution for the words "without the previous consent of the State Council", of the words "without the consent of the State Council and the sanction of the Governor, previously obtained"
- 17 Section 54 of the principal Ordinance is hereby amended in sub-section (1), by the substitution for the words "Every officer," of the words "The General Manager, Assistant General Manager, Secretary, Accountant and every other officer,"
- 18 Section 55 of the principal Ordinance is hereby amended by the substitution, for the words "by a majority", of the words "by a majority consisting of not less than two-thirds"
- 19 Section 56 of the principal Ordinance is hereby repealed and the following new section substituted therefor —
- 56 No Director or other officer of the bank shall be liable for any damage or loss suffered by the bank unless such damage or loss was caused by his misconduct or wilful default
- 20 Section 57 of the principal Ordinance is hereby repealed and the following new section substituted therefor —
- 57 Every Director, Auditor, Manager, Secretary or other officer of the bank shall be indemnified by the bank from all losses and expenses incurred by him in or about the discharge of his duties, other than such losses and expenses as the Board may deem to have been occasioned by his misconduct or wilful default
- 21 Section 62 of the principal Ordinance is hereby amended—
- (a) in sub section (1), by the substitution for the words "a balance sheet and statement" of the words "a balance sheet or statement", and
- (b) in sub section (2), by the substitution for the words "such balance sheet and statement" of the words "such balance sheet or statement"
- 22 Section 63 of the principal Ordinance is hereby amended—
- (a) in sub-section (1)—
- (1) by the substitution, for the words "by two firms of chartered accountants", of the words "by two qualified auditors",

Amendment of section 39 of the principal Ordinance

Amendment of section 40 of the principal Ordinance

Insertion of new section 40A in the principal Ordinance

Persons authorised to act on behalf of the bank

Amendment of section 48 of the principal Ordinance

Amendment of section 54 (1) of the principal Ordinance

Amendment of section 55 of the principal Ordinance

Replacement of section 56 of the principal Ordinance

No liability for damage or loss caused otherwise than by misconduct or wilful default

Replacement of section 57 of the principal Ordinance

Reimbursement for expenses incurred on behalf of the bank

Amendment of section 62 of the principal Ordinance

Amendment of section 63 of the principal Ordinance

- (ii) by the substitution, for the words "one year", of the following —
 "one year
 Provided that the two auditors so elected shall be practising independently of each other and shall not be members of the same firm of auditors",
- (iii) by the substitution for the words "Provided that while and whenever" of the words "Provided, further, that while and whenever",
- (iv) by the substitution for the words "such other accountant" of the words "such other auditor",
- (b) by the omission of sub-section (2) and the substitution therefor of the following —
 "(2) No qualified auditor (other than an auditor returning from office) shall be proposed for election at any meeting, unless notice of intention to propose that auditor has been given not less than five days and not more than one month before that meeting", and
- (c) by the addition at the end of that section of the following new sub section —
 "(4) In this section, "qualified auditor" means a chartered accountant or a member of the Society of Incorporated Accountants and Auditors, and includes a firm of qualified auditors"
- Amendment of section 70 (1) of the principal Ordinance
- 23 Section 70 of the principal Ordinance is hereby amended, in sub-section (1) of that section, by the substitution for the words "The Board may by resolution" of the words "The shareholders may by special resolution"
- Amendment of First Schedule to the principal Ordinance
- 24 The First Schedule to the principal Ordinance is hereby amended—
- (a) in Part I of that Schedule, by the substitution, in paragraph (a) of section 1, for the words "in Ceylon" of the words "in Ceylon and elsewhere", and
- (b) in section 3 of Part II of that Schedule—
- (i) by the substitution, for paragraph (c), of the following new paragraph —
 "(c) The advances made by the bank and outstanding at any time shall not in the aggregate exceed fifty per centum of the total of the amounts lying at that time to the credit of depositors, in current, deposit or other accounts, in the bank",
- "Limit on aggregate amount of advances"
- (ii) by the insertion, immediately after paragraph (c), of the following new paragraph —
 "(cc) There shall at all times be maintained by the bank in cash (either in the bank's treasury or at credit with the bank's clearing agents) a total reserve of an amount not less than ten per centum of the total of the amounts for the time being lying to the credit of depositors, in current, deposit or other accounts, in the bank",
- "Minimum cash reserve"
- (iii) by the substitution, in paragraph (d), for the words "twelve months" of the words "twenty-four months", and
- (iv) by the substitution, for paragraph (g), of the following new paragraph —
 "(g) Subject as hereinafter provided, no bill of exchange, promissory note or similar negotiable or transferable document shall be discounted, negotiated or dealt with by the bank, or accepted by the bank as collateral security for any advances, unless such bill, note or document is signed by, and the bank thereby obtains the security of, at least two parties signing in different capacities
 Provided, however, that any such bill, note or document may be so discounted, negotiated, dealt with or accepted on the signature of a single party—
- (i) where it is signed on behalf of the Government of any country, or on behalf of a local authority in Ceylon, or
- (ii) where the transaction is a loan or accommodation for an amount not exceeding ten thousand rupees, or
- Bills, &c., against which advances may be made

(iii) where the particular transaction is of such nature, and is covered or supported by a document or documents of such description, as may be determined from time to time by resolution of the Board ”

25 The Second Schedule to the principal Ordinance is hereby amended—

Amendment of
Second
Schedule to the
principal
Ordinance

- (a) in by-law 14, by the substitution, in paragraph (3) (b), for the words “ in the event of the bank ” of the words “ the bank ” ,
- (b) in by-law 31, by the substitution, in paragraph (2), for the words “ and the purchaser shall be deemed ” of the words “ and a certificate of proprietorship shall be delivered to the purchaser thereof, and thereupon the purchaser shall be deemed ” ,
- (c) in by-law 52, by the substitution for the words “ ordinary annual meeting but shall entitle such holder to be present and vote at all extraordinary meetings ” of the words “ ordinary annual meeting at which only ordinary business is to be transacted , but shall entitle such holder to be present and vote at all extraordinary meetings, and to be present at annual meetings at which special business is to be transacted and to vote at such meetings on such special business ” ,
- (d) in by-law 58, by the substitution for the words and figures “ on the ———— 19— ” of the words and figures “ on the ————, 19—, and at any adjournment thereof ” ,
- (e) in by-law 67, by the addition of the following at the end of that by-law —

“ A general notice that a director is a member of a specified firm or company, and is to be regarded as interested in any subsequent transactions with such firm or company, shall be sufficient disclosure under this by law, and after such general notice it shall not be necessary to give any special notice relating to any particular transaction with such firm or company ” ,

- (f) in by-law 68, by the addition at the end of that by-law of the following —

“ If any director does so vote, his vote shall not be counted ” ,

- (g) by the repeal of by-law 69 and the substitution of the following new by-law therefor —

“ Exceptions from provisions of by-law 68 69 Nothing in by-law 68 shall apply to any contract made by or on behalf of the bank to give to the directors or any of them any security for advances or by way of indemnity ” ,

- (h) in by-law 82, by the substitution for the words “ Reserve Fund ” of the words “ Reserve Fund in accordance with the provisions of this Ordinance ” ,
- (i) in by-law 83, by the substitution for the word “ profit ” occurring in the Proviso, of the word “ profits ” ,
- (j) in by-law 84, by the substitution for the words “ providing for the maintenance ” of the words “ providing for the maintenance of the capital of the bank and for the establishment and maintenance ” , and
- (k) by the repeal of by-law 85

Objects and Reasons

The Secretary of State for the Colonies, when communicating His Majesty's assent to the Bill which became law as the Bank of Ceylon Ordinance, No 53 of 1938, recommended that consideration be given to certain suggestions for amendment made by the London Committee which formulated the original proposals for the legislation and to which a copy of the Bill was submitted for examination

The large majority of the Clauses in the present Bill gives effect to suggestions made by the London Committee The more important of these amendments are mentioned in paragraph 3

2 The amendments effected by Clauses 22 and 24 relate to matters on which amendments are considered desirable or necessary in the light of experience in the working of the principal Ordinance

Clause 22 enlarges the class of persons eligible for appointment as auditors of the Bank. Under section 63 of the Ordinance, the auditors (appointed not less frequently than once a year) must be "two firms of chartered accountants". This provision is considered unnecessarily restrictive and the amendment provides that the audit shall be carried out by two "qualified auditors", and defines "qualified auditor" to mean either a chartered accountant or a member of the Society of Incorporated Accountants and Auditors. That there will be two independent audits is secured by the insertion of a proviso to the effect that the two qualified auditors appointed shall not be practising in partnership or members of the same firm.

Clause 24 effects several amendments in Part II of the First Schedule.

It has been found that the limitation of the period for which the Bank may grant seasonal loans to twelve months unduly restricts the activities of the Bank. Paragraph (b) (iii) of Clause 24 extends the period for seasonal loans to twenty-four months.

The other sub-paragraphs of paragraph (b) of this clause are intended to clarify the provisions relating to the limit of the advances which may be made by the Bank, the bills of exchange, &c, against which advances may be made, and the maintenance of a cash reserve by the Bank.

3 The provisions regarding the creation and maintenance of the Reserve Fund and the Contingency Fund of the Bank at present occur in the Second Schedule to the Ordinance and can therefore be amended without reference to the legislature. Clause 6 transfers those provisions to the main body of the principal Ordinance.

The terms and conditions on which unissued capital and any new capital raised by the creation of new shares are to be issued, as well as the allotment of shares so issued or created, will, under the amendment effected by Clause II, be decided in future by the Board of Directors of the Bank.

Sections 39 and 40 of the Ordinance which deal with contracts made on behalf of the Bank and the manner in which bills of exchange, &c, shall be made or executed on behalf of the Bank are merely declaratory and not in a restrictive form. Clause 15 inserts a new section 40A which specifies the persons who may act on behalf of the Bank in matters of the kinds mentioned.

Under section 48 of the Ordinance, the Financial Secretary may sell shares held by the Government in the Bank at not less than par, if he is authorised in that behalf by the Board of Ministers and if the consent of the State Council has been obtained. As the power of the Governor to control certain acts of the Bank is contingent upon the Government being the holder of a certain percentage of the shares, it is considered appropriate that the sanction of the Governor should be obtained before any of the Government's shares in the Bank are sold. Clause 16 amends section 48 to achieve this result.

Clause 18 fixes the majority of the Board, required under section 55 for the dismissal of certain officers, as a two-thirds majority.

Section 56 of the Ordinance which grants protection to an officer of the Bank for damage or loss caused to the Bank is in very wide terms. Clause 19 substitutes a new section, suggested by the London Committee, under which an officer will be protected unless the loss or damage was caused by his misconduct or wilful default. Similarly section 57, dealing with reimbursement for expenses incurred by an officer on behalf of the Bank, is, by Clause 20, replaced by a new section under which no reimbursement will be made where the expenses were occasioned by the misconduct or wilful default of the officer.

Under section 70 of the Ordinance, the Second Schedule, which contains what are termed the "by laws" of the Bank, may be altered by a resolution of the Board, approved by the Governor. That Schedule provides for matters which, in the case of a company, are dealt with in the Articles of Association and subject to alteration only by a special resolution of the shareholders. Clause 23 amends section 70 so as to introduce a similar practice in the case of the Bank and provides that the Second Schedule may be altered only by a special resolution of the shareholders, approved by the Governor.

4 The clauses of the Bill, other than those mentioned in paragraphs 2 and 3, effect minor or consequential amendments in the principal Ordinance.

MINUTE

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

L D—O 13/42

An Ordinance to amend the War Risks (Goods) Insurance Ordinance, No 1 of 1942

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 War Risks (Goods) Insurance Amendment Ordinance, No of 1943 | Short title |
| 2 | Section 17 of the War Risks (Goods) Insurance Ordinance, No 1 of 1942, is hereby amended in sub-section (2) thereof as follows — | Amendment of section 17 of Ordinance, No 1 of 1942 |
| | (1) in paragraph (b) by the substitution, for the words "situated in Ceylon", of the words "situated in Ceylon", and | |
| | (2) by the insertion, immediately after paragraph (b), of the following new paragraph — | |
| | “(c) where any goods in respect of which a marine policy against war risks has not been taken are borne on the territorial waters of Ceylon, the goods shall, while they are borne on such waters, be deemed to be situated in Ceylon ” | |

Objects and Reasons

The object of this Bill is to amend the definition of the phrase "situated in Ceylon" in the War Risks (Goods) Insurance Ordinance, No 1 of 1942, so as to enable goods which are borne on the territorial waters of Ceylon and which are not covered by a marine war risks insurance policy to be insured under that Ordinance.

G C S COREA,

Minister for Labour, Industry and Commerce

Colombo, 9 September, 1943

MINUTE

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

L D—O 36/43

F S 812/14 (P D)

An Ordinance to make provision for raising a loan of one hundred and twenty five million rupees for expenditure on emergency and post war development purposes and the repayment of the three-year loan raised under the Home Defence Loan Ordinance, No 2 of 1942

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 National Loan Ordinance, No of 1943 | Short title |
| 2 | The Governor is hereby authorised to raise by way of loan a sum not exceeding one hundred and twenty-five million rupees for— | Authority to raise loan |
| | (a) expenditure on emergency purposes, that is to say, purposes connected with or incidental to the emergency arising out of any war in which His Majesty may be engaged, | |
| | (b) expenditure on any work connected with or incidental to post-war development, whether such work is commenced before or after the termination of the war, and | |
| | (c) the repayment of the three-year loan raised under the Home Defence Loan Ordinance, No 2 of 1942, and maturing in 1945 and 1946 | |
| 3 | The loan or any part of the loan authorised by this Ordinance may, subject as hereinafter provided, be raised under the Registered Stock and Securities Ordinance, at such time or times as the Governor may determine | Method of raising loan
Cap 289 |

Provided that the Governor may, by Order, direct that in respect of any such loan or part of a loan, the provisions of the Registered Stock and Securities Ordinance shall apply and have effect subject to such exceptions, modifications and amendments as may be specified in the Order, and every such Order shall, upon publication in the *Gazette*, be as valid and effectual as if it were herein enacted

Authority to raise additional sums for incidental expenses

4 In addition to the sum specified in section 2, the Governor is hereby authorised to raise in the manner prescribed in or under section 3, such further sums as may be necessary for the purpose of defraying the expenses incurred in raising the loan or any part thereof

Application of moneys raised by way of loan under section 2

5 (1) All moneys raised by way of loan under section 2 may be expended for the purposes mentioned in section 2, but such expenditure on any of the purposes mentioned in paragraph (a) or paragraph (b) of that section shall not be finally charged to any such loan or to any part of any such loan except upon a resolution in that behalf passed by the State Council and ratified by the Governor

(2) Where moneys have been expended out of general revenue for any purpose mentioned in section 2 whether before or after the commencement of this Ordinance, such expenditure may, by a resolution passed by the State Council and ratified by the Governor, be declared to be charged to any loan or to any part of any loan raised under section 2

Power to issue Treasury Bills, &c

6 (1) In anticipation of the raising of any loan or of any part of any loan by authority of this Ordinance, the Governor may, in his discretion, from time to time cause such sums as he may deem necessary to be raised by the issue of Treasury Bills under the Local Treasury Bills Ordinance, and the provisions of that Ordinance shall apply accordingly except in so far as they are inconsistent with the provisions of this Ordinance

Cap 287

(2) Every sum raised by the issue of Treasury Bills under the authority of sub section (1) shall be applied—

- (a) for paying off at maturity any Treasury Bills issued under the authority of that sub-section and outstanding at the date on which such sum is raised, or
- (b) for emergency purposes

(3) Upon the raising of the loan or part of the loan in anticipation of which any sum has been raised by the issue of Treasury Bills under the authority of sub-section (1), the Governor may—

- (a) expend from such loan or part thereof such amounts as may from time to time be necessary to meet the liabilities of the Government in respect of such Treasury Bills, or
- (b) where such liabilities have been met in the first instance out of general revenue, refund to the general revenue such amounts as may have been expended therefrom for that purpose

Exemption from taxes and duties
Cap 289

7. The interest payable on any registered stock, promissory notes or bearer bonds issued by authority of this Ordinance under the Registered Stock and Securities Ordinance and held by the Government of any part of His Majesty's dominions (including therein any British Protectorate or Protected State and any territory in respect of which a Mandate on behalf of the League of Nations has been accepted by His Majesty), shall be exempt from all taxes and duties leviable or payable under any written law in force in Ceylon, notwithstanding anything in any such law to the contrary

Objects and Reasons

The object of this Bill is to make provision for raising a loan of one hundred and twenty-five million rupees for emergency expenditure, post-war development and the repayment of the three-year loan raised under the Home Defence Loan Ordinance, No 2 of 1942. The loan will be raised in Ceylon under the Registered Stock and Securities Ordinance (Chapter 289). Power will be taken to issue Treasury Bills in anticipation of the raising of the loan or of any part thereof

H J HUXHAM,
Financial Secretary.
Colombo, 13th September, 1943

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 Western Circuit will be holden at the Court house at Hulftsdorp on Monday, October 11, 1943, 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,
Colombo, September 15, 1943

H C WIJESINHA,
for Fiscal

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 Districts of Ratnapura and Avissawella will be holden at the Court house at Colombo, on Monday, October 11, 1943, 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, September 14, 1943

E R SUDBURY,
Fiscal, Sabaragamuwa

NOTICES OF FISCALS' SALES

Western Province

In the District Court of Kurunegala

Hettitantrige Don Daniel Appuhamy of Dambadeniya, presently of Dunagaha Plaintiff

No 616 Vs

Ranatunga Aratchige Don Thomas Goonatilleka Seneviratna of Dambadeniya, presently of Walpitamulla Defendant

NOTICE is hereby given that on Thursday, October 14, 1943, beginning from 4 30 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz —

An undivided $\frac{1}{2}$ share towards the west from and out of Kahata gahalanda of 6 acres 3 roods and 27 perches and all the buildings and plantations thereon, situated at Walpitamulla in Dasiya pattu of Aluthkuru korale in Negombo District of Western Province, and bounded on the north and north east by the land in plans Nos 51,818 and 51,819 and Kusalthamy's land, south east by land of Don Samuel, south by land in plan No 51,823 and land of Juwanis Appu, south west and west by land in plan No 51,822 and land of Henchu Appu, and registered under C 326/177

2 All that field called and known as Wewa Kiyana Kumbura of about eight kurunes paddy sowing in extent, situated at Walpitamulla aforesaid, and bounded on the north by Waturabana ela, east by Wekanda (bund), south by high land (goda bima), west by limitary ridge of the field of Sanchi Appu and others, and registered under C 241/143

Amount to be levied Rs 750 and Rs 122 87 $\frac{1}{2}$ costs of suit together with interest and poundage

Deputy Fiscal's Office,
Negombo, September 9, 1943

J W VALLIPURAM,
Deputy Fiscal

North-Western Province

In the Additional Court of Requests of Kurunegala

Katupitiye Chandrasekera Wasala Mudiyanseralahamillage Puchi Bandara Basnayake Nilame of Ranawana Plaintiff

No 11,096 Vs

Henneka Mudiyansele Dingiri Amma (dead), and her husband, (2) Maparallage Dingiri Banda, both of Siyambala gomuwu Defendants

(3) Madurusinghe Mudiyansele Siriwardena, (4) ditto Jayawardena, (5) ditto Gunawardena, all of Piduruwella, minors, by guardian *ad litem*, 7th substituted defendant, (6) Maparallage alias Mapa Mudiyansele Senerat Menika of Siyambalangomuwa, minor, by guardian *ad litem*, 8th substituted defendant, (7) ditto, Dingiri Banda of Piduruwella, (8) Maparallage Dingiri Banda of Siyambalangomuwa, same as 2nd defendant, 3rd to 8th are substituted in place of the 1st defendant (dead) Substituted defendants

NOTICE is hereby given that on Wednesday, October 20, 1943, at 3 30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 2nd defendant and substituted defendants in the following property for the recovery of the sum of Rs 144 25, together with further damages from September 13, 1941, at the rate of Rs 10 per annum till the plaintiff is restored to possession and poundage, viz —

An undivided $\frac{1}{3}$ share of Kehelhana alias Kudaulpathehena of 9 acres in extent, situated at Siyabalangomuwa in Kudagalaboda korale of Weudawilli hatpattu in the District of Kurunegala, North Western Province, and bounded on the north by the garden of J H Weerasinghe, east by cart road, south and west by the Crown Forest

Fiscal's Office,
Kurunegala, September 14, 1943

WALTER D M PERERA,
Deputy Fiscal

In the District Court of Kegalla

Henekarallage Leelawatho Senanayake of Siyambala pitiya Plaintiff

No 1,494 Vs

Hindagolle Balasuriya Mudiyansele Appuhamy Balasuriya, ex-Gan Arachchi of Hunugakadulla Defendant

NOTICE is hereby given that on Tuesday, October 26, 1943, commencing from 1st land at 2 o'clock in the afternoon, will be sold

by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs 311 62 and poundage, viz —

1 All that undivided half share of all that and those contiguous allotments of land called Damunagollewatta, Damunagollewatta and Detuduwehena alias Delatuduwehena, with the buildings standing thereon, situated at Nebilkumbura in Thalavisi-deke korale of Hiriyala hatpattu in Kurunegala District, North Western Province, and bounded on the north by fence of the garden of Delwita Walawwa, east and south by ela and west by Deduruoya, containing in extent 10 acres

2 An undivided half share of all that allotment of land called Godayagekumbura, now garden of one and a half lahas kurakkan sowing, situated at Morathu in Hewawisse korale of Weudawilli hatpattu in Kurunegala District aforesaid, and bounded on the north by high road, east by Ilukpitiyegodakumbura, now garden, south by fence of the field of Dinga, and west by fence of Kalagaha-kumburewatta of Naida

3 An undivided one fourth share of all that Ilukpitiyegoda kumbura, now garden of eight lahas paddy sowing in extent, situated at Morathu aforesaid, and bounded on the north by limitary dam of Pansalekumbura, east by fence of field of Menik hary, south by welweta of Kiriya Veda's field and domba tree, and west by humbaha and welweta of Godayagekumbura

Fiscal's Office,
Kurunegala, September 14, 1943

WALTER D M PERERA,
Deputy Fiscal

In the District Court of Kurunegala

Kawanna Kana Nana Kannamai Atchi of Kurunegala Plaintiff

No 18,528 Vs

(1) Imiyapathrennehelage Podi Appuhamy of Wewala in Dambadeni Uducaha korale, administrator of the estate of late I P Kiri Banda Aratchi in D C Testy case No 4,118 Defendant

NOTICE is hereby given that on Friday, October 15, 1943, commencing from 1st land at 1 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 the sum of Rs 961 69 and poundage, viz —

1 An allotment of land called Halmillagahamulakumbure pilawa, in extent 1 acre and 14 perches exclusive of the road passing through the land, situated at Bujjumuwa in Uducaha korale south of Dambadeni hatpattu in Kurunegala District, North Western Province, and bounded on the north by lot 49, east by lot 55, south by T P 312,589, and on the west by lot 52, and registered in F 247/56

2 An undivided $\frac{1}{2}$ share of Damunugahamulawatta, in extent 3 lahas kurakkan sowing, situated at Udukekulawala in aforesaid korale, and bounded on the north by live fence standing between the gardens of Podi Singho and others, east by live fence of the garden of Ran Memka, south by the live fence of the garden of Davith Appu, and west also by the live fence of the garden of Davith Appu, and registered in F 106/305

3 All that allotment of land called Paranawatta, in extent 5 lahas kurakkan sowing, situated at Udukekulawala aforesaid, and bounded on the north by the live fence of the garden of Dingiri Banda and others, east by the garden of Puchirala and others and the field of Dingiri Banda and others, south by ela, and on the west by Koswetiya and Gala, and registered in F 132/342

4 An undivided $\frac{1}{2}$ share of the land called Kahatagahamula hena, in extent 2 acres 2 roods and 6 perches, situated at Udukekulawala aforesaid, and bounded on the north by T P 326,925, east by T P 320,234 and 324,368, south and west by Bowala village boundary, and registered in F 246/272

On Saturday, October 16, 1943, commencing at 11 A.M. from the 5th land at the respective premises

5 An allotment of land called Welipeliyewatta, in extent 1 acre 1 rood and 34 perches, situated at Wewala in aforesaid korale, and bounded on the north by Talwatta village boundary, east by lot 14, south by lot 19 and welweta, and on the west by lots 15 and 14c, and registered in F 246/270

6 An undivided $\frac{1}{2}$ share of Warapandurehena of 1 timba kurakkan sowing in extent, situated at Wewala aforesaid, and bounded on the north by village limit of Talwatta, east by Galdode hena, south by Menumpara, and on the west by Warapandurehena of Kalu Atchi, and registered in F 44/9

7 An undivided $\frac{1}{2}$ share of Galapoththagawawatta, in extent 5 lahas kurakkan sowing, situated at Wewala aforesaid, and bounded on the north and west by the ditch of the garden of Ambagahamulawatta, east by the Crown forest, and on the south by the land called Panwatta belonging to Panchappuhamy, and registered in F 76/17

8 An undivided $\frac{1}{2}$ share of the land called Ambagahamulawatta of 6 lahas kurakkan sowing in extent and its adjoining Godaumu muwekumbura of 2 pelas paddy sowing extent, situated at Talwatta in aforesaid korale, and bounded on the north by field and garden of Beakaraya, east by fence of Paluwatuyaya, south by limitary ridge of Palkumbura and the garden of Jothiamy, and on the west by limitary ridge of Palkumbura, and registered in F 90/75

9 An allotment of land called Egodahena in extent 1 rood and 20 perches, situated at Palle Kekulawala in aforesaid korale, and bounded on the north by lot 19, east by lot 19, and a stream, south by lot 24, and on the west by lot 18, and registered in F 246/273

Fiscal's Office,
Kurunegala, September 7, 1943

WALTER D M PERERA,
Deputy Fiscal

Province of Sabaragamuwa.

In the District Court of Kandy

In the matter of the Estate of Kachchakaduge Dias Peiris of Koluwela m Gangahala korale of Udapalata, Gam pola Deceased

No T 118 Vs

Kachchakaduge Wilham Piers of Koluwela, and (2) Samara koon Mudyanselage Tikiri Banda of Kehelpannala The Principal and Surety Judgment debtors

NOTICE is hereby given that on Saturday, October 9, 1943, at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said Principal and Surety Judgment debtors in the following property, *viz* —

1 An undivided 1/3rd share from and out of all of that land called Nugemulahena, in extent eighteen, lahas paddy sowing, situate at Kehelpannala in Tumpalata pattu of Paranakuru korale in the District of Kegalla of the Province of Sabaragamuwa, and bounded on the north, south and west by the ela, and on the east by stone fence, together with everything standing thereon A 138/300

2 An undivided 1/3rd share from and out of all that land called Badalshena, in extent two pelas paddy sowing, situate at Kehelpannala aforesaid, and bounded on the north and east by ela, south by the limit of Bogahumulahena, and west by galdetta, together with everything standing thereon A 139/1

3 An undivided 1/3rd share from and out of all that land called Ukgodagehena in extent three pelas paddy sowing in the whole, situate at Kehelpannala aforesaid, and bounded on the north and south by ela, east by the galdetta, and on the west by the wela, together with everything standing thereon A 139/5

To recover a sum of Rs 3,500 being the full amount of the bond No 856 dated September 16, 1940, attested by P B Panabokke, Notary Public, and a further sum of Rs 2 40 being costs

Deputy Fiscal's Office,
Kegalla, September 14, 1943

M D J DISSANAYAKE,
Additional Deputy Fiscal

NOTICES OF TESTAMENTARY ACTIONS

In the District Court of Colombo

Order Nisi

Testamentary In the Matter of the Intestate Estate of Vana Jurisdiction Sayna Chettiappa Chettiar of Pulankuruchi in No 10,564 Ramnad District, India, deceased

Veyyanna Rana Seena Ramasamy Chettiar, attorney of Vana Sayna Sivalingam Chettiar of 91, New Moor street in Colombo Petitioner

And

(1) Vana Sayna Sivalingam Chettiar, and (2) Meenatchi Achi, widow of Vana Sayna Chettiappa Chettiar, both of Pulankuruchi in Ramnad District in India Respondents

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on August 23, 1943, in the presence of Mr S Somasundaram, Proctor, on the part of the petitioner, and (1) the affidavit of the petitioner dated August 20, 1943, (2) the power of attorney dated June 24, 1943, and (3) the Order of the Supreme Court dated July 9, 1943, having been read

It is ordered that the petitioner above named be and he is hereby declared entitled, as the attorney of Vana Sayna Sivalingam Chettiar, 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 any other person or persons interested shall, on or before September 23, 1943, show sufficient cause to the satisfaction of this court to the contrary

August 31, 1943

JAMES JOSEPH,
Additional District Judge

In the District Court of Colombo

Order Nisi

Testamentary In the Matter of the Last Will and Testament Jurisdiction of Ratnasabapathy Sri Pathmanathan of "Primavera" Alfred House Gardens, Colpetty in No 10,572 Colombo, deceased

Yvonne Alphonse Sri Pathmanathan nee Coulet of "Primavera" Alfred House Gardens, Colpetty, Colombo Petitioner

And

(1) Roland Ratna Sri Pathmanathan, (2) Lila Yvonne Rockwood nee Sri Pathmanathan, (3) Remy Mahendra Sri Pathmanathan, all of "Primavera" Alfred House Gardens, Colpetty, (4) Ratnasabapathy Doresamy of Rosmead place, Colombo Respondents

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on August 25, 1943, in the presence of Mr S Somasundaram, Proctor, on the part of the petitioner above named, and the affidavit of (1) the petitioner dated August 9, 1943, and (2) the attesting notary public dated August 24, 1943, having been read

It is ordered that the last will and testament of Ratnasabapathy Sri Pathmanathan, 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 is the executrix named in the said will and she is hereby declared entitled to have probate thereof issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before September 30, 1943, show sufficient cause to the satisfaction of this court to the contrary

It is further ordered that the 4th respondent above named be and he is hereby appointed guardian *ad litem* of the minor, the 3rd respondent, to represent him for all the purposes of this action

September 10, 1943

S J C SCHOKMAN,
Additional District Judge

In the District Court of Colombo

Order Nisi

Testamentary In the Matter of the Last Will and Testament of Jurisdiction Cathravelupillai Arumugam of "The Ark", No 10,573 Rajagiriya in Colombo, deceased

Doctor Gnanasekeram Wignaraja of Mangalagiri, Kynsey road, Colombo Petitioner

And

(1) Parumalaganthi, wife of (2) P C Selvaratnam of Galle, (3) Kamalambikai, wife of (4) N Krshnadasan, both of "The Ark", Rajagiriya in Colombo Respondents

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on August 25, 1943, in the presence of Mr S Somasundaram, Proctor, on the part of the petitioner above named, and the affidavit of (1) the petitioner dated August 9, 1943, (2) the attesting notary public dated August 24, 1943, and (3) the order of the Supreme Court dated July 29, 1943, having been read

It is ordered that the last will and testament of Cathravelupillai Arumugam, 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 is the executor named in the said will and he is hereby declared entitled to have probate thereof issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before September 30, 1943, show sufficient cause to the satisfaction of this court to the contrary

S J C SCHOKMAN,
September 10, 1943 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 James Davidson Walker of Devon Estate, Talawakelle in the Island of Ceylon and of Balgowrie Lodge in the County of Aberdeen, Scotland, Tea Planter, deceased

THIS matter coming on for final determination before S J C Schokman, Esq., Additional District Judge, on September 10, 1943, in the presence of Messrs F J & G de Saram, Proctors, on the part of the petitioner, John Percival Blackmore of Le Vallon Group, Galaha, and (1) the affidavit of the petitioner dated September 3, 1943, and (2) the affidavit dated September 7, 1943, of one of the attesting witnesses of the will dated November 26, 1932, having been read

It is ordered that the will of the said James Davidson Walker, deceased, bearing No 1007 dated November 26, 1932, and attested by David Ernest Martensz of Colombo in the Island of Ceylon, Notary Public, the signed protocol of which has been produced and is now deposited in this court, be and the same is hereby declared proved. And it is further declared that the said John Percival Blackmore is one of the executors named in the said will and that he is entitled to have probate of the said will issued to him accordingly subject to his tendering the usual oath power being reserved to the remaining executor at any time hereafter to apply for and obtain a similar grant

September 11, 1943

S J C SCHOKMAN,
Additional District Judge

In the District Court of Colombo

Order Nisi declaring Will proved

Testamentary In the Matter of the Last Will and Testament of Jurisdiction Helen Moore Jackson late, care of the Westminster Bank, Limited, 1, St James's Square, London, S W 1, England, widow, deceased

THIS matter coming on for disposal before S J C Schokman, Esq., Additional District Judge of Colombo, on September 10, 1943, in the presence of Messrs F J & G de Saram, Proctors, on the part of the petitioner, Matthew Richard Lothian Leishman of Colombo, and (1) the affidavit of the said petitioner dated September 3, 1943, (2) the power of attorney dated April 8, 1943, and (3) the order of the Supreme Court dated August 30, 1943, having been read. It is ordered that the will of the said Helen Moore Jackson, deceased, dated September 16, 1933, a certified copy of which under the Seal of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the said Matthew Richard Lothian Leishman is the attorney in Ceylon of the sole executor named in the said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before September 23, 1943, show sufficient cause to the satisfaction of this court to the contrary

September 11, 1943

S J C SCHOKMAN,
Additional District Judge

In the District Court of Kalutara

Order Nisi

Testamentary In the Matter of the Estate of the late Jane Petro Jurisdiction nella Wijesinha nee Kuruppu of Panadura, No 3,105 deceased

Vincent Kant Wijesinha of Panadura Petitioner

Vs

(1) John Kingsley Wijesinha, (2) Elaine Florence Patricia Wijesinha, (3) Ruth Voeds Primie Wijesinha, (4) Ida Florence Kuruppu, all of Panadura, the 1st to 3rd by their guardian *ad litem*, the 4th respondent Respondents

THIS matter coming on for disposal before F Conrad Perera, Esq., Acting District Judge of Kalutara, on August 20, 1943, in

the presence of Mr K J R Kuruppu, Proctor, on the part of the petitioner, and the affidavit of the above named petitioner dated August 17, 1943, having been read

It is ordered that the said petitioner be declared entitled, as husband of the deceased, to have letters of administration issued to him, unless the respondents or any person or persons interested in the estate shall, on or before September 23, 1943, show sufficient cause to the satisfaction of this court to the contrary

It is further declared that the said 4th respondent be appointed guardian *ad litem* over the 1st to 3rd, minor respondents for this case, unless the respondents or other person or persons interested in the estate shall, on or before September 23, 1943, show sufficient cause to the satisfaction of this court to the contrary

August 20, 1943

F CONDRAD PERERA,
Acting District Judge

In the District Court of Negombo

Order Nisi

Testamentary In the Matter of the Intestate Estate of Hugo
Jurisdiction Croos Fernando of Negombo, deceased
No 3,226

Between

Dona Elizabeth Croos Fernando *nee* Coonghe of
Negombo Petitioner

Vs

(1) Joseph Stanley Croos Fernando of Negombo, presently of
Trincomalee, (2) Amcetus Tressilla Coonghe, wife of Don
Paul Moraes Coonghe, and (3) Felicia Concy Croos Fer
nando, both of Negombo Respondents

THIS matter coming on for disposal before Spencer Rajaratnam
Esq., District Judge of Negombo, on August 31 1943, in the pre
sence of Mr J E de Croos, Proctor, on the part of the petitioner,
and the petition and affidavit of the petitioner dated August 30,
1943, and August 7, 1943, respectively, having been read

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 accordingly, unless
the respondents above named or any other person or persons
interested shall, on or before October 5, 1943, show sufficient cause
to the satisfaction of this court to the contrary

August 31, 1943

S RAJARATNAM,
District Judge

In the District Court of Negombo

Order Nisi

Testamentary In the Matter of the Intestate Estate of Dr James
Jurisdiction de Silva Wijeyaratne of Negombo, deceased
No 3,225

Between

Gladys de Silva Wijeyaratne *nee* Soysa of Negombo Petitioner

Vs

(1) Srome de Silva Wijeyaratne, (2) Sita de Silva Wijeya
ratne, (3) Santi de Silva Wijeyaratne, and (4) Joseph H
de S Wijeyaratne, all of Negombo Respondents

THIS matter coming on for disposal before Tudor Ranasinghe,
Esq., Additional District Judge of Negombo, on August 21, 1943,
in the presence of Mr P D F de Croos, Proctor, on the part of the
petitioner, and the petition and affidavit of the said petitioner
dated August 13, 1943, and July 12, 1943, respectively, having been
read

It is ordered (a) that the 4th respondent above named be and he
is hereby appointed guardian *ad litem* of the 1st, 2nd, and 3rd
respondents above named, who are minors, to represent them for
all the purposes of this action, and (b) 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 accordingly, unless the respondents above named or any other
person or persons interested shall, on or before September 6, 1943,
show sufficient cause to the satisfaction of this court to the
contrary

August 21, 1943

S RAJARATNAM,
District Judge

Time for showing cause against this Order Nisi is extended till
September 27, 1943

September 1, 1943

S RAJARATNAM,
District Judge

B 3

In the District Court of Kandy

Order Nisi

Testamentary In the Matter of the Estate of the late Ukku Banda
Jurisdiction Dhanasekera Amarasingha, deceased of Geli oya.
No T 367

THIS matter coming on for disposal before C Nagalingam, Esq.,
District Judge, Kandy, on June 10, 1943, in the presence of Mr G.
Petyagoda, Proctor, on the part of the petitioner Palamakumbure
Dissanayaka Seneviratna Abeykoon Panditha Wasala Mudian
selege Dingiri Mahatmayo of Karamada, and the affidavit of the
said petitioner dated May 29, 1943, having been read

It is ordered that the petitioner be and she is hereby declared
entitled, as the widow of the above named deceased, to have letters
of administration to the estate of the deceased issued to her unless
the respondents (1) Pathmakala Menike, (2) Kuda Banda Amara
singha, (3) Chandralatha Amarasingha, (4) Kusumalatha Amara
singha, (5) Dappula Amarasingha, (6) Lalana Amarasingha, (7)
Bandula Amarasingha, (8) Jayasumana Amarasingha, and (9)
Indra Podi Menike Amarasingha, or any other person or persons
interested shall, on or before August 30, 1943, show sufficient
cause to the satisfaction of this court to the contrary

It is further ordered that the 1st respondent be appointed guard-
ian *ad litem* over the minors, the 2nd to 9th respondents, unless
the respondents or any other person or persons interested shall, on or
before August 30, 1943, show sufficient cause to the satisfaction
of this court to the contrary

June 10, 1943

C NAGALINGAM,
District Judge

Time extended till October 18, 1943

C NAGALINGAM,
District Judge

In the District Court of Galle

Order Nisi

No 8,049 In the Matter of the Intestate Estate of the late
Meera Lebbe Marikar Hakeekath Umma of
Talapitiya in Galle

Hussana Umma, wife of Abdul Wahud Ahm of Talapitiya in
Galle Petitioner

Vs

C L M Abdul Cader of Talapitiya in Galle Respondent

THIS action coming on for disposal before M A Samarakoon,
Esq., District Judge, Galle, on July 12, 1943, in the presence of
Mr M H Careem, Proctor, on the part of the petitioner, and the
affidavit of the petitioner dated July 6, 1943

It is ordered that the petitioner above named be and she is hereby
declared entitled, as a sister of the deceased, to administer the said
estate and that letters of administration be issued to her accordingly,
unless the respondent above named or any other persons interested
shall, on or before September 24, 1943, show sufficient cause to the
satisfaction of this court to the contrary.

July 12, 1943

M A SAMARAKOON,
District Judge

In the District Court of Galle

Order Nisi

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction Abdul Rahim Lebbe Mahamood of Kumbalwella,
No 8,053 Galle, deceased

Abdul Cader Kadja Umma of Mahamodera in Galle Petitioner

Vs

(1) Mahamed Taurus, (2) Abdul Majeed, (3) Noorul Rahra, all
of Kumbalwella, Galle, (4) Nooral Husema, (5) Rannuttu
Salihar, (6) Abdul Cader Mohamed Ali, all of 56/3, Galkapana
watta, Grandpass, Colombo Respondents

THIS action coming on for disposal before M A Samarakoon,
Esq., District Judge of Galle, on August 19, 1943, in the presence
of Mr M A Thassim, Proctor, on the part of the petitioner and the
petition of the petitioner dated August 16, 1943, having been read

It is ordered that the 6th respondent be appointed guardian
ad litem over the 2nd, 3rd, 4th, and 5th minor respondents, unless
the said respondents or any other person or persons interested shall,
on or before September 24, 1943, show sufficient cause to the satis-
faction of this court to the contrary

It is further ordered that the said petitioner be and she is hereby declared entitled to have the letters of administration issued to her accordingly, unless the respondents or any person or persons interested on or before September 24, 1943, show sufficient cause to the satisfaction of this court to the contrary

August 19, 1943

M A SAMARAKOON,
District Judge

In the District Court of Jaffna

Order Nisi

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction the late Vallipuram Thambu of Nallore, deceased
No 154

Valliamma, widow of Vallipuram Thambu of Nallore Petitioner
Vs

(1) Thulliammah, daughter of Thambu, (2) Thambu Parama
ingam, (3) Thambu Kandasamy, (4) Kanagapooshani
ammah, daughter of Thambu, (5) Thanganachchiar,
daughter of Ponnudurai, and (6) Vallipuram Chellappah, all of
Nallore Respondents

THIS matter coming on for disposal before G C Thambyah,
Esq., District Judge, Jaffna, on August 10, 1943, in the presence
of Mr R R Nalliah, Proctor, on the part of the petitioner, and on
reading the affidavit and petition of the petitioner

It is ordered that the above named 6th respondent be appointed
guardian *ad litem* over the minors the above named 1st to 5th re-
spondents for the purpose of representing them and to act on their
behalf in this action and the 5th respondent to be produced in court
and that the said will be declared proved, and that the probate
be issued to the petitioner, as she is the executrix named in the last
will, unless the above named respondents or any other person shall,
on or before September 24, 1943, appear before this court and show
sufficient cause to the satisfaction of this court to the contrary

September 2, 1943

G C THAMBYAH,
District Judge

In the District Court of Jaffna

Order Nisi

Testamentary In the Matter of the Estate of the late Kanthumathy,
Jurisdiction wife of Murugesu Vyramuttu of Manipay,
No 162 deceased

Murugesu Vyramuttu of 10, 41st lane, Wellawatta Petitioner
Vs

(1) Sinnathamby Saravanamuttu and wife, (2) Theivansip
pillai of Manipay Respondents

THIS matter coming on for disposal before G C Thambyah, Esq.,
District Judge, Jaffna, on August 27, 1943, in the presence of Mr
C C Somasegaram, Proctor, on the part of the petitioner, and on
reading the affidavit and petition of the petitioner

It is ordered that letters of administration to the estate of the
above named deceased be issued to the petitioner, as the lawful
husband of the said deceased, unless the above named respondents
appear before this court on September 20, 1943, and show sufficient
cause to the satisfaction of this court to the contrary

September 4, 1943

G C THAMBYAH,
District Judge.

In the District Court of Chilaw

Order Nisi

Testamentary In the Matter of the Intestate Estate and Effects of
Jurisdiction the late Warnakulasuriya Elizabeth Fernando *nee*
No 2,298 Tissera of Nanamadama in Chilaw District,
deceased

THIS action coming on for disposal before K D de Silva, Esq.,
District Judge of Chilaw, on July 22, 1943, in the presence of Mr A S
Goonesekera, Proctor, on the part of the petitioner, Warnakulasuriya
Manuel Tissera, retired Pegee Officer, of Nanamadama, and the
affidavit of the said petitioner dated June 3, 1943, having been read

It is ordered that the petitioner be and he is hereby declared
entitled, as the father of the above named deceased, to have letters
of administration to the estate of the deceased issued to him, unless
the respondents (1) Warnakulasuriya Adappage Mary Stella Muriel
Fernando, (2) Warnakulasuriya Adappage Joseph Basil Fernando,
(3) Warnakulasuriya Adappage May Nelhe Christa Fernando, and
(4) Warnakulasuriya Francis Albert Tissera, all of Nanamadama
aforesaid, or any other person or persons interested shall, on or
before August 25, 1943, show sufficient cause to the satisfaction of
this court to the contrary

It is further ordered that the 4th respondent be appointed guardian
ad litem over the minors, the 1st, 2nd, and 3rd respondents, or any
other person or persons interested shall, on or before August 25, 1943,
show sufficient cause to the satisfaction of this court to the contrary

July 22, 1943

K D DE SILVA,
District Judge

Order Nisi extended to September 23, 1943

K D DE SILVA,
District Judge

In the District Court of Chilaw

Order Absolute declaring Will proved

No 2,300T In the matter of the Last Will and Testament of the
late Domingo Fernando Anthony Pulle, retired
Vidano Aratchi of Dankotuwa in Chilaw District,
deceased

THIS matter coming on for disposal before O L de Kretser, Esq.,
Additional District Judge of Chilaw, on June 18, 1943, in the
presence of Mr A S Goonesekera, Proctor, on the part of the
petitioner, Ambrosia Fernando Aththachchi of Dankotuwa, and (1)
the affidavit of the petitioner and (2) the affidavit of the witnesses
and the notary dated June 18, 1943, as to the due execution of the
last will having been read It is ordered that the will of the said
Domingo Fernando Anthony Pulle No 1,484 dated December 10,
1942, attested by A S Goonesekera of Chilaw, Notary Public, the
original of which has been produced and is now deposited in this
court, be and the same is hereby declared proved and it is further
declared that the said petitioner is the sole executrix named in the
said will and that she is entitled to have probate thereof issued to her
accordingly

June 18, 1943

K D DE SILVA,
District Judge

MISCELLANEOUS NOTICES

Estate of the late Ian Clavering Fletcher

THE Public Trustee of Ceylon hereby gives notice that he is
administering from August 25, 1943, the estate in Ceylon of Ian
Clavering Fletcher, late of 43, Bramham Garden, Eails Court
in the County of London, under and by virtue of the letters of
administration granted in D C, Colombo, testamentary case
No 10,561, and that all persons having claims against the said
estate as creditors, next of kin, legatees or in any other manner
whatsoever and all persons owing moneys to the said estate should
send notifications of their claims or debts to reach the said Public
Trustee at his Office in Negombo on or before December 20, 1943,
after which date he will proceed to make distribution of the assets
of the said estate and will recognize in such distribution only such
claims as shall have previously been established to his satisfaction

Estate of the late Marcus Dias Edirisinghe

The Public Trustee of Ceylon hereby gives notice that he is
administering from August 25, 1943, the Estate of Marcus Dias
Edirisinghe late of Kotahena under and by virtue of the probate
granted in D C, Colombo, testamentary case No 10,560, and that
all persons having claims against the said estate as creditors, next of
kin, legatees or in any other manner whatsoever and all persons
owing moneys to the said estate should send notifications of their
claims or debts to reach the said Public Trustee at his office in
Colombo on or before October 25, 1943, after which date he will
proceed to make distribution of the assets of the said estate and will
recognize in such distribution only such claims as shall have previously
been established to his satisfaction