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DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to make better provision for the issue of Ceylon Savings Certificates and to revise and consolidate the law relating thereto.

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L. D.—O. 28/44

An Ordinance to make better provision for the issue of Ceylon Savings Certificates and to revise and consolidate the law relating thereto.

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 Savings Certificates Ordinance, No. of 1945. Short title.

2. Each of the following sections of this Ordinance, namely sections 3 to 23, shall come into operation on such date as the Governor may appoint by Proclamation published in the *Gazette*, and a different date may be appointed in respect of each of the sections aforesaid. Dates of operation.

Authority to borrow money by the issue of savings certificates.

3. (1) The State Council may by resolution authorise sums of money, not exceeding such amount as may be specified in the resolution, to be borrowed within Ceylon by the issue of Ceylon savings certificates under this Ordinance.

(2) No resolution under this section shall have effect until it is approved by the Governor and sanctioned by the Secretary of State. Notification of such approval and sanction shall be published in the *Gazette*.

Authority to issue savings certificates.

4. (1) After the publication in the *Gazette* of a notification under section 3 (2), the Governor may, from time to time, direct the Postmaster-General to borrow sums of money not exceeding in the aggregate the amount specified in the resolution to which the notification relates, by the issue of savings certificates under this Ordinance.

(2) The Postmaster-General may also, when so directed by the Governor, borrow by the issue of savings certificates under this Ordinance such sums of money as may from time to time be required for the purpose of meeting current demands for the surrender values of savings certificates issued or deemed to have been issued under this Ordinance.

Notification of purchase price, surrender value, &c.

5. Where the Governor has directed the Postmaster-General to borrow any sum of money by the issue of savings certificates under this Ordinance, the Financial Secretary shall, subject to the approval of the Governor, by notification published in the *Gazette* specify—

(*a*) the denomination or denominations of the savings certificates which are to be issued ; and

(*b*) the purchase price and the surrender value of a certificate of each such denomination.

Persons to whom savings certificates may be issued.

6. (1) Savings certificates may be issued, in accordance with such regulations as may be made in that behalf, to—

(*a*) an individual ;

(*b*) a co-operative society ;

(*c*) a central co-operative bank ;

(*d*) a society or association which, in the opinion of the Postmaster-General, is a thrift, benefit, benevolent or provident society or association ;

(*e*) an approved savings group ; or

(*f*) any other prescribed body of persons.

(2) The decision of the Postmaster-General as to whether any society or association is a thrift, benefit, benevolent or provident society or association, as the case may be, shall be final and conclusive.

Special provisions relating to the issue of savings certificates to individuals.

7. No savings certificate shall be issued to any individual unless he is resident in Ceylon on the date of the issue of such certificate :

Provided that a savings certificate may, in accordance with such regulations as may be made in that behalf, be issued—

(*a*) to a minor who is resident outside Ceylon if the parent, guardian, curator or trustee of that minor is resident in Ceylon on the date of the issue of such certificate ; **or**

(*b*) to a person who is not a minor and is resident outside Ceylon, in such circumstances and subject to such conditions as may be prescribed by the aforesaid regulations.

Limit of holdings.

8. (1) The aggregate of the denominational value of all savings certificates held at any time by any person or body of persons shall not exceed such limit as may be prescribed ; and no savings certificate shall at any time be issued so as to increase the holding of any such person or body of persons beyond the limit so prescribed.

(2) The power to make regulations prescribing the limits referred to in sub-section (1) shall be deemed to include power to prescribe different limits for different classes of persons or for different classes of savings certificates.

Transfer, hypothecation, &c., of savings certificates to be null and void.

9. The right, title and interest of the purchaser of a savings certificate shall not be assigned, donated, hypothecated, sold, transferred or otherwise disposed of by the purchaser in any manner whatsoever ; and any such assignment, donation, hypothecation, sale, transfer or disposition shall not be recognised by the Postmaster-General or by the Government and shall for all purposes be null and void :

Provided that the preceding provisions of this section shall not affect or be deemed to affect—

(*a*) the right of the Postmaster-General, in accordance with such regulations as may be made in that behalf, to issue a new savings certificate in any case where the purchaser of a savings certificate desires to gift his rights thereunder ; or

(*b*) the right of the purchaser of a savings certificate of such class or description as may be declared by regulation to be assignable, to assign any certificate of such class or description in the prescribed manner to any person.

Issue of new savings certificate or payment of surrender value on death of purchaser.

10. (1) Regulations may be made providing, in the event of the death of the purchaser of a savings certificate—

(*a*) for the issue of a new savings certificate to any person proved to the satisfaction of the Postmaster-General to be an heir or legatee of the deceased purchaser, or

(*b*) for the payment, to the executor of the last will of the deceased purchaser or to the administrator of his estate or to any heir, of a sum equivalent to the surrender value of that savings certificate.

(2) Any new savings certificate issued and any payment made under this section by the Postmaster-General shall be and shall operate for all purposes as a complete discharge of the obligations of the Government and of the Postmaster-General in respect of any savings certificate issued to the deceased purchaser or of any money payable on the surrender of that certificate.

(3) Nothing in this Ordinance or in any regulation made thereunder shall affect or be deemed to affect the right of the Commissioner of Estate Duty, under any law for the time being in force, to receive from the Postmaster-General the surrender value, at the time of the death of any deceased purchaser, of any savings certificate forming part of the estate of such purchaser.

Seizure or sequestration of savings certificate.

11. (1) Where any savings certificate is seized or sequestered in execution of a decree or order of any court, the Fiscal effecting the seizure or sequestration shall forward the savings certificate to the Postmaster-General who shall cancel such certificate and pay the surrender value thereof as on the date of seizure or sequestration to the credit of the action in which that decree was entered or order made.

(2) Where the Fiscal, in the execution of a decree or order entered or made against any person who is the purchaser of a savings certificate or in sequestering the property of any such person under a mandate of sequestration issued by any court, is unable for any reason to obtain possession of the savings certificate, the amount of the surrender value of that certificate shall be deemed to be a debt not secured by a negotiable instrument due from the Postmaster-General as debtor to the purchaser as creditor; and the provisions of section 229 of the Civil Procedure Code, shall apply accordingly: Cap. 86.

Provided that the Postmaster-General or the Government shall not incur any liability or be subject to any penalty by reason only of the fact that the surrender value of any savings certificate is paid to the purchaser thereof after the service of a prohibitory notice under section 229 of the Civil Procedure Code, if such payment was *bona fide* made by any person on behalf of the Postmaster-General by error or by accident or in ignorance of the fact of the service of such prohibitory notice. Cap .86.

Surrender of savings certificates.

12. (1) On the surrender of a savings certificate (other than a savings certificate in respect of which a prohibitory notice has been served on the Postmaster-General under section 229 of the Civil Procedure Code) in the prescribed manner and at a prescribed place, the purchaser shall be entitled to receive the surrender value of that certificate at the time of such surrender: Cap. 86.

Provided that where a savings certificate is issued on the condition, to be set out on the face of that certificate, that it is not to be surrendered before such period as may be specified thereon, the purchaser of that certificate shall not be entitled to surrender that certificate or to receive the surrender value of that certificate before the expiry of that period.

(2) Where, for the purposes of this section, any place outside Ceylon is prescribed as a place at which savings certificates may be surrendered, the Postmaster-General may make and he is hereby authorised to make such arrangements as may be necessary to enable savings certificates to be surrendered at that place.

Surrender values of savings certificates to be a charge on the general revenue.

13. The surrender values of savings certificates lawfully issued or deemed to be issued under this Ordinance are hereby charged upon, and shall be payable out of, the general revenue and assets of Ceylon.

Exemption from stamp duty.

14. Any receipt given in respect of the payment of the surrender value of a savings certificate, any power of attorney or other document which relates solely to the payment or receipt of such surrender value, and any document or instrument whatsoever made or executed under the provisions of

this Ordinance or of any regulation shall be free from stamp duty, anything in any other written law to the contrary notwithstanding.

Government not affected by notice of trust.

15. No notice of any trust in respect of a savings certificate shall be receivable by the Postmaster-General or by the Government of Ceylon.

Offences.

Cap. 86.

16. (1) Every purchaser who knowingly obtains or attempts to obtain the surrender value of any savings certificate in respect of which a prohibitory notice has been served on him under section 229 of the Civil Procedure Code, shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding five hundred rupees or to imprisonment for a term not exceeding one year or to both such fine and imprisonment ; and where any court convicts any person of the offence of having knowingly obtained the surrender value of any savings certificate under this sub-section, the court shall, in addition to any other punishment which it may impose for that offence, order a sum equal to the amount of the surrender value so obtained to be recovered from that person as though it were a fine imposed by the court ; and any such sum may be recovered notwithstanding that it may exceed the amount of the fine which the court may in the exercise of its ordinary jurisdiction impose. Every such sum when recovered by the court, shall be remitted to the Postmaster-General and shall be paid by him into the Savings Certificates Fund established by section 17.

(2) Any person who is dissatisfied with any order made under sub-section (1) may, if he appeals against the conviction in consequence of which the order was made, appeal against the order to the Supreme Court and the provisions of sections 338 to 352 of the Criminal Procedure Code shall apply to such appeal.

Cap. 16.

The Savings Certificates Fund.

17. (1) A Fund to be called the Savings Certificates Fund is hereby established for the purposes of this Ordinance.

(2) All moneys received by the Postmaster-General on the issue of savings certificates shall be paid by him from time to time into the Fund :

Provided that, out of moneys received by him as aforesaid, the Postmaster-General may, subject to such directions as may be given to him in that behalf by the Trustees, retain in his custody such sums as may be immediately required for the purpose of meeting current demands for the surrender values of savings certificates already issued, and make all such payments as may be necessary to meet such demands.

(3) All moneys standing, on the day immediately preceding the date on which section 23 of this Ordinance is brought into operation, to the credit of the Savings Certificates Fund established under section 24 of the Ordinance repealed by this Ordinance shall, on that date, be paid into the Fund established by sub-section (1) of this section.

Trustees of the Fund.

18. The Financial Secretary and the Deputy Chief Secretary shall be the Trustees of the Fund and shall have the control and charge thereof.

Application of the Fund.

19. (1) The Trustees shall retain in their name, either with the Deputy Financial Secretary or in such bank or banks as they may think fit, such portion of the Fund as may in their opinion be required for the purpose of meeting current demands for the surrender values of savings certificates already issued, and shall from time to time issue to the Postmaster-General at his request such sums as may be necessary for that purpose.

(2) Out of the balance of the Fund, a sum not exceeding one-third of the Fund may, with the approval of the Governor, be invested by the Trustees in loans granted from time to time to the Government ; and the Deputy Financial Secretary is hereby authorised to borrow such sum on behalf of the Government and to act for the Government for the purposes of any such loan.

(3) Out of such part of the balance of the Fund as may not be immediately required for the purposes of sub-section (2), the Trustees may from time to time grant loans of such amounts as may be approved by the Governor to the Local Loans and Development Commissioners for the purposes of the Local Loans and Development Ordinance.

Cap. 281.

(4) The terms as to repayment and interest and the other conditions on which any loan is granted under sub-section (2) or sub-section (3) shall be such as may be approved by the Governor either generally or in the special circumstances of any particular case.

(5) Such part of the Fund as may not be immediately required for the purposes of sub-sections (1), (2) and (3) may—

(a) be invested by the Trustees—

(i.) in stock, bonds or debentures issued by the Ceylon State Mortgage Bank or by any Land or Mortgage Bank over which the Governor exercises control, or by any central bank established under the Co-operative Societies Ordinance ; or Cap. 107.

(ii.) on any security, other than a mortgage of immovable property, on which a trustee is authorised by section 20 of the Trusts Ordinance, to invest trust moneys ; or Cap. 72.

(b) be deposited for fixed periods not exceeding one year in any bank in Ceylon approved by the Governor.

(6) Every loan granted under this section to the Local Loans and Development Commissioners shall be deemed to be a sum appropriated to the Local Loans and Development Fund by Ordinance, and shall, together with the interest due thereon, be repaid out of that fund.

(7) During the continuance of any war in which His Majesty may be engaged, such part of the Fund as may not be immediately required for the purposes of sub-section (1) may, notwithstanding anything in the preceding provisions of this section, be invested by the Trustees in any loan raised by the Government of Ceylon for the purposes of that war.

Annual statement of accounts.

20. (1) As soon as possible after the thirtieth day of September in each year, the Trustees shall furnish to the Auditor-General a statement of accounts showing—

(a) all sums paid into the Fund under section 17 or issued therefrom to the Postmaster-General under section 19 (1) during the period of twelve months immediately preceding that date ;

(b) the income of the Fund derived from interest earned on loans, investments or deposits made under section 19 during that period ;

(c) the liabilities and assets of the Fund on that date ; and

(d) such other information as may be necessary to set forth the financial results of that period.

(2) Every statement furnished under sub-section (1) shall be published in the *Gazette* with a certificate by the Auditor-General as to its accuracy and completeness.

Regulations

21. (1) The Executive Committee may make all such regulations as may be necessary for the purpose of carrying out or giving effect to the principles and provisions of this Ordinance.

(2) In particular, and without prejudice to the generality of the powers conferred by sub-section (1), the Executive Committee may make regulations for or in respect of all or any of the following matters :—

(a) all matters stated or required by this Ordinance to be prescribed, and all matters for which regulations are authorised by this Ordinance to be made ;

(b) the terms, conditions and restrictions subject to which savings certificates may be issued ;

(c) the issue and surrender of savings certificates, the persons by whom such certificates may be issued, the places at which such certificates may be issued and surrendered, and the procedure to be adopted in connexion with such issue and surrender ;

(d) the circumstances in which, and the terms, conditions and restrictions subject to which substitute certificates or new certificates may be issued, the fees to be charged for the issue of such certificates, and the procedure to be adopted in connexion with the issue and surrender of such certificates ;

(e) the cancellation of savings certificates which have been issued in error or in place of which substitute certificates or new certificates have been issued, the repayment of the purchase price or the surrender value of certificates issued in error, and the circumstances in which the purchase price of certificates issued in error may be forfeited ;

(f) the circumstances in which a savings certificate issued to an approved savings group may be surrendered before such certificate is acquired by a member of that group, and the steps to be taken and the procedure to be followed when a member of an approved savings group acquires a savings certificate issued to that group ;

(*g*) the denominational value of savings certificates which may be assigned by the purchaser thereof, the persons to whom such certificates may be assigned by the purchaser, and the steps to be taken and the procedure to be followed upon the issue, assignment or surrender of any such certificate ;

(*h*) the procedure to be followed where the loss, theft or destruction of a savings certificate takes place or discovered after the death of the purchaser thereof ; the persons to whom and the circumstances in which a new certificate will be issued in such a case ; and the mode of payment of the surrender value of any certificate so lost, stolen or destroyed ;

(*i*) the payment of the surrender value of a savings certificate where the purchaser thereof is of unsound mind ;

(*j*) the settlement in a summary manner of disputes between the Postmaster-General and the purchaser of a savings certificate or a person claiming to be entitled to a savings certificate ;

(*k*) all other matters connected with or incidental to the matters hereinbefore enumerated.

(3) Every regulation made by the Executive Committee under this Ordinance shall be published in the *Gazette* and shall come into operation on such date as may be specified in the regulation or, if no such date is so specified, on the date of such publication.

(4) Every regulation made by the Executive Committee shall be brought before the State Council as soon as may be after the publication thereof by a motion that such regulation shall be approved and, if so approved, shall be submitted to the Governor for ratification.

(5) Any regulation which the State Council refuses to approve or which the Governor refuses to ratify shall be deemed to be rescinded, but without prejudice to the validity of anything previously done thereunder or to the making of any new regulation. The date on which a regulation shall be deemed to be so rescinded shall be the date on which the State Council refuses to approve, or the date on which the Governor refuses to ratify the regulation, as the case may be.

(6) Notification of the date on which any regulation made by the Executive Committee is deemed to be so rescinded shall be published in the *Gazette*.

(7) Any regulation made by the Executive Committee shall, when approved by the State Council and ratified by the Governor, be as valid and effectual as if it were herein enacted. Notification of such approval and ratification shall be published in the *Gazette*.

Interpretation.

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

"approved savings group" means any body of persons declared in writing by the Financial Secretary or by an officer authorised in that behalf by the Financial Secretary to be an approved savings group for the purposes of this Ordinance and any regulations made thereunder ;

"certificate" or "savings certificate" means a certificate which is issued or deemed to be issued under this Ordinance by the Postmaster-General on behalf of the Government to any person on payment of the purchase price on the condition that such person, by virtue of the said payment, becomes entitled, on surrender of that certificate, to receive its surrender value at the time of such surrender ;

"Executive Committee" means the Executive Committee of Communications and Works ;

"Fund" means the Savings Certificates Fund established by section 17 ;

"Local Loans and Development Commissioners" means the Board of Commissioners appointed under section 2 of the Local Loans and Development Ordinance ;

Cap. 281.

"prescribed" means prescribed by this Ordinance or by any regulation made thereunder ;

"purchase price", when used with reference to a savings certificate, means the sum of money paid or to be paid for that savings certificate at the time of the issue thereof ;

"purchaser"—

(*a*) in the case of a savings certificate which is issued to an approved savings group and which has not been acquired by a member of that group, means the approved savings group to which that certificate is issued,

(*b*) in the case of a savings certificate which is issued to an approved savings group and which has been acquired by a member of that group, means the member who acquires that certificate from that group,

(*c*) in any other case, means the person or body of persons to whom a savings certificate is issued under this Ordinance ;

"regulation" means a regulation made by the Executive Committee under this Ordinance ;

"surrender value", when used with reference to a savings certificate, means the sum of money which at any given time the purchaser of that certificate is entitled to receive on the surrender thereof ;

"Trustees" means the Trustees of the Fund.

Repeal and savings.

23. The Savings Certificates Ordinance (Chapter 292) is hereby repealed :

Provided that—

(*a*) every resolution passed under section 2, every direction given under section 3, and every notification published under section 4, of that Ordinance shall continue in force and shall be deemed to be a resolution, direction or notification passed, given or published under section 3, section 4 or section 5, as the case may be, of this Ordinance ;

(*b*) every savings certificate issued under that Ordinance and not surrendered at the appointed date shall be deemed to be a savings certificate issued under this Ordinance ;

(*c*) every loan, investment or deposit made under section 25 of that Ordinance and outstanding or existing at the appointed date shall be deemed to be a loan, investment or deposit made under this Ordinance ;

(*d*) all moneys in the possession of the Trustees or the Postmaster-General by virtue of the provisions of that Ordinance on the day immediately preceding the appointed date, shall, on and after that date, vest in and be held and applied by the Trustees or the Postmaster-General, as the case may be, in accordance with the provisions of this Ordinance ;

(*e*) every body of persons which, on the day immediately preceding the appointed date, is an approved savings group for the purposes of that Ordinance shall be deemed to be an approved savings group for the purposes of this Ordinance and any regulations made thereunder.

In this section "appointed date" means the date on which this section is brought into operation.

Objects and Reasons.

The Savings Certificates Ordinance (Chapter 292) contains provisions relating to so many matters of detail, which can conveniently be prescribed by regulations, that an amendment of the Ordinance is necessary before a new type of savings certificate can be issued or a term or condition relating to savings certificates can be varied.

For example, the Ordinance had to be amended once to increase the amount which may be invested in savings certificates by any one person. A second amendment became necessary when it was decided to issue savings certificates to approved savings groups. A third amendment had to be made before Government Agents, Assistant Government Agents and Divisional Revenue Officers could be authorised to issue such certificates. Further amendment has now become necessary in view of the decision to issue—

(*a*) savings certificates of the denominational value of two rupees, and

(*b*) a new class of savings certificates, to be known as "Twelve Year Savings Certificates" the maximum surrender value of which will be reached at the end of twelve years from the date of issue.

In order to avoid numerous and frequent amendments of this nature, it is proposed by this Bill, to replace the existing Ordinance by a new Savings Certificates Ordinance, which, though modelled on the existing Ordinance, will allow all matters of detail to be prescribed by regulations.

J. L. KOTELAWALA,
Minister for Communications and Works.

Colombo, November 30, 1945.

NOTICES OF INSOLVENCY.

In the District Court of Kandy.

Insolvency. No. I. 110. In the matter of the insolvent estate of Elias Weerasekere of Gangoda Group, Peradeniya.

A meeting of the creditors will be held on December 18, 1945, at 9 o'clock of the forenoon at the Office of Mr. V. R. Wickrematillake, Proctor, No. 16, Colombo street, Kandy, to obtain the sanction of court for the sale of the properties disclosed in the Balance Sheet filed of record by the insolvent.

By order of court, T. J. M. FERNANDO,
November 29, 1945. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Kariyawasan Hewamannage Martin Silva of Battaramulla .... Plaintiff.

No. 28/Z.L. Vs.

(1) Weerapperuma Karkanamalage Walter de Silva of Norris road in Colombo, (2) Jayamanna Mohottige Don Edwin Appuhamy of Pita Kotte .... Defendants.

NOTICE is hereby given that on Saturday, January 5, 1946, will be sold by public auction at respective premises the following property for the recovery of the sum of Rs. 4,500 and costs of suit, viz. :—

The right, title and interest of the 1st and 2nd defendants in and to the following property, to wit :—

1. *At 11 a.m.*—All that divided portion marked A of the land called Makulugahawatta situated at Battaramulla in the Palle pattu of Hewagam korale in the District of Colombo, Western Province ; bounded on the north by the lands belonging to Walpola Mudalige Don Obias, Mabogodage Sara Perera, Hollupathirage Riban Caldera and others, and the land of Muhandiramge Jacolis Gomes and others, east by the land of Walpolamudalige Don Julis Appuhamy and others, south by a portion of this land marked B, west by the high road leading to Pannipitiya ; containing in extent 39 perches as per plan No. 3212 dated July 6, 1926, made by M. B. de Silva, Licensed Surveyor, with the buildings standing thereon.

The right, title, and interest of the 2nd defendant in and to the following properties, to wit :—

2. *At 12.30 p.m.*—All that divided portion of the field called Deniyakumbura, situated at Pita Kotte in the Palle pattu of Salpiti korale in the District of Colombo, Western Province ; and which divided portion is bounded on the north by Mahawelakumbura and Ibbawalakumbura of Wahalatantrige people, east by Tambiliyawala and Kurunduwatta of Don Manuelge people, south by the land of Gangodawilage Nolhamy, west by a portion of Asweddumakumbura ; containing in extent 2 acres and 18 perches as per plan No. 4585 dated February 13, 1941, made by M. B. de Silva, Licensed Surveyor.

3. *At 1 p.m.*—All that divided half part of the field called Asweddumakumbura situated at Pita Kotte aforesaid ; which divided portion is bounded on the north by field of Singakuttige John Perera, east by a portion of Deniyakumbura, south by the land of Gonsalge Julius Boteju, west by the other half part of Asweddumakumbura ; containing in extent 1 acre and 36 perches as per plan No. 4585 dated February 13, 1941, made by M. B. de Silva, Licensed Surveyor.

4. *At 1.30 p.m.*—An undivided 1/9 part or share of all that land called Pelangahawatta situated at Pita Kotte aforesaid (now within the limits of the Urban Council of Kotte) bearing assessment No. 33, Beddagana road ; bounded on the north by the field, east by Kurunduwatta, south by dewata road, west by a portion of this land ; containing in extent about 3 acres though incorrectly stated in deed No. 13569 as being about two and half acres and separately registered in a different folio M 190/325. The land registered under title M 329/11 and M 190/325 are identically the same.

Fiscal's Office, N. A. W. DE SILVA,
Colombo, December 4, 1945. Deputy Fiscal.

In the District Court of Colombo.

Weerasoori Aratchige Nono Hamy of Waturugama .... Plaintiff.

No. 1,035/M.B. Vs.

Ranasinghe Hetti Aratchige Girigoris Edward Ranasinghe Gunasekera of Warapalana .... Defendant.

NOTICE is hereby given that on Tuesday, January 8, 1946, at 2 P.M. will be sold by public auction at the premises the following property, mortgaged with the plaintiff by bond No. 3220 dated October 25, 1934, attested by D. A. P. S. Samaranayake, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated October 5, 1945, for the recovery of the sum of Rs. 500 by way of principal and Rs. 500 by way of interest aggregating Rs. 1,000, with legal interest thereon at 5 per cent. per annum from July 3, 1944, till payment in full and costs of this action taxed at Rs. 173·61 (Rs. 131·05 being incurred costs and Rs. 42·56 being prospective costs) less a sum of Rs. 500, viz. :—

All that undivided half part or share of the undivided ground in extent 5 acres towards the eastern direction and of all the trees and plantations standing thereon from and out of the allotment of land called Kendagahawatta situated at Meddegama in the Gangaboda pattu of Siyane korale in the District of Colombo, Western Province ; which said allotment of land is bounded on the north by Kobomellagahakumbura belonging to Allis Peiris Suriapperuma Appuhamy, east by Nagahalandewatta belonging to Carolis Perera, Panawalagewatta, the family burial ground that has been separated from this land and the land of Upasakage Tochan Appu, south by the land of Peter de Nella Saram Hamine, the deniya that belongs to Gabriel Perera Amarasinghe Appuhamy and others and the land belonging to Nirolis Perera Rupasinghe Appuhamy, west by the land of Mr. Bandaranayake Mudaliyar and the land of Don Lewis Amarasekera Vidane Aratchi ; and containing in extent about 44 acres and 3 roods within the said boundaries. Prior registration D 131/267.

Fiscal's Office, N. A. W. DE SILVA,
Colombo, December 4, 1945. Deputy Fiscal.

Southern Province.

In the District Court of Tangalla.

Andrahennedige Don Dionis de Silva of Mawella, the duly appointed executor of the joint last will and testament of A. P. Samelappu and A. R. Diunuhamy, late of Mawella .. Plaintiff

No. 3,934. Vs.

(1) Dioguhennedige Andrishamy of Moraketiara, and another .... Defendants.

NOTICE is hereby given that on Tuesday, January 8, 1946, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following mortgaged property for the recovery of Rs. 1,516·20, with 15 per cent. interest on Rs. 700 from November 13, 1945, till payment in full, viz. :—

At Moraketiara.

All that soil and plantations of the land called Bogahawatta situated at Moraketiara in West Giruwa pattu of the Hambantota District ; and bounded on the north by Kosetaruppa, east by Bogahakoratiwa, south by Singanetti Arewatta, and west by Wadugewatta ; containing in extent about 4 acres.

Deputy Fiscal's Office, A. WICKRAMASURYA,
Tangalla, December 1, 1945. Additional Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

Porter David Chinniah of Kapay South. .. Plaintiff.

No. 986. Vs.

(1) Ampalavanar Daniel Rajadurai, (2) Rajadurai Thurairajah, both of Pandateruppu ; the 2nd defendant is a minor by his guardian *ad litem* the 1st defendant .... Defendants.

NOTICE is hereby given that on Tuesday, January 8, 1946, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 2nd defendant in the following property for the recovery of the sum of Rs. 1,286, with further interest on Rs. 1,000 at the rate of 10 per cent. per annum from October 21, 1943, till payment in full and costs Rs. 315·70, and poundage and charges, viz. :—

1. A piece of land situated at Changanai in Changanai parish, Valigamam West division of the Jaffna District, Northern Province, called Pallankadu in extent 7 lachams varagu culture with house and cultivated and spontaneous plantations ; bounded on the east by Ponnambalam Thillaiampalam, north by by-lane, west by Muttammah wife of Suppiramaniam and by shareholders, and south by the heirs of Kanapathiar Sinnathurai and by Ponnammah widow of Sinnathamby ; the whole hereof together with the share of well lying in the land belonging to Mooththathamby Sittampalam, and way and water-course.

2. A piece of land situated at Changanai aforesaid, called Kalaiadi in extent 10 lachams varagu culture ; bounded on the east by Murugesar Nagalingam and lane, north by Ponnammah widow of Sinnathamby, west by the property of Vairave Kovil and kerni and land belonging thereto, and south by Chellam wife of Arunasalam and by Vinasithamby Chinniah ; the whole hereof together with the share of well lying in the land belonging to Mooththathamby Sittampalam which is to the north-west of the kerni and way and water-course.

Fiscal's Office, S. S. AIYER,
Jaffna, December 4, 1945. for Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. No. 11,487. In the Matter of the Last Will and Testament of the late Nancy Elizabeth Krasse of Kollupitiya, deceased.

Edith Laura Krasse of Kollupitiya .... Petitioner.

Vs.

(1) Stanley Lionel Krassee, (2) Newton Harold Krasse, (3) Daisy Clarence Krasse, (4) Mercia Olivia Ball *nee* Krasse, (5) Primrose Henrietta Seibel *nee* Krasse, all of Kollupitiya .... Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on October 22, 1945, in the presence of Mr. A. L. P. de Silva, Proctor, on the part of the petitioner above named ; and the affidavit of the said petitioner dated June 19, 1945, and the affidavit of the notary attesting the will dated June 18, 1945, having been read :

It is ordered that the last will and testament of Nancy Elizabeth Krasse of Kollupitiya, the deceased above named, the original of which has been produced and is now deposited in this court be and the same is hereby declared proved, and the petitioner is the executrix named in the said will and the said petitioner be and she is hereby declared entitled to have probate of the said will issued to her accordingly, unless the respondents above named or any person or persons interested shall, on or berfore December 13, 1945, show sufficient cause to the satisfaction of this court to the contrary.

November 6, 1945. V. E. RAJAKARIER, Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. No. 11,589. In the Matter of the Intestate Estate of the late Hettige Marku Perera of Indibedda, deceased.

Kumaragewattage Catherina Fernando of Indibedda .. Petitioner.

Vs.

(1) Hettige Pabilina Apolonia Fernando, (2) ditto Vincent Sardius Perera, (3) ditto John Jeramius Perera, (4) ditto Richard Martinus Perera, (5) ditto Benjamin Martinus Perera, (6) ditto Alexus Dominic Perera all of Indibedda, (7) ditto Mary Muriel Perera of Willorawatta, (8) ditto Arthur Philonius Perera, (9) ditto Vipoline Catherine Perera, (10) ditto Theresa Caroline Perera all of Indibedda, (11) ditto Annie Emalia Perera of Indibedda, minor, by her guardian *ad litem* the 2nd respondent ..... Respondents.

THIS matter coming on for disposal before V. E. Rajakariar, Esq., Additional District Judge of Colombo, on October 2, 1945, in the presence of Mr L S. Fernando, Proctor, on the part of the petitioner above named; the affidavit of the said petitioner dated September 10, 1945, having been read:

It is ordered that the 2nd respondent above named be and he is hereby declared appointed guardian *ad litem* over the minor the 11th respondent above named and 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 said deceased issued to her accordingly, unless the respondents above named or any person or persons interested shall, on or before December 13, 1945, show sufficient cause to the satisfaction of this court to the contrary.

November 22, 1945. V. E. RAJAKARIER, Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. No. 11,612. In the Matter of the Intestate Estate of the late Siripala Samarakkody, late of Shady Grove avenue, Castle street, Colombo, deceased.

Phyllis Nedra Samarakkody (*nee* Senanayake) of Melbourne avenue, Bambalapitiya, Colombo ... . Petitioner.

Vs.

(1) Malini Chitra Samarakkody, (2) Rukmani Samarakkody, (3) Surangani Samarakkody, all minors, by their guardian *ad litem* (4) F. Tissa Senanayake of Srimani, MacCarthy road, Colombo .. .. Respondents.

THIS matter coming on for disposal before V. E. Rajakariar, Esq., Additional District Judge of Colombo, on November 1, 1945, in the presence of Mr. M. Samarakkody, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 11, 1945, having been read.

It is ordered that the 4th respondent above named be and he is hereby declared appointed guardian *ad litem* over the minors, the 1st, 2nd, 3rd respondents above named, and 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 said deceased issued to her accordingly, unless the respondents or any person or persons interested shall, on or before January 17, 1946, show sufficient cause to the satisfaction of this court to the contrary.

November 6, 1945. V. E. RAJAKARIER, Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. No. 11,627. In the Matter of the Intestate Estate of Ponnasamy Canapathy of Peliyagoda Pattiya, Kelaniya, deceased.

Jayasekera Hettiaratchige Engo Tissera Hamine of Peliyagoda Pattiya, aforesaid ..... Petitioner.

Vs.

(1) Canapathy Sabapathy, (2) Canapathy Canagasabai, (3) Canapathy Coomarasingham, all of Peliyagoda Pattiya aforesaid ..... Respondents.

THIS matter coming on for disposal before V. E. Rajakariar, Esq., Additional District Judge of Colombo, on October 26, 1945, in the presence of Mr. D. F. J. Perera, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated October 20, 1945, 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 said deceased issued to her accordingly, unless the respondents above named or any person or persons interested shall, on or before December 13, 1945, show sufficient cause to the satisfaction of this court to the contrary.

November 27, 1945. V. E. RAJAKARIER, Additional District Judge.

In the District Court of Colombo.

Notice of Application.

Testamentary Jurisdiction. No 11,629. In the Matter of the Last Will and Testament (with one codicil thereto) of Edith Winifred Cazenove Armitage Ogden (usually called Winsome Armitage Ogden) of Hanover Court, Hanover street, London, W 1, England, spinster, formerly of the Goring Hotel, Grosvenor Gardens, London, SW 1, 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 Probate of the last will and testament (with one codicil thereto) of Edith Winifred Cazenove Armitage Ogden (usually called Winsome Armitage Ogden) of Hanover Court, Hanover street, London, W 1, England, formerly of the Goring Hotel, Grosvenor Gardens, London, SW 1, spinster, deceased, granted by His Majesty's High Court of Justice in England at the Principal Probate Registry thereof at Llandudno on the sixth day of January One thousand nine hundred and forty-five.

F. J. & G. DE SARAM, Proctors for the Public Trustee of the Public Trustee Office, Kingsway, London, W. C. 2, England, sole executor of the aforesaid last will and testament and codicil.

Colombo, December 7, 1945.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. No. 11,640. In the Matter of the Last Will and Testament of the late Seena Seyna Moona Ahamadu of 152, New Moor street, Colombo, deceased.

Kader Mohideen Seyed Mohamed of 152, New Moor street, Colombo ..... Petitioner.

Vs.

(1) Beevi Pathumma, (2) Cader Umma, (3) Sara Umma, (4) Kadija Umma, (5) P. K. S. Mohamed Hassen, all of 152, New Moor street, Colombo ..... Respondents.

THIS matter coming on for disposal before V. E. Rajakariar, Esq., Additional District Judge of Colombo, on October 2, 1945, in the presence of Mr. A. M. Fuard, Proctor, on the part of the petitioner above named, and the affidavit of the said petitioner dated October 31, 1945, and the affidavit of the Notary attesting the will dated November 1, 1945, having been read.

It is ordered that the 5th respondent above named be and he is hereby declared appointed guardian *ad litem* over the minor, the 4th respondent above named, and the last will and testament of Seena Seyna Moona Ahamadu, the deceased above named, the original of which has been produced and is now deposited in this court be and the same is hereby declared proved unless the respondents above named or any person or persons interested shall, on or before January 17, 1946, show sufficient cause to the satisfaction of this court to the contrary.

November 23, 1945. V. E. RAJAKARIER, Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. No. 11,645. In the Matter of the Last Will of Shah Kanji Goculdas of Bombay in India, deceased.

Ahmed Casim Mohamed Abdul Cader of Dickman's road, Bambalapitiya in Colombo ..... Petitioner.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on November 7, 1945, in the presence of Mr. N. M. Zaheed, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 7, 1945, the power of attorney dated December 18, 1944, and the Supreme Court order dated October 19, 1945, having been read:

It is ordered that the last will of Shah Kanji Goculdas, the deceased above named, dated January 31, 1917, a certified copy of which under the Seal of the High Court of Bombay, has been produced and is now deposited in this court be and the same is hereby declared proved, and the petitioner above named is the duly appointed attorney of Bai Girjabai, widow of Chotalal Kanji of Bombay, the executor named in the will of Shah Kanji Goculdas of Bombay, the deceased above named, and the said petitioner be and he is hereby declared entitled to have letters of administration with certificate of will annexed issued to him accordingly, unless any person or persons interested shall, on or before December 20, 1945, show sufficient cause to the satisfaction of this court to the contrary.

November 14, 1945. V. E. RAJAKARIER, Additional District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. No. 11,666.

In the Matter of the Last Will and Testament (with codicil) of Ethel Lucy Jones of 43, Wellington road, Bridlington, Yorkshire, England, formerly of Lunton Lee, 106, Bare Lane, Morecambe, Lancashire, England, widow, deceased

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on November 20, 1945, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, John Lang, care of the National Bank of India, Limited, Colombo; and (1) the affidavit of the said petitioner dated November 14, 1945, (2) the power of Attorney dated September 21, 1945, and (3) the order of the Supreme Court dated November 7, 1945, having been read: It is ordered that the will of the said Ethel Lucy Jones, deceased, dated May 2, 1940, (with a codicil thereto dated March 14, 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 John Lang is the attorney in Ceylon of the executors named in the said will 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 December 20, 1945, show sufficient cause to the satisfaction of this court to the contrary.

November 26, 1945.

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. No. 3,350.

In the Matter of the Intestate Estate of the late Don Marteenu Jayawardena Appuhamy of Welihena, deceased.

Hapuaratchige Dona Rosa Hamine of Welihena ..... Petitioner.

Vs.

(1) H. Cyril Appuhamy of Ethgala, (2) Don Gilbert Jayawardena (3) Don Benedick Jayawardena (minors), both of Welihena ..... Respondents.

THIS matter coming on for disposal before H. S. Roberts, Esq., District Judge of Negombo, on November 23, 1945, in the presence of Mr. S. A. I. Dheen, Proctor, on the part of the petitioner above named; and the petitioner's affidavit dated November 12, 1945, having been read:

It is ordered that the 1st respondent above named be apppointed guardian *ad litem* over the 2nd and 3rd respondents above named, minors, to represent them for all purposes of their action and that the petitioner 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 December 19, 1945, show sufficient cause to the satisfaction of this court to the contrary.

November 23, 1945.

H. S. ROBERTS,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary Jurisdiction. No. T 530.

In the Matter of the Estate of Wijendrawaduge Simon Appuhamy of Marukona in Matale South.

THIS matter coming on for disposal before H. A. de Silva, Esq., District Judge, Kandy, on July 16, 1945, in the presence of Messrs. Wijayatilake & Wijayatilake, Proctors, on the part of the petitioner, Wijendrawaduge Karunatilake of Marukona aforesaid; and the affidavit of the said petitioner dated April 4, 1945, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the son of the above-named deceased, to have letters of administration to the estate of the said deceased issued to him, unless the respondents (1) Ahangangoda Acharige Podinona, (2) Wijendrawaduge Sadatissa, (3) ditto Premamathie, (4) ditto Wimalatissa, all of Marukona aforesaid, (5) ditto Dayaseeli of Hendeniya, Peradeniya, or any other person or persons interested shall, on or before September 20, 1945, show sufficient cause to the satisfaction of this court to the contrary.

July 16, 1945.

H. A. DE SILVA,
District Judge.

The date for showing cause is extended to November 12, 1945.

September 17, 1945.

H. A. DE SILVA,
District Judge.

The date for showing cause is extended to December 17, 1945.

November 12, 1945.

H. A. DE SILVA,
District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. No. T 550.

In the Matter of the Last Will and Testament of Arumandi Loku Gamhewage Alwis Appuhamy, deceased, Dehigama.

THIS matter coming on for disposal before H. A. de Silva, Esq., District Judge, Kandy, on October 19, 1945, in the presence of Messrs. Panabokke & Kobbekaduwa, Proctors, on the part of the petitioner, Arumandi Lokugamhewage Don Aron Appuhamy *alias* H. M. A. Waidiyaratne of Dehigama; and the affidavit of the said petitioner dated October 12, 1945, and of the attesting Notary dated March 12, 1945, having been read:

It is ordered that the last will of the above-named deceased dated July 17, 1944, and now deposited in this court be and the same is hereby declared proved unless the respondents, (1) Arumandi Lokugamhewage Alice Somasumana of Pusulpitiya, (2) Roslin Seelawathie of Dehigama or any other person or persons interested shall, on or before December 13, 1945, show sufficient cause to the satisfaction of this court to the contrary;

It is further declared that the said petitioner is the executor named in the said will and that he is entitled to have probate of the same issued to him accordingly, unless the said respondents or any other person or persons interested shall, on or before the said date, show sufficient cause to the satisfaction of this court to the contrary.

October 19, 1945.

H. A. de SILVA,
District Judge.

In the District Court of Nuwara Eliya.

Order Nisi.

Testamentary Jurisdiction. No. 400.

In the Matter of the Intestate Estate and Effects of Mookakounder Marudiahpillai Muthiahpillai of Brookside estate, Brookside, deceased.

Between

(1) Mookakounder Maridiahpillai Theyarayapillai of Mahadowa estate in Madulsima, (2) Nallatamby Chettiar Raju Chettiar of Nuwara Eliya, duly constituted attorneys of Sellammal, widow of the said Mookakounder Marudiahpillai Muthiahpillai, deceased ..... Petitioners.

And

(1) Marudiahpillai Muthiahpillai Ponnusamy Pillai of Brookside estate, Brookside, (2) Sivakamy Ammal, wife of R. V. K. Arunachalam Pillai of Venkattachalapuram in Trichy, (3) Marudiahpillai Muthiahpillai Thangaraja of Brookside estate, Brookside, (4) Marudiahpillai Muthiahpillai Somasunderam, (5) Marudiahpillai Muthiahpillai Manaonmany Ammal, (6) Marudiahpillai Muthiahpillai Sarojiniammal, (7) Marudiahpillai Muthiahpillai Indrawathiammal, (8) Marudiahpillai Muthiahpillai Nadaraja, (9) Marudiahpillai Muthiahpillai Sandrasegaram, all of Okkarai in Trichy, the 3rd to 9th abovenamed minors by their guardian *ad litem*, the 1st respondent ..... Respondents.

THIS matter coming on for disposal before T. P. P. Goonetilleke, Esq., District Judge, on November 23, 1945, in the presence of Mr. V. Ponnusamy, Proctor, on the part of the petitioners; and the affidavit and petition of the petitioners dated November 15, 1945, and November 23, 1945, respectively, having been read: It is ordered (*a*) that the petitioners above named, as the duly constituted attorneys of Sellammal, widow of the deceased above named, be and they are hereby declared entitled to obtain letters of administration to the estate of the deceased above named, (*b*) that such letters of administration be granted to them, (*c*) that the 1st respondent above named be and he is hereby appointed guardian *ad litem* over the 3rd to 9th respondents who are minors for the purpose of these proceedings, unless the respondents above named or any other person or persons interested in the estate of the deceased above named shall, on or before December 21, 1945, show sufficient cause to the contrary to the satisfaction of this court.

November 23, 1945.

T. P. P. GOONETILLEKE,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. No. 378.

In the Matter of the Last Will and Testament of the late Kandar Selvadurai of Urumpirai, deceased.

Saraswathy daughter of Selvadurai of Urumpiray....Petitioner.

Vs.

(1) Rajeswari daughter of Selvadurai, (2) Selvaduraı Mahendiran, (3) Thanaladchumy daughter of Selvaduraı, (4) Panchalaxmy daughter of Selvaduraı, the 2nd to 4th respondents are minors, appearing by their guardian *ad litem* the 5th respondent (5) Thaiamuttu widow of Selvaduray, all of ditto, (6) Sarveswary of ditto .. .. Respondents.

THIS matter of the petition of the petitioner praying that the 5th respondent above named be apppointed guardian *ad litem* over the 2nd to 4th respondents, that the last will filed of record be declared proved and that the petitioner be as executrix named therein declared entitled to letters of probate, coming on for disposal before H. A. de Silva, Esq, District Judge, Jaffna, on March 6, 1945, in the presence of V. Navaratnarajah, Proctor, on the part of the petitioner; and on reading the affidavit and petition of the petitioner:

It is ordered that the 5th respondent be appointed guardian *ad litem* over the 2nd to 4th respondents for the purpose of representing them in this case, that the last will filed of record be declared proved and that the petitioner be as executrix named therein declared entitled to have letters of probate, unless the respondents or any others shall show sufficient cause to the contrary on May 17, 1945, at 10 A.M.

May 4, 1945.

S. J. C. SCHOKMAN,
District Judge.

Extended to July 12, 1945.

S. J. C. SCHOKMAN,
District Judge.

Extended to December 11, 1945.

S. J. C. SCHOKMAN,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. No. 475. In the Matter of the Last Will and Testament of the late Kanapathy Kandiah of Karativu West, deceased.

Kandiah Subramaniam of Karativu West ..... Petitioner.

Vs.

(1) Kandiah Murugesu, (2) Kandiah Paramasamy, (3) Kanagammah, daughter of Kandiah, and (4) Maniccam, widow of Kandiah, all of Karativu West ..... Respondents.

THIS matter of the petition of the above-named petitioner praying for the appointment of the 4th respondent as guardian *ad litem* over the minors 1st to 3rd respondents and for grant of probate to the last will of the above-named deceased, coming on for disposal before S. S. J. Goonesekera, Esq., District Judge, Jaffna, on October 11, 1945, in the presence of Mr. T. Arumanayagam, Proctor, on the part of the petitioner, and the affidavit of the petitioner and the affidavit of the witnesses to the last will dated August 18, 1945, having been read:

It is ordered that the above-named 4th respondent be appointed guardian *ad litem* over the minors 1st to 3rd respondents for the purpose of respresenting them in this case and that the last will and testament of the above-named deceased and filed of record in this case be declared proved, unless the above-named respondents or any other person shall, on or before November 9, 1945, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the petitioner is the executor in the said will and he is entitled to have probate of the said will issued to him accordingly.

S. S. J. GOONESEKERA,
October 11, 1945. District Judge.

This *Order Nisi* is extended till December 17, 1945.

B 3

In the District Court of Jaffna.

Order Nisi.

Testy. No. 502. In the Matter of the Estate and Effects of the late Antimapillai, wife of Xavier Bastiampillai of Karamban, deceased.

Annammah, widow of T. Savarimuttu of Karamban .... Petitioner.

Vs.

Xavier Bastiampillai now of Puttalam ..... Respondent.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on December 1, 1945, in the presence of Mr. S. James, Proctor, for petitioner, and the affidavit of the petitioner having been read: It is ordered that the petitioner be declared entitled to have letters of administration of the estate of the said intestate as sole heir, unless the respondent or any other person shall appear before this court on December 18, 1945, and state objection or show cause to the satisfaction of this court to the contrary.

R. R. SELVADURAI,
December 1, 1945. District Judge.

In the District Court of Kurunegala.

Order Nisi.

Testamentary Jurisdiction. No. 4,593. In the Matter of the Estate of the late Ahamadu Lebbelage Meera Lebbe of Kurikotuwa in Meddeketiyakorale, deceased.

Ismalebbe Abdul Majeedu of Kurikotuwa in Meddeketiya korale ..... Petitioner.

THIS matter coming on for disposal before M. C. Sansoni, Esq., District Judge of Kurunegala, on October 23, 1945, in the presence of Mr. M. O. M. Thahir, Proctor, for the petitioner above named; and the affidavit of the said petitioner dated October 22, 1945, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as the nephew and as sole heir of the above-named deceased, to have letters of administration to his estate issued to him, unless

the respondents or any other person or persons interested shall, on or before December 14, 1945, show sufficient cause to the satisfaction of this court to the contrary.

M. C. SANSONI,
District Judge.

October 23, 1945.

In the District Court of Kurunegala.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. No. 4,600.

In the Matter of the Estate of the Late Herat Mudiyanse Ralahamillage Bandaramenika, deceased of Gopallewa.

Herat Mudiyanse Ralahamillage Bandaramenika of Gopallewa.....Deceased.

Wijesundera Wickramasinghe Panditharatne Wasala Mudiyanseralahamillage Karunaratne Banda Korale Mahatmaya of Gopallewa.....Petitioner.

THIS matter coming on for disposal before S. S. J. Goonesekera, Esq., District Judge of Kurunegala, on November 12, 1945, in the presence of Messrs. Ratnayake & Perera, Proctors, on the part of the petitioner; and the affidavit of the said petitioner and attesting Notary dated November 5, 1945, having been read:

It is ordered that the will of Herat Mudiyanse Ralahamillage Bandara Menika, deceased, dated September 15, 1944, and now deposited in this court be and the same is hereby declared proved, unless any person or persons interested shall, on or before December 21, 1945, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Wijesundera Wickramasinghe Panditharatne Wasala Mudiyanse Ralahamillage Karunaratne Banda is the executor named in the said will and that he is entitled to have probate of the same issued to him accordingly, unless any person or persons interested shall, on or before December 21, 1945, show sufficient cause to the satisfaction of this court to the contrary.

S. S. J. GOONESEKERA,
District Judge.

November 15, 1945.

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