



# 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. 44/43

#### An Ordinance to amend the Marriage Registration Ordinance.

Cap. 95.  
(Vol. III.,  
p. 122).

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 Marriage Registration Amendment Ordinance, No. of 1943.

Short title.

2. Section 25 of the Marriage Registration Ordinance (hereinafter referred to as "the principal Ordinance"), is hereby amended in sub-section (1) thereof as follows :—

Amendment of section 25 of Chapter 95.

- (1) by the substitution, for the words "each of them", of the words "each of them, or, in any case referred to in section 26A, the registrar nominated in that behalf by the Registrar-General, the Provincial Registrar or the Assistant Provincial Registrar";
- (2) by the substitution, for the words "in the form F", of the words "substantially in the form F".

3. Section 26 of the principal Ordinance is hereby amended as follows :—

Amendment of section 26 of the principal Ordinance.

- (1) in sub-section (1) thereof by the substitution, for the words "to issue his certificate", of the words "or, in any case referred to in section 26A such other registrar as he may specify in the licence, to issue the certificate under section 25";
- (2) in sub-section (2) thereof by the substitution, for the words "each of the registrars", of the words "each of the registrars, or, in any case referred to in section 26A, to such other registrar as he may specify therein".

4. The following new section is hereby inserted immediately after section 26 of the principal Ordinance and shall have effect as section 26A of that Ordinance :—

Insertion of new section 26A in the principal Ordinance.

26A. (1) Where, by virtue of any notification under section 4, any area which is situated within any registration division (hereinafter referred to as the "old division") becomes, with effect from a date specified in that notification, a separate division or a part of any other existing division (hereinafter referred to as the "new division"), and where, before that date, notice of an intended marriage is given by a party resident within that area, but the certificate under section 25 is not issued before that date or the marriage is not solemnized before that date, then, notwithstanding anything in this Ordinance, that certificate may be issued, or that marriage may be solemnized,

Issue of certificates and solemnization of marriages upon alteration of divisions.

and any other act required by this Ordinance to be done in that connexion by a registrar of the old division may be done, by a registrar of the old division or of the new division nominated in that behalf by the Registrar-General, or the Provincial Registrar or the Assistant Provincial Registrar within whose territorial jurisdiction that area is situated; and every such registrar shall comply with such directions as may be given to him by the Registrar-General, the Provincial Registrar or the Assistant Provincial Registrar, as the case may be.

(2) The provisions of sub-section (1) shall apply in every case where one registration division is amalgamated with another registration division to form a new division in like manner as those provisions apply to a case where an area within any registration division becomes a separate division or a part of any other existing division.

Amendment of section 31 of the principal Ordinance.

5. Section 31 of the principal Ordinance is hereby amended by the substitution, for the words "shall have given notice", of the words "shall have given notice, or, in any case referred to in section 26A, who may be nominated in that behalf by the Registrar-General, the Provincial Registrar or the Assistant Provincial Registrar".

#### Objects and Reasons.

Under section 22 of the Marriage Registration Ordinance, a party to an intended marriage has to give notice of the marriage to a registrar of the division in which the party is resident. The registrar to whom such notice is given is required to issue the certificate under section 25 and to solemnize the marriage, if requested so to do by a party giving the notice.

The Ordinance makes no provision for the case where, after a party has given notice of marriage but before the issue of the certificate or the solemnization of the marriage, an alteration of the limits of the division is made under section 4 and the area within which the party is resident is transferred to another division or becomes a separate division or that division is amalgamated with any other division.

The object of this Bill is to amend the principal Ordinance so as to enable the registrar to whom notice is given or any other registrar nominated by the Registrar-General, the Provincial Registrar or the Assistant Provincial Registrar, to issue the certificate or to solemnize the marriage in the circumstances referred to above (Clause 4).

By Clauses 2, 3 and 5 it is proposed to make certain consequential amendments in the principal Ordinance.

G. C. S. COREA,

Minister for Labour, Industry and Commerce.

Colombo, May 27, 1944.

(Continued on page 253.)

#### NOTICES OF INSOLVENCY.

In the District Court of Kandy.

No. I. 114. In the matter of the insolvency of I. M. Ibrahim of Godapola road, Matale.

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 June 27, 1944, to appoint an assignee in the above case.

By order of court, T. J. M. FERNANDO,  
Secretary.  
May 30, 1944.

#### NOTICES OF FISCAL SALES.

Western Province.

In the Court of Requests of Gampaha.

I. B. Hendrick Singho of Embaraluwa ..... Plaintiff.  
No. 1,077. Vs.

I. B. G. Perera of Bemulla ..... Defendant.

NOTICE is hereby given that on Monday, June 26, 1944, at 3 p.m., 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. 75, with legal interest thereon from May 20, 1942, till payment in full and costs of suit, Rs. 47.75, less a sum of Rs. 31 realized by sale of property, viz. :-

All that land called Dewatagahawatta alias Taappahena, situated at Embaraluwa in Meda pattu of Siyane korale in the District of Colombo, Western Province; and bounded on the north by the cart road, east by the ditch of the land of Gomis Naide, south by the deniya ground, and on the west by the ditch of the land belonging to Abeyas Appu and brothers; and containing in extent 1 acre and 3 roods.

Fiscal's Office,  
Colombo, May 30, 1944.

R. O. DE SARAM,  
Deputy Fiscal.

Central Province.

WITH reference to the sale notice published in the *Government Gazette* No. 9,274 of May 26, 1944, it is hereby notified that the correct date of the sale notice in D. C., Kandy, Case No. D. 105 is *May 23, 1944*, and not *May 23, 1943*, as therein published.

Fiscal's Office,  
Kandy, May 29, 1944.

M. K. YATIGAMMANA,  
Deputy Fiscal.

Southern Province.

In the District Court of Matale.

K. H. Andiris Silva alias K. H. Andiris de Silva Kularatne of Talaramba ..... Plaintiff.

No. 15,119.

Vs.

Galappatti Guruge Charly Edward of Ahangama .... Defendant.

NOTICE is hereby given that on Wednesday, July 5, 1944, commencing at 3.30 in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 3,400-32, viz. :-

1. All that undivided 5/6 parts or shares of the defined lot No. 1 of the land called Divelgammeddewatta together with undivided 5/6 parts of all the buildings standing thereon, situated at Ahangama in Talpe pattu of the District of Galle, Southern Province; and bounded on the north by a path, east by lot No. 2 of the same land, south by lot G of the same land, and west by lot E of the same land; and containing in extent 20.96 perches.

2. All that undivided 5/6 of 8/10 parts of the divided lot E of Praveni Divelgammeddewatta, situated at Ahangama aforesaid; and bounded on the north by Uliawatta, east by lot F of the same land, south by lot D of the same land, and west by road to Indurannewila; and containing in extent 27.62 perches.

Fiscal's Office,  
Galle, May 29, 1944.

W. P. DALUWATTE,  
Deputy Fiscal.

In the District Court of Tangalla.

Gintota Polwattege Leisihamy Weerasooriya of Tissamaharama ..... Administratrix.

No. 1,004. Testy.

Vs.

(4) Diogu Badaturuge Grace de Silva of Beliatta and others ..... Respondents.

NOTICE is hereby given that on the dates and at the places specified below will be sold by public auction at the respective

premises the right, title, and interest of the said administratrix in the following property for the recovery of Rs. 3,250-48, with poundage fees, &c., viz:—

*At Keligama on Friday, June 23, 1944, at 12 noon.*

(1) An undivided  $\frac{1}{2}$  share of 5 amunams of paddy sowing extent of the field called Walagampattuwa, situated at Keligama in Magam pattu of the Hambantota District, Southern Province; bounded on the north by Kowilgodagala, on the east by Yodakandiya, on the south by Godagampattuwe inniyara, and on the west by Wekandiya; whole in extent 20 amunams of paddy sowing.

*At Tissa on Saturday, June 24, 1944, commencing at 10 a.m.*

(2) An undivided  $\frac{1}{2}$  share of the portion of two allotments of land in T. P. 120,585, situated at Tissa in Magam pattu; bounded on the north by reservation along the field called Anukkama, on the east by Gansabhawa road, south by high road leading to Kirinda and on the west by portion of the same land of M. B. Bastian de Silva; containing in extent 864 square feet or more.

(3) An undivided  $\frac{1}{3}$ th share of the soil and of all the plantations of lot 10,885, situated at Tissa aforesaid; bounded on the north by T. P. 169,613, on the east by lot 10,886, on the south by T. P. 254,020, and on the west by lot 10,884; containing in extent 16 acres 2 roods and 20 perches.

Deputy Fiscal's Office,  
Hambantota, May 25, 1944.

J. D. ABEYAWERA,  
Additional Deputy Fiscal.  
(Continued on page 256.)

### NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Last Will and Testament and Jurisdiction. Codicil of Alice Gray Deane, late of Lakes Road, Duncan, British Columbia, Canada, widow, deceased. No. 10,684.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on April 17, 1944, in the presence of Beram Kaikushbroo Billimoria of Colombo, Proctor, on the part of the petitioner, Geoffrey Thomas Hale of Colombo; and the affidavit of the said petitioner dated April 13, 1944, a certified copy of probate, certified copy of the last will and testament and codicil of the above-named deceased, power of attorney in favour of Wilfrid Hazell Sell, Hugh John Maitland Jones and Douglas Vivian Bulloch, deed of substitution in favour of the petitioner and Supreme Court's order dated October 27, 1943, having been read; it is ordered that the will of the said deceased dated October 29, 1936, and a codicil thereto dated October 12, 1934, of which a certified copy of probate 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 substituted attorney of the surviving executrix named in the said will and that he is entitled to have letters of administration with a copy of the said will and codicil annexed issued to him accordingly, unless any person or persons interested shall, on or before June 22, 1944, show sufficient cause to the satisfaction of this court to the contrary.

May 16, 1944.

S. J. C. SCHOKMAN,  
Additional District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Kitnan Jurisdiction. Chetty Dharmalingam Chetty of 69, Silversmith street, Colombo. No. 10,895.

Unnamalai Chettiar Sanmugam of 69, Silversmith street, Colombo ..... Petitioner.

Vs.

(1) D. Sanmugavadiyu, (2) D. Somasunderam, (3) D. Seenivasagam, (4) D. Thiagarajah, (5) D. Letchumi, (6) D. Dharmawathie, (7) D. Moganadas, (8) D. Pathmawathie, (9) D. Dharmalalani, the 2nd to 9th respondents appearing by their guardian *ad litem*, (10) K. Ramasaden, all of 69, Silversmith street, Colombo ..... Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on April 28, 1944, in the presence of Mr. S. Kanagarajah, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated March 1, 1944, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as the widow of the deceased, to have letters of administration to the estate of the deceased issued to her accordingly, unless the respondents above named or any person or persons interested shall, on or before June 15, 1944, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 10th respondent above named be and he is hereby declared appointed guardian *ad litem*, over the minors the 2nd, 3rd, 4th, 5th, 6th, 7th, 8th and 9th minor respondents, unless sufficient cause be shown to the contrary on or before June 15, 1944.

April 28, 1944.

S. J. C. SCHOKMAN,  
Additional District Judge.

In the District Court of Colombo.

*Notice of Application.*

Testamentary In the Matter of the Intestate Estate of Edward Jurisdiction. Bridge, Invernesshire, deceased. No. 10,909.

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 letters of administration to the Intestate Estate of Edward De Lisle Carey Norrish, late of Spean Lodge, Spean Bridge, Invernesshire, deceased, granted by the Principal Probate Registry of His Majesty's High Court of Justice at Llandudno on November 12, 1943.

JULIUS & CREASY,

Proctors for Edward Hugh Bent Norrish, Attorney for Lorna Jean Norrish the English Administratrix of the Intestate Estate of Edward de Lisle Carey Norris, deceased.

Colombo, May 6, 1944.

In the District Court of Colombo.

*Notice of Application.*

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Sydney Newill Lambert, late of the Township of No. 10,921. Trafalgar in the County of Halton, Canada, and formerly of Oil City Venango County Pennsylvania, Canada, Retired Engineer, deceased.

And

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

NOTICE is hereby given that after the expiry of fourteen days from the date hereof application will be made to the District Court of Colombo under the British Courts Probates (Re-sealing) Ordinance (Chapter 84) for the sealing of the letters of administration (with will annexed) in respect of the estate of the above-named Sydney Newill Lambert, late of the Township of Trafalgar in the County of Halton, Canada, and formerly of Oil City Venango County Pennsylvania, Canada, Retired Engineer, deceased, granted by His Majesty's Surrogate Court of the County of Halton in the Province of Ontario and Dominion of Canada on April 8, 1943.

F. J. & G. DE SARAM,

Proctors for Mary C. Lambert administratrix (with will annexed) of the estate of Sydney Newill Lambert, deceased.

Colombo, June 2, 1944.

In the District Court of Colombo.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Last Will and Testament and Jurisdiction. Codicil of Alice de Saram of "Summerhil", No. 10,924. Glebe Hyrst Sanderstead in the County of Surrey, England, widow, deceased.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., District Judge of Colombo, on May 18, 1944, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Alastair Burden Pirrie of Colombo; and (1) the affidavit of the said petitioner dated May 13, 1944, (2) the power of attorney dated December 3, 1943, and (3) the order of the Supreme Court dated May 1, 1944, having been read: It is ordered that the will of the said Alice de Saram, deceased, dated March 11, 1935, with a codicil thereto dated September 15, 1942, 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 Alastair Burden Pirrie is the attorney in Ceylon of the executor named in the said codicil and that he is entitled to have letters of administration (with will and codicil annexed) issued to him accordingly, unless any person or persons interested shall, on or before June 29, 1944, show sufficient cause to the satisfaction of this court to the contrary.

May 18, 1944.

S. J. C. SCHOKMAN,  
Additional District Judge.

In the District Court of Negombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Ranaweera Korallage Don Peris Appuhamy of No. 3,258. Kaluwalgoda, deceased.

Samaratunga Liyana Mohottige Don Ellisahamy of Kaluwalgoda ..... Petitioner.

(1) Ranaweera Korallage Don Charles, (2) ditto Cernelis in his personal capacity and as guardian *ad litem* over 11th, 12th and 13th respondents, both of Kaluwalgoda, (3) ditto Missihamy of Tammita, (4) ditto Luinahamy of Niwandawa, (5) Samaratunga Aratchige Don William Appuhamy in his personal capacity and as guardian *ad litem* over 8th, 9th and 10th respondents, (6) ditto Don Wimalaweera, (7) ditto Dona Leelawathie, (8) ditto Don Thekashi, (9) ditto Don Sirisena, (10) ditto Don Dharmasiri, (11) Vithanapatiennellage Don Piyadasa, (12) ditto Don Siripasa, (13) ditto Dharmadasa ..... Respondents.

THIS matter coming on for disposal before T. F. C. Roberts, Esq., District Judge of Negombo, on May 11, 1944, in the presence of Messrs. Ranasinghe & de Zoysa, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated May 3, 1944, having been read:

It is ordered that the 2nd respondent above named be appointed guardian *ad litem* over the 11th, 12th and 13th respondents above named and that the 5th respondent above named be appointed guardian *ad litem* over the 8th, 9th and 10th respondents; minors, to represent them for all the purposes of this action, and that the petitioner above named be and she is hereby declared entitled, as 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 any other person or persons interested shall, on or before June 9, 1944, show sufficient cause to the satisfaction of this court to the contrary.

May 11, 1944.

T. F. C. ROBERTS,  
District Judge.

In the District Court of Kandy.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Sinna-  
Jurisdiction. thamby Maruthalingam, deceased, of Nagolla,  
No. T 422. Matale.

Kanaganayagam Maruthalingam of Nagolla in Matale . . . Petitioner.  
And

(1) Arasanayagam Maruthalingam, (2) Yogeswarie Marutha-  
lingam, (3) Satgunadevi Maruthalingam, (4) Parkiasothie  
Maruthalingam (5) Panchacheram Maruthalingam, all of  
Nagolla in Matale . . . . . Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq.,  
District Judge, Kandy, on February 15, 1944, in the presence of  
Mr. R. Edrimanasingam, Proctor, on the part of the petitioner,  
Kanaganayagam Maruthalingam; and the affidavit of the said  
petitioner dated January 25, 1944, having been read:

It is ordered that the petitioner be and she is hereby declared  
entitled, as widow of the above-named deceased, to have letters of  
administration to the estate of the deceased issued to her, unless  
the respondents or any other person or persons interested shall, on  
or before April 24, 1944, show sufficient cause to the satisfaction of  
this court to the contrary.

It is further ordered that the 1st respondent be appointed the  
guardian *ad litem* over the 3rd, 4th and 5th respondents, unless the  
respondents or any other person or persons interested shall, on or  
before April 24, 1944, show sufficient cause to the satisfaction of  
this court to the contrary.

February 15, 1944.

C. NAGALINGAM,  
District Judge.

The date for showing cause is extended to June 15, 1944.

April 24, 1944.

C. NAGALINGAM,  
District Judge.

In the District Court of Kandy.

*Order Nisi in the First Instance.*

Testamentary In the Matter of the Estate of the late Hettihewage  
Jurisdiction. Simon de Silva of 41, Vihare road, Matale,  
No. T 437. deceased.

THIS matter coming on for final determination before C. Naga-  
lingam, Esq., District Judge, Kandy, on May 5, 1944, in the  
presence of Messrs. Coomaraswamy & Vijayarajam, Proctors, for  
the petitioner, Patuwata Vitanage Emily Engelina de Silva of 41,  
Vihare road, aforesaid; and the affidavit of the petitioner dated  
May 2, 1944, and the attesting notary and one of the witnesses  
dated May 2, 1944, respectively, having been read: It is ordered  
that the probate of the will of the above-named deceased be issued  
to the petitioner, as widow of the deceased and the executrix named  
in the last will, unless sufficient cause be shown to the contrary  
on or before July 13, 1944.

May 5, 1944.

C. NAGALINGAM,  
District Judge.

In the District Court of Nuwara Eliya.

*Order Absolute in the First Instance.*

Testamentary In the Matter of the Last Will and Testament of  
Jurisdiction. Mary Annie Lallyett wife of Charles Jasper  
No. 370. Lallyett of Nuwara Eliya in the Island of Ceylon,  
deceased.

And

In the Matter of the Civil Procedure Code (Cap. 86),  
Chapter XXXVIII.

Charles Jasper Lallyett of Nuwara Eliya . . . . . Petitioner.

THIS matter coming on for final determination before T. P. P.  
Goonetilleke, Esq., District Judge, Nuwara Eliya, on May 20, 1944,  
in the presence of Mr. V. Ponnusamy, Proctor, on the part of the peti-  
tioner, Charles Jasper Lallyett, and (1) the affidavit of the said peti-  
tioner dated May 20, 1944, and (2) the affidavit of the attesting notary of  
the will dated May 20, 1944, having been read:

It is ordered that the will of the said Mary Annie Lallyett, deceased  
bearing No. 976 dated September 15, 1936, and codicil bearing  
No. 1212 dated September 4, 1939, both attested by V. Ponnusamy  
of Nuwara Eliya, Notary Public (the originals of which will and  
codicil have been produced and are now deposited in this court) be  
and the same are hereby proved.

And it is further declared that the said Charles Jasper Lallyett  
is the surviving executor named in the said will and that he is  
entitled to have probate thereof issued to him accordingly subject  
to his tendering the usual oath.

May 20, 1944.

T. P. P. GOONETILLEKE,  
District Judge.

In the District Court of Galle.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Gang  
Jurisdiction. No. 3,082. Hewage Babun Appu of Kataluwe, deceased.

Between

Loku Badaturgei Jane Nona of Dalawella . . . . . Petitioner.

And

(1) Gang Hewage Yasawathie, (2) ditto Amarawathie, (3) ditto  
Sumana all of Dalawella, (4) Don Ovis Weeraratne of  
Galle . . . . . Respondents.

THIS matter coming on for disposal before M. A. Samarakoon,  
Esq., District Judge of Galle, on May 4, 1944, in the presence of  
Mr. L. C. G. Silva, Proctor, on the part of the above-named petitioner;  
and after reading the petition and affidavit of the said petitioner  
both dated May 3, 1944.

It is ordered that the petitioner, as the widow of the deceased, be  
and she is declared entitled to have letters of administration issued  
to her accordingly and that the 4th respondent be appointed  
guardian *ad litem* over the 2nd and 3rd minor respondents for all  
the purposes of this action, unless the aforesaid respondents or any  
other person or persons interested in the above estate shall, on or  
before June 16, 1944, show sufficient cause to the contrary to the  
satisfaction of this court.

M. A. SAMARAKOON,  
District Judge.

May 22, 1944.

In the District Court of Galle.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Kahaduwa  
Jurisdiction. Kankanange Don Dionis de Silva of Ganegoda in  
No. 3,078. Akmeemana, deceased.

Abeyssekera Jayawardena Louina Hamine of Ganegoda in  
Akmeemana . . . . . Petitioner.

Vs.

(1) Kahaduwa Kankanange Abraham of Meepe, (2) Kahaduwa  
Kankanange Jamesappuhamy of Ganegoda, (3) Kahaduwa  
Kankanange Francisappuhamy of Ganegoda, (4) Kahaduwa  
Kankanange Edwinappuhamy of Ganegoda, (5) Kahaduwa  
Kankanange Williamappuhamy of Ganegoda, (6) Kahaduwa  
Kankanange Dona Gimarah of Unanwitiya, (7) Kahaduwa  
Kankanange Harriet Somawathie Hamine of Kalaha, (8)  
Kahaduwa Kankanange Magilin Hamine of Gane-  
goda . . . . . Respondents.

THIS matter coming on for disposal before M. A. Samarakoon-  
Esq., District Judge of Galle, on March 13, 1944, in the presence of  
Mr. M. Semage on the part of the petitioner; and the affidavit of the  
petitioner dated March 10, 1944, having been read:

It is ordered that the petitioner above named be and she is hereby  
declared entitled to have letters of administration issued to her,  
unless the respondents above named or any other person interested  
shall, on or before April 21, 1944, show sufficient cause to the  
contrary to the satisfaction of this court.

March 13, 1944.

M. A. SAMARAKOON,  
District Judge.

The date for showing cause is extended to June 16, 1944.

M. A. SAMARAKOON,  
District Judge.

In the District Court of Matara.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Mervyn  
Jurisdiction. Patrick David Kulatillake of Matara, deceased.  
No. 4,210.

Grace Marguerita Kulatillake of Kithsiri, Brown's Hill,  
Matara . . . . . Petitioner

And

(1) Venetia Claribel Kulatillake of Kithsiri, Brown's Hill  
Matara, (2) Douglas Thomas Kulatillake of ditto, (3) Percy  
Reginald Rodrigo of Panadure . . . . . Respondents.

THIS matter coming on for disposal before S. S. J. Goonesekera,  
Esq., District Judge of Matara, on April 20, 1944, in the presence of  
Messrs. G. E. & G. P. Kannanan, Proctors, on the part of the  
petitioner; and the affidavit of the above-named petitioner  
dated April 18, 1944, having been read:

It is ordered that the said petitioner be and she is hereby declared  
entitled, as mother of the deceased, to have letters of adminis-  
tration to the estate of the deceased issued to her, unless the  
respondents or any other person interested in the estate shall, on or  
before June 19, 1944, show sufficient cause to the satisfaction of this  
court to the contrary.

It is further ordered that the said 3rd respondent be appointed  
guardian *ad litem* over the 1st and 2nd minor respondents, unless  
the respondents or others interested in the estate shall, on or before  
June 19, 1944, show sufficient cause to the satisfaction of this court  
to the contrary.

May 23, 1944.

S. S. J. GOONESEKERA,  
District Judge.

In the District Court of Matara.

*Order Nisi.*

Testamentary In the Matter of the Last Will and Testament of  
Jurisdiction. Don Adirian Abeywardene Wickremesinghe of  
No. 4,214. Kongala, deceased.

Lewis Dias Abeywardene Wickremesinghe of Atureliya . . . . . Petitioner.

Vs.

(1) Abraham Abeywardene Wickremesinghe of Kongala, (2)  
Mrs. Annie Abeywardene Wickremesinghe of Wellandura,  
Ratnapura, (3) Mrs. Kersina Wakista of Dickwella, (4) Mrs.  
D. C. M. Ratnayaka, Head Teacher, Galagama Girls' School,  
Galagama, (5) Nandawatjie Abeywardene Wickremesinghe  
of Galagama, minor be her proposed guardian *ad litem*, 4th  
respondent . . . . . Respondents.

THIS action coming on for disposal before S. S. J. Goonesekera,  
Esq., District Judge of Matara, on May 26, 1944, in the presence of  
Mr. A. E. Buultjens, Proctor, on the part of the petitioner above  
named; and the affidavits of (1) the petitioner dated January 12,  
1944, (2) the attesting notary and witnesses dated April 3, 1944,  
having been read: It is ordered that the last will and testament of  
Don Adirian Abeywardene Wickremesinghe of Kongala, deceased,  
the original of which has been deposited in this court be and the  
same is hereby declared proved and that the petitioner above  
named is the executor named in the said will and he is hereby

declared entitled to have probate thereof issued to him accordingly unless any person or persons interested shall, on or before July 10, 1944, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 4th respondent be and he is hereby appointed guardian *ad litem* over the 5th minor respondent, unless the respondents or any others interested in the estate shall, on or before July 10, 1944, show sufficient cause to the satisfaction of this court to the contrary.

May 26, 1944.

S. S. J. GOONESEKERA,  
District Judge.

In the District Court of Tangalla.

*Order Nisi.*

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Don Dines Ruwanpatirana Palihakkara, late of No. 1,377, Yodakandiya in Tissamaharama, deceased.

Roslin Suriyabandara of Patagama in Matara District . . . . . Petitioner.  
Vs.

(1) Don Andris Ruwanpatirana Palihakkara, (2) Don Davith Ruwanpatirana Palihakkara, (3) Francina Ruwanpatirana Palihakkara, (4) Darlis Ruwanpatirana Palihakkara, (minors), (5) Don Arnolis Suriyabandara, all of Patagama in Matara District . . . . . Respondents.

THIS matter coming on for disposal before M. C. Sansoni, Esq., District Judge of Tangalla, on March 29, 1944, in the presence of Mr. D. P. Atapattu, Proctor, on the part of the petitioner; and the affidavits of the said petitioner dated January 24, 1944, and of the attesting notary and one of the attesting witnesses Denagama Vitarana Patabendige Andris Silva of Tangalla, dated March 29, 1944, having been read:

It is ordered that the last will of Don Dines Ruwanpatirana Palihakkara, late of Yodakandiya in Tissamaharama, deceased, of which the original has been produced and is now deposited in this court be and the same is hereby proved, unless any person or persons interested shall, on or before May 3, 1944, show sufficient cause to the satisfaction of the court to the contrary.

It is further ordered that the petitioner is the executor named in the said last will and that she is entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before May 3, 1944, show sufficient cause to the satisfaction of the court to the contrary.

It is further ordered that the 5th respondent above named be and he is hereby appointed guardian *ad litem* over the 1st to 4th minor respondents, unless any person or persons interested shall, on or before May 3, 1944, show sufficient cause to the satisfaction of the court to the contrary.

March 29, 1944.

M. C. SANSONI,  
District Judge.

Date for showing cause is extended till June 7, 1944.

May 17, 1944.

M. C. SANSONI,  
District Judge.

In the District Court of Jaffna.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. the late Appah Sanmugampillai of Vaddukodda West, deceased.

Kandiah Kumaraswamy of Vaddukodda West . . . . . Petitioner.  
Vs.

(1) Appah Kandiah, (2) Kandiah Veerapthirar, (3) Ratnam wife of Kandiah Kumaraswamy, (4) Maruthappu Rajah, (5) Maruthappu Veerasamy, (6) Maruthappu Velautham, (7) Maruthappu Natchathiram, (8) Maruthappu Satkuru, (9) Nagamuttu Veluppillai and wife, (10) Ratnam, (11) Vaitilingam, Mahalingam and wife, (12) Puvanasundari, all of Vaddukodda West . . . . . Respondents.

THIS matter of the petition of the above-named petitioner praying that the last will and testament dated September 30, 1943, be proved and that he may be declared executor of the said last will and testament and that probate thereof be issued to him coming on for disposal before James Joseph, Esq., District Judge, Jaffna, on November 10, 1943, in the presence of Mr. P. Canapathy Pillai, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated November 10, 1943, and that of the attesting notary and witnesses having been read:

It is declared that the said last will dated September 30, 1943, be proved and that the petitioner is the executor of the said last will and that probate thereof may be issued to him, unless the

respondents or any other person shall, on or before December 3, 1943, show sufficient cause to the satisfaction of this court to the contrary.

November 10, 1943.

Time extended for June 7, 1944.

JAMES JOSEPH,  
District Judge.

JAMES JOSEPH,  
District Judge.

In the District Court of Trincomalee.

*Order Nisi.*

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Krishnakurukkal Thiyagarajah Kurukkal of No. 286, Division No. 7, Trincomalee, deceased.

Ponniah Nadarajah of Main street, Trincomalee . . . . . Petitioner.  
Vs.

(1) Retnamma widow of Krishnakurukkal Thiyagarajah Kurukkal, C/o Balasupramaniam, Education Office, Colombo, (2) Ruthiranayamma wife of Balasupramaniam, C/o Balasupramaniam, Education Office, Colombo, (3) Legatee: Rajarajeswariamma, minor, appearing by her guardian *ad litem* (4) Theivanai daughter of E. Arunasalam of Kilivetty . . . . . Respondents.

THIS matter coming on for disposal before Aelian W. Pereira, Esq., District Judge of Trincomalee, on April 21, 1944, in the presence of Mr. D. Rajaratnam, Proctor, on the part of the petitioner, the affidavit of the petitioner and of the attesting witnesses dated April 15, 1944, having been read:

It is ordered that the last will of the late Krishnakurukkal Thiyagarajah Kurukkal, now deposited in court, be and the same is hereby declared proved, and that the petitioner as the executor named in the said will is entitled to have probates of the same issued to him, and that the 4th respondent be appointed guardian *ad litem* over the minor 3rd respondent, unless the respondents above named or any other person or persons interested in the estate of the said deceased, shall, on or before May 18, 1944, show sufficient cause to the satisfaction of this court to the contrary.

April 21, 1944.

AELIAN W. PEREIRA,  
District Judge.

*Order Nisi* is extended till June 13, 1944.

May 18, 1944.

AELIAN W. PEREIRA,  
District Judge.

In the District Court of Puttalam.

*Order Nisi.*

Testamentary In the Matter of the Last Will and Testament of Ele Jurisdiction. Lebbe Thamby Marikar Lebbe of Puttalam, No. 776, deceased.

Kotuwa Marikar Mohamed Mohiedeen *alias* Lebbethamby Marikar of Puttalam . . . . . Petitioner.  
Vs.

(1) Sella Thangachchy widow of Ela Lebbe Thamby Marikar, (2) Thamby Marikar Aysa Beevy, wife of Lebbethamby, (3) Thamby Marikar Hamsa Beevy, wife of Muhammad Abdul Cader, (4) Thamby Marikar Umma Natchiya, (5) Thamby Marikar Samsudeen, all of Puttalam, the 4th and 5th respondents minors appearing by their proposed guardian *ad litem* Sella Thangachchy, the 1st respondent above named . . . . . Respondents.

THIS action coming on for disposal before K. D. de Silva, Esq., District Judge of Puttalam, on April 24, 1944, on the motion of Mr. H. S. Ismail, Proctor, on the part of the petitioner and the petition of the petitioner dated April 24, 1944, and his affidavit dated February 2, 1944, and the affidavit of the witnesses to the last will dated February 2, 1944, having been read: It is ordered that the will of the deceased above named dated March 11, 1943, and now deposited in this court be and the same is hereby declared proved and that the petitioner above named is the executor named in the said will and that he is entitled to have probate of the same issued to him accordingly; it is further ordered that the above-named Sella Thangachchy, the 1st respondent, be and she is hereby appointed the guardian *ad litem* over the 4th and 5th minor respondents above named, unless the respondents above named or any other person or persons interested in the matter of this application shall, on or before May 15, 1944, show sufficient cause to the contrary.

April 28, 1944.

K. D. DE SILVA,  
District Judge.

Time to show cause is extended to June 5, 1944.

May 15, 1944.

K. D. DE SILVA,  
District Judge.

## DRAFT ORDINANCES.

(Continued from page 250).

### MINUTE.

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

M. L. A.—B. 1775c/L. D.—O. 13/44.

#### An Ordinance to amend the Urban Councils Ordinance, No. 61 of 1939.

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 Urban Councils (Amendment) Ordinance, No. . . . of 1944.

1941  
Supplement,  
Vol. II., p. 760.

Short title.

of the Prevention of Crimes Ordinance, is disqualified for election or for sitting or voting as a member of an Urban Council, shall take effect on the date on which this Ordinance comes into operation :

Cap. 18.

Provided, further, that for the purposes of any general election or bye-election to any Urban Council to be held before the date on which the new lists of voters prepared in accordance with the provisions of section 9 of the principal Ordinance (as amended by this Ordinance) are revised and certified under that section, the lists certified or in force in the year 1944 shall be deemed to be the sole evidence of the due qualification of each voter and candidate.

5. Section 18 of the principal Ordinance is hereby amended in sub-section (2) thereof by the insertion, immediately after paragraph (b) thereof, of the following new paragraph :—

Amendment of section 18 of the principal Ordinance.

“(bb) is convicted of a crime within the meaning of the Prevention of Crimes Ordinance and is sentenced to imprisonment of either description for a period of three months or any longer period, such sentence not being set aside or reduced to a period of less than three months in appeal ; or”

Cap. 18.

6. Section 152 of the principal Ordinance is hereby amended as follows :—

(1) in sub-section (3) thereof, by the substitution, for all the words from “prescribed by by-law” to the end of that sub-section, of the words “imposed under section 175” ;

(2) by the omission of sub-sections (4) and (5).

7. Section 170 of the principal Ordinance is hereby amended in paragraph (9) thereof by the insertion, immediately after sub-paragraph (h), of the following new sub-paragraph :—

Amendment of section 170 of the principal Ordinance.

“(hh) the regulation, supervision, inspection and control of hairdressing saloons and barbers' shops ;”

8. Section 255 of the principal Ordinance is hereby amended in sub-section (1) thereof by the substitution, in paragraph (c), for the words “by Order under section 15”, of the words “by Proclamation under section 2”.

Amendment of section 255 of the principal Ordinance.

#### *Objects and Reasons.*

The object of this Bill is to effect in the Urban Councils Ordinance, No. 61 of 1939, certain amendments which experience in the administration of that Ordinance has shown to be necessary.

Section 13(e) of the Village Communities Ordinance (Cap 198) disqualifies a person convicted of a crime within the meaning of the Prevention of Crimes Ordinance (Cap 18) from becoming a member of a Village Committee. There is no such disqualification in the Urban Councils Ordinance. It is proposed, by Clauses 2 and 5 of this Bill, to include the necessary provision in the new section 8 and in section 18 of the Urban Councils Ordinance. The period of disqualification will be limited to seven years.

Under section 9 of the Urban Councils Ordinance two lists have to be prepared for each electoral division, one containing the names of the voters and the other the names of persons qualified for election as members. Time and labour can be saved if power is taken to prepare one list containing the names of the voters and to mark in that list with a distinguishing mark the names of the persons who are qualified to be members. It is accordingly proposed by Clause 2 to replace section 8, and by Clause 3 to make the necessary amendments in section 9, of the principal Ordinance. The amendments made by Clauses 2 and 3 (except the amendment whereby a person convicted of a crime will be disqualified from becoming a member of an Urban Council) will not come into effect until January 1, 1945. The existing lists will continue to be valid until new lists, in accordance with the amended law, are prepared and certified.

Section 152 of the principal Ordinance, which requires a Council in fixing the licence duty to be paid in respect of a private market to take into consideration the profits of that market during the preceding three years, has been found to be defective in that it does not apply to the case of a new market. This defect will be remedied by Clause 6.

Clause 7 will make it clear that an Urban Council has the power to impose a licence duty in respect of hairdressing saloons and barbers' shops.

Clause 8 will correct a mistake in section 255 of the principal Ordinance.

S. W. R. D. BANDARANAIKE,  
Minister for Local Administration.

Colombo, May 27, 1944.

#### NOTICES OF FISCAL SALES.

##### Central Province.

(Continued from page 251.)

In the District Court of Kandy.

Abeygunawardhana Liyanage Don Endiris Appuhamy of  
Weragama in Matale ..... Plaintiff.  
No. M.S. 1,012. Vs.

Gangodagama Achchige William Sinno Appuhamy of Kumbi-  
yangoda in Matale ..... Defendant.

NOTICE is hereby given that on Saturday, June 24, 1944, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the life interest of the said defendant in the following property for the recovery of the sum of Rs. 631.25, with further interest on Rs. 500 at the rate of 15 per cent. per annum from April 19, 1944, till May 25, 1944, and thereafter on the aggregate amount of decree at the rate of 9 per cent. per annum till payment in full, costs and poundage:

1. All that land called Badalagekumbura of 12 lahas paddy sowing in extent, situate at Elwala, Medasiyapattu, Matale South in the District of Matale, Central Province; and bounded on the east by the imaniyara of the field of Pauli Appu, south by the imaniyara of the field of Punchirala, west by ella, and north by the imaniyara of Guruwagekumbura.

2. The field called Medapallaha of about 5 lahas paddy sowing in extent, Mantriagekumbura of 12 lahas paddy sowing in extent and Thelembugahamula Meda Hayalaha of about 6 lahas paddy

sowing in extent, all adjoining each other and now forming one property called and known as Neketgewela of 2 pelas and 3 lahas paddy sowing in extent, situate at Elwala aforesaid; and bounded on the east by the field of Christian Appu and others, south by Atanekgederakumbura and Gunamalalagekumbura, west by oya and north by imaniyara of the field of Metias Appu.

3. All that southern 1 pela paddy sowing in extent out of the field called Sonnekumbura of 2 pelas paddy sowing in extent in the whole situated at Elwala aforesaid; and bounded on the east and south by the fence of Juwanis Appu's garden, west by ella and north by the limit of the remaining portion of this field belonging to Ukku Banda.

4. All that field called Galagawakumbura of 13 lahas paddy sowing in extent, situate at Warakamure in Kohonsiyapattu of Matale South as aforesaid; and bounded on the east by the limit of Rankiragekumbura, south by Sattambygekumbura, west by ella and on the north by Panikkayagekumbura.

5. All that northern portion of 1½ chundus kurakkan sowing in extent out of all that land called Dunumadalagahamulawatta of about 10 chundus kurakkan sowing in the whole, situate at Elwala aforesaid and which said northern portion of 1½ chundus being bounded on the east by the high road leading to Trincomalee, south by the wall of the house standing on the remaining portion of this land, west by Dippitiyegerawatta, north by Dippitiyegerawatta together with the buildings and everything standing thereon.

Deputy Fiscal's Office,  
Matale, June 1, 1944.

H. DIAS DESINGHE,  
Additional Deputy Fiscal.