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PART II.—LEGAL.

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

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DRAFT ORDINANCE: MINUTE.

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

An Ordinance to incorporate a Board of Management of the Sri Sumangala College and Schools, Panadura.

WHEREAS schools called and known as the Sri Sumangala College, the Sri Sumangala Boys School and the Sri Sumangala Girls' School respectively have heretofore been established at Panadura for the purpose of education:

And whereas the purpose and object of the said Schools would be more effectually prosecuted and attained by the constitution and incorporation of a Board of Management empowered to own, control, manage and transact all the affairs of the said schools and of any branches thereof and of any other schools such Board may deem it advisable to take over, or establish:

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 Sri Sumangala Schools Board of Management (Incorporation) Ordinance, No. of 1945.

Short title.

2. (1) There shall be established a Board (hereinafter referred to as "the Board") the members of which for the time being shall be and are hereby constituted a body politic and incorporate with the name of "The Sri Sumangala Schools Board of Management".

Incorporation of Sri Sumangala Schools Board of Management.

(2) The Board shall in the said name and for the purposes herein mentioned have perpetual succession, and shall by the said name sue and be sued, plead and be impleaded, answer and be answered, in all courts, and shall have and use a common seal with power to break, alter and renew the same at its discretion.

3. (1) The Board shall consist of—

Composition of the Board.

- (a) Seven life members, and
- (b) Twenty-four other members,

elected in accordance with the rules made under this Ordinance.

(2) Notwithstanding anything in sub-section (1), the first members of the Board shall be the following:—

(a) *Life Members:*

- 1. Mudaliyar Thomas Rodrigo.
- 2. Mrs. Angela Ellen Dias.
- 3. Mrs. Dervisina Leanora Dias.
- 4. Ponnahennedige Alfred Lewis Dias.
- 5. Walter Salgado.
- 6. Arthur Vincent Dias.
- 7. Neville Spencer Cornelius Perera.

(b) *Other Members:*

- 1. Richard Salgado.
- 2. Susanta de Fonseka.
- 3. Ponnahennedige Robert Dias.

4. Dr. Theobold Henry Dias.
5. Charles Victor Dias.
6. Neil Quintus Dias.
7. Charles Martin Dias.
8. Mrs. Lillian Perera.
9. Mrs. Cecily Violet Dias.
10. David Solomon Fernando.
11. Percy Reginald Rodrigo.
12. Dickman Harold Dias.
13. Thomas Edwin Gooneratne.
14. Waduge Leo Fernando.
15. Wilmot Rodrigo.
16. Leslie Simon Bernard Perera.
17. Patrick de Silva Kularatne.
18. Mrs. Eileen Rachel Amarasuriya.
19. Cyril Thomas Rodrigo.
20. Warusahennedige Abraham Bastian Soysa.
21. Arthur Edwin Dias.
22. Mututantirige William Peter Cooray.
23. Mututantirige Albert Cooray.
24. Bensiri Senarath Dias.

Power to
make rules.

4. (1) It shall be lawful for the Board from time to time at any meeting specially called for that purpose and by a majority of the members present and voting to make such rules, not inconsistent with this Ordinance, as it may deem expedient for the management of its affairs and the accomplishment of its objects.

(2) The powers of the Board to make rules shall, without prejudice to the generality of the powers conferred by subsection (1), include the power to make rules for all or any of the following purposes :—

- (a) the election of life members and other members of the Board, and the terms of office of members of the Board, other than life members ;
- (b) the appointment of a Chairman, Secretary and Treasurer of the Board ;
- (c) the custody of the seal of the Board ;
- (d) The procedure to be followed in the transaction of business ; and
- (e) the conduct of the duties of the Board and of the various officers and servants of the Board.

Power of the
Board to hold
property.

5. The Board shall at all times hereafter be able and capable in law to acquire by purchase, exchange, gift, devise or bequest or in any other manner, and to hold and enjoy in perpetuity or for any lesser term, subject to any express trust or otherwise for the benefit of the said Schools and of any of its branches and of any other Schools such Board may deem it advisable to take over or establish, any property movable or immovable of any nature or kind whatsoever.

Power of the
Board to deal
with property
and to make
investments.

6. The Board may erect or cause to be erected any building on any land vested or acquired or held by it, and may also from time to time sell, grant, convey, demise, assign, exchange and dispose of or mortgage any property for the time being vested in the Board. The Board may invest any funds vested in the Board in any securities authorised as a trustee investment by the law of England or of India or of Ceylon or upon any mortgage of movable or immovable property in Ceylon.

Seal of the
Board.

7. The seal of the Board shall not be affixed to any instrument whatsoever except in the presence of the Chairman and one other member of the Board who shall sign their names to the instrument in token of their presence, and such signing shall be independent of the signing of any person as a witness.

General
powers of the
Board.

8. It shall be lawful for the Board in all cases not provided for in this Ordinance to act in such a manner as appears to it best calculated to promote the welfare of the said Schools and of any other Schools such Board may deem it advisable to take over or establish.

Saving as to
the rights of
His Majesty
and others.

9. Nothing in this Ordinance contained shall prejudice or effect the rights of His Majesty the King, His Heirs and Successors, or of any body politic or corporate or of any other person, except such as are mentioned in this Ordinance and those claiming by, from or under them.

Objects and Reasons.

The objects of this Bill is to incorporate the Board of Management of the Sri Sumangala College and Schools, Panadura, so as to enable the Board more effectively to administer its affairs, and to hold and dispose of property, both movable and immovable, as a body corporate with perpetual succession.

SUSANTA DE FONSEKA,
Mover of the Bill.

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Kalutara, will be holden at the Town Hall, at Kalutara, on Tuesday, April 3, 1945, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office,
Colombo, March 13, 1945

H. C. WIJESINHA,
for Fiscal.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo,

(1) V. Ramasamy Iyanger and (2) K. R. Subramana Iyer, administrators of the Estate of the late R. M. A. R. E. M. Arunachalam Chettiar of Sea street, Colombo Plaintiffs.
No. 14,172/M. Vs.

L. M. H. Abdul Hameed of Welimadatota in Kegalla, presently of 188, New Moor street, Colombo Defendant.

NOTICE is hereby given that on Thursday, April 19, 1945, at 4 P.M., will be sold by public auction at the premises the right, title and interest of the said defendant in the following property, for the recovery of the sum of Rs. 350, less Rs. 100, viz. :-

All that premises No. 5, China street, Pettah, within the Municipality and District of Colombo, Western Province; and bounded on the north by property of M. Haniffa, bearing No. 760/39, east by China street, south by property of T. Sanmugam and Noordeen Hadjar Mohamed Sahib bearing Nos. 161/41-42 and 53 and 160/52, west by property of Solomon Silva Candappa bearing No. 159A/51 (2); containing in extent 55/100 of a perch according to plan No. 1,663, dated March 13, 1920, made by T. E. de S. Wijeratne, Municipal Surveyor.

Fiscal's Office,
Colombo, March 20, 1945.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Colombo.

I. D. A. Wijeratne of Waga Plaintiff.
No. 15,017/M. Vs.

K. D. P. Abeyasiriwardena of Banagala, Waga Defendant.
NOTICE is hereby given that on Wednesday, April 18, 1945, at 11.30 A.M., will be sold by public auction at this office, the following property belonging to the plaintiff, for the recovery of the sum of Rs. 160.50, to wit: Rs. 105 as costs of the day and Rs. 55.50 as costs of execution, viz. :-

The right, title and interest of the plaintiff's (judgment debtor's) claim, if any, in action No. 15,017/M of the District of Colombo to the sum of Rs. 4,741.16.

Fiscal's Office,
Colombo, March 20, 1945.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Colombo.

S. L. Pouher of Homagama Plaintiff.
No. 15,195/M. Vs.

(1) M. C. Fernando of 102, Laxapathiya, Moratuwa, and another Defendants.

NOTICE is hereby given that on Friday, April 20, 1945, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following properties for the recovery of the sum of Rs. 300, with legal interest thereon from October 29, 1943, till payment in full and costs of suit, viz. :-

1. At 9.30 p.m.—The contiguous allotments of land with the plantations and everything thereon called Elabodawatta and Elabodawatta bearing assessment No. 102, situated at Laxapathiya within the local limits of Moratuwa in the Palle pattu of Salpiti korale in the District of Colombo, Western Province; and Elabodawatta bounded as follows: On the north by owita of Merennage Sylvestry Fernando, east by Lunawe-ela, south by owita of Mahmige Francisu's Fernando, and west by the remaining half share of Elabodawatta of Christombu Fernando and Elabodawatta; containing in extent one rood nineteen and forty-one hundredth perches. Elabodawatta bounded as follows: On the north by the land of Merennage Andris Fernando, east by Elabodawatta, south by the remaining half share of this land of Christombu Fernando, and west by the land belonging to the children of Merennage Samel Fernando; and containing in extent one rood and twenty-six perches.

2. At 4 p.m.—All that divided northern portion from and out of all those contiguous allotments of land called Delgahawatta, Mahmigawatta and Elabodawatta with the buildings and plantations thereon, presently bearing assessment No. 100, situated at Laxapathiya aforesaid; and bounded on the north by land of Sellaperumage Amaris Fernando and brothers, east by Lunawe-ela, south by a portion of this land, and on the west by land belonging to Rev. Don Peter Ferrard Ferdinando and W. R. Ferdinando; and containing in extent one acre and ten and half perches.

Fiscal's Office,
Colombo, March 20, 1945.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Colombo.

Zanudeen Hadjar Nafeesa Umma of 8, Cotta terrace, Borella, Colombo, administratrix of the Estate of the late Mohamed Hadjar Ahamed Munsoor, deceased, formerly carrying on business under the name, style and firm of C. W. Vangeyzel & Co. Plaintiffs.

No. 15,198/M. Vs.

A. A. M. Haniffa of 101, Maliban street, Colombo Defendant.

NOTICE is hereby given that on Wednesday, April 18, 1945, at 10.30 A.M., will be sold by public auction at this office, the following movable property, for the recovery of the sum of Rs. 12,634.41 with interest thereon at the legal rate from November 1, 1943, till payment in full, viz. :-

Any loan, dividend, bonus, surrender value or other moneys payable to the defendant or liable to become payable on the Policy of Assurance No. 4290787 in the Prudential Assurance Co., Ltd., and the right, title and interest of the said defendant in the said Insurance Policy.

Fiscal's Office,
Colombo, March 20, 1945.

H. C. WIJESINHA,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

S. Razak Bai of 41, King street, Kandy Plaintiff.
No. M. R. 1,235. Vs.

(1) Maduwedurayalegedera Kiru Bandu and another, both of Kadawathgama, Kadugannawa Defendants.

NOTICE is hereby given that on Tuesday, April 24, 1945, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said 1st defendant in the following property, for the recovery of the sum of Rs. 600.61 with further interest on the balance principal sum of Rs. 560.61 at the rate of 18 per cent. per annum from February 17, 1943, till September 16, 1943, and thereafter with legal interest on the aggregate amount at 9 per cent. per annum from September 16, 1943, till payment in full and costs of suit and poundage, viz. :-

1. Gonnadeniyakumbura of 2 amunams, Kahatagodellewatta of 3 amunams, and (3) Gonnadeniyewatta of 8 amunams, all forming one property of aggregate of 13 amunams in paddy sowing extent, situate at Urapola in Medapalata of Yatnuwara, Kandy District, and together bounded on the east by Puhlingederawatta and Panna Durayalewatta, on the south by Karawalekumbure-ella on the west by ditch of Henayagekumbura Egodakotuwewatta and Hapugaskumbura, and on the north by Hapugaskumbura, with the buildings and everything standing thereon.

2. All those field called Karawalekumbura of 5 pelas paddy and adjoining Karawalewattekumbura of 6 lahas, situate at Urapola aforesaid, and together bounded on the east by Delgollegederawatta, on the south by Nanu-oya, on the west by Dotalegedera Suhandiramhamy's land, and on the north by Mutupanehena.

Valuation: Rs. 3,500.

Fiscal's Office,
Kandy, March 15, 1945.

H. F. RATWATTE,
Deputy Fiscal.

Province of Uva.

In the District Court of Badulla.

D. W. S. Ekanayake of Bandarawela Plaintiff.
No. 6,811. Vs.

G. P. H. William de Silva of Silvaland estate, Badulla. Defendant.

NOTICE is hereby given that on Saturday, April 21, 1945, at the times specified below, 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 a sum of Rs. 2,985.37 with legal interest thereon from April 25, 1944, till payment in full and costs of suit Rs. 483.55, viz. :-

1. At 9 a.m.—All that land called Mutuwatta alias Pelapolwatta with the two buildings thereon bearing assessment Nos. 932 and 933 (new Nos. 71 and 73) situated at Lower street in the Town and District of Badulla in the Province of Uva; bounded on the north by wall of premises bearing assessment No. 934 belonging to the Dewale, east by Pelapolwatta, south by wall of premises bearing assessment No. 931 belonging to Dewale, west by Lower street; and containing in extent 24 feet by 45 feet and registered in A. 13/200.

2. Commencing at 2 p.m.—The land called Diyanillagollepatana situated at Medagama in Rilpola korale in Yatukinda Division in Badulla District of the Province of Uva; containing in extent 9 acres 3 roods and 33 perches, together with the plantations and everything thereon; and bounded on the north by Tibbotugoda Mudunewatta claimed by Huduhamy Aracci and another and Godamuduna and Lindaelapothahena claimed by Siyatu Vidane and others, east by Godamudenehena and Lindaelapothahena claimed by Siyatu Vidane and others, south by water-courses, Kohlilgollekumbura claimed by Udagedera Appuhamy and others, and west by Diyanillagollehena claimed by Huduhamy Aracci and others, and reservation along the path and registered in B. 133/238 at the Badulla Land Registry.

3. All that land called Koratuwaknilehena with the plantations and everything thereon, situated at Medagama aforesaid; containing in extent 3 roods and 1 perch; and bounded on the north by lot 20x and 21, east by an ela, south by T. P. 178069, west by a road and registered in B. 133/239 at the said registry.

4. All that land called Koratuwaknilewatta with the plantations and everything thereon; containing 4 seers of kurakkan sowing extent, situated at Medagama aforesaid; and bounded on the north

by Tissahamy's land, east by ela, south by land belonging to Kirihata and Kiripuncha, live fence and stone fence, west by Bokotuwa and Malaode, and registered in B. 133/240 at the said registry.

5. All that land called Kokilalollekumbura (now highland) with the plantations and everything thereon containing one and a half seers of kurakkan sowing extent, situated at Medagama aforesaid; and bounded on the north by Pitaode, east by oya, south by a portion of this land, west by oya, and registered in B. 112/213 at the said registry.

6. Commencing at 4 p.m.—All those contiguous allotments of land called and known as (1) Wawapattakotuwa of 4 kurunies of kurakkan sowing extent, (2) Burutekotuwa of about 3 kurunies of kurakkan sowing extent, (3) Mahagalawatta of about 2 kurunies of kurakkan sowing extent, (4) Siyambalagaswatta of about 4 seers of kurakkan sowing extent, (5) Kolabussegahawatta of about 2 kurunies of kurakkan sowing extent, (6) Wewatennepansalawatta and Ellapitawatta of about 3 kurunies of kurakkan sowing extent, (7) Wewatennawatta *alias* Kolluwatta of about 4 kurunies of kurakkan sowing extent, (8) Tennewatta of about 4 kurunies of kurakkan sowing extent, (9) Ushelligahawatta *alias* Usheraligahawatta of about 3 kurunies of kurakkan sowing extent, (10) Ilukwatta of 4 kurunies of kurakkan sowing extent, (11) Kalabatuwewatta of about 3 kurunies of kurakkan sowing extent, (12) Kukurumankotuwa of about 1 kurunie of kurakkan sowing extent, (13) Rukatana-gahawatta of 3 kurunies of kurakkan sowing extent, (14) Ritigah-arawatta of about 3 kurunies of kurakkan sowing extent, (15) Wemiddearawawatta of 2 kurunies of kurakkan sowing extent, and eastern portion of Ritigahawatta of 2 kurunies of kurakkan sowing extent, (16) Ritigahawatta of 1 kurunie of kurakkan sowing extent, (17) Ritigahawatta of 3 kurunies of kurakkan sowing extent, (18) Galkotuwawatta of 3 kurunies of kurakkan sowing extent, all of which now form one property situated at Imbulgoda in Rilpola korale aforesaid; containing in extent 20 acres 1 rood and 28 perches according to plan of survey dated May 3, 1926, made by E. F. Ebert, Surveyor; and bounded on the north by Rockhill estate, east by galweta of Siyambalagaswatta, south by stone fence of Mankotuwewatta, west by Hingurugamuwe ela, *subject to Indenture of Lease No. 1017 dated January 17, 1941, attested by F. Sebastian, notary public, for 10 years, and registered in B. 112/219 at the said registry.*

7. All those contiguous lands called and known as Udawatta and Posawatta with the buildings and plantations thereon; containing in extent 6 acres 2 roods and 24 perches, situated at Imbulgoda aforesaid; bounded on the north by land belonging to Allis Baas, east by Rockhill estate, south by Rockhill estate, west by stone fence, *subject to Indenture of Lease No. 1017 aforesaid for 10 years, and registered in B. 112/220 and B. 103/32 at the said registry.*

8. All those contiguous lands called Kalabussegawatta *alias* Dewatagahawatta, Bombuhena and Jambughahena with the plantations and everything thereon; containing in extent 3 acres 3 roods and 18 perches; and bounded on the north by Silvaland estate, east by Kahatagahawatta, Hinguruwatta, south by Diyakandura, and west by Silvaland estate, and situated at Imbulgoda aforesaid.

Fiscal's Office,
Badulla, March 15, 1945.

P. M. ANDRADO,
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Alawatta estate, Veyangoda, deceased.

(1) Mudaliyar John Eric Perera of 31, Green street, Kotahena, in Colombo (2) Dr. John Duncan Leslie Perera, D. M. O., Civil Hospital, Padakkla Petitioners.

(3) Dr. John Alexander Perera of 9, Norfolk road, Sheffield, England, (4) Mrs. Dulcie Gladys Obeyesekera of Alawatta estate, Veyangoda, (5) John Rupert Paul Perera of 7-14th lane, Bambalapitiya, (6) Rev. John Christoffel Clive Perera of Matara, (7) Shanti Obeyesekera, minor, by her guardian *ad litem*, (8) Hector O. W. Obeyesekera, Proctor, Supreme Court, both of Kalutara Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on February 28, 1945, in the presence of Mr. C. R. de Alwis, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioners dated December 8, 1944, affidavit of notary attesting the will and of one witness dated January 18, 1945, and the affidavit of four witnesses to the codicil dated February 9, 1945, having been read:

It is ordered that the last will and testament dated March 27, 1937, and the codicil dated May 22, 1942, of the late Rosaline Florence Perera, the deceased above named the originals of which have been produced and are now deposited in this court be and the same are hereby declared proved and the petitioners are the executors named therein and they are hereby declared entitled, to have probate of the said will and codicil issued to them accordingly, unless the respondents above named or any person or persons interested shall, on or before May 3, 1945, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 6th respondent above named be hereby declared appointed guardian *ad litem* over the minor, the 5th respondent above named, unless the respondents above named or any person or persons interested shall, show sufficient cause to the satisfaction of this court to the contrary on or before May 3, 1945.

March 8, 1945.

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

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Persis Hayes of the Firs Upper Dicker, Hellingly in the County of Sussex, England, widow, deceased.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on March 1, 1945, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Clarence Charles Misselbrook of the Mercantile Bank of India, Limited, Colombo; and (1) the affidavit of the said petitioner dated February 27, 1945, (2) the power of attorney dated September 13 and 16, 1944, and (3) the order of the Supreme Court dated February 14, 1945, having been read: It is ordered that the will of the said Persis Hayes deceased dated April 5, 1943, a certified copy of which under the seal of the District Probate Registry of His Majesty's High Court of Justice at Lewes 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 Clarence Charles Misselbrook 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 annexed) issued to him accordingly, unless any person or persons interested shall, on or before May 3, 1945, show sufficient cause to the satisfaction of this court to the contrary.

March 9, 1945.

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

In the District Court of Colombo.

Notice of Application.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Elizabeth Raddage Brown of 51, The Grove Church End Finchley in the County of London N. 3., widow, deceased.

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

NOTICE is hereby given that after the expiry of twenty-one days from the date hereof, application will be made to the District Court of Colombo under the British Courts Probates (Re-sealing) Ordinance (Chapter 84) for the Sealing of the Original Grant of Probate of the last will and testament of Elizabeth Raddage Brown of 51, The Grove Church End Finchley in the County of London N. 3., widow, deceased, granted by the District Probate Registry of His Majesty's High Court of Justice at Oxford on September 10, 1943.

March 2, 1945.

JULIUS & CREASY,
Proctors for Leslie George Byatt, Attorney for Dorothy Louise Campbell Bothwell, the sole executrix of the Last Will and Testament of Elizabeth Raddage Brown, deceased.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of the late Louise Susan Drieberg of Camville, Maharagama in the District of Colombo, deceased.

(1) Basil John Drieberg of Panwila estate, Panwila, (2) Cecil Anthony Maartensz of Camville, Maharagama Petitioners.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on March 5, 1945, in the presence of Mr. T. E. D. Pieres, Proctor, on the part of the petitioners above named; and the affidavit of the petitioners dated October 30, 1944, and October 5, 1944, the affidavit of the attesting notary dated March 5, 1945, having been read:

It is ordered that the last will and testament of Louise Susan Drieberg of Camville, Maharagama, deceased, and the codicil thereto dated December 14, 1941, the originals of which have been produced and are now deposited in this court be hereby declared proved, and the petitioners are the 2nd and 3rd executors named therein, the 1st named executor having resigned his executorship, and the said petitioners are hereby declared entitled to have probate of the said will and codicil issued to them accordingly, unless any person or persons interested shall, on or before May 3, 1945, show sufficient cause to the satisfaction of this court to the contrary.

March 15, 1945.

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

In the District Court of Colombo.

Order Absolute in the First Instance.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Lionel George Henricus Wendt of Alborada, Guildford crescent, Colombo, in the Island of Ceylon, Music Teacher and Photographer, deceased.

And

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

Henry Lorenz Wendt of 18, Guildford crescent, Colombo Petitioner.

THIS matter coming on for final determination before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on March 16, 1945, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Henry Lorenz Wendt of 18, Guildford crescent, Colombo; and (1) the affidavit of the said petitioner dated March 12, 1945, and (2) the affidavit of the attesting notary of the will dated March 13, 1945, having been read: It is ordered that the will of the said Lionel George Henricus Wendt, deceased, bearing No. 236 dated July 1, 1933, and attested by Neil de Saram of Colombo, aforesaid, Notary Public (the original of which will 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 Henry Lorenz Wendt is the sole executor named in the said will and that he is entitled to have probate thereof issued to him accordingly subject to his tendering the usual oath.

March 19, 1945.

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

In the District Court of Kalutara.

Order absolute declaring Will proved. &c.

Testamentary In the Matter of the Estate of the late Cassim Jurisdiction. Lebbe Marikar Zainadeen Marikar of China No. 3,195. For in Beruwala, deceased.

Mohamed Haniffa Marikar, Mohamed Sally Marikar *alias* Abdul Careem Marikar, Mohamed Sally Marikar of China Fort in Beruwala Petitioner.

THIS matter coming on for disposal before J. H. V. S. Jayawickrama, Esq., District Judge, Kalutara, on January 11, 1945, in the presence of Mr. A. M. A. Wadood, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner, witnesses and notary dated December 24, 1944, having been read along with last will No. 354 of February 23, 1940, filed of record.

It is ordered that the last will of Cassim Lebbe Marikar Zainadeen Marikar, deceased, dated February 23, 1940, and numbered 354, be and the same is hereby proved, unless any person or persons show sufficient cause to the satisfaction of this court to the contrary.

January 11, 1945.

J. H. V. S. JAYAWICKRAMA,
District Judge.

The date is extended till March 26, 1945.

J. H. V. S. JAYAWICKRAMA,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Dr. Samuel Jurisdiction. Martin Thuring of Gammaduwa Group, Gammaduwa. No. T 475.

THIS matter coming on for disposal before M A Samarakoon, Esq., District Judge, Kandy, on November 22, 1944, in the presence of Mr. U. L. A. S. Abdul Wahab, Proctor, on the part of the petitioner Janneth Kathleen Lucretia Pietersz of Gammaduwa Group aforesaid; and the affidavit of the said petitioner dated September 28, 1944, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as the daughter of the above-named deceased, to have letters of administration to the estate of the deceased issued to her, unless the respondents (1) St. Patrick Thuring, (2) Erin Florence Gertrude de Salis, (3) Amy Blanch Cecily Foenander, (4) Yolvin Joseph Thuring, (5) Alfred Bertram Charles Thuring, (6) Margaret Francke, (7) Erin Francke, (8) Bridgot Francke, and (9) George Francke or any other person or persons interested shall, on or before February 1, 1945, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 9th respondent be appointed guardian *ad litem* over the 6th and 7th respondents, unless the respondents or any other person or persons interested shall, on or before February 1, 1945, show sufficient cause to the satisfaction of this court to the contrary.

February 1, 1945.

C. NAGALINGAM,
District Judge.

Time extended for showing cause till April 12, 1945.

C. NAGALINGAM,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Hewa Jurisdiction. Walpitage *alias* Hewa Walpita Gamage Upasakappuhamy of Habaraduwa, deceased. No. 8,102.

Hewawalpitage Deonis Appuhamy of Bogahawatta in Polwatta, Weligama Petitioner.
And

(1) Hewawalpitage James Appuhamy of Bogahawatta in Polwatta aforesaid, (2) Hewawalpitage Peeris Appuhamy of Wilipitiya, Weligama, (3) Heenatigala Pathranage Lokuhamy of Liyanagoda in Habaraduwa, (4) Deegoda Gamage Pelis de Silva of Pituduwa, Habaraduwa, (5) Deegoda Gamage Pawlis de Silva of Parakrama Company, Koehchukade, Colombo, (6) Deegoda Gamage Piyadasa de Silva, (7) Deegoda Gamage Sirisena of Liyanagoda in Habaraduwa, (8) Deegoda Gamage Martin de Silva, (9) Deegoda Gamage Francis de Silva; both of Liyanagoda aforesaid, (10) Deegoda Gamage Presila de Silva of Hawpe, Imaduwa, (11) Deegoda Gamage Jane de Silva of Digaredda, Ahangama Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge of Galle, on February 16, 1945, in the presence of Messrs. D. & E. Amarasuriya, Proctors, on the part of the petitioner, and on reading the petition and the affidavit of the petitioner dated February 8, 1945, and the motion of the said proctors.

It is ordered and declared that the petitioner is the eldest brother of the said deceased and that he is hereby entitled to have letters of administration to the estate of the said deceased, Hewa Walpitage *alias* Hewawalpita Gamage Upasakappuhamy issued to him, unless the respondents above named or any other person or persons interested shall, on or before April 20, 1945, show sufficient cause to the satisfaction of this court to the contrary.

February 16, 1945.

R. R. SELVADURAI,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Nanayakkarawasan Pallege Don Hinniappuhamy of Hirimbure in Galle, deceased. No. 8,118.

Uluwutke Gamage Madhira Gamine of Hirimbure in Galle Petitioner.

Nanayakkarawasan Pallege Dona Lily of Hirimbure in Galle Respondent.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Galle, on January 19, 1945, in the presence of Mr. F. M. Dheen, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 18, 1944, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled, as widow of the deceased above named to have letters of administration to the estate of the said deceased issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before February 23, 1945, show sufficient cause to the satisfaction of this court to the contrary.

January 19, 1945.

R. R. SELVADURAI,
District Judge.

8. 2. 45.

The date for showing cause is extended to April 27, 1945.

February 23, 1945.

R. R. SELVADURAI,
District Judge.

In the District Court of Jaffna.

Order Absolute.

18
Testamentary In the Matter of the Last Will of the late Nagamuttu,
Jurisdiction. wife of Nagalingam of Mallakam.
No. 359.

Sinnakuddy Kanapthipillai of Mallakam..... Petitioner.

13
THIS matter coming on for disposal before H. A. de Silva, Esq.,
District Judge, Jaffna, on January 24, 1945, in the presence of
Mr. S. T. Rajaratnam, Proctor, on the part of the petitioner; and
on reading the affidavit and petition of the petitioner and of the
notary who attested the will, and the witnesses to the will.

It is ordered that the last will of the above-named deceased, dated
January 2, 1944, produced in court be and the same is hereby
declared proved and that the petitioner is hereby declared entitled
to probate of the said will as the executor named therein and that
the same be issued to him accordingly.

January 24, 1945.

H. A. DE SILVA,
District Judge.

In the District Court of Jaffna (held at Point Pedro.)

Order Nisi.

26
No. 266/P.T. In the Matter of an application for Letters of
Administration with the Will annexed in respect
of the Estate of K. Sithiravetpillai Chandra-
sekarampillai of Valvettiturai, deceased.

Mangayathkarasi, widow of Sithiravetpillai Chandrasegaram-
pillai of Valvettiturai..... Petitioner.

20
Chandrasekarampillai Pasakaramandavel of Valvetti-
turai..... Respondent.

21
THIS matter coming on for disposal before E. Wijewardene, Esq.,
Additional District Judge of Jaffna, on March 13, 1945, in the
presence of Mr. A. N. Velayuthan, Proctor, on the part of the
petitioner above named; and the petition, affidavit and the last
will with its translation in English having been read:

It is ordered that the petitioner above named, as widow of the
deceased, be and she is hereby declared administratrix in this case
and she is hereby declared entitled to have letters of administration
with copy of last will No. 7,409 of October 1, 1937, annexed, which
has been proved before this court, issued to her accordingly, unless
the respondent above named or any person or persons interested
shall, on or before April 20, 1945, show sufficient cause to the
satisfaction of this court to the contrary.

E. WIJEWARDENE,
Additional District Judge.

In the District Court of Batticaloa.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Paul Joseph of Koddaimunai, deceased.
No. 533.

Daisy Edith Joseph of Koddaimunai Petitioner.

20
(1) Jayanthan Samuel Joseph, minor, aged 19 years, (2) Ivy
Angelina Nesamany Joseph, minor aged 17 years, (3) Leslie
Karunanathan Merlin Joseph, minor aged 16 years, (4)
Pakianathan Vernon Joseph, minor aged 14 years, (5)
Noel Kirupanathan Joseph, minor 11 years, (6) Kamala
Paulin Isabel Joseph, minor aged 8 years, (7) William
Rasiah Chandrasekaram, guardian *ad litem* over the minors,
the 1st to 6th respondents, all of Koddaimunai.... Respondents.

THIS matter coming on for disposal before L. W. de Silva, Esq.,
District Judge of Batticaloa, on February 8, 1945, in the presence

of Mr. K. V. M. Subramaniam, Proctor, on the part of the
petitioner and the affidavit of the said petitioner dated January
4, 1945, having been read:

It is ordered that the 7th respondent above named be and he
is hereby declared appointed guardian *ad litem* over the minors,
the 1st to 6th respondents above named, and the petitioner above
named be and she is hereby declared entitled to 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
March 8, 1945, show sufficient cause to the satisfaction of this court
to the contrary.

February 8, 1945.

L. W. DE SILVA,
District Judge.

Order Nisi extended to April 5, 1945.

March 8, 1945.

L. W. DE SILVA,
District Judge.

In the District Court of Badulla.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Tuan Arifeen Doole of Andeniya, Badulla,
No. B. 1,102. deceased.

Sraile Marikkar's daughter, Nona Bannen of Andeniya,
Badulla..... Petitioner.

(1) Nghai Booring alias Nghai Jaseem, a minor about 18 years
by her guardian *ad litem*, (2) Jameen Buhar Saldin of
Andeniya, Badulla, and (3) Isa Umma, wife of A. Cader of
the Salt Department in Pulutenna..... Respondents.

20
THIS matter coming on for disposal before Herbert S. Roberts,
Esq., District Judge of Badulla, on February 1, 1945, in the
presence of Mr. T. Latiff J. Hadgie, Proctor, on the part of the
petitioner, Sraile Marikkar's daughter Nona Bannen of Andeniya,
Badulla; and the affidavit of the said petitioner dated December 22,
1944, having been read:

It is ordered that the will of Tuan Arifeen Doole, deceased, dated
April 4, 1940, and deposited in this court, be and the same is hereby
declared proved, unless the above-named respondents shall on or
before February 27, 1945, show sufficient cause to the satisfaction
of this court to the contrary.

It is further declared that the said Sraile Marikkar's daughter
Nona Bannen, the petitioner above named is the executor named
in the said will and that she is entitled to have probate of the
same issued to her accordingly.

It is further ordered that the 2nd respondent be appointed
guardian *ad litem* over the 1st respondent minor, unless the res-
pondent or any other person shall show cause to the satisfaction
of this court to the contrary.

February 1, 1945.

HERBERT S. ROBERTS,
District Judge.

Time to show cause is extended for April 10, 1945.

February 27, 1945.

HERBERT S. ROBERTS,
District Judge.