



THE CEYLON GOVERNMENT GAZETTE

No. 9,350 — FRIDAY, DECEMBER 29, 1944.

Published by Authority.

PART II.—LEGAL.

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

	PAGE		PAGE
Governor's Ordinances	—	District and Minor Courts Notices	—
Draft Ordinances	—	Council of Legal Education Notices	—
Passed Ordinances	601	Notices in Insolvency Cases	—
List of Notaries	—	Notices of Fiscal's Sales	607
Supreme Court Notices	—	Notices in Testamentary Actions	608
Notifications of Criminal Sessions of the Supreme Court	—	Miscellaneous	—

SUPPLEMENT :

The INDEX to the Gazette for the First Half-Year of 1944.

PASSED ORDINANCES.

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

No. 45 of 1944.

L. D.—O. 45/43

An Ordinance to declare that the Land Registry established at Rajagiriya is identical for all legal purposes with the Land Registry previously maintained in Colombo.

HENRY MOORE.

WHEREAS the decision to remove the public records kept in the branch land register office, which was situated prior to the first day of April, 1942, within the limits of the Municipal town of Colombo and was known as "the Land Registry, Colombo", to a place of greater safety during the emergency created by the war in which His Majesty is at present engaged, has through an error been implemented by the closing of that office and the establishment of an office, at Rajagiriya in the village of Welikada, in the Colombo District, purporting to be a new branch register office under the name of "the Land Registry, Rajagiriya":

And whereas it is expedient to remedy the consequences of the aforesaid error and to declare that the Land Registry, Rajagiriya, notwithstanding its situation and its name, is for all purposes identical with the Land Registry, Colombo:

Be it therefore 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 Colombo Land Registry (Change of Situation) Ordinance, No. 45 of 1944.

2. The Land Registry, Colombo, shall for all purposes be deemed to have been removed on the first day of April, One thousand nine hundred and forty-two, from its situation within the limits of the Municipal town of Colombo to Rajagiriya in the village of Welikada in the Colombo District and to be lawfully maintained and conducted at Rajagiriya with effect from that date:

Provided, however, that with the prior approval of the Governor, the Registrar-General may, whenever he deems it expedient so to do, remove the Registry from Rajagiriya to its former situation within the limits of the Municipal town of Colombo or to any other convenient situation within the limits of the registration district referred to in section 5.

3. The Land Registry, Rajagiriya, shall be deemed, for all purposes, to have been at all times from the date of its establishment, and to be during its continuance hereafter, identical with the Land Registry, Colombo; and accordingly—

(a) the registers and other books kept and used at the Land Registry, Rajagiriya, shall be deemed to be the registers and books required to be kept at the Land Registry, Colombo;

Short title.

Situation of Land Registry, Colombo, to be deemed to have been changed on April 1, 1942.

Land Registry, Rajagiriya, to be deemed to be identical with Land Registry, Colombo.

- (b) every entry made at Rajagiriya in the aforesaid registers or books shall be deemed to be an entry made in the registers or books kept in the Land Registry, Colombo ;
- (c) every document stamped at the Land Registry, Rajagiriya, with the words "LAND REGISTRY, RAJAGIRIYA" or endorsed in writing with those words, in order to indicate that it has been registered thereat, shall be deemed for all purposes to have been registered at the Land Registry, Colombo, and to have accordingly been stamped or endorsed, as the case may be, with the words "LAND REGISTRY, COLOMBO";
- (d) every entry, endorsement or document signed by or on behalf of the officer describing himself as "the Registrar of Lands, Rajagiriya" shall be deemed for all purposes to have been signed by or on behalf of the Registrar of Lands, Colombo, at the Land Registry, Colombo ;
- (e) every reference contained in any document, order, notice or notification to the Land Registry, Rajagiriya, shall, unless the context otherwise requires, be read and construed for all purposes as a reference to the Land Registry, Colombo ; and
- (f) generally, in every case where a document affecting land or other property situated within the registration district referred to in section 5 has prior to the date of the commencement of this Ordinance been, or is hereafter during the continuance of the Land Registry, Rajagiriya, registered by the Registrar of Lands, Rajagiriya, such document shall, for all the purposes of the Registration of Documents Ordinance, be deemed to have been registered by the Registrar of Lands, Colombo, in the registers or other books required by that Ordinance to be kept in the Land Registry, Colombo.

Cap. 101.

Resumption of use of the rubber-stamps and endorsements of the Land Registry, Colombo.

4. (1) The Registrar-General may, by notification published in the *Gazette*, appoint any date that appears to him to be most convenient for the purpose, as the date on and after which the use of the rubber-stamp and the form of endorsement formerly used by the Land Registry, Colombo, shall be resumed by the Land Registry, Rajagiriya.

(2) Where the Registrar-General appoints a date under sub-section (1)—

- (a) every document registered on or after that date at the Land Registry, Rajagiriya, or at any other place to which that Registry may be removed under the proviso to section 2, shall be stamped, or endorsed in writing, with the words "LAND REGISTRY, COLOMBO" ; and
- (b) with effect from that date, the Registrar in charge of that Registry shall, notwithstanding anything in the letter or notification by which he was appointed, assume the designation of Registrar of Lands, Colombo, and describe himself by that designation whenever he affixes his signature for the purpose of authenticating any endorsement stamped or made in accordance with paragraph (a).

Interpretation.

5. In this Ordinance, unless the context otherwise requires—

"the Land Registry, Colombo" means the branch land register office for the registration district which comprises Alutkuru Korale South, Siyane Korale West, Siyane Korale East, Hewagam Korale, Salpiti Korale Mudaliyar's Division, Colombo Mudaliyar's Division and the Municipal town of Colombo, (and is commonly known as the registration district of Colombo), being the branch office for that district in existence at the date of the commencement of the Registration of Documents Ordinance and deemed, by virtue of section 2 thereof to be duly established under that Ordinance ;

"the Land Registry, Rajagiriya" means the branch land register office established in pursuance of directions given by the Governor under section 2 of the Registration of Documents Ordinance as published by notification in *Gazette* No. 8,896 of March 27, 1942.

Passed in Council the Seventeenth day of November, One thousand Nine hundred and Forty-four.

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

Assented to by His Excellency the Governor the Twelfth day of December, One thousand Nine hundred and Forty-four.

H. A. C. DOBBS,
Acting Secretary to the Governor.

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

No. 49 of 1944.

L. D.—O. 44/43

An Ordinance to amend the Marriage Registration Ordinance.

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

HENRY MOORE.

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. 49 of 1944.

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, 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.

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

(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.

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".

Amendment of section 31 of the principal Ordinance.

Passed in Council the Seventh day of December, One thousand Nine hundred and Forty-four.

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

Assented to by His Excellency the Governor the Twentieth day of December, One thousand Nine hundred and Forty-four.

H. A. C. DOBBS,
Acting Secretary to the Governor.

- Registrar as required by sub-section (1) (a), shall be guilty of an offence, and shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding fifty rupees.
- Amendment of section 31 of the principal Ordinance.** 5. Section 31 of the principal Ordinance is hereby amended in sub-section (2), by the substitution, for the words "or medical practitioner, or the order of the Inquirer into Deaths, shall be made out and issued in duplicate.", of the following :—
"or medical practitioner (other than a certificate by a medical practitioner attached to a Government Hospital stating the cause of the death of a person who has died in that Hospital), or the order of the Inquirer into Deaths, shall be made out and issued in duplicate."
- Amendment of section 40 of the principal Ordinance.** 6. Section 40 of the principal Ordinance is hereby amended, by the substitution, for the words "or a Registrar, or by a Registrar", of the words "or a Registrar, or a Medical Officer of Health, or by a Medical Officer of Health to a Registrar, or by a Registrar".
- Amendment of section 48 of the principal Ordinance.** 7. Section 48 of the principal Ordinance is hereby amended as follows :—
(1) in sub-section (1)—
(a) by the substitution, for the words "in a place proclaimed under section 30.", of the words "in a town, district or place proclaimed under section 30, or in an area to which the provisions of sub-sections (1) to (4), both inclusive, of this section have been applied by a Proclamation under sub-section (5).";
(b) by the substitution, for the words "thirty-six hours", of the words "twenty-four hours"; and
(c) by the substitution, for the words "to the Registrar of the division in which it occurred.", of the words "to the Medical Officer of Health within whose area such birth or still-birth occurred.";
(2) by the substitution, for sub-section (2), of the following new sub-section :—
"(2) If a person required by sub-section (1) to give information regarding a birth or a still-birth to a Medical Officer of Health cannot conveniently attend before that Officer, such person may send such information to that Officer in writing in the form X set out in the Schedule.";
(3) in sub-section (3), by the substitution, for the words "registration of births.", of the words "registration of births and still-births."; and
(4) by the addition, immediately after sub-section (3), of the following new sub-sections :—
"(4) Every Medical Officer of Health who, in accordance with the provisions of this section, receives information of the particulars specified in the form X set out in the Schedule regarding a birth or a still-birth which has occurred within his area shall, within seven days of the receipt thereof, send such information to the Registrar of the division in which such birth or still-birth occurred.
(5) The Governor may from time to time, by Proclamation published in the *Gazette*, declare that the provisions of sub-sections (1) to (4), both inclusive, of this section shall apply in any area specified in the Proclamation and appoint the date on and after which such sub-sections shall apply in such area."
- Amendment of section 49 of the principal Ordinance.** 8. Section 49 of the principal Ordinance is hereby amended in paragraph (b) thereof, by the substitution, for the words "or superintendent of an estate relating to the particulars", of the following :—
"officer in charge of a Government Hospital or any other officer of that Hospital acting on behalf of such officer in charge, or superintendent of an estate relating to the particulars".
- Replacement of section 54 of the principal Ordinance.** 9. Section 54 of the principal Ordinance is hereby repealed and the following new section substituted therefor :—
54. Notwithstanding anything in section 10 or section 22, or in form C or form H set out in the Schedule, it shall not be necessary for a declaration under either of those sections made by a Government officer in charge of a Hospital, jail or other public institution to bear a stamp of the value of twenty-five cents or to be attested by two witnesses.
- Declarations under sections 10 and 22 made by Government officers exempted from the requirements relating to stamp duty and attestation.**

10. Section 55 of the principal Ordinance is hereby amended, by the addition, immediately after the definition "Inquirer into Deaths", of the following new definition:—

"Medical Officer of Health" includes a Field Medical Officer;

Amendment of section 55 of the principal Ordinance.

11. The Schedule to the principal Ordinance is hereby amended in form X set out therein, by the substitution, for the words "Registrar of ——— Division.", of the words "Medical Officer of Health for the ——— area."

Amendment of the Schedule to the principal Ordinance.

Passed in Council the Seventh day of December, One thousand Nine hundred and Forty-four.

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

Assented to by His Excellency the Governor the Twentieth day of December, One thousand Nine hundred and Forty-four.

H. A. C. DOBBS,
Acting Secretary to the Governor.

NOTICES OF FISCALS' SALES.

Western Provinces.

In the District Court of Colombo.

P. R. V. E. K. R. Wairawa Pillai of 183, Sea street, Colombo Plaintiff.
No. 3,045 S. Vs.

U. V. Siriwardana of Deraniyagala Defendant.

NOTICE is hereby given that on Tuesday, January 30, 1945, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title and interest of the said defendant in the following property for the recovery of Rs. 1,000 50, with interest on Rs. 1,000 at 18 per cent. per annum from October 17, 1933, to July 6, 1939, and thereafter on the arrearage amount at 9 per cent. per annum till payment in full less Rs. 150.
Prior Registration. Kegalla F15/56.

All that contiguous lands called Miyangalay Henyaya, Tippolay-henyaya, Welahendilangawahenyaya, Galendehenyaya, and Wellakanuwagawahenyaya; containing in extent about 25 (twenty-five) aumams of paddy sowing; and bounded on the north by Metehakke-ela, east by Pamkum-oya, south by Magalanga, west by Nahmbule-ela, and situated at Anhotigama village in Atulugam korale of Three Korales, Kegalla District, Province of Sabaragamuwa.

Valuation Rs. 4,000.

Fiscal's Office, A. V. P. SAMARANAYAKA,
Avisswalla, December 22, 1944. Deputy Fiscal.

In the District Court of Negombo.

Leslie Ance! Martensz Blacker and 2 others of Lake View Mills, Slave Island Plaintiffs.
No. 8,913. Vs.

(1) Agnes Alphonso of Kurunegala, presently c/o Ebert, Esq., Lanka Works, Brown & Co., Darley road, Colombo, (2a) Lilian E. Alphonso of Brinivil, Madangahawatta lane, Wellawatta, substituted in place of the 2nd defendant, deceased, Edwin Cornelius Henry Alphonso, (2b) Mrs. D. G. Janisz of China Gardens, Galle, presently of Brinivil, Madangahawatta lane, Wellawatta, substituted in place of the 2nd defendant, deceased, Edwin Cornelius Henry Alphonso, (3) Lilian E. Alphonso of Kurunegala, presently of Brinivil, Madangahawatta lane, Wellawatta, (10) Etha Alphonso, c/o Mrs. Ebert, Chetty's Garden, Nawatte, Nugegoda, (11a) Mrs. Mabel Alphonso of Kilarney, Railway road, Kelaniya, guardian *ad litem* over minor, Kingston Kingsley Alphonso (11b) defendant, substituted in place of (11) defendant, deceased, J. B. Alphonso, (11c) Mrs. Mabel Alphonso of Kilarney, Railway road, Kelaniya, guardian *ad litem* over minor, Clarence Felicia Alphonso (11c) defendant, substituted in place of (11) defendant, deceased, J. B. Alphonso, (11d) James Martin Alphonso, c/o C. C. Jacobs, Esq., Colfred House, 44, Hill street, Colombo, substituted in place of (11) defendant, deceased, (11e) Sabina Valentina Alphonso of Kilarney, Railway road, Kelaniya, substituted in place of (11) defendant, deceased, (11f) Hysinth Alphonso, Kilarney, Railway road, Kelaniya, substituted in place of (11) defendant, deceased, (13AA) Mavis Benzie of Castle Hotel, Slave Island, substituted in place of the (13A) defendant, deceased, Eugén Reinie, (13AB) Lily Mortimer of Arthusa road, Wellawatta, substituted in place of (13A) defendant, deceased, (13AC) Bella Pereira, c/o Mrs. W. Bulner, Madangahawatta road, Wellawatta, substituted in place of (13A) defendant, deceased, (13AD) A. Pereira, c/o Mrs. W. Bulner of ditto, substituted in place of (13A) defendant, deceased; (13B) Benjamin Arthur of Niwantiya, Kesbawa, presently of Madangahawatta road, Wellawatta, substituted in place of (13) defendant, deceased, Benjamin Leopold Pereira, (13C) Isabella Blanche Constance of Madangahawatta road, Wellawatta, substituted in place of (13) defendant, deceased, (13n) Mildred Mavis Clare Benzie of Madangahawatta road, Wellawatta, substituted in place of (13) defendant, deceased, (13r) Lilian Augusta Mortimer nee Pereira of Madangahawatta Road, Wellawatta, substituted in place of (13) defendant, deceased, (14A) J. W. Pereira of Havelock Town, substituted in place of (14) defendant,

deceased, Andrew W. Pereira, (14B1) Mrs. Lilian Mortimer of 67, High street, Wellawatta, substituted in place of (14B) defendant, deceased, E. R. Pereira, (14B2) Bella Pereira of 67, High street, Wellawatta, substituted in place of (14B) defendant, deceased, (14B3) Mavis Benzie of Castle Hotel, Slave Island, substituted in place of (14B) defendant, deceased, (14B4) B. A. Pereira of Niwantiya, Kesbawa, presently of Madangahawatta road, Wellawatta, substituted in place of (14B) defendant, deceased, (14c) B. A. Pereira of ditto, substituted in place of (14) defendant, deceased, Andrew W. Pereira, (14n) Bella Pereira, c/o Mrs. W. Bulner, Madangahawatta road, Wellawatta, substituted in place of (14) defendant, deceased, (15) John W. Pereira of St. Peter's, Alibank road, Havelock Town, (17) Aggie Rodrigo of Puttalam, presently of St. Peter's, Alibank road, Havelock Town, (19) C. F. Alphonso of St. Peter's, Alibank road, Havelock Town, (20) M. H. Alphonso, Kandy road, Kurunegala, presently of St. Peter's, Alibank road, Havelock Town. Defendants.

NOTICE is hereby given that on Monday, January 22, 1945, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the under-mentioned defendants in the following property, viz:—

1. Lot 2 of the land comprised of two allotments of land called Kohombagahawatta and Kohombagahawatta bearing assessment No. 2; 1st Cross street, and 2nd Sea street and situated at 1st Cross street, Negombo Town, which said lot 2 is bounded on the north by lot 1 allotted to Lilian E. Alphonso and others, east by the land of A. S. Gunawardana, south by lot 3 allotted to Mavis Benzie and others and west by 1st Cross street; in extent 10.5 perches. From and out of this an undivided $\frac{2}{3}$ share belonging to 1st and 10th defendants ($\frac{1}{3}$ rd each).

2. An undivided $\frac{1}{3}$ rd of lot 1 of the land aforementioned situated at ditto which said lot 1 is bounded on the north by the land of R. P. Fonseka and Newstead School and premises, east by the land of A. S. Gunawardana, south by lot 2 allotted to Leslie Ance! Martensz Blacker and others, west by 1st Cross street, containing in extent 10.6 perches belonging to 11b, 11c, 11d, 11e, and 11f defendants.

3. An undivided $\frac{1}{3}$ th of lot 3 of the land aforementioned situated at ditto which said lot 3 is bounded on the north by lot 2 belonging to Leslie Ance! Martensz Blacker and others, east by land of A. S. Gunawardana, south by lot 4 allotted to Norbert Alphonso and others, west by 1st Cross street; in extent 20.8 perches, belonging to 13AA, 13AB, 13AC, 13AD, 13B, 13C, 13D, 13E, defendants' $\frac{1}{3}$ th share, 14A, 14C, 14D, 14E1, 14E2, 14E3, 14E4 defendants' $\frac{1}{3}$ th share, and 16th defendant's $\frac{1}{3}$ th share.

4. An undivided $\frac{1}{6}$ th share of lot 5 of the land aforesaid, situated at ditto which said lot 5 is bounded on the north by lot 4 allotted to Norbert Alphonso and others, east by the land of A. S. Gunawardana, south by lot 6 belonging to Aggie Rodrigo, and west by 1st Cross street; in extent 6.8 perches belonging to the 20th defendant with the buildings thereon.

Amount to be levied from the 1st defendant Rs. 47.90; 10th defendant Rs. 47.90; 11a defendant 9.58; 11b defendant 9.58; 11c defendant 9.58; 11d defendant 9.58; 11e defendant 9.58; 11f defendant 9.58; 13AA defendant 9.4; 13AB defendant 9.4; 13AC defendant 9.4; 13AD defendant 9.4; 13B defendant 9.4; 13C defendant 9.4; 13D defendant 9.4; 13E defendant 9.4; 14A defendant 10.19; 14C defendant 10.19; 14E1 defendant 10.19; 14E2 defendant 10.19; 14E3 defendant 10.19; 14E4 defendant 10.19; 16th defendant 70.35; 20th defendant 102.52; and 110 defendant Rs. 9.58 and poundage.

Deputy Fiscal's Office,
Negombo, December 19, 1944.

L. L. M. SENEVIRATNE,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Samarakoon Mudiyanseleget Bandara Mendika of Amunugama Plaintiff.
No. L 966.

Samarakoon Mudiyanseleget Mudiyanseleget of Deraniyadde Defendant.

NOTICE is hereby given that on Saturday, January 20, 1945, commencing at 1 o'clock 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 the sum of Rs. 449/50 and poundage, viz. :-

1. All that land called Mūhandiramgedera kumbura of one pēla in paddy sowing extent, situated at Doraliyadda in Udasiyapattu South of Uda Dumbara in the District of Kandy, Central Province; and bounded on the east by ima of Idamegederakumbura and Mangodakumbura ima, south by ima of Pallekumūra, west by ima of Mucalinamy's field, and on the north by the ima of the remaining portion of this field.

2. All that land called Kumbukonattamāhena of 7 acres in extent, situate at Doraliyadda aforesaid; and bounded on the east by endaru fence of Pallegederawatta, north by endaru fence and kandura, west by Gansabhava road and on the south by endaru fence of the land belonging to Malhamy, together with everything thereon.

Valuation Rs. 1,700.

Fiscal's Office,
Kandy, December 12, 1944.

M. K. YATIGAMMANA,
Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Kandy.

In the matter of the Estate of Kachchakaduwa Dias Peiris of Kōhewela in Gangaiyala korale of Udapalata Gam-pēla Deceased.

No. T. 113. Vs.

Kachchakaduwa William Pieris of Kōhewela, and (2) Samarakoon Māyanselage Tikiri Banda of Kehelpannala, the Plaintiff and Surety Judgment-Debtors.

NOTICE is hereby given that on Saturday, January 27, 1945, at 12 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 1/3 share from and out of that land called Nugemalahēna, in extent eighteen lāhas of paddy sowing, situated at Kehelpannala in Tumpalata pattu of Paranākuru 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 1/3 share from and out of all that land called Badalahēna, in extent two pelās of paddy sowing, situated at Kehelpannala, aforesaid; and bounded on the north and east by ela, south by the limit of Bogahānalahēna, and west by galdetta, together with everything standing thereon. A 139/1.

3. An undivided 1/3 share from and out of all that land called Ukgodagehēna, in extent three pelās paddy sowing in the whole, situated at Kehelpannala aforesaid; and bounded on the north and south by ela, east by 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, December 20, 1944.

M. D. J. DISSANAYAKA,
Additional Deputy Fiscal.

I, Edward Trevor Dyson, Fiscal for the Central Province, do hereby appoint Mr. Abdul Kāfar Marikkar as Fiscal's Marshal, Hatten, from January 2, 1945, under Ordinance No. 4 of 1867, and authorise him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Kandy, December 19, 1944.

E. T. DYSON,
Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Absolute.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Mary Sirimanne, late of St. Mary's Nursing Home, McCarthy road in Colombo, deceased.

No. 11,148. Felix Reginald Sirimanne of Negombo Petitioner.

THIS matter coming on for final determination before S. J. C. Scholman, Esq., Additional District Judge of Colombo, on December 14, 1944, in the presence of Mr. D. F. de Silva, Proctor, on the part of the petitioner above named; and the affidavits of (1) the petitioner dated October 6, 1944, (2) the attesting notary public dated October 19, 1944, (3) the witnesses dated November 23, 1944, and December 11, 1944, having been read.

It is ordered that the last will and testament No. 953 made by Mary Sirimanne, the deceased above named, and attested by C. H. de Silva, Notary Public, on June 5, 1944, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved.

It is further ordered 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 on his taking the usual oath and tendering the security bond.

December 19, 1944.

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

Notice of Application.

In the District Court of Colombo.

Testamentary Jurisdiction. In the matter of the Last Will and Testament of George Frederick Clarke of St. Mary's Lodge, Argyle road Walton, St.-Mary Clevedon in the County of Somerset, formerly of Elbedde Estate, Norwood, Central Province in the Island of Ceylon, deceased. And

No. 11,225. 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 a certified copy of the grant of letters administration with the will annexed, of George Frederick Clarke of St. Mary's Lodge, Argyle road Walton, St. Mary Clevedon in the County of Somerset, formerly of Elbedde Estate, Norwood, Central Province in the Island of Ceylon, deceased, granted by the Principal Probate Registry of His Majesty's High Court of Justice at Llandudno on June 23, 1944.

G. T. HALE,
Attorney for Theodora Clarke and Richard Basil Were Clarke, the English Administrators of the Last Will and Testament of George Frederick Clarke, deceased.

December 13, 1944.

Notice of Application.

In the District Court of Colombo.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament and Codicil of The Reverend Canon Harry Wilson Boustead of 4 Berkeley Place Ridgway Wimbledon in the County of Surrey Clerk, formerly of The Rectory Basingstoke in the County of Hants, deceased. And

No. 11,226. 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 a certified copy of probate of the last will and testament and codicil of The Reverend Canon Harry Wilson Boustead of 4 Berkeley Place Ridgway Wimbledon in the County of Surrey Clerk, formerly of The Rectory Basingstoke in the County of Hants, deceased, granted by the District Probate Registry of His Majesty's High Court of Justice at Winchester on January 23, 1943.

G. T. HALE,
Attorney for Muriel Walker and Percy Dowland Jones, the Executors of the Last Will and Testament and Codicil of The Reverend Canon Harry Wilson Boustead, deceased.

December 13, 1944.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Don Stephen Jayasundara, deceased, of Delmella. No. 3,177.

Kulatunga Mudiyansele Anna de Alwis of Delmella. Petitioner.

Vs.

(1) Miss Margaret Jayasundara of Bandaragama, (2) Christopher Bennet Jayasundara, (3) Albert Jayasundara, (4) Francis Jayasundara, (5) Elizabeth Jayasundara, (6) Leena Jayasundara, all of Delmella, (7) H. M. Fochmenika, and (8) H. M. Karunaratne Menika (minors) by their guardian ad litem (9) M. Dingiri Banda, all of Kiririella. Respondents.

THIS matter coming on for disposal before G. M. de Silva, Esq., District Judge, Kalutara, on November 20, 1944, in the presence of Mr. S. R. B. A. Goonetilleke, proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated July 27, 1944, having been read.

It is ordered that the petitioner be declared entitled, as widow of the deceased, to claim letters of administration and the same be issued to her, unless the respondents or person or persons interested in the estate should, on or before January 8, 1945, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 9th respondent be appointed guardian ad litem over the 7th-8th minor respondents and that the said petitioner is entitled to letters of administration issued to her accordingly, unless the respondents or others interested in the estate shall, on or before January 8, 1945, show sufficient cause to the satisfaction of this court to the contrary.

November 20, 1944.

G. M. DE SILVA,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Don Sudaris Jayasinghe, deceased, of Walagedara. No. 3,180.

Mallawachchidankanage Suman Hamy of Walagedara. Petitioner.

Vs.

(1) Don Hendrick Jayasinghe of Walagedara, (2) Dona Carlina Jayasinghe of Heenatiyangala Respondents.

THIS matter coming on for disposal before J. H. V. S. Jayawickrama, Esq., District Judge, Kalutara, on November 30, 1944.

in the presence of Mr. N. H. de S. Wijesekera, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated November 22, 1944, having been read:

It is ordered that the petitioner be declared entitled, as widow of the deceased, to claim the letters of administration and that the same be issued, unless the respondents or other person or persons interested in the estate shall, on or before January 17, 1945, show sufficient cause to the satisfaction of this court to the contrary.

November 30, 1944.

V. S. JAYAWICKRAMA,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate and Effects of the late
Jurisdiction Bangama Gama Achchige Gabriel Appuhamy,
No. T. 473. deceased of Meewatura.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Kandy, on November 3, 1944, in the presence of Mr. L. M. L. Pereira, Proctor, on the part of the petitioner, Liyana Wickramasinghe Arachchige Baba Nona of Meewatura; and the affidavit of the said petitioner dated October 31, 1944, 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) Bangama Gama Achchige Podisingho, (2) ditto Suwaris Appu, (3) ditto Alice Nona, (4) ditto William Singho, (5) ditto Arnolis Appu, (6) Aron Singho or any other person or persons interested shall, on or before January 22, 1945, show sufficient cause to the satisfaction of this court to the contrary.

November 3, 1944.

M. A. SAMARAKOON,
District Judge.

In the District Court of Nuwara Eliya.

Order Absolute.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction Dr. Isaac David of Rossey Lodge, Nuwara
No. 382. Eliya, deceased.

Sarah Soundram David of Rossey Lodge, Nuwara Eliya. Petitioner.

THIS matter coming on for determination before T. P. P. Goonetilleke, Esq., District Judge, Nuwara Eliya, on December 8, 1944, in the presence of Mr. Victor Tambinayagam, Proctor, on the part of the above-named petitioner, Sarah Soundram David; and the affidavit and petition of the said petitioner dated December 1 and 8, 1944, respectively, and the affidavit of Mr. M. C. Raju, Notary Public of Colombo, dated December 6, 1944, having been read: It is ordered that the last will of the above-named Dr. Isaac David, deceased, dated October 1, 1941, now deposited in this court be and the same is hereby declared proved, and that probate thereof be accordingly issued to the said petitioner, as one of the executors named in the said last will (reserving to the other named in the said last will the right to come in at anytime and apply for a similar grant of probate).

December 8, 1944.

T. P. P. GOONETILLEKE,
District Judge.

In the District Court of Galle (sitting at Balapitiya).

Order Absolute declaring Will proved.

Testamentary In the Matter of the Estate of the late Rajapaksa
Jurisdiction Punchi Naida Nambi Alice Nona, deceased,
No. B 91. of Sumanapaya, in Maha Ambalangoda in
Ambalangoda.

THIS matter coming on for disposal before W. Thalagodapitiya, Esq., Additional District Judge of Galle, sitting at Balapitiya, on December 8, 1944, in the presence of Mr. M. D. de Silva, Proctor, on the part of the petitioner, Liyana Atchi Mendis de Silva; and the petition and affidavit of the petitioner dated December 8, 1944, and the affidavit of the witnesses dated December 5, 1944, having been read:

It is ordered that the will of Rajapaksa Punchi Naida Nambi Alice Nona, deceased, dated May 8, 1944, and now deposited in this court be and the same is hereby declared proved.

It is further declared that the said Liyana Atchi Mendis de Silva is the administratrix, as widow of the deceased, and that he is entitled to have letters of administration with copy of the will annexed issued to him accordingly.

December 8, 1944.

W. THALGODAPITIYA,
Additional District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of late
Jurisdiction Constantine Ubeysinghe Jayawardane, late of
No. 4,234. Weraduwa, deceased.

Sumanawathi Wickremasekara of Weraduwa. Petitioner.

And

(1) Jayatissa Ubeysinghe Jayawardane, (2) Piyaseeli Ubeysinghe Jayawardane, (3) Piyaseeli Ubeysinghe Jayawardane, all of Weraduwa, minors, by their proposed guardian *ad litem* (4) Hendrick Ubeysinghe Jayawardane of Tangalla. Respondents.

THIS matter coming on for disposal before K. D. de Silva, Esq., District Judge of Matara, on October 12, 1944, in the presence of Messrs. S. & S. Dias, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated August 22, 1944, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the 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 in the estate shall, on or before December 4, 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 1st to 3rd minor respondents, unless the respondents or others interested in the estate shall, on or before December 4, 1944, show sufficient cause to the contrary.

It is further ordered that the said respondent do produce the said minor-respondents before this court on December 4, 1944.

October 12, 1944.

K. D. DE SILVA,
District Judge.

The above *Order Nisi* is extended for January 22, 1945.

December 4, 1944.

K. D. DE SILVA,
District Judge.

In the District Court of Jaffna held at Point Pedro.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. the late Arumugan Sinthamany of Thondaimanar, deceased. No. 257/P.T.

Sinniah Iyer Ramasamy Iyer of Thondaimanar Petitioner.

Vs.

(1) Rajavelmaniamman, widow of Kanapatipillai, (2) Nagammal, wife of Ramasamy Iyer, both of ditto. Respondents.

THIS matter coming on for disposal before D. Eardley Wijayawardene, Esq., Additional District Judge, on October 12, 1944, in the presence of Mr. S. Pasupathy, Proctor, on the part of the petitioner; and petition and affidavit of the petitioner and that of the attesting notary and witnesses to the said last will having been read:

It is ordered that the last will under No. 33 dated April 21, 1940, attested by P. V. Senathirajah, Notary Public, now deposited in this court be declared proved that probate thereof be issued to the petitioner, as executor named thereunder, unless the respondents or any other person shall appear on or before November 17, 1944, and show sufficient cause to the satisfaction of this court to the contrary.

November 17, 1944.

E. WIJAYAWARDENE,
Additional District Judge.

Extended to show cause for December 15, 1944.

November 17, 1944.

E. WIJAYAWARDENE,
Additional District Judge.

Extended to show cause for January 19, 1945.

December 15, 1944.

E. WIJAYAWARDENE,
Additional District Judge.

In the District Court of Jaffna.

Order Absolute in the First Instance.

Testamentary In the Matter of the Last Will of Pearl Veronica Jurisdiction. Swaminathan of Jaffna Town, deceased. No. 347.

George Kanniah Swaminathan of ditto Petitioner.

THIS matter coming on for disposal before H. A. de Silva, Esq., District Judge, Jaffna, on November 29, 1944, in the presence of Mr. J. A. J. Tisseverasinghe, Proctor, for petitioner; and the affidavits of the petitioner and attesting witnesses to the will having been read:

It is ordered that the will of the deceased above named dated August 14, 1944, now deposited in court be declared proved and that probate thereof be issued to the petitioner as sole legatee.

November 29, 1944.

H. A. DE SILVA,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Liyanage Don Titus Appahamy of Bolana in No. 2,32s. Waikkal, Chilaw District, deceased.

Between

Liyanage Don Lucas Appahamy of Waikkal in Chilaw District Petitioner.

Vs.

(1) Liyanage Dona Philecia, (2) Liyanage Dona Augusta, both of Waikkal in Chilaw District, minors, by their guardian *ad litem* (3) Habakkala Kankanamalage Edward Alwis of Kochchikade Respondents.

THIS matter coming on for disposal before V. H. Wijeratne, Esq., District Judge of Chilaw, on September 21, 1944, in the presence of Mr. W. P. Ranasinghe, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated August 2, 1944, having been read:

It is ordered that the petitioner, as the brother of the deceased, be and he is hereby declared entitled to have letters of administration to the estate of the said deceased, and that the 3rd respondent above named be appointed the guardian *ad litem* over the 1st and 2nd respondents, who are minors, for the purpose of this application, unless the respondents above named or any other person or persons interested in the said estate shall, on or before November 10, 1944, show sufficient cause to the satisfaction of this court to the contrary.

September 21, 1944.

V. H. WIJERATNE,
District Judge.

Time for showing cause is extended to November 29, 1944.

December 14, 1944.

V. H. WIJERATNE,
District Judge.

Time for showing cause is extended to December 8, 1944.

December 14, 1944.

V. H. WIJERATNE,
District Judge.

Time for showing cause is extended to January 12, 1945.

December 14, 1944.

V. H. WIJERATNE,
District Judge.